

12 RESPONSE TO COMMENTS

12.1 OVERVIEW

The Draft EIR for the proposed project was issued on November 10, 2009, and circulated for public review and comment for a 59-day period that ended on January 7, 2010. CEQA requires a review period of 45-days for projects that have been submitted to the State Clearinghouse for review by State Agencies. (Refer to CEQA Guidelines Section 15105 a). Because of the holidays and the fact that the City of Roseville would be on furlough the week between Christmas and New Years, the circulation period was extended an additional 14-days beyond the normal 45-day comment period, thus giving commenters more than the legally required minimum time for review, even accounting for holidays.

During the public review period, the City received 13 written comment letters on the Draft EIR. These include 9 letters received from State, regional, or local public agencies or service providers, 2 letters from organizations, and 2 letters from individuals. No public oral comments were received during the Planning Commission Public Hearing on the Draft EIR December 10, 2010.

Table 12-1 provides the following information: (1) a comprehensive list of commenters grouped by type; (2) the comment letter number used to identify the commenter; and (3) the page number of this chapter at which each comment letter and the responses to that letter begin.

The complete text of the written comments, and the city's responses to those comments, is presented in this chapter. A copy of each comment letter, marked in the margin with the response numbering, is followed by its corresponding response(s). Following the response to comments at the back of this chapter are meeting notes from the Transportation Commission, Public Utilities Commission, Park and Recreation Commission and Planning Commission.

**TABLE 12-1
LIST OF COMMENTERS ON THE DRAFT EIR**

Comment Letter Number	Commenter	Page Number
State Agencies		
1	Office of Planning and Research	12-4
2	California Highway Patrol	12-6
3	Department of Transportation (Caltrans)	12-11
Local Agencies		
4	Sacramento County	12-17
5	Placer County Community Development Department	12-19
6	Western Placer Waste Management Authority	12-27
7	Placer County Agricultural Commissioner	12-31
8	Center Joint Unified School District	12-38
9	Placer County Local Agency Formation Commission	12-48
Organizations		
10	Sierra Club, Motherlode Chapter	12-50
11	Sierra Club, Placer Group	12-61
Individuals		
12	Tim Duffy, AIA	12-69
13	Matthew L. Friedman, MRP	12-70

12.2 RESPONSES TO COMMENTS

In accordance with Section 15088 (a) of the CEQA Guidelines and Public Resources Code Section 21091(d), this section of the Final EIR contains all comments received on the Draft EIR during the public review period, as well as the Lead Agency's responses to these comments. Reasoned, factual responses have been provided to all comments received, with a particular emphasis on

significant environmental issues. Detailed responses have been provided where a comment raises a specific issue; and a general response has been provided where the comment is relatively general. Where a comment does not raise an environmental issue or expresses the subjective opinion of the commenter with respect to the policy merits of the proposed project, the comment is noted but no response is provided. For example, because according to Section 15131 (a) of the CEQA Guidelines, economic or social effects of a project shall not be treated as significant effects on the environment, comments on purely economic or social issues may not require a response under CEQA. In general, the focus of the analysis is on the physical changes that will be caused by proposed projects. Comments that are outside the scope of CEQA review will be forwarded for consideration to the decision-makers when deciding whether to approve or deny the proposed project.

As stated in Section 15204 (a) of the CEQA Guidelines, the adequacy of an EIR is determined in terms of what is reasonably feasible in light of factors such as the geographic scope of the project, the magnitude of the project, and the severity of the likely environmental impacts. As further expressed in Section 15151 of the CEQA Guidelines, “An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible.”



ARNOLD SCHWARZENEGGER
GOVERNOR

January 14, 2010

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

RECEIVED

JAN 20 2010

Planning & Redevelopment
Department



CYNTHIA BRYANT
DIRECTOR

Kathy Pease
City of Roseville
311 Vernon Street
Roseville, CA 95678

Subject: Sierra Vista Specific Plan, Annexation, General Plan Amendment and Sphere of Influence
Amendment
SCH#: 2008032115

Dear Kathy Pease:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on January 11, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

1-1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Acting Director, State Clearinghouse

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

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008032115
Project Title Sierra Vista Specific Plan, Annexation, General Plan Amendment and Sphere of Influence Amendment
Lead Agency Roseville, City of

Type EIR Draft EIR
Description NOTE: Review Per Lead

The applicant requests approval of an amendment to the City's Sphere of Influence boundary of ~373 acres and an Annexation of ~2,064 acres of vacant land generally located west of Fiddymnt Rd. and north of Baseline Rd. The applicant also requests a General Plan Amendment and adoption of a new Specific Plan to establish residential, commercial, parks, open space, and public land use designations, a Zoning Ordinance Amendment to establish development standards for each parcel and to amend the City's RS Development Standards. Also requested are Development Agreements between the City and each of the 6 property owners to provide the infrastructure needed to support the proposed development.

Lead Agency Contact

Name Kathy Pease
Agency City of Roseville
Phone (916) 774-5276 **Fax**
email
Address 311 Vernon Street
City Roseville **State** CA **Zip** 95678

Project Location

County Placer
City Roseville
Region
Lat / Long 38° N / 121° 36' 28.77" W
Cross Streets Baseline Road and Fiddymnt Road
Parcel No. 017-150-001, 002,...
Township 11N **Range** 5E **Section** 36 **Base**

Proximity to:

Highways
Airports
Railways
Waterways
Schools Center HS
Land Use Z: F-B-X 20 acre minimum & F-B-X 80 acre minimum

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

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

Date Received 11/10/2009 **Start of Review** 11/10/2009 **End of Review** 01/11/2010

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

RESPONSE TO COMMENT LETTER 1

FROM THE OFFICE OF PLANNING AND RESEARCH

Response to Comment 1-1

The commenter acknowledges that the City has complied with the review requirements of the State Clearinghouse and that no comments were submitted to the State Clearinghouse by State agencies. No response is required.

State of California—Business, Transportation and Housing Agency **ARNOLD SCHWARZENEGGER, Governor**

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

California Highway Patrol
9440 Indian Hill Road
Newcastle, CA 95658
(916) 735-3344
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



DEC 11 2009

December 8, 2009

File No.: 220.12336.11784.SCH#2008032115

Ms. Kathy Pease, Senior Planner, AICP
City of Roseville Planning and Redevelopment Department
311 Vernon Street
Roseville, CA 95678

Dear Ms. Pease:

Recently, the California Highway Patrol (CHP) Auburn Area had the opportunity to review the Sierra Vista Specific Plan, Draft Environmental Impact Report SCH#2008032115. We believe the growth discussed will have a major impact on the mission of the CHP of providing safety and service to the public as they use the highway transportation system within Placer County. The project as outlined will substantially increase traffic volume and impact the State highways and roadways within the southern portion of Placer County, primarily Interstate 80 (I-80), State Route 65 (SR-65), west of Fiddymont Road, north of Baseline Road to approximately ½ mile west of the intersection of Watt Avenue, and south of the West Roseville Specific Plan.

2-1

The effect this project will have on the Auburn CHP Area could be significant in the number of residents it will attract. The proposed plan encompasses approximately 2,064 acres of land currently in the City of Roseville and western Placer County. The plan calls for the construction of 6,650 dwelling units, with a possible increase of 25,219 new residents and 2,419,113 square feet of retail and office uses, resulting in approximately 5,821 jobs. The project would also provide sites for construction of four elementary schools, one middle school and a fire station. This project will contribute a significant amount of traffic volume on regional roadways and intersections that would exceed their current capacity.

The Auburn CHP Area office is responsible for more than 800 square miles of area in west Placer County, which includes I-80, S.R. 49, S.R. 193, S.R. 65, and over 1,100 miles of county roadways. We are committed to providing the maximum amount of service and traffic enforcement allowable with our current staffing levels. This project will impact our ability to provide traffic law enforcement services, unless additional staffing is allocated to patrol this project.

2-2

There are no immediate plans to augment the workforce in the Auburn CHP Area Office, nor are there any major roadway projects to significantly increase the traffic capacity of I-80 or SR-65. This is an area that should be discussed as this project, along with several other major developments within the immediate vicinity, will have a major impact on traffic.

2-3

Safety, Service, and Security

Ms. Pease
Page 2
December 8, 2009

I-80, which bisects the City of Roseville, is currently operating at or near maximum capacity. During certain times of the day, I-80 is beyond capacity resulting in gridlock or near gridlock as traffic flows at a seriously reduced speed in both directions. Furthermore, SR-65, which is located on the north edge of Roseville, has already experienced a major increase in usage due to the growth from the cities of Lincoln, Roseville, Rocklin and unincorporated Placer County. Any significant increase in growth will further adversely affect these major routes of travel.

2-4

We thank you for allowing our comments regarding the Draft Environmental Impact Report for the Sierra Vista Specific Plan. Through cooperative partnerships with local, county and State entities the CHP will continue to monitor the growth within western Placer County and the surrounding cities for its impact on the CHP's mission.

Sincerely,



W. L. Donovan, Captain
Commander
Auburn Area

cc: Assistant Chief M. S. Champion, Valley Division
R. M. Nannini, Special Projects Section

RESPONSE TO COMMENT LETTER 2**FROM THE DEPARTMENT OF CALIFORNIA HIGHWAY PATROL****(W.L. Donovan, Captain)****Response to Comment 2-1**

This comment provides an overview of the Highway Patrol's service area, and indicates concerns regarding traffic on the state highway system. This comment goes on to reiterate that existing I-80 and SR-65 are impacted and that growth will further impact these facilities. The traffic section of the EIR concurs with this conclusion and indicates that traffic impacts on regional facilities would be significant and unavoidable (pages 4.3-166 through 4.3-170 regarding increased volumes on state highways). Proposed Mitigation Measures 4.3-5 and 4.3-6 would require the project applicants to pay their fair share of the costs of improvements needed to maintain or achieve acceptable levels of service on affected state facilities.

Response to Comment 2-2

The commenter states that the project would impact the ability of the Highway Patrol to provide traffic law enforcement services to the project site unless additional staffing is allocated to patrol this project. The City acknowledges this comment, but feels that the Commenter has not provided any evidence demonstrating a connection between possible approval of the proposed project and the need for additional staffing to provide traffic control to the project site. The project site does not abut any state highways, and is located some distance from any state highway system. As indicated in the DEIR, the City of Roseville proposes to annex not only the project site, but also Baseline Road in its entirety along the project's frontage so traffic law enforcement services are anticipated to be provided by the Roseville Police Department.

Response to Comment 2-3

The comment states that there are no immediate plans to increase staffing in the Auburn CHP office, and that there are no roadway projects that will significantly increase the traffic capacity of I-80 or SR-65. This statement related to future traffic capacity increases is incorrect. There are several short-term improvements planned for I-80 and SR-65. According to the Placer County Transportation Agency (PCTPA) website, construction of improvements to I-80 are currently

underway. Phase 2 of the I-80 Capacity and Operational Improvements project has been under construction since May 2008, and upon completion will add eastbound and westbound carpool and auxiliary lanes from the Placer County line to Eureka Road along with improvements at the Auburn/Riverside Boulevard, Douglas Boulevard, and Atlantic/Eureka interchanges. Phase 3 improvements are under construction and are expected to be completed in 2011. Phase 3 improvements will add auxiliary and carpool lanes on the eastbound side from Miners Ravine to just east of SR-65.

Response to Comment 2-4

In addition to the improvements to SR-80 as discussed in response to comment 2-3, several improvements are planned for SR-65. The proposed project will contribute approximately \$4.36 million to the Highway 65 Joint Powers Authority (JPA) and approximately \$10.53 million to the SPARTA traffic fee programs for the both interchange and widening projects along SR-65.

The proposed Lincoln Bypass project would relieve congestion and improve safety on SR-65 from a location ½ mile south of Industrial Boulevard to near Riosa Road. Nonetheless, even with the improvement projects slated for both I-80 and SR 65 the impacts from the project will be significant and unavoidable (page 4.3-166 of the DEIR traffic volumes regarding state interchanges, and pages 4.3-166 to 4.3-170 regarding increased volumes on state highways).

DEPARTMENT OF TRANSPORTATION

DISTRICT 3
 703 B STREET
 P. O. BOX 911
 MARYSVILLE, CA 95901-0911
 PHONE (530) 634-7616
 FAX (530) 741-5346
 TTY (530) 741-4509



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January 7, 2010

09PLA0021
 SCH #2008032115
 Roseville Sierra Vista Specific Plan
 Draft Environmental Impact Report (DEIR)

Kathy Pease
 City of Roseville
 311 Vernon Street
 Roseville, CA 95678

Dear Kathy Pease:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report for the Sierra Vista Specific Plan. This project, amendment to the City's sphere of influence boundary of approximately 373 acres and an annexation of approximately 2,064 acres of vacant land generally located west of Fiddymont Road and north of Baseline Road. The applicant also requests a General Plan Amendment and adoption of a new Specific Plan to establish residential, commercial, parks, open space, and public land use designations, a zoning Ordinance Amendment to establish development standards for each parcel and to amend the City's Residential (RS) Development Standards. Our comments are as follows:

3-1

Appendix D and E:

Based on the local roads of Existing plus Project Figure-7 in Appendix D, Average Daily Traffic (ADT) Volumes are increasing. Hence, ADT volumes on freeway Existing plus Project should be increase.

3-2

State Route (SR) 65 Northbound off at Blue Oaks Boulevard (Peak Hour intersection # 146 page 25), the AM Peak Hour and PM Peak Hour configurations are not corresponding. Therefore, the peak hour volumes are incorrect.

3-3

The TIS did not provide information on the Truck percentages used for the Freeway and Ramp Level of Service (LOS) Analysis for I-80, SR 65, and SR-70 mainlines and ramps.

3-4

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

3-E

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

"Caltrans improves mobility across California"

Kathy Pease
January 7, 2010
Page 2

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

Sincerely,



Richard Helman, Chief
Office of Transportation Planning - East

c: Steven Vo, Travel Forecasting

"Caltrans improves mobility across California"

Pease, Kathy

From: Aaron Cabaccang [aaron_cabaccang@dot.ca.gov]
Sent: Monday, January 11, 2010 10:39 AM
To: Pease, Kathy
Subject: Sierra Vista DEIR Comments

Good morning Kathy,

I just received some late comments from our traffic operations division, and was hoping you could still accept these as part of our official comments submitted Thursday, 1/7/2010. The comments are as follows:

- 1) This traffic study is using ADT (Average Daily Traffic) volume to study the impact to the state facilities such as I-80, SR 65, and SR 70/99. This is **not** a scientific method to study Congestion and Delay on highways. Using ADT to study congestion and delay is not the right approach. So, it is recommended to redo the portion of highway analysis with AM and PM peak hours volume. Please follows Caltrans Transportation Impact Study (TIS) guide. } 3-6
- 2) Regarding trip reduction, per the Caltrans TIS guidelines, reductions greater than 15% requires consultation and acceptance by Caltrans. Justification for exceeding this reduction should be discussed in details and be included in the TIS. 25% is used (page24) for this study. } 3-7
- 3) For the Trip Distribution diagrams, please provide percentage of project trips for AM and PM peak hours to/from state facilities. } 3-8
- 4) There are on-going Caltrans projects such as Ramp Meter project on SR 65, and SR99/Riego RD interchange project that will mitigate the traffic impact of this project. It is recommended this project contribute its fair share to these projects. } 3-9

Please do not hesitate to contact me if you have any questions.

Thank you,

Aaron Cabaccang
Transportation Planner
District 3 Marysville
Planning and Local Assistance
(530) 741-5174

1/14/2010

RESPONSE TO COMMENT LETTER 3**FROM THE DEPARTMENT OF TRANSPORTATION (Caltrans)****Response to Comment 3-1**

No response required. This comment is general in nature and acknowledges the proposed project.

Response to Comment 3-2

Figure 7 in Appendix D of the technical traffic study, is being replaced with the correct figure. For reference, the correct figure was included in the DEIR as Figure 4.3-9, Existing Plus Project Traffic Volumes on page 4.3-48. The revised figure can be found in chapter 11 of this FEIR.

Response to Comment 3-3

The technical traffic study in Appendix D has been revised to correct the error. This error does not change any of the conclusions in the Draft EIR. The revision can be found in Chapter 11 Text Changes, of this FEIR.

Response to Comment 3-4

The travel demand model used in this analysis, like virtually all regional models, does not provide a specific estimate of truck trips by roadway segment. However, it clearly attempts to account for truck trips in its total estimate of traffic on any roadway segment. The Placer County model used for this analysis is linked to SACOG's regional travel demand model (SACMET) and has a number of trip purposes. Each trip purpose attempts to include truck trips in its trip generation rates and its trip distribution. For Non-home-based trips, a separate component estimates "commercial vehicle trips", most of which are trucks. The model also includes "through trips", which have neither an origin nor a destination in the six-county SACOG region. These trips pass through the region, primarily on the State highway system, and contain a significantly higher percentage of heavy vehicles. The City's traffic expert, DKS, and SACOG are in agreement that while the regional models clearly account for trucks, the regional models do not provide a separate truck estimate for each roadway segment. However, other data can be used to estimate an appropriate percentage of total traffic that includes trucks for each facility type. The technical study used data from large urban areas to assume that on local roadways, and on freeway ramps to local roadways, that

about 4 to 5% of vehicles can be classified as trucks. This data indicates that about 50% of those trucks are two axles and the remainder have 3 axles or more. These assumptions are in the HCM calculations at intersections with freeway ramps. There is no reason to assume that the percentage of truck in the vicinity of the proposed project location differs greatly from truck percentage averages in major urban areas. On State Highway travel lanes, the percentage of trucks is usually higher than on local roadways and typically can range from 5% to 15% with a high percentage of those trucks having 3 or more axles. Truck count data on SR 65 and I-80 confirm those percentages.

Response to Comment 3-5

This comment asks that volumes and figures in the traffic impact study (TIS) be verified. Volumes and figures have been verified and revised as noted above. The traffic analysis in the EIR adequately addresses the project impacts and there are no new or greater significant impacts to traffic as a result of the minor text changes referenced. Please see text changes in Volume 7, page 60 of the Final EIR.

Response to Comment 3-6

Although the project adds only a small increment of the regional traffic demands to the State Highway system, the impacts were identified as significant and unavoidable. Caltrans staff acknowledges that these impacts are regional in scope and need to be addressed with a regional approach. Mitigation Measure 4.3-6 requires project participation in a fair share regional funding program as mitigation assuming that other public agencies (including Placer, Sacramento, and Sutter Counties, as well as Caltrans) choose to participate. As indicated in the DEIR, the project is already required to participate in the South Placer Regional Transportation Authority (SPRTA) fee program, which includes funding for the widening of Highway 65, the Highway 65 JPA, and has a Development Agreement obligation to provide funding for the proposed Placer Parkway. As regional approaches and fee programs are developed to address State highway needs, the City of Roseville is committed to being an active participant with the lead and contributing jurisdictions.

According to DKS, transportation consultants, the traffic model used for SVSP is the standard model that has been successfully used in the past for other similar projects. The project site is not adjacent to any regional state transportation facilities. It is approximately 7 miles from I-80, 6

miles from SR-65 and 7 miles from SR 70/99. Because the project is located distant from state facilities, the City and its traffic expert chose to provide a simple daily segment analysis for the freeway mainlines. This is in addition to analyzing the intersections at the freeway ramps. While this methodology differs from what is recommended in the Caltrans TIS Guidelines, because all local freeways are projected to operate unsatisfactorily under Cumulative conditions, any additional traffic on highway facilities is identified as an impact, and impacts are identified at most of the study travel lanes. Providing peak hour ADT vs. AM/PM Peak analysis would be consistent with Caltrans guidelines, but would most likely not identify any additional impacts. Notably, the Caltrans TIS Guidelines are advisory only, and reflect Caltrans's views regarding how to comply with general CEQA requirements. In general, the City and its traffic consultants follow those portions of the Caltrans Guidelines that reflect legal requirements as set forth in statute, the CEQA Guidelines or CEQA case law. The approach used in the EIR reflects the best professional judgment of DKS Associates and City staff.

Response to Comment 3-7

DKS did not apply any trip reduction factors to the project's trip generation. The statement that approximately 25% of the project trips remain within the project area is due to the fact that the project contains both residential and non-residential uses, such as employment and shopping. All residential dwelling units and non-residential square footage were inputted into the model and thus accounted for in the trip generation portion of the travel demand model. As with any travel demand model, a large project (or city for that matter) consists of many different land uses in many different traffic analysis zones (TAZ's) and it follows that the model will assign some trips between different TAZ's within the project or city, thus representing trips between uses such as residential and employment or commercial uses. This was discussed with Caltrans, and it was agreed that for this project, it's land use mix and it's location, the 25% reduction was appropriate

Response to Comment 3-8

City staff and representatives from DKS met with Caltrans staff on February 17, 2010 to discuss the TIS, its methods and results. It was agreed that project impacts would not significantly change with modifications to the TIS and that the mitigation measures listed in the EIR are appropriate and feasible measures to reduce the identified impacts.

Further, in an e-mail to Chris Kraft from Rick Helm with Caltrans dated March 22nd, Mr. Helm indicated the following:

Your below referenced response to comments concerning impacts to the State Highway System is acceptable.

In the long-term, we would like to work the City of Roseville, Placer County, Sutter County and Sacramento County, possibly through SACOG, to coordinate a traffic impact interregional fee program to help mitigate impacts to SR 99 from development projects. This, of course, will require some sort of agreement, possible establishment of a JPA or equivalent, and a Nexus Study that will take time and resources to prepare.

Response to Comment 3-9

As stated on page 4.3-186 of the Draft EIR, the project would pay its fair share of funds to Caltrans through an inter-agency agreement or other mechanism as required by Mitigation Measures 4.3-5 and 4.3-6. The City of Roseville is committed to working with Caltrans and other jurisdictions in the region to address regional traffic impacts.



Municipal Services Agency
 Department of Transportation
 Michael J. Penrose, Director

Steven Szalay, Interim County Executive
 Paul J. Hahn, Agency Administrator

County of Sacramento

January 5, 2010

Ms. Kathy Pease
 City of Roseville
 Planning & Redevelopment Department
 311 Vernon Street
 Roseville, California 95678

**SUBJECT: COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
 FOR THE SIERRA VISTA SPECIFIC PLAN**

Dear Ms. Pease:

The Sacramento County Department of Transportation has received a notice of public hearing & availability of a DEIR for the Sierra Vista Specific Plan. We appreciate the opportunity to review the DEIR for this project. We have completed the cursory review of the DEIR and have the following comments to offer:

Page 4.3-94. Mitigation Measure 4.3-4. As stated in the report, the Sierra Vista Specific Plan project has an impact on Watt Avenue south of PFE Road. With the addition of project traffic, the LOS results change from an acceptable LOS E standard to an unacceptable LOS F standard. The report considers this as a significant impact and proposes to mitigate the project's impact by paying a fair share towards the mitigation measure. But, according to the Sacramento County significant impact criterion, if the addition of project traffic results in a change in LOS on a roadway/intersection facility from an acceptable LOS standard (LOS E or better) to an unacceptable LOS standard (LOS F) in the existing condition then the project proponent is 100% responsible for the construction of feasible mitigation measure. Please revise the fair share to 100% share in the FEIR as this impact is solely caused by this project. We urge that the City of Roseville enter into an agreement with the County of Sacramento to implement this mitigation measure. Please contact Department of Transportation, Chief, Dan Shoeman at 916-874-6222 or shoemand@sacounty.net and County Engineering Chief, Bob Davison at 916-874-6926 or davisonb@sacounty.net to initiate this agreement.

4-1

Page 4.3-153. Table 4.3-29. As shown in this table, the project results in an impact at the intersection of Watt Avenue and Antelope Road during the AM and PM peak hour under the 2025 plus project scenario. Since the change in V/C ratio is not more than 0.05 at this intersection (which will be operating at LOS F during the AM and PM peak hour under the 2025 without project scenario); therefore, according to the County's significant impact criterion, the impact is considered as a less than significant impact and no mitigation measure will be necessary. Please correctly reflect this change in the FEIR.

4-2

"Leading the Way to Greater Mobility"



Design & Planning: 906 G Street, Suite 510, Sacramento, CA 95814 . Phone: 916-874-6291 . Fax: 916-874-7831
 Operations & Maintenance: 4100 Traffic Way, Sacramento, CA 95827 . Phone: 916-875-5123 . Fax: 916-875-5363
www.sacdot.com

Ms. Kathy Pease
January 5, 2010
Page 2

Should you have any questions, please feel free to contact me at (916) 875-2844 or atwalk@saccounty.net.

Sincerely,



Kamal Atwal, P.E., T.E.
Associate Transportation Engineer
Department of Transportation

KA:ka

c: Matt Darrow, DOT
Dean Blank, DOT
Dan Shoeman, DOT
Mary Anne Dann, MSA
Bob Davison, County Engineering

RESPONSE TO COMMENT LETTER 4

FROM SACRAMENTO COUNTY

Response to Comment 4-1

City staff met with Sacramento staff to discuss fair share mitigation for the project's impacts on February 4, 2010. Both parties concurred, consistent with the proposed mitigation, that a sub-regional agreement will be pursued to implement Mitigation Measure 4.3-4, which requires the City to approach Sacramento County about such an agreement and by other Mitigation Measures (4.3-2, 4.3-3, 4.3-5, 4.3-6 and 4.3-7) requiring similar arrangements (or one overall agreement) with Placer County, Caltrans and Sutter County. Under the agreements contemplated by these Mitigation Measures, all participating agencies will require fair share contributions from pending and future projects, in all participating jurisdictions. Such an approach is more equitable than one in which the last project that causes a cumulative threshold to be exceeded is responsible for paying the entire cost of improvements that mitigate cumulative impacts for all future development. For all of these reasons, no changes to Mitigation Measure 4.3-4 are proposed.

Response to Comment 4-2

This comment recommends changing the level of significance of the project's impacts on Watt Avenue and Antelope Road. While the City of Roseville appreciates this consideration, no changes are being proposed at this time, and the document will continue to reflect a significant unavoidable impact.



COUNTY OF PLACER
Community Development Resource Agency

ADMINISTRATION

Michael J. Johnson, AICP
 Agency Director

January 7, 2010

Paul Richardson
 Director of Planning and Redevelopment
 City of Roseville Planning Department
 311 Vernon Street
 Roseville, CA 95678

**SUBJECT: Placer County Comments – Sierra Vista Specific Plan
 Draft Environmental Impact Report**

Dear Mr. Richardson:

Thank you for providing Placer County the opportunity to review the Draft Environmental Impact Report for the Sierra Vista Specific Plan. We have reviewed the document and compiled the following comments for your consideration.

- Circulation Plan
 - a. Figure 6-2 & 6-3- Watt Avenue and Baseline Road — Both the Placer Vineyard and Regional University Specific Plans have a 20-foot median/turn-lane planned for the portions of Watt Avenue and Baseline Road that are located within Placer County. In order to provide consistency with County Street and Roadway section we recommend that the City include a 20-foot landscape median for Watt Avenue and Baseline Road. In addition, we recommend that Watt Avenue include at a minimum 50 feet of landscaping with a meandering Class 1 trail. 5-1
 - b. Figure 6-2- Clarify the location of the future BRT lane. Will the BRT lanes be provided in the median or adjacent to the landscape corridor? What are the dimensions of the BRT lanes? 5-2
- The Extension of Watt Ave through the Richland Urban Reserve is described as an Offsite Improvement and the ROW is not shown to be reserved through the parcel, yet this roadway is necessary for the development of the approved Regional University project. How does the City intend to ensure that this ROW will be available when necessary for development of this project and does not cause a potentially significant impact? 5-3
- The extension of Road "B" to the projects westerly boundary is shown in the DEIR and has been previously shown to be necessary for traffic circulation within the project and region, but the document doesn't include any provisions or obligations for either the project developer or the City to actually extend it to the boundary. 5-4
- The document is unclear as to what improvements, and when, the project applicants will be constructing along Baseline Road. The Project Description shows full 5-5

3091 County Center Drive, Suite 280 / Auburn, California 95603 / (530)745-3000 / Fax (530)745-3080 / email: cdraecs@placer.ca.gov

Paul Richardson
 January 7, 2010
 Page 2

improvements at intersections but states that “phased improvements” will be constructed yet the Mitigation Measures state that the developer may mitigate impacts by contributing their fair share of construction costs. The document doesn’t appear to contain language obligating the developer to construct transportation improvements necessary to mitigate their impacts.

The Specific Plan and DEIR include a phasing plan for build out of the project, but neither the mitigation measures or traffic analysis include a description of what mitigations are necessary or when they should occur for each phase. The Existing plus Project and 2025 analysis show two potential scenarios, but if only portions of Phases develop and the full project doesn’t build out, where is the project obligated to mitigate the impacts they do create?

The Transportation Section contains a statement that the Sierra Vista Specific Plan will be required to widen Baseline Road to four-lanes from Fiddyment Road to the western Specific Plan Boundary, but the obligation to construct these improvements is not within the Project Description, nor is it a Mitigation Measure.

- The document doesn’t provide a description of the impacts and implications of the potential annexation of Baseline Road into the City, or acknowledge how County rights, including access rights would be maintained or preserved and how future expansions would be addressed.
- The DEIR identifies impacts to select intersections within Placer County, but should include a provision that the Sierra Vista development be obligated to pay their fair share for impacts to all roadways and intersections contained within the County Benefit District CIPs.

Fiscal and Services

- The ADEIR identifies a range of municipal services proposed to be provided by the City of Roseville; however the analysis does not include the impact of this increase in population to countywide services provided by Placer County. The County will still be responsible to provide County services to all new residents within the new City development area on a level similar as being provided to existing County residents.

The last fiscal study reviewed by the County, dated February 7, 2007, while showing some revenue shortfall, affirms the feasibility of the City to remain fiscally neutral or positive in providing municipal services with development of the project with a typical and reasonable level of special assessment.

New development in cities and associated environmental documents and fiscal analyses need to recognize the service delivery and funding implications for providing countywide services as well as municipal services. Please incorporate this discussion as it is currently not considered in the ADEIR.

- Under the Fire section; while the section addresses impacts to service delivery fairly well, it is noted that the Fire Service Construction Tax (FSCT) expires December of 2009. So as not to adversely impact Placer County Fire facilities/services nor the

Paul Richardson
January 7, 2010
Page 3

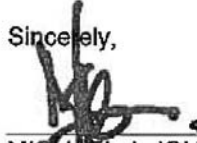
overall tax base which supports countywide services, it would be important that the City address the capital outlay funding structure for fire services since this project will be approved after the sunset of the FSCT.

- Under the Library section; The document mentions the Placer County public facilities fee. This text seems misplaced in that Roseville provides its own libraries and does not pay Placer County. Further, the text states that Roseville provides library services to surrounding counties, including Placer. This section should be deleted, Placer County provides library services for the unincorporated area.

↑
5-13

Once again, thank you for providing the County the opportunity to provide comments on the DEIR for the Sierra Vista Specific Plan. The County appreciates the ongoing collaborative interactions with the City. Should you have any questions regarding the information in this letter, please do not hesitate to call me at (530) 745-3099.

Sincerely,



MICHAEL J. JOHNSON, AICP
Agency Director

- cc. Rich Colwell, Chief Assistant CEO
 Scott Finley, County Counsel's Office
 Gina Langford, Environmental Coordinator
 Wes Zicker, Engineering and Surveying Director
 Paul Thompson, Deputy Planning Director
 Ken Grehm, Department of Public Works Director
 Andy Fisher, Facilities/Parks
 Angel Rinker, Air Pollution Control District
 Leslie Lindbo, Environmental Health Services
 Phillip Frantz, Engineering and Surveying Department
 Jennifer Dzakowic, Planning Department
 Allison Carlos, County Executive Office
 Andrew Gaber, Department of Public Works

RESPONSE TO COMMENT LETTER 5

FROM PLACER COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

Response to Comment 5-1

This comment requests a 20-foot landscape median and a 50-foot landscape area adjacent to the roadway. This is a comment on the project and not on the Draft EIR. Design considerations such as this do not raise any significant environmental issues. The project will be designed to City of Roseville standards which include landscape medians and landscaped corridors adjacent to the roadways, with pedestrian walkways. These standards would not preclude the ability for Placer

County to require median widths of 20 feet or landscape setbacks of 50 feet for those portions of Baseline Road and Watt Avenue that will remain within unincorporated area of Placer County.

Response to Comment 5-2

The commenter is correct that right-of-way to extend Watt Avenue is not being proposed through the Richland Urban Reserve. City of Roseville staff has been working with Placer County Public Works staff to draft a Memorandum of Understanding (MOU) regarding the use of condemnation (eminent domain) for specific roadway needs that may occur across corporate limits. Watt Avenue has been identified in the MOU as one of those roadway segments. At the time of this writing, the draft agreement has been circulated for county review.

Response to Comment 5-3

The commenter is correct, the right of way for Watt Avenue is not being proposed through the Richland Urban Reserve. The City of Roseville Attorney's Office and the City Public Works (PW) staff has been working with Placer County PW staff to draft a MOU that will extend the use of condemnation (eminent domain) for specific roadway needs that may occur across corporate limits. Watt Ave has been identified in the MOU as one of those roadway segments. At the time of this writing, the draft agreement has been circulated for county review.

Response to Comment 5-4

While the extension of Road B will aid in regional traffic solutions, it is not needed as part of the project, and the project is not relying on this improvement. Road B was adequately analyzed in the EIR's super cumulative analysis. The location of Road B was specifically aligned to ensure that it could be connected to the west in the future. If determined to be necessary in the future, the extension of Road B to the western boundary of the Plan Area will be funded by the City's CIP program with traffic mitigation fees (TMF) collected in part by this project. The portion of Road B west of the Sierra Vista Specific Plan area would be funded through regional traffic fees or adjacent development within Placer County.

Response to Comment 5-5

In general, the project will provide its fair share of mitigation for significant traffic impacts to which it contributes. Sierra Vista is obligated however, to build certain improvements, such as

four travel lanes and a two-way left turn lane to be built in advance of the ultimate six-lane improvements to Baseline Road. Text amendments will be made to clarify this in the Project Description. Public Works staff from the City and County, have been actively working with the City's traffic expert to revise the existing Baseline/Walerga Fee Program to include Sierra Vista. Conditions of approval will ensure that the project improvements are built as needed to accommodate incremental development.

Response to Comment 5-6

The Public Works Department will monitor traffic conditions and ensure that improvements are made to mitigate the effects of project development in a timely manner. Increased traffic volumes along Baseline Road are expected to occur with or without development within the SVSP. The Plan is expected to contribute approximately \$1,350/dwelling unit equivalent (DUE) towards the Baseline/ Walerga Fee Program, a portion of which will be available for either CIP projects or developer reimbursed projects on Baseline Road. Fiddymment Road will be built to include an additional two south bound lanes as part of the City's CIP prior to the development of the Plan Area. This improvement is included in the City's current CIP and is needed with or without development in the SVSP. The proposed project is obligated to widen Baseline Road to a four lane roadway adjacent to the plan area. It is expected that this widening will occur over time concurrent with adjacent development. Additional specific intersection improvements will be constructed in advance of adjacent development. First phase improvements include improvements to the Fiddymment / Baseline Road intersection.

Response to Comment 5-7

The text of the project description has been amended to clarify that the project is obligated to build four lanes on Baseline Road in advance of the ultimate buildout of Baseline as part of the project.

Response to Comment 5-8

The City of Roseville is committed to working with Placer County to ensure the smooth completion of Baseline Road in a timely and equitable manner. The environmental analysis assumed that expansion of Baseline Road to four-lanes, with ultimate buildout to six lanes. The proposed project is obligated to widen Baseline Road to a four lane roadway adjacent to the plan

area. It is expected that this widening will occur over time concurrent with adjacent development. Constructing the frontage lanes will be the responsibility of the adjacent developer, with regional improvements for the center lanes funded by the Baseline/Walerga Fee Program and reimbursed to the developer as funds are available. As Baseline Road is developed and widened to the south, it will be annexed to the City. The MOU referenced in Response to Comment 5-3, above, will address County access rights to/from Baseline Road.

Response to Comment 5-9

This comment asks that the project pay its fair share for all intersection improvements identified in the County's Benefit District CIP program. As indicated in the EIR on page 4.3-183, the City of Roseville will work with Placer County to calculate and implement fair share mitigation through an inter-agency agreement or other arrangement. Such an approach is required by Mitigation Measure 4.3-3.

Response to Comment 5-10

The commenter is correct that the analysis in the EIR did not include a fiscal analysis regarding County services. The Public Services text has been amended to indicate that the County will continue to provide services such as courts, and social services to the plan area. The provision of social services is a fiscal impact, not a physical environmental impact. CEQA does not require a fiscal analysis as part of the environmental review process or that lead agencies provide mitigation for any fiscal impacts that might result from a proposed project. Section 15131 (a) of the CEQA Guidelines provides that economic or social effects of a project shall not be treated as significant effects on the environment, which means that the duty to mitigate significant environmental effects where feasible does not apply to purely fiscal effects.

Response to Comment 5-11

As noted in the preceding response, CEQA does not require that an EIR include a fiscal analysis or that lead agencies must propose mitigation measures to address purely fiscal impacts. As part of the project analysis, however, the economics firm EPS prepared a fiscal analysis for the City to ensure that adequate public services could be provided to the proposed project. The first tier of the analysis was completed in March 2007 as part of the Feasibility Analysis the City prepared prior to proceeding with the Specific Plan process. The results of the Fiscal Analysis were made

available to the public. As part of the Development Agreement process for the SVSP, the City of Roseville will ensure that, at a minimum, the SVSP will be fiscally neutral consistent with the City's General Plan policy.

Response to Comment 5-12

Fire financing is included in the draft Development Agreement. The City acknowledges the possible expiration of the Fire Service Construction Tax. Until that time, the landowners, or their respective successors, will pay the Fire Service Construction Tax at issuance of building permit as required by Chapter 4.46 of the Roseville Municipal Code. In the event that the Fire Service Construction Tax is not extended beyond its current expiration date or is otherwise discontinued, the landowners or their successors shall pay a fee, at issuance of building permit, equal in amount to the non-extended or discontinued Fire Service Construction Tax. This requirement will continue until Project buildout.

Response to Comment 5-13

The commenter questions the EIR's reference to Placer County's public facilities fee. The reason this is noted in the EIR is that all relevant state and local programs are described in each chapter of the EIR.

The commenter requests that the sentence that indicates that Roseville provides library services to surrounding counties including Placer be deleted. While Placer County does provide library services to County residents, it is also correct that County patrons utilize City of Roseville facilities. Therefore, no text amendment is proposed.



WESTERN PLACER
WASTE MANAGEMENT AUTHORITY

JOHN ALLARD, ROSEVILLE, CHAIRMAN
ROCKY ROCKHOLM, PLACER COUNTY
GEORGE MAGNUSON, ROCKLIN
SPENCER SHORT, LINCOLN
ROBERT WEYGANDT, PLACER COUNTY
JAMES DURFEE, EXECUTIVE DIRECTOR

January 7, 2010

Kathy Pease, AICP
City of Roseville Planning Department
311 Vernon Street
Roseville, CA 95678

RE: SIERRA VISTA SPECIFIC PLAN - DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)

Dear Ms. Pease:

Thank you for providing the Western Placer Waste Management Authority (WPWMA) with the opportunity to review the above mentioned DEIR. The WPWMA is a regional agency that owns and operates the Materials Recovery Facility (MRF) and Western Regional Sanitary Landfill.

WPWMA staff had the opportunity to comment, in writing and via conference call, on many areas of the administrative draft EIR. Thank you for addressing many of our comments.

Our remaining comments are as follows:

Executive Summary

- 1. Page 3-26 – Table 3-1, *Summary of Impacts and Mitigation Measures – Under Mitigation Measures*, there are several references to the WRSP Landfill that should be spelled WRSL.

4.12.4 Solid Waste – Public Utilities: Environmental Setting

- 2. Page 4.12.4-2 – Refers to the composting annual processing capacity as 6,000 tons; the annual processing capacity is 60,000 tons.
- 3. Table 4.12.4-1, *2008 Solid Waste Generation Detail (tons)* – As previously discussed, the WPWMA diversion totals were obtained from data provided by WPWMA, to the City, for CIWMB Annual Reporting purposes. As such, some of the diversion categories overlap; for example, the total MRF diversion of 52,215.1 tons includes both recovery from the MRF sorting lines

6-1
6-2
6-3

RECYCLING AND DISPOSAL MADE EASY

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Sierra Vista Specific Plan ADEIR
 Kathy Pease
 January 7, 2010
 Page 2

and source-separated deliveries of various material types – some of which are listed separately in the table (e.g. tires, scrap metal, biomass). Double counting of diversion can result in an over-estimate of waste generation; however since the DEIR already established that the project would shorten the life of the landfill and therefore be considered a significant impact, refining the accuracy of the data may not alter the conclusions. However, if interested, WPWMA staff is available to discuss how to best summarize diversion to avoid double counting.

↑

Impact 4.12.4-1 – Increased Demand for Solid Waste Services at the MRF

4. Page 4.12.4-10 – The 2nd paragraph needs to make the distinction between design capacity (2,200 tpd) and permitted capacity (1,750 tpd). As currently written, the term "permitted" should be replaced with the term "designed" or "design".

6-4

5. Page 4.12.4-11 – The 2nd sentence in the 2nd paragraph states "...the permitted capacity of the MRF has increased from 1,900 tons per day to 2,200 tons per day." This statement used incorrect permit data; correct information is as follows: the WRSL is currently permitted at 1,900 tpd, the MRF is permitted at 1,750 tpd, and the MRF's design capacity is 2,200 tpd.

6-5

6. Page 4.12.4-12 –

- a. Corrections to the 2nd paragraph – "According to WPWMA staff...one cubic yard of landfill space."
- b. The 3rd paragraph refers to Mitigation Measure MM 4.12.4-1, which cannot be found in the list of Mitigation Measures in the Executive Summary; I believe the writer intended to refer to WMM 4.11-7, Landfill Expansion.
- c. The 3rd paragraph also states that the impact is considered Less Than Significant; it should state the impact is Significant and Unavoidable.

6-6

Impact 4.12.4-4 – Construction Debris Demand for Solid Waste Services

7. Page 4.12.4-14, 15 – The impact analysis, to a limited extent, addresses the impacts to the landfill; however it fails to address impacts on the MRF.

6-7

Although diverting 50 percent of construction debris would lessen the impact to the landfill, it would not necessarily lessen the impact to the MRF (materials may be delivered to the MRF for processing). Therefore, the analysis does not fully justify the reduction in significance to *less than significant*. The

6-7

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Kathy Pease
January 7, 2010
Page 3

analysis, as well as WMM 4.11-11, should address the impacts to both the landfill and MRF.

Mitigation Measure WMM 4.11-7 – Expand the Landfill

8. Page 4.12.4-15 – The DEIR states, in WMM 4.11-7, that collection fees shall be paid to the City of Roseville, a portion of which shall be used to service bonds necessary to fund landfill expansion. Please provide additional clarification on the fees and bonds; e.g.

6-8

- a. What are the fees; are they the normal fees customers pay or a separate fee reserved specifically for funding landfill expansion, and
- b. What are the bonds and how will Roseville bonds relate to funding an expansion of the WPWMA facility.

Thank you again for the opportunity to review the DEIR. Should you have any questions please do not hesitate to call me at 530-886-4965 or Eric Oddo, Senior Civil Engineer, at 916-543-3984.

Sincerely,



Chris Hanson
Senior Planner

cc: Bill Zimmerman, Program Manager
Eric Oddo, Senior Civil Engineer

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RESPONSE TO COMMENT LETTER 6**FROM THE WESTERN PLACER WASTE MANAGEMENT AUTHORITY****Response to Comment 6-1**

The text of the document has been changed on page 3-26 as requested by the commenter.

Response to Comment 6-2

Text on page 4.12.4-2 has been amended to correctly state that the annual capacity is 60,000 tons.

Response to Comment 6-3

This comment indicates that the analysis appears to have double counted diversion rates which can result in an over-estimate of waste generation. Because potential over counting results in a conservative conclusion, no changes to the document are proposed.

Response to Comment 6-4

The text on page 4.12.4-10 has been revised to clarify the design capacity of the MRF.

Response to Comment 6-5

The text on page 4.12-11 has been revised to reflect that the WRSL is currently permitted at 1,900 tons per day, the MRF is permitted at 1,750 tons per day, and the MRF's design capacity is 2,200 tons per day.

Response to Comment 6-6

Although the analysis of Impact 4.12.4-2 clearly concludes that the impact on landfills is significant and unavoidable (see DEIR, pp. 1-5, 4.12-11), due to a typographical error, on page 4.12-12 the text states that the impact is less-than-significant. This typographical error has been corrected. This change in impact characterization from "less than significant" as incorrectly shown in the Draft EIR, to "significant and unavoidable" is necessary to correct a factual error in the Draft EIR, which notable, had correctly shown the impact as significant and unavoidable in the original version of Table 3-1 in the Executive Summary. The change moreover, is consistent with the logic of the original discussion of impact 4.12.4-2, which explained that the City has no ability to guarantee an expansion of the Western Regional Sanitary Landfill. This change to correct an earlier, inadvertent error does not create a "new significant impact" of the project.

Response to Comment 6-7

The commenter questions whether the analysis adequately addresses impacts to the MRF and the landfill as a result of construction debris demands. The unit demand factors used in the analysis of Impact 4.12-4 included construction and demolition (C&D) debris generated within the City of Roseville in 2008. During 2008, 963 homes totaling approximately 1,617,000 square feet were constructed within the City of Roseville, along with 2,134,900 square feet of non-residential construction. Applying the C&D debris factor recommended by the U.S. Environmental Protection Agency of 4.4 pounds per square foot of construction to the total square footage of 2008 development in Roseville results in a C&D debris generation rate of 23.7 tons per day. To determine if this amount of C&D debris analyzed within the DEIR accurately represents the amount C&D debris that will be produced in future development years within the City of Roseville by the proposed SVSP plus future development, an additional analysis has been prepared using the City's future absorption rates for residential and non-residential construction.

According to an absorption study prepared by Al Johnson Consulting, as part of the fiscal analysis, it is assumed an additional 15,146 dwelling units will be constructed over the next 19 years, with a maximum of 1,200 homes (2,175,000 square feet) constructed in 2014. The absorption study also assumes a total of 24,024,212 square feet of non-residential construction will be built over a period of 30 years, with a maximum of 1,210,016 square feet constructed in both 2038 and in 2039. However, during 2038 and 2039 it is expected that residential construction will be zero, because residential buildout will have occurred by 2028. The year 2014, therefore, generates the maximum amount square foot construction and, thus, the maximum annual C&D debris in any given year (when considering both residential and non-residential absorption rates) during the period between the current year and buildout of the City. In 2014, residential C&D debris is estimated at 13.1 tons per day, and non-residential is estimated at 4.7 tons per day for a total C&D debris generation rate of 17.8 tons per day. This is considerably less than the 23.7 tons per day assumed in the DEIR analysis based on 2008 level of development. Because the MRF was able to process the amount of C&D debris generated in 2008, which was greater than the amount that would be produced in the projected future peak year, there would be a less-than-significant impact on the MRF following implementation of Mitigation Measures WMM 4.11-7 and WMM4.11-11 identified in the DEIR (see pp. 4.12.4-14 and 4.12.4-15 to 4.12.4-16), and no additional mitigation is required.

Response to Comment 6-8

The commenter requested additional information on the collection fees referenced within WMM 4.11-7. The collection fees are the normal monthly rates paid by City of Roseville solid waste service customers for waste collection and disposal. A portion of the City's monthly rates are used to pay tipping fees to the Western Placer Waste Management Authority (WPWMA) for the processing and disposal of solid waste. The WPWMA tipping fees, in the past, have included any necessary costs for bond repayments related to solid waste facility improvements including the MRF and the landfill. It is the City's assumption that this practice will continue in the future and tipping fees established by the WPWMA will be the means for funding required facility improvements including future required expansions.

12-31-'09 10:31 FROM-

T-656 P0001/0005 F-906



COUNTY OF PLACER

AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS & MEASURES

CHRISTINE E. TURNER
Agricultural Commissioner/Sealer

11477 E AVENUE, AUBURN, CALIFORNIA 95603
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www.placer.ca.gov

December 31, 2009

TO: Kathy Pease, Senior Planner, Planning Department, City of Roseville
FROM: Josh Huntsinger, Deputy Agricultural Commissioner, Placer County
SUBJECT: **Sierra Vista Specific Plan Public Draft Environmental Impact Report (EIR) dated November 5, 2009**

Attached is a copy of the letter that was submitted by Christine Turner, Placer County Agricultural Commissioner, on September 18, 2009, regarding the Sierra Vista Specific Plan Administrative Draft EIR dated August, 2009.

The concerns addressed in that letter regarding the Sierra Vista Specific Plan's potential impacts to agriculture remain as the City of Roseville moves forward with the Public Draft EIR.

I request that you include Christine Turner's original comments, dated September 18, 2009, in your consideration of this latest draft of the Sierra Vista Specific Plan EIR.

cc: Christine E. Turner

7-1

5 Pages

12-31-'09 10:31 FROM-

T-656 P0002/0005 F-906



**PLACER COUNTY DEPARTMENT OF
AGRICULTURE
WEIGHTS AND MEASURES**

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CHRISTINE E. TURNER
Agricultural Commissioner/
Sealer of Weights and Measures

September 18, 2009

TO: Kathy Pease, Senior Planner, Planning Department, City of Roseville
FROM: Christine Turner, Placer County Agricultural Commissioner
SUBJECT: Sierra Vista Specific Plan Administrative Draft Environmental Impact Report (ADEIR) dated August 2009

Thank you for allowing me to submit comments on the City of Roseville's Sierra Vista Specific Plan Administrative Draft Environmental Impact Report (ADEIR), dated August 2009, as we discussed on September 16, 2009. As I indicated to you in our conversation, I am concerned about the impacts this specific plan project will have on the agricultural resources of the site.

ADEIR Project Description

"The proposed Sierra Vista Specific Plan (SVSP) project site is approximately 2,064 acres located in unincorporated Placer County. The project site is characterized by gently rolling topography and large, open annual grassland areas. The Placer County General Plan currently designates most to the project site as Agriculture/Timberland, 80-acre minimum. The SVSP is designated in the Placer County Zoning Ordinance as Farm Combining Building Site, 80-acre (FB-X-80). The majority of the proposed project site is undeveloped and has historically been used for agricultural or [livestock] grazing activities. The California Department of Conservation (CDC) classifies the project site a Farmland of Local Importance."

7-2

Farmland of Local Importance

California Department of Conservation definition of Farmland of Local Importance:
"Farmland of Local Importance is land of importance to the local economy, as defined by each county's local advisory committee and adopted by its Board of Supervisors. Farmland of Local Importance is either currently producing, or has the capability of production, but does not meet the criteria of Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. Authority to adopt or to recommend changes to the category of Farmland of Local Importance rests with the Board of Supervisors in each county."

In Placer County, Farmland of Local Importance is those farmlands "not covered by the categories of Prime, Statewide, or Unique. They include lands zoned for agriculture by County Ordinance and the California Land Conservation Act as well as dry farmed lands, irrigated

pasture lands, and other agricultural lands of significant economic importance to the County and include lands that have a potential for irrigation from Placer County water supplies." ↑

Section 4.1 Land Use and Agricultural Resources

Section 4.1 Land Use and Agricultural Resources, Page 4.1-10: Most of the soils in the project area are Class II, III and IV, "which severely limit agricultural production" is a misleading statement. How productive agricultural soils are greatly depends on what crop is grown on them and how they are managed. Much of the soils in the project area have slow to very slow permeability and USDA, Soil Survey of Placer County, Western Part, states that these soils are suitable for rice production, which requires poorly drained soils. The fact that there is currently no rice production in this area does not diminish the value of the soil as an agricultural resource. In addition, the Soil Survey also lists the soils in the project area as suitable for winter grain production, irrigated pasture and rangeland livestock grazing. In fact, the existing agricultural land uses include "ongoing dry farming activities," limited strawberry production, and livestock grazing.

7-3

Section 4.1 Land Use and Agricultural Resources, Page 4.1-47: The statement, "For the purposes of this EIR, a significant impact would occur if development proposed in the project area would do any of the following:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use..."

This statement arbitrarily limits the *Significance Criteria* to exclude Farmland of Local Importance and fails to recognize the economic value of the agricultural land resource base.

7-4

In the same section, continued on Page 4.1-48, the next bullet states,

- "Involve other changes in the existing environment, which due to their location or nature, could result in the conversion of Farmland to non-agricultural uses (i.e., sensitive uses such as residential uses adjacent to agricultural, which could result in a restriction on agricultural activities)."

The Sierra Vista Specific Plan project will "involve changes in the existing environment" and convert 2,064 acres of agricultural land to non-agricultural uses and is therefore a significant impact to be considered for appropriate mitigation.

Section 4.1 Land Use and Agricultural Resources, Page 4.1-62, Agricultural uses, skims over the potential incompatibilities with adjacent agricultural land uses and ignores the need to incorporate appropriate land use buffers. This response is based on the assumption "that these [adjacent] lands would be urbanized in the future; therefore, in the long-term, no incompatibilities with agricultural land are anticipated." Land use buffers are an important tool to help protect agricultural operations from the negative impacts of adjacent development. Lands adjacent to the SVSP project (Richland and Chan Urban Reserves and County land) that can still be used for agricultural purposes cannot be assumed to be compatible in the short-term and appropriate buffers need to be considered.

7-5

Section 4.1 Land Use and Agricultural Resources, Page 4.1-65, Conversion of Agricultural Land, Impact 4.1-5 Table, states that the project's impact is "Less Than Significant" and no mitigation is required for the Conversion of Agricultural Land to Developed Uses under the Applicable Policies and Regulations. In the same section, Page 4.1-66, it states, "Although the proposed land use designation would preclude any agricultural use of the land, the loss of grazing land would not be significant." I disagree with this conclusion and the reasons cited to support it.

7-6

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It is further stated on Page 4.1-66, "Conversion of Farmland of Local Importance is not considered significant because of:

- (1) relatively low value of the property for agricultural purposes as defined by the Farmland Mapping and Monitoring Program,
- (2) its historically poor ability to produce agricultural crops,
- (3) its abundance in the region, and
- (4) it does not exceed a CEQA standard of significance (Appendix G).

This is considered a **Less Than Significant Impact.**"

As the Agricultural Commissioner for Placer County, I must disagree with this conclusion and the four reasons cited to support it.

First, the California Department of Conservation's Farmland Mapping and Monitoring Program recognizes the value of Farmland of Local Importance as "land of importance to the local economy" and is land that "is either currently producing, or has the capability of production." The Farmland Mapping and Monitoring Program "produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance. The program does not define the value of property for agricultural purposes.

Second, "its [the SVSP project site] historically poor ability to produce agricultural crops" is not supported or relevant in an evaluation of the soils as a significant part of the agricultural land resource base. As previously stated, much of the soils in the SVSP project area are suitable for rice production, the same as other areas of western Placer County, specifically because of their slow permeability. Rice production is the top crop in Placer County with a value of over \$14 million dollars in 2008. Similar soils to those found on the SVSP project site are producing 2.8 to 3.3 tons of rice per acre. The soils in the SVSP have the same resource potential for rice production.

Third, the statement, "its [Farmland of Local Importance] abundance in the region" is not quantified or supported. According to the Farmland Mapping and Monitoring Program, in 1992, Placer County had 113,464 acres of Farmland of Local Importance. In 2006, their most recent published statistics indicates Placer County has 101,847 acres of Farmland of Local Importance, reflecting a decline of 11,617 acres. Based on subsequent development in western Placer County, I believe the pending 2008 farmland report will show an even greater decline.

Fourth, the statement, "it does not exceed a CEQA standard of significance (Appendix G)" does not appear to be consistent with statements in Section 5.0 CEQA Considerations of the SVSP ADEIR. Specifically, Page 5-1 states, "Section 15126 of CEQA guidelines requires that all aspects of a project must be considered when evaluating its impact on the environment... As part of this analysis, the EIR must also identify:

- Significant environmental effects of the proposed project
- Significant environmental effects that cannot be avoided if the proposed project is implemented

11

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- Significant irreversible environmental changes that would result from the implementation of the proposed project
- Growth-inducing impacts of the proposed project
- Mitigation measures proposed to minimize significant effects"

↑

In addition, "Section 15126 (b) of the CEQA Guidelines requires that an EIR describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. Significant impacts that cannot be avoided if the project is approved include:

- Potential incompatibility of adjacent agricultural land uses"

↑

Therefore, appropriate land use buffers between development and the adjacent agricultural land uses need to be included in the public draft EIR. More importantly, the public draft EIR needs to recognize that the conversion of 2,064 acres of agricultural land to the level of development proposed in the Sierra Vista Specific Plan ADEIR is a "significant irreversible environmental change" under CEQA and mitigation measures need to be proposed to minimize the significant impacts.

7--8

Further, Page 5-2, Cumulative includes,

- "Contribution to the loss of agricultural land"

Page 5-20, Agricultural Land Conversion, recognizes that, "Because farmland is being lost to development throughout south Placer County and the region, the loss of farmland and agricultural productivity would be cumulatively considerable and would result in a significant and unavoidable impact. The SVSP includes substantial offsite mitigation for grassland to reduce impacts to Swainson's hawk. Agricultural resources are not always equivalent to biological resources and therefore the number of acres acceptable biological resource mitigation may not be enough to provide 1:1 agricultural resource mitigation.

7-9

Other large development projects, like Placer Vineyards and the Regional University, both incorporated 1:1 offsite mitigation for the loss of agricultural land (of equal or greater value). The agricultural mitigation land also needs a water supply to support a reasonable level of agricultural activity consistent with the intent of mitigating the impact of the development.

Please feel free to contact me directly if you have any questions regarding these comments on the Sierra Vista Specific Plan Administrative Draft Environmental Impact Report.

RESPONSE TO COMMENT LETTER 7

FROM THE PLACER COUNTY AGRICULTURAL COMMISSIONER

Response to Comment 7-1

This comment is a request to respond to comments dated September 18, 2009 on a previous administrative draft EIR. As a general response, the City notes that a majority of these comments are outdated and/or incorrect and refer to a previous Administrative Draft of the EIR. The Draft EIR adequately analyzes agricultural impacts and identifies the loss of agricultural land as a result of

the project as a significant impact. Mitigation is included to reduce impacts to a less than significant level. Cumulative impacts regarding loss of farmland are significant and unavoidable.

Response to Comment 7-2

This comment provides an overview of the project and a description of farmland of local importance. No response required.

Response to Comment 7-3

The comment indicates that although the site is currently not in rice production it does not diminish its value as an agricultural resource. Please see page 4.1-10 of the DEIR, which identifies the classification of agricultural land on the project site as Farmland of Local Significance. The thresholds of significance apply to Prime, Unique and Farmland of Statewide Importance (CEQA Guidelines, Appendix G, Section II). Page 4.1-74 of the DEIR indicates that the proposed land use designation would preclude any agricultural use of the land in the future, and concluded this a significant impact that would be reduced to a less-than-significant impact with implementation of the identified mitigation.

Response to Comment 7-4

The EIR identifies loss of agricultural land as significant prior to mitigation (Pages 4.1-73 to -74).

Response to Comment 7-5

The EIR identifies significant potential incompatibility impacts due to existing and other land uses in the Urban Reserve parcels (page 4.1-67 of the DEIR), and Mitigation Measure WMM 4.1-2 (p. 4.1-75 of the DEIR) requires measures such as deed notification, 50-foot setbacks, and easements to reduce this impact to a less-than-significant level.

Response to Comment 7-6

This comment is incorrect. The EIR indicates that the loss of agricultural land is a significant project impact prior to mitigation, and a significant and unavoidable cumulative impact.

Response to Comment 7-7

The EIR adequately analyzed the impacts of the project on agricultural resources. As noted in the comment, over 100,000 acres of agricultural land remained in Placer County in 2006. The Draft EIR identifies the loss of agricultural land as a result of the project as significant prior to mitigation, and concludes that the project would contribute to a significant unavoidable cumulative impact on agriculture (page 5-2 of the DEIR), and further concludes that the project would result in significant irreversible environmental effects from conversion to urban uses (page 5-3 of the DEIR).

Response to Comment 7-8

As noted in the comment above the DEIR does identify significant irreversible (DEIR pp. 5-3 to 5-4 [irreversibility of developing previously undeveloped land]) and significant and unavoidable cumulative environmental effects due to changes in land use from agricultural to developed (DEIR p. 5-18 [cumulative effect of converting agricultural land]). Feasible mitigation, including buffers, deed notification to future adjacent residents (4.1-3a) requiring that new residents in the project area be made aware of adjacent agricultural activities, and offsite mitigation are identified in the DEIR.

Response to Comment 7-9

This comment indicates that mitigation should be provided. The agricultural mitigation for the project is identified in the DEIR (page 4.1-75). One acre of open space will be preserved within Placer County for each acre of open space impacted within the specific plan area. The comment that a water supply to the preserved agricultural land is noted, but is not required by the project, as explained on page 4.1-74 of the DEIR. The commenter has not demonstrated that, absent the provision of additional water supplies to preserved lands, the City's mitigation program will be ineffective. The City notes that obtaining new water supplies can be a long and complex process, which need not be lightly undertaken in the absence of evidence indicating the need to do so in order to feasibility mitigate a significant environmental effect.

Center Joint Unified School District



Established 1858

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Scott A. Loehr

January 6, 2010

By U.S. Mail & E-Mail: kpease@roseville.ca.us

Kathy Pease, AICP
Senior Planner
City of Roseville Planning Department
311 Vernon Street
Roseville, CA 95678

Re: Comments of Center Joint Unified School District to Draft Environment Impact Report ("DEIR") for the Sierra Vista Specific Plan

Dear Ms. Pease:

Center Joint Unified School District ("CJUSD") submits these comments on the Draft Environmental Impact Report ("DEIR") for the 1,624 acre Sierra Vista Specific Plan ("SVSP") and annexation of the entire 2,064 acre SVSP and Urban Reserve Area into the City of Roseville ("City") (the SVSP and annexation are collectively referred to as the "Project"). Thank you for this opportunity for comment. For the convenience of the City as it reviews this letter, the following comments are divided by topic.

1. Overview

CJUSD appreciates the cooperative and supportive position that the City of Roseville has taken with supporting the district and its objectives to have quality schools that deliver the best instruction to its students. The comments contained in this letter are designed to enhance the environmental review process and to express the concerns of the district. Although the City of Roseville has given the district guidance and support, the CEQA process and subsequent approvals can permit a wide range of activities and decisions by the projects proponents, county, state and Federal reviewing agencies, and future residents of the SVSP area. It is the intention of the district with this letter to outline its concerns and to narrow the scope of future actions as it relates to schools within the CJUSD, which will serve SVSP students.

8-1

CJUSD's primary objectives in commenting on the DEIR are to assist the City in understanding and analyzing school issues so as to ensure an adequate CEQA analysis, and also helping to ensure that impacts on schools are in fact addressed and sufficiently mitigated. We note that CJUSD has been working with the Sierra Vista developers on an agreement to mitigate certain school impacts. CJUSD is confident that a cooperative and coordinated process involving the school districts, the developers and the City will help ensure that impacts on schools and related issues are in fact adequately resolved. CJUSD encourages and requests such coordination, as it feels strongly that local governments should act in concert to ensure the availability of adequate public facilities and services.

2. EIR as First Tier Environmental Document

With the exceptions of certain issues identified in this letter, the DEIR has generally set forth a reasonable description and analysis of the potential impacts on schools. CJUSD understands that the City intends for this EIR to be a "first tier" environmental document, upon which subsequent environmental review of future development

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and construction in the Project area can be based. In that vein, CJUSD intends to tier off of and rely upon the analysis contained in the DEIR as to traffic analysis, school site location and other related issues. Such tiered analysis can help avoid the need for repetitive EIR's for different aspects of the development of the future facilities in the Project area, which is in keeping with the intent of CEQA.



8-2

The District requests that the City confirm and ensure that these aspects of the Project have in fact been considered and analyzed in the DEIR. For example, while CJUSD might have to address limited specific issues related to school construction in future CEQA documents, such as a notice of exemption or negative declaration, the siting planned for the schools within the Project area is sufficiently known that related CEQA concerns (such as traffic issues for trips to and from the schools) can and should be sufficiently addressed at this time in the DEIR. This will allow for orderly planning, and will avoid the need for a full EIR for each future school project, which EIR would unnecessarily duplicate elements of the DEIR.

3. The Project creates the foreseeable potential impact of dividing an existing community through attempts to reorganize historical school district boundaries.

The foremost concern for CJUSD is ensuring that current and future students of the District are provided a quality education in adequate facilities. Unfortunately, the nature of the Project and how it is situated creates a potentially significant, foreseeable impact by encouraging efforts to reorganize historical school district boundaries. Although the CJUSD believes that the City would assist the district in opposing any future school district reorganization, the district recognizes that the City has no authority to prevent such action. Therefore, the CJUSD must submit this concern as a comment to the SVSP EIR with a hope that in the EIR certification process, a record of the district's concern will serve as evidence that the potentially significant, and foreseeable impact of school district reorganization will be well documented.

8-3

Such reorganization would jeopardize the District's ability to meet the concern expressed above. One potential impact of a future territory transfer of school district property is division of an historical community. The division of an established community is a recognized subject for consideration under CEQA. (See CEQA Guideline, Appendix G (Environmental Checklist Form), Part IX (a).) Indeed, even with no future boundary adjustment efforts, the fact that the Project will have housing that stretches across the boundaries of existing school districts has the potential of dividing the established school district communities. Additionally, other impacts that may result from future boundary changes resulting from the Project are racial, ethnic and socio-economic segregation of the school system and a serious financial impact on CJUSD.

The DEIR has only briefly evaluated a critical characteristic of the Project – its location within the jurisdictional boundaries of three school districts: CJUSD (a K-12th grade district), Roseville City School District ("RCSD") (a K-8th grade district), and Roseville Joint Union High School District ("RJUHSD") (a 9th-12th grade district). (DEIR, p. 4.11-14.) There is little discussion of the boundary issue and its potential for impacts aside from the identification of the Project's location within the established districts. As set forth below, the fact that the Project area spills over from CJUSD into the Roseville school districts is a unique feature that carries with it foreseeably significant impacts.

8-4

Without the City's affirmative support for the Project remaining as it is currently situated, primarily within CJUSD, efforts foreseeably could mount for the Project territory to be transferred into the Roseville school districts. Moreover, the location of the Project within the jurisdiction of the three school districts can create extreme pressures to change the long established, pre-existing school district boundaries to match the limits of the development or certain neighborhoods planned within that development. This can result in various negative impacts, including: difficulty on the part of the school districts in being able to plan for their future growth; uncertainty for school districts, developers and community alike; uncoordinated planning; and future disputes that can delay developments and result in high costs to the public as school districts are forced to contest or even litigate over reorganization efforts. For these reasons and those discussed in more detail below, we request that this issue be analyzed and/or discussed in the DEIR or an addendum and the impacts appropriately addressed.

a. Overview of school district reorganization.

The type of school district reorganization that most foreseeably could impact the proposed Project is the transfer or annexation of all or part of the territory of one district to another district. (Educ. Code, § 35511.) Such territory transfers are typically initiated by petition of one of the following groups: 1) the owners of uninhabited territory

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proposed for reorganization; 2) 25 percent of the registered voters in the inhabited territory proposed for reorganization; or 3) petition signed by the majority of the members of the governing boards of all affected districts. (Educ. Code, § 35700.) A territory transfer can also be started by direct request to a County Committee on School District Organization by petition of 10 percent of registered voters or by resolution of a city or county. (Educ. Code, § 35721.) The review and approval process requires a determination of sufficiency by the County Superintendent, a public hearing, review and approval by the County Committee on School District Organization, review under CEQA, and possible appeal to the State Board of Education. If the area is inhabited, reorganization is then subject to public election. (Educ. Code, § 35700, *et seq.*)

b. Reorganizing long-established school district boundaries would divide an established community.

CJUSD has worked proactively for decades to ensure that students within its historic school district boundaries would be privy to the same quality education provided to its current and former students. Over the years there have been a number of attempts to reorganize CJUSD’s boundaries, each of which has been contested by CJUSD. To date, with only one exception for an unusual circumstance noted below, the community has generally remained within its existing boundaries a cohesive, diverse population, even as it increased in size.

The deep and rich history of CJUSD lends some insight into its long-established community, of which the Project will become a part. The District was purposefully formed by its citizens close to 100 years ago to serve the same portions of South Placer County and portions of North Sacramento County as it does today. In the intervening century, successive generations of citizens have reaffirmed their desire to have the school district constituted as it currently is. Center School District was founded in 1862 in the northern half of Center Township and served children from Rocklin to the Sacramento River. In 1869, a petition was approved to transfer the JJ Williams Ranch, at the corner of Eleverta Road and Elwyn Avenue into the Center District. By 1881, the Union (School) District of Placer County and the Center (School) District of Sacramento County shared responsibilities for schooling their children. On February 7, 1908, the two school districts consolidated to form the Center Joint School District. The name Center was chosen because of its central location between Rocklin and Sacramento.

In 1918, there was an attempt to annex Center into the Roseville School District, but local people wanted to maintain their community and its schools as they were and CJUSD remained intact. In the first half of the 20th century, as the community grew slowly and steadily, CJUSD acquired more land and schools were constructed to meet the needs of a growing population. In 1955, Arthur Dudley School was built to accommodate the new McClellan Air Force Base housing. The student population of some 300 children soon rose to over 700, and Center Elementary School was built at its present location to accommodate the growing community. In 1965, Cyril Spinelli School was built; and that year two attempts were made to unify CJUSD with the Roseville High School District. CJUSD’s citizens defeated both attempts.

The only successful contested reorganization of CJUSD’s boundary occurred in 2002, after the Morgan Creek development commenced planning efforts using an inaccurate map and failed to coordinate with CJUSD during the planning process. Believing the proposed development was located in Dry Creek School District, the developer pressed on with project approvals assuming that its homes would be in the Dry Creek School District and reached mitigation agreements with Dry Creek even while CJUSD incurred debt for construction of a nearby school to house students from the project. While CJUSD ultimately agreed to the territory transfer, extensive time and resources had to be expended on the issue, and CJUSD procured a multi-million dollar settlement from the developer to offset CJUSD’s losses.

The attempt by the Morgan Creek development to have boundaries changes is one that often replays itself in new developments that straddle school district boundaries. Throughout the State, there has been a trend toward local efforts to reorganize relatively wealthier and less ethnically diverse homes from a more diverse school district and transfer them to what is perceived as a wealthier school district, increasing the potential for segregation and for economic impacts on the move diverse school district. This often occurs when parts of new development are in or right up against another school district. This is particularly troubling in light of the fact that the motivation behind a territory transfer is often to increase the value of property or homes in the transfer area. The very nature of the location of the current Project in three school district’s boundaries has the potential of feeding this trend, making future reorganization efforts a likely impact of the Project.

Additionally, because the Project does not propose to have any physical barriers (man made or natural) between the homes that would be built in the different school districts, neighbors in the future may start up their own

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8-5

reorganization efforts. This typically and frequently occurs when students from homes that may be right across the street from one another attend schools in different school districts. We can point to many examples in recent years of school districts that have gone through developer neighborhood efforts to reorganize when development is planned to overlap school districts, such as our own Morgan Creek development experience, Oakley and Knightsen School Districts in Contra Costa County, Campbell Union High School District and various of its surrounding school districts, as well as Los Altos and Palo Alto Unified School Districts, in Santa Clara County, Monterey Peninsula Unified School District and North Monterey County School District in Monterey County and many others (please let us know if you would like further information about these or other reorganization efforts.)

The proposed Project area is currently rural and relatively flat land and has no naturally isolating topography that would separate it from the remainder of the CJUSD community. The Project area has always shared in the Antelope community by paying taxes to support CJUSD schools and voting in CJUSD school board elections. In light of the rich history of CJUSD and the community of which the Project is already a part, the City should recognize the potential pressure to change school district boundaries that could result from approval of the Project, and should discourage any efforts to divide the existing community through future reorganization.

- c. A reorganization of CJUSD will reduce the overall assessed value of the property within the school district, jeopardizing the bonding capacity already approved by its constituents.

In 2008, the citizens of CJUSD passed Measure N to authorize the issuance of general obligation bonds. The purpose of the bond is to allow the building of new schools and classrooms to prevent student overcrowding, modernize existing schools, improve health and safety, provide new technologies, acquire school facilities and qualify for State matching funds. Based on the current assessed value of property in CJUSD, it is estimated that the life of this bond may reach 30 to 40 years and will be sufficient to meet a significant portion of CJUSD's facilities needs. In the event that the Project area is transferred to other school districts, the current and future assessed value of the property within CJUSD's boundaries will decrease significantly. This could result in a district-wide property value that does not support issuance of the full value of the bond authorization. This would be a significant financial impact on the District and its ability to build school facilities authorized by its constituents and necessary to adequately house the District's students.

- d. The City should require analysis of these foreseeable impacts and mitigation to help avoid them.

As properly noted by the DEIR: "this is the first specific plan that the City of Roseville is processing that a majority of students would be attending a school outside of the Roseville school districts." (DEIR, p. 4.11-25.) As such, it is critical that the City consider and analyze the significant potential impacts of foreseeable reorganization efforts and discourage the transfer of CJUSD territory to another school district through appropriate mitigation measures.

The involved developers have stated their intent to CJUSD not to seek any change in existing school district boundaries. The City can support CJUSD and the developers by expressly acknowledging the Developers' commitment to retain existing boundaries, and further making the following modifications to the DEIR and imposing mitigation measures to address the aforementioned foreseeable and potentially significant impacts.

1. The issues addressed in this comment letter should be analyzed and included in the Final EIR, including discussion of the intent of all of the involved school districts, the City and the developers that the Project remain predominantly a part of CJUSD, and that existing school district boundaries be retained.
2. The City should require, as a mitigation measure and as a condition of Project approval, that the developers enter into a binding agreement with the CJUSD, which memorializes the parties' agreement that the Project remain part of CJUSD, and which requires that future buyers of the developers' homes must be informed of that agreement.
3. The City should require a mitigation measure that future homeowners must fund any future CEQA analysis that may be required as a result of a petition to reorganize school district boundaries within the Project area.

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Inclusion of analysis of these criteria and the fact that they do not appear to support a future school district boundary adjustment would help clarify the EIR, address an important potential impact issue, and would help avoid the need to repeatedly revisit the boundary issue in the future, as CJUSD has experienced in the past.

4. To the extent the DEIR is relying upon agreements between the developers and CJUSD to reduce school impacts to a less than significant level, execution of such agreements should be required as specific mitigation and a condition of Project approval.

Page 4.11-25 of the DEIR states:

Consistent with City policy, the applicants will voluntarily enter into mutual benefit impact fee agreements with all three school districts to fully mitigate school impacts in accordance with the Specific Plan Development Agreements and the funding agreements with the respective school districts. This is considered a less than significant impact.

8-9

Based upon the foregoing language, it appears that the Preparer is relying upon the agreements to be entered by CJSUD and the developers as a means to memorialize the parties' agreement that the environmental impacts of the Project have been reduced to a level of less than significant through the fee agreement. However, these agreements have not yet been finalized or executed by the parties. To ensure that the proposed terms of the agreements are implemented (which notably include reservation of school sites and payment of a fee to offset the costs of construction), execution of a mitigation agreement should be included as an expressly required mitigation measure for the project, as well as a condition for Project approval.

5. The DEIR's characterization of Senate Bill 50 is not accurate.

At pages 4.11-19-22 of the DEIR, the DEIR concludes that Senate Bill 50 ("S.B. 50") "capped" developer fees at a statutory rate, payment of which constitutes full mitigation of school impacts under CEQA. This characterization of S.B. 50 is not accurate in several respects.

First, while S.B. 50 clarifies that a project may generally not be denied under CEQA solely on the basis of inadequate school facilities, the legislation does not relieve the City from analyzing school impacts and concluding whether there are significant impacts on such facilities. Furthermore, the environmental analysis must recognize impacts that remain unmitigated based on the available data. To the extent that there are unmitigated impacts, despite the payment of statutory impact fees, the City must then adopt a statement of overriding consideration, finding that the merits of the project outweigh the unmitigated impacts.

Second, the characterization of a statutory fee "cap" is not accurate. S.B. 50 provides for three flexible levels of fees, based upon certain conditions being met. The first is the existing statutory fee, which we refer to as a "Level 1" fee. (Gov. Code, § 65995.) That fee is adjusted for inflation every two years by the State Allocation Board ("SAB"). The second, or "Level 2" fee – referred to in the legislation as an "alternative" fee – is the equivalent of the statutory fee plus an additional amount that, when taken together, are assumed under state standards to equal roughly 50% of a district's actual facilities needs. (Gov. Code, § 65995.5.) The final "Level 3" fee, which is roughly 100% of a district's need as established under the state standards, can be imposed only if state funds are no longer available. (Gov. Code, § 65995.7.) The Level 2 and Level 3 fees must be justified by a "school facilities needs analysis" ("SFNA") that, unlike a Level 1 justification study, must utilize specific state criteria. The SFNA can be updated as often as necessary, further resulting in potential increases in the fees.

8-10

Third, S.B. 50 does not limit the City's ability to develop alternative mitigation for schools. For instance, it is proper for the City to require phasing of construction to address potential school overcrowding or set asides of land under the Subdivision Map Act. (Gov. Code, § 66478.)

Finally, we note that S.B. 50 was the result of State legislation that could be repealed or amended during the build out of the Project. This possibility was not considered by the DEIR, and the DEIR should be clarified to avoid future interpretation suggesting that regardless of future law, only the current S.B. 50 fees will be required.

Therefore, the District requests that the DEIR be amended to address any school impacts that are not addressed by payment of the statutory fee, and that the discussion of S.B. 50 be clarified and corrected.

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6. The discussion of Class Size Reduction on page 4.11-19 is not accurate.

The DEIR characterizes the California State Class Size Reduction (“CSR”) program, requiring student loading standards of 20 students to one teacher, as mandatory. In fact, this program is a financial apportionment incentive program, at the election of a school district. (Educ. Code, § 52120, et seq.) It is within a school district’s discretion whether it will opt into the program and receive the associated funding, and thus the program is not a requirement. Additionally, even for school districts participating in CSR, there are exceptions to a strict number of students per teacher ratio. (See, e.g. Educ. Code, § 52122.5, which allows for an “average” of 20 students, under certain circumstances.)

8-11

7. The DEIR should consider and analyze the potential impacts related to the high school.

The Project is anticipated to generate an estimated 1,203 high school students within CJUSD. (DEIR, p. 4.11-24.) The DEIR concludes that “[a]ll high school students would attend high schools outside the plan area. For CUSD [sic], the SVSP students would attend Center High School south of the project area.” (DEIR, p. 4.11-24.) CJUSD will rely on the DEIR’s consideration of issues related to high school, such as traffic impacts as students will have to leave the Project area to travel to CJUSD’s existing high school. We would appreciate confirmation that these high school attendance related impacts have been adequately addressed in the current DEIR. We look forward to working with the City and developers to ensure that the traffic and other issues are adequately resolved.

8. The DEIR should analyze the potential cumulative impacts on schools resulting from additional development already approved or pending; specifically, the DEIR should analyze the potential cumulative impact of future development in the Urban Reserve, which will be annexed as part of the Project.

8-12

a. Cumulative Impacts Generally

Under CEQA, cumulative impacts must be discussed in an EIR, and that discussion must be adequately detailed and supported by data, regardless of whether a cumulative impact is found or not. (See, e.g., San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal.App.4th 713; and Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692.) “The requirement for a cumulative impact analysis must be interpreted so as to afford the fullest possible protection of the environment within the reasonable scope of the statutory and regulatory language.” (Citizens to Preserve the Ojai v. County of Ventura (1985) 176 Cal.App.3d 421, 431-432.) The DEIR never discusses in any particularity what the cumulative impacts of development will be on schools. The entire discussion of cumulative impacts on schools consists of two paragraphs essentially stating that school sites will be identified “as needed at the time of development . . .” (DEIR, p. 5-140.) This discussion defers analysis. Both because CJUSD will rely on the DEIR for its own future CEQA analyses and because of the importance of identifying and resolving cumulative impacts, CJUSD must depend on the DEIR’s analysis of these issues.

b. Urban Reserve

The DEIR did not specifically analyzed the potential cumulative impacts of buildout of the Urban Reserve. While the DEIR identifies long-term buildout of the Urban Reserve as a potential “significant impact” on schools, it does not provide any analysis of potential mitigation measures or alternatives. Page 4.11-26 of the DEIR states:

Development of the Urban Reserve would increase the demand for schools. As shown in Figure 4.11.3-1, a majority of the Urban Reserve (eastern portion of Richland) would be within the Roseville School District boundaries. A small area of the western portion of the Urban Reserve (Chan in its entirety and a portion of Richland) would be within the Center School District. Depending on land uses proposed, the number of students could exceed planned capacity for the school districts. This is a significant impact.

8-13


To the extent that additional housing may be developed in the Urban Reserve that could generate a need for additional schools and reservation of additional schools sites, other than those identified in the Project, the DEIR should address this potential impact by requiring appropriate analysis when development of the Urban Reserve is proposed.

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Conclusion

CJUSD appreciates the opportunity to submit its comments related to the Project. If you have any questions regarding this letter, please do not hesitate to contact me.

Sincerely,


Scott Loehr
Superintendent

RESPONSE TO COMMENT LETTER 8

FROM THE CENTER JOINT UNIFIED SCHOOL DISTRICT (Scott Loehr)

Response to Comment 8-1

This comment provides introductory text that identifies the commenting entity and the purpose of the letter. No response is required.

Response to Comment 8-2

The comment requests confirmation that the City intends for the EIR to allow for subsequent tiering upon which subsequent environmental review of future development and construction in the project area can be based. It is the intent of the City that the EIR assist CJUSD with the environmental review needed for construction of its proposed school facilities. City staff worked closely with CJUSD, to attempt, where possible, to provide project-level review for development of the school sites identified in this DEIR. Whether the City's analysis in the EIR will totally obviate the need for CJUSD to prepare some sort of site-specific environmental review, however, will depend in large part on the specific proposals developed by CJUSD. Based on the information currently available, the City has done its best to assist CJUSD with its CEQA compliance for future school facilities. At a minimum, the EIR provides information that CJUSD may be able to streamline any site-specific CEQA analysis it determines to be necessary.

Notably, the EIR adequately addresses traffic impacts generated from the project, including those related to school traffic. As indicated in the project description, it is anticipated that all high school students would need to travel outside the plan area to attend school. An A.M. and P.M. peak traffic analysis was conducted based on anticipated trip distribution. The analysis included impacts on Watt Avenue that would be impacted by students attending Center High School. As indicated on page 4.11-25 of the DEIR, students will need to be bused or use other modes of transportation to reach schools. As a result potential impacts on air quality and traffic were determined to be significant.

Response to Comment 8-3

The commenter states that the project creates a potentially significant, foreseeable impact of “dividing” the existing school district “community” by encouraging reorganization of school district boundaries. The commenter further requests that the Draft EIR analyze and provide mitigation measures for this impact. The commenter cites Appendix G of the CEQA Guidelines to note that the division of an established community is a recognized subject for consideration under CEQA.

The City does not believe that the project site contains the kind of “community” contemplated by Appendix G. Thus, CEQA, does not require an EIR to consider potential impacts of the nature asserted by the commenter here. The purported “community” of concern is undeveloped grassland with a school district boundary running through it, as opposed to an actual physical community that might be divided by, say, a new freeway or other physical barrier that would separate one part of a neighborhood from another. No residents currently occupy the proposed SVSP project area, so there is no community to divide. In addition, jurisdictional boundary changes are not physical, and would, therefore, not divide an existing community of residents prior to development of the project.

CEQA does require consideration of potentially significant effects on the physical arrangement of an established community. (See CEQA Guidelines, appen. G, subd. IX(a).) The language from Appendix G to the CEQA Guidelines quoted by the commenter was originally found in an earlier “Appendix G” to the Guidelines that was repealed in 1998. That former Appendix G consisted of a list of significant effects “normally” considered to be significant under CEQA. One court held that

this list of effects created a rebuttable presumption of significance, meaning effects of the kind at issue should be considered significant absent countervailing evidence. (See *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.app.4th 1597, 1604.) This list of impacts stated that a project would normally have a significant effect on the environment if it would “[d]isrupt or divide the physical arrangement of an established community[.]” (CEQA Guidelines, appen. G, subd. (u).)

Court interpretations of this language provide persuasive evidence of what is meant by the very similar language now found in the new Appendix G, which is an example of an Initial Study checklist lead agencies are encouraged to use. According to the leading case, the language in the previous version of Appendix G “was intended to apply to projects, such as highway construction, that would constitute physical barriers dividing a community.” (*Cathay Mortuary v. San Francisco Planning Com.* (1989) 207 Cal.App.3d 275, 280; *Gentry v. City of Murrieta* (1995) 36 Cal. App. 4th 1359, 1419.) This is the common sense meaning of the language, which the City believes cannot be fairly read to apply to the situation at hand, where the “community” at issue is a totally undeveloped piece of land, and the thing that “divides” this community would be a shift in a boundary line running through the undeveloped land.

The prior language of Appendix G, subdivision (u), is the obvious original source of the current language in Appendix G, subdivision IX(a), which asks whether the proposed project would “[p]hysically divide an established community[.]” Based on case law interpreting the prior language, the language in Appendix G, subdivision IX(a), can only reasonably be understood to apply to projects creating or resulting in physical barriers, such as new highway construction, that would physically divide a real community (e.g., a city, neighborhood, or other organically unified inhabited area). In stark contrast, school district boundary changes, and any potentially resulting impacts such as increased racial segregation or financial impacts on CJUSD, are not akin to highway construction or similar physical barriers. Thus, CEQA does not require the SVSP EIR to analyze and provide mitigation measures for any purported future transfer of the project territory into the Roseville school districts. (See *Cathay Mortuary, supra*, 207 Cal.App.3d at p. 280.)

Response to Comment 8-4

The EIR adequately addresses all reasonably foreseeable environmental consequences associated with physical development in the project area, including the construction of new school facilities. Because the proposed project is not proposing a boundary change, the effects of boundary changes are outside of the scope of the project and thus need not be evaluated in this EIR¹. The City of Roseville supports CJUSD as the school provider within the SVSP area. Although it is possible that entities other than the city might someday seek school district boundary changes, any such scenario is speculative, and cannot be treated as a reasonably foreseeable consequence of project approval. The EIR need not address such a speculative scenario. (See CEQA Guidelines, 15145) if after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact". Furthermore, changes in school boundaries are not physical effects on the environment by themselves.

Response to Comment 8-5

See responses to comments 8-3 and 8-4 with respect to whether the project would divide an established community or lead to boundary changes. The historical information included in the comment does not raise any significant environmental issues raising any further response.

Response to Comment 8-6

This comment expresses concern regarding the fiscal ability to serve its students should property values not support bond requirements. This is a fiscal impact, not an environmental impact: therefore it is not a requirement of CEQA to be analyzed in the EIR (See section 15131 (a) of the CEQA Guidelines: *Economic or social effects of a project shall not be treated as significant effects on the environment*). Even so, the City acknowledges the fiscal challenges facing the District, and notes that the project applicants have informed the City of their intention to enter into financing agreements with the District, which are expected to be in place prior to action by the City Council

¹ It should be noted that this response is assuming a boundary change that would include all or a majority of the project area. A very minor boundary change is contemplated between the school districts to ensure that school boundaries do not divide a neighborhood, and is not related to this issue. This minor change would be at the discretion of the school districts and would not result in any significant environmental impacts.

on the proposed Specific Plan. Although under Senate Bill 50 (see DEIR, p. 4.11-9 and Response to Comment 8-10 below) the City cannot lawfully require the applicants to enter into such an agreement. The City appreciates the applicants' willingness to enter into the agreement as a means of helping to ensure the financing of new school facilities within the project area.

Response to Comment 8-7

This comment states that the SVSP is the first project within the City of Roseville that another school district substantially covers, and acknowledges there could be pressure to reorganize the school district. No school district reorganization is proposed as part of the proposed project. See response to Comment 8-4.

Response to Comment 8-8

This comment expresses concern that projects with three school district boundaries can result in pressure to change boundaries in the future, which can result in fiscal impacts and asks that mitigation be included in the EIR to protect the school district from future reorganization efforts. This comment is noted. The City and the applicants support CJUSD as the school provider within the plan area. The city can not restrict future residents from seeking reorganization since that is allowed by state law. Please see response to 8-3 through 8-5 above. With respect to item 2 in Comment 8-8, the City lacks the legal authority to grant the commenter's request. Regardless of the general principle under CEQA that significant environmental effects should be mitigated to the extent feasible, and regardless of the wording of City General Plan policies adopted before the 1998 enactment of Senate Bill 50, the City cannot legally require additional mitigation for school funding impacts by *requiring* the project proponents to enter into a financing agreement with the District. As noted in the response to comment 8-6, however, the project applicants have volunteered to negotiate and enter into a financing agreement as a means of generating additional funds for school facilities above and beyond what they can be required to provide under state law. The City understands that the project applicants have been negotiating in good faith with the District regarding the terms of that agreement with the intent of finalizing the document prior to the City Council's consideration of approval of the Specific Plan. At the time of the publication of this FEIR, however, the parties had not yet reached final agreement on all terms.

With respect to item 3 in comment 8-4, the city cannot restrict or add increased burdens to future residents' statutory right to seek reorganization, since that right is allowed by state law, which does not require citizens to bear the expense of environmental review associated with petitioning for reorganization. (See also response to Comment 8-9, below.) CEQA does not give the City the power to override state statutes, as the City lacks that authority in the first instance (See Public Resources Code 21004 in mitigating or avoiding a significant effect on a project on the environment, a public agency may exercise only those express or implied powers provided by law other than" CEQA).

Response to Comment 8-9

See response to Comment 8-6 and 8-8 above. Although as the Draft EIR noted, the financing agreement between the applicants and the District is *consistent* with the City's General Plan, SB 50 precludes the city from *requiring* the applicants to enter into that agreement. Government Code section 65996 provides that, except for development fees authorized by Education Code section 17620 or pursuant to provisions for interim facilities appearing at Government Code section 65970 through 65981, no "fee, charge, dedication or other requirement" shall be "levied or imposed in connection with, or made a condition of, a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or a change in governmental organization or reorganization[.]" (Gov. Cod 65995, subd. (a).). The City commends the project applicants for being willing to voluntarily provide additional funds to the District through a financing agreement that the City is powerless to require them to pursue.

Response to Comment 8-10

The commenter claims that the Draft EIR provides an inaccurate discussion of Senate Bill (SB) 50, primarily with regard to the development fees required by SB 50. The Draft EIR, however, does not provide an inaccurate characterization of SB 50; rather, the Draft EIR includes a truncated, though accurate, discussion of SB 50. This shortened discussion of SB 50 does not require the Draft EIR to be amended to address any school impacts not addressed by payment of statutory fees. Also as noted by the commenter, the City recognizes that it has a duty to analyze school impacts, that is not relieved by SB 50. The discussion of the project's impact on school services can be found on pages 4.11-19 to 4.11-22 of the Draft EIR. The Draft EIR concludes that with mitigation, the project will have a less than significant impact on school services.

According to Government Code section 65996, except for development fees authorized by Education Code section 17620 or pursuant to provisions for interim facilities appearing at Government Code section 65970 through 65981, no “fee, charge, dedication, or other requirement” shall be “levied or imposed in connection with, or made a condition of, a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or a change in governmental organization or reorganization[.]” (Gov. Code, § 65995, subd. (a).) These development fees authorized by SB 50 are “deemed to provide full and complete school facilities mitigation[.]” (Gov. Code, § 65996, subd. (b).) This last sentence is commonly understood to mean that, with the payment of school impact fees, development projects are deemed to mitigate school-related impacts to less than significant levels, as the Draft EIR concludes. A contrary interpretation, by which school-related impacts would be considered significant and unavoidable despite the payment of school impact fees, would preclude the adoption of negative declarations or mitigated negative declarations even for very small projects required to pay impact fees, and would be inconsistent with the general principle that agencies are required to mitigate their significant impacts to less than significant levels where feasible. Under the law, cities cannot require developers to do more to mitigate school-related impacts than pay whatever fees are required. Thus, if the SVSP developers carry out their intention to enter into a school mitigation agreement with the Center Unified School District, they will be doing so on a voluntary basis for business reasons.

SB 50 establishes three levels of development fees that may be levied upon new construction. Level 1 fees are the maximum amount of fees that can be imposed on new development as set by the State Allocation Board. A school district imposing the development impact fees must show “that a valid method was used for arriving at the fee in question, ‘one which established a reasonable relationship between the fee charged and the burden imposed by the development.’” (*Shapell Industries, Inc. v. Governing Bd.* (1991) 1 Cal.App.4th 218, 235.) Level 1 fees are intended to be increased every two years at the January meeting of the State Allocation Board, at which time the increase will become effective. (Gov. Code, § 65995, subd. (b)(3).) The State Allocation Board last increased development fees on January 30, 2008, to \$2.97 per square foot for residential development and \$0.47 per square foot for commercial and industrial development. As of January

27, 2010, the new Level 1 fees will change slightly and will be \$2.96 per square foot for residential development and \$0.47 per square foot for commercial and industrial development.

In general, Level 2 and Level 3 fees apply to new residential construction only. Level 2 fees allow the school district levying the fees to increase development fees beyond the statutory levels to no more than 50 percent of construction costs, under certain circumstances stated in Government Code Section 65995.5(b)(3). This assumes that State funds will cover the remaining 50 percent. Level 3 fees allow the school district to impose 100 percent of the cost of the school facility or mitigation when State funds for new school facility construction have been exhausted after 2006. (Gov. Code, § 65995.7.) Both Level 2 and Level 3 funds only may be levied if the school districts have conducted and adopted a school facility needs analysis. As discussed on Draft EIR page 4.11-22, the project will fully mitigate school impacts in accordance with the Development Agreements and funding agreements with affected school districts. The project applicants will undertake these measures that go beyond what is required under State law.

The commenter's remaining claim with regard to the inadequate discussion of SB 50 states that the Draft EIR does not consider the possibility that SB 50 could be repealed or amended during the buildout of the project. While it is possible that SB 50 could be repealed or amended, the same could be said of all other currently existing legislation related to the project (e.g., the Endangered Species Act or the Clean Water Act). At present, based on what the City has been able to learn, it is pure speculation that SB 50 will be repealed or substantially modified. CEQA does not require the City to engage in speculation as to what might happen if the statute were repealed, or what might replace SB 50 if it is repealed. (See CEQA Guidelines, § 15145.)

Response to Comment 8-11

The commenter provides clarifying information regarding the State's Class Size Reduction program. The text of the EIR has been amended to indicate that it is within a school district's discretion as to whether it will opt into the California State Class Size Reduction program to receive the associated funding.

Response to Comment 8-12

The DEIR adequately analyzed buildout of the Urban Reserve at a program level (see, e.g., DEIR p. 4.1-47). On page 4.1-50 and in Figure 4-1.4 *Conceptual Urban Reserve Buildout*, the conceptual plan shows a potential site for an additional elementary school most likely in the Roseville City School District, since the majority of students in the Urban Reserve are within the boundary of that school district.

Additionally, pages 5-139 to 5-140 of the DEIR indicate that cumulative buildout of the City, in combination with other development in south Placer County, would increase the demand on the school districts serving the project area, including CJUSD. Existing and planned schools may not have capacity to serve all future development, and it is likely that additional school capacity and additional school sites will be needed.

Additional project-level analysis will be required at the time development is proposed within the Urban Reserve.

Response to Comment 8-13

Comment noted. See response to comment 8-12 with respect to the manner in which the EIR addresses impacts associated with eventual development within the Urban Reserve areas. Additional analysis will be required at the time development is proposed within the Urban Reserve. That review should include assessment of school-related issues.

PLACER COUNTY LOCAL AGENCY FORMATION COMMISSION

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Clerk to the
Commission

William Wright
LAFCO Counsel

January 7, 2010

Kathy Pease, AICP
Senior Planner
City of Roseville Planning Department
311 Vernon Street
Roseville, CA 95678

RE: Sierra Vista Specific Plan Draft Environmental Impact Report

Dear Ms. Pease:

Thank you for the opportunity to review the Sierra Vista Specific Plan Draft Environmental Impact Report. Placer LAFCO is considered a Responsible Agency, and will utilize the EIR in evaluation of any proposals and sphere amendments, depending on various options outlined in the EIR.

The EIR appears adequate for review of proposals that may be required by Placer LAFCO.

In general, LAFCO is primarily concerned with encouraging the orderly formation of local government agencies, preservation of agricultural and open space, and to discourage urban sprawl.

Please feel free to contact Kris Berry, Executive Officer regarding any questions you may have and to facilitate the submittal of any proposals.

Sincerely,

Kristina Berry, AICP
Executive Officer

9-1

RESPONSE TO COMMENT LETTER 9

FROM THE PLACER COUNTY LOCAL AGENCY FORMATION COMMISSION

Response to Comments 9-1

The comment indicates that the EIR appears adequate for Placer LAFCO purposes. No response is required.



MOTHER LODGE CHAPTER

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January 7, 2010

Kathy Pease
Planning and Development Dept.
City of Roseville
311 Vernon St.
Roseville, CA 95678

RE: Comments on the Draft EIR for the Sierra Vista Specific Plan

Dear Ms. Pease,

On behalf of the Mother Lode Chapter of the Sierra Club, thank you for the opportunity to comment on the Draft Environmental Impact Report for the Sierra Vista Specific Plan. The focus of these comments is on vernal pool resources and the special-status species associated with them. There are a number of problems with the DEIR in this regard.

Originally it was our understanding that this was to be a combined EIR/EIS, an approach which we support. In projects such as SVSP, when significant federally protected resources are to be impacted, it is most appropriate to combine the NEPA and CEQA analysis to provide the mitigations that will meet both CEQA requirements and those needed to obtain federal permits. Otherwise if there is a gap between the two environmental review processes, the decision makers and the public cannot know what the project's mitigations will ultimately consist of at the time the project is approved. In this case it appears that the City of Roseville has been unable to reach agreement with the federal agencies and the ultimate mitigations are deferred, defeating the purpose of CEQA. If the City of Roseville approves this project under a cloud of disagreement with the federal agencies, it sets up a lengthy, costly and inefficient struggle between local government and federal agencies that serves the interests of virtually no one.

10-1

In analyzing the onsite vernal pool resources the DEIR focuses exclusively on wetted acres and fails to recognize that nearby up lands are critical to the biological function of vernal pools. It is noted that the project contains 10.6 acres of "vernal pool habitat." (Pg. 4.8-45) Yet a resource inventory done for Placer Legacy by North Fork Associates (one of the consultants for this DEIR) identified 871 acres of vernal pool complexes on the project site, based on aerial surveys. Either those surveys should have been used in the DEIR, or on the ground surveys done to establish the extent of the uplands that are hydrologically and vegetatively essential to the function of the various vernal pools. Instead, the DEIR assumes the absence of indirect impacts to vernal pools if there is no development within 250 feet. This method is arbitrary and biologically indefensible.

10-2

Representing 19,000 members in 24 counties in Northern and Central California
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Page 2 of 2: Sierra Club comment on the DEIR for the Sierra Vista Specific Plan

Regarding the presence or absence of federally listed species in the site's vernal pools, the DEIR is off the mark in two respects. It is not appropriate to distinguish between those vernal pools that are 'Shrimp-Habitat' and those that are 'Non-Shrimp Habitat.' The ability to detect with certainty the presence or absence of vernal pool fairy shrimp or vernal pool tadpole shrimp in any given vernal pool is virtually impossible, since it can vary year to year according to the conditions and the timing of the surveys. That is why the USFWS has a policy of 'presumed presence' of both fairy shrimp and tadpole shrimp in Western Placer County. The DEIR must likewise assume the presence of both listed species – it must not (as it does) provide lesser mitigation for vernal pools deemed to be Non-Shrimp Habitat. 10-3

Mitigation of impacts to those vernal pools referred to as 'Non-Shrimp Habitat' inappropriately provides for the creation of vernal pools. The ability to create functioning vernal pool systems is unproven and has not been accepted by the USFWS. Even genuine restoration of vernal pools often fails. Even where apparently successful, such efforts have not yet satisfied biologists that they will retain biological function over time. 10-4

Ratios: Although the Army Corps typically requires that wetlands be preserved at a 2:1 ratio, plus 1:1 creation to reach 'no net loss,' vernal pools are more complex ecosystems and should be treated differently, particularly given the uncertain science of restoration. The DEIR should provide for a 3:1 ratio of preservation, plus 1:1 restoration. That would guarantee no more than a 25% rate of loss of this vanishing habitat, which is home to multiple threatened and endangered species. 10-5

Impacts to vernal pools are not treated in a manner consistent with the City's 2000 MOU with the USFWS. That agreement calls for 'a long-term habitat conservation program (HCP), or its equivalent.' Such a conservation program is based on the preservation of existing resources, rather than relying on creation or restoration. Setting aside the fact that the DEIR grossly under-represents the site's vernal pool habitat (10.6 acres versus 871 acres, as noted previously), what little mitigation is provided relies heavily on creation/restoration (48.4 ac), versus on/offsite preservation (7.1 ac). 10-6

We urge the City of Roseville not to certify this flawed DEIR and its inadequate mitigations for the loss of vernal pool habitat. Approval of the project with the current mitigations only sets up a more confrontational environment with the federal agencies. Ideally Roseville would become a partner in the Placer County Conservation Plan, adoption of which would merge the CEQA and NEPA processes, providing greater efficiency and certainty for the City, developers and the environmental community regarding the mitigation that we can expect for impacts to vernal pools. 10-7

Thank you for the opportunity to comment on the DEIR for the Sierra Vista Specific Plan. Please keep me informed of any notices and documents related to this project. I can be reached at the address on the letterhead, or terry.davis@sierraclub.org and 916 557-1100 ext. 108.

Sincerely,



Terry Davis
Conservation Program Coordinator

RESPONSE TO COMMENT LETTER 10**FROM THE SIERRA CLUB, MOTHER LODGE CHAPTER****Response to Comment 10-1**

It is correct that the project will involve separate CEQA EIR and NEPA EIS processes. The commenter expresses disappointment that the City has not prepared a combined EIR/EIS for the Sierra Vista Specific Plan in coordination with the federal agencies whose regulatory approvals will be necessary for the project area to develop. The commenter goes on to state that the preparation of a stand-alone EIR may lead to a scenario in which the City approves development in a form that could be unacceptable to such federal agencies. An EIS will be prepared by the U.S. Army Corps of Engineers. The City of Roseville does not have control over that process. The City has requested that it remain involved as the EIS moves forward, because a major objective of the City is to ensure that any project that is approved may be permitted and implemented.

The commenter is incorrect in assuming that the City of Roseville was unable to reach agreement with the federal agencies. Refer to page 4.8-68 of the EIR and Appendix R for letters from the U.S. Army Corps, U.S. EPA, and U.S. Fish and Wildlife Service praising the City for its coordination efforts. As indicated in the EIR on page 4.8-21 (City/U.S. Fish and Wildlife Service MOU), the City of Roseville conducted an extensive early consultation process in order to reach basic agreement on a proposed land use plan and mitigation strategy that could be permitted under Section 404. As a result of these discussions, the proposed land plan was modified based on federal agency feedback. For these reasons, the City is confident that the separate EIR/EIS processes will comply with CEQA and NEPA, respectively.

The commenter expresses disappointment that the City has not prepared a combined EIR/EIS for the Sierra Vista Specific Plan in coordination with the federal agencies whose regulatory approvals will be necessary for the project area to develop. The commenter goes on to state that the preparation of a stand-alone EIR may lead to a scenario in which the City approves development in a form that could be unacceptable to such federal agencies.

As the commenter acknowledges, the project proponents must comply with applicable federal requirements to obtain a permit to discharge dredged or fill material pursuant to Section 404 of the Clean Water Act. A "Section 7" consultation under the Endangered Species Act between the United States Army Corps of Engineers (Corps), which issues such permits, and the United States Fish and Wildlife Service (Service), will also be required. As discussed on pages 2-68 to 2-69 of the Draft EIR, an environmental impact statement (EIS) to comply with the National Environmental Policy Act (NEPA) will be prepared for the Section 404 permit. The Corps will be the lead agency under NEPA.

Although the commenter is correct that the City had the option, under CEQA, to try to work with the Corps in preparing such a combined EIR/EIS, a joint document is not required and the City does not anticipate the scenario envisioned by the commenter, in which the SVSP project, after City approval, could be "under a cloud of disagreement with the federal agencies," leading to "a lengthy, costly and inefficient struggle between local government and federal agencies that serves the interests of virtually no one." To avoid such a scenario, the City has maintained open lines of communication with not only the project proponents but also both the Corps and the Service, with the goal of approving a Specific Plan that is consistent with the federal regulatory approvals needed for development in certain parts of the project site (i.e., the areas with federally protected resources).

Despite any implications to the contrary in the commenter's letter, the law does not *require* the City and Corps to prepare a single document. Thus, although certain provisions of the CEQA Guidelines encourage CEQA lead agencies to work with their federal counterparts to prepare joint documents in some circumstances do not mandating that approach. (See, e.g., CEQA Guidelines, § 15222 [CEQA lead agencies "should try" to work with federal agencies to prepare joint documents].) Typically, project applicants are the proponents of joint documents, where they

perceive that a joint CEQA-NEPA process might lead to time savings in the long run. Although joint documents typically take more time to complete than EIR-only documents, which in many instances are supposed to be completed within a year after a lead agency deems a project application complete (see Pub. Resources Code, § 21151.5, subd. (a)(1)(A)), such applicants often conclude that the preparation of a single (though often very complex) document will take less time than two separate (though comparatively less complex) documents. In such instances, an applicant may request a CEQA lead agency to agree to prepare joint document in order to save time (assuming the federal lead agency is similarly willing). Further, to grant such a request, the CEQA lead agency must find that a single EIS/EIR could be prepared more speedily than two separate environmental documents, and the applicant must agree to waive that requirement if a joint document cannot be completed within the year time frame. (Pub. Resources Code, § 21083.6; CEQA Guidelines, § 15224.) Here, the project applicants, for whatever reason, did not request the City to agree to prepare a joint environmental document in the interest of time. Nor were they required by CEQA to make such a request.

Although joint documents are by no means uncommon, they are getting more difficult to prepare than they used to be, a factor that often leads to the preparation of separate CEQA and NEPA documents. The CEQA provisions encouraging joint documents have been on the books for many years, and do not necessarily reflect the sometimes diverging trends in court interpretations of the respective requirements of CEQA and NEPA. For example, the alternatives analysis found in an EIS is typically much more detailed than that typically found in an EIR, as the NEPA regulations adopted by the Council on Environmental Quality (CEQ) require that an EIS must “[d]evote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.” (40 C.F.R. § 1502.14, subd. (b).). In practice, federal agencies understand this mandate to require that each alternative be addressed at the same level of detail as the proposed project or action. Under CEQA, in contrast, alternatives need only be discussed in “meaningful detail.” (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 406.) This CEQA standard can be satisfied without the same level of effort and expenditure required under NEPA. Another challenge that arises with the preparation of joint documents is the fact that CEQA generally requires lead agencies to use “existing conditions” as the “baseline” for assessing the significance of impacts (see CEQA Guidelines, § 15125, subd. (a)), whereas the common practice under NEPA is

to use a future condition under the “no action” scenario as the equivalent of such a baseline (see 40 C.F.R. § 1502.14; and *Havasupai Tribe v. United States*, 752 F.Supp. 1471, 1491 (D. Ariz. 1990) (“*Havasupai Tribe*”) (the no-action alternative “provides a sound baseline against which all other options can be compared”).)

NEPA also includes certain requirements not found at all in CEQA. For example, NEPA requires agencies, in preparing EISs, to satisfy certain detailed requirements when they confront incomplete or unavailable information. First, the agencies must acknowledge that relevant scientific information is lacking. Second, they must obtain such information, with original research if necessary, unless the costs of obtaining it are “exorbitant” or “the means to obtain it are not known.” Third, if the information is unobtainable for these reasons, the agency must include in the environmental document both “a summary of existing credible scientific evidence” relevant to the issue at hand, and an evaluation of the impacts in question “based upon theoretical approaches or research methods generally accepted in the scientific community.” (40 C.F.R. § 1502.22.) CEQA contains no requirements along these lines.

The differing CEQA and NEPA requirements have sometimes deterred CEQA lead agencies and NEPA lead agencies from working together, though it is possible, of course, for such agencies to coordinate their activities and remain in contact with one another without preparing a single joint EIR/EIS. Here, the City has chosen to prepare its own EIR while maintaining contact with the federal agencies and the project applicants with the goal of ensuring that the Specific Plan as ultimately approved is realistic in light of the requirements of the Clean Water Act and Endangered Species Act. The City has a good and long-standing relationship with the Service that is reflected in a 2000 Memorandum of Understanding with that agency. The 2000 MOU outlines a process to address indirect operational effects of the Roseville Regional Pleasant Grove Wastewater Treatment Plant, including potential Roseville annexation projects. Although that MOU does not govern the City’s actions with respect to the SVSP project, the existence of the MOU has cemented the good working relationship between the two agencies over the course of the last decade. Thus, while an EIS for the federal approvals required for the SVSP has not been prepared yet, the City is currently coordinating with the Corps and Service in an effort to maintain an open line of communication with those two agencies. The City assumes that the open

dialogue will facilitate the successful completion of the local planning process and, ultimately, the completion of an EIS and the issuance of federal permits for the project area.

Response to Comment 10-2

The mapping of “vernal pool complexes” that was done for Placer Legacy by North Fork Associates was not a mapping of upland grasslands that are “hydrologically and vegetatively essential to the function of various vernal pools.” Rather it was an attempt to roughly map areas of grasslands that have low (0 to 1 percent), medium (1 to 5 percent) and high (5 to 10 percent) occurrences of vernal pools. The boundaries of these areas in no way reflects the ecological interrelationship between the vernal pools and their adjacent uplands (pers. comm. Jeff Glazner, North Fork Associates).

The commenter states that “*a resource inventory done for Placer Legacy by North Fork Associates (one of the consultants for this DEIR) identified 871 acres of vernal pool complexes on the project site, based on aerial surveys.*” This is incorrect. A total of 1,453 acres of grasslands are shown as having an estimated density of 0-1 percent. Under the mapping conventions used by North Fork Associates, this mapping category does not imply that the areas in question are “vernal pools complexes.” Rather, this mapping category includes both areas of grassland totally lacking vernal pools and areas where existing vernal pools occur at very low densities. The mapping by North Fork Associates shows an estimated 2 acres of grassland with 1-5 percent density of vernal pools and an estimated 120 acres of grassland with greater than 5 percent density of vernal pools.

The 10.6 acres of fairy shrimp habitat that was cited in the DEIR on page 4.8- 45 was a typographical error, and has been amended in the Final EIR. The correct acreage is 3.45 consistent with Table 4.8-3 on page 4.8-38 of the DEIR. This estimated acreage is intended to reflect the area of suitable habitat wherein the species are found or likely to be found. The 3.45 acre estimate is not intended to represent a quantification of the total area of land that, if disturbed, could potentially impact these species. The DEIR recognizes the interrelationship between vernal pools and their adjacent upland grasslands, and acknowledges that certain activities in uplands adjacent to vernal pools can indirectly affect vernal pool function and the species supported by these vernal pools. The City agrees that it is important to consider the entire vernal pool landscape, including not just the vernal pools but also their inter-relationship with other vernal pools, seasonal wetland swales, and the surrounding uplands when assessing impacts and evaluating

mitigation. The 250-foot standard used in the DEIR, and discussed further below, takes these factors into consideration and is a reasonable and appropriate method for quantifying indirect impacts that is consistent with current Federal policies.

The City is not aware of studies that provide a reliable basis for predicting thresholds for indirect impacts or for predicting the magnitude of indirect impacts. Absent such studies, the United States Fish and Wildlife Service (Service), in its consultations under Section 7 of the Endangered Species Act (ESA) with the United States Army Corps of Engineers (Corps), uses a 250-foot standard as a basis for assuming potential indirect impacts. This standard is set forth in the Programmatic Consultation for Listed Vernal Pool Crustaceans (Service 1996). Regarding how to determine the extent of indirect effects on listed invertebrates, the Programmatic Consultation states:

“Habitat indirectly affected includes all habitat supported by destroyed upland areas and swales, and all habitat otherwise damaged by loss of watershed, human intrusion, introduced species, and pollution caused by the project (see Effects of the Proposed Action below). Where the reach of these effects cannot be determined definitively, all habitat within 250 feet of proposed development may be considered to be indirectly affected. If any habitat within a vernal pool complex is destroyed, then all remaining habitat within the complex may potentially be indirectly affected. If any part of a vernal pool is destroyed, then the entire pool is directly affected.”

Because the Service routinely uses this 250-foot standard for determining indirect effects to listed vernal pool species in both programmatic and non-programmatic ESA consultations, the City believes that it is appropriate and prudent to use this standard for quantifying indirect effects to vernal pools for the Sierra Vista Specific Plan. Using this standard, there are approximately 4.29 acres of suitable habitat for fairy shrimp (vernal pools, seasonal wetlands and swale depressional wetlands) occurring within occupied watersheds within the project area. Of this total, approximately 2.95 acres would be directly affected by the proposed project and approximately 1.34 acres would be avoided. Of the 1.34 acres avoided, approximately 1.1 acres would be considered to be indirectly affected using the 250-foot standard.

It should be noted that both the off-site preservation and the off-site restoration/creation vernal pool mitigation measures will necessarily include associated swale and upland grassland habitats. Typically, the density of vernal pools in mitigation areas is between 5 and 10 percent, and the grassland component comprises 90 to 95 percent of the total mitigation area. This will be the case with the Sierra Vista off-site mitigation areas.

It is worth noting, moreover, that mitigation measures formulated to reduce impacts to agricultural and open space lands and Swainson's hawk foraging habitat will also result in the preservation of large expanses of grasslands, with attendant benefits to any existing or restored vernal pools that might occur within such expanses. For example, Mitigation Measure 4.1-2 requires that "[o]ne acre of open space will be preserved within Placer County for each acre of open space impacted within the Specific Plan area." Similarly, Mitigation Measure 4.8-4 requires the preservation of grassland foraging habitat at specified ratios, which are as high as one-to-one for impacted habitat within one mile of a Swainson's hawk nest.

Response to Comment 10-3

The Service has established guidelines/protocols for wet and dry season sampling for listed vernal pool invertebrates. The Service routinely accepts the results of surveys conducted consistent with these guidelines as evidence of the presence or absence of listed species, although the Service also may assume the presence of listed species. To the City's knowledge, the Service has not unilaterally assumed the presence of listed species throughout any of western Placer County. If such a rationale were the accepted policy of the Service, the agency would not accept survey data as evidence of absence of listed species anywhere, not just in western Placer County.

Although nothing in CEQA required the City to use ESA protocols developed by the Service in order to assess the significance of impacts under CEQA (see *Association of Irrigated Residents v. County of Madera* (2003) 107 Cal.App.1383, 1396-1398), the invertebrate surveys that were conducted for the SVSP were approved in advance by the Service and completed consistent with the Service's guidelines. Thus, they meet the standards for ESA analyses and are more than sufficient under CEQA. In these surveys, in which a listed species was observed within a given watershed, the biologists assumed that the listed species was present in all suitable habitat within that watershed (vernal pools, depression seasonal wetlands, and vernal pools and depression seasonal wetlands).

seasonal wetlands embedded within seasonal wetland swales) and no additional sampling was conducted within that watershed. This assumption was made whether or not listed species had been found in other suitable habitat within the watershed. In other watersheds, sampling continued for a complete two year cycle as specified by the guidelines. The only wetlands considered to be “non-shrimp habitat” are those that have been surveyed over two complete wet seasons for which the surveys have failed to document the presence of the listed species anywhere within those wetlands’ respective watersheds. The Service accepts these conclusions under the ESA, and the City finds them to be sufficient authoritative evidence to come to a conclusion on this issue.

Response to Comment 10-4

The City disagrees that the creation of vernal pools is an unproven approach to mitigation. Indeed, this approach is *mandatory* in a variety of legal contexts. Compensation for impacts to wetlands, including vernal pools, through restoration/creation is necessary to comply with the Corps’s “no net loss” of wetlands policy, which has been in place since at least 1987. The very concept of “no *net* loss” assumes that existing wetlands can be filled in exchange for the restoration or creation of new or degraded wetlands. Similar mandates allowing or requiring restoration/creation are also found in mitigation policies of the US Environmental Protection Agency, the Service, California Department of Fish and Game, and the Central Valley Regional Water Quality Control Board, as well as in the City of Roseville’s General Plan. All of these agencies are sufficiently confident in the likelihood of success of vernal pool restoration/creation to continue to require it.

The City and its biological consultants are unaware of any studies that document the commenter’s unsupported assertion that “*genuine restoration of vernal pools often fails.*” The City is also unaware of any studies that document the implied assertion that vernal pool restoration/creation is less likely to succeed than other types of wetland restoration/creation.

Response to Comment 10-5

The Corps does not require preservation of wetlands as mitigation for impacts to wetlands. The Sacramento District Corps does not normally credit the preservation of wetlands towards the

required mitigation package for wetland impacts. The Corps has granted partial credit for preservation of wetlands in the past where enhancement of those wetlands is also proposed. In such cases, the amount of mitigation credit granted by the Corps was equal to the estimated incremental functional improvement resulting from the enhancement. Corps mitigation policy does allow for the granting of mitigation credit for preservation alone where there is a demonstrated likelihood that unregulated activities will result in the loss or degradation wetland function of areas to be preserved. Notably, preservation combined with management and enhancement has also been upheld as a legitimate mitigation strategy under CEQA. (See in *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018, 1038-1041 (ECOS) [upholding a mitigation/preservation ratio of 0.5 to 1.0, where preserved lands would be managed for habitat values].) The commenter proposes a 3:1 preservation ratio rather than a 2:1 ratio stating that the 3:1 ratio “would guarantee no more than 25% rate if loss of this vanishing habitat.” This assertion ignores the fact that the mitigation conditions would require a minimum of 1:1 restoration/creation as well as 2:1 preservation. With the restoration/creation, there would be no net loss. The rationale for recommending a 3:1 preservation ratio versus 2:1 is not provided. As stated in the DEIR, the 2:1 preservation ratio is the minimum preservation requirement. Ultimately, the preservation ratio determined through ESA Section 7 Consultation with the Service will be based on factors such as the quality of the shrimp habitat affected versus the quality of the shrimp habitat preserved, the type of shrimp habitat preserved, and the location of the preserved shrimp habitat in terms of proximity to the impact site and whether or not the preserved habitat is located with the Core Recovery Area.

Regardless of what the Service and Corps ultimately require for compliance with the Clean Water Act and ESA, the ratios proposed by the commenter are far in excess of those that have been previously upheld by California courts in CEQA litigation. In the ECOS decision cited above, the Court of Appeal for the Third Appellate District upheld a mitigation/preservation ratio of 0.5 to 1.0 as part of a habitat conservation plan for the Natomas area in the north part of the City of Sacramento. The ECOS court held that, in light of the challenged project’s entire mitigation strategy, the purchase of a half acre for habitat reserves for every acre of development under the project satisfied the mitigation requirements of both CEQA and the California Endangered Species Act.

Response to Comment 10-6

The EIR adequately analyzes impacts and is consistent with the City's MOU with the Service. Early in the environmental review process, the City contacted the Service to confirm its approach to the analysis of wetlands impacts and mitigation for the proposed project, and the Service concurred with the City's approach. See also responses to comments 10-1 and 10-2.

Response to Comments 10-7

This comment urges the City of Roseville to participate in the County's PCCP. Comment is noted and will be considered by the City Council at the time it considers the Specific Plan. At present, the City has not seen any need to participate in the PCCP due in large part to its existing contractual relationship with the USFWS pursuant to the 2000 MOU (see response to comment 10-1) and the effective practices that have evolved pursuant to that document.



PLACER GROUP
P.O. BOX 7167, AUBURN, CA 95604

January 7, 2010

Sent via email: kpease@roseville.ca.us

Attn: Kathy Pease
Planning and Redevelopment Dept.
City of Roseville
311 Vernon St.
Roseville, CA 95678

Ladies and Gentlemen:

RE: Comments—Sierra Vista Annexation, General Plan Amendment, Zoning, Etc., Draft Environmental Impact Report

Thank you for the opportunity to comment on the Sierra Vista (SV) Draft Environmental Impact Report (DEIR).

In general, we submit that this proposal violates Roseville’s General Plan elements; that there is no need for an amendment to incorporate a change in boundaries in order to artificially create a justifiable sphere of influence (SOI), or to adopt a Sierra Vista Specific Plan (SVSP), or to annex the entire 2,000+ acres (all to eventually accommodate 6,663 dwelling units or a population increase of over 17,000¹); and that the subsequent loss of agricultural (ag) lands due to the scale of this proposal is unacceptable. The proposal appears to be an overzealous expansion of an already over-built, excessively entitled, under-served region.

11-1

Development decisions should be driven in part by an adherence to principles of logical and orderly growth; however, this proposal appears to construe “orderly growth” with rampant growth. The Project Description section of the SVSP suggests that this expansion “...accommodates Roseville’s share of future regional population growth....” Who/what entity decided (1) regional population growth numbers and (2) the distribution “share” ratios of that population growth?² Please cite valid authoritative studies to justify (1) real regional population growth figures; (2) the process by which each jurisdiction was doled its “share”; and (3) how that “share” portion was distributed. What is Roseville’s current “share”? What is the basis for deciding that continuous expansion is being driven by Roseville’s “share”? What “share” will the County of Placer have? Please compare the “share” of Roseville’s population growth to the “shares” of Loomis, Colfax, or even Rocklin, and explain how this project objective was calculated and can be justified.

11-2

¹ Using 2.6 persons per EDU.

² SACOG’s “Blueprint” should not be used as the “Bible” for regional growth in forecasting population models. SACOG is composed of the very people who approve these types of projects, proposals, and developments. Thus, they have inherent conflicts of interest in possibly inflating all regional growth predictions to justify their votes of approval of any/all/most development proposals that come before them (“SACOG Blueprint supports this, so we do too.”).

Roseville-SVSP- p 1

The Project Description suggests that 2.6 millions gallons of water per day (mgd) will be drawn from two wells to augment the “looped distribution system” during dry years. Please address the potential for the primary (“looped”) system’s inability to meet demand, which is likely. Please explain how the certainty of the primary water system’s supply has been ascertained, and how the 2.6 mgd of ground water backup can be assured. What impacts will the 2.6 mgd wells have on ground water tables (especially with surrounding ag land uses and creek flows³)?

11-3

General Plan Violations

Under Land Use Element (Section C, Goals and Policies, Roseville General Plan, page 11-28), Goal 1 states that Roseville’s will be identified by (b) “A commitment to preserving its small town attributes and cultural heritage....” (d) “Residential development that includes clusters of high to low densities balanced with large expanses of open space.” Please explain how the SVSP meets these Goals of the General Plan.

11-4

Under Growth Management (page 11-45), Goal 2 states that “the City shall encourage a pattern of development that...preserves valuable natural and environmental resources.” Goal 4 states that “the City shall continue a comprehensive, logical planning process, rather than an incremental, piecemeal approach.” Please explain how such massive plans as the SVSP, encompassing thousands of acres where both natural and environmental resources will not be preserved, and when so many other years of entitlement have yet to be built out, can be construed to meet these Goals of the General Plan.

11-5

The SVSP violates Goal 7 or does not meet its intent because it is unclear how the long-term carrying capacities and limits of roadways, sewer and water treatment (especially with the multitude and apparently on-going violations of Pleasant Grove Wastewater Treatment Plant’s discharges⁴) can be met.

11-6

The SVSP states that Development Agreements will be for 20-year terms. This is an inappropriate timeline and gives an undue advantage to landowners over the City, with usually no penalties for non performance, other than a possible reversion of zoning. To insure performance, 10-year Development Agreements are more reasonable to protect the interests of the citizens of the City, with performance bonds included. There should be “no surprises” in a decade, but if there are unforeseen impacts, the City should have the right and the responsibility to make amendments and renegotiate any Development Agreement.

11-7

Alternatives

Alternative 1, No Project, is the most desirable given the region and nation’s uncertain economic climate, and future impacts of climate change and global unrest. The current land use designations would better meet the critical needs of a city the size of Roseville in the event of global economic shut down. Please consider and analyze the benefits of waiting until the “crises” passes (climate change, economic uncertainty,

11-8

³ Drawing down ground water tables can impact creek flows by decreasing them substantially. Sloto, R.A., 2008, Effects of land-use changes and ground-water withdrawals on stream base flow, Pocono Creek watershed, Monroe County, Pennsylvania: U.S. Geological Survey Scientific Investigations Report 2008-5030, 38 p.

⁴ Per California Water Resources Control Board, http://www.swrcb.ca.gov/rwqcb5/board_decisions/adopted_orders/placer/rs-2009-0542_enf.pdf

population declines in California, and the potentially critical need for ag lands) before proceeding with this SVSP as a more prudent and wiser path to follow.

Another unacceptable aspect of this project concerns the extremely high number of impacts that are deemed significant and unavoidable (34). When added to the list of over 20 potentially significant impacts for which mitigation is available, regardless of the viability or merit of those mitigation measures, it becomes clear that this is a proposal that should not be approved.

↑
11-9

4.1—Land Use and Agricultural Resources

One of the most disturbing aspects of this proposal is the loss of ag lands. It is little consolation that ag uses will continue until development is proposed. In addition to the discussion in the Draft Environmental Impact Report (DEIR) on ag, please analyze the economic loss from conversion of ag lands in the future on the already-entitled ag lands. Please analyze food sustainability in terms of the loss this project will inflict on future local food production resources.

As transportation costs increase and local ag products become more desirable and affordable (as opposed to costly importation of food), please examine the impact to the public and the ag industry on the loss of these ag acres. What will be the economic impact of build out both from the standpoint of loss of local food sources and the need to import food from great distances?

11-10

Other

Possibly indicative of the overreaching magnitude of this proposal is the withdrawal of at least two of the original property owners (Richland Communities and Chan-DEIR, p. 4.1-2) from the project. With no “specific land uses” proposed for these parcels, how is it justified to give those properties “Urban Reserve” land use designations? What criteria and/or authority can be cited to designate an additional 400 acres as Urban Reserve? The change may result in less proposed development, but it is almost certain that the land will eventually be developed and should be included in the environmental impact discussions of the SVSP.

11-11

Given the excessive annexation and entitlement approvals by Roseville, build out would appear to be much longer than ten years out. One estimate by a county supervisor was that Roseville’s current entitlements would take 18 years to fulfill. Please explain how the “fully entitled” residential development within the City of Roseville can be “anticipated to be built out by 2020.” (p. 4.1-4).

11-12

In the late ‘80’s and early 90’s, Roseville’s SOI was much more reasonable and justifiable. Its population and growth did not necessarily convert thousands of acres of viable farmland to roads and rooftops, destroy wetlands and vernal pools, or create air and water pollution. Yet as stated in the DEIR, the SVSP project was “identified as one of two ‘Remainder Areas’ analyzed,” and the SOI was extended. We submit that the “constraints” mentioned have been ignored. Please explain how the statement that includes “growth issues and the unique constraints...provide a context within which implementation...can be successfully accomplished” (p.4.1-4) can be substantiated. Is destruction of wetlands, vernal pools, and conversion of ag lands considered a component of the “successfully accomplished” statement? How is successful implementation measured? Who set the standards for “successful”? Do those standards include rigorous

11-13

mandates to protect and preserve natural resources? And if so, how does the SVSP meet them?



The NRCS soils suitability ratings are for general agriculture, but the SVSP land areas are viable crop- and livestock-supporting ag lands. They can produce sustainable and diverse crop yields to help feed the region’s population. Please discuss (1) the ag crop yield potential in light of feeding the region’s citizens; (2) the impact of the loss of that food production potential with the SVSP proposal, both from an economic standpoint of citizens and from their health and survival.

11-14

The “Constraints Map” indicates the fragile nature of the SVSP proposal area and the multitude of important natural resources (many important drainage systems, wetlands, vernal pools) that must be protected. It also indicates constraints that can put people at health and safety risks (the proposed gas line, flood plains, transmission lines, and McClellan air flight corridor) which must be avoided with buffers. Thus, there is little land remaining that should even be considered for a SVSP. The SVSP requires a broad brush, sweeping approval of lands that are not conducive to development. How can the SVSP be justified given both the natural resource and health and safety constraints?

11-15

Our own constraints of time coupled with the gargantuan proposal this SVSP represents prohibit us and probably most other members of the public from giving it the thorough review it deserves. We urge you to either not approve proposal or at least postpone any vote to approve.

Cordially,

Marilyn Jasper, Chair

marilyn.jasper@mlc.sierraclub.org

RESPONSE TO COMMENT LETTER 11**FROM THE SIERRA CLUB, PLACER GROUP****Response to Comment 11-1**

This comment provides an overview of the following comments. Individual responses are provided below.

Response to Comment 11-2

This not a comment about the EIR. The City of Roseville is in agreement regarding concern over the state Regional Housing Needs Allocation (RHNA) and Roseville's large share of the region's allocation. The State of California requires all jurisdictions that prepare General Plans to incorporate a Housing Element into their General Plan. It further requires that each jurisdiction plan for housing to serve all economic segments of society. To ensure that jurisdictions are planning adequately, the State Department of Housing and Community Development (HCD) estimates the number of units that should be planned for every region in the state. As stated in the state Planning and Zoning Law, Government Code Section 6558.4, "*... it is the intent of the Legislature that cities, counties, and cities and counties should undertake all necessary actions to encourage, promote, and facilitate the development of housing to accommodate the entire regional housing need...*"

SACOG oversees the RHNA process on behalf of the region, and is responsible for allocating each municipality's share of regional housing to the City of Roseville and all cities and counties in the SACOG region. The RHNA requirement can be found in Government Code Section 65583.2.

The Department of Housing and Community Development (HCD) identified the SACOG region's 2013 RHNA growth allocation as 118,652 residential units. SACOG, in turn, devised a methodology for distributing residential units to the cities and counties within its jurisdiction. Roseville's share for the five year planning period is 8,933 units. SACOG's methodology assigned units based on historic growth rates, regardless of how much existing capacity remains in the City or that growth rates in the City have dramatically slowed over the past several years.

While Placer County recently approved the 14,000 unit Placer Vineyards Specific Plan and the 3,232 unit Regional University Specific Plan, its RHNA allocation for southwest Placer County is only 3,829 units. The town of Loomis's allocation is 148, Colfax's is 69 and Rocklin's is 2,236. If SVSP is approved it likely will be key in helping the City meet its RHNA during the next planning cycle.

Response to Comment 11-3

Two new groundwater wells are proposed to be constructed as part of the project. Based on capacity data from existing city wells, the City anticipates each well could be capable of producing up to 1,800 gallons per minute, which is equivalent to 2.6 million gallons per day as noted by the commenter. The analysis within section 4.12 for Impact 4.12.1-6 indicates that during the driest of year types, the volume of water required to supplement surface water supplies **city-wide** is only 6,453.4 acre feet year. This is equivalent to 5.8 million gallons per day (mgd). The City's existing groundwater wells are capable of producing 10.73 mgd; more than the required 5.8 mgd to service the city. Therefore, while the two groundwater wells proposed within the SVSP are anticipated to be capable of producing up to 2.6 mgd each, they may not be run at that rate of extraction. An analysis of the volume of groundwater required to serve the City and the project over a 100-year time period is included in Impact 4.12.1-6. The analysis concludes there would be no significant impact to the groundwater basin, because land following initiated by the City with the acquisition of Reason Farms would more than fully offset any groundwater extraction anticipated by the City over the next 100-years. Therefore the groundwater table is expected to remain the same or increase (get better) over time.

The "looped distribution system" noted by the commenter refers to the water distribution piping that will convey potable water (surface water and groundwater) to meet customer water needs. As documented in Appendix H of the DEIR, an analysis was conducted to determine the required sizing of the distribution system to carry the required volume of water needed to serve the project area.

The commenter request information regarding how the City ascertained the "certainty" of the primary water system's supply. The City's primary water supply is surface water made available through contracts with the United States Bureau of Reclamation, Placer County Water Agency and

San Juan Water District. Copies of the City's contracts for these water supplies are included as Attachment 6 within Appendix H-2 of the DEIR. With respect to the reliability of these contracted supplies, the City relied on hydrologic data from within the watershed to estimate the potential for reduced supplies due to drought conditions, as well as information provided by regional water experts. This information is provided within the DEIR and within Appendix H-4 of the DEIR. As analyzed and documented within Impact 4.12.1-1 of the DEIR, the City has sufficient contracted surface water supplies to meet potable water demands in wet year conditions. Also, as analyzed in Impact 4.12.1-2 the city has sufficient water supply contracts in dry years when combined with conservation and supplemental groundwater supplies to meet required potable water demands during dry year conditions.

Response to Comment 11-4

The commenter asks for an explanation of how the project meets Community Form Goal 1 including preserving small town attributes as well as residential development that includes clusters of high to low densities balanced with large expanses of open space. The proposed project is consistent with both of these community form goals. The neighborhoods have been planned consistent with development throughout the city, that will help promote a "small town" feel, including parks adjacent to schools, and 10 miles of paseos that will connect neighborhoods with services, etc.. In addition, this plan includes a mix of higher density and mid-density units along with low density residential uses in order to provide consistency with the Blueprint and preserve open space. High density uses have been clustered along Watt Avenue to support future opportunities for bus rapid transit. High density uses are also clustered around commercial nodes to provide opportunities to walk to services.

Response to Comment 11-5

This is not a comment about the EIR. As indicated in Consistency with Plans and Policies in the EIR, the proposed project is consistent with the overall goals of the General Plan. The City has a long history of planning by means of the specific plan process. This is the City's twelfth specific plan, and it meets the project objectives outlined in Section of the DEIR. As explained in the Consistency with Plans and Policies chapter of the DEIR, planning larger areas by specific plans is intended to allow the city to adequately plan for water, utilities and roadway infrastructure and avoid incremental development which would occur if development proceeded in a parcel by

parcel manner. This allows the city to plan for parks, schools, and larger areas of open space that would be infeasible to plan at a small scale. Further, as explained in the project description, approximately 864 acres will remain as open space and parks as part of the project, which will preserve natural and environmental resources. Therefore, the project is consistent with the General Plan.

Response to Comment 11-6

The commenter indicates that the SVSP violates Goal 7 or does not meet its intent because it is unclear how the carrying capacities and limits of roadways, sewer, and water treatment (especially with the multitude and apparently ongoing violations of Pleasant Grove Wastewater Treatment Plant’s discharges) can be met. Operations of a wastewater treatment plant, particularly as related to compliance requirements, is quite complex. The City has an excellent compliance record with the RWQCB. These 5 referenced discharge violations occurred during an 18-month period from 1 June 2007 to 31 December 2008. During this time period, the Pleasant Grove Wastewater Treatment Plant had to comply with more than 60,000 compliance points. Five (5) noncompliance points out of 60,000 represents a 99.992% compliance record. It is clear that suggesting these 5 discharge violations is a “multitude” or is “ongoing” is incorrect.

Response to Comment 11-7

This is not a comment about the EIR. The specific plan is anticipated to be built out over a 20-30 year period. Therefore, entering into a Development Agreement that has a 20-year term is both reasonable and appropriate. The Development Agreement provides benefit to the City and assurance that the developer’s obligations will be implemented and financed at the time improvements are necessary.

Response to comment 11-8

The commenter states that the No Project alternative is the most desirable, and asks that consideration be given to not moving forward with the project at this time. This comment is noted. As indicated in the DEIR, the No Project alternative does not meet any of the project objectives.

Response to Comment 11-9

This comment expresses concern with the number of identified significant and unavoidable impacts. Comment noted.

Response to Comment 11-10

The project site currently provides few agricultural resources. The site's current agricultural uses are cultivation of seasonal strawberries and occasional grazing activities, but no cultivation of major agricultural crops. The loss of this minimal crop production would not be a significant impact on the production of local food sources or create the need to import food from great distances.

Response to Comment 11-10

The impact of annexing the Urban Reserve parcels is adequately addressed in this EIR. The location of the Urban Reserve parcels makes it difficult for SVSP to go forward without creating a difficult land plan. Urban Reserve and annexation is proposed as part of the project because if the property were not annexed, it would create a peninsula of unincorporated land on three sides of the Richland property, inconsistent with state Local Agency Formation Commission (LAFCO) policies regarding orderly development and the fact that creating "islands" is discouraged. In addition, key infrastructure is needed through the Urban Reserve such as water, wastewater, and Westside Drive to serve SVSP. As fully disclosed in the Draft EIR, the proposed annexation would increase the likelihood that the Urban Reserve parcels will develop in the future (page 4.3-19 of the DEIR). The EIR identifies growth inducement as a significant unavoidable impact.

Response to Comment 11-12

This is not a comment about the EIR. The estimated rate of buildout of existing entitled land is based on absorption projections determined through historic and current growth rates. Even though the current pace of economic development is slow, approximately 964 new units were built in the City of Roseville in 2009. At the current rate of development, the remaining supply of developable land in Roseville will be exhausted in a 10-year period.

Response to Comment 11-13

The commenter asks how the project can "successfully" be accomplished and asks what are the standards? The project area has been contemplated for growth for some time. It is included

within the City/County Memorandum of Understanding (MOU) Urban Growth Area that was put in place in the mid-1990s which outlined development standards and cooperative agreements for coordinating projects between the city and county. It was included as a sphere of influence expansion area and studied at a program-level as part of the West Roseville Specific Plan in 2003, and is part of the City's Growth Management Visioning Committee recommendations in 2005. Further the project was evaluated for consistency with the City's 13 Guiding Principles for new development embodied in the City's General Plan.

Response to Comment 11-14

See response to Comment 11-10. The project site does not contain agricultural resources capable of supporting the region. Further economic impacts are not CEQA impacts. CEQA does not require an economic analysis as part of the environmental review process (Section 15131 (a) of the CEQA Guidelines: *Economic or social effects of a project shall not be treated as significant effects on the environment.*

Response to Comment 11-15

The commenter expresses concern with protecting natural resources and the health and safety risks with the constraints on the site (gas line, floodplains, transmission lines and McClellan overflight area. As indicated, over 864 acres will remain as open space or parks land. All major drainage corridors and floodplain will remain open space. Development is setback from the gas line and transmission lines. Further, future development will be notified of overflight issues from McClellan. Although there are constraints, none of them preclude development and are typical of urban areas.

From: Tim Duffy [mailto:tduffy@hga.com]
Sent: Thursday, November 19, 2009 1:52 PM
To: Plan Ext Email Dist List
Subject: Sierra Vista Specific Plan question

Good afternoon.
I am a citizen of Roseville and live just to the east of the Sierra Vista Specific Plan. I am taking my first pass through the EIR draft and what immediately caught my eye is that there are 6 stoplights planned between Fiddymment Road and Watt Avenue on Baseline Road. This is an extremely high amount of stoplights for what is currently a high speed road with few stoplights. I understand that the intention is to slow down cars for the proposed commercial area but this is going to drop the speed of Baseline Road to a standstill. Considering this is a very popular circulation route for many Sacramento commuters this change would have a devastating effect. I would like some more information regarding this decision.

12-1

I will also be at the December 10th Planning Commission meeting to discuss this.
Thanks,

Tim Duffy, AIA, LEED AP BD+C
Associate

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RESPONSE TO COMMENT LETTER 12

FROM TIM DUFFY, HGA ARCHITECTS AND ENGINEERS

Response to Comment 12-1

As part of the analysis, Fehr and Peers, one of the City’s transportation experts, completed a simulated progression analysis of the Baseline corridor. The analysis compared the corridor using only the signals previously approved as part of the Placer County, Placer Vineyards Specific Plan project (located adjacent to and south of Baseline Road), to a scenario including signals proposed by the SVSP project. The evaluation concluded that there is a slight reduction in travel time through the corridor with the additional signals, and an overall reduction of signal delay of roughly 110 hours a day, as compared to the Placer Vineyards scenario which looked at restricted or controlled access to Baseline Road. The reduction in signal delay is a result of the additional

signal locations and the ability to provide more opportunities for vehicles to access the SVSP site, thereby reducing the burden at individual intersections.

It is proposed that Baseline Road would be annexed into the City, in which case each of the signals would be electronically interconnected and operated from a center command station as part of the City's Intelligent Traffic System (ITS). As the road is developed, the ITS will monitor and adjust the timing of the signals to optimize the flow of traffic through the corridor.

Matthew L. Friedman, MRP

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Ms. Kathy Pease
City of Roseville
311 Vernon Street
Roseville, CA 95678

Dear Ms. Pease,

Thank you for the opportunity to review, and provide comments regarding the Environmental Impact Report (EIR) for the Sierra Vista Specific Plan (SVSP).

General Comment

The EIR reflects an extensive review of the current and future conditions in south Placer and northern Sacramento counties following the long term build out of the SVSP area, Placer Vineyards, and other major projects. The EIR also reflects the policy and planning documents of the cities of Roseville, Lincoln and Rocklin, the counties of Sacramento, Placer and Sutter, and other entities such as Caltrans. The preparers of the EIR are to be commended for their thorough efforts.

13-1

Specific Comments

Transportation and Circulation

The EIR exhaustively identifies the impacts to Level of Service (LOS) that would be caused by the Sierra Vista and other major projects planned throughout the area. It also identifies mitigation as proposed by WMM mitigation measures 4.3-4, 4.3-6, Master Mitigation measures 4.3-2, 4.3-3 and others. These measures reflect careful technical analysis and forward thinking through the establishment of impact fees and interjurisdictional sharing of funds to finance the identified needed improvements. The EIR also repeatedly notes on pages 4.3-84, 4.3-85, 4.3-86, 4.3-89, 4.3-90 and elsewhere that the successful implementation of improvements based on fee revenues lies with interjurisdictional cooperation and that the City of Roseville has no authority over the decisions of Placer County, Sacramento County, Sutter County and the cities of Rocklin and Lincoln. While the EIR analysis correctly assumes a worst case scenario of a failure for the various jurisdictions to reach agreement when analyzing the impacts of the SVSP, it misses an important opportunity to enhance the likelihood that these measures can be implemented. The City of Roseville can and should add a mitigation measure that it will serve as the convening party to create a strong and binding interjurisdictional agreement that would include all of the parties identified in the mitigation measures. Thus it would be much more likely that the improvements listed as mitigation measures in the SVSP, Placer Vineyards, other major development plans, the Roseville Capitol Improvement Program, and others, will be implemented.

13-2

While the EIR identifies typical street design and bicycle/pedestrian facilities it does not address neighborhood and local area movement in depth. The construction of cul de sacs without bicycle/pedestrian “cut throughs” and long uninterrupted walls on arterials and collectors increase travel distance and decrease the likelihood of non-auto local travel. This is particularly true for the home to school trip. Increasing the safety and convenience of non-auto facilities for the home to school and home to recreation trips will decrease congestion and air pollution. It will also enhance youth fitness and readiness for daily learning. Therefore, the local circulation, Paseo and bikeway system should be integrated to create a safe and convenient travel option from any point within the SVSP area.

13-3

Public Services

The EIR identifies joint use studies between the school districts and the City of Roseville. This recommendation is to be commended and it should be noted that City of Roseville has had a high degree of success in the development of joint use recreational facilities and school facilities. The joint use arrangements have resulted in better facilities with a greater degree of use efficiency and higher levels of activity than would have been possibly had the cooperative agreements not been established. In addition to the benefits mentioned above, joint use facilities create the opportunity for the conserving of land resources and energy. Therefore it would be worth while to broaden the joint use possibilities to include shared use of libraries and co-locating a community college, vocational training or other educational uses. Other communities in the region have successfully co-located libraries and community college facilities with school facilities. In addition it would be worth exploring the leasing of classroom facilities to evening based proprietary educational providers in order to provide a revue stream to the school districts.

13-4

The EIR identifies the fact that high school students living within the Center Joint Unified School District (CJUSD) would initially travel a farther distance than students within the Roseville Joint Union High School District. This will change as the Placer Vineyards project and the Riolo Vineyards project are built and a new high school closer to Sierra Vista will be built. This fact should be highlighted to potential residents as children from young families will likely be attending a near by high school.

13-5

In addition it would be helpful for the EIR to identify a mechanism whereby an agreement between the school districts would be developed to govern the adjustment of district boundaries to follow the logic of neighborhood street design. Any boundary change should be done in a way that results in no net change in enrollment in any district while at the same time allows for an effective flow of movement to local neighborhood schools.

13-6

Thank you for your consideration.

Sincerely,



Matthew L. Friedman

RESPONSE TO COMMENT LETTER 13**FROM MATTHEW L. FRIEDMAN, MRP****Response to Comment 13-1**

The comment states that the DEIR provides a thorough analysis. Comment noted.

Response to Comment 13-2

The commenter states that the City of Roseville should take the lead in convening the parties to negotiate a strong inter-jurisdictional agreement concerning implementation of regional mitigation. As of this writing, City staff has coordinated and met with public works staff from the Counties of Placer, Sutter and Sacramento in an effort to begin the process of mitigation implementation. Mitigation Measures 4.3-2 through 4.3-7 require the City to proactively seek to enter into fair share agreements with the identified agencies; therefore, no additional mitigation is required.

Response to Comment 13-3

Design criteria are included in the project to ensure that paseos (multi-use pathways) are adequately connected with adjacent neighborhoods. Bicycle connections would be provided, on average, every 600 feet via roadways, live-end cul-de-sacs, and sidewalk pass-throughs, as shown on Figure B-7 of the Design Guidelines.

Response to Comment 13-4

The comment recommends that additional joint use opportunities be considered for school uses, libraries and other educational uses. As indicated on page 4.11-20 of the DEIR, the City has several General Plan policies that encourage and support joint uses between the school districts and the City. Goal 2 states that Joint-use facilities shall be encouraged in all cases unless there are overriding circumstances that make it impossible or detrimental to either the school district or the City's park and recreation facilities/programs. City staff is committed to pursuing joint use opportunities and met with CJUSD staff on March 3rd to discuss options.

Response to Comment 13-5

The DEIR has been amended to indicate that future residents will be notified by deed disclosure regarding the district boundaries, stating that students will need to travel outside the plan area to attend local high schools.

Response to Comment 13-6

See response to comment 8-4. Comment noted regarding the desire for district boundaries to follow neighborhood street design. To the extent feasible this will be accomplished. It is the City's understanding that the school districts are exploring minor boundary changes in order to address this concern.

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