

Letter 191

March 12, 2006

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CEIVL
MAR 14 2006

RE: CLOVER VALLEY RECIRCULATED DRAFT ENVIRONMENTAL IMPACT
REPORT (DEIR)

191-1

Clower Valley – the proposed site for this development – is a unique biological and cultural area. Biologically it is very fragile, encompassing oak woodlands, wetlands, an intact riparian corridor and open grasslands – all in 622 acres. The number and diversity of plant and animal species that have been found on the site is incredible. Culturally it is rich in archeological settings that if developed would could provide insight into Northern California history dating back thousands of years (a cultural study by Peak and Associates recommends the area be declared an Archeological District). This is not a site one casually dismisses and destroys by covering it with roads and hundreds of homes.

The above observation can be deduced even from the limited data base provided by the current re-circulated draft environmental impact report. The report, however, fails to provide sufficient detail to enable a reader to properly analyze proposed mitigation and reach conclusions on recommendations.

191-2

The following court ruling speaks to this very issue re: environmental impact reports (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal. 3d 376, 405, 253 Cal Rptr. 426, 764 p.2d 278 Laurel Heights) states “...EIR must **contain facts and analysis ... include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.**”

191-3

I will discuss Biological Resources, Air Quality, Water Quality, Growth Inducing Impacts, Valley View Parkway and Compatibility with Rocklin’s General Plan. Data from the EIR itself will prove the current report **fails to meet court mandated standards.**

191-4

Does an EIR have to meet the above stated standards?

191-5

What happens if the current RDEIR is found to not meet these standards?

191-6

What options does a citizen have if despite obvious failure on the part of an DEIR to provide adequate data for a lay person to evaluate impacts, but the local lead agency approves the DEIR anyway?

tion	Page	Comment	Question
191-7 5.1	5-2	The study is limited to the impact of 558 homes. However, it is clearly stated in Section 5.1 Growth-Inducing Impacts – “The proposed infrastructure has been sized to meet both the needs of the proposed level of development and future growth areas to the north and south. As noted in the project plans, the proposed on-site sewer for the project has been designed to serve an addition 501 equivalent dwelling units (edu) to the north of the project site and 23 homes to the south.” Therefore, the impact on the site should be based on 1,082 homes – not 558. Until data from such a study is compiled it will be impossible to adequately evaluate the actual impact of the development and renders the current EIR inadequate on its face.	When will the impact of the 524 the additional homes be available? How can the impact on Rocklin residents be properly evaluated without a new analysis? Can the lead agency approve the proposed development prior to the information on the 524 additional homes that will result if this project is built? Can development of the site begin without this information?
191-8 4.4	4-30	Valley View Parkway: The proposed two lane road bisecting the valley and joining Park Drive and Sierra College Blvd. will assure the destruction of any aspect of nature in the valley. Further, listing it as two lanes is a charade. The proposed bridge is 80 feet wide and the right-of-way has been designed for a four lane road. All council members know that within a short time frame the road will be expanded. Not only will the deep (60 foot) cuts destroy trees and result in tremendous erosion, but the thousands of cars speeding through the valley will make life for many species impossible. Given the congestion on Hwy 65 and projected gridlock on Sierra College Drive, commuters will be looking for away to avoid those routes. A more realistic regional traffic study is needed. Terracing above and below the Parkway, for long stretches (measurements not given), meaning that oak trees outside the listed 80 foot easement for the road will be removed. Yet, those trees are not included among the 7,422 oak trees listed in the DEIR.	How are sixty foot cuts for the parkway bisecting the steep slopes justified? What are the other alternatives for exiting the project site? Why were future commuters from 12 Bridges, Bickford Ranch and other area neighborhoods not considered in the traffic analysis? When will this information be made available to the general public? How many additional oak trees will be removed when the terracing is taken into account?

191-9	4.8 4.8-1	The California Dept. of Fish and Game (CDFG) has established protocol for surveys being made for environmental impact reports that are designed to meet the above requirement. The present DEIR fails to follow the protocol of the DFG in almost all areas related to biological issues and cultural issues. Available data is either based on outdated sources, inadequate surveys or just lacking in sufficient information on which to base analyze impacts.	Why was CDFG protocol not followed on this project?
191-10	4.8	Only one recent biological survey was conducted – November 16, 2005 (Per RDEIR). Protocol establishes that surveys must be conducted in all seasons – spring, summer, fall and winter. As a result of failing to follow CDFG protocol inadequate data is in the DEIR. Further, to be of value to citizen impact the surveys must be conducted prior to the EIR being published and well before the development on the site begins.	When will these additional surveys be completed and the data made available to the public so the impact of the project can be analyzed?
191-11	4.8 4.8-12	No listing of all mammals, birds, reptiles and insects – site specific – is included as called for by CDFG. Data from surrounding areas is inadequate, as the site has characteristics not found in the general area. Clover Valley’s 622 acres encompass grasslands, oak woodlands, an intact riparian corridor and wetlands. The unique combinations results in an unusual fragile but diverse habitat for an incredible and numerous collection of plants, mammals, reptiles, amphibians, birds and insects.	When will this information be made available?
191-12	4.8 Table 4.8-1	When discussing special status species the listing is incomplete and then only refers to potential species that may exist . The wording makes clear that no comprehensive survey has been conducted to actually establish what species are living on the site. Protocol calls for this information to be available before development begins and available for comment and analysis in the EIR.	When will this information be available?
191-13	4.8 Table 4.8-1 4.8-44	Of special concern are raptors. State law protects these birds and their nests. Since the surveys have been incomplete, the actual number of raptor species using the site is unknown. It is impossible to evaluate mitigation measures without adequate data. Specific time lines re: raptor nesting sites are laid down in the CDFG protocol. The current EIR does not contain data on which raptors are nesting on site. A listing of raptors and owls seen immediately adjacent to the site (although incomplete) is as follows: (1) Great Horned Owl (2) Barn Owl	When will substantive data on raptors be made available for analysis?

191-13 Cont.		<p>(3) Burrowing Owl (4) Northern Harrier (Marsh hawk) (5) Sharp-shinned Hawk (6) Cooper's Hawk (7) Red-shouldered Hawk (8) Swainson's Hawk (9) Red-tailed Hawk (10) American Kestrel (sparrow hawk)</p> <p>This list is not found in the EIR, but was compiled by the writer's personal observations (I live bordering the west ridge of Clover Valley). However, it underlines the importance of a competent study by a professional if raptor nesting is going to be done consistent with the law. I believe the N. Harrier is a ground nester and deserves special attention.</p> <p>The quality of the survey and qualifications of those doing the survey should also be available for analysis and comment.</p>	How can impacts be evaluated on the basis of speculation?
191-14	4.8 4.8-44	"The project applicant, in consultation with the City of Rocklin and CDFG, shall conduct a pre-construction breeding-season nesting survey (approximately February 15 through August 30) of the project site during the same calendar year that construction is planned to begin. The survey shall be conducted by a qualified raptor biologist" This survey should have been conducted and the data available in the EIR.	Should not this data be available for the public to use in an analysis of the projects impact before the project is approved?
191-15	4.8 4.8-20	Endangered and/or threatened species: Federal and state laws, in addition to the policy goals of the city, dictate development shall avoid impact of species in these categories. With only a one day survey (November 16, 2005) there is inadequate data to determine if any endangered species is living on the site. This needs to be determined before any mitigation can be planned. To wait until development begins is much too late.	When will complete information on endangered and/or threatened species be available?
191-16	4.8 Table 4.8-1	While some species are briefly mentioned, the wording in the EIR indicates there has been inadequate survey work done to determine what species actually use the site and virtually no analysis of the impact the development will have on those species. Since the site is private property it is impossible for a private citizen to analysis those impacts. I believe a detailed study by qualified biologists needs to be conducted on a minimum of the following species (and any others that may be found during the surveys) that may be on the site. Importance of this work being done for bird species by a competent ornithologist is best understood by the lack of information on the California Black Rail. This is a very secretive bird and very rare.	<p>Given the lack of hard data, how does the DEIR conform to policy as listed in the Rocklin General Plan?</p> <p>Further, the Notice of Preparation indicated the biological considerations would be addressed and they have not been: when will a</p>

191-16
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		<p>Special techniques are required to determine if this species is on site.</p> <ol style="list-style-type: none"> (1) California Red-legged tree frog (2) Foothill yellow legged frog (3) Giant Garter snake (4) Northwestern pond turtle (5) Bald Eagle (6) California Black rail (7) Burrowing Owl (8) Ferruginous hawk (9) Grasshopper sparrow (10) Modesto song sparrow (11) Northern Harrier (12) Rough legged hawk (13) Swainsons hawk (14) Tri-colored blackbird (15) Yellow warbler (16) Yellow Billed cuckoo (17) Yellow Breasted Chat (18) California Linderiella (19) Valley elderberry longhorn beetle (20) Vernal pool tadpole shrimp (21) Boggs lake hedge hyssop (22) Dwarf Downingia (23) Legenere (24) Red Bluff Dwarf (25) Golden Eagle (26) Black Rail (<i>Laterallus jamaicensis</i>) <p>All of the above listed species (with some exceptions and in those cases the habitat is conducive to the species) have been seen in the Rocklin area since 1990 and utilize habitat similar to that found in the development site. Even the title of the tables – such as table 4.8-1 “Special-Status Species with the Potential to Occur within Clover Valley” admits there has been no effort to properly survey the site.</p>	<p>proper survey be made available to the public?</p>
4.8	omission	<p>www.fws.gov/endangered/consultations/s7hndbk/ch1-3pdf 2.1 Coordination with other endangered species act functions: 2.2: Coordination with the action agency and applicant “...an action agency shall confer with the Services if the action is likely to jeopardize the continued existence of a proposed species or result in the destruction or adverse modification of proposed critical habitat.” I find no record in the DEIR of compliance.</p>	<p>When will this be requirement be met?</p>

191-17

191-18	4.8	4.8-20	Federal Endangered Species Act: As stated in the DEIR the U.S. Supreme Court ruled on June 29, 1995, that "harm" may include habitat modification "...where it actually kills or injures wildlife by significantly impairing essential behavior patters, including breeding, feeding or sheltering." The proposed development of Clover Valley Lakes, if approved, will violate this ruling for a myriad of species.	How is the violation of this ruling justified?
191-19	4.8	4.8-49	RE: Northwestern Pond turtle: Vol. 2, RCDEIR, page 33: Pre-construction surveys shall be conducted to determine the presence or absence of this species prior to construction" Again, this survey should have been conducted so the information would be in the EIR and available for public comment and analysis.	When will this information be available?
191-20	4.8		Fish: Vol. 2, RCDEIR, page 7, states "An Essential Fish Habitat Consultation document was provided as an attachment to NMFS BO. This consultation concluded that the proposed project may adversely affect essential fish habitat (EFH) of fall-run Chinook in the Dry Creek watershed due to channel disturbance from construction and its associated downstream sedimentation."	How will this problem be addressed?
191-21	4.8	4.8-44	Migratory Waterfowl. With more than 40 acres of wetlands, the site is a major resting and feeding area for migratory waterfowl, yet no attempt has been made to determine what species are present, when and for how long. Upland game birds such as quail and Ring-necked pheasants (both ground nesting species) are totally ignored. Little data is also provided for the numbers other bird species living, nesting and/or passing through the valley. The lack of data provided re: birds, reptiles, amphibians and mammals, makes any evaluation of the projects impact totally inadequate. Waiting until development begins and after approval of the project, negates the public's chance for input.	How does this lack of information conform to related policies as listed in the Rocklin General Plan? Will the commitment of the Notice of Preparation be addressed?
191-22	4.8	omission	Nowhere in the DEIR is there any indication of a comprehensive study of corridors used for movement by various species of wildlife. No impact study can possible evaluate adequately the effect on wildlife by any development without such data. Wild animals must have corridors for movement. Regardless of open space – if no provisions for movement between cover, water and food are made the isolated open spaces become of no value for most land mammals. Given the proposed layout of roads in the development, placement of housing tracts and adjacent roads and houses, the open spaces will be isolated and movement	What will be done to assure proper corridors are left for wildlife to utilize available open space? When will data on such corridors – both on site and connecting to any adjacent open spaces – be

191-22
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		of wildlife virtually nonexistent. And corridors cannot be established until there is a study of the resident wildlife and what their respective movement needs are.	completed and available to the public?
4.8	Vol. 2 Page 40	<p>NOAA fisheries recommends a minimum set-back of 75 feet from the edge of a riparian zone to "protect the aquatic habitat". The report says the city will "designate a buffer area greater than 50 feet for perennial streams when it is determined that such a buffer area is necessary to adequately protect drainage and habitat areas." Given the topography (slopes) and soil types on the project site how can the city justify less than a 75 foot set-back from the edge of the riparian corridor (not just the creek itself) and the wetlands?</p> <ul style="list-style-type: none"> • ECORP Consulting Inc. in Vol. 2 of RCDEIR, page 40, recommends "...redesigning the layout of the road system within the development thereby the road would not be closer to the creek than a minimum of 75 feet from the edge of the riparian zone to protect the aquatic habitat." <p><i>Several court cases have rejected conformity of a project with a general plan as support for the use of a negative declaration. In City of Antioch v. City of Pittsburg (1986) 187 Cal.App.3d 1325, the court rejected the use of a negative declaration for a project involving construction of a roadway ... where the improvements had been determined by the respondent agency to be consistent with its General Plan. As the court stated, "conformity with the general plan for the area...does not insulate a project from the EIR requirement, where it may be fairly argued that the project will generate significant environmental effects." 187 Cal.App.3d at 1332. The court further noted that "general plan conformity alone does not effectively 'mitigate' significant environmental impacts of a project."</i></p> <p>A one policy fits all seems hard to justify given the fragile environmental setting of the proposed construction site.</p>	<p>Given these recommendations from two respected entities, how can the city justify approving set backs of only 50 feet for the wetlands and riparian corridor?</p> <p>How does the city use the general plan to support the 50 foot setbacks in the face of this court decision?</p>
4.8	4.8-1	<p>The last on-site plant survey was conducted in 1992. Thus the data is 15 years old. Given the complex, interacting ecosystems on site, more up-to-date, site specific information is needed. The NOP promised to provide current data on biological resources. Regional data re: plants is not sufficient given the unique environment of Clover Valley.</p>	<p>When will this information be made available?</p> <p>How can a citizen analyze impact without current data?</p>

191-23

191-24

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191-25	4.11	4.11-9	<p>Water Quality: Policy 19 of the General Plan states the goal is: “To minimize the degradation of water quality ...”, but this project fails to meet this standard For example, storm water toxicity is a given in every creek from virtually any kind of development. This report admits that this project is no exception. But, the law requires only that Best Management Practices (BMP’s) be employed, such as detention basins to let silt settle or a catch basin to catch trash. This developer has agreed to even exceed the BMP requirement and actually filter the storm water and maintain “treatment units”, but we all know these measures will prove ineffective and that toxicity will wind up downstream and into our groundwater. City after city has wound up with polluted creeks and in a few years Clover Valley Creek will have to be rehabilitated if this project is approved. Development is needed but not in such a fragile setting.</p> <p>City after city has wound up with polluted creeks and in a few years Clover Valley Creek will have to be rehabilitated if this project is approved. Development is needed but not in such a fragile setting.</p>	What is the risk of the city being exposed to civil liability if this project pollutes the ground water under neighboring jurisdictions?
191-26	4.8	4.8-33	<p>Grasslands: To quote at length from section 4.8I-6: “The grassland habitat of the project site is considered unique because of its relative isolation and connectivity to large undeveloped areas...habitat loss is one of the most significant threats to the remaining populations of several special-status bird species... (and) eliminate a substantial area of cover and a portion of the prey base of many wildlife species.” No mention is made of the adjacent regional development that has or is fast destroying grassland in the region. The report finds this loss significant and unavoidable – if the project is developed as proposed.</p>	When will a report on the loss of habitat in relation to other developments in the region – especially developments since 1992 – be - conducted and the data provided so that this project’s impact on regional biological resources can be properly evaluated?
191-27	.4	Omission	Placer Parkway – which will connect with N. Whitney – and result in additional traffic on Park Drive and Valley View Parkway was not taken into account in the traffic analysis.	When will this information be available?

191-28	4.8 4.8MM-1 through 4.8MM-15	<p>ROCKLIN'S GENERAL PLAN sets the following policies in regard to Biological Issues (under Open Space, Conservation and Recreation):</p> <p>Policy 1: To encourage the protection of natural resource areas ... from encroachment or destruction by incompatible development through the use of conservation easements, buffers, setbacks or other measures...</p> <p>Policy 2: To encourage the protection of wetlands, vernal pools, and rare, threatened and endangered species of both plants and animals through either avoidance of these resources or implementation of appropriate mitigation measures where avoidance is not feasible...</p> <p>Policy 15: To provide adequate yard areas and building setbacks from creeks, riparian habitat, hilltops, and natural resources.</p> <p>Mitigation Measures 4.8MM-1 through 4.8MM-15 would reduce the magnitude of the cumulative impacts to biological sources but the impact would remain SIGNIFICANT AND UNAVOIDABLE.</p>	<p>Since the project – by its own admission – is in violation of Rocklin's General Plan, will the plan be voted no project or at very least modified?</p> <p>Will the city vote for the environmental superior alternative- 180 homes- as outlined in the DEIR under Alternative Analysis?</p> <p>If not, will it be necessary to amend the general plan and clearly that the city will allow destruction of natural resources when they have decided they want a housing project built</p>
191-29	4.4 omission 5.1	<p>The traffic analysis should have included the 524 homes that will be built once this project is completed. The size of the sewer line was required to be built to accommodate these additional homes. Without this information it is impossible to analyze the traffic study and determine what the impact will actually be.</p>	<p>When will this information be provided?</p>
191-30	4.7 4.7-33	<p>More than 30 pages are used to describe the cultural history and sites in Clover Valley and only one page of mitigation is included. After concluding that the development will have potentially significant impact on the culturally resources – the report claims the mitigation will reduce the impact to less than significant. This conclusion is factually wrong. Any development will destroy the archeological significance of the sites. The RDEIR itself makes a strong case for the importance of the site and then dismisses the damage as insignificant.</p> <p>Further, after identifying the sensitive area as along the riparian corridor, the interior roads have not been moved from their original location and will overlap long stretches of the "sensitive area" and will certainly destroy valuable archeological sites. No mention is made of where the burial grounds are located, but it is common</p>	<p>If 300 plus homes will be built on the valley floor and miles of public roads – what is the purpose of keeping the management plan from the general public?</p> <p>When the interior roads encroach on sensitive cultural as well as environmental sites, should the set-backs not be 150 feet rather than the proposed 50 feet?</p>

191-30 Cont.		knowledge they are not in the sensitive zone. I have been advised there are at the minimum of four burial grounds and possibly a fifth. Two or three of which are said to be football field size or larger. Suggested mitigation of the burial grounds seems totally inadequate.	
191-31	1.7 4.7-40	To quote the DEIR, "Cultural and paleontological resources are unique and non-renewable resources, and development activities continue to damage and destroy both prehistoric and historic sites and features, in many cases, before the information inherent in them can be reviewed, recorded, and interpreted."	Given the information – incomplete as it was – of the Peak Report, how can the city in good faith find the destruction such a valuable archeological site as Clover Valley – less than significant?

191-32

Clover Valley is truly a unique site. A number of fragile ecosystems exist in close proximity to each other and provide for an extremely rich environment for a wide variety of plants and animals. The proposed development will destroy this nature area.

191-33

When combined with the findings of the Peak cultural report, which recommended the site with historical sites dating to 5,000 BC be made an archeological district, the unique rich and diverse flora and fauna is much too valuable to destroy. Preservation would enrich all the residents of Rocklin and South Placer County for generations.

191-34

To quote the DEIR, page 6-22, "**Of the alternatives analysed, the Maximum of the 180 Units Alternative provides the greatest reduction in the level of environmental impacts while meeting the overall objectives of the project...**" If development was limited to the ridge tops and no homes were built on the valley floor, the developers could still make an incredible return on their investment, and the negative impacts on Air quality, water pollution, and traffic congestion would be minimized for all Rocklin residents. In addition, the cultural sites would be preserved and if combined with the Front Street and Big Gun Mining Company projects would have the potential to make Rocklin a destination and bring tourist dollars to our local retailers.

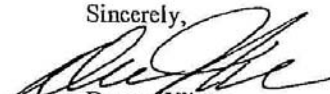
What justification can be given to select the 558 home plan over the 180 home plan?

191-35

Seldom has a city council considered a development that would benefit so few at the expense of so many and will forever damage the city of Rocklin. If there was ever a development that should not be built it is Clover Valley Lakes.

Three votes on a Tuesday night will forever change the Character of our city.

Sincerely,



Duane Wilson

LETTER 191: WILSON, DUANE

Response to Comment 191-1

This is an introductory comment, which states the commenter's opinion that the EIR lacks sufficient detail. This comment does not include specific issues; further discussion is included in the following Responses to Comments.

Response to Comment 191-2

Comment noted. The commenter has cited an excerpt of case law regarding the legal test of sufficiency for Environmental Impact Reports.

Response to Comment 191-3

This comment repeats the claim that the EIR is difficult to understand. This comment is introductory in nature and does not include any specific references.

Response to Comment 191-4

Although the DEIR is a large and complex document, the City considers that the in-depth discussions of various impacts which are mitigated or recognized as significant and unavoidable to be adequate and provide a clear and meaningful picture of what the impacts associated with the development of the proposed project would be.

Response to Comment 191-5

This comment does not address the adequacy of the RDEIR. The City believes that the RDEIR meets all legally applicable standards.

Response to Comment 191-6

See Response to Comments 191-5.

Response to Comment 191-7

See Master Response 13- Growth Inducing Impacts.

Response to Comment 191-8

See Section 1 of Master Response 4 – Traffic and Sections 2, 3, 4 and 5 of Master Response 8 – Biological Resources.

Response to Comment 191-9

See Master Response Section 1 of Master Response 8 – Biological Resources.

Response to Comment 191-10

See Section 1 of Master Response 8 – Biological Resources.

Response to Comment 191-11

CEQA mandates that developments address significant impacts related to any animal species protected by any federal, state or local law. The proposed project has done this through evaluations in the DEIR and through additional surveys conducted prior to the release of this FEIR. See Master Response BR-3 for a discussion of habitat fragmentation issues.

Response to Comment 191-12

See Section 1 of Master Response 8 – Biological Resources.

Response to Comment 191-13 and 191-14

Many species of birds including raptors will relocate nest sites from one year to the next. As a result, nesting surveys are typically conducted within the same season as construction is proposed to enable accurate information on species present and location of nests. Nesting surveys should be conducted within 30 days of the initiation of construction activities. This protocol ensures the proper mitigation such as buffer zones and exclusion areas are put in place to minimize potential impacts to special-status nesting birds or raptors.

Response to Comment 191-15

See Section 1 of Master Response 8 – Biological Resources.

Response to Comment 191-16

The RDEIR includes mitigation for northwestern pond turtle (4.8MM-12, page 4.8-50), valley elderberry longhorn beetle (4.8MM-11, pages 4.8-47 – 4.8-49), and nesting raptors and special-status birds (4.8MM-10, pages 4.8-44 and 4.8-45). In addition, the USFWS issued a Biological Opinion for mitigation and monitoring of valley elderberry longhorn beetle (USFWS 2005).

The on-site survey did not locate any special-status plants (Dittes & Guardino 2006) or foothill yellow-legged frogs (ECORP 2006a) were documented on-site during 2006 surveys. In addition, the presence of listed branchiopods (i.e., vernal pool fairy shrimp and tadpole

shrimp) is not expected because of the absence of vernal pools or similar seasonal wetlands (RDEIR, Page 4.8-12). See Section 1 of Master Response 8 – Biological Resources.

Response to Comment 191-17

The DEIR includes provisions for the communication between action agencies and the developer in the event that special status species or habitats are disrupted. See Mitigation Measures 4.8MM4(b), 4.8MM-4(c), 4.8MM-4(e), 4.8MM-7, 4.8MM-8, 4.8MM-10(a), 4.8MM-10(b), 4.8MM-10(d), 4.8MM-11(a), 4.8MM-11(b), 4.8MM-12, 4.8MM-13, 4.8MM-14, and 4.8MM-15(b).

Response to Comment 191-18

The environmental analysis conducted for the Clover valley project determined that the proposed project would not impact any species included on the Federal Endangered Species list. Therefore, the impact would be less-than-significant.

Response to Comment 191-19

The DEIR identifies this impact as potentially significant. To ensure currency and accuracy the DEIR specified that this survey take place prior to construction. Should any northwestern pond turtles be located on site through these surveys, appropriate mitigation, as specified in MM 4.8MM-12, would be applied.

Response to Comment 191-20

Additional biological studies were performed prior to the release of this FEIR, including an aquatic habitat survey. See Section 1 of Master Response 8 – Biological Resources.

Response to Comment 191-21

As stated in Impact 4.8I-4, the proposed project would result in the loss of 2.56 acres of the more than forty acres of both seasonal and riparian wetlands on the proposed project site. The Biological Resources chapter of the EIR finds this impact to be potentially significant and includes a number of mitigation measures that would be required to reduce this impact to a less-than-significant level (see Mitigation Measures 4.8I-4[a] through 4.8I-4[e]).

For more information regarding the known species on site, see Section 6 of Master Response 8 – Biological Resources.

Response to Comment 191-22

See Section 6 of Master Response 8 – Biological Resources.

Response to Comment 191-23

See Section 1 of Master Response 2 – Land Use .

Response to Comment 191-24

See Section 1 of Master Response 8 – Biological Resources.

Response to Comment 191-25

See Master Response 11 – Water Quality and Hydrology.

The RDEIR addresses all potential project impacts on creek quality, and includes state-of-the-art mitigation measures prohibiting the project from resulting in a negative impact on creek quality, including continued water quality monitoring. Furthermore, the comment's suggestion that the project will impact ground water quality in neighboring jurisdictions makes no sense. There are no known cases of municipal storm water discharges resulting in impacts to ground water.

Response to Comment 191-26

The commentor is correct that this impact was found to be significant and unavoidable. For more information related to additional surveys for the proposed project, see Master Response BR-2.

Response to Comment 191-27

Please refer to the response to comment 155-1.

Response to Comment 191-28

For a discussion regarding the consistency of Policy 1, see Response to Comment 190-10.

Consistency with Policy 2 is discussed in Response to Comment 191-21. The proposed project would impact only 2.56 of the more than 40 acres of wetlands on the proposed project site. Additionally, the EIR includes mitigation measures to help decrease impacts related to riparian and seasonal wetlands (see Mitigation Measures 4.8I-4[a] through 4.8I-4[e]).

The proposed project's consistency with Policy 15 is discussed in Master Response LU-1.

Though the EIR recognizes that impacts 4.8I-1, 4.8I-6 and 4.8I-8 would be significant and unavoidable, the commenter's conclusion that these impacts violate the policies of the Rocklin General Plan is not correct (as explained above). Amendments to the General Plan would not be necessary.

Response to Comment 191-29

See Response to Comment 191-7.

Response to Comment 191-30

For more information related to the management plan and cultural resource mitigation, see Master Response CR-1. For a discussion of the buffer areas see Master Response LU-1.

Response to Comment 191-31

The basis for the RDEIR's conclusion that the cumulative impacts to cultural and paleontological resources will be less than significant is set forth in the RDEIR. The comment fails to identify any inadequacy in the RDEIR.

Response to Comment 191-32

This is a general comment of the commenter's opinion regarding the development of the proposed project site and does not address the adequacy of the EIR.

Response to Comment 191-33

This is a general comment of the commenter's opinion regarding the development of the proposed project site and does not address the adequacy of the EIR.

Response to Comment 191-34

The comment expresses the commenter's opinion favoring the 180 unit reduced buildout alternative. The final decision regarding the approval of the proposed project rests with the City Council.

Response to Comment 191-35

This comment expresses the commenter's opposition to the proposed project and does not address the adequacy of the EIR.