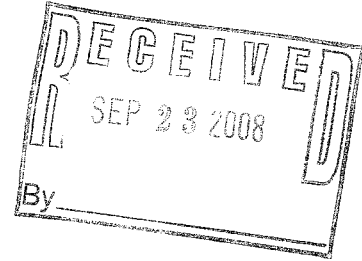


PLACER COUNTY WATER AGENCY
BOARD OF DIRECTORS BUSINESS CENTER
Gray Allen, District 1 144 Ferguson Road
Alex Ferreira, District 2 MAIL
Lowell Jarvis, District 3 P.O. Box 6570
Mike Lee, District 4 Auburn, CA 95604
Otis Wollan, District 5 PHONE
David Breninger, General Manager 530.823.4850
Ed Tiedemann, General Counsel 800.464.0030
WWW.PCWA.NET

September 19, 2008
File No. WA/Rocklin

David Mohlenbrok
Community Development Department
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677



SUBJECT: Water Availability for Rocklin Commons, APN 045-041-012 & 024, 045-051-003 & 004, Rocklin

Dear Mr. Mohlenbrok:

Thank you for the opportunity to review and comment on the Rocklin Pavilions Project.

There is no existing service to the subject property. The nearest water source is the Agency's 12-inch water main in Granite Drive. There are three existing 8-inch stub-outs to the project area from this water main.

Additional demands placed on this system may have a detrimental effect on existing customers due to relatively low system pressures in the area. The project applicant will be required to provide a hydraulic model to define whether there is sufficient capacity and pressure to supply the proposed and existing water system under the proposed usage. The EIR should identify and described any additional improvements needed to supply water to the project and maintain adequate pressures throughout the system.

At this time, a developer has entered into an agreement with the Agency to construct offsite improvements necessary to provide adequate fire flow and pressures for further development in this area. These improvements are currently under engineering design and will need to be constructed in order for this project to receive adequate fire flow and pressure.

The Agency's Eastside Canal traverses the property. The majority of the canal traversing the property has been encased in pipe. Any open remaining portion will need to be encased in pipe per Agency standards.

In order to obtain service, the developer will have to enter into a facilities agreement with the

Agency to provide any on site or off site pipelines or other facilities if they are needed to supply water for domestic or fire protection purposes, and pay all fees and charges required by the Agency, including the Water Connection Charges (WCC). The Agency does not reserve water for prospective customers and this letter in no way confers any right or entitlement to receive water service in the future. The Agency makes commitments for service only upon execution of a pipeline extension or service order agreement and the payment of all fees and charges required by the Agency. All water availability is subject to the limitations described above and the use by existing customers.

Thank you for the opportunity to comment, I look forward to reviewing the EIR. If you have any questions please call me at (530) 823-4886.

Sincerely,

A handwritten signature in cursive script that reads "Heather Trejo".

Heather Trejo
Environmental Specialist

HT:jwp




CITY OF ROCKLIN

MEMORANDUM

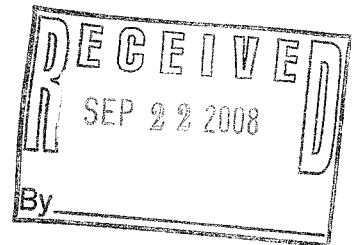
DATE: September 22, 2008

TO: David Mohlenbrok, Senior Planner

FROM: Bart Petittclerc, Battalion Chief / Deputy Fire Marshal 

RE: Rocklin Commons Project, Draft E. I. R.

The Fire Department has reviewed the Draft Environmental Impact Report for the Rocklin Commons Project and found no conditions that cause concern or require comment by this department.





COUNTY OF PLACER
Community Development Resource Agency

John Marin, Agency Director

**ENGINEERING &
SURVEYING**

Wes Zicker, Director

September 25, 2008

City of Rocklin
Attn.: David Mohlenbrok
3970 Rocklin Road
Rocklin, CA 95677

SUBJECT: NOP ~ ROCKLIN COMMONS

Dear Mr. Mohlenbrok:


Thank you for the opportunity to review the above-mentioned project for concerns relating to Placer County. After reviewing the submitted information, the Community Development Resource Agency ~ Engineering & Surveying Department and the Department of Public Works offers the following comments for your consideration regarding the proposed project:

1. The proposed project is located within the Dry Creek Watershed ~ Secret Ravine sub shed. New development within this watershed should be subject to the one-time payment of the Dry Creek Watershed drainage improvement and flood control fee. In addition, the project should be subject to the payment of annual drainage improvement and flood control fees. These fees should be forwarded to the Placer County Flood Control and Water Conservation District to be used by the District for flood control improvements. We believe that the City adopted a fee ordinance in October of 1992 regarding the payment of these drainage fees. This should be included as a mitigation measure for the project or at a minimum discussed in the EIR that the fees will be paid per the adopted ordinance.

If you have any questions or concerns regarding our review, please do not hesitate to call me at (530) 889.7584.

Sincerely,

County Of Placer
Engineering & Surveying Department


Phillip A. Frantz, P.E.
Associate Civil Engineer

DEPARTMENT OF TRANSPORTATION

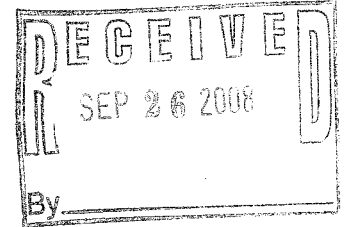
DISTRICT 3
703 B STREET
P. O. BOX 911
MARYSVILLE, CA 95901-0911
PHONE (530) 741-5151
FAX (530) 741-5346
TTY (530) 741-4509



*Flex your power!
Be energy efficient!*

September 23, 2008

David Mohlenbrok
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677



Dear David Mohlenbrok:

Thank you for the opportunity to review and comment on the Notice of Preparation (NOP) for the Rocklin Common's Draft Environmental Impact Report (DEIR) (SCH# 2008082121; CT IGR# 032008PLA0040). Our comments are as follows:

- **TRAFFIC OPERATIONS**

The Institute of Transportation Engineers (ITE), Trip Generation manual indicates that the total trips generated by this development are approximately 400 AM peak hour trips and 1500 PM peak hour trips. We concur that a Traffic Impact Study (TIS) should be completed to determine the mitigation that may be necessary.

Additionally, we recommend that the TIS include an analysis of traffic impacts to all ramps, ramp intersections, and mainline segments of Interstate-80 and State Route 65. To download a copy of the TIS preparation guide please visit our webpage at:

www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf

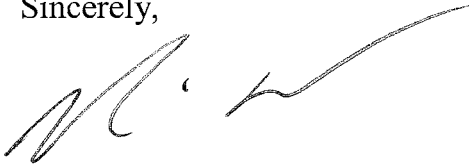
- **HYDRAULICS**

Provided that the project proponent maintains or improves existing drainage patterns by implementing storm water management Best Management Practices (BMP), such as, construction of detention/ retention ponds or basins, sub-surface galleries, on-site storage and/ or infiltration ditches, etc., we have no further comments or recommendations. Once installed, the property owner must properly maintain these systems. The proponent/ developer may be held liable for future damages due to impacts for which adequate mitigation was not undertaken or sustained.

David Mohlenbrok
September 23, 2008
Page 2

Please provide our office with copies of any further actions regarding this project. If you have any questions regarding these comments, please do not hesitate to contact Cassandra Eaton, of my staff, at (530) 634-7612.

Sincerely,

A handwritten signature in black ink, appearing to read 'N. Deal', with a long, sweeping horizontal stroke extending to the right.

NICHOLAS DEAL, Chief
Office of Transportation Planning – East

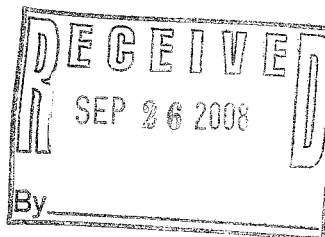
c: Nelson Xiao
Jim Philipp
Jasdeep Randhawa
Scott Morgan

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

September 26, 2008

David Mohlenbrok
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677



Re: Notice of Preparation, Draft Environmental Impact Report (EIR)
Rocklin Commons
SCH #2008082121

Dear Mr. Mohlenbrok:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian traffic at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

The Commission recommends that the City include potential project-related rail safety impacts and measures to reduce adverse impacts of the proposed project. The project's traffic impact study (TIS) is the mechanism by which to address these concerns since it will be the basis for the analysis within the Traffic/Circulation section of the DEIR.

In general, the major types of impacts to consider are collisions between trains and vehicles, and between trains and pedestrians. Changes in land use should not be allowed that would permit housing adjacent to existing rail yards. Similarly, where a need for grade-separated crossings is identified, new development should not be placed adjacent to at-grade highway rail crossings, within the footprint of land needed for future grade-separation structures.

General categories of measures to reduce potential adverse impacts on rail safety include:

- Installation of grade separations at crossings, i.e., physically separating roads and railroad track by constructing overpasses or *underpasses*
- Improvements to warning devices at existing highway-rail crossings
- Installation of additional warning signage
- Improvements to traffic signaling at intersections adjacent to crossings, e.g., traffic preemption

- Installation of median separation to prevent vehicles from driving around railroad crossing gates
- Where soundwalls, landscaping, buildings, etc. would be installed near crossings, maintaining the visibility of warning devices and approaching trains
- Prohibition of parking within 100 feet of crossings to improve the visibility of warning devices and approaching trains
- Installation of pedestrian-specific warning devices and channelization
- Installation of additional traffic lanes through the crossing to accommodate additional traffic
- Construction of pull-out lanes for buses and vehicles transporting hazardous materials
- Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way
- Elimination of driveways near crossings
- Increased enforcement of traffic laws at crossings
- Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings

CPUC also encourages localities to set up mechanisms whereby new developments pay a fair share of their impact costs to fund the above measures if not already in an existing Fee program by the City or a Regional Fee program.

We recommend the following at grade rail crossings at Sierra College Boulevard, Delmer Avenue, Web Street, Loomis and American Way be included in the project traffic analysis scope. It is recommended that the consultant analyze the queue in the am/pm peak periods during an activated train crossing for these intersections. The queue analysis needs to be based on actual field observations as traffic modeling usually does not work very well for crossings a number of variables.

The project vehicle trips will have direct and cumulative impacts that may require mitigation measures by the project proponent as a result of this analysis. The mitigation monitoring section of the DEIR needs include the results of the traffic analysis impacts, proposed mitigation measures, responsible agency and a completion date of improvements. The Commission could be a responsible agency under CEQA section 15381 with the review of this project and needs to be referenced accordingly in the environmental documents depending on the impacts to the rail Corridor and at grade rail crossings.

David Mohlenbrok,
City of Rocklin
SCH #2008082121
September 26, 2008
Page 3 of 3

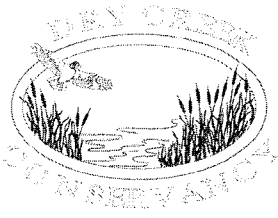
Please forward the TIS scope, so we may have an opportunity to review the proposed analysis which will make our review more efficient and expedient for the project proponent. Should you have a planned scoping meeting for the traffic study, we would like to be notified along with other agencies affected or impacted by the proposed project.

Thank you for your consideration of these comments and we look forward to working with the City on this project. If you have any questions in this matter, please call me at (415) 713-0092 or email [@ms2@cpuc.ca.gov](mailto:ms2@cpuc.ca.gov).

Sincerely,



Moses Stites
Rail Corridor Safety Specialist
Consumer Protection and Safety Division
Rail Transit and crossings Branch
515 L Street, Suite 1119
Sacramento, CA 95814



*"Where do rivers start?
In threads in hills and gather to here-
but the river is all of it everywhere,
all flowing at once,
all one place."*

Gary Snyder

**P. O. Box 1311 Roseville, CA 95678
(916) 771-2013**

September 29, 2008

David Mohlenbrok
City of Rocklin
3970 Rocklin Road
Rocklin, CA 9567
916 625-5160.

Re: Notice of Preparation
Rocklin Commons SCH# 2008082121

Dear Mr. Mohlenbrok:

Our comments on this project NOP follow.

Biological Resources

Mitigation for oak tree loss in recent years has been poorly documented in many communities, and success of mitigation is largely unknown. Funds set up to facilitate tree removal permits by fee collection have been inadequate to implement mitigation because specific locations for tree planting haven't been identified and rising land prices have made purchase of land for preserves infeasible. Specific locations for the mitigation of oak tree loss should be identified and a monitoring program should be required to assess success of mitigation. Maintenance of the mitigation trees should be required until success of the mitigation measures is confirmed.

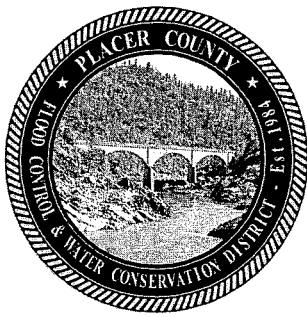
Hydrology and Water Quality

We concur with the comments of the California Region Water Quality Control Board (CVRWQCB), September 5, 2008. Introducing a very large amount of impervious surface into the watershed very near Secret Ravine Creek will likely have significant impacts on water quality and hydrology leading to geomorphological impacts that will impact species of concern such as steelhead, Chinook salmon, and lamprey. The project should incorporate the water quality planning and design principles described in the CVRWQCB comments and show in detail how the impacts of the increased impervious cover would be mitigated.

Thank you for considering our comments.

Sincerely,

Susan Somers
Dry Creek Conservancy
www.drycreekconservancy.org



PLACER COUNTY
FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Ken Grehm, Executive Director
Brian Keating, District Engineer
Andrew Darrow, Development Coordinator

September 29, 2008

David Mohlenbrok
Community Development Department
City of Rocklin
3970 Rocklin Road
Rocklin, CA 95677

RE: Rocklin Commons / NOP of a Draft EIR

David:

We have reviewed the Notice of Preparation for the subject project's Draft EIR and have the following comments.

The proposed development has the potential to create the following impacts:

- a.) Increases in peak flow runoff downstream of the project sites.
- b.) Overloading of the actual or designed capacity of existing stormwater and flood-carrying facilities.

Future EIRs must specifically quantify the incremental effects of each of the above impacts due to the proposed development, and must propose mitigation measures where appropriate.

Please call me at (530) 745-7541 if you have any questions regarding these comments.

A handwritten signature in black ink, appearing to read "Andrew Darrow".

Andrew Darrow, P.E.
Development Coordinator

d:\data\letters\cn08-136.doc

LAW OFFICES OF DONALD B. MOONEY

DONALD B. MOONEY

129 C Street, Suite 2
Davis, California 95616
Telephone (530) 758-2377
Facsimile (530) 758-2169
dbmooney@dbo.org

September 29 2008

VIA ELECTRONIC MAIL AND VIA FACSIMILE (916-625-5195)

David Mohlenbrok
City of Rocklin
Planning Division
Community Development Department
3970 Rocklin Road
Rocklin, CA 95677-2720

Re: Comments on Notice of Preparation for Rocklin Commons Project

Dear Mr. Mohlenbrok:

The Town of Loomis submits the following comments on City of Rocklin's Notice of Preparation of the Environmental Impact Report for the Rocklin Commons Project.

A. CEQA Requires the Draft Environmental Impact Report to Address the Project's Impacts to Global Warming and Greenhouse Gas Emissions

CEQA requires that "[e]ach public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." (Pub. Resources Code, § 21002.1(a); see *Citizens of Goleta Valley v. Board of Supervisors of Santa Barbara County* (1990) 52 Cal.3d 553, 564-65.) Under CEQA, global warming is an "effect on the environment" and a project's contribution to global warming can be significant or cumulatively considerable.¹ CEQA requires that all phases of a project must be considered when evaluating the project's impacts on the environment. (CEQA Guidelines, § 15126.) If a project increases GHG emissions over long periods of time, it will make it more difficult for the State to address global warming and to achieve the mandated reductions required by Assembly Bill 32 and Executive Order S-3-05.

On June 1, 2005, Governor Schwarzenegger issued Executive Order S-3-05. The Governor's Order sets the following GHG emissions reduction targets for California: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce emissions to 1990 levels;

¹ See Pub. Resource Code, § 21083.05(a); see also Sen. Rules Comm., Off. Of Sen Floor Analyses, Analysis of Sen. Bill No. 97 (2007-2008 Reg. Sess.) Aug. 22, 2007.

by 2050, reduce emissions to 80 percent below 1990 levels. The Governor recognized that “California is particularly vulnerable to the impacts of climate change” and that “mitigation efforts will be necessary to reduce greenhouse gas emissions.” (Executive Order S-3-05.) As a local agency of the State of California, Rocklin has a responsibility and a duty to address the Project’s impacts on GHG emissions and climate change. This includes considering all phases of a project when evaluating its impacts on the environment: planning, acquisition, development, and operation. (CEQA Guidelines, § 15126.)

Assembly Bill 32, the California Global Warming Solutions Act of 2006, codified at Health & Safety Code section 38500 *et seq.* (“AB 32”) is the nation’s first mandatory cap on a state’s overall greenhouse gas emissions. The Act states:

Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

The Global Warming Solutions Act requires the reduction of emissions to 1990 levels by the year 2020, (Health & Safety Code, § 38550).² CEQA requires global warming affects the “environment” as defined by CEQA³ because global warming affects the physical conditions in all regions of California. Because a project that generates greenhouse gas emissions contributes to global warming, this impact must be fully disclosed and analyzed under CEQA. In order to properly analyze a project’s climate change impacts, an environmental document must: 1) provide a regulatory and scientific

² CEQA provides an independent basis to combat global warming. SB 97 (2007) requires the Office of Planning and Research to prepare by July 1, 2009, and the Resources Agency to certify by January 1, 2010, guidelines “for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by [CEQA], including, but not limited to, effects associated with transportation and energy consumption.” (Senate Bill 97 (2007).)

³ CEQA defines “environment” as “the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance.” (Pub. Resource Code § 21060.5.)

background on global warming; 2) assess the project's contribution to climate change through an emissions inventory; 3) assess the effect of climate change on the project and its impacts; and 4) make a significance determination.

CEQA requires that an agency must find a project may have a significant effect on the environment if (1) a proposed project has the potential to degrade the quality of the environment, curtail the range of the environment, or to achieve short-term, to the disadvantage of long-term, environmental goals; (2) the possible effects of a project are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future effects; (3) the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly." (Pub. Resources Code, § 21083(b); CEQA Guidelines, § 15065.)

CEQA requires that a public agency refrain from approving projects with significant projects with significant environmental effects if there exists feasible alternatives or mitigation measures that can substantially lessen or avoid those effects. (Pub. Resources Code § 21081; see also *Mountain Lion Foundation v. Fish and Game Commission, supra*, 16 Cal.4th at p. 134.)

In *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 720, the court stated:

[o]ne of the most important environmental lessons evident from past experiences is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant, assuming threatening dimensions only when considered in light of the other sources with which they interact. Perhaps the best example is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem. CEQA has responded to this problem of incremental environmental degradation by requiring analysis of cumulative impacts.

The NOP states that the EIR will identify the Project's GHG emissions and identify the thresholds of significance. This is critical as in the past Rocklin has refused to calculate emissions and/or identify thresholds of significance. Rocklin should consults the Technical Advisory which identifies technical resources/modeling tools to estimate GHG emissions. (Technical Advisory at pp. 15-17.) As indicated in the Technical Advisory, CEQA requires the lead agency must also determine the threshold of significance for the project. (See *Id.* at p. 6.) It should be noted that the State Lands Commission recently stated in a draft Environmental Impact Report for the Venoco Ellwood Oil Development and Pipeline Project determined that a project would be

considered having a significant impact if its GHG emissions have a net increase over the baseline. Because of the severity of the global warming problem as the result of cumulative GHG emissions worldwide, the State Lands Commission's Draft EIR concludes that the zero-threshold approach appears to be the most scientifically supportable of the options.⁴

In light of the Governor's Executive Order and the requirement that GHG emissions be significantly reduced by 2020 and even further reduced by 2050, Rocklin, a subdivision of the state, must evaluate the Project's GHG emissions and contributions to global warming. Additionally, there are available mitigation measures that could be incorporated into the project, before it is approved, that could feasibly and substantially reduce the project's air quality impacts to a level of insignificance. Submitted with this comment letter is the California Air Pollution Control Officer's Association's ("CAPCOA") January 2008 report titled *CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.* Appendix B of this report presents 45 pages of potential mitigation measures that could reduce air quality impacts. Many of which could be incorporated into the Del Mar General Development Plan to offset air quality impacts, including GHG emissions.

The EIR must establish a baseline to evaluate GHG emissions or to quantify the GHG emissions produced by the Project in order to make the determination that the project will have a reduction in GHG emissions. Failure to establish a baseline violates the City's obligation under CEQA to provide any substantive analysis of the project's impacts to GHG. The Governor's Office of Planning and Research's June 19, 2008, Technical Advisory entitled *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review* discusses the obligation to establish baselines under CEQA. In the Technical Advisory, OPR provides a recommended approach:

Each public agency that is a lead agency for complying with CEQA needs to develop its own approach to performing a climate change analysis for projects that generate GHG emissions. A consistent approach should be applied for the analysis of all such projects, and the analysis must be based on best available information. For these projects, compliance with CEQA

⁴ The State Lands Commission's Draft Environmental Impact Report is available on line at:

http://slc.ca.gov/Division_Pages/DEPM/DEPM_Programs_and_Reports/Venoco_Santa_Barbara/Venoco_Santa_Barbara.html

entails three basic steps: identify and quantify the GHG emissions; assess the significance of the impact on climate change; and if the impact is found to be significant, identify alternatives and/or mitigation measures that will reduce the impact below significance. (Technical Advisory at p. 5.)

The Technical Advisory also informs lead agencies that they must assess whether the emissions are individually or cumulatively significant. (*Id.*) Thus, the lead agency must consider the impact of the project when viewed in connection with the effects of past, current, and probable future projects. (*Id.*) In identifying GHG Emissions, OPR's Technical Advisory states:

Lead agencies should make a good-faith effort, based on available information, to calculate, model, or estimate the amount of CO₂ and other GHG emissions from a project, including the emissions associated with vehicular traffic, energy consumption, water usage and construction activities. (Technical Advisory at p. 5.)

OPR's Technical Advisory cautions lead agencies that GHG emissions should not be dismissed without substantial evidence to support the decision.

Lead agencies should not dismiss a proposed project's direct and/or indirect climate change impacts without careful consideration, supported by substantial evidence. Documentation of available information and analysis should be provided for any project that may significantly contribute new GHG emissions, either individually or cumulatively, directly or indirectly (e.g. transportation impacts). (*Id.*)

Thus, CEQA requires the EIR to fully and adequately address the Project's impacts to global warming and GHG emissions

B. The EIR Must Address Cumulative Traffic Impacts to Areas Outside the City of Rocklin

Significant changes have occurred in and around Rocklin. Rocklin, Placer County, and other agencies have approved numerous projects such as Clover Valley, Bickford Ranch, the Lowes' Project to name a few. These projects, as well as future development in Rocklin, impact not only major streets in Loomis such as Sierra College Boulevard, but also impact level of service to smaller streets and intersections within Loomis. As such, the EIR must evaluate these cumulative impacts.

The NOP indicates that the Project will result in unacceptable levels of service (LOS) at nearby intersections. As the impacts of development within Rocklin are not

contained within the City's boundaries, the LOS analysis must include impacted intersections outside the City's boundaries, including with the Town of Loomis.

The traffic analysis for the Rocklin General Plan was completed in 1990/91 and last updated in 1993/94. Thus, the traffic information is seriously outdated. Moreover, the Rocklin Crossing re-circulated EIR notes that Rocklin surpassed the high side population growth estimate in 2006. Thus, the traffic analysis must be based upon existing growth, not projected growth under the current General Plan.

Also the proposed Project is caddy corner across I-80 from the Rocklin Crossing project, the Project will result in significant cumulative impacts to traffic not just in Rocklin, but in the Town of Loomis. This must be analysis and mitigated.

C. Alternatives Analysis

The NOP fails to identify any proposed alternatives to the proposed Project except for the No Project Alternative. The alternatives section, along with the mitigation section, is the core of an EIR. (See *Goleta Valley*, *supra*, 52 Cal.3d at p. 564; Guidelines, § 15126.6(a).) "The purpose of an environmental impact report is to identify the significant effects on the environment of a project, *to identify alternatives to the project*, and to indicate the manner in which those significant effects can be mitigated or avoided. (Pub. Resources Code, § 21002.1(a) (emphasis added); see also Pub. Resources Code, § 21061.) It is a fundamental statutory policy of this state that public agencies will consider alternatives to proposed action affecting the environment prior to approving such actions. (See Pub. Resources Code, § 21001(g); *Laurel Heights Improvement Association v. Regents of Univ. of Cal.* ("Laurel Heights I") (1988) 47 Cal.3d 376, 400.)

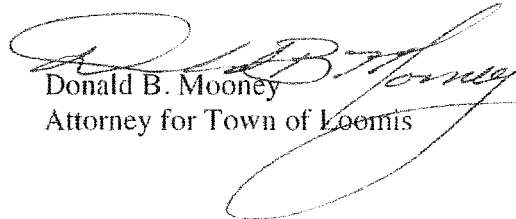
In preparing an EIR, a lead agency must ensure "that all reasonable alternatives to proposed projects are thoroughly assessed." (*San Joaquin Raptor/Wildlife Rescue Center*, *supra*, 27 Cal.App.4th at p. 717; quoting *Wildlife Alive v. Chickering* (1976) 18 Cal.3d 190, 197; Pub. Resources Code, § 21001(g) (lead agency must "consider alternatives to proposed actions affecting the environment"); *Laurel Heights I*, *supra*, 47 Cal.3d at p. 400.) The EIR must "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, and evaluate the comparative merits of the alternatives." (CEQA Guidelines, § 15126.6(a).) An EIR's alternatives discussion **must** focus on alternatives that avoid or substantially lessen any significant effects of the project. (Guidelines, § 15126.6(b); *Goleta Valley*, *supra*, 52 Cal.3d at p. 556 (EIR must consider alternatives that "offer substantial environmental advantages").) The range must be sufficient "to permit a reasonable choice of alternatives so far as environmental aspects are concerned." (*San Bernardino Valley Audubon Soc'y v. County of San Bernardino* (1984) 155 Cal.App.3d 738, 750; see also *Sierra Club v. Contra Costa County* (1992) 10 Cal.App.4th 1212, 1217-18, 1222 (EIR that only considered two alternatives for less

development was not a range of reasonable alternatives).) Although there is no rule governing the number of alternatives that must be considered, the range is governed by the "rule of reason." (Guidelines, § 15126.6(f).) The range of alternatives, however, must be selected and discussed in a manner that allows for meaningful public participation and informed decisionmaking. (*Id.*) The alternative must avoid or "substantially lessen" the project's environmental impacts. (See Guidelines, § 15126.6; *Laurel Heights I, supra*, 47 Cal.3d at p. 403.) Thus, the alternatives must offer substantial environmental advantages over the proposed project and may be feasibly accomplished in a successful manner considering the economic, environmental, social and technological factors involved. (*Citizens of Goleta Valley, supra*, 52 Cal.3d at p. 566.) The Guidelines use of the term "substantially lessen" means that the impact must be reduced by a considerable amount.

D. Urban Decay

The urban decay analysis must evaluate the proposed Project's impacts to areas outside Rocklin, including to businesses within the Town of Loomis. Also, the urban decay analysis must evaluate the cumulative impacts to urban decay associated with other projects such as Rocklin Crossing and the Lowe's Project.

Sincerely,



Donald B. Mooney
Attorney for Town of Loomis

cc: Perry Beck, Town Manager, Town of Loomis
Sherri Abbas