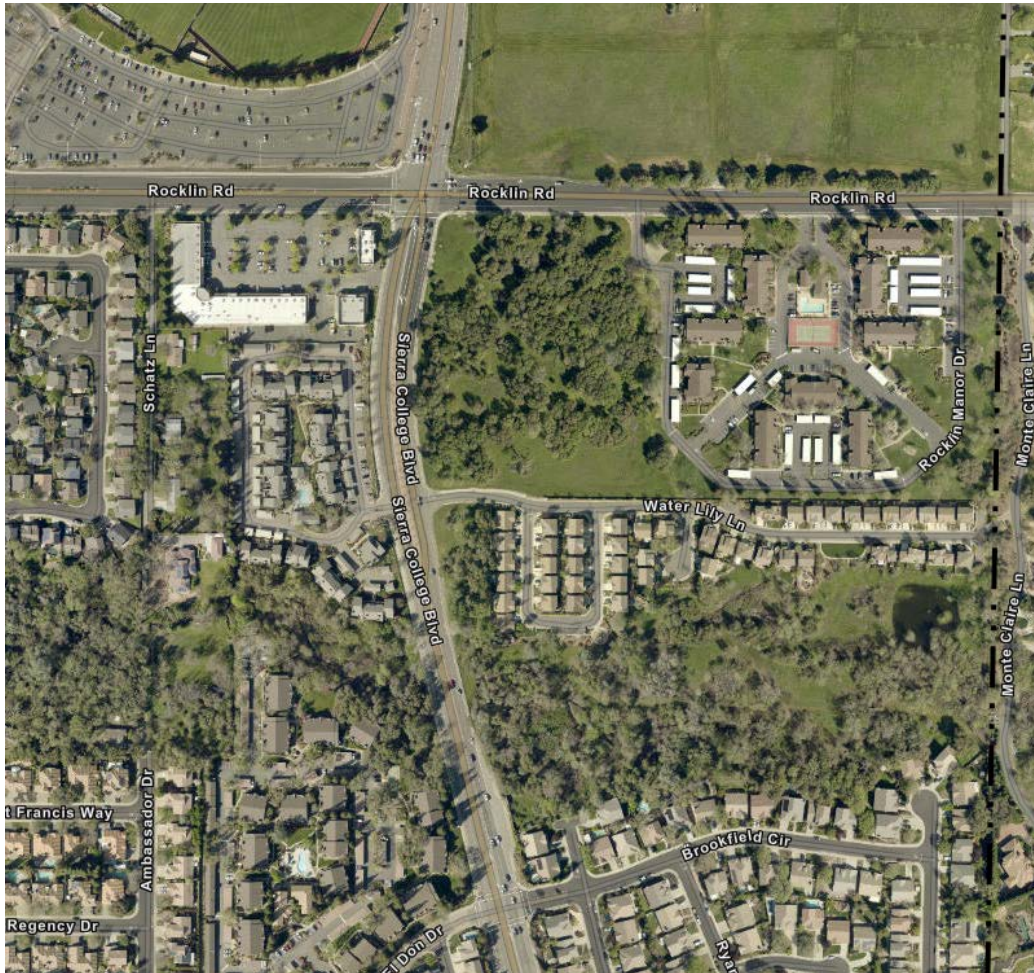


SIERRA GATEWAY APARTMENTS FINAL ENVIRONMENTAL IMPACT REPORT SCH # 2016032068



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1.0 INTRODUCTION

In accordance with Section 15088 of the California Environmental Quality Act (CEQA) Guidelines, the City of Rocklin, as the lead agency, has reviewed the comments received on the Draft Environmental Impact Report (Draft EIR) for the Sierra Gateway Apartments project and has prepared written responses to the comments received.

On April 27, 2017, the City of Rocklin released the Draft EIR for the Sierra Gateway Apartments project (State Clearinghouse Number 2016032068) for a 45-day public review period; the Draft EIR public review period ended on June 12, 2017. The Draft EIR (State Clearinghouse Number 2008072115) was also received on April 27, 2017 by the State Clearinghouse, which provided a 45-day public review period for State agencies ending on June 12, 2017.

Chapter 2 of the Final EIR consists of all the written and oral comments received on the Draft EIR and presents responses to significant environmental issues raised in the comments (as required by CEQA Guidelines Section 15132). The focus of the response to comments is on the disposition of significant environmental issues raised in the comments, as specified by Section 15088(c) of the CEQA Guidelines. Detailed responses are not provided to comments on the merits of the proposed project; however, when a comment is not directed to significant environmental issues, the response will indicate that the comment has been noted and that no further response is necessary. Comments that are outside the scope of the CEQA review will be forwarded to the decision-makers for consideration when deciding whether to approve or deny the proposed project.

For issues that were raised by multiple commenters, the City determined that the preparation of a master response would be appropriate. The master response discusses the range of issues raised by the commenters and specifically identifies which comments it is intended to address. The master response is presented at the beginning of Chapter 2, and the individual comment letters and responses follow the master responses.

Each comment letter has been reproduced and is followed by the response to comments in the order of occurrence. In some instances, modifications to the text of the Draft EIR may be warranted as a part of the responses to comments or for other reasons. In those instances, the text of the Draft EIR is modified and the changes are compiled in Chapter 3, Corrections and Revisions to the Draft EIR. The text deletions are shown in bold ~~strikeout~~ and additions are shown in bold underline.

This document and the Draft EIR together constitute the Final EIR that is being considered by the City of Rocklin.

2.0 RESPONSE TO COMMENTS

This section of the Final EIR contains Comment letters received during the public review period for the Draft EIR, which began on April 27, 2017 and concluded on June 12, 2017. In conformance with State CEQA Guidelines Section 15088(a), written responses to written comments on environmental issues received from reviewers of the Draft EIR were prepared and are provided in this document.

Table 2-1					
Written and Oral Comments Received on the Draft EIR					
Letter Number	Commenter	Date	Comment Number	Comment Topic	Page #
1	Patricia Crane, Rocklin Unified School District	05/08/17	1-1	No Comment	23
2	Frank Sharifie	05/23/17	2-1 2-2 2-3	Transportation/Circulation Transportation/Circulation Transportation/Circulation	26
3	Kali Hetrick	05/24/17	3-1 3-2	Biological Resources Transportation/Circulation	28
4	Allison Miller	5/25/17	4-1 4-2 4-3	General Transportation/Circulation General	30
5	David Andre	5/25/17	5-1 5-2 5-3	General Transportation/Circulation General	32
6	Michael Mattos	6/3/17	6-1 6-2 6-3 6-4 6-5 6-6 6-7 6-8 6-9 6-10 6-11 6-12 6-13 6-14	General Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation	34
7	Gordon Medd, Loomis Union School District	6/1/17	7-1 7-2 7-3 7-4	General Public Services Public Services Public Services	43

**Table 2-1
Written and Oral Comments Received on the Draft EIR**

Letter Number	Commenter	Date	Comment Number	Comment Topic	Page #
			7-5 7-6 7-7 7-8 7-9 7-10	Public Services Public Services Public Services Public Services Public Services Public Services	
8	Margo Rabin	6/6/17	8-1 8-2 8-3 8-4 8-5 8-6 8-7 8-8 8-9 8-10 8-11 8-12 8-13 8-14 8-15 8-16 8-17 8-18 8-19 8-20 8-21 8-22 8-23 8-24 8-25 8-26 8-27 8-28 8-29 8-30	General General Air Quality Transportation/Circulation Transportation/ Circulation Transportation Circulation Transportation/Circulation Aesthetics Biological Resources Air Quality Transportation/ Circulation Transportation/ Circulation Transportation/ Circulation Transportation/ Circulation Transportation/ Circulation Transportation/ Circulation Transportation/ Circulation Transportation/ Circulation Transportation/ Circulation Transportation/ Circulation General Aesthetics Aesthetics Aesthetics Aesthetics Aesthetics Aesthetics Biological Resources Biological Resources Property Values	51
9	Stephanie Tadlock, Central Valley Regional Water Quality Control	6/5/17	9-1 9-2 9-3	Hydrology/Water Quality Hydrology/Water Quality Hydrology/Water Quality	68

**Table 2-1
Written and Oral Comments Received on the Draft EIR**

Letter Number	Commenter	Date	Comment Number	Comment Topic	Page #
	Board		9-4 9-5 9-6 9-7 9-8 9-10 9-11 9-12 9-13	Hydrology/Water Quality Hydrology/Water Quality Hydrology/Water Quality Hydrology/Water Quality Hydrology/Water Quality Hydrology/Water Quality Hydrology/Water Quality Hydrology/Water Quality Hydrology/Water Quality	
10	David Vickers	5/30/17	10-1 10-2 10-3 10-4 10-5	General General Prior Litigation Prior Litigation Prior Litigation	78
11	Sherry Di Lulo	6/12/17	11-1 11-2 11-3 11-4 11-5 11-6 11-7 11-8 11-9 11-10 11-11 11-12 11-13 11-14 11-15 11-16 11-17 11-18 11-19	General Crime/Safety Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation General Aesthetics Aesthetics Aesthetics Aesthetics Aesthetics Biological Resources Biological Resources Biological Resources Property Values	108
12	Janet Cobb, California Wildlife Foundation/California Oaks	6/8/17	12-1 12-2 12-3	Biological Resources Biological Resources Biological Resources	118
13	Scott Rickert, Wood Rodgers	6/9/17	13-1 13-2	Transportation/Circulation Transportation/Circulation	123

**Table 2-1
Written and Oral Comments Received on the Draft EIR**

Letter Number	Commenter	Date	Comment Number	Comment Topic	Page #
			13-3 13-4 13-5 13-6	Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation	
14	Carie Huff, South Placer Municipal Utility District	6/12/17	14-1 14-2	Utilities Utilities	132
15	Irene and Roger Smith, Citizens for Tree Preservation	6/12/17	15-1 15-2 15-3 15-4 15-5 15-6 15-7 15-8 15-9 15-10 15-11 15-12	General Zoning Previous EIR Tree Preservation Guidelines Urban Forest Plan Bias Alternatives Alternatives Alternatives Alternatives Cumulative Impacts Vision	136
16	Chris Wiegman, Citizens Voice Organization	6/12/17	16-1 16-2 16-3 16-4 16-5 16-6 16-7 16-8 16-9 16-10 16-11 16-12 16-13 16-14 16-15 16-16 16-17 16-18 16-19 16-20 16-21	Public Comment Hearing Cumulative Impacts Alternatives Prior Environmental Review Prior Environmental Review Biological Resources Biological Resources General Objectives Bias Aesthetics Air Quality Biological Resources Biological Resources Alternatives Zoning Biological Resources Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation	147

**Table 2-1
Written and Oral Comments Received on the Draft EIR**

Letter Number	Commenter	Date	Comment Number	Comment Topic	Page #
			16-22 16-23 16-24 16-25 16-26 16-27 16-28 16-29 16-30 16-31 16-32	Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Transportation/Circulation Noise Aesthetics (Lighting) Hydrology	
17	Kent Zenobia, PE, BCEE	6/12/17	17-1 17-2 17-3 17-4 17-5 17-6 17-7 17-8 17-9 17-10	General Project Description Air Quality Transportation/Circulation Transportation/Circulation Transportation/Circulation Aesthetics Hydrology Low Income Housing Aesthetics	172
18	Arlene Jamar		18-1 18-2 18-3	Cumulative Impacts Alternatives General	178
19	Joan Phillipe, Interim Town Manager\Planning Director Town of Loomis	6/12/17	19-1 19-2 19-3 19-4 19-5 19-6 19-7	General Biological Resources Biological Resources Transportation/Circulation Growth Inducement Cumulative Impacts Alternatives	182
20	Scott Morgan, Director California State Clearinghouse	7/13/17	20-1	General	190
21	Denise Gaddis, El Don Neighborhood Advisory Committee		21-1 21-2 21-3 21-4 21-5	General Project Description Air Quality Transportation/Circulation Transportation/Circulation	199

**Table 2-1
Written and Oral Comments Received on the Draft EIR**

Letter Number	Commenter	Date	Comment Number	Comment Topic	Page #
			21-6	Transportation/Circulation	
			21-7	Transportation/Circulation	
			21-8	Transportation/Circulation	
			21-9	Transportation/Circulation	
			21-10	Transportation/Circulation	
			21-11	Transportation/Circulation	
			21-12	Transportation/Circulation	
			21-13	Transportation/Circulation	
			21-14	Transportation/Circulation	
			21-15	Aesthetics	
			21-16	Aesthetics	
			21-17	Aesthetics	
			21-18	Aesthetics	
			21-19	Aesthetics	
			21-20	Aesthetics	
			21-21	Biological Resources	
			21-22	Biological Resources	
			21-23	Biological Resources	
			21-24	Property Values	
22	Sue Hoppe, Vice President of Hidden Creek HOA	5/30/17	22-1	General	229
			22-2	General	
			22-3	General	
			22-4	Project Description	
			22-5	Air Quality	
			22-6	Transportation/Circulation	
			22-7	Transportation/Circulation	
			22-8	Transportation/Circulation	
			22-9	Transportation/Circulation	
			22-10	Transportation/Circulation	
			22-11	Transportation/Circulation	
			22-12	Transportation/Circulation	
			22-13	Transportation/Circulation	
			22-14	Transportation/Circulation	
			22-15	Transportation/Circulation	
			22-16	Transportation/Circulation	
			22-17	Aesthetics	
			22-18	Aesthetics	
			22-19	Aesthetics	
			22-20	Aesthetics	

**Table 2-1
Written and Oral Comments Received on the Draft EIR**

Letter Number	Commenter	Date	Comment Number	Comment Topic	Page #
			22-21	Aesthetics	
			22-22	Aesthetics	
			22-23	Biological Resources	
			22-24	Biological Resources	
			22-25	Biological Resources	
			22-26	Property Values	

2.2 COMMENTS AND RESPONSES ON THE DRAFT EIR

The comments received on the Draft EIR and the responses to those comments are provided in this section commencing with master responses. Following the master responses, each comment letter is reproduced in its entirety and is followed by the response (s) to the letter. Where a commenter has provided multiple comments, each comment is indicated by a line bracket and an identifying number in the margin of the comment letter. In cases where multiple comments are made on the same topic, cross-references to other responses are made.

CEQA Guidelines section 15024 (Focus of Review) item (a) notes “In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

In some instances comments submitted on the Draft EIR expressed opinions regarding the proposed project, but did not focus on the sufficiency of the Draft EIR document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. The responses to these types of comments are noted as such, and they are also noted as being forwarded to the decision-makers so that those individuals are aware of the expressed opinions. However, additional responses to those comments as part of the Environmental Impact Report (EIR) process are not necessary.

2.3 MASTER RESPONSE

MASTER RESPONSE FOR COMMENTS REGARDING INCLUSION OF SIERRA COLLEGE'S PLANNED DEVELOPMENT AND OTHER PROJECTS IN THE TRAFFIC ANALYSIS

There were a number of comments received that expressed concern that the Draft EIR did not adequately consider probable future projects when evaluating cumulative impacts. Those comments provided lists of such probable future projects, including the following: 1) Sierra College Surplus Properties Development; 2) Costco; 3) Garnet Creek; 4) Crowne Point; 5) Lowes; 6) Amazing Facts Church; 7) Aguilar Road residential development (Granite Bluff and Rocklin Meadows Subdivisions); 8) Monument Springs Drive extension; 9) Bickford Ranch, and 10) City of Lincoln Village 1. The traffic impacts of the Project with respect to any traffic impacts of these projects are analyzed in the Draft EIR's Cumulative Impacts chapter and in this Master Response.

The Draft EIR's Cumulative Impacts chapter included a discussion regarding the evaluation of the proposed project's cumulative impacts on pages 5.2-1 through 5.2-3. For the FEIR reader's benefit, that discussion is repeated below in italics:

5.2 CUMULATIVE IMPACTS

CEQA Guidelines section 15130 requires that an EIR contain an assessment of the cumulative impacts that could be associated with a proposed project. This assessment involves examining project-related effects on the environment in the context of similar effects that have been caused by past or existing projects, and the anticipated future effects of future projects. Although project-related impacts may be individually minor, the cumulative effect of these impacts, in combination with the impacts of other projects, could be significant under CEQA and must be addressed. Where a lead agency concludes that the cumulative effects of a project, taken together with the impacts of past, present and probable future impacts, are significant, the lead agency then must determine whether the proposed project's incremental contribution to such a significant cumulative impact is "cumulatively considerable" (and thus significant in and of itself).

CEQA Guidelines section 15130 requires the analysis of impacts due to cumulative development that would occur independent of, but during the same time frame as, the project under consideration, or in the foreseeable future. By requiring an evaluation of cumulative impacts, CEQA attempts to minimize the potential that large-scale environmental impacts would be ignored due to the project-by-project nature of project-level analyses contained in EIRs.

The proposed Sierra Gateway Apartments project, in conjunction with development in the vicinity of the project site and within the region, would contribute to cumulative environmental impacts. Cumulative impacts were analyzed in each of the technical chapters of this Draft EIR (Chapters 4.2 through 4.5). The geographic scope of the cumulative analysis varies by technical area. For example, traffic and traffic-related air emissions and noise analyses assumed

development that is planned for and/or anticipated in the region, because each jurisdiction within the region contributes to traffic on local and regional roadways, and air quality impacts were evaluated against conditions in the Sacramento Valley Air Basin. The cumulative analysis in each technical section evaluated the proposed project's contribution the cumulative scenario and one cumulatively considerable impact was identified (Transportation/Traffic). The cumulative analyses are summarized below.

Aesthetics

As indicated in Impact 4.2-2, the proposed project, within context of development in the area immediately surrounding the project site, future surrounding development as well as development of the proposed project would incrementally result in a change in the visual character and quality of the area through the conversion of vacant or partially developed land to developed uses. Through land use entitlement and other review processes, future development is anticipated to be well designed and consistent and compatible with adjacent developments in the larger project vicinity. Development patterns would include landscaping and setbacks that would help screen future development from adjacent land uses and provide a transition space from existing developed land uses. Therefore, the impact would be considered less than cumulatively considerable and less than significant.

Air Quality

As indicated in Impact 4.3-5, the proposed project, within the context of development in the region, would incrementally result in a net increase of criteria air pollutants (ROG and NOx) for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). It was determined that the proposed project's operational related emissions would be below the Placer County Air Pollution Control District's cumulative thresholds of significance for ROG and NOx. Implementation of mitigation measure MM4.3-2 (a) and 4.3-2 (b) would ensure that the operational activities associated with the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state air quality standard. Therefore the impact would be considered less than cumulatively considerable and less than significant.

Biological Resources

As indicated in Impact 4.4-6, the proposed project, within context of development in the City of Rocklin and the surrounding area of western Placer County, would incrementally impact biological resources by contributing to the loss of native plant communities, wildlife habitat values, special-status species and their potential habitat, and wetland resources. These biological resources impacts were considered and analyzed at a programmatic level in the General Plan EIR and are considered to contribute to the significant cumulative impacts to biological resources discussed above. Future development within the City of Rocklin would be required to comply with the City's goals, policies and ordinances to mitigate impacts to biological resources. The site-specific significant impacts to biological resources as a result of the proposed Sierra Gateway Apartments project identified above can all be reduced to a less

than significant level through the application of the identified mitigation measures (Impacts 4.4-1, 4.4-2 and 4.4-4) or are not considered to be significant impacts (Impacts 4.4-3 and 4.4-5).

Because the biological resources analysis has concluded that the proposed project will not result in any significant impacts due to the application of the identified mitigation measures and the proposed project will not result in any significant biological resources impacts more severe than those disclosed in the General Plan EIR, the City finds pursuant to CEQA Guidelines section 15168, subdivision (c) (4) that the cumulative environmental effects of the proposed Sierra Gateway Apartments project were covered in the program EIR. The City also finds pursuant to CEQA Guidelines section 15183 (j) that cumulative impacts to biological resources, including the contribution to those cumulative impacts as a result of the proposed project, were adequately discussed in the General Plan EIR and further analysis of that cumulative impact is excluded from this Draft EIR. Therefore, with the application of the previously identified mitigation measures the impact would be considered less than cumulatively considerable and less than significant.

Transportation/Traffic

As indicated in Impact 4.5-8, the proposed project, within the context of development in the City of Rocklin and the surrounding areas of western Placer County, would result in a cumulatively considerable and significant and unavoidable impact to the Rocklin Road/Interstate 80 WB and EB ramp intersections. Under the Cumulative (Year 2030) Plus Project, Water Lily Lane Emergency Access and Outbound Access from Water Lily Lane conditions, the increase in delay at the intersections of Rocklin Road/Interstate 80 WB and EB ramps is each more than five seconds at an intersection that operates at an unacceptable LOS in the Cumulative No Project condition in the PM peak hour (WB Ramp: $82.5 - 70.5 = 12$ seconds; EB Ramp: $115.7 - 102.7 = 13$ seconds). Therefore, cumulative impact to the Rocklin Road/Interstate 80 WB and EB Ramp intersections would be considered cumulatively considerable and significant and unavoidable.

It should be noted that the General Plan EIR also forecasted unacceptable LOS conditions at the Rocklin Road/I-80 interchange in the cumulative conditions, and the determination of the Sierra Gateway Apartment project's cumulative significant impact to the Rocklin Road/I-80 interchange as a significant and unavoidable impact is consistent with the findings of the General Plan EIR. Both the General Plan EIR and the Sierra Gateway Apartments traffic study identified mitigation (re-construct interchange) that would result in acceptable LOS conditions, but both documents also acknowledged that the City does not have the complete jurisdiction or authority, would not be the sole source of funding and does not have the capability to fully fund implementation of any of the identified alternative improvements to the highway ramp intersections. Since mitigation of this impact is outside of the City's control, the impact is considered to be significant and unavoidable.

As noted in the Draft EIR, in support of examining alternatives to the Rocklin Road Interchange Improvements, the City of Rocklin worked with Caltrans to develop a Project Study Report-Project Development Support (PSR-PDS) to request approval for a locally funded project and to proceed to Project Approval and Environmental Document Phase (August 24, 2012). This

report identified several technically feasible alternatives for mitigating future, cumulative traffic impacts at the Rocklin Road/I-80 interchange so that it will operate at acceptable levels of service. Implementation of any of these alternatives would mitigate the significant and cumulative impact of the Project, and the City anticipates reaching agreement with Caltrans to implement one of them. However, until such agreement is in place and formal plans are adopted, this EIR is conservatively treating the impact as significant and unavoidable. It would not be feasible to require this Project to itself mitigate this cumulative impact given its comparatively small contribution to this impact and for the other reasons discussed above. It should be noted that the proposed project will be subject to the payment of applicable Traffic Impact Mitigation (TIM) fees, South Placer Regional Transportation Authority (SPRTA) fees and Highway 65 Interchange Improvement fees as applicable on a fair share basis; however, the fees generated from this alone will not fund the necessary improvements that are needed to remedy the anticipated cumulative unacceptable levels of service at the Rocklin Road/I-80 interchange.

The traffic modeling performed for the Sierra Gateway Apartments Draft EIR included scenarios called “Short Term No Project” and “Short Term Plus Project”. As noted in the Draft EIR’s Transportation/Traffic chapter on page 4.5-26, “The Short Term Condition is the analysis condition in which project trips generated by reasonably foreseeable development and imminent roadway and intersection improvements are accounted for in the LOS quantifications. No roadway or intersection improvements have been assumed for the Short Term No Project condition. The proposed project’s obligation to create a right turn pocket from northbound Sierra College Boulevard to eastbound Rocklin Road is the only roadway and intersection improvement assumed in the Short Term Plus Project condition.” The use of these scenarios allows for an analysis condition to be established wherein the automobile trips generated by projects that have been approved, but have yet to be constructed, can be captured in the traffic modeling effort, and the automobile trips generated by the proposed Sierra Gateway Apartments project can be added on top of those automobile trips generated by those approved, but yet to be constructed projects.

With respect to “reasonably foreseeable projects”, as noted in the Draft EIR’s Transportation/Traffic chapter on page 4.5-26, “The City of Rocklin has provided a list of projects in the vicinity of the proposed project that have been approved for construction, or for which a Notice of Preparation has been issued, which makes the project “reasonably foreseeable” under CEQA. Vehicle trips for the “reasonably foreseeable project” list were calculated based on appropriate trip generation rates from the ITE Trip Generation Manual (9th Ed. 2012). Table 4.5-11 provides the list of projects considered, unit quantities, ITE land use code, and trip generation rates for AM and PM peak hours.” For the FEIR reader’s benefit, that table is duplicated below.

TABLE 4.5-11 APPROVED-PENDING PROJECT TRIPS								
Land Use Category (ITE Code)	Unit ¹	Daily Trip Rate/Unit ²	AM Peak Hour Trip Rate/Unit			PM Peak Hour Trip Rate/Unit		
			Total	In %	Out %	Total	In %	Out %
Single Family Detached Housing (210)	DU	9.52	0.75	25 %	75 %	1.00	63 %	27 %
Shopping Center (820)	KSF	42.70	0.96	62 %	38 %	3,71	48 %	52 %
Project Name	Quantity (Units/ KSF)	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			Total	In	Out	Total	In	Out
Croftwood Unit 1 (210)	156	1,581	119	30	89	141	89	52
Rocklin 60 Residential (210)	179	1,794	135	34	101	162	102	60
Rocklin Meadows (210)	27	315	29	8	21	27	17	10
Granite Bluff (210)	78	836	64	17	47	78	49	29
Rocklin Commons (820)	252	12,380	274	170	104	1,113	535	578
Rocklin Crossings (820)	322	14,508	318	198	120	1,310	629	681
Center at Secret Ravine (820)	24	2,657	65	41	24	228	110	118
Net New Project Trips		34,071	1,003	498	505	3,058	1,531	1,527
Notes: 1. KSF = 1,000 square feet, DU = dwelling unit 2. Trip rates based on ITE Trip Generation Manual 9 th edition average rates when equations are not mentioned.								

Of the projects identified in Table 4.5-11, four are partially occupied: Croftwood Unit 1, Center at Secret Ravine, Rocklin Commons, and Rocklin Crossings. Traffic counts performed for the “Existing” project condition would include these occupied units, resulting in an overstatement of additional trips in Table 4.5-11 for these projects. This data has been included to reflect a more conservative analysis.

The traffic modeling performed for the Sierra Gateway Apartments DEIR also included scenarios called “Cumulative (Year 2030) No Project” and “Cumulative (2030) Plus Project”. As noted in the Draft EIR’s Transportation/Traffic chapter on pages 4.5-35 and 4.5-36, “This Cumulative condition is the condition approximately fifteen years in the future. The Traffic Report for the Cumulative condition corresponds to the build-out condition of the City of Rocklin and resulting growth in population and traffic volumes. The build-out uses are consistent with the land uses assumed in the City of Rocklin General Plan. The Cumulative year analysis in this report is assumed to be the year 2030. Additionally, Cumulative (Year 2030) conditions assume construction of transportation infrastructure improvements consistent with the City’s General Plan Circulation Element, specifically those programmed improvements identified below that are included in the City’s Capital Improvement Program.” The use of these scenarios allows for an analysis condition to be established wherein the automobile trips generated by the development of all the land uses identified in the City of Rocklin General Plan (“build-out”), as

well as additional growth in surrounding areas, can be captured in the traffic modeling effort (Cumulative No Project), and the automobile trips generated by the proposed Sierra Gateway Apartments project can be added on top of those automobile trips generated by the development of all the land uses identified in the City of Rocklin General Plan (Cumulative Plus Project).

Per CEQA Guidelines section 15130 (b), “The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact. The following elements are necessary to an adequate discussion of significant cumulative impacts:

(1) Either:

- (A) A list of past, present, and probable future projects producing related or cumulative impacts, including if necessary, those projects outside the control of the agency, or
- (B) A summary of projections contained in an adopted local, regional, or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Any such document shall be referenced and made available to the public at a location specified by the lead agency.”

Consistent with such direction and rather than use of the list method described in subsection (A) above, the Draft EIR’s cumulative analysis for transportation/traffic impacts referenced the build-out condition of the City of Rocklin General Plan and resulting growth in population and traffic volumes. Furthermore, the projections contained in the Rocklin General Plan EIR have been supplemented by a regional traffic modeling program which was the basis of the traffic modeling effort for the proposed project. The development assumptions include growth and development within the region, including Rocklin, Roseville, Lincoln, Loomis, Auburn, Colfax, Granite Bay, Bickford, as well as major projects in west Placer County such as Curry Creek, Regional University, Placer Ranch, Placer Vineyards, Riolo Vineyard, Creekview and Sierra Vista.

Although as noted above the City is not using the list method for the Draft EIR’s cumulative analysis, the following information is being provided in response to the specific projects listed in the comments:

- 1) For the Sierra College land development, per CEQA Guidelines section 15125 (a), “An EIR must include a description of the physical environmental conditions in the vicinity of the

project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.”

Because the Notice of Preparation (NOP) for the Sierra Gateway Apartments Draft Environmental Impact Report (DEIR) was published on March 24, 2016 and the application for Sierra College’s planned development of its Sierra Villages project was subsequently made to the City on January 9, 2017, the Sierra Villages project has not been included in the Sierra Gateway Apartments DEIR. The Sierra Gateway Apartments DEIR’s baseline condition for analysis was established as March 24, 2016 with the issuance of the NOP. CEQA Guidelines section 15125 (a) recognizes that the EIR process is a lengthy one and allows for the establishment of a baseline condition, otherwise the preparation of an EIR could become a never-ending process of constant updates if each time a new project were applied for the analysis had to be updated to incorporate the new projects.

As suggested by several commenters, to describe Sierra College’s planned development of its Sierra Villages project as a “reasonably foreseeable” project presumes the proposal will be approved, and importantly, approved without mitigation or conditions of approval. The traffic modeling performed for the Sierra Gateway Apartments DEIR’s cumulative scenarios included the development of the properties that are included in Sierra College’s planned development of its Sierra Villages project, but the analysis assumed development of those properties at the intensities shown in the General Plan and it did not include analysis of the development as it is specifically being proposed. The CEQA analysis that is to be conducted for the Sierra Villages project will examine that proposed project’s potential traffic impacts in a similar fashion as was done with the Sierra Gateway Apartments DEIR, taking into account other reasonably foreseeable cumulative development projects.

2) For Costco, because the Notice of Preparation (NOP) for the Sierra Gateway Apartments Draft Environmental Impact Report (DEIR) was published on March 24, 2016 and the Notice of Preparation for the Costco project was subsequently issued by the Town of Loomis on May 15, 2017, the Costco project has not been included in the Sierra Gateway Apartments DEIR. The Sierra Gateway Apartments DEIR’s baseline condition for analysis was established as March 24, 2016 with the issuance of the NOP. CEQA Guidelines section 15125 (a) recognizes that the EIR process is a lengthy one and allows for the establishment of a baseline condition, otherwise the preparation of an EIR could become a never-ending process of constant updates if each time a new project were applied for the analysis had to be updated to incorporate the new projects.

As suggested by several commenters, to describe the planned development of the Costco project as a “reasonably foreseeable” project presumes the proposal will be approved, and importantly, approved without mitigation or conditions of approval. The traffic modeling

performed for the Sierra Gateway Apartments DEIR's cumulative scenarios included the development of the proposed Costco site as a retail commercial site, consistent with the site's current land use designation and zoning, but the assumed development of the proposed Costco site did not include the specific tenant as a Costco. The CEQA analysis that is to be conducted for the Costco project will examine that proposed project's potential traffic impacts in a similar fashion as was done with the Sierra Gateway Apartments DEIR, taking into account other reasonably foreseeable cumulative development projects.

3) For Garnet Creek, the development of this site as a Retail Commercial land use was included in the City of Rocklin General Plan EIR's analysis and in the City of Rocklin traffic model, which was used for the traffic analysis for the Sierra Gateway Apartments project. The Garnet Creek project's single and multi-family development is considered to be a reduction in development density and intensity because Retail Commercial land uses generate more vehicle trips than residential land uses. As such, the cumulative traffic analysis performed for the Sierra Gateway Apartments project conservatively included the development of the Garnet Creek project site as a higher vehicle trip generating retail commercial land use.

4) For Crowne Point, as noted in Table 4.5-11 (Approved-Pending Project Trips) on page 4.5-27 of the Draft EIR, this project (called Croftwood Unit 1 in Table 4.5-11) was included in the Sierra Gateway Draft EIR's traffic analysis in the short term no project and short term plus project scenarios. In addition, the development of this project as a single-family residential subdivision on land designated as Low Density Residential is included in the City of Rocklin traffic model, which was used for the traffic analysis for the Sierra Gateway Apartments project. As such, the cumulative traffic analysis performed for the Sierra Gateway Apartments included the development of this site.

5) For Home Improvement Store (Lowes near McDonalds at I-80), this project's entitlements expired in August 2015 and therefore its approval is no longer valid. However, the development of this site as a Retail Commercial land use was included in the City of Rocklin General Plan EIR's analysis and in the City of Rocklin traffic model, which was used for the traffic analysis for the Sierra Gateway Apartments project. As such, the cumulative traffic analysis performed for the Sierra Gateway Apartments included the development of this site.

6) For the Amazing Facts church, which is located in unincorporated Placer County adjacent to the City of Rocklin, that project involves a 2,000 seat house of worship constructed in two phases with buildings totaling 208,020 square feet. The project is located on the south side of Sierra College Boulevard by Nightwatch Drive, approximately 1/2 mile beyond where Rocklin city limits cross Sierra College Boulevard. The Amazing Facts EIR is available on Placer County's website at the following link:

<http://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir/amazingfacts>

The traffic analysis performed by Ken Anderson & Associates Inc. for the Amazing Facts project determined that it would generate a total of 3,700 daily Saturday vehicle trips, 1,200 Saturday peak hour vehicle trips and 131 weekday p.m. peak hour vehicle trips, due to holding its services primarily on Saturdays with limited weekday activities. The traffic study engineer noted in the traffic analysis the amount of regular weekday traffic accompanying this project is very low in comparison to Saturday forecasts and is low enough to suggest that there is no significant possibility that analysis of weekday conditions would identify additional impacts or yield additional mitigation measures.

Based on the Amazing Facts regional trip distribution assumptions, and excluding trips that would travel the minimal ½ mile distance through Rocklin on Sierra College Boulevard to get to the church to/from the south and not pass by the Sierra Gateway Apartments project site, potential project trips that would travel on Rocklin roadways in the vicinity of the Sierra Gateway Apartments to get to/from the church are reflected in the table below:

Direction	Origin/Destination	Route	Percentage of Total
North	Lincoln, Penryn, Yuba County	Sierra College Boulevard north beyond Loomis	5%
	East Rocklin	Nightwatch Drive, Southside Ranch Road, El Don Drive	3%
	Auburn, Loomis	Interstate 80 east	3%
East	Loomis, North Granite Bay	Rocklin Road east	2%
	Granite Bay, Folsom, West El Dorado County	Rocklin Road east	2%
West	Rocklin	Rocklin Road west of I-80	2%
	Western Rocklin, Western Roseville, Western Lincoln	SR 65 to I-80 to Rocklin Road	15%
	North Sacramento County	I-80 to Rocklin Road	15%

As shown in the table, in total 47% of the total Amazing Facts trips would travel on Rocklin roadways in the vicinity of the Sierra Gateway Apartments to get to/from the church. Applying that 47% to the 131 weekday p.m. peak hour trips that the Amazing Facts church would generate equates to 62 weekday p.m. peak hour trips traveling on Rocklin roadways in the vicinity of the Sierra Gateway Apartments project site.

Because the City of Rocklin's level of service policy is based on weekday p.m. peak hour trips, this discussion does not include any further information or analysis regarding the majority of the Amazing Facts project vehicle trips, those which occur on Saturday.

The underlying land use of the Amazing Facts project site which is within the traffic model used in the Sierra Gateway Apartment's Draft EIR analysis is Rural Estates, with 20 acre minimum zoning designations. Assuming the 74.2 acre project site could yield three 20 acre rural estate homes and using a trip generation factor from the ITE Trip Generation Manual (9th edition) of 1 trip per dwelling unit during the p.m. peak hour, 3 p.m. peak hour trips would have been generated if the project site were developed based on its land use designation of Rural Estates. Because those trips are already assumed in the traffic model, they are subtracted from the 62 weekday p.m. peak hour trips travelling on Rocklin roadways as determined above, netting 59 weekday p.m. peak hour trips from the Amazing Facts project that were not already assumed in the traffic model.

In conclusion, for the following reasons, the trips generated by the Amazing Facts church do not appreciably affect the Sierra Gateway Draft EIR's cumulative traffic analysis:

1. The City of Rocklin's level of service policy is based on weekday p.m. peak hour trips and the Amazing Facts church generates the majority of its vehicle trips on Saturdays.
2. Of the 131 weekday p.m. peak hour vehicle trips generated by the Amazing Facts church, only 62 weekday p.m. peak hour vehicle trips (47%) would travel on Rocklin roadways in the vicinity of the Sierra Gateway Apartments site.
3. The 62 weekday p.m. peak hour vehicle trips becomes 59 weekday p.m. peak hour vehicle trips, once the assumed vehicle trips based on the Amazing Facts project site's land use and zoning designations assumed in the traffic model are deducted. The 59 peak hour trips equate to approximately 1 trip per minute and as such the increase in the volume to capacity ratio on Rocklin intersections in the vicinity of the Sierra Gateway Apartments site is expected to be minimal.
4. The traffic engineer who performed the Amazing Facts traffic analysis noted that the project's 131 weekday p.m. peak hour vehicle trips is low enough to conclude that there is no significant possibility that analysis of weekday conditions would identify additional impacts or yield additional mitigation measures, and it is therefore also reasonable to conclude that an even lower number of 59 weekday p.m. peak hour trips would not create additional impacts.
5. Despite being the best technological tool available for predicting traffic, regional traffic models will always have some level of variation in them (both higher and lower) with respect to what is assumed to be developed and the vehicle trips that will be generated by that assumed development when compared to the actual level of vehicle trips that

are generated by actual development. An additional 59 weekday p.m. peak hour vehicle trips is considered to be an acceptable tolerance to that variation.

7) In response to the residential developments in the Aguilar Street area (Granite Bluff and Rocklin Meadows), for Rocklin Meadows, as noted in Table 4.5-11 (Approved-Pending Project Trips) on page 4.5-27 of the Draft EIR, this project was included in the Sierra Gateway Draft EIR's traffic analysis in the short term no project and short term plus project scenarios. In addition, the development of this project as a single-family residential subdivision on land designated in the Rocklin General Plan as Medium Density Residential is included in the City of Rocklin traffic model, which was used for the traffic analysis for the Sierra Gateway Apartments project. As such, the cumulative traffic analysis performed for the Sierra Gateway Apartments included the development of this site.

For Granite Bluff, as noted in Table 4.5-11 (Approved-Pending Project Trips) on page 4.5-27 of the Draft EIR, this project was included in the Sierra Gateway Draft EIR's traffic analysis in the short term no project and short term plus project scenarios. In addition, the development of this project as a single-family residential subdivision on land designated as Medium Density Residential is included in the City of Rocklin traffic model, which was used for the traffic analysis for the Sierra Gateway Apartments project. As such, the cumulative traffic analysis performed for the Sierra Gateway Apartments included the development of this site.

8) For the continuation of Monument Springs Road and its potential traffic and air quality impacts, this roadway improvement was assumed in the City of Rocklin General Plan EIR's analysis of project-level and cumulative traffic and air quality impacts and is also included in the City of Rocklin traffic model, which was used for the traffic analysis for the Sierra Gateway Apartments project. As such, the cumulative traffic analysis performed for the Sierra Gateway Apartments included the extension of this roadway. In addition, any cumulative traffic analysis data used in the cumulative air quality analysis performed for the Sierra Gateway Apartments included the extension of this roadway.

9) For Bickford Ranch, the City's General Plan EIR and associated City of Rocklin traffic model, which was used for the traffic analysis for the Sierra Gateway Apartments project, assumed 1,890 residential dwelling units and 105,000 square feet of retail for the Bickford Ranch project in the cumulative (2030) condition. The Bickford Ranch project was recently re-approved as a scaled back version of the project by eliminating some residential units, a golf course, and all of the commercial development. As such, the development assumptions for Bickford Ranch contained in the City of Rocklin traffic model and the cumulative traffic analysis performed for the Sierra Gateway Apartments actually overstate the trip generation of the Bickford Ranch project and are considered to be conservative.

10) For Village 1 – SCB (Lincoln), the City's General Plan EIR and associated City of Rocklin traffic model, which was used for the traffic analysis for the Sierra Gateway Apartments project, assumed the following for growth in the City of Lincoln: 22,248 residential dwelling units (up from 15,046 in 2008) in the City of Lincoln and 15,086 residential dwelling units (up from 158 in

2008) in the Lincoln Sphere of Influence; 2,325,000 square feet of retail (up from 763,000 in 2008) in the City of Lincoln and 2,718,000 square feet of retail (up from 0 in 2008) in the Lincoln Sphere of Influence; 1,720,000 square feet of office (up from 587,000 in 2008) in the City of Lincoln and 3,160,000 square feet of office (up from 0 in 2008) in the Lincoln Sphere of Influence, and 105,000 square feet of retail for the Bickford Ranch project in the cumulative (2030) condition, and 5,562,000 square feet of industrial (up from 3,381,000 in 2008) in the City of Lincoln and 1,471,000 square feet of industrial (up from 0 in 2008) in the Lincoln Sphere of Influence. It should be noted that these growth projections were made prior to the recession and as such it is very unlikely that such a level of development will occur in the City of Lincoln prior to the year 2030. Therefore, the development assumptions for the City of Lincoln contained in the City of Rocklin traffic model and the cumulative traffic analysis performed for the Sierra Gateway Apartments actually overstate the trip generation of development in Lincoln and are considered to be conservative.

The comments that do not address the analysis or conclusions of the Draft EIR are considered to be noted and will be forwarded to the decision-makers.

Comments that have been addressed through this master response include 6-13, 8-6, 8-13, 11-7, 15-11, 16-2, 16-19, 17-5, 18-1, 21-7 and 22-9.

2.4 RESPONSES TO INDIVIDUAL COMMENT LETTERS

Letter 1

Patricia Crane

From: Patricia Crane
Sent: Monday, May 8, 2017
To: David.Mohlenbrok@rocklin.ca.us
Subjects: Request for Comments
Attachments: 5.4.17 Request for Comments

For your Project: Notice of Public Review and Availability of Draft Environmental Impact Report (DEIR) for Sierra Gateway Apartments (SCH# 2016032068)

1-1

We have no comments.

Patricia Crane

Facilities department
Rocklin Unified School District
2615 Sierra Meadows Drive
Rocklin, CA 95677
ph: 916.630.3188
fax: 916.624.7246
email: pcrane@rocklin.k12.ca.us



NOTICE OF AVAILABILITY

NO COMMENT

Date 5/3/17

TO: INTERESTED PERSONS AND AGENCIES

FROM: CITY OF ROCKLIN

SUBJECT: NOTICE OF PUBLIC REVIEW AND AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR SIERRA GATEWAY APARTMENTS (SCH# 2016032068)

Craig Rouse
Craig Rouse, Senior Director
Facilities, Operations & Maint.

REVIEW PERIOD: April 27, 2017 – June 12, 2017

The City of Rocklin as the Lead Agency is announcing the availability of the Draft Environmental Impact Report (DEIR) for the Sierra Gateway Apartments Project and has forwarded a Notice of Availability of this document to the following: all agencies and organizations that received the Notice of Preparation, and all persons who have asked to be on the mailing list to receive project information. The State Clearinghouse has also distributed the DEIR document to numerous state agencies. Reviewers should focus on the comprehensiveness and accuracy of the DEIR in discussing possible impacts upon the environment and measures that might mitigate adverse impacts.

PROJECT DESCRIPTION: The Ezralow Company LLC (Applicant) is requesting the City of Rocklin’s approval of Design Review and Oak Tree Preservation Plan entitlements to develop a 195-unit apartment complex and associated infrastructure, parking and landscape (Proposed Project or Project) on a 10.2 +/- acre site currently designated by the Rocklin General Plan as High Density Residential (HDR) and currently zoned as Planned Development Residential, 20 dwelling units per acre (PD-20) (project site).

PROJECT LOCATION: The project site is located in the eastern portion of the City of Rocklin, at the southeast quadrant of the intersection of Sierra College Boulevard and Rocklin Road, and consists of APNs 045-161-014, 015 and 016.

DOCUMENT AVAILABILITY AND REVIEW: A copy of the document is available for review on the City’s website at: <http://www.rocklin.ca.us/current-environmental-documents>, at the Rocklin Library, 4890 Granite Drive, Rocklin and CDs are also available at the Economic and Community Development Department, Planning Services Division located on the first floor of the City Administration Building, 3970 Rocklin Road during regular business hours Monday – Thursday, 8:00 a.m. to 4:00 p.m. and Friday, 8:00 a.m. to 12:00 p.m.

The DEIR document is being circulated for a 45-day public review period beginning April 27, 2017. Consequently, comments should be received by the City of Rocklin **NO LATER THAN 5:00 P.M. ON JUNE 12, 2017**. Following the close of the comment period, the City will prepare a Final EIR that will include all comments received during the comment period for the DEIR. Once it is completed, the Final EIR will be published and made available to commenting agencies a minimum of ten days prior to a hearing by the Rocklin City Council to consider its adequacy in accordance with the CEQA Statutes and Guidelines and City Guidelines. Notice of Availability of the Final EIR will be sent to those electing to comment on the DEIR. Therefore, the City requests that all agencies and individuals who comment on this DEIR keep the document for reference.

Written comments on the DEIR should be submitted at the earliest possible date, but not later than June 12, 2017 to David Mohlenbrok, Environmental Services Manager, Public Services Department, 4081 Alvis Court, Rocklin, California, 95677, (916) 625-5162, fax (916) 625-5501, or David.Mohlenbrok@rocklin.ca.us

The Rocklin Planning Commission will conduct a public hearing on the proposed project on a date yet to be determined.

The project site is not on the list of sites enumerated under Section 65962.5 of the Government Code related to hazardous waste.

SIGNIFICANT ENVIRONMENTAL EFFECTS: As identified in the DEIR, the proposed project would result in significant impacts to air quality, biological resources, cultural resources, noise and transportation/traffic, but some of these significant impacts would be reduced to a less than significant level with mitigation identified in the DEIR. In some cases, impacts would remain significant even after mitigation, including impacts to transportation/traffic.

1. PATRICIA CRANE, ROCKLIN UNIFIED SCHOOL DISTRICT

SUMMARY OF COMMENT LETTER

The Rocklin Unified School District letter indicated they had no comments on the Sierra Gateway Apartments Draft EIR.

RESPONSE

1-1 The comment, which does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

David Mohlenbrok

From: Frank Sharifie <franksharifie@hotmail.com>
Sent: Tuesday, May 23, 2017 11:22 AM
To: David Mohlenbrok
Subject: Comments on Sierra Gateway Apartments Draft EIR

Hi David,

I live within 500 yards of this project and am an expert on flow of traffic in this specific area by the fact that I have been living there for more than 14 years. I reviewed the draft and am very concerned that the project applicant did not really address the main concern that I had which is "Access to the project".

The main access to the project should have been Sierra College Blvd and not Rocklin Road. Rocklin road is not wide enough to channel in & out/handle the current flow of traffic coming & going to and from Loomis into Sierra College Blvd south and north. In other words, we the locals who live here (including all Loomis residence who live to the east) primarily use Sierra College Blvd and Rocklin Road going mostly south and east. Adding more traffic to the already congested and inadequate road/intersection is a recipe for disaster.

2-1

As food for thought, the developer has adequate land, namely the triangle piece to the south to widen Sierra College Blvd in order to create access to the project from Sierra College Blvd inclusively or exclusively.

2-2

If I could express my serious concern differently it would be as follow:

The entire houses/developments to the east of the project which includes town of Loomis rely heavily on the inadequate capacity of Rocklin Road. There are no other roads for all of those residence to obtain reasonable access to I80 and Sierra College Blvd. Choosing to allow "**proposed access from Rocklin Road**" will clearly demonstrate all past years complaints of citizens regarding congestion on Rocklin Road (from Sierra College Blvd & Rocklin Road intersection to Barton Road) is being ignored or deemed invalid. Computer model studies are useful; however, they do not take into account actual reality of other things such as common sense or unintended consequences. I am a local expert and I am not against the project. I am really concerned about the above laid out consequences which I feel is avoidable using common sense planning.

2-3

Respectfully,

Frank Sharifie

2. FRANK SHARIFIE

SUMMARY OF COMMENT LETTER

Frank Sharifie provided comments regarding project access and congestion on Rocklin Road.

RESPONSES

2-1 The comment expresses an opinion regarding the proposed project's access and current traffic conditions.

The Draft EIR included a Transportation/ Circulation chapter that provided an analysis of the proposed project's traffic impacts under existing, existing plus approved projects and cumulative scenarios, however the comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

2-2 The comment expresses an opinion regarding the proposed project's access and consideration of a different access location.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

2-3 The comment expresses a summary opinion regarding the proposed project's access, current traffic conditions, citizen complaints regarding current traffic conditions and computer model studies.

The Draft EIR included a Transportation/ Circulation chapter that provided an analysis of the proposed project's traffic impacts under existing, existing plus approved projects and cumulative scenarios, however the comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

David Mohlenbrok

From: Kali Hetrick <kalihetrick@gmail.com>
Sent: Wednesday, May 24, 2017 11:14 AM
To: David Mohlenbrok
Subject: Sierra Gateway Apartments

Dear Mr. Mohlenbrok,

This is the third attempt in recent years to develop this corner. I was told it was going to be a park/trail. Loosing the trees is unfortunate. The builder will pay the fines to the city so it benefits the city. | 3-1

However, 400+ cars on a one lane road at an intersection that is already an issue. The road needs to be expanded to handle the additional traffic before any new buildings are built or considered along Rocklin Rd and Sierra College Blvd. I know the city is considering even more houses. | 3-2

Concerned resident,
Kali Hetrick
Rocklin, CA

3. KALI HETRICK

SUMMARY OF COMMENT LETTER

Kali Hetrick provided comments regarding tree removal and regarding roadway capacity on Rocklin Road.

3-1 The comment expresses opinions regarding the project site's development status, the proposed project's tree removal and payment of tree mitigation to the City.

See discussion of Project's compliance with the City of Rocklin's Oak Tree Preservation Ordinance in Chapter 4.4 – Biological Resources of the Draft EIR. The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

3-2 The comment expresses an opinion regarding roadway capacity on Rocklin Road and Sierra College Boulevard and what effect additional cars from the project will have.

The Draft EIR included a Transportation/ Circulation chapter that provided an analysis of the proposed project's traffic impacts under existing, existing plus approved projects and cumulative scenarios, however the comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

David Mohlenbrok

From: allison miller <allisonvmiller@hotmail.com>
Sent: Thursday, May 25, 2017 8:58 AM
To: David Mohlenbrok
Cc: duanedwilson@yahoo.com
Subject: Sierra Gateway Apartment proposal

Attn: City of Rocklin Planning Com.

I am writing to ask the PC to reject the building proposal: RE: Sierra Gateway Apartments.

| 4-1

A review of the most recent DEIR on the proposed 10 acre development clearly demonstrates the negative impacts of this project. Traffic impacts alone should give EVERY commissioner a reality check!?! Please vote NO!

| 4-2

Finally, I close with a key question: When will the members of the Rocklin PC show wisdom and keen oversight of city development?

| 4-3

Regards,
Allison Miller
4020 Silver Star Ct.
Rocklin

4. ALLISON MILLER

SUMMARY OF COMMENT LETTER

Allison Miller provided comments regarding not approving the project and the Planning Commission's role, and a comment regarding traffic.

4-1 The comment expresses an opinion requesting the Planning Commission to reject the proposed project.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

4-2 The comment expresses an opinion regarding the proposed project's negative and traffic impacts.

The Draft EIR included a Transportation/ Circulation chapter that provided an analysis of the proposed project's traffic impacts under existing, existing plus approved projects and cumulative scenarios, however the comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

4-3 The comment expresses an opinion regarding the Planning Commission's role.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

David Mohlenbrok

From: David Andre <david_l_andre@yahoo.com>
Sent: Thursday, May 25, 2017 9:02 AM
To: David Mohlenbrok
Subject: Sierra Gateway Apts

Hi David,

I sure hope the City of Rocklin votes against approval of the expansion to the Rocklin Manor complex, aka the Sierra Gateway Apartment project. We've had so much crime in our beautiful neighborhood stemming from the existing apartments, including a college student in my backyard that was drunk.

5-1

The traffic caused by the existing complex is horrible because they practically stop traffic on Rocklin Rd before turning in to Rocklin Manor. What is currently a beautiful natural area, should remain as such, especially because it cuts down on the eyesore that is Rocklin Manor when viewing from Sierra College. The solution isn't to add more apartments and exacerbate the problem. There are 3 apartment buildings within 1/2 mile, we do not need more. The zoning on this lot should be changed, or the land swap that is being proposed to permanently protect the trees should strongly be considered.

5-2

While my current primary residence is in Loomis, specifically Monte Claire Lane behind Rocklin Manor, I also own a home in Rocklin and would like to see better decisions being made. The new Walmart has drawn all kinds of questionable traffic and my Rocklin police officer friends say they have to go there daily to address the crime. Why is the City of Rocklin inviting more crime into the area?

5-3

Please deny this project and get rid of the chain link fence.

Sincerely,

David Andre
(916)224-1333

5. DAVID ANDRE

SUMMARY OF COMMENT LETTER

David Andre provided comments regarding not approving the project, crime near his residence, existing traffic conditions, not needing additional apartments, consideration of a land swap, and traffic and crime problems due to the new Walmart.

5-1 The comment expresses an opinion requesting the City to reject the proposed project due to crime from existing apartments.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

5-2 The comment expresses opinions regarding traffic and aesthetic impacts from the existing Rocklin Manor apartment complex, a desire to not have additional apartments in the area, and suggestions for alternative uses of the proposed project site.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

5-3 The comment expresses opinions regarding the City of Rocklin's decision-making and contributions to crime and traffic from the prior development of a Wal-Mart.

The traffic analyses in the Draft EIR and in the Master Response take all prior development into consideration when determining whether the Project will have significant traffic impacts. The rest of this comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

David Mohlenbrok

From: Marc Mondell
Sent: Saturday, June 03, 2017 3:41 PM
To: Michael Mattos
Cc: Bret Finning; David Mohlenbrok
Subject: Re: comments on the Sierra Gateway apts. DEIR

Staff's in receipt of your comments and by copy am asking that they be made a part of the public record for this project.

Sent from my iPhone

On Jun 3, 2017, at 3:38 PM, Michael Mattos <mmattos@pacbell.net> wrote:

Hello Marc,

Below is a summary of my comments on the traffic portion of the DEIR for Sierra Gateway. The traffic elements seemed particularly weak. It is of particular note that the impact of the Sierra College project was not added to the report and that studies were not performed on traffic patterns. I was told that because the Sierra College project isn't in the permitting process, its impacts are being ignored on the project. I believe, because the Sierra College project has held public meeting and the college has solicited input from the community, that project raises itself to a level that its effects require consideration as part of this DEIR. Previous court rulings have suggested that ignoring upcoming projects, would be considered a fatal flaw.

6-1

Below are specific traffic issues with the DEIR:

1. (page 2-31 Table 2-1) The mitigation standard used to measure peak demand discussed as mitigation at I-80 and Rocklin Road was done using PM peak. The actual peak demand is on the hour when classes cycle at Sierra College. The incorrect peak measurements result in insufficient mitigation measures. During the hourly class cycling all of the intersection back up multiple cycles for the west bound queue. The use of the incorrect peak results in inadequate mitigation measures at the interchange.
2. (page 2-31 Table 2-1) Additionally, the left turn traffic transition from east bound Sierra College BLVD to Rocklin Road during the demand should be studied during the actual peak at the hourly class change times, and during other peak traffic. The tables in the report suggest incomplete analysis.
3. (page 2-31 Table 2-1) The capacity of the under pass on Rocklin Road and I-80 during the class changer over debarking students from Sierra College should be studied. The added uses because of the project should require mitigation. The studies should be accomplished at the beginning of a school term when maximum number of students are impacting local traffic.
4. (pages 2-38 & 2-39) The proposed improvement alternatives are all unfunded. The concept of unfunded mitigation measures doesn't make sense. How can the measures be considered mitigation without a commitment to fund them?

6-2

6-3

6-4

6-5

- | | |
|--|------|
| 5. (page 4.2.17) Bike path along Sierra College BLVD isn't shown. The lack of detail makes actual condition unclear. (other drawing do not show bike lanes as well. This omission is fundamental for our community.) | 6-6 |
| 6. SABA and WALK should be engaged to review the bike and walking access (SABA CEO – Jim Brown jim@sacbike.org , WALK CEO - Kirin Kumar kkumar@walksacramneto.org) . If the vendor can be pressed to have the project reviewed by Jim and Kirin that would be most effective. Otherwise, you might need to reach out to them for their review to help address bicycle and walking related issues. | 6-7 |
| 7. (page 4.5-7 Items B & C) The reference to interim situation of over capacity until the city and counties unfunded future projects as mitigation is unrealistic. To argue that project that may not happen in our lifetimes are interim is specious. The reference to the cities CIP and TIM as proof of the projects does not warrant suggesting that the condition is an interim short term condition. This is profoundly troubling as this interim condition could last for decades. Suggesting otherwise is overly optimistic. | 6-8 |
| 8. The peak demand used to calculate the impact was incorrectly used. The appropriate peak should be at the beginning of the semester on the hour when the student old flow is at its maximum and the surface street traffic is at its maximum. The collision of the two maximums is typically 20 minutes long during the class cycling at the beginning of the day, at lunch time and mid-afternoon. The noted unsatisfactory intersection performance (page 4.5-9) is even higher during this 20 minute cycle. | 6-9 |
| 9. The lack of transit impacts suggests that this was not studied. The omission suggests a predetermination that there is not an impact. | 6-10 |
| 10. (page 4.5-21) The suggested traffic flow doesn't make sense as a resident in the El Don community, I see 70% use of Rocklin Road toward the I-80 rather than the 40% shown. This assumption significantly lowers the study data and the impact. If the residence behavior is similar to the El Don community, this assumption is significantly to low. The basis of this assumption is clearly flawed based upon a destination based model. The 15% out bound on Rocklin Road is substantially to high. This path of travel represents a trivial number of destinations. The 15% and 30% in the south and north direction respectively don't survive examination using a destination based modeling process. The mitigation levels are based on this set of data and fall apart when the data is questioned. | 6-11 |
| 11. (All of the peak modeling charts) The traditional peak PM and peak AM modeling is inaccurate in the circumstance with the college class cycling on the hour with inbound and out bound students surging the roads around the campus (again keeping in mind that the maximum impact is at the beginning of each semester). | 6-12 |
| 12. Nowhere in this project does the project planned across the street (Sierra College development) come into the impact discussions. Since both the college and the City are well aware of that project, it is unclear how it can be left out of any discussion of traffic patterns and added traffic due to development. The arguments in this document suggest long term improvement that will mitigate the impact of this project, but conveniently the omission of the larger project across the street suggests sufficient mitigation is possible without major improvement. When taken as a whole and recognizing that both project are moving forward in the same area the cumulative impact needs to be addressed before either project should be allowed to move forward. | 6-13 |
| 13. (page 4.5-61) Alternative 2 suggesting that Roundabouts are an alternative that improve traffic flow and capacity is unfounded. The experience in the city of Sacramento has demonstrated the opposite and their circles continue to be converted to stop signs in | 6-14 |

one direction and through-ways in the other. This has slowed traffic further on these roads, not speeded them up.

6-14
(Cont'd)

Michael Mattos
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916 960-9776

6. MICHAEL MATTOS

SUMMARY OF COMMENT LETTER

Michael Mattos provided specific comments regarding his review of the transportation/traffic chapter of the Draft EIR.

6-1 The comment is a summary comment noting review of the traffic portion of the Draft EIR and a particular concern regarding the impact of the Sierra College project and it not being included in the project's analysis.

The introductory comment which identifies forthcoming additional comments does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

See Master Response for Comments Regarding Inclusion of Sierra College's Planned Development and Other Projects in the Traffic Analysis.

6-2 The comment is regarding the mitigation standard used to measure peak demand at I-80 and Rocklin Road being done using the PM peak hour, when the actual peak demand is on the hour when classes cycle at Sierra College and when intersections back up multiple cycles for the westbound queue.

As noted on page 4.5-7 of the Draft EIR, the letter A portion of the City's Level of Service Policy C-10 states "Maintain a minimum traffic Level of Service "C" for all signalized intersections during the p.m. peak hour on an average weekday, except in the circumstances described in C-10.B and C. below." Accordingly, the City's assessment and identification of a significant impact as it relates to an exceedance of the City's intersection LOS policy is based upon p.m. peak hour operations.

It is recognized and understood that any school creates traffic congestion in adjacent areas during school commute times. The City's current intersection LOS policy was adopted as part of the City's General Plan Update in 2012 and the p.m. peak hour was selected for intersection LOS analysis because the evening rush hour is typically the worst one-hour period during any particular day. While areas around schools may be impacted outside of the typical PM peak hour, because the intersection LOS policy is applied City-wide it has to be broad enough to be able to assess and address average traffic conditions throughout the City. Rather than have an intersection LOS policy that is area/location- or situation-specific, the City has taken the approach of having a General Plan intersection LOS policy that can be applied City-wide, which is similar to other surrounding jurisdictions such as the City of Roseville, the City of Lincoln and Placer County.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers. See Section 3.0 of this Final EIR (Corrections and Revisions to the Draft EIR (Errata)) for edits to the Draft EIR for further clarifications that the City's assessment and identification of a significant impact as it relates to an exceedance of the City's intersection LOS policy is based upon p.m. peak hour operations.

6-3 The comment is a suggestion that the left turn transition from northbound Sierra College Boulevard to Rocklin Road be studied during hourly class change times.

See Response to Comment 6-2 explaining that the City's assessment and identification of a significant impact as it relates to an exceedance of the City's LOS policy is based upon p.m. peak hour operations.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

6-4 The comment is a suggestion that the capacity of the Rocklin Road and I-80 underpass be studied during class change times and at the beginning of a school term when the maximum number of students is impacting local traffic.

See Response to Comment 6-2 explaining that the City's assessment and identification of a significant impact as it relates to an exceedance of the City's LOS policy is based upon p.m. peak hour operations.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

6-5 The comment is regarding the funding status of the I-80/Rocklin Road interchange improvement alternatives and an opinion on how the concept of unfunded mitigation measures does not make sense.

As noted in Impact 4.5-8 of the Draft EIR (pages 2-29 through 2-40 and pages 4.5-56 through 4.5-4.5-61), under Cumulative (Year 2030) Plus Project, Water Lily Lane Emergency Access and Cumulative (Year 2030) Outbound Access from Water Lily Lane conditions, the increase in delay at the intersections of Rocklin Road/Interstate 80 (I-80) WB and EB ramps is each more than 5 seconds at an intersection that operates at an unacceptable LOS in the Cumulative No Project condition in the PM peak hour (WB Ramp: $82.5 - 70.5 = 12$ seconds; EB Ramp: $115.7 - 102.7 = 13$ seconds). The Draft EIR recognized this impact as cumulatively considerable and significant and unavoidable, meaning that the proposed project's traffic is contributing to the delay at the WB and EB ramps in the cumulative year 2030, but the impact cannot be fully mitigated by the project itself to a less than significant level.

The proposed project will be subject to the payment of applicable Traffic Impact Mitigation (TIM) fees, South Placer Regional Transportation Authority (SPRTA) fees and Highway 65

Interchange Improvement fees as applicable on a fair share basis; however the fees generated from this alone will not fund the necessary improvements that are needed to remedy the anticipated cumulative unacceptable levels of service at the Rocklin Road/I-80 interchange.

It should be noted that the General Plan EIR also forecasted unacceptable LOS conditions at the Rocklin Road/I-80 interchange in the cumulative conditions, and the determination of the Sierra Gateway Apartment project's cumulative significant impact to the Rocklin Road/I-80 interchange as a significant and unavoidable impact is consistent with the findings of the General Plan EIR. Both the General Plan EIR and the Sierra Gateway Apartments traffic study identified mitigation (re-construct interchange) that would result in acceptable LOS conditions, but both documents also acknowledged that while the City has policies and traffic impact fees currently in place that are expected to help reduce impacts to freeway ramp intersections, the City does not have the complete jurisdiction or authority, would not be the sole source of funding and does not have the capability to fund implementation of any of the identified alternative improvements to the highway ramp intersections. Since mitigation of this impact is outside of the City's complete control, the impact is considered to be significant and unavoidable.

Mitigation for this project under the Cumulative condition is also not feasible in light of the following considerations: (1) the Rocklin Road/Interstate 80 EB and WB Ramp intersections will operate at an unacceptable LOS in both the AM and PM peak hours regardless of whether the proposed project is approved (see Table 4.5-18, Cumulative (Year 2030) No Project Intersection Levels of Service), (2) the proposed project only contributes a small percentage (an increase of 32 vehicles and 12 seconds of delay at the WB Ramp intersection with Rocklin Road during the PM peak hour and an increase of 44 vehicles and 13 seconds of delay at the EB Ramp intersection with Rocklin Road during the PM peak hour) to the cumulative impact, (3) the intersection is outside of the control of the City, and (4) the decision and planning of whether and how to improve the future operation of this intersection depends on future discussions and agreements between the City and Caltrans.

As noted in the Draft EIR, in support of examining alternatives to the Rocklin Road Interchange Improvements, the City of Rocklin worked with Caltrans to develop a Project Study Report-Project Development Support (PSR-PDS) to request approval for a locally funded project and to proceed to Project Approval and Environmental Document Phase (August 24, 2012). This report identified several technically feasible alternatives for mitigating future, cumulative traffic impacts at the Rocklin Road/I-80 interchange so that it will operate at acceptable levels of service. Implementation of any of these alternatives would mitigate the significant and cumulative impact of the Project, and the City anticipates reaching agreement with Caltrans to implement one of them. However, until such agreement is in place and formal plans are adopted, this EIR is conservatively treating the impact as significant and unavoidable. It would not be feasible to require this Project to itself mitigate this cumulative impact given its comparatively small contribution to this impact and for the other reasons discussed above. As noted in the Draft EIR, in support of examining alternatives to the Rocklin Road Interchange Improvements, the City of Rocklin worked with Caltrans to develop a Project Study Report-

Project Development Support (PSR-PDS) to request approval for a locally funded project and to proceed to Project Approval and Environmental Document Phase (August 24, 2012). This report identified several technically feasible alternatives for mitigating future, cumulative traffic impacts at the Rocklin Road/I-80 interchange so that it will operate at acceptable levels of service. Implementation of any of these alternatives would mitigate the significant and cumulative impact of the Project, and the City anticipates reaching agreement with Caltrans to implement one of them. However, until such agreement is in place and formal plans are adopted, this EIR is conservatively treating the impact as significant and unavoidable. It would not be feasible to require this Project to itself mitigate this cumulative impact given its comparatively small contribution to this impact and for the other reasons discussed above. It should be noted that the proposed project will be subject to the payment of applicable Traffic Impact Mitigation (TIM) fees, South Placer Regional Transportation Authority (SPRTA) fees and Highway 65 Interchange Improvement fees as applicable on a fair share basis; however, the fees generated from this alone will not fund the necessary improvements that are needed to remedy the anticipated cumulative unacceptable levels of service at the Rocklin Road/I-80 interchange.

6-6 The comment is regarding the bike path along Sierra College Boulevard not being shown in Figure 4.2-6, Illustrative Sections Along Water Lily Lane – Section Locations (page 4.17) and other exhibits.

While the bike lane along Sierra College Boulevard is shown in Figures 4.2-9 and 4.2-11 which depict Sierra College Boulevard, these exhibits as well as Figure 4.2-6 that is noted in the comment are located in the Aesthetics chapter of the Draft EIR which addresses the potential effects related to aesthetics and the visual conditions of the project area; the inclusion or not of bike lanes in the various exhibits does not alter the analysis that was made and the conclusions that were reached in the Aesthetics chapter. Page 4.5-5 of the Traffic chapter of the Draft EIR discusses alternative modes of transportation including bicycle facilities and identifies the fact that in the vicinity of the proposed project Class II bike lanes currently exist along Sierra College Boulevard and Rocklin Road. As noted in Impact 4.5-7 of the Draft EIR (pages 4.5-55 through 4.5-56), because adequate bikeway facilities are currently available in the project area and the project does not interfere with any planned bicycle facilities, the project's impact to bicycle facilities is not significant and no additional improvements are needed.

6-7 The comment expresses an opinion that the bike and walking access interest groups of SABA and WALK should be engaged to review the project to help address bicycle and walking related issues.

Opportunities for the named interest groups to engage in the review of this project have been available since the project was posted as a current application on the City's website, at the Notice of Preparation stage when the City was seeking public and agency input on the scope of the Draft EIR, during the Draft EIR public review period and through upcoming hearings before the Planning Commission and the City Council.

6-8 The comment expresses opinions regarding Items B and C of the City's Level of Service (LOS) Policy C-10 that are cited in the Regulatory section of the Draft EIR and the feeling that its reference to an interim situation is unrealistic, and reference to the City's Capital Improvement Program (CIP) and Traffic Impact Mitigation (TIM) fee programs as proof of the projects does not warrant that the condition is an interim short term condition which could last for decades.

While the commenter may not agree with the current policy framework, it has been adopted by the City Council through the General Plan Update and EIR process with methodology that is in keeping with traditionally accepted practices. The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

6-9 The comment expresses opinions that the peak demand used to calculate the impact was incorrectly used and that the appropriate peak should be at the beginning of the semester on the hour when student flow is at its maximum.

See Response to Comment 6-2 explaining that the City's assessment and identification of a significant impact as it relates to an exceedance of the City's LOS policy is based upon p.m. peak hour operations.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

6-10 The comment expresses an opinion regarding the adequacy of the assessment of transit impacts.

Page 4.5-6 of the Traffic chapter of the Draft EIR discusses alternative modes of transportation including transit services and identifies the fact that in the vicinity of the proposed project there are several existing transit routes. As noted in Impact 4.5-7 of the Draft EIR (pages 4.5-55 through 4.5-56), because the number of additional transit riders created by this project would not be anticipated to be appreciable, the project's impact to transit facilities is not significant and no additional improvements are needed. It should be noted that from a planning perspective it is considered appropriate to place increased densities along transit routes, as additional residents represent a potential increase in ridership which will improve the percentage of fair box recovery and further promote increased uses of alternative modes of transportation.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

6-11 The comment expresses an opinion regarding the anticipated distribution of vehicle trips generated by the project and suggests that other assumptions regarding trip distribution should have been made.

As noted in the Draft EIR on page 4.5-20, the project's traffic report author, Omni-Means Ltd., based the project's trip distribution patterns on the existing traffic count data, geographical location of the project site, area demographics, and locations of other likely destinations. Other factors that influenced the project's anticipated trip distribution include a review of existing directional travel patterns to and from nearby housing developments, review of existing travel patterns along Rocklin Road and Sierra College Boulevard, regional traffic patterns on I-80 and SR-65, and complementary land uses (i.e., employment, retail, and schools) within the study area.

The firm of Omni-Means Ltd., a Sacramento area consulting firm with recognized expertise in transportation, prepared the traffic impact analysis of the proposed project. City staff has reviewed the documentation and is also aware that Omni-Means Ltd. has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the Omni-Means Ltd. report.

6-12 The comment expresses an opinion that the peak demand used to calculate the impact was incorrectly used and that the appropriate peak should be at the beginning of the semester on the hour when student flow is at its maximum.

See Response to Comment 6-2 explaining that the City's assessment and identification of a significant impact as it relates to an exceedance of the City's LOS policy is based upon p.m. peak hour operations.

6-13 The comment describes the lack of inclusion of Sierra College's proposed development in the Draft EIR traffic analysis and states that because that project and the proposed project are in the same area the cumulative impact should be addressed.

See Master Response for Comments Regarding Inclusion of Sierra College's Planned Development and Other Projects in the Traffic Analysis.

6-14 The comment expresses an opinion that the Interstate 80 (I-80)/Rocklin Road interchange improvement alternative # 2 which includes the use of roundabouts is not a viable alternative because roundabouts do not improve traffic flow and capacity based on the City of Sacramento's experience.

The Draft EIR's discussion of Interstate 80/Rocklin Road interchange improvement alternatives was provided as information only to demonstrate that the City is aware of current and anticipated future congestion at this location and that it has been coordinating with Caltrans to define a solution(s), including the consideration of an alternative which includes the use of roundabouts. Ultimately the City of Rocklin and Caltrans will have to reach an agreement to implement one of the defined alternatives identified in the August 24, 2012 Project Study Report/Project Development Support, or perhaps define additional alternatives which would allow cumulative traffic conditions at the I-80/Rocklin Road interchange to operate at acceptable levels of service.



Loomis Union School District

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Building Excellence in Education since 1856

Gordon T. Medd, Superintendent



June 1, 2017

David Mohlenbrok, Environmental Services Manager
Public Services Department
4081 Alvis Court
Rocklin, CA 95677

Re: Loomis Union School District Comment on the Draft Environmental Impact Report for the proposed Sierra Gateway Apartments Project

Dear Mr. Mohlenbrok:

This letter provides comments from the Loomis Union School District (“District”) regarding the “Draft Environmental Impact Report” (“DEIR”) notification, received by the District that the City of Rocklin (“City”) is requested comment on for the proposed Sierra Gateway Apartments Project (“Project”). According to the DEIR, the Project consists of a 195 unit apartment complex.

7-1

The District submitted a letter with regard to the Notice of Preparation of the DEIR, and while that comment letter is noted within the document, the concerns and impacts to the District itself were not addressed within the DEIR. The District respectfully requests that the DEIR be revised prior to final review and adoption by the City as it does not adequately mitigate significant environmental and public service impacts as detailed in this letter.

Public School Facility Impacts

Page 1-21 of the DEIR, states that the District utilizes a “student generation rate per household of 0.349 for K-8 students”. While this rate is included in more recent Developer Fee Justification Studies, it is only a five year snapshot of the most recent development and student enrollment, and in no way reflects a life-cycle or ongoing student generation rate. Within the District’s Facilities Master Plan, it is noted that the District must utilize a higher planning student generation rate in order to be prepared for any and all students that may enroll from new housing developments. Currently that planning rate is .467 students per household. Utilizing this planning student generation rate, a 195 unit development would generate approximately 91 students for the District to serve.

7-2

The DEIR on page 1-21 refers to the District as having “available student capacity at two of the three LUSD elementary schools”. This statement is inaccurate in the case of new development. Nearly all of the schools in the District are near capacity, and with current development plans within the District boundaries, as well as increasing enrollment, the District anticipates a drastic shortage in the ability to house students. Utilizing the numbers from this development alone, up to five additional classrooms need to be constructed on sites with the ability to expand. The need for additional classrooms to be placed on current available campuses negates the DEIR’s own words, and places the need for additional school facilities into a “significant impact” category.

7-3

In addition, the impact on already heavily used and undersized support facilities is a primary concern. Many of the District's campuses have smaller multi-purpose rooms, and undersized areas available to accommodate increased enrollment such as special education and therapy facilities, technology labs and science labs, physical education areas, and kitchen/food prep facilities. Not only does expanding classrooms significantly impact a site, but there are more than just classrooms that are needed to provide required educational programs.

7-4

The Project is in the attendance boundaries of the Franklin Elementary School. Currently, Franklin Elementary School is at capacity, and without improvements to utilities and infrastructure, cannot be expanded. Also, as mentioned previously, the other sites noted are also near capacity. The only site currently available for expansion is Loomis Grammar School, and this would require in depth site revisions in order to be compliant with California Department of Education codes and also Division of the State Architect requirements.

The DEIR on Page 1-21 states that "These on site improvements would occur in areas already paved or within/adjacent to athletic fields and are not anticipated to contribute to significant environmental effects." Unfortunately, this statement is inaccurate. Every addition, replacement, or modernization on a school site in California is required to include new environmental mitigations, compliance with current codes and regulations, and also must revise surrounding site conditions in order to meet the State's requirements. This occurs whether or not the area is paved or near/on athletic facilities. In fact, the California Department of Education has recommended and required areas for both blacktop/paved areas and athletic field areas. Any encroachment upon these areas is a deterrent to the site, it's already standing approvals, and also to the programs that the District implements. Page 1-21 of the DEIR states "LUSD would be required to conduct the appropriate environmental review prior to any significant expansion of school facilities", while this statement is accurate, it does not address the need for the development to mitigate impacts for students the development will generate.

7-5

Table 2-1 on page 2-27 of the DEIR, specifically asks if the proposed project would "result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools?" This is noted as having a level of significance as "LS", or less than significant. Considering the discussed need for additional classrooms to serve the developments projected students, and the impact to program and required support facilities, this should be listed and addressed as Significant with mitigation measures discussed.

7-6

Schools of Attendance and Environmental Impacts

The DEIR references three possible schools of attendance for the Project; Franklin Elementary School, Loomis Grammar School, and H. Clarke Powers Elementary School. It does not address what the anticipated school of attendance is, and how that is taken into account with the impact studies performed in the DEIR.

7-7

As stated earlier, the school of attendance for the Project is Franklin Elementary School. While on page 1-22 of the DEIR it states that "traffic modeling and analysis conducted for the Sierra Gateway Apartments project includes vehicle trips from the project site to different destinations, including schools", it does not state to which school sites, or for how long. Since there is no capacity currently at the three schools mentioned, and the District does not foresee the ability to construct new facilities due to lack of available funding, students may need to be placed at various sites where space is available at their grade level. This would result in vehicle traffic over more extensive areas, as well as increased emissions and direct effects on local roadways. In reading through the information presented it doesn't

7-8

appear as if direct or indirect routes to any and/or all of these school sites were addressed. If the preparer knew that Franklin Elementary School was probably not an option, they would need to consider how students could be distributed throughout the District and what those traffic, air, road, and noise impacts would be for the entire Rocklin and Loomis areas.

7-8
(Cont'd)

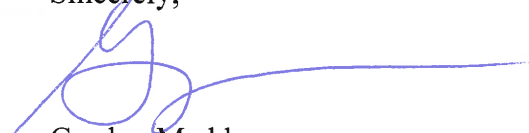
While the DEIR utilizes California Government Code section 65995(h) as a reasonable mitigation for the above noted issues, the simple fact is that a school district cannot be expected to solely mitigate these types of impact, and they should not be categorized as less than significant. For this DEIR to be considered complete under CEQA, it needs to comply with Government Code section 65996 and address all accurate impacts that the Project will instate onto the District, and address factual information with regard to the current and future state of the District that will be u serve this Project.

7-9

We encourage the City and the developer of the Project to contact the District to discuss mitigation concerns, as well as be able to present more accurate information in the subsequent revision of this DEIR.

7-10

Sincerely,



Gordon Medd
Superintendent

cc: Jay Stewart, Associate Superintendent, Business Services

7. GORDON MEDD, LOOMIS UNION SCHOOL DISTRICT

SUMMARY OF COMMENT LETTER

Gordon Medd, Superintendent of the Loomis Union School District (LUSD), provided comments regarding the proposed project's impact on the LUSD as it relates to public school facilities, schools of attendance and environmental impacts.

7-1 The comment is a summary comment noting that the LUSD submitted a letter on the proposed project's Notice of Preparation (NOP) and the concerns and impacts to the District by the proposed project were not addressed in the Draft EIR.

The introductory comment which identifies forthcoming additional comments does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

As noted in the Draft EIR, California Government Code section 65995(h) states that "the payment or satisfaction of a fee, charge or other requirement levied or imposed pursuant to Section 17620 of the Education Code in the amount specified in Section 65995 and, if applicable, any amounts specified in Section 65995.5 or 65995.7 are hereby deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities." This provision applies to elementary, middle and high school facilities.

The proposed project will be required to pay applicable school impact fees in effect at the time of building permit issuance to finance school facilities. The assessment of developer fees is regulated through the State Government Code. Proposition 1A/Senate Bill 50 (SB50, Chapter 407, Statutes of 1998) establishes the base amount that developers can be assessed per square foot of residential and non-residential development. If a district meets certain standards, the base amount can be adjusted upward a certain amount. The Loomis School District has not undertaken those actions to date. Under SB 50, payment of the identified fees by a developer is deemed to be "full and complete mitigation" of impacts on schools resulting from new development. Participation in these funding mechanisms, as applicable, will reduce school impacts to a less than significant level as a matter of state law.

7-2 The comment notes that the discussion in the Draft EIR regarding student generation utilized a student generation rate of 0.349 per household figure that was included in the LUSD's more recent Developer Fee Justification Studies, but that the LUSD's Facilities Master Plan uses a higher student generation rate of 0.467 students per household and that use of such a rate would equate to the proposed project generating approximately 91 students for the LUSD.

Lacking a response by the LUSD to requests by City of Rocklin staff for a copy of the LUSD's Facilities Master Plan and absent their Facilities Master Plan being posted on their website, the City of Rocklin utilized the best information available to them at that the time to provide as information only an estimate of the proposed project's student generation in the Draft EIR.

The comment does not otherwise focus on the comprehensiveness and accuracy of the analysis within the Draft EIR because the responses to the LUSD's comments on the proposed project's NOP were provided as information only and are not considered to be part of the Draft EIR analysis. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

Refer to Response to Comment 7-1 regarding payment of school impact fees by a developer is deemed to be "full and complete mitigation" of impacts on schools resulting from new development as a matter of state law. This is the case regardless of what specific student generation rate is utilized.

7-3 The comment is regarding student capacity within LUSD elementary schools and increased future enrollment as a result of anticipated development, including the proposed project, and the comment is regarding the need for additional classrooms to be placed on current available campuses which should be recognized as a significant impact.

The discussion in the Draft EIR in response to the LUSD's comments on the proposed project's NOP acknowledges that it may be necessary for the LUSD to construct new or expanded school facilities to serve an increased demand. The discussion in the Draft EIR also acknowledged that if deemed necessary, the development of new schools, or the expansion of existing schools, would contribute environmental impacts such as increased traffic, increased noise, potential habitat loss, degradation of air quality, degradation of water quality, potential conversion of agricultural land, and increased demand for public services and utilities such as water, wastewater and solid waste services. The City of Rocklin has no direct control over the location and construction of public schools. However, the LUSD would be required to conduct the appropriate environmental review prior to any significant expansion of school facilities or the development of new school facilities.

Refer to Response to Comment 7-1 regarding payment of school impact fees by a developer is deemed to be "full and complete mitigation" of impacts on schools resulting from new development as a matter of state law. The anticipated payment of these fees by the proposed project supports the less than significant impact conclusion made under the schools category under the XIV. Public Services section of the Initial Study.

7-4 The comment is regarding the need to expand more than just classrooms as a result of increased future enrollment.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR because the responses to the LUSD's comments on the proposed project's NOP were

provided as information only and are not considered to be part of the Draft EIR analysis. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

Refer to Response to Comment 7-1 regarding payment of school impact fees by a developer is deemed to be “full and complete mitigation” of impacts on schools resulting from new development as a matter of state law.

7-5 The comment is regarding school sites in the LUSD that are available for expansion and the need to provide not just classrooms but paved areas and athletic fields per the California Department of Education, and the comment agrees with the DEIR’s statement about LUSD’s need to conduct environmental review prior to any significant expansion of school facilities as being accurate, but the statement does not address the need for development to mitigate the proposed project’s impact of student generation.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR because the responses to the LUSD’s comments on the proposed project’s NOP were provided as information only and are not considered to be part of the Draft EIR analysis. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

Refer to Response to Comment 7-1 regarding payment of school impact fees by a developer is deemed to be “full and complete mitigation” of impacts on schools resulting from new development as a matter of state law.

7-6 The comment is regarding the less than significant impact conclusion made under the schools category under the XIV. Public Services section of the Initial Study, as shown in the Draft EIR’s Summary of Impacts and Mitigation Measures Table (Table 2-1).

As noted in the mitigation measures column in Table 2-1, the less than significant conclusion is supported by discussion regarding the anticipated payment of school impact fees by the proposed project. Therefore, the comment is considered to be noted and will be forwarded to the decision-makers.

Refer to Response to Comment 7-1 regarding payment of school impact fees by a developer is deemed to be “full and complete mitigation” of impacts on schools resulting from new development as a matter of state law.

7-7 The comment is regarding the DEIR’s reference to three possible schools of attendance for students generated by the proposed project but no reference to the anticipated school of attendance and how that is taken into account with the impact studies performed in the Draft EIR.

The determination of where students generated by the proposed project will attend school is made by the LUSD, not the City of Rocklin or the project proponent. The impact studies performed in the DEIR were not dependent on knowing where students generated by the proposed project would attend school. Therefore, the comment is considered to be noted and will be forwarded to the decision-makers.

Refer to Response to Comment 7-1 regarding payment of school impact fees by a developer is deemed to be “full and complete mitigation” of impacts on schools resulting from new development as a matter of state law.

7-8 The comment is regarding the school of attendance being Franklin Elementary School for students generated by the proposed project and a question regarding a statement in the Draft EIR about traffic modeling for the proposed project including vehicle trips to schools, but lack of specificity regarding what school and how vehicle trips over more extensive areas have not been accounted for which may lead to additional impacts.

The traffic modeling performed for the proposed project’s traffic impact analysis report assumes that vehicle trips that are generated from the project site disperse to other destinations such as work, shopping, entertainment, schools, etc., but the modeling does not track the specific location or end destination of the trips beyond the intersections that were selected for the project’s traffic study. Therefore, the comment is considered to be noted and will be forwarded to the decision-makers.

Refer to Response to Comment 7-1 regarding payment of school impact fees by a developer is deemed to be “full and complete mitigation” of impacts on schools resulting from new development as a matter of state law.

7-9 The comment is regarding the Draft EIR’s utilization of Government Code section 65995(h) regarding payment of school impact fees by a developer is deemed to be “full and complete mitigation” of impacts on schools resulting from new development as a matter of state law as reasonable mitigation but a school district cannot be expected to solely mitigate all impacts.

Per CEQA Guidelines section 15144, “(d)rafting an EIR or preparing a Negative Declaration necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can. Per Response to Comment 7-7, the determination of where students generated by the proposed project will attend school is made by the LUSD, not the City of Rocklin or the project proponent. The City of Rocklin has no direct control over the location and construction of public schools. However, the LUSD would be required to conduct the appropriate environmental review prior to any significant expansion of school facilities or the development of new school facilities.

Refer to Response to Comment 7-1 regarding payment of school impact fees by a developer is deemed to be “full and complete mitigation” of impacts on schools resulting from new development as a matter of state law.

7-10 The comment is regarding the LUSD encouraging the City and developer of the project to contact the District to discuss mitigation concerns as well as to be able to present more accurate information in the Draft EIR.

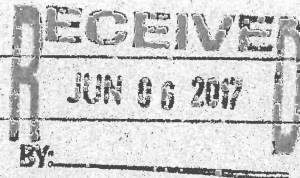
The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

Refer to Response to Comment 7-1 regarding payment of school impact fees by a developer is deemed to be “full and complete mitigation” of impacts on schools resulting from new development as a matter of state law.

Margo Rabin
4703 wildflower Lane
Rocklin, CA 95677

Letter 8

Introduction



Two very famous
people made remarkable
statements.

They are relevant
now.

Albert Einstein
said "Everything is connected"
NATURE is not a
product of God.

IT IS GOD

Mary Tyler Moore
Several years ago, when
asked, how did she want
to be remembered she
answered

"Someone who made a
difference in the lives of
animals"

These statements
are worth saying and
remembering.

8-1

#1

June 1, 2017

To: Mr. David Mahlenbrink,

I am writing to you regarding the DEIR for the Sierra Gateway Apartments ~~proposed~~ proposed at the corner of Rocklin Road and Sierra College.

It is disturbing to me that it is not accurate or with the paper it was printed on.

I have attached the outstanding letter written by Denise Gaddis. I agree with her analysis. The proposed high density 3 story Sierra Gateway Apartments should not be built. The facts speak for themselves.

My neighbors and I have many concerns/comments.

Please see List that begins on page 2

8-2

#2

June 1, 2017

List of concerns

1) Air Quality

- High density - 3 story residential apartments would create enormous amounts of traffic emissions

8-3

2) Traffic

- NO current traffic studies have been done

8-4

"Circulation levels" are currently below acceptable
"C"

- 5 (five) intersections are "projected" to operate at unacceptable LOS

8-5

- 72 acres being developed by Sierra College called "Sierra Villages" across the street from proposed

8-6

3 story Sierra Gateway Apartments

- Impact To Water Lily Lane

8-7

continued on Pg# 3

June 1, 2017

List of Concerns
continued

- 3) Unlike Stanford Ranch, our neighborhoods (we live within 1 mile of Proposed Sierra Gateway Apartments) are aesthetically very pleasing.

Definition of Aesthetics

Set of Principles concerned with the nature and appreciation of beauty

Our special look of Rocklin are all the gorgeous oak trees (there are 400 at the lovely area that is where Gateway Apartment Project is being proposed) wildlife, streams and very well known for its Native American history and artifacts.

We are not ~~is~~ completely paved over and covered with houses and commercial development.

Currently, there are NO 3-story structures - We don't want them.

Removing 400 mature & stately oak trees and destroying a larger wildlife habitat & corridor is unacceptable. It ^{is} most assuredly

June 1, 2017

List of Concerns

Will degrade the existing visual character of the site and its surroundings.

How one could state otherwise in beyond reason.

Adding a couple of trees and walls are not going to mitigate the significant aesthetic impacts of the development.

There is not harmonious to our neighborhood. Unsightly asphalt and 3-story buildings is in complete contrast to the surrounding area.

Development in this area will result in the loss of natural oak and heritage trees, the loss of oak woodland habitat and cumulative impacts to biological resources. This area is close to a large wildlife corridor that runs from the east in Losman to Secret Ravine near I-80 on the west.

Development such as this apartment complex will obliterate the oak trees.

Page 5

June 1, 2017

List of Concerns

Turning the developer pay money into an oak tree mitigation fund is an insufficient way to mitigate the loss of the oak woodland habitats and the aesthetic beauty it provides.

8-9
(Cont'd)

DRAFT EMAIL

TO: David Mohlenbrok, City of Rocklin Environmental Services Manager

Hello David (and City of Rocklin Planning Commissioners and City Council),

I want to make the following comments on the Sierra Gateway Apartment Project DEIR. The Project is located at the S/E corner of Rocklin Road and Sierra College Blvd. and consists 161-014, 015 and 016.

I believe the following areas are of "significant impact" and have not been adequately addressed or mitigated in the DEIR. I do not believe that there are any mitigation measures w or reduce the magnitude of these significant impacts.

1. Air Quality:

An enormous amount of vehicle traffic and vehicle emissions would be created if the City were to allow the construction of this high density residential 3-story apartment complex. The amount of traffic emissions would violate air quality standards and would increase air pollutants and exposure to toxic air contaminants to the nearby community where I live (Freeman Circle). The only way to mitigate these impacts is to deny high density residential development in this location.

8-10

2. Traffic and Circulation:

This proposed apartment complex sits at the intersection of Rocklin Road and Sierra College Blvd. and is near my home and will cause significant impacts to myself and my neighbor developed, this project would greatly increase traffic on Sierra College Blvd. but more importantly onto an already highly congested Rocklin Road. According to the DEIR, the propo estimated to generate an additional 1,305 daily trips using the Institute of Transportation Engineers ("ITE") Trip Manual, 9th edition (2012). No actual and local study was performed who knows high the actual daily trips might be. Estimates don't set so well with me. They usually turn out to be much worse than originally projected.

8-11

Currently Rocklin Road between Sierra College Blvd. and I-80 is overly congested mostly due to the traffic generated by Sierra College. I live off El Don Drive across from the College basis I hit the congestion at the intersection of El Don Drive and Rocklin Road. The vehicle traffic to the main College entrance across from El Don Drive is continually backed up to I-80 leaving the school is backed up from the campus to I-80 as well. And by backed up I mean "stopped", not circulating. I routinely Google traffic conditions on Rocklin Road during nor and it always shows up Red for "slow". The same is true for Sierra College Blvd. between Rocklin Road and I-80. It takes a long time to get to I-80 from El Don Drive and Rocklin Road more traffic to this area would cause uncontrollable grid lock. There is just no way to mitigate the additional vehicle traffic and circulation problems this development would cause. impacted. The only way to mitigate these impacts is to deny high density residential development in this location. Allowing this development would create significant adverse ch neighborhood and to the Sierra College student body. Additionally, this project plans to have egress and ingress off a section of Rocklin Road that is only two lanes in that location. ultimately create additional congestion into the Rocklin Road/Sierra College Blvd. Intersection. "The project will also have an exit only driveway to the south onto Water Lily Lane." the project diagram in the DEIR they show this exit as "gated". It is unclear if this "gated" exit is for fire access only or for resident use. If apartment residents were allowed to exit t complex from this southern exit onto Water Lily Lane into the Hidden Creek subdivision this would have significant traffic impacts on that neighborhood and subsequently on Sierr Blvd. and the intersection of Sierra College Blvd. and Rocklin Road. The egress from Water Lily Lane onto Sierra College Blvd. currently does not have a signal light. Allowing this de to proceed with an exit onto Water Lily Lane then onto Sierra College Blvd. would be an inappropriate traffic mitigation as well as dangerous and irresponsible of the City. This prop would also only allow access to North bound traffic on Sierra College Blvd. as there is currently an existing medium obstructing traffic to access the South bound lanes of Sierra Colle adding additional congestion at the Sierra College/Rocklin Road intersection by U-turn traffic to access the S/B lanes of SC Blvd.

8-12

Additionally, the City has a "preliminary" application before it now from Sierra College to create additional high density residential development on a 107-acre project called "Sierra located off Rocklin Road in two locations (Rocklin Road and Sierra College Blvd. and Rocklin Road and El Don Drive). We are looking at the possibility of at least 400 additional mediu density residential units that would impact traffic and circulation in this exact same area. This DEIR neglects to mention or consider this Reasonably Foreseeable Project when provi impact statistics. We all know the College is going to develop 72 acres directly across the street from this apartment proposal and also more additional development on another 36 Rocklin Road at El Don Drive. It is negligent to not consider the impacts of the Sierra Villages development in this DEIR. How on earth can the City of Rocklin mitigate all this propos development and the traffic it will create? Rocklin Road is already 4 lanes between I-80 and Sierra College Blvd. And is only 2 lanes east of Sierra College Blvd. I doubt the room ex Rocklin Road even further nor do the funds exists to undertake such a project.

8-13

God forbid you consider another roundabout in Rocklin let alone one for this intersection or on Rocklin Road areas near the College or I-80. I know this is the latest fad but these ro are completely inappropriate for these areas. Roundabouts are not favorable to pedestrian/bicyclist traffic which would be high in these areas nor are they amenable and expedie emergency vehicles.

8-14

"The conversion of intersections into roundabouts produces a significant 27% increase in the number of injury accidents involving bicyclists on or nearby the roundabouts. Increase is even higher for accidents involving fatal or serious injuries (41-46%)... However, the effects of roundabouts on bicycle accidents differ depending on whether tl roundabouts are built inside or outside built-up areas. When inside built-up areas, the construction of roundabouts increased the number of injury accidents involving bicy 48%. For accidents causing fatal or serious injuries inside built-up areas, an average increase of 77% was found." Reference <http://www.sciencedirect.com/science/article/pii/S0001457507001352>.

The DEIR states...

The City of Rocklin General Plan (October 2012) Circulation Element includes LOS Policy C-10, as follows:

- A. Maintain a minimum traffic Level of Service "C" for all signalized intersections during the p.m. peak hour on an average weekday, except in the circumstances described C. below.
- B. Recognizing that some signalized intersections within the City serve and are impacted by development located in adjacent jurisdictions, and that these impacts are outs control of the City, a development project which is determined to result in a Level of Service worse than "C" may be approved, if the approving body finds (1) the diminish service is an interim situation which will be alleviated by the implementation of planned improvements, ..."

8-15

Living and driving in this area I would say Rocklin Road between Sierra College Blvd. and I-80 definitely has a traffic Level of Service below a "C", therefore, the only way the City can project (and future projects like Sierra Villages) that will impact Rocklin Road is to have a finding that this diminished level of service is "interim" and must be implemented with pl improvements.

Again, I strongly disagree with the findings in this DEIR that the Level of Service (at least on Rocklin Road between SC Blvd. and I-80) is currently at a Level C. Well actually the DEIR, disregards the impacts to Rocklin Road. And we know this development will impact traffic in this stretch of Rocklin Road. However, the DEIR does say that I-80 and Rocklin Road on intersections are at a Level C. That is just not true. I did not see any actual and/or current traffic studies that have been performed by the City or the consulting firm to prove the Lev is a "C". Most of the data provided in the Traffic Impact Study was taken from 2010 and 2014 Caltrans publications. No true current study was performed. I think we all know better!

8-16

of Service on Rocklin Road from Sierra College Blvd. to I-80 is more like a "E" or "F" based on the below definitions from the DEIR. No further high-density residential development allowed in this area until the City comes up with a comprehensive traffic study and plan to resolve traffic circulation in this area. To do otherwise would be unwise and negligent.

8-16

(Cont'd)

Appendix "L" Traffic Impact Study indicates NO studies were conducted on Rocklin Road between Sierra College Blvd. and I-80 and specifically the intersection of Rocklin Road and E (main entrance to Sierra College). Additionally, the traffic study states that the I-80 ramp intersections were also not studied rather data was obtained from a 2014 published Caltrans

Appendix "L" states under

Existing Traffic Volumes

Existing traffic counts were collected by Omni-Means on multiple days at the 16 study intersections including Rocklin Road and I-80 intersections, during both AM and PM peak hours based on their own accounts.

8-17

Only 15 minute interval traffic counts were collected at the intersection of SC Blvd. and Rocklin Road according to their own report. "Existing AM and PM peak hour turning movement counts at the Rocklin Road and Sierra College Boulevard Interchanges were collected in October 2015 during a typical weekday while local schools were in session. Existing AM and PM peak hour movement counts at the Rocklin Road and Sierra College Boulevard Interchanges were collected in May 2016 during a typical weekday while local schools were in session. AM peak defined as the one-hour of peak traffic flow (which is the highest total volume count over four consecutive 15-minute count periods) counted between 7:00 AM and 9:00 AM on a typical weekday. The PM peak hour is defined as the one-hour of peak traffic flow counted between 4:00 PM and 6:00 PM on a typical weekday."

Intersection and ramp LOS have been calculated for all control types using the methods documented in the Transportation Research Board publication *Highway Capacity Manual 20.*

Definitions of traffic Level of Service from TABLE 4.5-2

Definition of Level C = Stable flow, but the beginning of the range of flow in which the operation of individual users becomes significantly affected by interactions with others in the stream

8-18

Definition of Level D = Represents high-density, but stable flow.

Definition of Level E = Represents operating conditions at or near the capacity level.

Definition of Level F = Represents forced or breakdown flow

The DEIR states:

Five (5) intersections are "projected" to operate at an unacceptable LOS:

- Sierra College Boulevard/Rocklin Road – AM and PM peak hours
- Rocklin Road/Interstate 80 WB Ramps – AM and PM peak hours
- Rocklin Road/Interstate 80 EB Ramps – AM and PM peak hours
- Sierra College Boulevard/Interstate 80 EB Ramps – AM peak hour
- Sierra College Boulevard/Interstate 80 WB Ramps – AM peak hour

8-19

I would argue that most if not all of these intersections are "currently" at unacceptable levels. Again this DEIR is not representing the true facts.

The DEIR states...

"Mitigation Measures: None required"

"Although no mitigation measures are required, the proposed project would be subject to the payment of applicable Traffic Impact Mitigation (TIM) fees, South Placer Regional Transportation Authority (SPRTA) fees and Highway 65 Interchange Improvement fees as applicable on a fair share basis."

8-20

I find the statement that no mitigation measures are required not only offensive but unacceptable. And contributing some unknown dollar amount of money to the above stated fund provide any assurances that those funds would be adequate or actually go to future and specific improvements that will be needed to Sierra College Blvd. and Rocklin Road. Again, improvements need to be done now not in the future if the City is going to start approving high density residential and commercial development in this area.

3. Cultural and Paleontological Resources and Aesthetics

The development of a 3-story apartment complex on this 10.2-acre beautifully wooded property will result in cumulative impacts to the historic character of our neighborhood. I have with many of the neighbors in this area. When I speak of "neighbors" or "neighborhoods" I am referring to those of us who live within a one mile radius of the project. We moved of Rocklin because of its unique characteristics. Unlike Stanford Ranch, it is unique because it is not completely paved over and covered with houses and commercial development lights. Our special nook of Rocklin has Oak trees, wildlife, streams and is very well known for its Native American history and artifacts. Destroying this 10 acres covered in Oak trees plants will not only destroy our neighborhood aesthetics and quality of life but will destroy more of our wildlife habitat. Allowing this development to proceed would create substantial adverse change to our neighborhood.

8-21

Statement from DEIR...

The "Initial Study" provided the following conclusions:

- **Aesthetics** – There are no designated, identified, recognized or recorded scenic vistas or view sheds in the City and the proposed project will not cause impacts to these resources site is not located near a state scenic highway or other designated scenic corridor and the proposed project will not impact these resources. The proposed project will include new light and glare but a photometric lighting study prepared for the proposed project indicates lighting levels will be at levels not considered to be excessive. Therefore, these issues discussed in the EIR "

I wholeheartedly disagree with the above assessment. As I already stated, this area of Rocklin is considered by its residents to be unique based on its aesthetics and therefore "aesthetics" should have been discussed in the EIR and the fact that this was their original conclusion raises great concerns for me

8-22

In the "focused" EIR it states...

Aesthetics – The existing visual character of the site can be described as an undeveloped site containing numerous oak trees, grassland, and gently rolling topography. The surrounding area is mostly developed with retail commercial and residential uses. To the north of the project site are Rocklin Road, several isolated single family residences and vacant land designated as Use land under the Rocklin General Plan. To the northwest of the project site is the Sierra Community College campus, and to the west are Sierra College Boulevard, a small retail commercial shopping center, two separate apartment complexes and single-family residences further to the west. To the south are Water Lily Lane, a single-family subdivision and space area associated with an intermittent tributary of Secret Ravine Creek. To the east are an apartment complex, the City of Rocklin/Town of Loomis border and single-family residential subdivisions within the Town of Loomis. The proposed project would add a 195 unit multi-family apartment complex and associated infrastructure, including new sources of lighting on an undeveloped site. The proposed project will affect the visual character of the project area, due to the transition of the project site from undeveloped land to an urbanized land use.

The EIR will address the proposed project's potential aesthetic impacts related to the existing visual character or quality of the site."

I disagree with the above assessment that "The surrounding area is mostly developed with retail commercial and residential uses." This is a false statement. The surrounding area large parcel homes within the City limits of Loomis, a variety of general residential subdivisions within the City of Rocklin, many large open spaces and open spaces that provide a habitat and include waterways and wetlands, an extremely large community college campus with large areas of open spaces (with wildlife and creeks) and one minimal and unsuc center at the intersection of Sierra College Blvd. and Rocklin Road.

8-22
(Cont'd)

I do agree that, "The proposed project will affect the visual character of the project area, due to the transition of the project site from undeveloped land to an urbanized land use."

The DEIR goes on to state ..

Impact 4.2-1 Substantially Degrade the Existing Visual Character of Quality of the Site and Its Surroundings

Implementation of the proposed project would result in development that could degrade the existing visual character or quality of the site and its surroundings. However, as furthe below, this will be a less than significant impact.

I believe this development will have a substantial adverse effect on the "aesthetics" of my neighborhood by removing the hundreds of oak trees on this piece of property and dest a larger wildlife habitat and corridor. **And it most assuredly WILL degrade the existing visual character of the site and its surroundings. How one could state otherwise is beyond ar reasoning.**

8-23

"Aesthetics" is in the eye of the beholder. To those eyes of our neighborhood destroying the trees, plants and habitat on this 10 acres will create a substantial adverse effect on the our neighborhood and will have a substantial adverse effect on our scenic view.

Definition of Aesthetics...a set of principles concerned with the nature and appreciation of beauty. **We all moved to this part of Rocklin for the aesthetics!!**

This section in the DEIR goes on to state...

The proposed project would result in the development of a 195-unit, two- and three-story apartment complex and associated infrastructure within the project site, which could cha visual nature or character of the site and its surroundings. The proposed project will convert the project site from a generally undeveloped wooded and grassland area to develop

The apartment complex will consist of eleven residential buildings and a clubhouse building, which will include a leasing office and a manager's apartment. **The majority of the resi buildings will be three-story buildings** comprised of one, two, and three bedroom units with private garages located at the ground level. There will also be four two-story buildings to provide private garages with carriage style apartment units above..."

8-24

There are currently **NO** 3-story residential structures in this area or the surrounding area. This is not harmonious to our neighborhood. By "neighborhood" I mean residential devel within an approximately 1 mile radius.

The DEIR states ..

"The proposed project would include berms and retaining walls to adjust for grade variances. Stacked block retaining walls ranging from 3 to 7 feet tall would be placed along the pi frontage with Sierra College Boulevard, a concrete with brick veneer retaining wall ranging from 4 to 6 feet tall would be placed along the western side of the project's driveway on Road, and a concrete with brick veneer retaining wall up to 10 feet tall would be placed between buildings 5 and 9 and their respective parking lots, near Water Lily Lane. In additior existing sound wall along Water Lily Lane would be extended westerly by the proposed project towards Sierra College Boulevard, terminating at a plane that coincides with the edg westernmost building (building 5)."

Concrete veneer retaining walls up to 10 feet tall does not sound very aesthetically pleasing to me. When you look at the project diagram in the DEIR it appears that 98% of this prc asphalt and buildings. Adding a couple trees and walls is not going to mitigate the significant aesthetic impacts of this development. The DEIR goes on to state, "These artistic rendi landscape growth at maturity (15-20 years) of the development assuming that a mix of sizes and varieties of plants and trees would be planted as part of project construction." So fr we have to live with unsightly asphalt and buildings? This is in complete contrast to the surrounding area. And the DEIR claims there is no aesthetic impacts? Who wrote this DEIR, developer? They certainly paid for it and got their monies worth. I have little faith that the firm of De Novo Planning Group, a Sacramento area consulting firm, that provided data f truly has taken into perspective opposing views.

8-25

I believe this same consulting firm is being used by the City (and paid for the by the developer) for the Sierra Villages project. I would like to impress upon you to consider using a appropriate and fair EIR consulting firm going forward as this DEIR clearly does **not** adequately address the impacts of this proposed apartment project.

Please refer to the DEIR renderings; for example **FIGURE 4.2-9 VIEW NEAR MAIN ENTRY TO PROJECT FROM ROCKLIN ROAD**. Now imagine those pretend, large trees shown in the re below are not there which in reality would be the case. Not so aesthetically pleasing. Please do not rely on made to look pretty drawings that are not reality.

8-26



**PROPOSED ROCKLIN ROAD BEFORE & AFTER I
SIERRA GATEWAY APARTMENTS, City of Rocklin**

There is no way the City or the developer can “ensure visual compatibility with existing development” as well as “the preservation of unique natural features”. The DEIR goes on to a contradictory statement, “The City of Rocklin General Plan EIR concluded that aside from implementation of the City’s Design Review Guidelines and the application of General Plan policies addressing visual character and views, **no other mitigation measures are available to fully mitigate impacts to existing visual character given the extent and density of proposed development, and significant aesthetic impacts will occur as a result of development...**”

8-26
(Cont'd)

4. Biological Resources

Development in this area will result in the loss of native oak and heritage trees, the loss of oak woodland habitat, and cumulative impacts to biological resources. This area is close to a large wildlife corridor that runs from the east in Loomis to Secret Ravine near I-80 on the west. Development such as this apartment complex will obliterate the Oak trees on the site. Making the developer pay money into an Oak Tree Mitigation Fund is an insufficient way to mitigate the loss of this oak woodland habitat and the aesthetic beauty it provides our neighborhood.

8-27

Wildlife Corridor

8-28



The **Rocklin Oak Tree Preservation Ordinance** states, "...the city council finds that oak woodlands constitute a valuable natural resource within the city. They provide habitat for wild birds and other wildlife, contribute to the city's beauty and varied scenery; ... Oak woodlands have declined substantially in extent and quality, both locally and regionally. They are continuing to decline under the pressures of ...urbanization. The goal of this chapter is to address the decline of oak woodlands due to urbanization through a considered attempt to balance against the social benefits of private property ownership and development."

8-28
(Cont'd)

I believe the destruction of this 10 acre oak woodland would violate **Chapter IV B - Open Space** of the **City of Rocklin's General Plan** which in part states, "The City has taken a leadership role in preserving open space corridors and other natural features in newly developing areas. This approach is reflected in the open space goals and policies, which in turn reflect the high value expressed by Rocklin residents in the community survey in preserving remaining areas for open space and outdoor recreation. The survey showed that Rocklin residents value open space and recreation facilities, and the natural amenities of the community. Construction of streets, schools and parks, protecting creeks and waterways, preserving open space, and providing recreational programs and facilities were all ranked as "very important" in the survey. Connectivity of habitat and open space areas is another important issue that is addressed in the General Plan policies related to the preservation of open space for natural resources. In addition to traditional parks, Rocklin contains areas of open space that are rugged and undeveloped. Green space along creeks and other corridors is encouraged, while recognizing that issues related to maintenance, security and access must also be addressed. Linear open space can be multi-purpose, including bicycle and pedestrian paths."

8-29

4. Property Values

"The proposed project's potential impact on the value of adjacent or near-by properties is considered to be an economic effect which would not result in any physical change, therefore it does not require analysis within the EIR. It should be noted that the proposed project could have a positive effect on near-by property values by adding to a customer base in close proximity to a small retail commercial center located across Sierra College Boulevard that struggles to maintain occupancies in its tenant spaces, thus better supporting the center and reducing vacancies."

8-30

I completely disagree with this analysis. The value of my home is based on the unique nature of the surrounding area. Adding further development of this nature will only serve to decrease the value of my home by taking away from the special nature of this special nook in Rocklin. To come to any other conclusion is just utter nonsense. The only "potential" positive impact development might be providing an additional customer base to the flailing retail development at the S/W corner of SC Blvd. and Rocklin Road. And how that would help my property value is unclear to me.

Respectfully Submitted,

Denise Gaddis

2/6/2017

Wave Webmail: FW: Comments on Sierra Gateway Apartment Project Draft Environmental Impact Report

El Don Neighborhood Advisory Committee

5521 Freeman Circle

Rocklin, CA 95677

Cell: 916-532-9927

denise@wavecable.com

8. MARGO RABIN

SUMMARY OF COMMENT LETTER

Margo Rabin provided comments regarding the project description, air quality, traffic and circulation, cultural and paleontological resources, aesthetics, biological resources, wildlife corridor, loss of trees, and property values, and attached a copy of the Denise Gaddis comment letter (Comment Letter 21).

8-1 The comment provides quotes from Albert Einstein and Mary Tyler Moore.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

8-2 The comment expresses an opinion regarding the accuracy and value of the Draft EIR and is a summary comment noting forthcoming additional comments.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

8-3 The comment expresses an opinion regarding air quality impacts from the proposed project.

See Response to Comment 21-3.

8-4 The comment expresses opinions about current traffic studies not being performed and circulation levels being currently below level of service "C".

See Response to Comment 21-10.

8-5 The comment re-states traffic study information from the Draft EIR.

See Response to Comment 21-13.

8-6 The comment references Sierra College's proposed development.

See Master Response for Comments Regarding Inclusion of Sierra College's Planned Development and Other Projects in the Traffic Analysis.

8-7 The comment references impacts to Water Lily Lane.

See Response to Comment 21-6.

8-8 The comment expresses an opinion about the historical character of a neighborhood and its biological and cultural resources and how the development of the proposed project would destroy neighborhood aesthetics, quality of life and wildlife habitat/corridor.

See Response to Comments 21-15 and 21-21 and discussion of Project's compliance with the City of Rocklin's Oak Tree Preservation Ordinance in Chapter 4.4 – Biological Resources of the Draft EIR.

8-9 The comment expresses opinions regarding the loss of oak trees, biological resources and a wildlife corridor as a result of the project, and payment of fees into the City's Oak Tree Mitigation Fund as being insufficient.

See Response to Comment 21-21 and discussion of Project's compliance with the City of Rocklin's Oak Tree Preservation Ordinance in Chapter 4.4 – Biological Resources of the Draft EIR.

8-10 The comment expresses an opinion regarding air quality impacts from the proposed project.

See Response to Comment 21-3.

8-11 The comment expresses an opinion regarding the additional traffic generated by the proposed project and expresses concerns regarding the use of the Institute of Transportation Engineers (ITE) Trip Generation Manual to estimate the project's generated trips

See Response to Comment 21-4.

8-12 The comment expresses an opinion regarding existing poor traffic conditions on Rocklin Road as a result of traffic from Sierra College and how more traffic from the proposed project would add to congestion along Rocklin Road and at the Rocklin Road/Sierra College Boulevard intersection.

See Response to Comment 21-5.

8-13 The comment describes the lack of inclusion of Sierra College's proposed development in the Draft EIR traffic analysis as a reasonably foreseeable project and requests clarification on how traffic from all development in the area will be mitigated.

See Master Response for Comments Regarding Inclusion of Sierra College's Planned Development and Other Projects in the Traffic Analysis.

8-14 The comment expresses an opinion regarding the use of roundabouts and provides statistical data regarding bicycle accidents and roundabouts

See Response to Comment 21-8.

8-15 The comment recites a portion of the City of Rocklin General Plan Level of Service Policy C-10 with an emphasis on the “interim” portion of item B and then expresses an opinion regarding traffic conditions on Rocklin Road and how the proposed project and future projects would have to have a finding of diminished level of service being “interim”.

See Response to Comment 21-5.

8-16 The comment expresses opinions regarding the level of service on Rocklin Road and the Draft EIR’s report of level of service “C” at the I-80/Rocklin Road off ramp intersections being false, and regarding current traffic studies not being performed, data in the traffic study not being current, and level of service on Rocklin Road being more like an E or F.

See Response to Comment 21-10.

8-17 The comment is regarding the collection of traffic count data for 15 minute intervals.

See Response to Comment 21-11.

8-18 The comment is regarding the definitions of level of service as provided in the Draft EIR.

See Response to Comment 21-12.

8-19 The comment re-states traffic study information from the Draft EIR and also expresses an opinion regarding intersections currently being at unacceptable levels of service.

See Response to Comment 21-13.

8-20 The comment expresses an opinion regarding one of the Draft EIR’s conclusion of no mitigation measures required and subsequent discussion of the payment of applicable traffic impact fee that would be applicable to the proposed project.

See Response to Comment 21-14.

8-21 The comment expresses opinions about the historical character of a neighborhood and its biological and cultural resources and how the development of the proposed project would destroy neighborhood aesthetics, quality of life and wildlife habitat and result in a loss of property values.

See Response to Comment 21-15.

8-22 The comment re-states aesthetic analysis from the Draft EIR and also expresses opinions regarding the conclusions reached and the accuracy of the analysis in the Draft EIR and Initial Study regarding aesthetics.

See Response to Comment 21-16.

8-23 The comment re-states aesthetic analysis from the Draft EIR and also expresses an opinion regarding the conclusions reached of the analysis in the Draft EIR regarding aesthetics.

See Response to Comment 21-17.

8-24 The comment re-states aesthetic analysis from the Draft EIR and also expresses an opinion regarding there no being 3-story residential structures with 195 units in the area and how adding a 3-story complex would not be harmonious.

See Response to Comment 21-18.

8-25 The comment re-states aesthetic analysis from the Draft EIR and also expresses opinions regarding the project's design and landscaping and consulting firms.

See Response to Comment 21-19.

8-26 The comment re-states aesthetics analysis from the Draft EIR and findings from the General Plan EIR regarding aesthetics and also expresses opinions regarding the project renderings.

See Response to Comment 21-20.

8-27 The comment expresses an opinion regarding the loss of oak trees, biological resources and a wildlife corridor as a result of the project.

See Response to Comment 21-21.

8-28 The comment depicts the "wildlife corridor" noted in Comment 21-21 and also re-states portions of the City of Rocklin's Oak Tree Preservation Ordinance.

See Response to Comment 21-22.

8-29 The comment expresses an opinion regarding violation of the Open Space chapter of the City of Rocklin General Plan and re-states portions of the Introduction section of the Open Space chapter of the City of Rocklin General Plan.

See Response to Comment 21-23.

8-30 The comment expresses an opinion regarding the Draft EIR's discussion of potential impacts on property values.

See Response to Comment 21-15.



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

5 June 2017

David Mohlenbrok
City of Rocklin
4081 Alvis Court
Rocklin, CA 95677

CERTIFIED MAIL
91 7199 9991 7036 6990 6842

COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, SIERRA GATEWAY APARTMENTS PROJECT, SCH# 2016032068, PLACER COUNTY

Pursuant to the State Clearinghouse's 27 April 2017 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environment Impact Report* for the Sierra Gateway Apartments Project, located in Placer County.

9-1

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

9-2

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

9-2
(Cont'd)

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

9-3

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

9-4

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

9-4
(Cont'd)

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

9-5

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

9-6

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the

9-7

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

9-7
(Cont'd)

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance (i.e., discharge of dredge or fill material) of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

9-8

Waste Discharge Requirements

Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

9-9

Land Disposal of Dredge Material

If the project will involve dredging, Water Quality Certification for the dredging activity and Waste Discharge Requirements for the land disposal may be needed.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

9-10

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

9-10
(Cont'd)

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

9-11

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering

9-12

discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

9-12
(Cont'd)

9-13

9. STEPHANIE TADLOCK, CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

SUMMARY OF COMMENT LETTER

The Central Valley Regional Water Quality Control Board (CVRWQCB) provided comments regarding their responsibility of protecting the quality of surface water and groundwaters of the state. The comments provided general information related to the various permits administered by the CVRWQCB, including a description of the regulatory setting, the purpose of the permits, how/when the permits are required and where to find additional information regarding the permits. There were no comments specific to the analysis within the Sierra Gateway Apartments Draft EIR.

9-1 The comment is a summary comment noting the CVRWQCB's delegated responsibilities.

The introductory comment which identifies forthcoming additional comments does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

9-2 The comment provides regulatory setting information regarding the Basin Plan.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

For more information regarding the hydrology and water quality evaluation conducted for the proposed project, the commenter is referred to Section IX. Hydrology and Water Quality of the Initial Study (Appendix A to the Draft EIR).

9-3 The comment provides regulatory setting information regarding the Antidegradation Policy.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

For more information regarding the hydrology and water quality evaluation conducted for the proposed project, the commenter is referred to Section IX. Hydrology and Water Quality of the Initial Study (Appendix A to the Draft EIR).

9-4 The comment provides regulatory setting information regarding the Construction Storm Water General Permit

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

For more information regarding the hydrology and water quality evaluation conducted for the proposed project, the commenter is referred to Section IX. Hydrology and Water Quality of the Initial Study (Appendix A to the Draft EIR).

9-5 The comment provides regulatory setting information regarding Phase I and Phase II Municipal Separate Storm Sewer System (MS4) Permits.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

For more information regarding the hydrology and water quality evaluation conducted for the proposed project, the commenter is referred to Section IX. Hydrology and Water Quality of the Initial Study (Appendix A to the Draft EIR).

9-6 The comment provides regulatory setting information regarding the Industrial Storm Water General Permit.

Because the proposed project is residential in nature, discussion regarding the Industrial Storm Water General Permit was not included in the Initial Study or Draft EIR. The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

For more information regarding the hydrology and water quality evaluation conducted for the proposed project, the commenter is referred to Section IX. Hydrology and Water Quality of the Initial Study (Appendix A to the Draft EIR).

9-7 The comment provides regulatory setting information regarding the Clean Water Act Section 404 Permit.

A general discussion of the Clean Water Act Section 404 Permit is provided in the Regulatory Context section of Biological Resources chapter of the Draft EIR on page 4.4-12 and more specific discussion as it relates to the proposed project is provided under Impact 4.4-2 Substantial Adverse Effect on Riparian Habitat and/or Federally Protected Wetlands on pages 4.4-18 and 4.4-19. The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

For more information regarding the hydrology and water quality evaluation conducted for the proposed project, the commenter is referred to Section IX. Hydrology and Water Quality of the Initial Study (Appendix A to the Draft EIR).

9-8 The comment provides regulatory setting information regarding the Clean Water Act Section 401 Permit – Water Quality Certification.

A general discussion of the Clean Water Act Section 401 Permit is provided in the Regulatory Context section of Biological Resources chapter of the Draft EIR on page 4.4-12 and more specific discussion as it relates to the proposed project is provided under Impact 4.4-2 Substantial Adverse Effect on Riparian Habitat and/or Federally Protected Wetlands on pages 4.4-18 and 4.4-19. The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

For more information regarding the hydrology and water quality evaluation conducted for the proposed project, the commenter is referred to Section IX. Hydrology and Water Quality of the Initial Study (Appendix A to the Draft EIR).

9-10 The comment provides regulatory setting information regarding a Dewatering Permit.

The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

For more information regarding the hydrology and water quality evaluation conducted for the proposed project, the commenter is referred to Section IX. Hydrology and Water Quality of the Initial Study (Appendix A to the Draft EIR).

9-11 The comment provides regulatory setting information regarding Regulatory Compliance for Commercially Irrigated Agriculture.

Because the proposed project is residential in nature, discussion regarding the Regulatory Compliance for Commercially Irrigated Agriculture was not included in the Initial Study or Draft EIR. The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

For more information regarding the hydrology and water quality evaluation conducted for the proposed project, the commenter is referred to Section IX. Hydrology and Water Quality of the Initial Study (Appendix A to the Draft EIR).

9-12 The comment provides regulatory setting information regarding a Low or Limited Threat General NPDES Permit.

The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

For more information regarding the hydrology and water quality evaluation conducted for the proposed project, the commenter is referred to Section IX. Hydrology and Water Quality of the Initial Study (Appendix A to the Draft EIR).

9-13 The comment provides regulatory setting information regarding a NPDES Permit. The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR.

Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

For more information regarding the hydrology and water quality evaluation conducted for the proposed project, the commenter is referred to Section IX. Hydrology and Water Quality of the Initial Study (Appendix A to the Draft EIR).

David Vickers
5700 Lavender Ct
Rocklin
95677

05/30/2017

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

Dear David,

On behalf of the petition website Rescue Rocklin (RescueRocklin.com), we would like to express our formal opposition to this project, as currently proposed. There are a number of reasons why residents feel the project is not a good fit, which will be addressed at the Design Review stage.

10-1

With regards specifically to the DEIR we would like to address the following:

- 1. This project proposal is to be considered a ‘de novo’ situation, whereby references to the previously approved project should be removed from the EIR (see example reference below). The project was rescinded and should be evaluated de novo.

10-2

“The City Council previously approved this project in May 2015” Pg 11 of DEIR.

- 2. We contest the below statement as inaccurate and misleading on the grounds that it underplays the importance of Design Review in the approval of projects. Particularly, as Design Review looks at, amongst other things, the height, bulk and area of a proposed project, but also relationship between the site design and the surrounding development, natural features and constraints and traffic flow. The Planning Commission, acting as the Design Review Board may disapprove any project that does not fit with the specified criteria outlined the Rocklin Municipal code. Please provide further (and valid) justification as to why this statement is included in the DEIR or remove this reference (and similar references) from the EIR.

10-3

“..because the project to construct residential units is consistent with the existing zoning, state law expressly limits the ability of the City to deny the development or even to require a reduction in its density. Pg 271 of DEIR.

- 3. The lawsuit (copy enclosed) by the CITIZENS VOICE ORGANIZATION and CITIZENS FOR TREE PRESERVATION, amongst other things, outlined how:

“..the City violated CEQA by improperly classifying the Project as a “subsequent activity” under CEQA Guidelines section 15168, as the Project is not within the scope of the program analyzed within the 2012 EIR for the Rocklin General Plan”

10-4

For this reason, the previously conducted MND and it’s reliance upon a General Plan EIR was not adequate for the project in question and was invalid and clearly “flawed”. We would whole heartedly disagree with the statement made on page 12 of the DEIR (below) as a false statement.

“The City Council's decision to set aside its prior approval of the project and to prepare an EIR rather than a mitigated negative declaration was not based on any finding that any of the environmental analysis conducted previously was substantively flawed.”

For the reasons above, any reference to information contained within the MND or 2012 General Plan EIR in the current DIER is null and void. The EIR should be conducted entirely separately and without reference to the MND or 2012 General Plan EIR.

10-4
(Cont'd)

Yours sincerely,

David Vickers

1 TAMARA S. GALANTER (State Bar No. 142532)
2 SARA A. CLARK (State Bar No. 273600)
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FILED
Superior Court of California
County of Placer

JUN 30 2015

Jake Chatters
Executive Officer & Clerk
By: S. Marlatte, Deputy

6 Attorneys for Citizens Voice Organization and
Citizens for Tree Preservation
7
8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF PLACER**
11

12 Case No. **SCV0036457**

13 **CITIZENS VOICE ORGANIZATION**
14 **AND CITIZENS FOR TREE**
PRESERVATION

VERIFIED PETITION FOR WRIT OF
MANDATE AND COMPLAINT FOR
INJUNCTIVE RELIEF (California
Environmental Quality Act, Pub. Res.
Code § 21000 et seq.; Code of Civ. Proc. §
1094.5)

15 **Pctitioners,**

16 **v.**

17 **CITY OF ROCKLIN, CITY COUNCIL**
18 **OF ROCKLIN, AND DOES 1-20,**

Respondents,

BY FAX

19 **THE EZRALOW COMPANY LLC,**
20 **ROCKLIN SIERRA APARTMENTS II,**
21 **LLC, CITY OF ROCKLIN**
22 **COMMUNITY DEVELOPMENT, AND**
DOES 21-40,

Real Parties in Interest.

23
24
25
26
27
28

VERIFIED PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR INJUNCTIVE RELIEF
CASE NO.

INTRODUCTION

1
2 1. This action challenges the May 26, 2015 decision of the City of Rocklin and its
3 City Council to approve permits for a 3-story, 195-unit multi-family apartment complex (“Sierra
4 College Apartments” or “Project”) that would clear cut 322 mature oak trees and tower over
5 adjoining single family homes.

6 2. In the midst of the hustle and bustle of urban living, the 375 oak trees on the
7 Project site provide a refuge for the community and wildlife. The Project would transform this
8 10.2-acre heavily wooded open space into a tightly packed apartment complex taller than any
9 other buildings in the neighborhood. The Sierra College Apartments will not only destroy 86
10 percent of the oak trees on the site, it will also add hundreds of people to the neighborhood and
11 1,300 more car trips to an already congested and dangerous intersection.

12 3. The City’s approvals for the Sierra College Apartments violated zoning
13 requirements adopted by the City specifically for the Project site and violated the City code’s
14 requirements for consideration of design review approvals. The requirements contained in the
15 City ordinances were developed to ensure that a proposed project would harmonize with
16 existing residential development impacted by the site’s development. In particular, these
17 ordinances mandate reduced lot coverage and adequate consideration of a project’s height and
18 mass. The proposed Project violates these requirements. For example, the construction required
19 for the Project far exceeds the maximum sixty percent coverage of the Project site, and the mass,
20 architecture, and 3-story building heights of the Project contrast starkly with other uses in the
21 neighborhood. The City’s findings to the contrary are not supported by substantial evidence.

22 4. The City’s approval of a Mitigated Negative Declaration (“MND”) for this Project
23 violates the California Environmental Quality Act, Public Resources Code section 21000 et seq.
24 (“CEQA”) and the CEQA Guidelines, Title 14, California Code of Regulations, section 15000 et
25 seq. For example, the MND repeatedly relies on analysis from the 2012 Environmental Impact
26 Report (“EIR”) for the City’s General Plan update. However, as the City subsequently amended
27 the General Plan and re-zoned the Property, the Project is not within the scope of the General
28 Plan EIR. Thus, the City cannot use the 2012 EIR to avoid analyzing the Project’s impacts now.

1 In addition, the MND fails to identify the mitigation measures relied on to purportedly reduce
2 the Project's significant impacts, and those mitigation measures identified in the MND fail to
3 reduce the Project's impacts to insignificant levels. The record contains substantial evidence of a
4 fair argument that the Project will have significant environmental impacts, including impacts to
5 important biological resources and oak woodlands, traffic congestion and safety, and aesthetics,
6 and therefore CEQA requires the City to prepare an EIR. For these and other reasons, the MND
7 violates state law and the City's approval of the Project was improper.

8 5. For all these reasons, the City's adoption of the MND and approval of the Tree
9 Preservation Permit and Design Review must be overturned.

10 PARTIES

11 6. Petitioner Citizens Voice Organization ("Citizens Voice") is a California non-
12 profit corporation whose members are dedicated to ensuring responsible planning and
13 development in the City of Rocklin and its surrounding communities. The purpose of Citizens
14 Voice is to further educate citizens regardless of political affiliation regarding the importance of
15 involvement in and oversight of their government. Citizens Voice was formed after the City's
16 approvals for the Project. Members of Citizens Voice participated in the administrative process
17 leading up to the City's approvals for the Sierra College Apartments, objecting to the Project
18 and warning the City of the illegalities identified in this lawsuit. The maintenance and
19 prosecution of this action will confer a substantial benefit on the public by protecting the public
20 from the environmental and other harms alleged herein and by ensuring that the City abides by
21 the procedures required under law in approving development projects like the one at issue here.
22 Citizens Voice is beneficially interested in this matter because it has a direct interest in ensuring
23 that the Respondents fulfill their duties to comply with CEQA and the City's own municipal
24 code and ordinances. Citizens Voice has an interest in preserving and protecting, for the general
25 public, the natural environment and character of Rocklin.

26 7. Petitioner Citizens for Tree Preservation is a regional unincorporated association
27 whose members are dedicated to the preservation of oaks and other indigenous trees, and to
28 ensuring responsible planning and development not only in in the City of Rocklin but also in

1 other surrounding communities. Citizens for Tree Preservation and members of Citizens for
2 Tree Preservation participated in the administrative process leading up to the City's approvals
3 for the Sierra College Apartments, objecting to the Project and warning the City of the
4 illegalities identified in this lawsuit. Citizens for Tree Preservation is beneficially interested in
5 this matter because it has a direct interest in ensuring that the Respondents fulfill their duties to
6 comply with CEQA and the City's own municipal code and ordinances. Citizens for Tree
7 Preservation has an interest in preserving and protecting, for the general public, the natural
8 environment and character of Rocklin and its surrounding communities.

9 8. Respondent City of Rocklin is, and at all times herein mentioned was, a general
10 law city in the State of California responsible for administering and carrying out its laws and
11 applicable state laws. The City is the "lead agency" for the purposes of Public Resources Code
12 Section 21067, with principal responsibility for conducting environmental review of proposed
13 actions. The City has a duty to comply with CEQA, state law, and its own ordinances.

14 9. Respondent City Council of the City of Rocklin is, and at all times herein
15 mentioned was, the duly elected decisionmaking body of Respondent City. As the
16 decisionmaking body, the City Council was charged with responsibilities under CEQA for
17 conducting a proper review of the proposed action's environmental impacts and granting the
18 various approvals necessary for the Project.

19 10. Petitioners are unaware of the true names and capacities of Respondents
20 fictitiously named Does 1 through 20 and sues such respondents by fictitious names. Petitioners
21 are informed and believe, and on the basis of such information and belief, alleges the fictitiously
22 named respondents are also responsible for the actions described in this Petition. When the true
23 identities and capacities of these respondents have been determined, Petitioners will amend this
24 petition, with leave of the court if necessary, to insert such identities and capacities.

25 11. Petitioners are informed and believe, and thereon allege that Real Party in Interest
26 Ezralow Company LLC, is, and at all times herein mentioned was, the applicant for the
27 approvals granted by the City for the Sierra College Apartments.

28 12. Petitioners are informed and believe, and thereon allege that Real Party in Interest

1 Rocklin Sierra Apartments II, LLC is the current the owner of the property where the Project
2 will be located.

3 13. Real Party in Interest City of Rocklin Community Development was named as the
4 Project Applicant in the Notice of Determination filed with Placer County for this Project. City
5 of Rocklin Community Development is a department of the City and responsible for reviewing
6 and processing applications for development within the City. Petitioners have named City of
7 Rocklin Community Development as a real party because CEQA implicitly requires Petitioners
8 to name as real parties any entity named as an applicant in the Notice of Determination.

9 14. Petitioners are unaware of the true capacities of Real Parties in Interest Does 21
10 through 40, and sue such real parties in interest by fictitious names. Petitioners are informed and
11 believe, and based on such information and belief, allege that the fictitiously named real parties
12 in interest are directly and materially affected by the actions described in this Petition. When the
13 true identities and capacities of these real parties in interest have been determined, Petitioners
14 will amend this Petition, with leave of the court if necessary, to insert such identities and
15 capacities.

16 JURISDICTION AND VENUE

17 15. Petitioners hereby reallege and incorporate by reference the preceding paragraphs
18 in their entirety.

19 16. This Court has jurisdiction of the matters alleged herein pursuant to Code of Civil
20 Procedure Sections 526, 527, 1085, 1087, and 1094.5, and Public Resources Code Sections
21 21168 and 21168.5.

22 17. Venue for this action properly lies in the Superior Court for the State of California
23 in and for the County of Placer pursuant to Code of Civil Procedure Section 394. Respondents'
24 main offices are located in and the activities authorized by Respondents will occur in the City of
25 Rocklin, which is located in Placer County.

26 18. Petitioners have performed any and all conditions precedent to filing the instant
27 action and have exhausted any and all available administrative remedies to the extent possible
28 and required by law. Petitioners and Petitioners' members submitted numerous objections to the

1 approvals for the Project and the City's reliance on a MND.

2 19. Respondents have taken final agency actions with respect to adopting the MND
3 and granting approvals for the Project. Respondents have a duty to comply with applicable state
4 laws, including but not limited to CEQA, prior to undertaking the discretionary approvals at
5 issue in this lawsuit. Petitioners possess no effective remedy to challenge the approvals at issue
6 in this action other than by means of this lawsuit.

7 20. On June 29, 2015, Petitioners complied with Public Resources Code Section
8 21167.5 by emailing and mailing to Respondents a letter stating that Petitioners planned to file a
9 Petition for Writ of Mandate seeking to invalidate Respondents' approvals for the Sierra College
10 Apartments. Attached hereto as Exhibit A is the true and correct copy of this letter.

11 21. On June 30, 2015, Petitioners complied with Public Resources Code Section
12 21167.7 and Code of Civil Procedure Section 388 by furnishing the Attorney General of the
13 State of California with a copy of the Petition. Attached hereto as Exhibit B is the true and
14 correct copy of the letter transmitting the Petition to the Attorney General.

15 22. Pursuant to Public Resources Code Section 21167.6(b)(2), Petitioners elect to
16 prepare the record of proceedings in this action. Concurrently with this Petition, Petitioners are
17 filing a notice of election to prepare the administrative record.

18 23. Petitioners have no plain, speedy, or adequate remedy in the course of ordinary
19 law unless this Court grants the requested writ of mandate to require Respondents to set aside
20 their adoption of the MND and approvals for the Sierra College Apartments. In the absence of
21 such remedies, Respondents' approvals will remain in effect in violation of state law, and the
22 environment, Petitioners, and residents and property owners of the City of Rocklin and nearby
23 communities will be irreparably harmed. No money damages or legal remedy could adequately
24 compensate Petitioners and the residents and property owners of the City for that harm.

25 STATEMENT OF FACTS

26 **Project and Project Site**

27 24. Petitioners reallege and incorporate by reference the preceding paragraphs in their
28 entirety.

1 25. The Project is located on approximately 10.2 acres of hilly oak woodland at the
2 southeast corner of the intersection of Sierra College Boulevard and Rocklin Road in the City of
3 Rocklin.

4 26. The Project site consists of three parcels that form two distinct portions of the
5 property. One portion is rectangular in shape and approximately 9 acres. The other portion is an
6 approximately 1-acre narrow strip that extends south from the rectangular portion of the
7 property like the handle to a pan (hereinafter referred to as “the panhandle”).

8 27. Three hundred and seventy five oak trees grow on the Project site – 316 Interior
9 Live Oaks, 53 Blue Oaks, and 1 Oracle Oak. Both the City’s general plan and the City’s Oak
10 Tree Preservation Guidelines recognize that oak woodlands constitute a valuable natural
11 resource for the City, provide habitat for many wildlife species, contribute to the City’s beauty,
12 provide shade, enrich the soil, and protect watersheds and streams from erosion.

13 28. Oak woodlands such as the Project site provide habitat for numerous birds and
14 other wildlife, including western kingbird, Brewer’s blackbird, mourning dove, turkey vulture,
15 great horned owl, acorn woodpecker, western scrubjay, yellow-rumped warbler, American
16 kestrel, black-tailed deer, western gray squirrel, arboreal salamander, California newt, southern
17 alligator lizard, Gilbert’s skink, raccoon, coyote, and mule deer. The Project site also provides
18 habitat for the western pond turtle, a California species of special concern, and places to nest for
19 raptors and migratory birds protected by the Migratory Bird Treaty Act.

20 29. The Project site also includes an intermittent stream and small wetlands.

21 30. The buildings adjacent to the Project site are all only one or two stories high.
22 Single family residences are directly south of the Project site. Directly to the north of the site is
23 Rocklin Road along with isolated single family residences and vacant lands across the road. A
24 smaller two-story apartment building and single family residences are east of the Project site,
25 and Sierra College Boulevard is west of the Project site along with a small apartment complex,
26 small shopping center, and residences on the other side of the road.

27 31. The corner of Sierra College Boulevard and Rocklin Road, near where Project
28 residents will exit the Project site, is a busy intersection with substantial congestion, significant

1 backups, and frequent accidents.

2 32. The Project includes the construction of nine apartments buildings, most rising
3 three stories high. In addition, the Project includes a leasing office/clubhouse, fitness building,
4 and swimming pool, along with paved parking areas for 387 vehicles. Except for minimal
5 landscaping along the perimeter of the rectangular portion of the Project site, virtually all of the
6 approximately 9-acre rectangular portion of the property will be developed with these buildings
7 and structures.

8 33. The panhandle portion of the site is largely undevelopable because of its shape and
9 size, and other building constraints, including the presence of riparian habitat. Thus, no building
10 or structures will be built on the panhandle with the exception of curb, gutter, and sidewalk
11 improvements, and the extension of a right turn lane.

12 **Past Planning Process**

13 34. The City adopted a new general plan in October 2012 that designated the Project
14 site for retail commercial.

15 35. Consistent with the general plan designation for the Project site, the EIR prepared
16 for the 2012 General Plan analyzed the environmental impacts of commercial development, not
17 residential development, on the site.

18 36. The General Plan EIR found that the aesthetic impacts, impacts on wetlands, loss
19 of oak trees, and loss of oak woodland habitat, air quality impacts, noise impacts, and traffic
20 impacts from planned development in the City would result in significant unavoidable impacts
21 even with implementation of the City's Oak Preservation Ordinance and other mitigation
22 measures and policies.

23 37. In 2013, the City amended its general plan to change the designation of the Project
24 site from Retail Commercial to High Density Residential. At the same time, the City rezoned the
25 property from Planned Development Commercial to Planned Development 20 Building Units
26 per Acre ("PD-20").

27 38. The City prepared no environmental review of the impacts of changing the land
28 use of the site from commercial to high density residential. Rather, contrary to its obligations

1 under CEQA, the City found the general plan amendment and zoning change exempt from
2 CEQA, deferring the required environmental review to development of the site.

3 **Administrative Process and Project Approval**

4 39. On information and belief, in 2014, Real Party in Interest The Ezralow Company
5 LLC (“Applicant”) submitted an application for (a) Design Review for approval of the site
6 design, architecture, and landscaping for the Sierra College Apartments, and (b) an Oak
7 Preservation Permit to allow the removal of approximately 322 oak trees from the site.

8 40. On January 22, 2015, the City released the MND for the Project.

9 41. The MND relied on CEQA Guidelines Section 15183 and 15168(c), which can
10 allow an agency to streamline its environmental review when prior EIRs have already
11 considered the impacts of the project. The 2012 EIR referenced in the MND analyzed the prior,
12 not the current, general plan and zoning designations on the site.

13 42. Contrary to the findings in the General Plan EIR that impacts to aesthetics, air
14 quality, biological resources, noise, and traffic would be significant and unavoidable, the MND
15 concluded these impacts would be less than significant or mitigated to an insignificant level.

16 43. The City received numerous comment letters on the MND, including comments
17 from members of Petitioners, the Sierra Club, Rescue Rocklin, the California Department of
18 Transportation, and the Town of Loomis. Commenters criticized the MND’s failure to
19 adequately consider the loss of oak trees and oak woodland habitat, the Project’s contribution to
20 traffic congestion on nearby intersections, roads within the Town of Loomis, and State Interstate
21 80, the incompatibility of the 3-story apartment complex with the adjoining neighborhood, and
22 noise impacts.

23 44. On March 3, 2015, the City Planning Commission considered the MND and
24 approvals needed for the Project. The Planning Commissioners voiced their concerns about the
25 limited preservation of the trees, and the size, density, and height of the buildings, and its
26 compatibility with the surrounding land uses. As a result, the Planning Commission continued
27 consideration of the Project until a future Planning Commission meeting in order to allow the
28 Applicant to address the Planning Commission’s and community’s concerns.

1 45. In response to the direction of the Planning Commission, the Applicant made
2 minor adjustments to the Project. However, the tweaks to the Project saved no additional oak
3 trees and did not change the overall incompatibility of the Project with the surrounding
4 neighborhood.

5 46. On April 7, 2015, the Planning Commission considered the Project again.

6 47. Prior to that meeting, over 523 members of the public opposed the Project and
7 urged the Planning Commission to reject the MND and deny the approvals needed for the
8 Project. Community members once again raised concerns about the loss of oak trees and oak
9 woodland habitat, the compatibility of the project with the neighborhood, and traffic.
10 Commenters explained the deficiencies of the traffic analysis and described the safety hazards
11 the Project would cause, especially given the existing congestion and recent crashes occurring at
12 the intersection near where Project residents would exit the Sierra College Apartments.

13 48. To preserve the oak trees, some suggested a land swap between the Project site
14 and a more developable nearby property owned by Sierra College. The City could then use the
15 mitigation funds it has received from other developers over the years as mitigation for removal
16 of oak trees to purchase the Project site and preserve the oaks and oak woodland habitat. The
17 Sierra College property is already flat, has few trees, and is being considered for housing by the
18 college.

19 49. Residents also advocated for a project that had fewer units based on a density
20 calculation that considered only the developable rectangular portion of the Project site, rather
21 than acreage that included the undevelopable panhandle with its dense stands of oak trees,
22 wetlands, and creek. The Assistant City Attorney advised the Planning Commission that this
23 would comply with the City's zoning ordinance. The City Attorney, in a memo to the City
24 Council dated May 26, 2015, confirmed that the minimum density could be calculated
25 considering only the 7.87 buildable acres of the Project site, excluding most of the panhandle.

26 50. During the Planning Commission meeting, Planning Commissioner Whitmore and
27 Planning Commissioner Broadway expressed concerns about the compatibility of the Project
28 with the neighborhood and the destruction of the oak trees.

1 51. Only two of the four Planning Commissioners at the meeting voted to approve the
2 MND. As a result, the Planning Commission did not take action on the approvals needed for the
3 Project. As explained by the Deputy City Attorney, the approvals were thus denied for lack of
4 approval.

5 52. On April 14, 2015, the Applicant appealed the Planning Commission's decision to
6 the City Council.

7 53. Again members of the Petitioners and others submitted letters opposing the Project
8 and explaining that the MND violated CEQA, the Project violated the City's zoning ordinance,
9 and the Project did not comply with the Design Review requirements.

10 54. On May 26, 2015, the community filled the seats of the City Council chambers,
11 again expressing its opposition to the Project, the Project's inconsistency with the City's own
12 zoning ordinance and design review criteria, and the failings of the MND.

13 55. Despite the continued opposition to the Project, the City adopted resolutions
14 approving the MND, Design Review, and Oak Preservation Permit allowing the removal of 322
15 oak trees from the site. Concerned about the compatibility of the Project design with the
16 neighborhood, the City Council required the applicant to redesign the façade of the buildings
17 and return to the City Council for approval of the new façade.

18 56. The City filed a Notice of Determination with the Placer County Clerk on June 1,
19 2015. The Notice of Determination incorrectly identified the project applicant as City of Rocklin
20 Community Development.

21 **FIRST CAUSE OF ACTION**

22 **Violation of City of Rocklin Ordinance No. 933**

23 57. Petitioners reallege and incorporate by reference the preceding paragraphs in their
24 entirety.

25 58. The City abused its discretion and failed to act in a manner required by law in
26 approving the Design Review for the Project because its approval violated specific requirements
27 of the City's own ordinances.

28 59. All projects within a city's jurisdiction must comply with the city's own

1 ordinances. *Robison v. City of Oakland* (1968) 268 Cal. App. 2d 269, 274.

2 60. The Project is located within the Rocklin Road East of I-80 General Development
3 Plan, which establishes the applicable zoning for the Project site.

4 61. In 2013, the City adopted Ordinance No. 933, which amended the Rocklin Road
5 East of I-80 General Development Plan and rezoned the subject property from Planned
6 Development—Commercial (PD-C) to Planned Development—20 Dwelling Units Per Acre
7 (PD-20).

8 62. The amendment established certain zoning requirements for the PD-20 zone. For
9 instance, the amendment established height restrictions, minimum densities, lot coverage
10 requirements, setback requirements, and fencing requirements for all properties zoned PD-20.

11 63. The City's approval of the Design Review violated Ordinance No. 933 as
12 substantial evidence in the record does not support a conclusion that the proposed Project
13 complies with the zoning requirements established by Ordinance No. 933. For example:

- 14 a. the coverage of all structures and buildings, which includes all aspects of the
15 Project "built or constructed," exceeds 60 percent of the total lot area;
16 b. certain buildings exceed the maximum principle building height of 35 feet;
17 c. structures are proposed within mandatory setbacks;
18 d. the Project does not include open type fences where multi-family units front
19 along a public road, including along Rocklin Road;
20 e. the Project's proposed fences do not comply with setback requirements.

21 64. For all of the above reasons, the City abused its discretion and failed to comply
22 with the law in approving the Design Review for the Project.

23 **SECOND CAUSE OF ACTION**

24 **Violation of CEQA**

25 **(Public Resources Code § 21000 et seq.)**

26 65. Petitioners reallege and incorporate by reference the preceding paragraphs in their
27 entirety.

28 66. CEQA is designed to ensure that government agencies incorporate the goal of

1 long-term protection of the environment into decisions that may affect the environment. CEQA
2 applies to any discretionary action taken by an agency that may cause a reasonably foreseeable
3 change in the environment.

4 67. In furtherance of its goal of environmental protection, CEQA requires that an
5 agency prepare an EIR for a project whenever substantial evidence in the record supports a fair
6 argument that the project may have a significant impact on the environment. The EIR is the
7 cornerstone of the CEQA process and discloses a project's potential adverse environmental
8 impacts. The EIR also informs decisionmakers, responsible agencies, and the public of
9 alternative mitigation measures, project elements, or project designs that would lessen or avoid
10 the project's adverse environmental impacts.

11 68. CEQA also mandates that the lead agency adopt feasible and enforceable
12 mitigation measures that would reduce or avoid any of a project's significant environmental
13 impacts. If substantial evidence in the record supports a fair argument that any of the project's
14 significant environmental impacts cannot be mitigated to a less than significant level, an agency
15 may not rely on a MND and must instead prepare an EIR.

16 69. The City's approval of a Design Review Permit and an Oak Tree Preservation
17 Permit constitutes discretionary acts that trigger its obligation to comply with CEQA.

18 70. The City violated CEQA by relying on an inadequate MND that fails to
19 completely and adequately describe the Project and its effects, including, but not limited to, its
20 impacts on aesthetics, air quality, greenhouse gas emissions, hydrology, land use, noise, public
21 services, and traffic and transportation. For example, the MND fails to conduct any analysis to
22 determine whether the Project is inconsistent with applicable General Plan policies and zoning
23 ordinances adopted for the purpose of avoiding or mitigating environmental impacts. Thus, the
24 EIR fails to alert the public and decisionmakers of the numerous inconsistencies of the Project
25 with the General Plan and City ordinances and fails to effectively mitigate the impacts of the
26 Project. The MND also fails to adequately analyze the impacts of Project traffic on traffic
27 congestion and safety on streets near the Project or to consider whether the Project's traffic will
28 have a significant and adverse effect on nearby freeway interchanges.

1 71. In addition, the City failed to provide a stable, accurate, and finite project
2 description. For example, the MND fails to provide or analyze the extent of clearing and grading
3 that will be required to construct the Project. It also does not identify the amount of land
4 required for infrastructure improvements.

5 72. The City also violated CEQA because the MND provided an inadequate
6 description of baseline conditions against which the City must measure the Project's impacts.
7 For example, the traffic analysis fails to accurately disclose the current traffic conditions on
8 streets and intersections near the Project site, instead relying on traffic counts from other
9 intersections.

10 73. The City violated CEQA by improperly relying on CEQA Guidelines section
11 15183 to "streamlin[e] analysis," as the Project is not consistent with the Rocklin General Plan
12 as analyzed in the 2012 EIR. Similarly, the City violated CEQA by improperly classifying the
13 Project as a "subsequent activity" under CEQA Guidelines section 15168, as the Project is not
14 within the scope of the program analyzed within the 2012 EIR for the Rocklin General Plan.

15 74. The City also violated CEQA by failing to adequately identify the mitigation
16 measures alleged to reduce potentially significant impacts to a less-than-significant level. For
17 example, the MND frequently states that "[a]ll applicable mitigation measures from the General
18 Plan EIR . . . will be applied to the project." However, the MND never summarizes, describes,
19 or specifically identifies the incorporated mitigation measures or determines whether such
20 measures can feasibly be applied to the proposed Project. These and other identified mitigation
21 measures also are not listed in the City's Mitigation Monitoring Program.

22 75. Moreover, the City lacks substantial evidence to support its conclusion that
23 identified mitigation measures will actually mitigate the Project's significant impacts. For
24 example, the City fails to demonstrate how a tree preservation ordinance that permits removal of
25 322 of 375 native oak trees adequately mitigates for the significant impact to this unique
26 resource. Consequently, the City fails to support with substantial evidence its conclusions that
27 potentially significant impacts will be mitigated to a less-than-significant level with respect to
28 air quality, biological resources, hydrology, noise, public services, and transportation/traffic,

1 among other impacts.

2 76. The City violated CEQA by failing to prepare an EIR for the Project when
3 substantial evidence in the record supports a fair argument that the Project may cause the
4 following potentially significant environmental impacts, among others, which have not been
5 adequately disclosed, analyzed, or mitigated to a less than significant level: aesthetics, air
6 quality, biological resources, greenhouse gas emissions, hydrology, land use, noise, public
7 services, and transportation and traffic.

8 77. For all of the above reasons, the City abused its discretion and failed to comply
9 with the law.

10 THIRD CAUSE OF ACTION

11 Violation of Rocklin Code of Ordinances Section 17.72

12 78. Petitioners reallege and incorporate by reference the preceding paragraphs in their
13 entirety.

14 79. All projects must comply with the City's own ordinances. *Robison v. City of*
15 *Oakland* (1968) 268 Cal. App. 2d 269, 274.

16 80. Section 17.72 of the Rocklin Code of Ordinances establishes the City's Design
17 Review process. The goal of Design Review is to ensure that proposed projects "harmonize with
18 existing and proposed residential development." Rocklin Code of Ordinances § 17.72.010.

19 81. The City Council was required to issue written findings of fact demonstrating this
20 harmony and specifically discussing: the relationship between the site design and the
21 surrounding development, natural features and constraints and traffic flow; height, bulk and
22 area; color schemes and materials; and ingress and egress patterns. *Id.* § 17.72.070(C), (D).

23 82. Substantial evidence must support these findings, the findings must support the
24 City's decision, and the findings must trace the analytic route the City traveled from evidence to
25 action. The City's findings failed to meet this standard.

26 83. For example, substantial evidence does not support the City's assertion that the
27 height, bulk, area, color scheme and materials of the buildings and structures are compatible
28 with surrounding development. Nearby developments include two-story buildings of distinctly

1 different architectural styles. To the east, Rocklin Manor contains two-story residences built in a
2 quaint faux-Tudor style. To the south, detached two-story homes in traditional suburban styles
3 can barely be seen from Sierra College Boulevard due to a thick stand of trees and a generous
4 setback. To the west, Granite Creek Apartments, though multi-family residences, are built in a
5 similar style to the homes on Water Lily Lane.

6 84. In stark contrast, the Project's buildings are three stories tall, and appear even
7 taller in places due to the site's variable grade. Moreover, the developer intends to build the
8 project in a modern, urban style out of place in a neighborhood of more traditional architecture.
9 The City recognized this problem by requiring the Project to redesign its façade. Nevertheless,
10 contrary to the evidence before the City Council, the City's findings claim compatibility.

11 85. For all of the above reasons, the City abused its discretion and failed to comply
12 with the law in approving the Design Review for the Project.

13 **PRAYER FOR RELIEF**

14 WHEREFORE, Petitioners pray for judgment as follows:

15 1. For alternative and peremptory writs of mandate directing Respondents to vacate
16 and set aside its approval of the Project.

17 2. For alternative and peremptory writs of mandate directing Respondents to vacate
18 and set aside the MND for the Project.

19 3. For alternative and peremptory writs of mandate directing the Respondents to
20 comply with the requirements of CEQA and take any other action as required by Public
21 Resources Code section 21168.9, and comply with City of Rocklin Ordinance number 933, and
22 Rocklin Code of Ordinances section 17.72;.

23 4. For a temporary stay, temporary restraining order, and preliminary and permanent
24 injunctions restraining Respondents and Real Parties in Interest and their representative agents,
25 servants, and employees, and all others acting in concert with Respondents or Real Parties in
26 Interest on their behalf, from taking any action to implement the Project pending full compliance
27 with the requirements of CEQA, City of Rocklin Ordinance number 933, and Rocklin Code of
28 Ordinances section 17.72;

- 1 5. For costs of the suit;
- 2 6. For Petitioners' attorneys' fees under Code of Civil Procedure section 1021.5,
- 3 Government Code section 800, and other applicable authority; and
- 4 7. For such other and further relief as the Court deems just and proper.

5
6 DATED: June 30, 2015

SHUTE, MIHALY & WEINBERGER LLP

7
8 By: 

9 TAMARA S. GALANTER
10 SARA A. CLARK

11 Attorneys for Citizens Voice Organization and
12 Citizens for Tree Preservation

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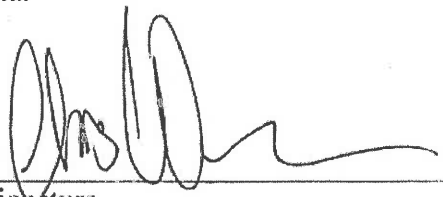
VERIFICATION

I, Chris Wiegman, am President of Citizens Voice Organization, Petitioner in this action. I am authorized to execute this verification on Petitioners' behalf. I have read the foregoing Petition for Writ of Mandate and Complaint for Injunctive Relief ("Petition"). I am familiar with the contents of the Petition. All facts alleged in the above Petition, not otherwise supported by exhibits or other documents, are true of my own knowledge, except as to matters stated on information and belief and as to those matters I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 29th, 2015, at Rocklin, California.

Chris Wiegman
Print Name of Signatory


Signature

691774.1

EXHIBIT A

SHUTE, MIHALY
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

SARA A. CLARK
Attorney
clark@smwlaw.com

June 29, 2015

Via E-Mail and U.S. Mail

City of Rocklin
Barbara Ivanusich, City Clerk
3970 Rocklin Road
Rocklin, CA 95677-2720
E-Mail: CityClerk@rocklin.ca.us

Re: Notice of Commencement of CEQA Litigation Challenging
Approval of Sierra College Apartments Project

Dear Ms. Ivanusich:

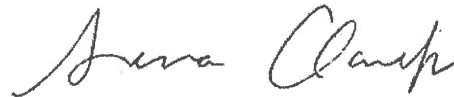
Please take notice that Citizens Voice Organization and Citizens for Tree Preservation will file suit against the City of Rocklin (“City”) challenging the City’s failure to observe the requirements of the California Environmental Quality Act (“CEQA”), Public Resources Code sections 21000 et seq., and the CEQA Guidelines, California Code of Regulations section 15000 et seq., in approving the Sierra College Apartments Project (“Project”) and certifying the mitigated negative declaration for the Project. In approving the Project, Respondents also violated City of Rocklin ordinances because the Project is not consistent with the applicable zoning and design review provisions. This notice is given pursuant to Public Resources Code section 21167.5.

Please note that, pursuant to Public Resources Code section 21167.6, the record of proceedings for the City’s actions includes, among other items, all “internal agency communications, including staff notes and memoranda related to the project or to compliance with [CEQA].” Because all e-mails and other internal communications related to the Project are part of the administrative record for the lawsuit to be filed by Citizens Voice Organization and Citizens for Tree Preservation, the City may not destroy or delete such documents prior to the preparation of the record in this case.

Barbara Ivanusich
June 29, 2015
Page 2

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in cursive script, appearing to read "Sara A. Clark".

Sara A. Clark

691659.1

EXHIBIT B

SHUTE MIHALY
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
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SARA A. CLARK
Attorney
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June 30, 2015

Via U.S. Mail

Attorney General Kamala Harris
Office of the Attorney General
1300 "I" Street
Sacramento, CA 95814-2919

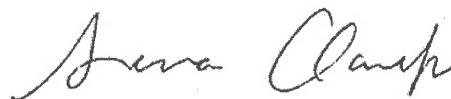
Re: Citizens Voice Organization et al. v. City of Rocklin et al.

Dear Attorney General Harris:

Enclosed please find a copy of the Verified Petition for Writ of Mandate ("Petition") in the above-captioned action. The Petition is provided to you in compliance with Public Resources Code section 21167.7 and Code of Civil Procedure section 388. Please acknowledge receipt in the enclosed prepaid, self-addressed envelope. Thank you.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Sara A. Clark

691660.1

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) Tamara S. Galanter (SJBN 142532) // Sara A. Clark (SBN 273600) Shute, Mihaly & Weinberger LLP 396 Hayes Street San Francisco, CA 94102 TELEPHONE NO.: 415-552-7272 FAX NO.: 415-552-5816 ATTORNEY FOR (Name): Citizens Voice Org.; Citizens for Tree Preservation	FOR COURT USE ONLY <div style="font-size: 24pt; font-weight: bold; margin: 10px 0;">FILED</div> Superior Court of California County of Placer <div style="font-size: 24pt; font-weight: bold; margin: 10px 0;">JUN 30 2015</div> Jake Chatters Executive Officer & Clerk By: S. Marlette, Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Placer STREET ADDRESS: 10820 Justice Center Drive. MAILING ADDRESS: P.O. Box 619072 CITY AND ZIP CODE: Roseville, CA 95678 BRANCH NAME: Roseville	
CASE NAME: Citizens Voice, Inc. et al. v. City of Rocklin et al.	
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)
Items 1-6 below must be completed (see instructions on page 2).	

CASE NUMBER: **SCV0036457**

JUDGE:
DEPT:

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (48) Other P/IP/D/W/D (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (46) <input type="checkbox"/> Other P/IP/D/W/D (23) Non-P/IP/D/W/D (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-P/IP/D/W/D tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input checked="" type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): **Three**

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: **6/30/2015**
Tamara S. Galanter
 (TYPE OR PRINT NAME) (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

JUN 30 2015

Jake Chatters
Executive Officer & Clerk
By: S. Marlatte, Deputy

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10 Attorneys for Citizens Voice Organization and
11 Citizens for Tree Preservation

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF PLACER**

14 **SCV0036857**

15 CITIZENS VOICE ORGANIZATION,
16 AND CITIZENS FOR TREE
17 PRESERVATION

18 Petitioners,

19 v.

20 CITY OF ROCKLIN, CITY COUNCIL
21 OF ROCKLIN, AND DOES 1-20,

22 Respondents.

23 THE EZRALOW COMPANY LLC,
24 ROCKLIN SIERRA APARTMENTS II,
25 I.L.C., CITY OF ROCKLIN
26 COMMUNITY DEVELOPMENT, AND
27 DOES 21-40,

28 Real Parties in Interest.

Case No.

**NOTICE REGARDING
PREPARATION OF RECORD OF
ADMINISTRATIVE PROCEEDINGS**

(Pub. Res. Code § 21167.6(a) and (b))

BY FAX

1 TO CITY OF ROCKLIN:

2 PLEASE TAKE NOTICE that pursuant to Public Resources Code section 21167.6(b)(2)
3 Petitioners Citizens Voice Organization and Citizens for Tree Preservation hereby elect to
4 prepare the record of administrative proceedings in the above-captioned matter, subject to
5 certification by the City.

6 Pursuant to Public Resources Code section 21167.6(a) and (b), Petitioners request that the
7 City certify the record of administrative proceedings before it concerning its approvals on May
8 26, 2015 of the Sierra College Apartments.

9

10 DATED: June 30, 2015

SHUTE, MIHALY & WEINBERGER LLP

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By: 

TAMARA S. GALANTER
SARA A. CLARK

Attorneys for Citizens Voice Organization and
Citizens for Tree Preservation

10. DAVID VICKERS

SUMMARY OF COMMENT LETTER

David Vickers provided comments regarding opposition to the project, references to the previously approved project and references to the prior lawsuit on the project.

10-1 The comment is a summary comment noting opposition to the project on behalf of a website and that the project is not a good fit.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

10-2 The comment suggests that references to the previously approved project should be removed from the Draft EIR.

References to the previously approved project were provided in the Draft EIR as background information and have no bearing on the analysis or conclusions contained in the Draft EIR. The comment provides no statute, rule or regulation supporting its position. Per CEQA Guidelines section 15150 (a) "An EIR or Negative Declaration may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR or Negative Declaration."

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

10-3 The comment expresses an opinion regarding the accuracy of statements in the Draft EIR regarding limitations placed on the City by state law because the project is consistent with existing zoning, and how those statements underplay the Design Review process.

The statements regarding state law were provided for context regarding the selection of project alternatives and are considered to be accurate.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

10-4 The comment references the prior lawsuit filed on the project and expresses opinions disagreeing with statements in the Draft EIR about the previous environmental review of the project through the use of a Mitigated Negative Declaration (MND) and why an EIR has now been prepared, and regarding any reference to the prior MND or General Plan EIR.

The prior litigation was voluntarily dismissed as moot after the City voluntarily set aside its prior approval of the project. As such, there is no obligation regarding the prior lawsuit. The City disagrees with the comment suggesting that the Draft EIR should not reference the 2012 General Plan EIR. The Draft EIR properly tiers its analysis from the 2012 General Plan EIR. The Draft EIR also properly considers all relevant studies and analyses the City previously conducted for the project, including studies the City previously relied upon in its prior preparation of the MND."

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

10-5 The comment is a copy of the Verified Petition For Writ of Mandate and Complaint For Injunctive Relief filed in the County of Placer Superior Court of the State of California (the prior lawsuit).

See Response to Comment 10-4 regarding the prior litigation being dismissed as moot. The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

David Mohlenbrok

From: Marc Mondell
Sent: Monday, June 12, 2017 7:04 AM
To: Sherry Di Lulo
Cc: Joe Patterson; Greg Janda; Ken Broadway; Scott Yuill; Jill Gayaldo; Bret Finning; David Mohlenbrok
Subject: Re: COMMENTS - SIERRA GATEWAY DEIR

Staff is in receipt and by copy to Bret Finning am requesting your comments be made part of the public record for the project.

Sent from my iPhone

On Jun 12, 2017, at 3:33 AM, Sherry Di Lulo <sdilulo@yahoo.com> wrote:

Dear Mr. Mohlenbrok,

I would like to make the following comments on the Sierra Gateway Apartment Project DEIR. The 10.2 acre 3-story apartment project is located at the S/E corner of Rocklin Road and Sierra College Blvd. in the City of Rocklin and consists of APNs 045-161-014, 015 and 016.

I live off El Don and was so delighted to find such a quiet rural area, with wildlife- yet still close to conveniences. Several of my neighbors and friends, specifically moved to the east side of Highway 80 so we would not be living in the craziness of the traffic on the west side, mostly around the mall and congested housing. The east side is more rural – in the Sierra College area and north of the college area. This was the main reason I choose to buy in this area. There has been a substantial change over the past several years, and I often miss the enjoyment of the lost ‘QUIETNESS’ in my back yard. I now have so much traffic noise, I find myself retreating to the indoors. I am so!, so! disappointed in the intense growth taking place in the surrounding areas.

11-1

The east side of highway 80 is now turning into the congested nightmare traffic I specifically moved here to avoid!

Another major concern I have is -with more population, often comes more crime. Already, the apartments are most often mentioned when there is talk of drugs and thief in the area. I moved to this Rocklin Rd/El Don/Hazel area because of safety concerns, but with all this development our safety becomes more of an issue.

11-2

This proposed apartment complex sits at the intersection of Rocklin Road and Sierra College Blvd. is near my home and will cause significant impacts to myself and my neighbors. If developed, this project would greatly increase traffic on Sierra College Blvd., but more importantly onto an already highly congested Rocklin Road

11-3

Currently Rocklin Road between Sierra College Blvd. and I-80 is overly congested mostly due to the traffic generated by Sierra College. Often I hit the congestion at the intersection of El Don Drive and Rocklin Road. The East bound vehicle traffic to the main College entrance across from El Don Drive is continually backed up to I-80. West bound traffic leaving the school is backed up from the campus to I-80 as well. Adding more traffic to this area would cause more grid lock.

11-4

I’ve noticed a traffic tracking device on El Don and other streets in the area. Since Sierra College is not in regular session and this will not reflect accurate traffic flow .

11-5

Another issue of concern is the “fly-over bridge,” which was to go in with the construction of Target, but did not get constructed; therefore, this is another issue with needs to be addressed - in order to elevate some of the current traffic congestion.

11-6

Additionally, the City has a “preliminary” application before it now from Sierra College to create additional high density residential development on a 107-acre project called “Sierra Villages” located off Rocklin Road in two locations (Rocklin Road and Sierra College Blvd. and Rocklin Road and El Don Drive). We are looking at the possibility of at least 400 additional medium to high density residential units, a senior living facility and retail/office development that would impact traffic and circulation in this exact same area. **This DEIR neglects to mention or consider this “Reasonably Foreseeable Project” when providing vehicle impact statistics.** We all know the College is going to develop 72 acres directly across the street from this apartment proposal and also more additional development on another 36 acres off Rocklin Road at El Don Drive.

11-7

The DEIR states...

The City of Rocklin General Plan (October 2012) Circulation Element includes LOS Policy C-10, as follows:

A. Maintain a minimum traffic Level of Service “C” for all signalized intersections during the p.m. peak hour on an average weekday...

B. Recognizing that some signalized intersections within the City serve and are impacted by development located in adjacent jurisdictions, and that these impacts are outside the control of the City, a development project which is determined to result in a Level of Service worse than “C” may be approved, if the approving body finds (1) the diminished level of service is an **interim** situation which will be alleviated by the implementation of planned improvements, ...

11-8

Again, I strongly disagree with the findings in this DEIR that the Level of Service (at least on **Rocklin Road between SC Blvd. and I-80**) is currently at Level C.

Existing Traffic Volumes

Definitions of traffic Level of Service from TABLE 4.5-2

Definition of Level C = Stable flow, but the beginning of the range of flow in which the operation of individual users becomes significantly affected by interactions with others in the traffic stream.

Definition of Level D = Represents high-density, but stable flow.

Definition of Level E = *Represents operating conditions at or near the capacity level.*

Definition of Level F = *Represents forced or breakdown flow.*

Other Level of Service Definitions further state

Level of service E: unstable flow, operating at capacity. Flow becomes irregular and speed varies rapidly because there are virtually no usable gaps to maneuver in the traffic stream and speeds rarely reach the posted limit. Vehicle spacing is about 6 car lengths, but speeds are still at or above 50 mi/h (80 km/h). Any disruption to traffic flow, such as merging ramp traffic or lane changes, will create a shock wave affecting traffic upstream. Any incident will create serious delays. Drivers' level of comfort become poor.

Level of Service F: forced or breakdown flow. Every vehicle moves in lockstep with the vehicle in front of it, with frequent slowing required. Travel time cannot be predicted, with generally more demand than capacity. A road in a constant traffic jam is at this LOS, because LOS is an average or typical service rather than a constant state. For example, a highway might be at LOS D for the AM peak hour, but have traffic consistent with LOS C some days, LOS E or F others, and come to a halt once every few weeks.

Level of Service F has delays that are **considered unacceptable to most drivers.** I definitely find the delays on Rocklin Road from SC Blvd. to I-80 “unacceptable”.

11-9

The DEIR Traffic Study also states...

...Five (5) intersections are “**projected**” to operate at an unacceptable LOS:

- Sierra College Boulevard/Rocklin Road – AM and PM peak hours
- Rocklin Road/Interstate 80 WB Ramps – AM and PM peak hours
- Rocklin Road/Interstate 80 EB Ramps – AM and PM peak hours
- Sierra College Boulevard/Interstate 80 EB Ramps – AM peak hour
- Sierra College Boulevard/Interstate 80 WB Ramps – AM peak hour

I would argue that most if not all of these intersections are already “**currently**” at unacceptable levels.

The DEIR states...

Cultural and Paleontological Resources and Aesthetics

The development of a 3-story apartment complex on this 10.2-acre beautifully wooded property will result in cumulative impacts to the historic character of our neighborhood. I have spoken with many of the neighbors in this area. When I speak of “neighbors” or “neighborhoods” I am referring to those of us who live within a one mile radius of the project. **We moved to this part of Rocklin because of its unique characteristics.** Unlike Stanford Ranch, it is unique because it is not completely paved over, covered with houses and commercial development and signal lights. Our special nook of Rocklin has Oak trees, wildlife, streams and is very well known for its Native American history and artifacts. Destroying this 10 acres covered in almost 400 Oak trees will not only destroy our neighborhood aesthetics and quality of life but will destroy more of our wildlife habitat. Allowing this development to proceed would create a substantial adverse change to our neighborhood and loss of property values.

The DEIR states...

“Aesthetics – *The existing visual character of the site can be described as an undeveloped site containing numerous oak trees, grassland, and gently rolling topography. The surrounding area is mostly developed with retail commercial and residential uses. To the north of the project site are Rocklin Road, several isolated single family residences and vacant land designated for Mixed Use land uses under the Rocklin General Plan. To the northwest of the project site is the Sierra Community College campus, and to the west are Sierra College Boulevard, a small retail commercial shopping center, two separate apartment complexes and single-family residences further to the west. To the south are Water Lily Lane, a single-family subdivision and an open space area associated with an intermittent tributary of Secret Ravine Creek. To the east are an apartment complex, the City of Rocklin/Town of Loomis border and single-family residential subdivisions within the Town of Loomis. The proposed project would add a 195 unit multi-family apartment complex and associated infrastructure, including new sources of lighting to an undeveloped site. The proposed project will affect the visual character of the project area, due to the transition of the project site from undeveloped land to an urbanized land use.*

The EIR will address the proposed project’s potential aesthetic impacts related to the existing visual character or quality of the site.”

I disagree with the above assessment that “*The surrounding area is mostly developed with retail commercial and residential uses.*” The surrounding area is mostly large parcel homes within the City limits of Loomis at noted above, a variety of general residential subdivisions within the City of Rocklin, many large open spaces and open spaces that provide a huge wildlife habitat and include waterways and wetlands, an extremely large community college campus with large areas of open spaces (with many oak trees, wildlife species and creeks) and one minimal and unsuccessful retail center at the intersection of Sierra College Blvd. and Rocklin Road.

I do agree that, “*The proposed project will affect the visual character of the project area, due to the transition of the project site from undeveloped land to an urbanized land use.*”

11-9
(Cont'd)

11-10

11-11

The DEIR goes on to state ..

Impact 4.2-1 Substantially Degrade the Existing Visual Character of Quality of the Site and its Surroundings

*Implementation of the proposed project would result in development that could degrade the existing visual character or quality of the site and its surroundings. However, as further discussed below, this will be a **less than significant impact.***

11-12

I believe this development will have a **substantial adverse effect** on the “aesthetics” of my neighborhood by removing the hundreds of oak trees on this piece of property and destroying part of a larger wildlife habitat corridor. **And it most assuredly WILL degrade the existing visual character of the site and its surroundings.**

Destroying the trees, plants and habitat on this 10 acres will create a substantial adverse effect on the aesthetics of our neighborhood and will have a substantial adverse effect on our scenic view.

This section in the DEIR goes on to state...

The proposed project would result in the development of a 195-unit, two- and three-story apartment complex and associated infrastructure within the project site, which could change the visual nature or character of the site and its surroundings. The proposed project will convert the project site from a generally undeveloped wooded and grassland area to developed uses.

11-13

*The apartment complex will consist of eleven residential buildings and a clubhouse building, which will include a leasing office and a manager’s apartment. **The majority of the residential buildings will be three-story buildings** comprised of one, two, and three bedroom units with private garages located at the ground level. There will also be four two-story buildings configured to provide private garages with carriage style apartment units above... ”*

There are currently **NO** 3-story residential structures or apartment developments with this many units (195) in this area. Currently there exists:

Adding another apartment complex, most notably a 3-STORY COMPLEX, is **not harmonious** to our neighborhood including those living within the Town limits of Loomis.

The DEIR states...

“The proposed project would include berms and retaining walls to adjust for grade variances. Stacked block retaining walls ranging from 3 to 7 feet tall would be placed along the project’s frontage with Sierra College Boulevard, a concrete with brick veneer retaining wall ranging from 4 to 6 feet tall would be placed along the western side of the project’s driveway on Rocklin Road, and a concrete with brick veneer retaining wall up to 10 feet tall would be placed between buildings 5 and 9 and their respective parking lots, near Water Lily Lane. In addition, the existing sound wall along Water Lily Lane would be extended westerly by the proposed project towards Sierra College Boulevard, terminating at a plane that coincides with the edge of the westernmost building (building 5).”

11-14

Concrete veneer retaining walls up to 10 feet tall does not sound very aesthetically pleasing to me. When you look at the project diagram in the DEIR it appears that 98% of this project is asphalt and buildings. Adding a couple trees and walls is not going to mitigate the significant aesthetic impacts of this development. The DEIR goes on to state, “*These artistic renderings show landscape growth at maturity (15-20 years) of the development assuming that a mix of sizes and varieties of plants and trees would be planted as part of project construction.*” So for 15-20 years we have to live with unsightly asphalt and buildings? This is in complete contrast to the surrounding area. And the DEIR claims there is no aesthetic impacts? Who wrote this DEIR, the developer? They certainly paid for it and got their monies worth. I have little faith that the firm of De Novo Planning Group, a Sacramento area consulting firm, or the Omni Means group that provided data for this DEIR truly have taken into perspective opposing views.

I believe this same consulting firm is being used by the City (and paid for the by the developer) for the Sierra Villages project. I would like to impress upon you to consider using a more appropriate and fair EIR consulting firm going forward as this DEIR clearly does not adequately address the impacts of this proposed apartment project.

11-14
(Cont'd)

Please refer to the DEIR renderings; for example **FIGURE 4.2-9 VIEW NEAR MAIN ENTRY TO PROJECT FROM ROCKLIN ROAD** below. Now imagine those pretend, large trees shown in the rendering below are not there which in reality would be the case. Not so aesthetically pleasing. Please do not rely on made to look pretty drawings that are not reality.

11-15

There is no way the City or the developer can “ensure visual compatibility with existing development” as well as “the preservation of unique natural features”. The DEIR goes on to make a contradictory statement, “The City of Rocklin General Plan EIR concluded that aside from implementation of the City’s Design Review Guidelines and the application of General Plan goals and policies addressing visual character and views, **no other mitigation measures are available to fully mitigate impacts to existing visual character given the extent and density of proposed development, and significant aesthetic impacts will occur as a result of development...**”

Given the above assessment, the project should be denied.

Biological Resources

Development in this area will result in the loss of native oak and heritage trees, the loss of oak woodland habitat, and cumulative impacts to biological resources. This area is close to and part of a large wildlife corridor that runs from the east in Loomis to Secret Ravine near I-80 on the west. Development such as this apartment complex will destroy the close to 400 Oak trees on these 10 acres. Making the developer pay money into an Oak Tree Mitigation Fund does not compensate the community. The loss of this oak woodland habitat and the aesthetic beauty it provides to our neighborhood will be lost.

11-16

Wildlife Corridor

The **Rocklin Oak Tree Preservation Ordinance** states, “...the city council finds that oak woodlands constitute a valuable natural resource within the city. They provide habitat for wildlife; they contribute to the city's beauty and varied scenery; ... Oak woodlands have declined substantially in extent and quality, both locally and regionally. They are continuing to decline under pressures of ...urbanization. The goal of this chapter is to address the decline of oak woodlands due to urbanization through a considered attempt to balance against the social benefits of private property ownership and development.”

11-17

I believe the destruction of this 10 acre oak woodland would violate **Chapter IV B - Open Space** of the **City of Rocklin’s General Plan** which in part states,

“The City has taken a leading role in preserving open space corridors and other natural features in newly developing areas. This approach is reflected in the open space goals and policies, which in turn reflect the high interest expressed by Rocklin residents in the community survey in preserving remaining areas for open space and outdoor recreation. The survey showed that Rocklin residents value open space, park and recreation facilities, and the natural amenities of the community. Construction of streets, schools and parks, protecting creeks and waterways, preserving open space, and providing recreational programs and facilities were all ranked as “very important” in the survey. Connectivity of habitat and open space areas is another important issue that is addressed in the General Plan policies related to the preservation of open space for natural resources. In addition to traditional parks, Rocklin contains areas of open space that are rugged and undeveloped. Linear green space along creeks and other corridors is encouraged, while recognizing that issues related to maintenance, security and access must also be addressed. Linear open space areas can also be multi-purpose, including bicycle and pedestrian paths.”

11-18

According to the **Arborist Report:**

- 368 “oak” trees or 95% of the trees on this property qualify as “protected” based on the City of Rocklin’s Tree Ordinance.
- There are at least 386 all-together of which 96% are oak trees.
- Of those “oak” trees, only five (5) are considered “dead”.

➤ All together 36% of the “oak” trees qualify as “dangerous not correctable” or apparently “diseased and/or dying”.

11-18
(Cont'd)

➤ 64% of the “oak” trees are in “healthy” condition.

Property Values

I am against the building of these apartment complexes. The value of my home is based on the unique nature of the surrounding area. Adding further development of this nature will only serve to decrease the value of my home by taking away from the special nature of this special nook in Rocklin.

11-19

I would appreciate an acknowledgement of this email.

Respectfully Submitted,

Sherry Di Lulo

11. SHERRY DI LULO

SUMMARY OF COMMENT LETTER

Sherri Di Lulo provided comments regarding her neighborhood and reasons for living there, crime, traffic and circulation, cultural and paleontological resources, aesthetics, biological resources, wildlife corridor, loss of trees, and property values,

11-1 The comment expresses opinions regarding why the commenter chose to live on the east side of I-80 and concerns regarding the loss of “quietness” from traffic noise and increased congestion.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

11-2 The comment expresses an opinion that with increased population often crime increases, and with additional development safety becomes more of an issue.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

11-3 The comment expresses an opinion that the project would greatly increase traffic on Sierra College Boulevard and Rocklin Road. See Response to Comment 21-5.

11-4 The comment expresses an opinion regarding existing poor traffic conditions on Rocklin Road as a result of traffic from Sierra College and how more traffic from the proposed project would add to congestion along Rocklin Road.

The comment includes anecdotal information about traffic conditions along Rocklin Road but contains no data to support the claims regarding congestion. See Response to Comment 21-5.

11-5 The comment is regarding the observation of a traffic tracking device in the project area and how it won't reflect accurate traffic flow due to Sierra College not being in session.

The noted traffic tracking device is not associated with the traffic analysis of the proposed project. See Response to Comment 21-10.

11-6 The comment is regarding the “fly-over bridge” that was to go in with the construction of the Target store as a way to alleviate congestion, but it was not constructed.

The “fly-over bridge” is known as the Dominguez Overcrossing and is identified as a future roadway in the City of Rocklin General Plan Circulation Element. The timing of the construction of that roadway was not tied to the Target store.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

11-7 The comment is regarding the lack of inclusion of Sierra College’s proposed development in the Draft EIR traffic analysis as a reasonably foreseeable project and how will traffic from all development in the area be mitigated.

See Master Response for Comments Regarding Inclusion of Sierra College’s Planned Development and Other Projects in the Traffic Analysis.

11-8 The comment recites a portion of the City of Rocklin General Plan Level of Service Policy C-10 with an emphasis on the “interim” portion of item B and then expresses an opinion regarding traffic conditions on Rocklin Road.

See Response to Comment 21-9.

11-9 The comment is regarding the definitions of level of service as provided in the Draft EIR and from additional sources and the comment re-states traffic study information from the Draft EIR and also expresses an opinion regarding intersections currently being at unacceptable levels of service.

See Response to Comments 21-12 and 21-13.

11-10 The comment expresses an opinion regarding the historical character of a neighborhood and its biological and cultural resources and how the development of the proposed project would destroy neighborhood aesthetics, quality of life and wildlife habitat and result in a loss of property values.

See Response to Comment 21-15.

11-11 The comment re-states aesthetic analysis from the Draft EIR and also expresses opinions regarding the conclusions reached and the accuracy of the analysis in the Draft EIR and Initial Study regarding aesthetics.

See Response to Comment 21-16.

11-12 The comment re-states aesthetic analysis from the Draft EIR and also expresses an opinion regarding the conclusions reached of the analysis in the Draft EIR regarding aesthetics.

See Response to Comment 21-17.

11-13 The comment re-states aesthetic analysis from the Draft EIR and also expresses an opinion regarding there no being 3-story residential structures with 195 units in the area and how adding a 3-story complex would not be harmonious.

See Response to Comment 21-18.

11-14 The comment re-states aesthetic analysis from the Draft EIR and also expresses opinions regarding the project's design and landscaping and consulting firms.

See Response to Comment 21-19.

11-15 The comment re-states aesthetics analysis from the Draft EIR and findings from the General Plan EIR regarding aesthetics and also expresses opinions regarding the project renderings.

See Response to Comment 21-20.

11-16 The comment expresses opinions regarding the loss of oak trees, biological resources and a wildlife corridor as a result of the project, and payment of fees into the City's Oak Tree Mitigation Fund as being insufficient.

See Response to Comment 21-21 and discussion of Project's compliance with the City of Rocklin's Oak Tree Preservation Ordinance in Chapter 4.4 – Biological Resources of the Draft EIR.

11-17 The comment re-states portions of the City of Rocklin's Oak Tree Preservation Ordinance.

See Response to Comment 21-22 and discussion of Project's compliance with the City of Rocklin's Oak Tree Preservation Ordinance in Chapter 4.4 – Biological Resources of the Draft EIR.

11-18 The comment expresses an opinion regarding violation of the Open Space chapter of the City of Rocklin General Plan, re-states portions of the Introduction section of the Open Space chapter of the City of Rocklin General Plan, and then provides information from the arborist Report.

See Response to Comment 21-23.

11-19 The comment expresses an opinion regarding the Draft EIR's discussion of potential impacts on property values.

See Response to Comment 21-15.



June 8, 2017

David Mohlenbrok
Environmental Services Manager
Public Services Department
4081 Alvis Court
Rocklin, CA 95677

Transmitted via email: David.Molenbrok@rocklin.ca.us

RE: Sierra Gateway Apartments Draft Environmental Impact Report (Sch # 2016032068)

Dear Mr. Mohlenbrok:

The California Oaks program of California Wildlife Foundation is dedicated to preserving and perpetuating California’s oak woodlands and wildlife habitats. We are writing to articulate serious deficiencies of the proposed Sierra Gateway Apartment development proposal.

12-1

California’s oak woodlands and oak forested lands form an ecological backbone that supports the economy and environment. These lands sustain healthy watersheds, provide habitat for diverse plants and wildlife, and sequester carbon—generating benefits that extend across property lines. Three hundred and thirty one oak trees are threatened by ill-conceived development projects such as the proposed Sierra Gateway Apartment complex.

Considerations for Valley and Blue Oaks:

The Draft Environmental Impact Report (DEIR) states:

The property occurs in the transition of the central valley and the Sierra Nevada foothills with elevations ranging between 320 feet and 340 feet above sea level. The project site’s primary biological community is foothill woodland dominated by interior live oak. The project site’s woodlands also contain scattered blue oaks, and to a lesser extent valley oaks and a few oracle (hybrid) oaks. The project site also consists of annual grassland and riparian woodlands, an intermittent stream and an associated wetland swale located in the southern portion of the property adjacent to Sierra College Boulevard, and a seasonal wetland located in the northern portion of the property; collectively these wetland resources total approximately 0.03 acres. (4.2-2)

12-2

We refer you to the Placer County Oak Woodland Management Plan, which states (emphasis added):

428 13th Street, Suite 10A Oakland CA 94612, 510-763-0282, email: oakstaff@californiaoaks.org, www.californiaoaks.org

Valley Oak Woodland (page 7): The remaining valley oak woodlands should be protected and restoration should be a priority... **Impacts resulting in woodland fragmentation should be avoided.** If impacts to valley oak woodlands are unavoidable, mitigation priority should be given to restoration of onsite woodlands when existing habitat value can be maintained or enhanced or restoration at an offsite location supporting valley oak woodland where a fragmented condition can be improved, habitat value can be enhanced, or where connectivity can be achieved.

Valley Foothill Riparian (page 9): Conservation/Restoration Objectives. **The first priority for valley foothill riparian is to avoid generating direct or indirect impacts on the resource.** Where impacts cannot be avoided and habitat is degraded or lost by road crossings, infrastructure extensions or flood control, onsite, in-kind replacement of habitat is to be encouraged including the reestablishment of a viable multi-story community structure. Typically, mitigation should occur at the location of the impact. When reviewing valley foothill riparian mitigation plans, staff should evaluate whether offsite mitigation may result in greater ecological benefits than onsite mitigation. Offsite mitigation should be considered if the offsite location could improve corridor connectivity, increase habitat value, or restore a significantly diminished resource.

Blue Oak Woodlands (page 11): **Project sites supporting blue oak woodland should be evaluated to determine whether project-related impacts would result in fragmentation of a contiguous stand either on the site or in adjacent parcels. The conservation of this community should be a priority.**

12-2
(Cont'd)

Mitigation:

It is disconcerting that the DEIR has no detail about mitigation other than a statement that it will be “consistent with the requirements of the City’s Oak Tree Preservation Ordinance (Rocklin Municipal Code Section 17.77.080.B).” We offer that the proposed project has generated sufficient concern that the DEIR should provide adequate information about the proposed mitigation measures.

Further, we call your attention to what is surely not a good faith effort to adhere to the mitigation requirements of the City of Rocklin’s Oak Tree Preservation Guidelines. Please note, below, the section of the DEIR notated in bold face type (emphasis added):

The project area includes 384 total trees, of which 367 are oak trees within the boundaries of the project that qualify as “protected trees” by the standards of the City of Rocklin Oak Tree Preservation Guidelines. Composition of the 367 oak trees includes 308 interior live oaks, 53 blue oaks, 5 valley oaks and 1 oracle oak. Of the 367 oak trees, 5 are rated 0 (dead), 132 are rated 1 (dangerous/non-correctable), **122 are rated 2 (poor)**, 107 are rated 3 (fair) or 4 (good), and 1 is rated 5 (excellent). 320 trees will likely be removed for the Project, but mitigation will be required for the removal of 108 of those healthy trees with “fair” to “excellent” ratings pursuant to the Oak Tree Preservation Guidelines. (4.4-2)

12-3

Page 3 of the Oak Tree Preservation Guidelines states: *No mitigation shall be required when staff determines the tree is dead or diseased to such an extent or in such a manner that the tree poses a risk of injury to persons or property.* It is concerning that the authors of the DEIR concluded that only 108 of the trees are subject to mitigation requirements described in the city's Preservation Guidelines. Additionally, the DEIR does not provide an explanation of why it concludes that 17 of the trees on the property do not qualify as protected as per the city's Preservation Guidelines.

Please also note the city's Preservation Guidelines call for the conservation of existing tree resources (Goal 2, page 11.)

Thank you very much for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Janet Cobb".

Janet Cobb, Executive Officer
California Wildlife Foundation/California Oaks

12-3
(Cont'd)

12. JANET COBB, CALIFORNIA WILDLIFE FOUNDATION/CALIFORNIA OAKS

SUMMARY OF COMMENT LETTER

The California Wildlife Foundation/California Oaks organization provided comments regarding Consideration for Valley and Blue Oaks, the Placer County Oak Woodland Management Plan, concerns regarding the Draft EIR's oak tree mitigation discussion and the City's Oak Tree Preservation Guidelines.

12-1 The comment is an introductory comment providing background on the California Wildlife Foundation and the values of oak woodland, and the comment expresses an opinion regarding the Sierra Gateway Apartment project being an ill-conceived development project.

The introductory comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

12-2 The comment re-states portions of the project location and setting discussion from the Draft EIR's Biological Resources chapter and then provides citations from the Placer County Oak Woodland Management Plan.

The Placer County Oak Woodland Management Plan is only applicable to unincorporated Placer County and not the City of Rocklin.

The comment does not focus on the on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

12-3 The comment expresses an opinion regarding the adequacy of the Draft EIR's mitigation measure identified for impacts to oak trees and adherence to the City of Rocklin Oak Tree Preservation Guidelines. The comment also questions why 17 trees on the property do not qualify as protected per the City's Preservation Guidelines.

The Draft EIR's Biological Resources chapter Impact 4.4-4, titled "Conflict with Local Policies or Ordinances Protecting Biological Resources, such as a Tree Preservation Policy or Ordinance" correctly references compliance with the City's Oak Tree Preservation Ordinance as a mitigation measure to ensure the proposed project would not conflict with a local ordinance protecting biological resources (i.e., the City of Rocklin Oak Tree Preservation Ordinance). Additional details regarding the City of Rocklin Oak Tree Preservation Ordinance are provided in the Regulatory Context section of the Biological Resources chapter on pages 4.4-14 and 4.4-15, the discussion of Impact 4.4-4 on pages 4.4-21 through 4.4-25 also provides detail regarding the City of Rocklin Oak Tree Preservation Ordinance, and mitigation measure 4.4-4 provides detail

on the steps to be taken to ensure compliance with the City's Oak Tree Preservation Ordinance. The Draft EIR's mitigation measure is considered to be adequate.

The citation from page 3 of the Oak Tree Preservation Guidelines which states "No mitigation shall be required when staff determines the tree is dead or diseased to such an extent or in such a manner that the tree poses a risk of injury to persons or property" is from the "Developed Lots – Tree Removal Permit" section of the Oak Tree Preservation Guidelines" For the proposed project, which is considered to be an undeveloped lot (defined in the Oak Tree Preservation Guidelines as "any property or lot which is not a developed lot"), the applicable portion of the Oak Tree Preservation Guidelines is the "Undeveloped Property – Tree Preservation Plan Permit" section. Per that section (page 10 of the Oak Tree Preservation Guidelines), "No mitigation is required for the removal of a dead, dying, or diseased oak tree on undeveloped property." As such, based on the conditions noted on the project's arborist report (Appendix G of the Draft EIR) and as summarized in Impact 4.4-4, it is correctly noted that only 108 oak trees are subject to the mitigation requirements described in the Oak Tree Preservation Guidelines.

In response to the comment that the Draft EIR does not provide an explanation of why it concludes that 17 of the trees on the property do not qualify as protected per the City's Preservation Guidelines, page 4.4-21 of the Draft EIR notes "Per the arborist report, the project area includes 385 total trees, of which 368 are oak trees within the boundaries of the project that qualify as 'protected trees' by the standards of the City of Rocklin Oak Tree Preservation Guidelines." From this discussion it can be inferred that of the 385 total trees in the project area, 17 trees do not qualify as "protected trees" by the standards of the City of Rocklin Oak Tree Preservation Guidelines. These 17 trees do not qualify as "protected trees" because they are either non-oak species, or they are overhanging but not actually occurring on the project site, or they are oak trees that are less than 6" in diameter at breast height (the Oak Tree Preservation Guidelines define "oak tree" as an oak tree with a trunk diameter at breast height of six inches or more and of a species identified in these Guidelines as native to the Rocklin area).

The reference to the Goal 2, page 11 regarding the conservation of existing tree resources is not from the City's Preservation Guidelines, but rather from the City's Planning for the Future of Rocklin's Urban Forest document. Within that document and following Goal 2 (Promote conservation of existing tree resources) is Objective 2.1 - Increase the level of protection provided to oaks before and during construction, and the first Action item listed beneath that objective is "Continue enforcement of Rocklin's Oak Tree Ordinance", which is accomplished with the proposed project via the Draft EIR's Mitigation Measure 4.4-4.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.



WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME

June 9, 2017

Mr. Britton Snipes, Public Works Director (bsnipes@loomis.ca.gov)
City of Loomis
3665 Taylor Road
Loomis, CA 95650

RE: Sierra Gateway PEER Review

Dear Mr. Snipes;

Per your request, I have reviewed *the Sierra Gateway Apartments Draft Environmental Impact Report (SCH #2016032068)*. Due to my expertise in traffic engineering and transportation planning, I mainly focused on *Chapter 4.5 Transportation/Traffic*. The report itself is very thorough, although I believe additional analysis would be beneficial before moving forward with this project. My concerns and comments are explained in detail below.

13-1

1. Software usage – Traffix 8.0 R1 and Synchro Version 9

Please confirm why two different types of software were used to calculate the LOS of the signalized intersections along Sierra College Boulevard and Rocklin Road. On an added note, the corresponding LOS tables (for example, Table 4.5-4) would be confusing to a number of readers since one column shows “Delay or Volume/Capacity” and not just “Delay” or “Volume/Capacity”.

13-2

2. Intersection Analysis

Sierra College Boulevard/Rocklin Road is approximately one (1) mile from Rocklin Road/I-80 Ramps (EB and WB). Similarly, Sierra College Boulevard/Rocklin Road is approximately one (1) mile from Sierra College Boulevard/I-80 Ramps (EB and WB). Each of the above intersections were analyzed during the peak period to determine the existing and future LOS. However, the signalized intersections located between these intersections were not analyzed and no intersections were analyzed south or east of the proposed development. Therefore, I recommend adding and analyzing the following intersections for all scenarios:

- Westbound
 - Havenhurst Circle (Signalized)
 - El Don Drive (Signalized)
 - Aguilar Road (Signalized)
- Northbound
 - Stadium Entrance (Signalized)
 - Dominguez Road/Bass Pro Drive (Signalized)
- Eastbound
 - Barton Road (Unsignalized)
- Southbound
 - El Don Drive/Brookfield Circle (Signalized)
 - Southside Ranch Road (Signalized)
 - Nightwatch Drive (Signalized)

13-3

3. Crash Analysis

I recommend conducting a 3-year to 5-year crash analysis for all of the intersections included in the Report, along with the additional intersections mentioned in Point #2 on the previous page. The analysis would include injury, fatality, and property damage only crashes with a breakdown of vehicles, pedestrians, bicycles, and motorcycles (if transit crashes are frequent, I would include them as well). This analysis could assist in designing safer intersections to account for the additional traffic that will occur due to the new residents living in the Sierra Gateway Apartments.

13-4

4. I-80 LOS

Please confirm with Caltrans that LOS E is an acceptable goal on I-80 through the study area. Typically, LOS C and/or LOS D are the acceptable threshold on State Highway facilities.

13-5

5. Table Errors

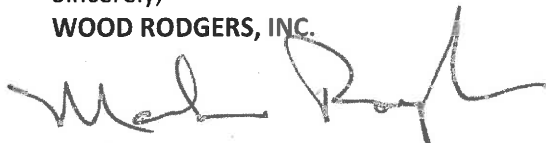
According to the Report, "If an intersection already operates below the LOS standard, an impact is considered significant if the proposed project would cause intersection operations to deteriorate by volume-to-capacity increases of at least 0.05, or average delay increases of at least 5 seconds for highway ramp intersections and unsignalized intersections." Therefore, the following changes need to be made to two tables and the corresponding write-up:

- Table 4.5-17 shows the AM Rocklin Road and I-80 EB Ramps with a delay time of 66.8 seconds.
- Table 4.5-19 shows the AM Rocklin Road and I-80 EB Ramps with a delay time of 71.9 seconds. The difference between the delay times is 5.1 seconds which is greater than the 5 second threshold. Therefore, the Impact column should be updated to say Yes and the subsequent writeup should be included throughout the report.
- Table 4.5-21 shows the AM Rocklin Road and I-80 EB Ramps with a delay time of 71.9 seconds. The difference between the delay times is 5.1 seconds which is greater than the 5 second threshold. Therefore, the Impact column should be updated to say Yes and the subsequent writeup should be included throughout the report.

13-6

If you have any questions regarding the Sierra Gateway Peer Review, please contact me at (702) 220-3680. I look forward to working with you again in the future.

Sincerely,
WOOD RODGERS, INC.



for Scott Rickert, PE
Transportation Engineer

13. SCOTT RICKERT, WOOD RODGERS

SUMMARY OF COMMENT LETTER

The firm of Wood Rogers provided comments on behalf of the Town of Loomis regarding their peer review of the transportation/traffic chapter of the Draft EIR.

13-1 The comment is a summary comment regarding the qualifications of the letter author and their review efforts.

The introductory comment which identifies forthcoming additional comments does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

13-2 The comment questions why two types of software were used to calculate the level of service (LOS) and also expresses an opinion how the corresponding LOS tables could be confusing.

As noted in the Transportation/Traffic chapter of the Draft EIR on page 4.5-14, intersection LOS has been calculated for all City of Rocklin signalized intersections using Circular 212 Planning methodology and LOS at signalized highway ramp intersections at Rocklin Road and Sierra College Boulevard have been calculated using the Highway Capacity Manual (HCM) methodology. These approaches are consistent with methodologies utilized in the City of Rocklin General Plan EIR. The Circular 212 methodology can only be implemented by using the Traffix software, and the signalized highway ramp intersections within the Caltrans right-of-way were implemented using Synchro/Sim-Traffic software to achieve more accurate results by accounting for closely spaced signals. Caltrans requires the use of HCM methodology for their intersections and their signal timings. The methodology and timings are implemented using Synchro software which is acceptable to Caltrans.

Table 4.5-2 - Intersection Level of Service (LOS) Descriptions in the Transportation/Traffic chapter of the Draft EIR on page 4.5-14 notes that Circular 212 volume to capacity ratio calculations are reported ranging from ≤ 0.600 - >1.00 , and HCM average delay per vehicle calculations are reported ranging from ≤ 10.0 seconds per vehicle - > 50 seconds per vehicle. It is the City's opinion that the representation of these two different level of service metrics as either numbers greater than 1 or less than 1 clearly distinguish whether the vehicle/capacity ratio or average delay is being reported.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

13-3 The comment expresses an opinion that additional signalized intersections located between the study intersections and other intersections south, west or east of the project should have been included in the analysis.

The comment suggests that the EIR should analyze an additional nine intersections surrounding the project site in addition to the seven intersections already analyzed. The determination of what intersections to analyze for this project was made based on consideration of the following factors:

- Intersections immediately surrounding the project site
- Intersections of nearby major arterials (i.e. Rocklin Road, Sierra College Blvd., and their interchanges with I-80)
- Comments made during the scoping period (i.e. Caltrans requested analysis of the interchanges)
- A review of prior traffic studies the City previously conducted in the affected area (including the 2010 traffic analysis prepared for the General Plan EIR)
- An evaluation of the project trip distribution (e.g. only 15% of Project traffic is projected to travel east and another 15% south from the project site, while the majority of the traffic travels west and north)
- The relatively small size of the project and the fact that the project generates fewer vehicle trips than what would have occurred under the project site's former retail commercial land use designation which was analyzed in the General Plan EIR, as explained further below.

Based on the professional traffic engineer's consideration of these factors, none of the intersections identified in the comment letter were found to warrant separate study, as none of the additional roads identified are arterials or major collector streets. Furthermore, the fact that the traffic study found that the project would not have potentially significant traffic impacts at the studied intersections, except for the cumulative Year 2030 impacts at the Rocklin Road/I-80 interchanges, further suggests that the other smaller intersections identified would not be significantly impacted. Nonetheless, at the comment's request, the following additional information for these other intersections is provided below.

With the exception of the Stadium Entrance intersection which did not exist at the time, all other intersections identified in the comment were analyzed in General Plan Draft EIR (2012). The intersection operations can be found in Tables 4.4-27 and 4.4-31. The General Plan EIR concluded that all of these intersections, with the exception of the Dominguez Road and Sierra College Boulevard intersection, are projected to operate at acceptable LOS during the PM peak hour. The Dominguez Road and Sierra College Boulevard intersection was projected to operate at an unacceptable LOS D, but mitigation identified in the General Plan EIR (modify to include single eastbound through lane on Dominguez Road and a free eastbound right turn lane from Dominguez Road onto southbound Sierra College Boulevard) would achieve LOS B when implemented. Appendix C of the General Plan EIR contains exhibits with the traffic volumes.

The Sierra Gateway Apartments project as proposed is less intense and generates fewer trips when compared to the land uses identified in the General Plan EIR. The project site was

previously analyzed with retail commercial land uses in the General Plan EIR and there was a previously approved project on the project site that consisted of 38,216 square feet of medical/dental office and 39,372 square feet of retail/commercial. Based on the traffic analysis that was conducted for the previously approved project, it was expected to generate approximately 4,312 average daily trips, 166 AM peak hour trips and 399 PM peak hour trips. In comparison the Sierra Gateway Apartments project generates approximately 1,305 average daily trips, 99 AM peak hour trips and 125 PM peak hour trips.

Thus, the Sierra Gateway Apartments project generates significantly less trips compared to what was analyzed in the General Plan EIR and as explained above, with one exception the General Plan EIR found that the intersections identified in the comment will be operating acceptably under Cumulative conditions. The analysis of these intersections was therefore not included in the Sierra Gateway Apartments traffic analysis or EIR because the project will not result in any significant traffic impacts more severe than those disclosed in the General Plan EIR.

It should be noted that the General Plan analyzed the impacts during the PM peak hour which corresponds to the City’s Level of Service policy that calls for the identification of impacts in the PM peak hour. The following table provides a comparison of the Cumulative PM peak hour traffic on Sierra College Boulevard south of the I-80 EB ramps and on Rocklin Road east of Sierra College from the General Plan EIR and the Sierra Gateway Apartments Draft EIR. The intent of this comparison to demonstrate that the traffic numbers from the Sierra Gateway Apartments traffic analysis and associated Draft EIR are comparable to the 2012 General Plan EIR and to ascertain that the conclusions drawn from the General Plan EIR are still valid.

Roadway Segment	2012 General Plan EIR Cumulative PM Peak Hour	Sierra Gateway Apartments DEIR Cumulative PM Peak Hour
Sierra College Boulevard, south of I-80 EB Ramps	3,107	3,247
Rocklin Road, east of Sierra College Boulevard	1,361	1,393
Rocklin Road, west of Sierra College Boulevard	2,583	2,549

As shown in the above table, the traffic volumes on Sierra College Boulevard south of the I-80 EB ramps from the Sierra Gateway Apartments Draft EIR are similar, albeit slightly higher, than the 2012 General Plan EIR, the traffic volumes on Rocklin Road east of Sierra College Boulevard from the Sierra Gateway Apartments Draft EIR are similar, albeit slightly higher, than the 2012 General Plan EIR, and the traffic volumes on Rocklin Road west of Sierra College Boulevard from the Sierra Gateway Draft EIR are similar, albeit slightly lower, than the 2012 General Plan EIR. This indicates that the Cumulative traffic volumes, analysis and conclusions from the 2012

General Plan EIR are considered to be valid for the purpose of the Sierra Gateway Apartment Draft EIR. It should be noted that although the City requires traffic counts to be conducted on an average weekday with schools in session, it is not unusual to see slight differences in traffic volume measurements such as presented above based on factors such as the day and year the traffic counts were conducted, and daily fluctuations in traffic volumes.

The project did not create significant impacts to any of the intersections on Sierra College Boulevard between Rocklin Road and I-80 interchange ramps. The cross streets at these intersections carry more traffic than the Stadium Entrance. The project is expected to add 30 AM and 38 PM peak hour trips to this segment of Sierra College Boulevard which translates to approximately one vehicle every two minutes. These trips represent about 1% and 1.3% of total traffic in the cumulative AM and PM hours, respectively. Since the project generates insignificant traffic at this intersection and does not create significant impacts to the other intersections along Sierra College Boulevard, it can be concluded that the project will not result in significant impacts to the Sierra College Boulevard/Stadium Entrance intersection and analysis of this intersection is therefore not required.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

13-4 The comment expresses opinions regarding conducting a 3-5 year crash analysis for all intersections included in the report along with other suggested intersections, what the analysis should include, and potential benefits of the analysis.

The Draft EIR's Transportation/Traffic chapter included a discussion of five years of historical collision data at the study intersections closest to the project site (Sierra College Boulevard/Rocklin Road, Sierra College Boulevard/Water Lily Lane, and Rocklin Road/Rocklin Manor Drive (West) on page 4.5-19. In summary, the discussion noted that there have been no fatalities and no accidents with severe injuries, the only accidents have occurred at the Sierra College Boulevard/Rocklin Road intersection, and of eighteen accidents at that location over a five year period, one accident had a visible injury, eight accidents had complaints of pain, and nine accidents had property damage only. For the five years of data, there have been less than four vehicle accidents per year. The Draft EIR's Transportation/Traffic chapter included Impact 4.5-5, titled "Substantially Increase Hazards Due to a Design Feature" (pages 4.5-53 through 4.5-55) which concluded a less than significant impact based on the following: 1) the Project Site Access – Focused Analysis study determined the project's access points on at Rocklin Road and Rocklin Manor Drive will have acceptable level of service and adequate queue lengths during the AM and PM peak hour periods; 2) the addition of project traffic at the ingress points on Rocklin Road and Rocklin Manor Drive is not anticipated to result in an increase of hazards nor is it anticipated to exacerbate what are historically low levels of accidents at the study intersections closest to the project site, and 3) the proposed project is evaluated by the City Engineer to assess such items as hazards due to a design feature or incompatible use, and no such conditions were found.

The Draft EIR's Introduction and Scope of EIR chapter included a discussion responding to comments on the Notice of Preparation regarding increases in accidents and safety concerns on page 1-19. For the FEIR reader's benefit, that discussion is repeated below in italics:

Several comments expressed concern regarding the proposed project's potential to increase traffic accidents and create safety issues. Consistent with the CEQA Guidelines Appendix G Environmental Checklist Form (Initial Study checklist), the Transportation/Traffic chapter of the EIR will examine whether the proposed project could substantially increase hazards due to a design feature or incompatible uses, whether it could result in a conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

The potential occurrence of increased traffic accidents as a result of additional traffic trips created by a new project can be minimized through a review and evaluation process of the new project by City staff. These reviews and evaluations, which are a part of the development review process that the City takes very seriously, consist of an examination of a newly proposed project by City staff including, but not limited to, the City Engineer, representatives of the City's Police and Fire Departments and in some instances third-party traffic engineers, who all pay particular attention to ensuring that a project's design does not include any features or aspects that could lead to increased hazards. Notwithstanding those efforts, it must also be recognized that driver behavior cannot be regulated beyond traffic laws and their enforcement, and that increases in traffic volumes as a result of more vehicles on a roadway will inherently lead to more accidents.

Per CEQA Guidelines section 15131 (a), "Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis should be on the physical changes."

The proposed project's potential to increase traffic accidents is considered to be a social effect which would not result in any physical change; therefore it does not require analysis within the EIR.

Additionally, CEQA Guidelines section 15144 acknowledges that drafting an EIR necessarily involves some degree of forecasting and while foreseeing the unforeseeable is not impossible, an agency must use its best efforts to find out and disclose all that it reasonably can. However, a prediction of how many new accidents would occur as a result of the development of the proposed project is too speculative for evaluation and such an impact will not be evaluated or discussed further within the EIR (CEQA Guidelines section 15145).

The comment does not focus on the on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

13-5 The comment is regarding confirmation that LOS E is an acceptable goal on I-80 through the study area.

As noted on page 4.5-6 of the Transportation/Traffic chapter of the Draft EIR, the Interstate 80 and Capital City Freeway Corridor System Management Plan (Caltrans District 3, May 2009) identifies level of service (LOS) "F" as the route concept LOS for I-80 mainline and ramp analysis within the study area, however LOS "E" conditions are desired when feasible. Because LOS "E" conditions are desirable, that was the significance threshold used in the Draft EIR when assessing potential impacts to the freeway mainline or freeway ramp intersections with the mainline.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

13-6 The comment suggests changes be made to level of service (LOS) tables and the corresponding write-up because of average delay time differences in excess of 5 seconds caused by the project in the AM peak hour.

As noted under the Standards of Significance section on page 4.5-9 of the Transportation/Traffic chapter of the Draft EIR, impacts to the roadway system are considered significant if the traffic generated by the proposed project would cause any study location LOS operations to deteriorate past the identified LOS thresholds or if any of the following criteria are met:

Cause intersection operations to deteriorate to levels below the LOS C threshold (based on General Plan Policy C-10). If an intersection already operates below the LOS standard, an impact is considered significant if the proposed project would cause intersection operations to deteriorate by volume-to-capacity increases of at least 0.05, or average delay increases of at least 5 seconds for highway ramp intersections and unsignalized intersections.

As noted under the Regulatory Context section on page 4.5-7 of the Transportation/Traffic chapter of the Draft EIR, the City of Rocklin General Plan (October 2012) Circulation Element includes LOS Policy C-10, as follows:

A. Maintain a minimum traffic Level of Service "C" for all signalized intersections during the p.m. peak hour on an average weekday, except in the circumstances described in C-10.B and C. below.

B. Recognizing that some signalized intersections within the City serve and are impacted by development located in adjacent jurisdictions, and that these impacts are outside the control of the City, a development project which is determined to result in a Level of Service worse than

“C” may be approved, if the approving body finds (1) the diminished level of service is an interim situation which will be alleviated by the implementation of planned improvements, or (2) based on the specific circumstances described in Section C below, there are no feasible street improvements that will improve the Level of Service to “C” or better as set forward in the Action Plan for the Circulation Element.

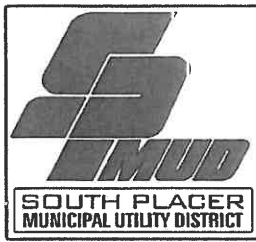
C. All development in another jurisdiction outside of Rocklin’s control which creates traffic impacts in Rocklin should be required to construct all mitigation necessary in order to maintain a LOS “C” in Rocklin unless the mitigation is determined to be infeasible by the Rocklin City Council. The standard for determining the feasibility of the mitigation would be whether or not the improvements create unusual economic, legal, social, technological, physical or other similar burdens and considerations.

Accordingly, the City’s assessment and identification of a significant impact as it relates to an exceedance of the City’s intersection LOS policy is based upon p.m. peak hour operations. The City’s current intersection LOS policy was adopted as part of the City’s General Plan Update in 2012 and the p.m. peak hour was selected for intersection LOS analysis because the evening rush hour is typically the worst one-hour period during any particular day.

While the comment is correct in noting that the cited tables show that there is an exceedance in delay times of more than 5 seconds at the Rocklin Road and I-80 EB ramp intersection, such an exceedance occurs in the a.m. hour and as such are not considered to be significant impacts, consistent with the City’s LOS policy which is only applicable to the p.m. peak hour. To provide further clarification of that concept in the Draft EIR, please refer to Chapter 3 of this Final EIR, Corrections and Revisions to the Draft EIR.

It should be noted that the Rocklin Road Interchange Improvements Alternatives, which were discussed on page 4.5-9 of the Transportation/Traffic chapter of the Draft EIR as the ultimate mitigation solution for the proposed project’s impacts to the Rocklin Road EB and WB ramp intersections in the p.m. peak hour, would also mitigate the LOS exceedance in the a.m. peak hour as well.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.



South Placer Municipal Utility District
5807 Springview Drive
Rocklin, CA 95677
(916) 786-8555

June 12, 2017

City of Rocklin
Public Services Department
4081 Alvis Court
Rocklin, CA 95677

Attention: David Mohlenbrok, Environmental Services Manager

Subject: Sierra Gateway Apartments (aka Sierra College Apartments)
Draft Environmental Impact report (DEIR) for Sierra Gateway Apartments
(SCH#2016032068)

Dear Mr. Mohlenbrok,

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

The design and construction of all on-site and off-site facilities which may be required as a result of this project, including the acquisition and granting of sewer easements, will be the responsibility of the developer/owner. All work shall conform to the Standard Specifications of SPMUD. Improvement plans shall be submitted to SPMUD for review and approval. A copy of the District's facility map has been provided for your use.

14-1

The District has reviewed the Draft Environmental Impact Report (DEIR) and the preliminary plans submitted and comments are noted below:

- a. Additional easement width shall be granted to the District to meet the District's minimum standard width of 16-feet along the existing 10-foot sewer easement. Access to and over the District's existing facilities shall be provided. Additionally, access to the existing District facilities shall be maintained at all times during construction.
- b. An easement agreement will be required at the time of plan approval outlining the Owner's responsibilities to restore surface improvements in the event that SPMUD operation and maintenance activities disturb surface improvements.
- c. Structures are not allowed within the District's sewer easement.
- d. Trees, including the drip line, are not allowed within the District's easement. Low growth shrubs and ground cover are acceptable.

14-2



South Placer Municipal Utility District

5807 Springview Drive
Rocklin, CA 95677
(916) 786-8555

- e. Alternative surface treatment required for access shall be able to support the District's maintenance vehicle of 46,000 pounds.
- f. The sewer shall tie-in perpendicularly or with the direction of flow to the existing sewer line.
- g. The onsite sewer design will be required to be 8-inch with 6-inch connections from the buildings.
- h. Confirm if the onsite sewer is proposed public or private as certain modifications to the design may be required.

Additional requirements may be required as design information is provided.

Prior to issuing a will-serve letter for sewer service, the owner and/or owner's representative shall schedule a meeting with District staff in order to discuss the project and to determine specific requirements.

Please note that the District's Standard Specifications and Improvement Standards for Sanitary Sewers can be viewed at SPMUD's website: <http://spmud.ca.gov/developer-resources/standards-specifications/>.

Please do not hesitate to contact me at (916) 786-8555 extension 311 or chuff@spmud.ca.gov if you have any questions or need additional information.

Sincerely,

A handwritten signature in cursive script that reads 'Carie Huff'.

Carie Huff, P.E.

Cc: File

14-2
(Cont'd)

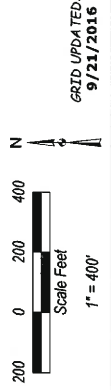
SOUTH PLACER M.U.D.

MAP: I11

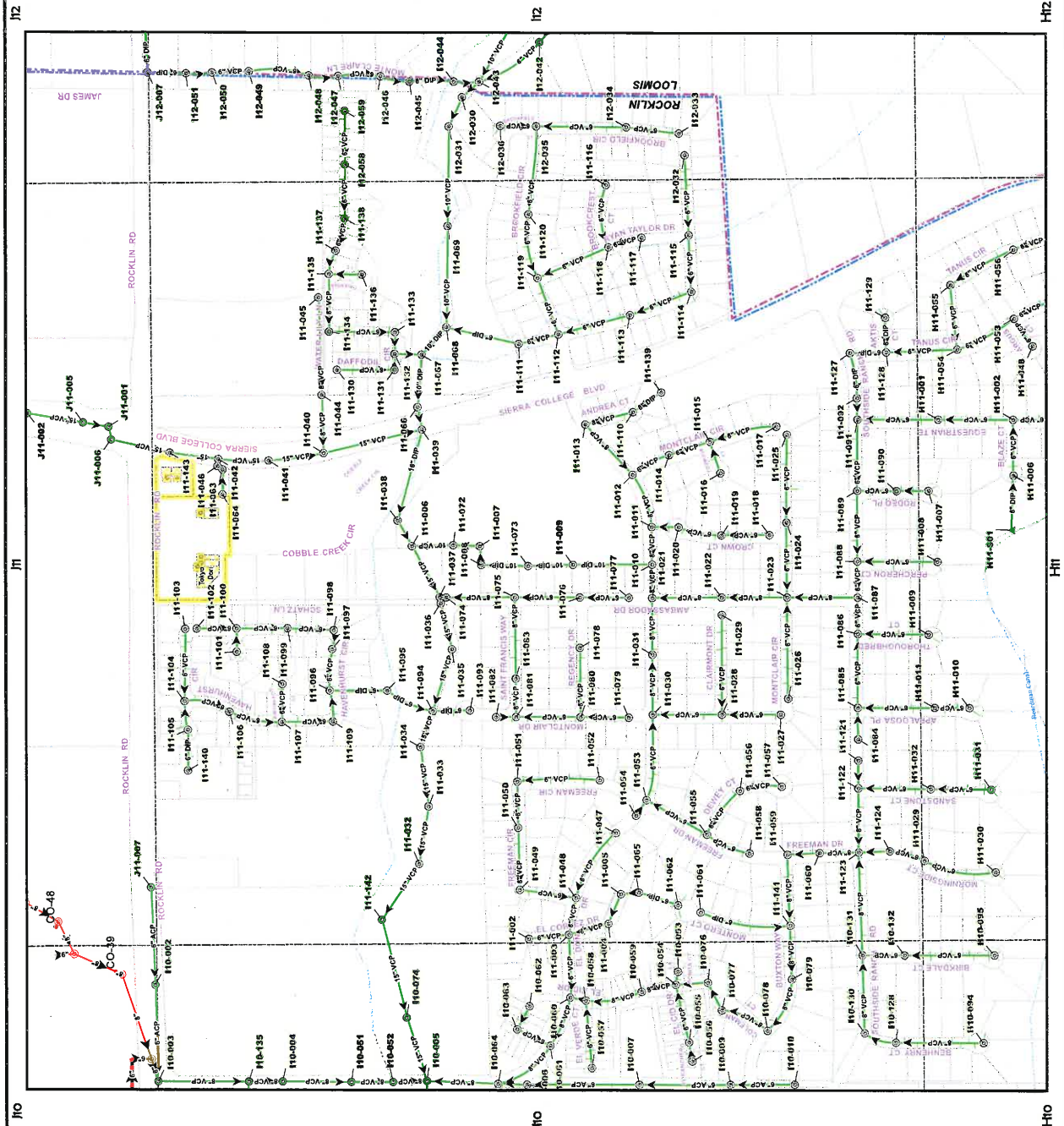
SEWER SYSTEM

MAP SYMBOLS

- Sanitary Structure Inventory**
 - Component Type - Status - Owner
 - Operational
 - Proposed
 - Manhole - Operational - SPMUD
 - Inside Drop - Operational - SPMUD
 - Outside Drop - Operational - SPMUD
 - Split - Operational - SPMUD
 - Mainline Clean Out - Operational - SPMUD
 - Port - Operational - SPMUD
 - Blind Wye - Operational - SPMUD
 - Blind Tee - Operational - SPMUD
 - Stub/Cap - Operational - SPMUD
 - Flushing Branch - Operational - SPMUD
 - Manhole - Proposed - SPMUD
 - Inside Drop - Proposed - SPMUD
 - Outside Drop - Proposed - SPMUD
 - Port - Proposed - SPMUD
 - Split - Proposed - SPMUD
 - Sub/Cap - Proposed - SPMUD
 - Flushing Branch - Proposed - SPMUD
 - Manhole - Out of Service - SPMUD
 - Port - Out of Service - SPMUD
 - Split - Out of Service - SPMUD
 - Manhole - Operational - Other
 - Sanitary Pump Stations**
 - Flow Recorder - Operational
 - Lift Station - Operational
 - Lift Station - Out of Service
 - Private Structure Inventory**
 - Private Structure Inventory
 - Private Sanitary Pipe Inventory**
 - Force Main
 - Gravity Line
 - Private Sewer Services Connections**
 - Private Sewer Services Connections
 - Private Sanitary Sewer Services**
 - Cease
 - Waste
 - Pump
 - Private Pump Stations**
 - Lift Station
 - Private Facility Site**
 - Private Facility Site
 - Boundary**
 - Map Grid
 - SPMUD Boundary
 - City of Rockville
 - City of Loomis
 - Town of Loomis
 - Newcastle
 - Detail Callout**
 - Callout
 - Sewer FOG Extractor**
 - Grease Trap
 - Grease Interceptor
 - Sewer System Valves**
 - Operational
 - Proposed
 - Out of Service
- NOTES:**
NONE



GRD. UPDA TED:
9/21/2016



14. CARIE HUFF, SOUTH PLACER MUNICIPAL UTILITY DISTRICT (SPMUD)

SUMMARY OF COMMENT LETTER

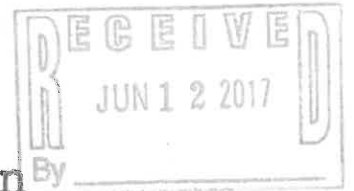
The South Placer Municipal Utility District (SPMUD) provided comments regarding their design and construction requirements for providing sewer service to the proposed project and specific comments based on their review of the project's preliminary plans. There were no comments specific to the analysis within the Sierra Gateway Apartments Draft EIR.

14-1 The comment is a summary comment regarding SPMUD's design and construction requirements, sewer easement requirements, review of Improvement plans and their facility map.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

14-2 The comment is regarding SPMUD's specific comments based on their review of the project's preliminary plans, the need for the owner to schedule a meeting with SPMUD to determine specific requirements prior to the issuance of a will-serve letter, and reference to their website for Standard Specifications and Improvement Standards for sanitary sewers.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.



Citizens For Tree Preservation

June 12, 2017

TO: David Mohlenbrok, City of Rocklin

FROM: Citizens for Tree Preservation

RE: Draft EIR - Sierra Gateway Apartments

Mr. Mohlenbrok:

We would like the following comments to be considered by the City of Rocklin regarding the Draft EIR for the project known as Sierra Gateway Apartments (SGA) located at Sierra College Blvd. and Rocklin Rd..

General Comments:

As concerned residents of south Placer County, in our opinion, this project sacrifices the quickly-disappearing native landscape of this region in favor of unchecked development - both commercial and residential - without regard for the unique things that define our foothill region and make it the place we chose to live.

15-1

Exemptions and flexibility to zoning rules

We feel Rocklin's own ordinances can provide exemptions to strict zoning of individual parcels and especially those worthy of special protection due to the natural resources the area contains. As stated in Rocklin's "Rocklin Road East of 80, General Development Plan PDG 2002-2009: *"A General Development Plan is a detailed planning document that defines, in detail, the development criteria for a project area.....as a means to provide for greater flexibility in environmental design than is provided under the strict application of the zoning and subdivision ordinances."* And, as allowed in the General Development Plan, the use of *"creative and innovative design by allowing flexibility in development standards"* However, we have seen little or no evidence that attempts to identify parcels worthy of special consideration based on closer visual inspection during the planning process.

15-2

The subject parcel's own biological evaluation in the current DEIR has found the following: "SIGNIFICANT ENVIRONMENTAL EFFECTS: As identified in the DEIR, the proposed project would result in significant impacts to air quality, biological resources, cultural resources, noise and transportation/traffic, but some of these significant impacts would be reduced to a less than significant level with mitigation identified in the DEIR. "In some cases, impacts would remain significant even after mitigation, including impacts to transportation/traffic. A previous EIR for this 10 acre parcel was performed in 2006 and found similar results: "...the EIR concluded that the proposed project would have potentially significant impacts regarding the following: loss of native oak trees, loss of wetland habitat, loss of riparian woodland, impacts to Western pond turtles during construction, impacts to Cooper's hawks, impacts to nesting raptors, and cumulative impacts on biological resources".

15-3

We contend that the DEIR for Sierra Gateway Apartment project has not only ignored the tool that allows for flexibility in environmental design, but has also exercised little or no vision for reasonable alternatives that would meet Rocklin's stated goals for tree preservation, as stated in Rocklin's "Oak Tree Preservation Guidelines": "*Oak woodlands constitute a valuable natural resource for the city. They also provide habitat for many wildlife species. They contribute to the City's beauty and varied scenery. They also provide shade in parks as well as developed areas. Oaks enrich the soil and protect watersheds and streams from erosion. The goal of these Guidelines is to address the decline of oak woodlands due to urbanization through a considered attempt to balance the benefit of preservation, and the cost thereof, against the social benefits of private property ownership and development*".

15-4

Balance

The DEIR is inadequate in that it does not cite the SGA's lack of any attempt to "balance the benefit of preservation" per the above. The need for balance is also implied in Rocklin's "Urban Forest Plan" which cites the importance of "Management of Urban and Natural Tree Forest" in addition to Greenprint goals "to promote conservation of existing tree resources".

15-5

Bias

We challenge the adequacy of this DEIR due to the following:

The City of Rocklin implicitly determined the environmental value of the project by qualifying it for a "Mitigated Negative Declaration" (MND) rather than a full Environmental Impact Report when this project was first applied for by the Ezralow Co. By CEQA interpretation, an MND: "is a written statement briefly describing the reasons that a project will not have a significant effect on the environment and does not require the preparation of an environmental impact report". The decision to allow an MND on the previous application for SGA indicates an absolute bias by the City in favor of the developer. This bias carries over to this DEIR in that the developer has chosen to have the City perform this DEIR, rather than have an independent professional prepare the report. The City had previously voted to approve this project. Therefore, the City cannot truly be impartial in preparation and processing of the DEIR for this controversial project.

15-6

Lack of Alternatives Considered in DEIR

The City of Rocklin was approached as far back as 2003 about preserving this property with an acquisition of the 10 acres to achieve its oak tree preservation goals. The suggestion was ignored and led to a missed opportunity when the property was being auctioned off at a price less than \$500K just 3 years later. It's not too late, however, and with some serious negotiations with the owner/developer, and some visionary thinking, it would be possible to use Rocklin's tree mitigation funds to purchase this parcel and give the developer incentives to build elsewhere - especially if the developer was starting with a flat, cleared piece of land wherein they could save hundreds of thousands of dollars in up-front site preparation costs. This alternative was not considered in the DEIR..

15-7

One of Rocklin's staff was recently quoted as "looking for projects" to use the City's large tree mitigation funds. And the City Manager is quoted as saying "We can't just keep collecting money and not spend it. We need to come up with a plan". However, if Rocklin is opposed to spending all of their mitigation funds on one project, other funding partners (such as the Town of Loomis tree mitigation funds and Placer Land Trust) could help to facilitate purchase of this parcel at the boundary of Rocklin and Loomis if the owner/developer is a willing partner. This alternative was not considered in the DEIR.

15-8

The DEIR also does not adequately address alternatives such as use of a variance to minimize environmental impacts. Many variances have been granted to developers - why not one that recognizes community needs and downsizes the project as a means of balance and compromise. An alternative would allow a variance to reduce the number of units and preserve mature trees as a "condition of approval" to help bridge a gap between developer and community. This alternative was not considered in the DEIR.

15-9

One option that has been on the table for many years as an alternative to the destruction of this 10 acre oak woodland is the need for serious consideration of a land swap with Sierra College. This alternative offers a win for all parties involved and the SGA developers would not be denied their project. This alternative was not adequately considered in the DEIR.

15-10

Cumulative impacts

Any planning of land use that eliminates natural resources and invites harmful impacts (tree loss, traffic, pollution, etc.) should consider probable future projects in order to evaluate the cumulative impacts. We don't believe this DEIR has adequately addressed this. Numerous large scale projects in the vicinity of the SGA project were not mentioned in the DEIR as part of the 'cumulative' impacts analysis. Namely Sierra College land development, Costco, Amazing Facts mega-church and Bickford Ranch.

15-11

Vision

We have seen no evidence that the DEIR evaluates the project with an intent to satisfy citizens objections. Recognizing the importance of the environment requires respect for the amazing health benefits of our natural landscape. This requires visionary leadership with an eye on the intrinsic value of the land - not just as a commodity to be measured in dollars. For instance, Rocklin's development of the "Sierra College Corridor" could be a model for integrating "green spaces" - not wall to wall development with large, traffic-generating buildings and sterile parking lots. Allow for places where humans and animals can find a respite physically and mentally.

15-12

Thank you,



Citizens for Tree Preservation
Irene and Roger Smith
n8rlvr2009@gmail.com

15. IRENE AND ROGER SMITH, CITIZENS FOR TREE PRESERVATION

SUMMARY OF COMMENT LETTER

The Citizens for Tree Preservation organization provided general comments regarding exemptions and flexibility to zoning rules, balance, bias, lack of alternatives considered in the Draft EIR, cumulative impacts and vision.

15-1 The comment expresses an opinion regarding the project sacrificing native landscape of the region in favor of unchecked development.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

15-2 The comment expresses opinions regarding exemptions and flexibility in zoning and in particular the Rocklin Road East of 80 General Development Plan, and the belief that little or no evidence has been provided during the planning process demonstrating that efforts have been made to identify properties worthy of special consideration based on closer visual inspection.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

15-3 The comment re-states the Draft EIR's findings of significant environmental effects and notes that a previous 2006 EIR for the project site found similar results.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

15-4 The comment expresses an opinion regarding the Draft EIR ignoring the tool that allows for flexibility in environmental design but has also exercised little or no vision for reasonable alternatives that would meet Rocklin's stated goals for tree preservation as presented in the Oak Tree Preservation Guidelines.

A Draft EIR's purpose is to inform the public and decision-makers about the environmental consequences of a project as it has been proposed. The Draft EIR's alternatives analysis section examines potential changes to the project to avoid or substantially lessen any of the significant effects that have been identified as being created by the project. The obligation of the alternatives analysis is not to examine reasonable alternatives that would meet Rocklin's stated goals for tree preservation as stated in the comment, but rather to examine reasonable alternatives that would meet the project objectives and avoid or lessen any of the significant effects of the project.

With respect to alternatives that would avoid or substantially lessen the project's significant effect related to oak tree removal but still meet the project objectives, the Draft EIR identified the following alternatives: 1) the Reduced Intensity Alternative which eliminated one building in an area where eighteen oak trees deemed by the project arborist to be in fair-good condition could likely be preserved, and 2) the Reduced Building Footprint/Increased Height Alternative which shifted the square footages of some project buildings to other project buildings by increasing their height where fifty-seven oaks deemed by the project arborist to be in various states of condition could likely be preserved.

As explained on page 6-3 of the Alternatives chapter of the Draft EIR, the most important factor in determining what alternatives to analyze is feasibility. This response summarizes information in the Draft EIR to further explain why it would not be feasible to develop an alternative that would substantially preserve more of the oak trees on the project site. See also Response to Comment #19-7 below for a further response to the EIR's development of a reasonable range of alternatives.

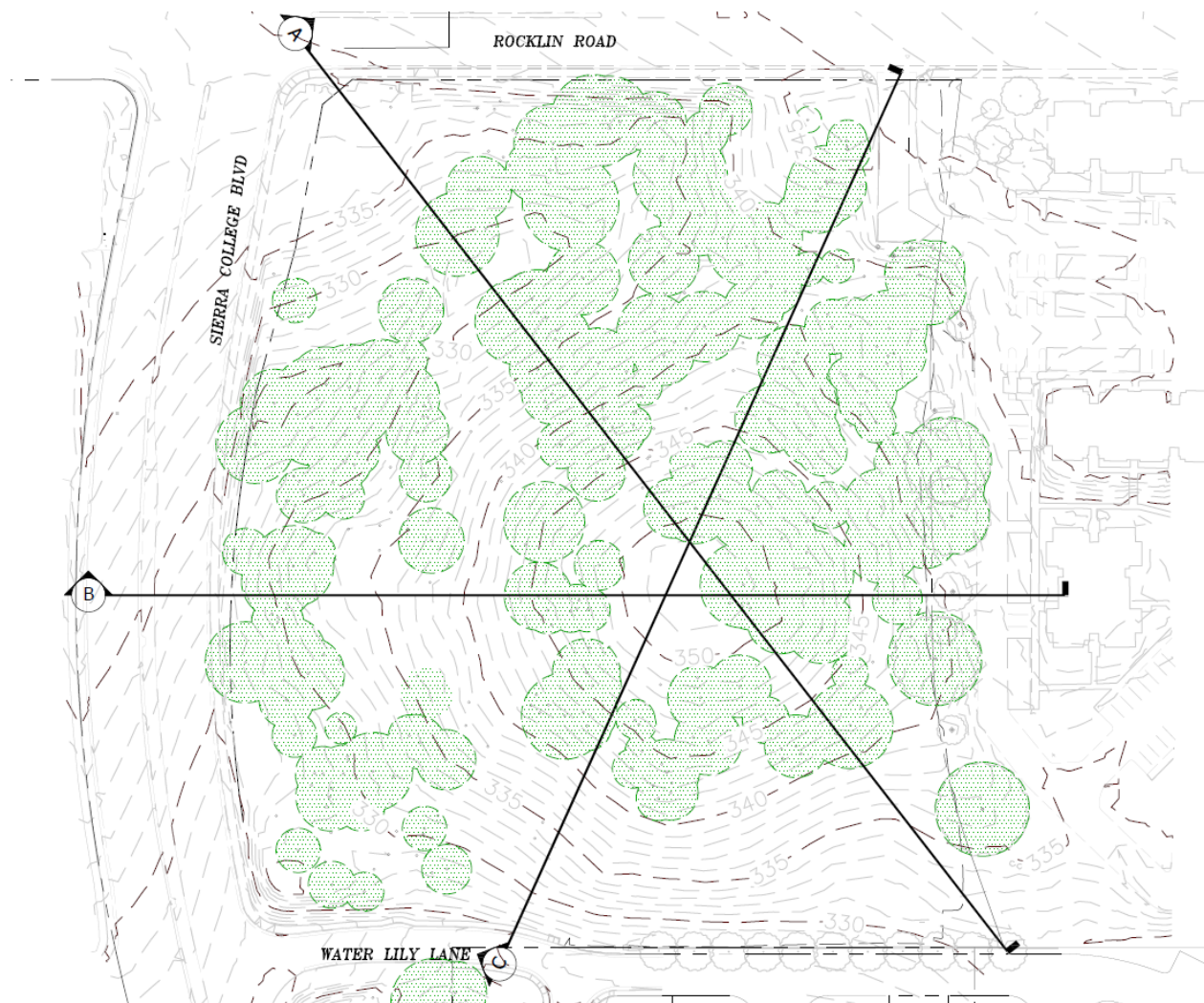
Notwithstanding CEQA guidance on the feasibility of alternatives, the applicant explored alternative site design configurations to address both tree preservation and accomplishing the project objectives. The topography of the site is such that the highest point is a plateau in the approximate center of the property that is elevated between 15' and as much as 25' from the edges of the property, depending on the location of the starting measurement. Development of the site, whether for commercial, apartments or other or residential uses, will require some cut and fill to provide vehicular access to whatever is built, as well as installation and maintenance of utility service, including water, sewer, drainage, and power and other energy services, and achieve compliance with accessibility standards. The design challenge related to protection and preservation of trees is complex and involves at least three factors identified by the arborist who inspected and assessed each individual tree on the site:

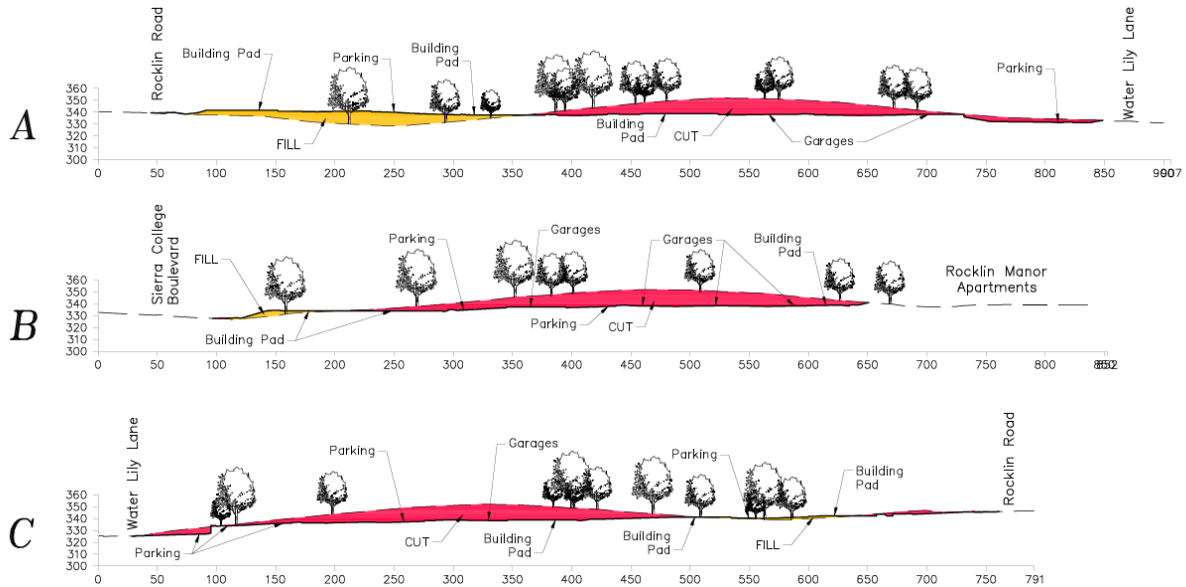
- 1) Begin with a vigorous and healthy tree. Any impact on an already stressed tree is likely to cause its demise. In addition, mature trees are less likely to recover due to age and growth cycle;
- 2) Begin with a structurally sound tree. Retaining a tree with a high risk of failure is not prudent, and
- 3) Plan for retention of 70% of the critical root zone to be intact without impacts (no cut and fill).

Critical root zones extend, generally, to the width of the tree canopy and are deemed critical to tree survival. These roots are often compromised by soil compaction or infrastructure related activities. In addition, densely canopied properties, such as the project site, offer little space for canopy development which, in turn, results in poor structure in trees. Poor structure can dramatically increase the risk of failure in trees, which may be an explanation for the substantial percentage of trees on this property that have been assessed in the field by inspection to be dead, diseased or in poor condition. Lastly, to protect and preserve those trees that have been assessed as in fair, good or excellent condition, a protective setback is required.

Considering all of these factors together, that is, topography of the site, tree health, protective tree setback, cut and fill requirements, infrastructure and accessibility requirements, and considering the removal of the 260 trees identified in recent field surveys as dead, diseased or in poor condition (i.e., trees with ratings of 0, 1 or 2 on a five (5) point scale), the site cannot be developed and preserve all or a significant portion of the remaining trees and still accomplish the project objectives and be consistent with the City's General Plan and Zoning Code.

The exhibits below include a topographic map of the site and cross sections which show the highest existing elevation of the site (approximately 350' almost at the center of the site), the elevations at the edges of the site, and the cut and fill that needs to occur in order to tie into the elevations of the neighboring streets and create a developable site that meets accessibility standards.





15-5 The comment expresses an opinion that the Draft EIR is inadequate because it does not cite the project’s lack of any attempt to “balance the benefit of preservation” as noted in the City’s Oak Tree Preservation Guidelines and as implied in Rocklin’s “Urban Forest Plan”.

See Response to Comment 15-4. In addition, within the City’s Planning for the Future of Rocklin’s Urban Forest document is Goal 2 - Promote conservation of existing tree resources. Following that goal is Objective 2.1 - Increase the level of protection provided to oaks before and during construction, and the first Action item listed beneath that objective is “Continue enforcement of Rocklin’s Oak Tree Ordinance”, which is accomplished with the proposed project via the Draft EIR’s Mitigation Measure 4.4-4.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

15-6 The comment expresses an opinion that the Draft EIR is inadequate and biased in favor of the developer because a mitigated negative declaration was previously prepared for the project and because the City, rather than an independent professional, has prepared the Draft EIR.

As noted on page 1-1 in the Introduction and Scope chapter of the Draft EIR, a mitigated negative declaration was adopted by the Rocklin City Council when it originally approved the project in May 2015. To settle litigation brought challenging that approval, the City set aside its prior approvals and agreed to prepare the present Draft EIR. The litigation included challenges to the adequacy of the mitigated negative declaration, but such challenges were not upheld in court because the prior litigation was voluntarily dismissed as moot after the City voluntarily set aside its prior approval of the project. The City Council's decision to set aside its prior approval of the project and to prepare an EIR rather than a mitigated negative declaration was not based

on any finding that any of the environmental analysis conducted previously was substantively flawed. Rather, this decision resulted from a determination that the public and the process would be better served if the City set forth its environmental analysis in an EIR rather than a mitigated negative declaration.

The Draft EIR's Introduction and Scope of EIR chapter included a discussion responding to comments on the Notice of Preparation regarding the City's preparation of the EIR using City staff on page 1-11. For the FEIR reader's benefit, that discussion is repeated below in italics:

The CEQA Guidelines recognize that lead agencies have broad discretion in determining how an EIR is prepared and who prepares it. Guidelines section 15084(a) provides that "[t]he draft EIR shall be prepared directly by or under contract to the lead agency," and section 15084(d) states that "[t]he lead agency may choose one of the following arrangements or a combination of them for preparing a draft EIR," including "[p]reparing the draft EIR directly with its own staff" and/or "[u]sing a previously prepared EIR." Indeed, courts have routinely rejected challenges to the use of EIRs that were actually prepared by the project applicant, so long as the lead agency applies its "independent review and judgment." (Eureka Citizens for Responsible Government v. City of Eureka (2007) 147 Cal.App.4th 357, 369; Friends of La Vina v. County of Los Angeles (1991) 232 Cal.App.3d 1446, 1452-1455.) City staff's preparation of this EIR helps insure that the EIR does, in fact, reflect the City's independent judgment. It is more typical for project opponents to question the preparation of EIR's by private consultants funded by project applicants. But, in either case, it is within the City's discretion to determine how to prepare EIRs, ultimately subject to review and approval by the decision-making body.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

15-7 The comment expresses an opinion regarding the Draft EIR's lack of an alternative using City of Rocklin oak tree mitigation funds to purchase the property from the developer.

The Draft EIR's Alternative Analysis chapter included a discussion regarding the selection of alternatives on pages 6-1 and 6-2. For the FEIR reader's benefit, that discussion is repeated below in italics:

The primary intent of the alternatives evaluation in an EIR, as stated in Section 15126.6(a) of the CEQA Guidelines, is to "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." Further, the Guidelines state that "the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." (CEQA Guidelines section 15126.6(b)). The feasibility of an alternative may be determined based on a variety of factors including, but not limited to, site suitability, economic

viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and site accessibility and control (CEQA Guidelines section 15126.6(f)(1)).

CEQA provides the following additional guidelines for discussing alternatives to a proposed project:

- *The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project but could avoid or substantially lessen one or more of the significant effects (CEQA Guidelines section 15126.6(c)).*
- *The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project (CEQA Guidelines section 15126.6(d)).*
- *The specific alternative of “no project” shall also be evaluated along with its impacts. The “no project” analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. ...When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future. ... If the project is other than a land use or regulatory plan... the “no project” alternative is the circumstance under which the project does not proceed. ... After defining the no project alternative using one of these approaches, the lead agency should proceed to analyze the impacts of the no project alternative by projecting what would reasonable by expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services (CEQA Guidelines section 15126.6(e)).*

As stated in CEQA Guidelines section 15126.6(a), “There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376).” CEQA Guidelines section 15126.6(f) further explains the execution of the rule of reason in regard to the selection of feasible alternatives: “The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only those that the Lead Agency determines could feasibly attain most of the basic objectives of the project.” The Reduced Intensity Alternative and the Reduced Building

Footprint/Increased Height Alternative which are discussed in the Draft EIR perform the above function.

Consideration of an alternative using the City's oak tree mitigation funds to purchase the property from the developer was not given because such an alternative would not meet the project objectives and it would go beyond the "threshold" of impeding to some degree the attainment of project objectives. Furthermore when the site was originally for sale in 2011 the Citizens for Tree Preservation presented the opportunity to purchase the site using the City's oak tree mitigation funds to the Rocklin City Council. At the time the Rocklin City Council declined to pursue purchasing the site.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

15-8 The comment expresses an opinion regarding the Draft EIR's lack of an alternative using City of Rocklin oak tree mitigation funds and other collective funds to purchase the property from the developer.

See Response to Comment 15-7.

15-9 The comment expresses an opinion regarding the Draft EIR's lack of an alternative using a variance to downsize the project and minimize environmental impacts.

See Response to Comment 15-7.

15-10 The comment expresses an opinion regarding the Draft EIR's lack of an alternative of a land swap with Sierra College.

See Response to Comment 15-7. In addition, the Draft EIR's Introduction and Scope of EIR chapter included a discussion responding to comments on the Notice of Preparation regarding the a land swap alternative with Sierra College on page 1-20. For the FEIR reader's benefit, that discussion is repeated below in italics:

This concept was previously brought up in 2015 and at that time representatives of Sierra Community College indicated that they are in the process of soliciting ideas from the development community regarding their property and any decision about what to do with the land would be a Trustee decision, and it would also involve a lengthy entitlement and permitting process. On March 30, 2015 Sierra Community College released a Request For Proposals (RFP) announcing a development opportunity that included their property to the north of Rocklin Road. The RFP identified the College's goals and objectives that included a desire to create a revenue stream with immediate cash flow with long term revenue possibilities and college managed/controlled student housing of 300-400 beds as a priority need for the campus. Because of the College's desire to create student housing and to develop their property with

long term revenue possibilities, their plans for their property do not align with a “land swap” concept and such an alternative is not considered feasible.

It should also be noted that the stated goals in the College’s RFP are significantly different than the Sierra Gateway Apartments project objectives detailed in this FEIR. Per CEQA Guidelines section 15126.6 (f)(1), one of the criteria for the selection of feasible alternatives is “...whether the project proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent).” The applicant and Sierra College met on a number of occasions at the request of Citizens for Tree Preservation to discuss the land swap proposal. Both parties concluded that a land swap does not meet either party’s development objectives. Citizens for Tree Preservation also listed the concept of the land swap as a possible settlement alternative for the legal challenge to the previous approval for this project. At that point, it was also determined that the land swap did not achieve the City’s objectives for the site. This is a clear indication that the land swap proposal noted in the comment has not been accepted by either the applicant or Sierra College despite the persistent efforts by those advocating the proposal.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

15-11 The comment expresses an opinion that the Draft EIR did not adequately consider probable future projects to evaluate cumulative impacts, including Sierra College land development, Costco, Amazing Facts and Bickford Ranch.

See Master Response for Comments Regarding Inclusion of Sierra College’s Planned Development and Other Projects in the Traffic Analysis.

15-12 The comment expresses opinions regarding the Draft EIR not evaluating the project with intent to satisfy citizen objections and a concept of developing the Sierra College corridor as a model for green spaces.

See Response to Comment 15-4 regarding the purpose of a Draft EIR and the associated alternatives analysis.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.



Citizens Voice Organization

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**Comments on Draft EIR
for
Sierra Gateway Apartments (SGA) Project**

June 12, 2017

ATTN: David Mohlenbrok
City of Rocklin

GENERAL COMMENTS

1. Per the DEIR, p. 1-2 (below) a public comment meeting was to be held. This did not happen, so there was no opportunity for verbal comment on the DEIR.

“During the public review period, a hearing will be held before the City of Rocklin Planning Commission at a date to be determined to receive comments on the Draft EIR. The public may comment on the Draft EIR by testifying at the public hearing, or may submit written comments at any time during the 45-day public review period.”

16-1

2. The DEIR was supposed to consider the “... additive effects of growth throughout the Rocklin area and region. These latter impacts are referred to as cumulative impacts.” The cumulative effects of the wave of projects planned in the immediate vicinity of the SGA project were not adequately considered. The list of large nearby projects, planned or underway, include:

- Garnet Creek development on Granite Dr.,
- Sierra College development of their two big surplus land parcels:
 1. along Sierra College Blvd. (SCB) – 72 acres
 2. near Rocklin Road near El Don Dr. – 35 acres
- Costco - SCB at Brace Rd.
- Crowne Point behind Wal-Mart,
- Home Improvement Store (Lowe's?) near McDonalds at I-80
- Amazing Facts mega-church on SCB
- Residential developments in Aguilar Street area.
- Bickford Ranch on SCB
- Village 1 SCB (Lincoln)

16-2

3. Alternatives to the SGA project were supposed to be considered. The DEIR states, “*The Draft EIR also evaluates a range of project alternatives, including different development intensities for the project site.*” Considering the intensity of development in the vicinity of this project, reasonable alternatives to the project that would reduce impacts were not seriously considered (e.g. land swap proposal with adjacent Sierra College land).

16-3

<p>4. The SGA project, for purposes of this DEIR, is to be considered a ‘de novo’ (new) project. Reference made to any previous environmental reviews or City decisions are not appropriate for this new DEIR, and should not be considered.</p>	<p>16-4</p>
<p>5. The SGA project is not merely ‘subsequent activity’ under the <u>General Plan EIR (2012)</u>, per CEQA Guidelines section 15168. This project is not within the scope of the program analyzed within that earlier General Plan EIR. Also the mitigation measures from the General Plan EIR need to be specifically identified for this project and deemed feasible. They must also be included in the City’s Mitigation Monitoring Plan.</p>	<p>16-5</p>
<p>6. The City lacks evidence that it’s proposed <u>mitigation measures</u> will actually mitigate the significant impacts. For example, how does a tree preservation ordinance that allows removal of almost 400 oak trees adequately mitigate for the loss of this unique resource?</p>	<p>16-6</p>
<p>7. Because a chain-link construction <u>fence</u> was put in place by the property owner just prior to the environmental reviews for the DEIR, and is still in place, the baseline conditions were changed – especially with respect to wildlife habitat, feeding patterns and movement.</p>	<p>16-7</p>
<p>8. The DEIR states (p 6-4): <i>“Because the proposed project is a permitted use under the applicable zoning, the scope of the City’s discretion under its own local laws is limited to design review and approval of an oak tree preservation permit. Furthermore, because the project to construct residential units is consistent with the existing zoning, state law expressly limits the ability of the City to deny the development or even to require a reduction in its density.”</i> This is statement is misleading in that it downplays the City’s authority to reject the project based on noncompliance with its <u>Design Review</u> criteria.</p>	<p>16-8</p>
<p>9. <u>Objectives</u> stated for the project are developer objectives, where are the <u>public’s</u> objectives?? In this respect, the DEIR prepared by the City is biased and not objective.</p>	<p>16-9</p>
<p>10. <u>City Bias in Preparation of the DEIR</u> The City of Rocklin implicitly stated their position on the environmental value of the project by qualifying it for a “<u>Mitigated Negative Declaration</u>” (MND) rather than a full Environmental Impact Report when this project was first applied for by the Ezralow Co. By CEQA interpretation, an MND: “is a written statement briefly describing the reasons that a project <u>will not have a significant effect on the environment</u> and does not require the preparation of an environmental impact report”. The decision to allow only an MND on the previous application indicates an absolute bias in favor of the developer, and challenged by a citizens’ lawsuit. This bias carries over to this DEIR in that the City Staff is performing this DEIR, rather than an independent professional firm. Can the City Staff truly be impartial in preparation or the DEIR for this controversial projects?</p>	<p>16-10</p>

AESTHETICS

The DEIR attempts to make a case that the clear-cutting of 300-plus mature oaks, the leveling a rolling terrain and the construction of nine 3-story buildings next to a residential area, tightly packed onto a highly visible corner of one of the busiest intersections in Rocklin will not have significant aesthetic / visual impacts. This project violates the spirit and goals of all of Rocklin's ordinances concerned with aesthetics, including:

- Zoning Ordinance,
- Oak Tree Preservation Ordinance,
- Urban Forest management plan and
- Design Review Guidelines.

The DEIR does not make a valid case that aesthetics impacts will be 'less than significant'. And the use of paint colors, architecture, privacy walls and decorative landscaping proposed are not adequate mitigation measures for the visual loss and aesthetics of a pristine wooded property, and the fact that tall (3-story) buildings are not a good visual fit for this site, adjacent to a 2-story residential neighborhood.

16-11

The DEIR relies on the General Plan EIR (2012) and states:

"The General Plan EIR further recognized that these impacts cannot be reduced to a less than significant level and that build-out of the Rocklin General Plan will change and degrade the existing visual character, will create new sources of light and glare and will contribute to cumulative impacts to scenic vistas, scenic resources, existing visual character and creation of light and glare."

So the many aesthetic impacts cited in the DEIR should not have been deemed 'less than significant.' There is a serious contradiction here.

AIR QUALITY

The cumulative effects on air quality of the wave of projects planned in the immediate vicinity of the SGA project were not adequately considered. The list of large nearby projects, planned or underway, includes:

- Garnet Creek development on Granite Dr.,
- Sierra College development of their two big surplus land parcels:
 1. along Sierra College Blvd. (SCB) – 72 acres
 2. near Rocklin Road near El Don Dr. – 35 acres
- Costco - SCB at Brace Rd.
- Crowne Point behind Wal-Mart,
- Home Improvement Store (Lowe's?) near McDonalds at I-80
- Amazing Facts mega-church on SCB
- Residential developments in Aguilar Street area.
- Bickford Ranch on SCB
- Village 1 SCB (Lincoln)

16-12

Predicted cumulative emissions from all of these numerous large projects must be considered when analyzing impacts on air quality. This is also true of as related to the analysis of greenhouse gas (GHG) emissions. Cumulative impacts were not adequately considered.

There will be significant impact to air quality for upwards of 2 years, during construction, that will have a massive and direct impact on both the Rocklin Manor Apartments residents and Hidden Creek Residents. These impacts will include increased dust and particulates at a minimum of 8 hours Monday through Friday. We believe air quality was not properly evaluated in the DEIR - especially when it relates to the amount of heavy equipment required to prepare this piece of land for development. This heavy equipment generates a significant amount of air pollution, which will have a direct impact to neighboring properties. Neighbors will be unable to use the outdoor areas and backyards during these hours, which is a significant impact to their quality of life - for 2 years! With the amount of proposed dirt movement and removal, the resulting air particles and dust will also cause a significant impact to traffic visibility and safety on Sierra College Blvd., with the project going on during the most busy hours of travel on this roadway.

16-13

BIOLOGICAL RESOURCES

General

As concerned residents of south Placer County, in our opinion, this project sacrifices the quickly-disappearing native landscape of this region in favor of unchecked development - both commercial and residential, without regard for the very things that define our foothill region and make it the place we chose to live. Although the City's General Plan and EIR forecast it's growth and defined it's areas for expansion for commercial and residential purposes, this is not an overriding permission or cause for destroying 320 of the 367 total oak trees on the SGA parcel. Development on this site must be evaluated on its specific environmental impacts and the DEIR should not 'piggyback' on the earlier General Plan EIR.

16-14

Oak Tree Preservation Ordinance Violated

Sierra Gateway Apartment project, , has no "balance", as suggested in the goals and guidelines of the Oak Tree Preservation Ordinance, in that the project calls for the total destruction of every tree on the building site. The DEIR states:

EIR Impact 4.4-4) Would the proposed project conflict with any local policies or ordinances protecting

16-15

biological resources, such as a tree preservation policy or ordinance?

Contrary to the conclusion in the DEIR, the SGA project violates the Oak Tree Preservation Guidelines and Ordinance, because there is no expectation of preservation of existing, mature trees. The clear-cut of 320 oaks is a failure to comply with the goals and intent of the Ordinance is not addressed in the DEIR.

Lack of Alternatives

The City of Rocklin was approached as far back as 2003 about preserving this property with an acquisition of the 10 acres to help achieve it's oak tree preservation goals. The suggestion was ignored and was a missed opportunity when the property was being auctioned off at a price less than \$500K just 3 years later. It's not too late, however, and with some serious negotiations with the owner/developer, and some visionary thinking, it would be possible to use Rocklin's tree mitigation funds to purchase this parcel and give the developer incentives to build elsewhere - especially if the developer was starting with a flat, cleared piece of land wherein they could save hundreds of thousands of dollars in up-front preparation costs. This 'Alternative' and it's environmental benefits (e.g. oak tree preservation) were not considered in the DEIR.

16-16

Rocklin's own ordinances can provide exemptions to strict zoning of individual parcels and, especially, those worthy of special protection due to the natural resources the area contains, as

16-17

stated in Rocklin's "Rocklin Road East of 80, General Development Plan PDG 2002-2009: "A General Development Plan is a detailed planning document that defines, in detail, the development criteria for a project area.....as a means to provide for greater flexibility in environmental design than is provided under the strict application of the zoning and subdivision ordinances." and, as allowed in the General Development Plan, through the use of "creative and innovative design by allowing flexibility in development standards"

16-17
(Cont'd)

However, we have seen little or no evidence that attempts to identify those parcels worthy of special consideration based on closer visual inspection during the planning process. This was not addressed in the as a viable basis for an alternative project in the DEIR.

Common Sense

This is an element that seems to have been lost when evaluating impacts of the SGA project. How can the clear-cut of 320 (of 367) oak trees be considered a "less than significant" environmental impact, simply by paying mitigation fees to allow the cutting? To think that mitigation can somehow undo the permanent damage to the environment and neighborhood defies logic and common sense.

16-18

TRANSPORTATION & TRAFFIC

The cumulative impact of traffic from expected, "reasonably foreseeable" development projects was not adequately considered in the DEIR, as is required under CEQA. Current or expected major new developments include:

- Garnet Creek development on Granite Dr.,
- Sierra College development of their two big surplus land parcels on SCB and near El Don,
- Costco at Brace Rd.,
- Crowne Point behind WalMart,
- Home Improvement Store (Lowe's?) near McDonalds at I-80
- Bickford Ranch on SCB,
- Amazing Facts mega-church on SCB
- Residential developments in Aguilar Street area.

16-19

With Level Of Service (LOS) already at 'C' at some intersections near the SGA project, the expected 'cumulative' deterioration of LOS is not adequately addressed in the DEIR.

Intersection traffic data (traffic counts?) were obtained 12-18 months ago; this old data does not reflect the rapid growth of traffic in the area, especially on Rocklin Rd. east of Sierra College Blvd. (SCB). The Traffic Study need to incorporate more recent traffic count data.

16-20

In addition to intersection turning movement counts, traffic 'flow' counts (away from signalized intersections) should be obtained and analyzed for project impacts. (Especially important on Rocklin Rd. near the College)

16-21

Project impacts should be based on traffic levels measured at the peak College traffic times (i.e., when classes change).

16-22

Having an 'exit only' access onto Water Lily Lane from the SGA project would highly impact the residents on Water Lily Lane. This part of the proposed project was not properly evaluated in the DEIR. Previously the City recognized this and insisted on an 'Emergency Vehicle Only' gated access point to the SGA development.

16-23

Impact of the project on Rocklin Road flow and circulation needs to be analyzed - including through the College area, and east of SCB including the Rocklin Rd./Barton Road intersection (in Loomis). Special attention should be given to the traffic impacts on the entrances to Montclair and St. Francis Woods residential communities. | 16-24

Traffic analysis and projections at the I-80 interchanges (e.g., Rocklin Rd.) are based on old 2014 Caltrans data. Current traffic counts should be made in light of the rapid development in this part of Rocklin. | 16-25

Evaluation of alternatives was not adequately addressed. For purposes of mitigating traffic impacts, more alternatives to the SGA project should be evaluated - including the 'Land Swap' proposal, whereby these high-density apartments could be constructed on Sierra College land, further north along SCB, away from a very busy intersection and near the signalized College entrance from SCB. | 16-26

Ingress and egress from the Monte Clair and St. Francis Woods developments on Rocklin Rd. will be affected as traffic on Rocklin Rd. increases due to the multiple developments coming. Back-up of traffic caused by just the SGA project would likely affect Monte Claire entrance. This impact was not addressed in the Traffic Study. | 16-27

Allowing intersection LOS to exceed Level 'C' on an 'interim' basis is not a valid argument. How long is 'interim'. How long would motorists be forced to suffer congestion until road widenings and lane additions might be done as a relief?? Would these widenings actually be feasible? This is simply a 'kick the can down the road' approach to dealing with a serious looming traffic problem, which this project will contribute to. | 16-28

Roundabouts or traffic circles would not be feasible at Rocklin Rd. and SCB. SCB is a very heavily traveled truck route and the major (only) conduit between US-50 and I-80. | 16-29

NOISE

The DEIR states: "*The development and occupation of a 195-unit apartment complex is not anticipated to have significant long-term operational noise impacts.*" | 16-30

Common sense would dictate that 205 new dwellings in nine tall (3-story) buildings adjacent to single family residences would have a long-term, day-to-day noise impact on its neighbors. Predicted noise impacts from the project should have been analyzed further in the DEIR.

LIGHTING

The City should have included in its DEIR a more thorough analysis of the impacts of the outdoor lighting proposed for this development - especially as it relates to the neighboring Hidden Creek development - for the following reasons:

- The outdoor area lighting (on poles) proposed is a direct negative impact to some of the neighboring Hidden Creek residents homes. This is not tolerable. The light poles will be above the heights of the privacy walls and not adequately blocked by proposed trees at least for 15 years. Light fixtures must be specially shaded so that light bulb glare is not visible from the neighboring properties. | 16-31

- Because of the proposed building heights and the rolling hill type property being developed, all building lighting of any kind will have a direct impact on the neighboring Hidden Creek residences.

16-31
(Cont'd)

Because of the above, the DEIR inadequately addressed lighting impacts.

HYDROLOGY

The DEIR does not specifically address how the water quality of Hidden Creek, adjacent to the project, will be protected from surface runoff generated from the clear-cut of the trees and the 'hard-facing' of this natural oak woodland area.

16-32



Chris Wiegman, for
Citizens Voice Organization (CVO)
cwiegman@grouponcit.com

16. CHRIS WIEGMAN, CITIZENS VOICE ORGANIZATION

SUMMARY OF COMMENT LETTER

The Citizen's Voice Organization provided general comments on the Draft EIR and provided comments regarding aesthetics, air quality, biological resources, transportation and traffic, noise, lighting and hydrology.

16-1 The comment expresses concerns that even though the Draft EIR indicated that there was going to be a public hearing to receive comments on the Draft EIR, that did not happen and there was no opportunity to provide verbal comment on the Draft EIR.

Per CEQA Guidelines section 15087 (i), "Public hearings may be conducted on environmental documents, either in separate proceedings or in conjunction with other proceedings of the public agency. Public hearings are encouraged, but not required as an element of the CEQA process." In anticipation of a future public hearing on the Sierra Gateway Apartments project and the opportunity for public verbal comment on the Draft EIR in conjunction with the City's other proceedings, the City determined that it would not hold a public hearing during the Draft EIR public review period but erroneously noted that it would do so in the Draft EIR. See Section 3.0 of this Final EIR (Corrections and Revisions to the Draft EIR (Errata)) for edits to the Draft EIR for a correction to the erroneous identification of a public hearing during the draft EIR public review period.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-2 The comment expresses an opinion that the cumulative effects of a large number of projects planned in the vicinity of the Sierra Gateway Apartments project were not adequately considered, and then provides a list of projects.

See Master Response for Comments Regarding Inclusion of Sierra College's Planned Development and Other Projects in the Traffic Analysis.

16-3 The comment expresses an opinion that considering the intensity of development in the vicinity of the project, reasonable alternatives such as a land swap with Sierra College were not seriously considered.

See Response to Comments 15-7 and 15-10.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-4 The comment suggests that references to the previously approved project should be removed from the Draft EIR.

See Response to Comment 10-2.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-5 The comment expresses an opinion that the Sierra Gateway Apartments project is not a subsequent activity under the General Plan EIR, is not within the scope of the program analyzed within the General Plan EIR, mitigation measures from the General Plan EIR must be identified for this project and deemed feasible, and mitigation measures from the General Plan EIR must be included in the Mitigation Monitoring Plan.

Per CEQA Guidelines section 15168 (c)(1), an Initial Study was prepared for the project in contemplation that the General Plan EIR may not have examined environmental effects specific to this particular site. The Initial Study concluded that some areas of study warranted additional project- and site-specific review of potential environmental effects, and such additional review was completed in the Draft EIR for this project. The Initial Study also concluded that some areas of study were sufficiently addressed in the General Plan EIR and did not warrant additional study, consistent with CEQA Guidelines section 15168 (c)(5). If determined to be necessary, mitigation measures identified and presented in the General Plan EIR will be incorporated into approval actions for this project, consistent with CEQA Guidelines section 15168 (c)(3). If the project is approved, General Plan mitigation measures will be incorporated, as appropriate, into the mitigation monitoring and reporting plan created by the City for this project, consistent with CEQA Guidelines section 15168 (c)(3) and section 15097.

While it is recognized that the project site had a General Plan land use designation of Retail Commercial when the General Plan EIR analysis occurred, the program level analysis of the General Plan EIR evaluated that the project site was going to be converted from a vacant site to an urban use as a result of the physical development of the site. In some instances, the development of the site, regardless of the land use, will result in similar impacts which were examined at a program level in the General Plan EIR, such as the provision of public services and utilities. When a project specific proposal comes forward, site details and potential impacts can be examined with a greater degree of specificity than those examined at a program level in the General Plan EIR. In such instances, the Initial Study prepared for the project examines those potentially unique impacts and where it was determined that those potential impacts were outside of the scope of the General Plan EIR, the Draft EIR includes a more detailed analysis of those potential impacts. Changes in land use alone do not necessarily result in significant or increased impacts. For example, the commercial development assumed in the General Plan EIR would have generated more traffic and air quality impacts due to the higher trip generation rates that are associated with retail and office uses.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-6 The comment expresses an opinion that the City lacks evidence that its proposed mitigation measures will actually mitigate the significant impacts, citing as an example how does a tree preservation ordinance that allows removal of almost 400 oak trees adequately mitigate for the loss of this unique resource.

Per CEQA Guidelines section 15370 (b) and (e), mitigation may include minimizing the impact or compensating for the impact by providing substitute resources. Should a project result in the removal of oak trees, the City's Oak Tree Preservation Ordinance provides a means to mitigate for the loss of those oak trees as the City develops consistent with its General Plan. For undeveloped property such as the Sierra Gateway Apartments site, the Oak Tree Preservation Ordinance identifies options that are required as mitigation for oak tree removal, including on-site mitigation in the form of planting replacement trees, off-site tree replacement, contribution to the Rocklin Oak Tree Preservation Fund, and dedication of land instead of paying mitigation fees. The Oak Tree Preservation Ordinance, and the mitigation requirements therein, as well as the mitigation fees that have been established for established for oak tree removal, were designed to and are being implemented by the City to mitigate for oak tree removal impacts. The Oak Tree Preservation Ordinance and the established oak tree mitigation fees were adopted by the Rocklin City Council as adequate means for compensating for the loss of oak trees as a result of development projects, and are considered to be part of a reasonable and enforceable plan that is tied to the actual mitigation for oak tree removal impacts.

It should also be noted that per the Environmental Checklist Form in Appendix G of the CEQA Guidelines, the impact pertaining to oak tree removal that is being examined in the Draft EIR is "Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?" As such, and regardless of the number of trees a project is proposing to remove, the question to be answered and the analysis that is required are not a function of how many trees are being removed, but rather will the tree removal conflict with a tree preservation policy or ordinance, including whatever mitigation requirements might be contained within such policy or ordinance. The formulation of mitigation requirements contained within a jurisdiction's tree preservation policy or ordinance are at that jurisdiction's discretion, and the responsibility for ensuring compliance with a tree preservation policy or ordinance also rests with each jurisdiction. In this case, the Draft EIR's analysis has shown that to address the potentially significant impact of conflicting with local policies or ordinances protecting biological resources (i.e., the City of Rocklin Oak Tree Preservation Ordinance), the mitigation required to reduce that potentially significant impact to a less than significant level is compliance with the City's ordinance which is accomplished via the Draft EIR's Mitigation Measure 4.4-4.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers. Additional response to this comment as part of the Environmental Impact Report (EIR) process is not necessary.

16-7 The comment is regarding a chain-link construction fence that was installed at the project site which is still in place, and how that may have changed baseline conditions, especially with respect to wildlife habitat, feeding patterns and movement.

Pages 1-12 and 1-13 of the Draft EIR's Introduction and Scope of EIR chapter included a discussion regarding the installation of the chain link fence and how that may have affected biological resources on the project. For the FEIR reader's benefit, that discussion is repeated below in italics:

4. Update of Biological Resources Study – Concern was expressed regarding the validity of the biological resources study given the fence that is currently up at the project site and its creation of a barrier to wildlife.

The project site's biological resources were originally evaluated in a report by North Fork Associates (January 5, 2005) in support of the Sierra College Center Environmental Impact Report, a retail commercial and office project that was previously approved by the City of Rocklin for the project site but never built. Subsequently, the project site's biological resources were evaluated in a report by Dudek (December 9, 2013), and most recently by Dudek in a report dated November 5, 2015. Per standard protocol, the November 5, 2015 Dudek biological resources assessment report was conducted to accomplish the following objectives: 1) identify and describe the biological communities on the project site; 2) record plant and animal species observed on the project site; 3) Re-evaluate and identify sensitive resources and special-status plant and animal species that could be affected by project activities, and 4) Provide conclusions and recommendations. As a part of the report, a biologist from Dudek visited the project site in the spring of 2015 to confirm that conditions had not changed since 2013 (which they did not). The findings of all of the prior biological resource assessments are consistent in that they each identified the following: 1) the presence of wetlands on the project site that are within the regulatory authority of the U.S. Corps of Engineers and the Regional Water Quality Control Board; 2) the unnamed tributary on the southern portion of the project site is subject to California Department of Fish and Wildlife jurisdiction and impacts to that feature would require a lake or streambed alteration agreement; 3) although none were found during field surveys, the project site has marginal habitat for one special-status plant species (Brandegees clarkia), and 4) although none were observed during field surveys, the project site does have the potential for several special-status wildlife species (Western pond turtle, Cooper's hawk and other raptors, and Valley elderberry longhorn beetle).

While the presence of a fence around the main portion of the project site (the "panhandle" area was not fenced) may have some exclusionary properties particularly for larger species such as deer (which are not considered a special-status species), the surveys noted above were all conducted prior to the fence being installed. The project site's potential for the presence of the above-noted special-status plant and wildlife species is not affected by the presence of a fence, in that the special-status plant species is either on the site or not and a fence would not obstruct its potential presence, the Western pond turtle and Valley elderberry longhorn beetle would potentially occur on the "panhandle" portion of the property (which is not fenced) due to the

presence of the unnamed tributary and elderberry shrubs on that portion of the project site, and Cooper's hawk and other raptor species are not excluded from accessing the project site by a fence due to their ability to fly.

The author of the biological resources assessment was provided a copy of the NOP comments related to the concerns associated with a perimeter fence present at the project site and submitted a brief letter in response (Appendix F). In summary, the letter indicated the following: 1) the site's biological surveys were repeatedly conducted over time prior to the fence being erected and the portion of the property that was fenced was not considered an important wildlife corridor and the fence does not impact a movement corridor; 2) the important movement corridor is the intermittent tributary of Secret Ravine (although interrupted by Sierra College Boulevard) which is not fenced and is actually closer to an existing single family housing development than the proposed project, and 3) all other biological resources comments/questions included in the Citizen's Voice Organization letter were specifically addressed in the technical biological resources assessments prepared by North Fork Associates and Dudek in 2005, 2013 and 2015.

Finally, the EIR summarizes the biological resources assessment report and analyze the proposed project's potential impacts on biological resources.

It should be noted that the fence was installed to protect public safety by eliminating public access to a site with numerous dead, diseased and poor quality trees, some of which have lost substantial branches and in one instance a tree fell across an adjacent property line.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-8 The comment expresses an opinion regarding the accuracy of statements in the Draft EIR regarding limitations placed on the City by state law because the project is consistent with existing zoning, and how those statements underplay the Design Review process.

See Response to Comment 10-3.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-9 The comment is regarding the objectives for the project being the developer's objectives and the comment expresses an opinion that because there are no objectives from the public the Draft EIR is biased and not objective.

Per CEQA Guidelines section 15124 (b), the project description shall include "A statement of objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision-makers in preparing findings or a statement of overriding considerations, if

necessary. The statement of objectives should include the underlying purpose of the project.” There is no obligation for the Draft EIR to include the public’s objectives for the project.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-10 The comment expresses an opinion that the Draft EIR is inadequate and biased in favor of the developer because a mitigated negative declaration was previously prepared for the project and because the City, rather than an independent professional, has prepared the Draft EIR.

See Response to Comment 15-6.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-11 The comment expresses opinions disagreeing with the Draft EIR’s conclusions regarding significant aesthetic/visual impacts being less than significant and how the project violates the spirits and goals of Rocklin’s ordinances concerned with aesthetics, how the project is not a good fit for the site, and there being a contradiction between the General Plan EIR and the Draft EIR.

The Draft EIR included an Aesthetics chapter that addressed the potential aesthetics impacts associated with the development of the proposed project. The conclusions of the aesthetics impact analysis were: 1) the project would not substantially degrade the existing visual character or quality of the site and its surroundings (Impact 4.2-1) and 2) the project would not contribute to a cumulative impact relating to substantially degrading the existing visual character or quality of the site and its surroundings and the impact was less than cumulatively considerable and less than significant. The project’s Initial Study (Appendix A of the Draft EIR) also addressed the subject area of aesthetics in terms of having a substantial adverse effect on a scenic vista, substantially damaging scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway, and creating a new source of substantial light or glare that would adversely affect day or nighttime views in the area and all of those potential impacts were determined to be less than significant.

The conversion of the project site to urban uses was anticipated in the 2012 City of Rocklin General Plan Environmental Impact Report (General Plan EIR) prepared for the City of Rocklin General Plan. The City’s General Plan EIR addressed aesthetic impacts recognizing the significant and unavoidable impacts resulting from building out a City where no City had previously existed. Because feasible mitigation measures to completely eliminate those visual impacts do not exist, the City of Rocklin made findings of fact and a statement of overriding considerations accepting the significant and unavoidable impact on aesthetics due to buildout of the City. Despite the proposed project site being designated for Retail Commercial land uses at the time of the General Plan EIR analysis, the General Plan EIR is the fundamental starting

point of the discussion of aesthetic impacts from this multi-family residential project proposed for development on a wooded and grassland site.

City of Rocklin Resolution No. 2012-170 approved the General Plan EIR, and Exhibit B of that resolution identifies those environmental impacts that are not capable of being mitigated to a less than significant level. While the goals and policies contained in the General Plan Land Use Element and Open Space, Conservation and Recreation Element will assist in avoiding or minimizing the visual impact of new development, the existing visual character will be substantially degraded, new sources of light and glare will be created, and cumulative impacts to scenic vistas, scenic resources, existing visual character and creation of light and glare will still occur as mixed urban development occurs on presently vacant land. As a result, future development is considered to be a significant impact with regard to aesthetics, which cannot be mitigated to less than significant levels. This is the only reasonable outcome of building a City where no City previously existed.

Acknowledging that aesthetics is a very subjective topic of discussion and reasonable people may disagree on the topic, the CEQA Guidelines set forth criteria by which a public agency may measure the potential for impacts in CEQA Guidelines Appendix G, Environmental Checklist Form. The Initial Study concluded that some aspects of aesthetics need not be addressed further in the Draft EIR, while another aspect did warrant additional consideration and was addressed in Chapter 4.2 of the Draft EIR. The General Plan EIR acknowledges that development consistent with the adopted General Plan will result in changes to the visual character of the City and acknowledges that some such anticipated impacts are significant and unavoidable. Findings of Fact and a Statement of Overriding Consideration were adopted by the City when adopting the General Plan. The Initial Study for the proposed project acknowledges the same and also measures the potential for site specific visual impacts against the criteria set forth in the CEQA Guidelines Appendix G noted above. The author of the comment disagrees with the conclusions expressed in the DEIR and makes reference to “the spirit and goals” of the City’s regulations related to aesthetics, and also comments that the proposed project’s “buildings are not a good fit for this site.” These latter comments address whether the project should be approved and is beyond the scope of this Draft EIR.

16-12 The comment expresses an opinion that the cumulative air quality and greenhouse gas emission effects of a large number of projects planned in the vicinity of the Sierra Gateway Apartments project were not adequately considered, and then provides a list of projects.

The Draft EIR’s Cumulative Impacts chapter included a discussion regarding the evaluation of the proposed project’s cumulative air quality impacts on pages 5.2-1 and 5.2-2. For the FEIR reader’s benefit, that discussion is repeated below in italics:

5.2 CUMULATIVE IMPACTS

CEQA Guidelines section 15130 requires that an EIR contain an assessment of the cumulative impacts that could be associated with a proposed project. This assessment involves examining project-related effects on the environment in the context of similar effects that have been caused by past or existing projects, and the anticipated future effects of future projects. Although project-related impacts may be individually minor, the cumulative effect of these impacts, in combination with the impacts of other projects, could be significant under CEQA and must be addressed. Where a lead agency concludes that the cumulative effects of a project, taken together with the impacts of past, present and probable future impacts, are significant, the lead agency then must determine whether the proposed project's incremental contribution to such a significant cumulative impact is "cumulatively considerable" (and thus significant in and of itself).

CEQA Guidelines section 15130 requires the analysis of impacts due to cumulative development that would occur independent of, but during the same time frame as, the project under consideration, or in the foreseeable future. By requiring an evaluation of cumulative impacts, CEQA attempts to minimize the potential that large-scale environmental impacts would be ignored due to the project-by-project nature of project-level analyses contained in EIRs.

The proposed Sierra Gateway Apartments project, in conjunction with development in the vicinity of the project site and within the region, would contribute to cumulative environmental impacts. Cumulative impacts were analyzed in each of the technical chapters of this Draft EIR (Chapters 4.2 through 4.5). The geographic scope of the cumulative analysis varies by technical area. For example, traffic and traffic-related air emissions and noise analyses assumed development that is planned for and/or anticipated in the region, because each jurisdiction within the region contributes to traffic on local and regional roadways, and air quality impacts were evaluated against conditions in the Sacramento Valley Air Basin. The cumulative analysis in each technical section evaluated the proposed project's contribution the cumulative scenario and one cumulatively considerable impact was identified (Transportation/Traffic). The cumulative analyses are summarized below.

Air Quality

As indicated in Impact 4.3-5, the proposed project, within the context of development in the region, would incrementally result in a net increase of criteria air pollutants (ROG and NOx) for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). It was determined that the proposed project's operational related emissions would be below the Placer County Air Pollution Control District's cumulative thresholds of significance for ROG and NOx. Implementation of mitigation measure MM4.3-2 (a) and 4.3-2 (b) would ensure that the operational activities associated with the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state air quality standard. Therefore the impact would be considered less than cumulatively considerable and less than significant.

Per CEQA Guidelines section 15130 (b), “The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact. The following elements are necessary to an adequate discussion of significant cumulative impacts:

(2) Either:

(A) A list of past, present, and probable future projects producing related or cumulative impacts, including if necessary, those projects outside the control of the agency, or

(B) A summary of projections contained in an adopted local, regional, or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Any such document shall be referenced and made available to the public at a location specified by the lead agency.”

Consistent with such direction and rather than use of the list method described in subsection (A) above, the Draft EIR’s cumulative analysis for air quality impacts referenced the proposed project in the context of development in the region. Furthermore as noted in the Draft EIR and above, it was determined that the proposed project’s operational related emissions would be below the Placer County Air Pollution Control District’s cumulative thresholds of significance for ROG and NOx. Implementation of mitigation measure MM4.3-2 (a) and 4.3-2 (b) would ensure that the operational activities associated with the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state air quality standard. Therefore the impact would be considered less than cumulatively considerable and less than significant.

With respect to cumulative greenhouse gas emissions, as noted in the project’s Initial Study, an individual project, even a very large project, does not in itself generate enough greenhouse gas emissions to measurably influence global climate change. Global climate change is therefore by definition a cumulative impact. A project contributes to this potential cumulative impact through its cumulative incremental contribution combined with the emissions of all other sources of greenhouse gases (GHG). The analysis of greenhouse gas emissions in the Initial Study determined that the operational GHG emissions of the proposed project would not exceed applicable Placer County Air Pollution Control District GHG thresholds and the proposed project would not hinder the State’s ability to reach the GHG reduction target nor conflict with

any applicable plan, policy, or regulation related to GHG reduction, and impacts related to GHG emissions and global climate change would be considered less than significant.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-13 The comment expresses a concern that there will be significant air quality impacts for upwards of 2 years during construction that will have a massive and direct impact on adjacent residents, including increased dust and particulates and as generated by heavy equipment.

The Draft EIR included an analysis of short-term (construction) emissions based upon an Air Quality and Greenhouse Gas Analysis report contained in Appendix E to the Draft EIR. The analysis demonstrated that through compliance with the Placer County Air Pollution Control District's (PCAPCD) rules and regulations for construction, the construction emissions from the project do not exceed the PCAPCD's thresholds of significance for construction emissions.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-14 The comment expresses opinions that the project is sacrificing native landscape of the region in favor of unchecked development, the General Plan EIR's analysis is not an overriding permission for the project's removal of oak trees, and development of this site should not "piggyback" on the General Plan EIR.

See Response to Comment 16-5.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-15 The comment expresses an opinion that the project is violating the City's Oak Tree Preservation Ordinance because there is no expectation of preservation of trees.

See Response to Comments 15-4 and 16-6.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-16 The comment expresses an opinion that the City use oak tree mitigation funds to purchase the property and such an alternative with oak tree preservation benefits was not considered in the Draft EIR.

See Response to Comments 15-7 and 15-10.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-17 The comment expresses an opinion regarding the Draft EIR ignoring the tool that allows for flexibility in environmental design but has also exercised little or no vision for reasonable alternatives that would meet Rocklin's stated goals for tree preservation as stated in the Oak Tree Preservation Guidelines.

See Response to Comment 15-4 and 15-7.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-18 The comment expresses an opinion questioning how the removal of 320 of 367 oak trees can be mitigated to a less than significant level by paying mitigation fees and how that cannot undo the permanent damage to the environment and neighborhood.

See Response to Comment 16-6.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-19 The comment expresses an opinion that the cumulative traffic effects of a large number of projects planned in the vicinity of the Sierra Gateway Apartments project were not adequately considered, and then provides a list of projects.

See Master Response for Comments Regarding Inclusion of Sierra College's Planned Development and Other Projects in the Traffic Analysis.

16-20 The comment expresses an opinion that traffic count data from 12-18 months ago is old and does not reflect the rapid growth of traffic in the area, especially on Rocklin Road west of Sierra College Boulevard and more recent traffic count data should be incorporated.

The Notice of Preparation (NOP) for the Sierra Gateway Apartments Draft Environmental Impact Report (DEIR) was published on March 24, 2016, which established the Sierra Gateway Apartments DEIR's baseline condition for analysis. CEQA Guidelines section 15125 (a) recognizes that the EIR process is a lengthy one and allows for the establishment of a baseline condition, otherwise the preparation of an EIR could become a never-ending process of constant updates if each time a new project were applied for the analysis had to be updated to incorporate the new projects. The traffic counts conducted in October 2015 and May 2016 are considered to be valid for the baseline condition.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-21 The comment expresses an opinion that traffic flow counts away from signalized intersections should be obtained and analyzed for project impacts and it is especially important on Rocklin Road near Sierra Community College.

See Response to Comment 6-2.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-22 The comment expresses an opinion that project impacts should be based on traffic levels measures at peak college times.

See Response to Comment 6-2.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-23 The comment expresses an opinion regarding concerns about the proposed project's access onto Water Lily Lane and it not being properly evaluated.

See Response to Comment 21-6.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-24 The comment expresses an opinion regarding the need to analyze Rocklin Road flow and circulation through the college area and east of Sierra College Boulevard including the Rocklin Road/Barton Road intersection and entrances to Montclair and St. Francis Woods residential communities.

See Response to Comment 19-4.

Because the level of service on Rocklin's arterial and collector roadway system is primarily dictated by the capacity and operations of its signalized intersections, the City's LOS policy is specific to intersections and does not apply to street segments. Thus the analysis for the proposed project analyzed potential impacts at study intersections and not street segments. It should be noted that both eastbound and westbound Rocklin Road includes turn pockets for ingress into the Montclair and St. Francis Woods developments and the egress points from those developments are both stop-sign controlled.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-25 The comment expresses an opinion that 2014 Caltrans data used in the analysis is old and more current traffic counts should be used.

The Notice of Preparation (NOP) for the Sierra Gateway Apartments Draft Environmental Impact Report (DEIR) was published on March 24, 2016, which established the Sierra Gateway Apartments DEIR's baseline condition for analysis. CEQA Guidelines section 15125 (a) recognizes that the EIR process is a lengthy one and allows for the establishment of a baseline condition, otherwise the preparation of an EIR could become a never-ending process of constant updates if each time a new project were applied for the analysis had to be updated to incorporate the new projects. The Caltrans 2014 traffic counts were the most recent counts available from that agency at the time of the issuance of the NOP. The most recent data that is currently available from Caltrans is from 2015 which became available during the summer of 2016.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-26 The comment expresses an opinion regarding evaluation of alternatives not being adequately addressed and for purposes of mitigating traffic impacts more alternatives such as a land swap with Sierra College should be evaluated.

See Response to Comment 15-7 and 15-10.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-27 The comment expresses concern about project traffic affecting the ingress and egress from the Montclair and St. Francis Woods developments on Rocklin Road not being studied.

See Response to Comment 19-4 and Response to Comment 16-24

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-28 The comment expresses concern about the interim basis condition of the City's Level of Service policy.

See Response to Comment 21-5 and 21-9.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-29 The comment expresses concerns about the use of roundabouts or traffic circles at Rocklin Road and Sierra College Boulevard.

See Response to Comment 21-8.

There is no discussion in the Draft EIR regarding the use of roundabouts or traffic circles at Rocklin Road and Sierra College Boulevard.

The comment does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-30 The comment expresses concerns about potential noise impacts from the project on adjacent single family residences and that such potential noise impacts should have been analyzed further in the Draft EIR.

Pages 1-17 and 1-18 of the Draft EIR's Introduction and Scope of EIR chapter included a discussion regarding the project's potential noise impacts. For the FEIR reader's benefit, that discussion is repeated below in italics:

9. Noise – Several comments expressed concern related to the proposed project's potential noise impacts.

As noted in the Initial Study (Appendix A), the firm of JC Brennan & Associates, Inc., a Sacramento area consulting firm with recognized expertise in noise, prepared an environmental noise assessment of the proposed Sierra Gateway Apartments project that analyzed the proposed project's generation of, and exposure to noise. In summary, the analysis concluded that noise levels from Sierra College Boulevard and Rocklin Road would not exceed the City of Rocklin's exterior noise level standard at the project's common outdoor activity area (clubhouse/pool), but noise levels from Sierra College Boulevard would exceed the City of Rocklin's interior noise level standard. Consistent with the recommendations within the noise assessment report, the City of Rocklin identified a mitigation measure in the project's Initial Study that requires the provision of sound-rated windows for the 2nd and 3rd floor units facing Sierra College Boulevard; this mitigation measure will be included in the EIR's mitigation and monitoring program. The analysis also concluded that the proposed project will not result in a significant increase in traffic noise levels along Sierra College Boulevard or Rocklin Road.

As also noted in the Initial Study, the proposed project would be subject to the City's standard conditions which address short-term construction noise impacts and it would also be subject to the City of Rocklin Construction Noise Guidelines, which restrict construction-related noise generating activities within or near residential areas to between 7:00 a.m. and 7:00 p.m. on weekdays, and between 8:00 a.m. and 7:00 p.m. on weekends to the satisfaction of the City Engineer or Building Official. These restrictions are typical of City and County Noise Ordinances and reflect the recognition that construction-related noise is temporary in character, is generally

acceptable when limited to daytime hours, and is part of what residents of urban areas can expect as part of a typical urban noise environment (along with emergency sirens, etc.).

From a land use perspective, the City of Rocklin considers residential land uses to be compatible with other residential uses. Examples of uses which may not be compatible with neighboring residential uses include various commercial and industrial type uses. In the case of a commercial or industrial use abutting a residential use, the City typically requires that a 6-foot tall masonry sound wall be constructed between the uses unless it can be demonstrated that there is adequate compatibility between the adjoining land uses through the evaluation of relevant factors such as aesthetic considerations, natural terrain buffers, building height, bulk and orientation, noise, light and glare, pedestrian and vehicular circulation, property values and psychological factors (Rocklin Municipal Code Section 17.80.080). In these instances, such land uses have daily large truck deliveries, large HVAC equipment, outdoor announcements, etc. However, no such wall requirement exists for residential uses as the degree of noise generated from one residential use to the next does not warrant special noise attenuation measures. In general, noise generated by new residential uses, regardless of whether they are multi-family or single family, would include passenger vehicle traffic, people talking, kids playing, air-conditioners, pool pumps, property maintenance, garbage collection, etc. These are all noise sources associated with any residential community and are the same types of noise sources which currently exist at the residential land uses located around the proposed project site.

The existing apartment buildings to the east of the proposed project are approximately 80 feet away from the property lines of the single family subdivision to the south and by way of comparison, the proposed project's buildings closest to the single family subdivision to the south would be located approximately 50 feet (Building 5) and 80 feet (Building 9) away from the property lines. The project applicant is also the owner of the existing apartment complex located to the east, and in a check of their records, they have received no complaints from the owners of the single family homes located to the south regarding excessive noise from the existing apartment buildings/tenants. In addition, a check with the City of Rocklin Police Department indicated that they too have received no complaints from the owners of the single family homes located to the south regarding excessive noise from the existing apartment buildings/tenants.

The author of the environmental noise assessment was provided a copy of the NOP comments related to the concerns associated with the project's potential to generate increased noise levels and submitted a brief letter in response (Appendix K). In summary, the letter indicated the following: 1) temporary increases in noise levels will occur during project construction, but construction is prohibited by the City before 7:00 a.m. or after 7:00 p.m. on weekdays and before 8:00 a.m. or after 7:00 p.m. on weekends. Such restrictions are typical of many jurisdictions and reflect a recognition that construction-related noise is temporary in character, is generally acceptable when limited to daylight hours, and is part of what residents of urban areas can expect as part of a typical urban noise environment; 2) a corroboration of the discussion above as it relates to residential land uses being compatible with adjacent residential land uses from a noise perspective, the project's main outdoor activity area faces existing multi-family uses and is shielded and has a significant setback from the existing single family

residences to the south and nuisance noise from residential uses is a police enforcement issue, and 3) a summary of noise measurements of a multi-family project showing that such noise levels are considerably less than traffic noise in the vicinity of the Sierra Gateway Apartments project and that they would comply with the City of Rocklin General Plan noise level standards at the adjacent single family residences to the south.

A summary of the Environmental Noise Assessment report is provided in the Initial Study, and the Environmental Noise Assessment report and supplemental letter is provided in Appendix K.

The comment does not specifically identify what type of predicted noise impacts are of concern and should have been analyzed further within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-31 The comment expresses opinions that the Draft EIR should have included a more thorough analysis of outdoor lighting as it relates to the adjacent Hidden Creek development, the light poles will be taller than privacy walls and will not be blocked by them or landscape and because of building heights and topography lighting of any kind will have a direct impact on the adjacent Hidden Creek development.

A preliminary site lighting/photometric plan is included in Appendix D of the Draft EIR. The Aesthetics section of the project's Initial Study (Appendix A of the Draft EIR) included a discussion regarding the project's potential lighting noise impacts. For the FEIR reader's benefit, that discussion is repeated below in italics:

d) New and/or increased sources of light and glare would be introduced to the project area. A preliminary lighting photometric plan prepared for the proposed project by Omni Means indicates that light levels from the proposed project will primarily be at a 0.0-0.1 foot-candle level around the project site's perimeter, with the exception being 0.7-1.0 foot-candle levels at the project's driveway at Rocklin Road. Notwithstanding the higher foot-candle levels at the project's driveway which are needed for safety reasons, the 0.0-0.1 foot-candle levels are not considered to be excessive (by way of reference, a typical lighting level in an emergency stairwell is approximately 7-10 foot-candles and a deep twilight night is approximately 0.1 foot-candle). In addition, as a part of the design and development review process for this project, the City will require that "All exterior lighting shall be designed and installed to avoid adverse glare on adjacent properties. Cut-off shoebox type lighting fixtures, or equivalent, shall be used and mounted such that all light is projected directly toward the ground. The lighting design plan shall be approved by the Director of Community Development for compliance with this condition." Adherence to the design and development review process standards will minimize light and glare impacts to a less than significant level.

The comment expresses an opinion that "outdoor area lighting... is not tolerable" but does not focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

16-32 The comment expresses a concern that the Draft EIR does not specifically address how the water quality of an adjacent creek will be protected from surface runoff created by the project.

Pages 1-16 and 1-17 of the Draft EIR's Introduction and Scope of EIR chapter included a discussion regarding the project's potential hydrology and water quality impacts. For the FEIR reader's benefit, that discussion is repeated below in italics:

8. Hydrology/Water Quality – Several comments expressed concern regarding the proposed project's hydrology and water quality impacts related to increased water demand, increased runoff, flooding potential and proximity to a creek.

As noted in the Initial Study (Appendix A), the proposed project is located within the Placer County Water Agency (PCWA) service area and is anticipated to be served by that agency for its water needs. The PCWA has a Master Plan, which is periodically updated, to provide water to projects located within their service boundary. PCWA has planned for growth in the City of Rocklin and sized the water supply infrastructure to meet this growth (PCWA 2006). PCWA has provided a letter regarding the proposed project indicating that the project is within their service area and eligible for service upon execution of a facilities agreement and payment of all required fees and charges. It should also be noted that the preparation of a Water Supply Assessment (WSA) is required if the proposed project meets the definition of a "project" under California Water Code Section 10912 (a); the threshold identified that requires a WSA to be prepared for a residential development is more than 500 dwelling units. Therefore, the proposed project's size does not warrant the preparation of a Water Supply Assessment.

As also noted in the Initial Study, the proposed project would be subject to the provisions of the City's Grading and Erosion and Sediment Control Ordinance (Chapter 15.28 of the Rocklin Municipal Code, Grading and Erosion Sediment Control). The purpose of that Ordinance includes, but is not limited to, the regulation of grading activity on all property within the City of Rocklin to safeguard life, limb, health, property, and public welfare; to avoid pollution of watercourses with nutrients, sediments, or other earthen materials generated or caused by surface runoff on or across the permit area; to comply with the City's National Pollutant Discharge Elimination System permit issued by the California Regional Water Quality Control Board; and to ensure that the intended use of a graded site is consistent with the City of Rocklin General Plan, provisions of the California Building Standards Code as adopted by the City relating to grading activities, City of Rocklin improvement standards, and any applicable specific plans or other land use entitlements. In addition, the proposed project would be required to prepare an erosion and sediment control plan through the application of the City's Improvement Standards and Standard Specifications that are a part of the City's development review process. The project site's proximity to a creek and other existing development is not a unique situation in the City of Rocklin specific to this location nor is it a unique characteristic that warrants an approach beyond the City's standard practices discussed above.

As also noted in the Initial Study, according to FEMA flood maps (Map Panel 06061CO481G, effective date November 21, 2001) the project site is located in flood zone X, which indicates that the project is not located within a 100-year flood hazard area and outside of the 500-year flood hazard area. A drainage study prepared for the proposed project (Omni-Means, August 2015) determined that the use of detention would increase the peak runoff due to the location of the project in the lower portion of the drainage shed and therefore the use of detention is not recommended on this site. Furthermore, the Placer County Flood Control and Water Conservation District is also recommending the project not use detention. As a part of the City's development review process, the drainage study and its findings will be reviewed by the City and the project's required drainage infrastructure will be sized accordingly such that substantial erosion, siltation or flooding, on- or off-site, and exceedance of the capacity of existing or planned drainage systems would not occur.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

COMMENTS TO Sierra Gateway Apartment Project DEIR

By: Kent Zenobia, PE, BCEE

June 12, 2017

**TO: Marc Mondell, Economic and Community Development Director
Steven Rudolph, City Attorney**

Hello Mssrs. Mondell, Rudolph,

Please accept these comments on the Sierra Gateway Apartment Project DEIR that are **due by June 12th**. The 10.2 acre 3-story apartment project is located at the S/E corner of Rocklin Road and Sierra College Blvd. in the City of Rocklin and consists of APNs 045-161-014, 015 and 016.

I submit these comments as a local resident, Father, taxpayer, Registered Professional Engineer in CA (and 3 Other States), American Society of Civil Engineers - Fellow Member, American Academy of Environmental Engineers - Board Certified Environmental Engineer, and author of a Civil Engineering Handbook that includes chapters on Permitting, Sustainability, Ethics, and Legal Aspects of Professional Practice.

17-1

I believe there are several areas in this DEIR that display a **significant impact** and have **not** been adequately addressed or mitigated in the DEIR. In my opinion, serious mitigation measures that could avoid or reduce the magnitude of these significant impacts have not been presented or discussed. This unfortunate and poor condition remains even with a "**Reduced Intensity Alternative**" of 170 units.

Additionally, this DEIR does not address all the facts in the "*Project Description*" and "*Surrounding Uses*". The DEIR neglects to mention the land uses to the East of the project site within 1000 feet in the Town of Loomis. Here, land use is zoned **RA** (Residential **Agricultural**) 4.6 acres per dwelling unit, **RE** (Residential Estates) 2.3 acres per dwelling unit and **RR** (Rural Residential) one acre per dwelling unit. In fact, the DEIR infers that the surrounding area within the Town of Loomis is simply "*single-family residential subdivisions*" not agricultural or large lot residential uses. The Sierra Gateway **3-story, 195-Unit** apartment complex is out of proportion, incongruent, and out of character with the surrounding single and two-story apartment and residences in the actual surrounding area.

17-2

Some specific comments appear below:

1. Air Quality:

An enormous amount of vehicle traffic and vehicle emissions would be added to the area where I live if the City were to allow the construction of this high-density residential 3-story, 195-unit apartment complex on 10 acres estimated to generate over 1,300 additional daily vehicle trips.

17-3

These proposed residents do not have local access to typical provisions and services like a grocery store, pharmacy, and will depend on their vehicles for these and other daily/weekly needs. Therefore, the calculated vehicle trips will likely be higher in this area that depends upon owning and operating a vehicle frequently. The proposed "density" of this complex is the condition that generates this impact on air quality.

COMMENTS TO Sierra Gateway Apartment Project DEIR

By: Kent Zenobia, PE, BCEE

June 12, 2017

The amount of traffic emissions would likely violate air quality standards and increase air pollutants and exposure to the nearby community. The only way to mitigate these impacts is to significantly reduce the number of proposed units or deny high-density residential development in this location. Plus there are several other proposed or pending developments, namely the pending Sierra Village's development including approximately 400 residential units plus a senior living facility and other retail/office space, in this area will only add to the air quality issues. Note: Again the DEIR avoids including the Sierra Villages data.

17-3
(Cont'd)

2. Traffic and Circulation:

This proposed apartment complex sits at the intersection of Rocklin Road and Sierra College Blvd. and will cause significant impacts. If developed, this project would greatly increase traffic on Sierra College Blvd. but more importantly onto an already highly congested Rocklin Road. **According to the DEIR, the proposed project is estimated to generate an additional 1,305 daily trips** using the Institute of Transportation Engineers ("ITE") *Trip Manual*, 9th edition (2012). Again, these residents will rely upon their vehicles for virtually all their shopping, medical, employment, and other needs in an area that has other large proposed development. This point source of additional vehicles will impact this intersection and the traffic and circulation in the immediate vicinity.

17-4

Additionally, the City has a "preliminary" application before it now from Sierra College to create additional high density residential development on a 107-acre project called "Sierra Villages" located off Rocklin Road in two locations (Rocklin Road and Sierra College Blvd. and Rocklin Road and El Don Drive). We are looking at the possibility of at least 400 additional medium to high density residential units, a senior living facility and retail/office development that would impact traffic and circulation in this exact same area. **This DEIR neglects to mention or consider this "Reasonably Foreseeable Project" when providing vehicle impact statistics.**

17-5

The DEIR states...

The City of Rocklin General Plan (October 2012) Circulation Element includes LOS Policy C-10, as follows:

- A. Maintain a minimum traffic Level of Service "C" for all signalized intersections during the p.m. peak hour on an average weekday...
- B. Recognizing that some signalized intersections within the City serve and are impacted by development located in adjacent jurisdictions, and that these impacts are outside the control of the City, a development project which is determined to result in a Level of Service worse than "C" may be approved, if the approving body finds (1) the diminished level of service is an interim situation which will be alleviated by the implementation of planned improvements, ...

17-6

Therefore, it seems the only way the City can approve this project (and future projects like Sierra Villages) that will impact Rocklin Road is to have a finding that this diminished level of

COMMENTS TO Sierra Gateway Apartment Project DEIR

By: Kent Zenobia, PE, BCEE

June 12, 2017

service is “*interim*” (Definition: short-term period of time between events) and must be implemented with planned improvements.

17-6
(Cont'd)

Finally, I offer some general comments:

- The image of a 3-story rental complex in a residential area with single and 2-story buildings is out of proportion, inconsistent, uncomplimentary, and seriously out of place in this neighborhood. 17-7
- The oak woodlands and grasslands in the south Placer County and Rocklin area are necessary to recharge groundwater and absorb stormwater. There is a serious need to preserve these oak woodlands and riparian stream habitat to buffer flash flooding, protect and enhance groundwater, and promote natural ecosystems and wildlife. We recently learned the value of these critical environments during our 5-year drought and subsequent 2017 storm flooding and Governor’s declaration of emergency. Impervious surfaces, rooves, hardscapes, and parking lots add to immediate runoff contributing to poor water quality and downstream flooding. We need to balance development to be more in sync with our natural environments and strive for sustainability if we want to maintain our quality of life. 17-8
- Three story (and taller buildings) rental complexes are often associated with low-income housing. Is the Sierra Gateway Apartment Project intended for low-income residents? Is there a future plan to convert this complex to low-income housing? 17-9
- The balcony railings illustrated in the document will not provide privacy to the residents and will likely expose the public to clutter stored on these balconies. 17-10

Thank you for accepting my comments.

Kent Zenobia

Cell: 916.425.0749

ZenobiaConsulting@gmail.com

17. KENT ZENOBIA

SUMMARY OF COMMENT LETTER

Kent Zenobia provided comments regarding concerns about significant impacts that have not been adequately addressed or mitigated, description of surrounding uses, the project being out of proportion, incongruent and out of character with the surrounding area, specific comments related to air quality and traffic/circulation, and general comments.

17-1 The comment is a summary comment providing background information of the commenter, expressing an opinion regarding significant impacts in the Draft EIR that have not been adequately addressed or mitigated and that those omissions remain even with the Reduced Intensity Alternative.

The introductory comment which identifies forthcoming additional comments does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

17-2 The comment expresses an opinion regarding the Draft EIR's project description and surrounding uses discussion and the specific zoning designations of land uses to the east in the Town of Loomis.

The Draft EIR's description of the surrounding area correctly notes that to the east of the project site are single-family residential subdivisions within the Town of Loomis and the discussion did not, nor need not, go into specifics regarding the applicable zoning designations of surrounding uses. The description of the project's surrounding area as "mostly developed with retail commercial and residential uses" and as further elaborated upon in the Draft EIR is considered to be accurate. The description correctly identifies that with the exception of several isolated single family residences and vacant land designated for Mixed Use land uses under the General Plan to the north of the project site, to the east, west and south of the project site are developed retail commercial and residential uses. Whether or not the adjacent subdivisions within the Town of Loomis are large parcel homes, they are still single family residential subdivisions as described.

The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR because the surrounding uses discussion is provided for context but does not include any analysis. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

17-3 The comment expresses an opinion regarding air quality impacts from the proposed project with the only way to mitigate such impacts is by denying the project, and the comment

is regarding the inclusion of the Sierra Villages project as part of the cumulative air quality effects.

See Response to Comment 21-3.

17-4 The comment expresses an opinion regarding the additional traffic generated by the proposed project onto Sierra College Boulevard and an already congested Rocklin Road.

See Response to Comment 21-5.

17-5 The comment is regarding the lack of inclusion of Sierra College's proposed development in the Draft EIR traffic analysis as a reasonably foreseeable project and how will traffic from all development in the area be mitigated.

See Master Response for Comments Regarding Inclusion of Sierra College's Planned Development and Other Projects in the Traffic Analysis.

17-6 The comment recites a portion of the City of Rocklin General Plan Level of Service Policy C-10 with an emphasis on the "interim" portion of item B and then expresses an opinion regarding traffic conditions on Rocklin Road and how the proposed project and future projects would have to have a finding of diminished level of service being "interim".

See Response to Comment 21-9.

17-7 The comment expresses an opinion regarding the project being out of proportion, inconsistent, uncomplimentary, and seriously out of place in the neighborhood.

The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

17-8 The comment is regarding the values that oak woodlands and grasslands have for groundwater recharge and stormwater absorption, expresses an opinion regarding the need to preserve oak woodlands in light of drought and flooding conditions and expresses an opinion regarding the need to balance development with natural environments.

The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

17-9 The comment associates larger rental complexes with low-income housing and questions whether the project is intended for low-income residents or will become low-income housing.

The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

17-10 The comment expresses an opinion that the balcony railings illustrated in the document will not provide privacy to residents and expose the public to clutter.

This is a design related issue. The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

Arlene Jamar
4645 Arrowhead Drive, Rocklin, CA

**ATTN: David Mohlenbrok
City of Rocklin**

Comments on Draft EIR for Sierra Gateway Apartments (SGA) Project

The DEIR was supposed to consider the
"additive effects of growth throughout the Rocklin area and region. These latter impacts are referred to as cumulative impacts."

The cumulative effects of the large number of projects planned in the immediate vicinity of the SGA project were not adequately considered. The list of nearby projects, planned or underway include:

- Rocklin Meadows – 78 homes – Aguilar Road
- Granite Bluff – 23 homes - Aguilar Road
- Traffic and air quality impacts with the continuation of Monument Springs Road from Roseville onto Greenbrae Rd, Aguilar Rd, China Gardens Rd, Rocklin Rd.
- Sierra College development of their two surplus land parcels
- Garnet Creek – residential on Granite Drive
- Costco – SCB at Brace Rd.
- Crowne Point behind Wal-Mart – I-80
- Home Improvement Store – Lowes near McDonalds at I-80
- Amazing Facts mega-church on SCB
- Bickford Ranch on SCB
- Village 1 – SCB (Lincoln)

18-1

Alternatives to the SGA project were supposed to be considered. The DEIR states;
"The Draft EIR also evaluates a range of project alternatives, including different development intensities for the project site."

18-2

Considering the intensity of development in the vicinity of this project, reasonable alternatives to the project that would reduce impacts were not seriously considered.

The DEIR identifies significant environmental effects of proposed SGA project. These effects would result in significant impacts to air quality, biological resources, cultural resources, noise, and transportation/traffic. Some of these significant impacts could be reduced by mitigation identified in the DEIR but some remain significant even after mitigation. These include impacts to transportation/traffic.

18-3

Sincerely, Arlene Jamar

18. ARLENE JAMAR

SUMMARY OF COMMENT LETTER

Arlene Jamar provided comments regarding cumulative impacts from projects planned in the vicinity of the project, a lack of reasonable alternatives to the project not being considered, and a summary of significant environmental effects of the proposed project.

18-1 The comment expresses an opinion that the cumulative effects of a large number of projects planned in the vicinity of the Sierra Gateway Apartments project were not adequately considered, and then provides a list of projects.

See Master Response for Comments Regarding Inclusion of Sierra College's Planned Development and Other Projects in the Traffic Analysis.

18-2 The comment expresses an opinion regarding reasonable alternatives to the project that would reduce impacts were not seriously considered, but does not identify specific suggestions for an alternative that should have been considered.

The Draft EIR's Alternative Analysis chapter included a discussion regarding the selection of alternatives on pages 6-1 and 6-2. For the FEIR reader's benefit, that discussion is repeated below in italics:

The primary intent of the alternatives evaluation in an EIR, as stated in Section 15126.6(a) of the CEQA Guidelines, is to "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." Further, the Guidelines state that "the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." (CEQA Guidelines section 15126.6(b)). The feasibility of an alternative may be determined based on a variety of factors including, but not limited to, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and site accessibility and control (CEQA Guidelines section 15126.6(f)(1)).

CEQA provides the following additional guidelines for discussing alternatives to a proposed project:

- *The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project but could avoid or substantially lessen one or more of the significant effects (CEQA Guidelines section 15126.6(c)).*

- *The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project (CEQA Guidelines section 15126.6(d)).*
- *The specific alternative of “no project” shall also be evaluated along with its impacts. The “no project” analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. ...When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future. ... If the project is other than a land use or regulatory plan... the “no project” alternative is the circumstance under which the project does not proceed. ... After defining the no project alternative using one of these approaches, the lead agency should proceed to analyze the impacts of the no project alternative by projecting what would reasonable by expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services (CEQA Guidelines section 15126.6(e)).*

As stated in CEQA Guidelines section 15126.6(a), “There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376).” CEQA Guidelines section 15126.6(f) further explains the execution of the rule of reason in regard to the selection of feasible alternatives: “The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only those that the Lead Agency determines could feasibly attain most of the basic objectives of the project.” The Reduced Intensity Alternative and the Reduced Building Footprint/Increased Height Alternative which are discussed in the Draft EIR perform the above function.

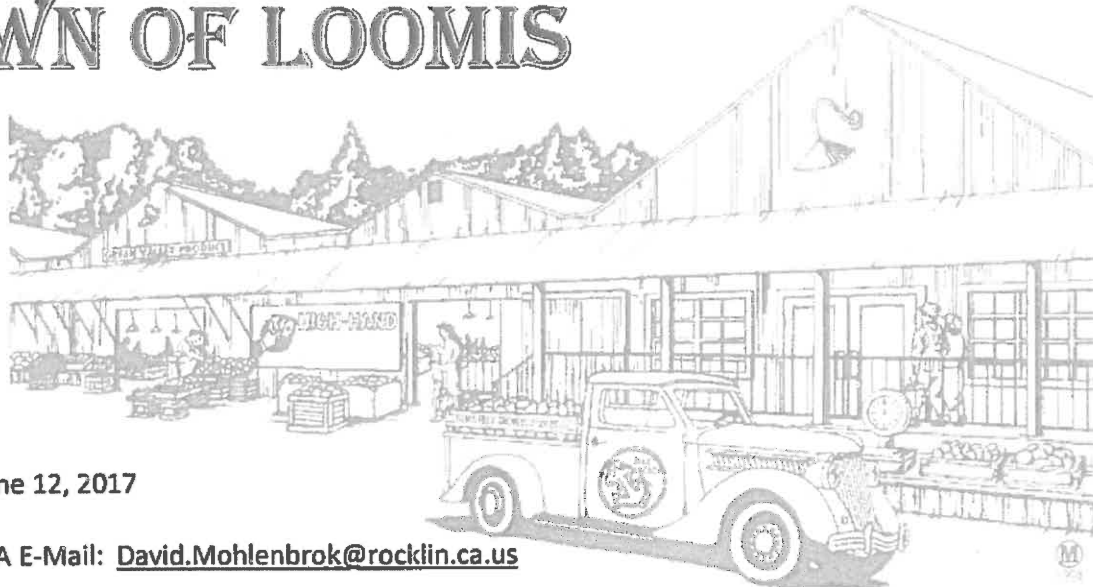
It is the City’s position that the Draft EIR identified reasonable alternatives to the project that would reduce impacts of the proposed project while still attaining most of the project objectives, as required by CEQA.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

18-3 The comment re-states a summary of the Draft EIR's findings of the project's significant environmental effects of the proposed project, including those that can be reduced to a less than significant level by mitigation and those that remain significant even after mitigation.

The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

TOWN OF LOOMIS



June 12, 2017

VIA E-Mail: David.Mohlenbrok@rocklin.ca.us

City of Rocklin
 Department Economic and
 Community Development
 3970 Rocklin Road
 Rocklin, CA 95677

Attention: David Mohlenbrok
 Environmental Services Manager

Subject: Sierra Gateway Apartments
 Draft Environmental Impact Report
 SCH# 2016032068

Dear Mr. Mohlenbrok,

We appreciate the opportunity to comment on the Draft Environmental Impact Report (DEIR) prepared for the proposed Sierra Gateway Apartments (Project) to develop a 195-unit apartment complex and associated infrastructure, and parking on a 10.2 +/- acre site designated as High Density Residential (HDR) in the Rocklin General Plan, and zoned Planned Development Residential (PD-20).

19-1

We are concerned this DEIR does not provide an adequate discussion of the Project's biological and traffic impacts, growth inducement, cumulative impacts, and alternatives as described below.

Chapter 4.4 Biological Resources

There are 384 total trees on the project site, of which 367 are oak trees and considered "native protected trees." The Sierra Gateways Apartments DEIR states only 112 of those protected trees are rated as fair, good, or excellent. The proposed project would result in removing 320 of the 384 trees on site, including 108 of the 112 protected trees, saving but four of these protected trees

19-2

However the 2007 Sierra College Center DEIR, for a similar project on this site, indicated there were 340 protected trees rated as fair, good, or excellent. This is quite a difference and should be explained. No doubt the past drought played a role, but there is no discussion either in the Arborist Report or the DEIR. This should be addressed along with the effect increased rain fall may have on the recovery the poorer rated trees.

19-2
(Cont'd)

The Analysis of Alternatives in the Project DEIR, indicates a combination of the "Reduced Intensity" and "Reduced Building Footprint" would result in reduced impacts to biological resources, concluding: "Therefore, the "Reduced Intensity Alternative is the Environmentally Superior Alternative."

19-3

However even the "Environmentally Superior Alternative" results in a significant loss of trees and habitat. As discussed in our comments below regarding Alternatives, there needs to be a more fully developed alternative than those presented. Loomis therefore respectfully requests that Rocklin consider an alternative that would substantially preserve more of the oak woodland trees and associated habitat, without the loss of so many native protected trees.

Chapter 4.5 Transportation\Traffic

The DEIR indicates that the proposed Project would increase traffic on Rocklin Road. Rocklin Road is a primary route to and from south Loomis. The intersection of Rocklin Road and Barton Road is within one mile of the proposed project. The Town of Loomis anticipates there will be significant impacts to this intersection. Therefore we request this location be added to the Traffic Analysis, and mitigation provided if significant impacts are identified.

19-4

Chapter 5.1 Growth Inducement

The Town of Loomis disagrees with this section as to the characterization of the surrounding area. The DEIR states:

"The surrounding area does contain some vacant, undeveloped properties but these properties have long been identified for urban development..." page 5.1-2

Residential land east of I-80 in Loomis is either zoned Residential Agricultural (RA 4.6 acre minimum lot), or Residential Estate (RE 2.3 acre minimum lot). The only exception is the Heritage Oaks Estate Subdivision east of the project site zoned Rural Residential (RR 40,000 sf minimum). These areas are in a very broad sense of the word "urban" as they are within an incorporated town. However examination of the Loomis General Plan and Zoning Code indicates these are all intended for both residential and agricultural uses and that these "uses maintain the existing natural vegetation and topography to the maximum extent feasible."

19-5

The DEIR concludes the growth inducement impacts would be less than significant. We must respectfully disagree as this project contributes to the induced growth of the area and subsequent demand for similar development within the Town of Loomis.

Chapter 5.2 Cumulative Impacts

CEQA Guidelines section 15130(b)(1) requires that the discussion of significant cumulative impacts include either a list of past, present and probable future projects producing related or cumulative impacts, including projects outside the control of the agency; or a summary of projections contained in an adopted general plan or related planning document.

The DEIR states that the proposed Sierra Gateway Apartments, in conjunction with development in the vicinity of the project site and within the region, would contribute to cumulative environmental impacts. Respectfully, the DEIR does neither state which projects were analyzed nor sufficiently define the region. The DEIR's discussion of cumulative impacts should include a list of past, present and probable future projects. In addition, the DEIR's cumulative impacts discussion omits at least two major projects. The Lincoln Villages project approved by the City of Lincoln and the proposed Loomis Costco Project both of which will impact Sierra College Boulevard.

19-6

Chapter 6.0 Alternatives Analysis

While the DEIR provides an Alternative Analysis, the objectives are so tightly drawn as to virtually preclude any other viable alternative. The two alternatives of the DEIR "Reduced Intensity Alternative" and the "Reduced Building Footprint/Increasing Height Alternative" provide only a minimal change from the Preferred Plan, rather than a reconceptualization of the site plan. Where previous projects like the Sierra College Center were commercial and required significant grading, residential projects may be designed to work with the existing topography and trees, and still accomplish the objectives of the project. Therefore we respectfully request an alternative be developed for this DEIR that provides another feasible exploration of the project.

19-7

In conclusion, we appreciate the opportunity to comment, and request you consider these comments as you proceed with the Sierra Gateway Apartments Project.

Sincerely,


Joan Phillippe,
Interim Town Manager\Planning Director

cc Town Council
Planning Commission

19. JOAN PHILLIPE, TOWN OF LOOMIS

SUMMARY OF COMMENT LETTER

The Town of Loomis provided comments regarding biological resources, transportation/traffic, growth inducement, cumulative impacts and alternatives analysis.

19-1 The comment is a summary comment noting that the Town of Loomis is concerned about the adequacy of the Draft EIR. The introductory comment which identifies forthcoming additional comments does specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR.

Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

19-2 The comment discusses tree information for the project site and expresses concern that a 2007 Draft EIR for the project site noted a higher number of trees rated as fair, good or excellent and the difference should be explained including any role the past drought and increased rainfall may have had.

As noted on page 4.4-21 in Biological Resources chapter of the Draft EIR, the firm of Abacus, a Sacramento consulting firm with recognized expertise in arboriculture, prepared the arborist report dated October 19, 2016 for the Sierra Gateway Apartments project. The City's duty in this instance is to ensure that a current arborist report has been prepared by a qualified arborist and to provide that information in the Draft EIR for public review and informed decision-making by Rocklin officials. The City has no reason to question the results of the current Abacus arborist report, no reason or obligation to compare the results of the current arborist report with an arborist report prepared in 2004 (12 years prior) by the same arborist consulting firm, and no reason or obligation to speculate on the reasons for differences between the two different reports. Nonetheless, the following discussion is provided regarding an assessment of the differences between the two Draft EIRs, including input from the project arborist on the differences.

The comment is mischaracterizing the Draft EIR's discussion of the oak tree inventory when noting that "the proposed project will result in removing 320 of 384 trees on site, including 108 of the 112 protected trees, saving but four of these protected trees." The Draft EIR's discussion notes that 384 total trees are protected, with the distinction being that the 108 of the 384 total protected trees are considered to be healthy and would require mitigation per the City's Oak Tree Preservation Ordinance if they were all to be removed (the project is proposing the removal of 93 protected trees that would require mitigation). The remaining 276 trees are still considered to be "protected" in the sense that they qualify for review under the ordinance because they are of a size (i.e., trunk diameter of six inches or more at four and one half feet above the root crown, also known as DBH) and of a species identified in the City's Oak Tree Preservation Guidelines as native to the Rocklin area, but they have been deemed to be unhealthy and thus consistent with the ordinance will not require mitigation for their removal.

It should be noted that the rating system and terminology used between the two Draft EIRs is different in that the Sierra Gateway Apartments Draft EIR used five rating categories (0 = dead, 1 = dangerous/non-correctable, 2 = poor, 3 = fair, 4 = good, and 5 = excellent), while the Sierra College Center Draft EIR used four rating categories (poor, fair, good, and best). Such differences can lead to the discrepancies noted, but ultimately the more important consideration for mitigation purposes is the determination of healthy vs. unhealthy. See the below table for a comparison of the total oak tree inventory and health characterizations between the Sierra Gateway Apartments Draft EIR and the Sierra College Center Draft EIR:

	Sierra Gateway Apartments Draft EIR	Sierra College Center Draft EIR
Total Number of Protected Oak Trees	368	411
Total Number of Protected Oak Trees to be Removed	321	382
Total Number of Protected Oak Trees to be Removed Which are Considered Healthy	93	181
Total Number of Protected Oak Trees to be Removed Which are Considered Unhealthy	260	201

It is not unreasonable to see the differences noted above when examining the same project site twelve years apart and using slightly different health rating systems. The project arborist noted that many of the trees on the site, including three of the largest visible oaks, have failed since the Sierra College Center Draft EIR and this failure can be followed from a review of Google historical photographic street views. The project arborist also noted that the drought and associated insect/disease infestations may have played a role in addition to the failures.

Regarding the effects that increased rainfall may have on the recovery of the poorer rated trees, it would be speculative and involve an unreasonable degree of forecasting to make any such determinations.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

19-3 The comment notes that the Draft EIR’s findings were that the “Reduced Intensity” and “Reduced Footprint” alternatives would result in reduced impacts to biological resources, that the “Reduced Intensity” alternative was identified as the Environmentally Superior alternative, and expresses an opinion that even the Environmentally Superior alternative results in a significant loss of trees and habitat and there should be consideration for an alternative that would preserve more oak woodland trees and habitat.

See Response to Comment 15-4 and 19-7.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

19-4 The comment expresses concern that the project will increase traffic on Rocklin Road which is a primary route to and from south Loomis. The comment specifically requests that the intersection of Rocklin Road and Barton Road be analyzed, because it is one mile from the project, and because it is the opinion of the Town of Loomis that they anticipate there will be significant impacts to this intersection.

The Rocklin Road intersection at Barton Road was analyzed as part of the General Plan EIR (2012). Table 4.4-31, PM Peak Hour LOS – Town of Loomis Intersections Cumulative Conditions with Buildout of Proposed General Plan reports a PM peak hour of LOS C for this intersection.

The threshold for concluding that a project related traffic impact is significant at an unsignalized intersection such as Rocklin Road at Barton Road is if it is already operating at unsatisfactory LOS, then the addition of more than 5 percent of the total traffic at the intersection would be considered a significant impact. The Sierra Gateway Apartments project is expected to add fifteen (15) AM peak hour trips and nineteen (19) PM peak hour trips to the segment of Rocklin Road east of the project site. This additional traffic load translates to less than one vehicle every three minutes of the peak hour. The amount of traffic added by the project, which would be the same under the existing plus project and cumulative plus project conditions, is approximately 2% of the traffic that currently uses Rocklin Road destined to or from the Barton Road intersection. Thus, even if the PM peak hour level of service at this intersection was shown to be operating at an unsatisfactory LOS in either the existing plus project or cumulative plus project condition (although extremely unlikely based on the EIR findings discussed above), the project's contribution of total traffic to the intersection would be below the threshold of an increase of more than 5 percent of the total traffic at the intersection. Therefore, the impact resulting from the Sierra Gateway Apartments project's 2% increase in traffic load is considered less than significant.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

19-5 The comment notes a disagreement with the Draft EIR's characterization of the surrounding area as having long been identified for urban development due to the land areas in Loomis being intended for both residential and agricultural uses that maintain the existing natural vegetation and topography to the maximum extent feasible, and the comment expresses an opinion disagreeing with the Draft EIR's less than significant conclusion for growth inducing impacts because the project contributes to induced growth of the area and subsequent demand for similar development within the Town of Loomis.

The purpose of the characterization of the surrounding areas as having long been identified for urban development was to draw a distinction that the surrounding areas are not vacant areas of land that have never been designated for any type or level of development or that the surrounding areas do not constitute areas that will likely not be developed in the future such as areas permanently protected as open space.

Regardless of the nature of future possible development as being urban or residential/agricultural uses, the point being made in the Draft EIR is that the surrounding area is anticipated to be developed in some fashion and in anticipation of that future development those areas are already served with infrastructure and other essential public services to accommodate such future development. The Sierra Gateway Apartments project would not remove an impediment to growth by extending infrastructure or other essential public services to the surrounding area, would not provide new access to an area, would not result in a change in zoning or general plan amendment and would not result in economic expansion or growth in an area. It is not the City of Rocklin, but rather the Town of Loomis that regulates land use and zoning within their boundaries, and should any subsequent demand for similar developments in the Town of Loomis arise per the concern noted in the comment, the decision to change the land use and zoning of the surrounding area within the Town of Loomis to not be consistent with the residential/agricultural nature of the surrounding areas rests solely with the Town of Loomis.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

19-6 The comment expresses a concern that the Draft EIR does not state nor sufficiently define the region for its cumulative analysis and the comment expresses an opinion that the Draft EIR did not adequately consider probable future projects to evaluate cumulative impacts, including the Lincoln Villages project and the Loomis Costco project,

See Response to Comments 15-11 and 16-2.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

19-7 The comment expresses opinions that the project objectives are so tightly drawn as to preclude other viable alternatives, two of the Draft EIR's alternatives provide only minimal change from the proposed project rather than a reconceptualization of the site plan, residential projects may be designed to work with the existing topography and trees and still accomplish the objectives of the project, and the comment requests an alternative that provides feasible exploration of the project.

As discussed in Response to Comment 15-4 above, the comment is incorrect in its assumption that the residential development could be significantly re-designed to further accommodate tree preservation. The site presents only limited opportunities and options for preserving any trees while still proceeding with a development consistent with the site's high density residential General Plan land use designation and zoning. Those options are actually reflected in the two alternatives analyzed in the EIR. Specifically, the Reduced Density Alternative removes building number 2 to preserve up to eighteen (18) oak trees on the south-eastern corner of the site, while the Reduced Building Footprint/Increased Height Alternative clusters the

development of the project to preserve an area containing fifty-seven trees (57) (although not all of these trees would be expected to survive as some are either dead or in poor condition).

There is no feasible alternative that would preserve more trees on the project site while still accomplishing the objectives of the project, and the range of alternatives analyzed were designed to permit a reasoned choice. While the comment requests development and analysis of an additional project alternative, it does not suggest any such alternative.

The City disagrees with the comment's statement that the project objectives were "tightly drawn." The project objectives are in part a function of the site's General Plan land use and zoning designations for high-density residential development and the nature of the discretionary approvals for which the applicant is applying (here, limited to design review and a tree removal permit). The comment does not identify any particular aspect of the project objectives that the commenter believes to be too narrow.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director



June 13, 2017

David Mohlenbrok
City of Rocklin
4081 Alvis Court
Rocklin, CA 95677

Subject: Sierra Gateway Apartments
SCH#: 2016032068

Dear David Mohlenbrok:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 12, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

20-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2016032068
Project Title Sierra Gateway Apartments
Lead Agency Rocklin, City of

Type EIR Draft EIR
Description The Sierra Gateway Apartments project consists of the development of a 195-unit apartment complex, associated infrastructure, private recreational facilities, parking and landscaping on 10.2 +/- acres. There is a "panhandle" portion of it will be graded to accommodate curb, gutter and sidewalk and drainage improvements and an extension of the northbound right turn pocket along Sierra College Blvd. This project will require Design Review and Oak Tree Preservation Plan entitlements.

Lead Agency Contact

Name David Mohlenbrok
Agency City of Rocklin
Phone 916-625-5162 **Fax**
email
Address 4081 Alvis Court
City Rocklin **State** CA **Zip** 95677

Project Location

County Placer
City Rocklin
Region
Lat / Long 38° 47' 15" N / 121° 12' 17" W
Cross Streets Rocklin Road/Sierra College Blvd.
Parcel No. 045-161-014, -015 -016

Township	Range	Section	Base
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Proximity to:

Highways I-80
Airports
Railways UPRR
Waterways Secret Ravine
Schools Sierra College
Land Use Vacant/Planned Development 20 units per acre/ High Density Residential

Project Issues Aesthetic/Visual; Biological Resources; Traffic/Circulation; Growth Inducing; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 2; Delta Protection Commission; Department of Parks and Recreation; Central Valley Flood Protection Board; Department of Water Resources; Office of Emergency Services, California; California Highway Patrol; Caltrans; District 3 N; Department of Housing and Community Development; Public Utilities Commission; Native American Heritage Commission; Delta Stewardship Council; Regional Water Quality Control Bd., Region 5 (Sacramento)

Date Received 04/26/2017 **Start of Review** 04/27/2017 **End of Review** 06/12/2017



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

CLEAR
6-12-17
E

Central Valley Regional Water Quality Control Board

5 June 2017

Governor's Office of Planning & Research

David Mohlenbrok
City of Rocklin
4081 Alvis Court
Rocklin, CA 95677

JUN 06 2017

STATE CLEARINGHOUSE

CERTIFIED MAIL
91 7199 9991 7036 6990 6842

COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, SIERRA GATEWAY APARTMENTS PROJECT, SCH# 2016032068, PLACER COUNTY

Pursuant to the State Clearinghouse's 27 April 2017 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environment Impact Report* for the Sierra Gateway Apartments Project, located in Placer County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance (i.e., discharge of dredge or fill material) of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

Land Disposal of Dredge Material

If the project will involve dredging, Water Quality Certification for the dredging activity and Waste Discharge Requirements for the land disposal may be needed.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering

discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

20. SCOTT MORGAN, GOVERNOR'S OFFICE OF PLANNING AND RESEARCH (OPR), STATE CLEARINGHOUSE AND PLANNING UNIT

SUMMARY OF COMMENT LETTER

The Governor's Office of Planning and Research State Clearinghouse and Planning Unit provided comments acknowledging that the Sierra Gateway Apartments Draft EIR was sent to selected state agencies for their review. The comment also identified the closing date of the Draft EIR public comment period and included an enclosure from a responding agency (Central Valley Regional Water Quality Control Board, Letter 9 above).

20-1 The comment is a summary comment noting the Governor's Office of Planning and Research State Clearinghouse and Planning Unit's role in the CEQA document review process and forwarding a comment from the Central Valley Regional Water Quality Control Board.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

Refer to Responses to Comments 9-1 through 9-13 for responses to the Central Valley Regional Water Quality Control Board letter.

TO: David Mohlenbrok, City of Rocklin Environmental Services Manager
CC: City of Rocklin Planning Commissioners and City Council & Town of Loomis Representatives

Hello David,

I want to make the following comments on the [Sierra Gateway Apartment Project DEIR](#) that are **due by June 12th**. The 10.2 acre 3-story apartment project is located at the S/E corner of Rocklin Road and Sierra College Blvd. in the City of Rocklin and consists of APNs 045-161-014, 015 and 016.

21-1

I believe the below noted areas are of **significant impact** and have **not** been adequately addressed or mitigated in the DEIR. I do not believe that any mitigation measures currently exist that can avoid or reduce the magnitude of these significant impacts. Even with a **“Reduced Intensity Alternative”** of 170 units.

Additionally, this DEIR does not always address all the facts. In fact in many occasions, data is misleading, missing or inaccurate. For example when the DEIR describes the *“Project Description”* and *“Surrounding Uses”* it neglects to note that the land uses to the East of the project site within the Town of Loomis are zoned **RA (Residential Agricultural)** 4.6 acres per dwelling unit, **RE (Residential Estates)** 2.3 acres per dwelling unit and **RR (Rural Residential)** one acre per dwelling unit. Refer to attached Town of Loomis Zoning Map. In fact, the DEIR infers that the surrounding area within the Town of Loomis is simply *“single-family residential subdivisions”* not agricultural or large lot residential uses. I doubt the Sierra Gateway **3-story, 195-Unit** apartment complex is complimentary to the **actual** surrounding area. The DEIR goes on to state, *“...the Town of Loomis to the east of the proposed project site could affect the same views analyzed for the proposed project.”* Are they actually serious with this statement?

21-2

1. Air Quality:

An enormous amount of vehicle traffic and vehicle emissions would be added to the area where I live if the City were to allow the construction of this **high-density** residential 3-story, 195-unit apartment complex on 10 acres estimated to generate over 1,300 additional daily vehicle trips. The amount of traffic emissions would violate air quality standards and would increase air pollutants and exposure to toxic air contaminants to the nearby community where I live (5521 Freeman Circle). The only way to mitigate these impacts is to deny high-density residential development in this location. The cumulative effects of other pending developments, namely the pending [Sierra Village’s development](#) including approximately 400 residential units plus a senior living facility and other retail/office space, in this area will only add to the air quality issues. Note: Again the DEIR avoids including the Sierra Villages data.

21-3

2. Traffic and Circulation:

This proposed apartment complex sits at the intersection of Rocklin Road and Sierra College Blvd. and is near my home and will cause significant impacts to myself and my neighbors. If developed, this project would greatly increase traffic on Sierra College Blvd. but more importantly onto an already highly congested Rocklin Road. **According to the DEIR, the proposed project is estimated to generate an additional 1,305 daily trips** using the Institute of Transportation Engineers (“ITE”)

21-4

Trip Manual, 9th edition (2012). No actual and local study was performed therefore who knows how high the actual daily trips might be. Estimates don't set so well with me. They usually turn out to be much worse than originally projected. Just look at Hwy. 65 as an example.

21-4
(Cont'd)

Currently Rocklin Road between Sierra College Blvd. and I-80 is overly congested mostly due to the traffic generated by Sierra College. I live off El Don Drive across from the College. On a daily basis I hit the congestion at the intersection of El Don Drive and Rocklin Road. The East bound vehicle traffic to the main College entrance across from El Don Drive is continually backed up to I-80. West bound traffic leaving the school is backed up from the campus to I-80 as well. And by backed up I mean **stopped, not** circulating. I routinely Google traffic conditions on Rocklin Road during normal hours and it always shows up **Red** for slow the most negative option available. It takes a long time to get to I-80 from El Don Drive and Rocklin Road. Adding more traffic to this area would cause uncontrollable grid lock. There is just no way to mitigate the additional vehicle traffic and circulation problems this development would cause. It's already impacted. The only way to mitigate these impacts is to deny high-density residential development in this area. Allowing this apartment development (whether 195 or 170 units) would create significant adverse changes to our neighborhood and to the Sierra College student body and faculty. Additionally, this project plans to have egress and ingress off a section of Rocklin Road that is mostly two lanes in that location. This will ultimately create additional congestion at the Rocklin Road/Sierra College Blvd. intersection.

21-5

"The project will also have an exit only driveway to the south onto Water Lily Lane." According to the project diagram in the DEIR they show this exit as "gated". It is unclear if this "gated" exit is for fire access only or for resident use. If apartment residents were allowed to exit the proposed complex from this southern exit onto Water Lily Lane into the Hidden Creek subdivision this would have significant traffic impacts on that neighborhood and subsequently on Sierra College Blvd. and the Sierra College Blvd/Rocklin Road intersection. The egress from Water Lily Lane onto Sierra College Blvd. currently does not have a signal light. Allowing this development to proceed with an exit onto Water Lily Lane then onto Sierra College Blvd. would be an inappropriate traffic mitigation as well as being dangerous and irresponsible of the City. This proposed egress would also only allow access to North bound traffic on Sierra College Blvd. as there is currently an existing medium obstructing traffic to access the South bound lanes of Sierra College Blvd. thus adding additional congestion at the Sierra College/Rocklin Road intersection by U-turn traffic to access the S/B lanes of SC Blvd.

21-6

Additionally, the City has a "preliminary" application before it now from Sierra College to create additional high density residential development on a 107-acre project called "Sierra Villages" located off Rocklin Road in two locations (Rocklin Road and Sierra College Blvd. and Rocklin Road and El Don Drive). We are looking at the possibility of at least 400 additional medium to high density residential units, a senior living facility and retail/office development that would impact traffic and circulation in this exact same area. This DEIR neglects to mention or consider this "Reasonably Foreseeable Project" when providing vehicle impact statistics. We all know the College is going to develop 72 acres directly across the street from this apartment proposal and also more additional development on another 36 acres off Rocklin Road at El Don Drive. It is negligent to not consider the impacts of the Sierra Villages development in this DEIR. How on earth can the City of Rocklin mitigate all this proposed development and the traffic it will create? Rocklin Road is already 4 lanes between I-80 and Sierra College Blvd. And is predominantly only 2 lanes east of

21-7

Sierra College Blvd. I doubt the room exists to widen Rocklin Road even further nor do the funds exist to undertake such a mitigation project.

21-7
(Cont'd)

God forbid you consider another roundabout in Rocklin let alone one for the SC Blvd/Rocklin Rd. intersection or on Rocklin Road areas near the College or I-80. I know this is the latest fad but these roundabouts are completely inappropriate for these areas. Roundabouts are not favorable to pedestrian/bicyclist traffic which would be high in these areas. Nor are roundabouts amenable and expedient to emergency vehicles.

"The conversion of intersections into roundabouts produces a significant 27% increase in the number of injury accidents involving bicyclists on or nearby the roundabouts. The increase is even higher for accidents involving fatal or serious injuries (41–46%)... However, the effects of roundabouts on bicycle accidents differ depending on whether these roundabouts are built inside or outside built-up areas. When inside built-up areas, the construction of roundabouts increased the number of injury accidents involving bicyclists by 48%. For accidents causing fatal or serious injuries inside built-up areas, an average increase of 77% was found." Reference <http://www.sciencedirect.com/science/article/pii/S0001457507001352>.

21-8

The DEIR states...

The City of Rocklin General Plan (October 2012) Circulation Element includes LOS Policy C-10, as follows:

- A. Maintain a minimum traffic Level of Service "C" for all signalized intersections during the p.m. peak hour on an average weekday...
- B. Recognizing that some signalized intersections within the City serve and are impacted by development located in adjacent jurisdictions, and that these impacts are outside the control of the City, a development project which is determined to result in a Level of Service worse than "C" may be approved, **if** the approving body finds (1) the diminished level of service is an **interim** situation which will be alleviated by the implementation of planned improvements, ...

21-9

Living and driving in this area I would say Rocklin Road between Sierra College Blvd. and I-80 definitely has a traffic Level of Service **below** a "C"; therefore, the only way the City can approve this project (and future projects like Sierra Villages) that will impact Rocklin Road is to have a finding that this diminished level of service is "**interim**" (Definition: short-term period of time between events) and must be implemented with planned improvements.

Again, I strongly disagree with the findings in this DEIR that the Level of Service (at least on **Rocklin Road between SC Blvd. and I-80**) is currently at a Level C. Well actually, and yet again, the DEIR completely disregards the impacts to Rocklin Road. And we know this development will impact traffic in this stretch of Rocklin Road. However, the DEIR does say that I-80 and Rocklin Road on and off ramp intersections are at a Level C. That is just false. I did not see any actual and/or current traffic studies that have been performed by the City or the consulting firm to prove the Level of Service is a "C". Most of the data provided in the Traffic Impact Study was taken from 2010 and

21-10

2014 Caltrans publications. No true current study was performed. I think we all know better that the Level of Service on Rocklin Road from Sierra College Blvd. to I-80 is more like a “E” or “F” based on the below definitions from the DEIR. No further high-density residential development should be allowed in this area until the City comes up with a comprehensive traffic study and plan to resolve traffic circulation in this area. To do otherwise would be unwise and negligent.

21-10
(Cont'd)

Appendix “L” - Traffic Impact Study indicates **NO** studies were conducted on Rocklin Road between Sierra College Blvd. and I-80 and specifically the intersection of Rocklin Road and El Don Drive (and main entrance to Sierra College). Additionally, the traffic study states that the I-80 ramp intersections were also not studied rather data was obtained from a **2014** published Caltrans report.

Appendix “L” states under

Existing Traffic Volumes

Existing traffic counts were collected by Omni-Means on multiple days at the **16** study intersections including Rocklin Road and I-80 intersections, during both AM and PM peak hours. **This is NOT true based on their own accounts.**

21-11

Only 15 minute interval traffic counts were collected at the intersection of SC Blvd. and Rocklin Road according to their own report. Again, misleading information in this DEIR. **Appendix “L” - Traffic Impact Study** states, “Existing AM and PM peak hour turning movement counts at the **Sierra College Boulevard / Rocklin Road intersection** were collected in October 2015 during a typical weekday while local schools were in session. Existing AM and PM peak hour turning movement counts at the Rocklin Road and Sierra College Boulevard interchanges were collected in May 2016 during a typical weekday while local schools were in session. AM peak hour is defined as the one-hour of peak traffic flow (which is the highest total volume count over four consecutive 15-minute count periods) counted between 7:00 AM and 9:00 AM on a typical weekday. The PM peak hour is defined as the one-hour of peak traffic flow counted between 4:00 PM and 6:00 PM on a typical weekday.”

Intersection and ramp LOS have been calculated for all control types using the methods documented in the Transportation Research Board publication *Highway Capacity Manual 2010*.

Definitions of traffic Level of Service from TABLE 4.5-2

Definition of Level C = Stable flow, but the beginning of the range of flow in which the operation of individual users becomes significantly affected by interactions with others in the traffic stream.

Definition of Level D = Represents high-density, but stable flow.

Definition of Level E = Represents operating conditions at or near the capacity level.

Definition of Level F = Represents forced or breakdown flow.

21-12

[Other Level of Service Definitions further state](#)

Level of service E: unstable flow, operating at capacity. Flow becomes irregular and speed varies rapidly because there are virtually no usable gaps to maneuver in the traffic stream and speeds rarely reach the posted limit. Vehicle spacing is about 6 car lengths, but speeds are still at or above 50 mi/h (80 km/h). Any disruption to traffic flow, such as merging ramp traffic or lane changes, will create a shock wave affecting traffic upstream. Any incident will create serious delays. Drivers' level of comfort become poor.

Level of Service F: forced or breakdown flow. Every vehicle moves in lockstep with the vehicle in front of it, with frequent slowing required. Travel time cannot be predicted, with generally more demand than capacity. A road in a constant traffic jam is at this LOS, because LOS is an average or typical service rather than a constant state. For example, a highway might be at LOS D for the AM peak hour, but have traffic consistent with LOS C some days, LOS E or F others, and come to a halt once every few weeks.

21-12
(Cont'd)

Level of Service F has delays that are **considered unacceptable to most drivers**. I definitely find the delays on Rocklin Road from SC Blvd. to I-80 “unacceptable”.

The DEIR Traffic Study also states...

...Five (5) intersections are “**projected**” to operate at an unacceptable LOS:

- Sierra College Boulevard/Rocklin Road – AM and PM peak hours
- Rocklin Road/Interstate 80 WB Ramps – AM and PM peak hours
- Rocklin Road/Interstate 80 EB Ramps – AM and PM peak hours
- Sierra College Boulevard/Interstate 80 EB Ramps – AM peak hour
- Sierra College Boulevard/Interstate 80 WB Ramps – AM peak hour

21-13

I would argue that most if not all of these intersections are already “**currently**” at unacceptable levels. Again this DEIR is not representing the true facts.

The DEIR states...

“Mitigation Measures: **None required.**”

“Although no mitigation measures are required, the proposed project would be subject to the payment of applicable Traffic Impact Mitigation (TIM) fees, South Placer Regional Transportation Authority (SPRTA) fees and Highway 65 Interchange Improvement fees as applicable on a fair share basis.”

I find the statement that no mitigation measures are required not only offensive but unacceptable. And contributing some unknown dollar amount of money to the above stated funds does not provide any assurances that those funds would be adequate or actually go to future and specific improvements that will be needed to Sierra College Blvd. and Rocklin Road. Again, those improvements need to be done now not in the future if the City is going to start approving high density residential and retail/office development in this area.

21-14

3. Cultural and Paleontological Resources and Aesthetics

The development of a 3-story apartment complex on this 10.2-acre beautifully wooded property will result in cumulative impacts to the historic character of our neighborhood. I have spoken with many of the neighbors in this area. When I speak of “neighbors” or “neighborhoods” I am referring to those of us who live within a one mile radius of the project. **We moved to this part of Rocklin because of its unique characteristics.** Unlike Stanford Ranch, it is unique because it is not completely paved over, covered with houses and commercial development and signal lights. Our

21-15

special nook of Rocklin has Oak trees, wildlife, streams and is very well known for its Native American history and artifacts. Destroying this 10 acres covered in almost 400 Oak trees will not only destroy our neighborhood aesthetics and quality of life but will destroy more of our wildlife habitat. Allowing this development to proceed would create a substantial adverse change to our neighborhood and loss of property values.

Statement from DEIR...

The “**Initial Study**” provided the following conclusions:

- **Aesthetics** – *There are no designated, identified, recognized or recorded scenic vistas or view sheds in the City and the proposed project will not cause impacts to these resources. The project site is not located near a state scenic highway or other designated scenic corridor and the proposed project will not impact these resources. The proposed project will include new sources of light and glare but a photometric lighting study prepared for the proposed project indicates lighting levels will be at levels not considered to be excessive. **Therefore, these issues will not be discussed in the EIR.***

I wholeheartedly disagree with the above assessment. As I already stated, this area of Rocklin is considered by its residents to be **unique** based on its aesthetics and therefore “aesthetics” should have been discussed in the EIR and the fact that this was their original conclusion raises great concerns for me.

In the “**focused**” EIR they reverse their opinion and now state...

Aesthetics – *The existing visual character of the site can be described as an undeveloped site containing numerous oak trees, grassland, and gently rolling topography. The surrounding area is mostly developed with retail commercial and residential uses. To the north of the project site are Rocklin Road, several isolated single family residences and vacant land designated for Mixed Use land uses under the Rocklin General Plan. To the northwest of the project site is the Sierra Community College campus, and to the west are Sierra College Boulevard, a small retail commercial shopping center, two separate apartment complexes and single-family residences further to the west. To the south are Water Lily Lane, a single-family subdivision and an open space area associated with an intermittent tributary of Secret Ravine Creek. To the east are an apartment complex, the City of Rocklin/Town of Loomis border and single-family residential subdivisions within the Town of Loomis. The proposed project would add a 195 unit multi-family apartment complex and associated infrastructure, including new sources of lighting to an undeveloped site. **The proposed project will affect the visual character of the project area, due to the transition of the project site from undeveloped land to an urbanized land use.** The EIR will address the proposed project’s potential aesthetic impacts related to the existing visual character or quality of the site.”*

I disagree with the above assessment that “*The surrounding area is mostly developed with retail commercial and residential uses.*” **This is a false statement.** The surrounding area is mostly large parcel homes within the City limits of Loomis at noted above, a variety of general residential subdivisions within the City of Rocklin, many large open spaces and open spaces that provide a huge wildlife habitat and include waterways and wetlands, an extremely large community college

campus with large areas of open spaces (with many oak trees, wildlife species and creeks) and one minimal and unsuccessful retail center at the intersection of Sierra College Blvd. and Rocklin Road.

21-16
(Cont'd)

I do agree that, "The proposed project will affect the visual character of the project area, due to the transition of the project site from undeveloped land to an urbanized land use."

The DEIR goes on to state...

Impact 4.2-1 Substantially Degrade the Existing Visual Character of Quality of the Site and its Surroundings

Implementation of the proposed project would result in development that could degrade the existing visual character or quality of the site and its surroundings. However, as further discussed below, this will be a less than significant impact.

I believe this development will have a substantial adverse effect on the "aesthetics" of my neighborhood by removing the hundreds of oak trees on this piece of property and destroying part of a larger wildlife habitat corridor. And it most assuredly WILL degrade the existing visual character of the site and its surroundings. How one could state otherwise is beyond any logical reasoning.

21-17

"Aesthetics" is in the eye of the beholder. To those eyes of our neighborhood destroying the trees, plants and habitat on this 10 acres will create a substantial adverse effect on the aesthetics of our neighborhood and will have a substantial adverse effect on our scenic view.

Definition of Aesthetics...a set of principles concerned with the nature and appreciation of beauty.

We all moved to this part of Rocklin for the aesthetics!!

This section in the DEIR goes on to state...

The proposed project would result in the development of a 195-unit, two- and three-story apartment complex and associated infrastructure within the project site, which could change the visual nature or character of the site and its surroundings. The proposed project will convert the project site from a generally undeveloped wooded and grassland area to developed uses.

The apartment complex will consist of eleven residential buildings and a clubhouse building, which will include a leasing office and a manager's apartment. The majority of the residential buildings will be three-story buildings comprised of one, two, and three bedroom units with private garages located at the ground level. There will also be four two-story buildings configured to provide private garages with carriage style apartment units above..."

21-18

There are currently **NO 3-story** residential structures or apartment developments with this many units (**195**) in this area. Currently there exists:

1. Granite Creek apartment complex (**2-stories, 80 units**)
2. Shaliko apartment complex (**2-stories, 152 units**)
3. Rocklin Manor apartment complex (**2-stories, 157 units**)

Adding another apartment complex, most notably a 3-STORY COMPLEX, is not harmonious to our neighborhood including those living within the Town limits of Loomis.

21-18
(Cont'd)

The DEIR states...

"The proposed project would include berms and retaining walls to adjust for grade variances. Stacked block retaining walls ranging from 3 to 7 feet tall would be placed along the project's frontage with Sierra College Boulevard, a concrete with brick veneer retaining wall ranging from 4 to 6 feet tall would be placed along the western side of the project's driveway on Rocklin Road, and a concrete with brick veneer retaining wall up to 10 feet tall would be placed between buildings 5 and 9 and their respective parking lots, near Water Lily Lane. In addition, the existing sound wall along Water Lily Lane would be extended westerly by the proposed project towards Sierra College Boulevard, terminating at a plane that coincides with the edge of the westernmost building (building 5)."

Concrete veneer retaining walls up to 10 feet tall does not sound very aesthetically pleasing to me. When you look at the project diagram in the DEIR it appears that 98% of this project is asphalt and buildings. Adding a couple trees and walls is not going to mitigate the significant aesthetic impacts of this development. The DEIR goes on to state, *"These artistic renderings show landscape growth at maturity (15-20 years) of the development assuming that a mix of sizes and varieties of plants and trees would be planted as part of project construction."* So for 15-20 years we have to live with unsightly asphalt and buildings? This is in complete contrast to the surrounding area. And the DEIR claims there is no aesthetic impacts? Who wrote this DEIR, the developer? They certainly paid for it and got their monies worth. I have little faith that the firm of De Novo Planning Group, a Sacramento area consulting firm, or the Omni Means group that provided data for this DEIR truly have taken into perspective opposing views.

21-19

I believe this same consulting firm is being used by the City (and paid for the by the developer) for the Sierra Villages project. I would like to impress upon you to consider using a more appropriate and fair EIR consulting firm going forward as **this DEIR clearly does not adequately address the impacts of this proposed apartment project.**

Please refer to the DEIR renderings; for example **FIGURE 4.2-9 VIEW NEAR MAIN ENTRY TO PROJECT FROM ROCKLIN ROAD** below. Now imagine those pretend, large trees shown in the rendering below are not there which in reality would be the case. Not so aesthetically pleasing. Please do not rely on made to look pretty drawings that are not reality.

21-20



EXISTING - VIEW NEAR MAIN ENTRY TO PROJECT FROM ROCKLIN ROAD

21-20
(Cont'd)

PROPOSED ROCKLIN SIERRA GATEWAY

There is no way the City or the developer can “ensure visual compatibility with existing development” as well as “the preservation of unique natural features”. The DEIR goes on to make a contradictory statement, “The City of Rocklin General Plan EIR concluded that aside from implementation of the City’s Design Review Guidelines and the application of General Plan goals and policies addressing visual character and views, **no other mitigation measures are available to fully mitigate impacts to existing visual character given the extent and density of proposed development, and significant aesthetic impacts will occur as a result of development...**”

Given the above assessment, the project should be denied.

4. Biological Resources

Development in this area will result in the loss of native oak and heritage trees, the loss of oak woodland habitat, and cumulative impacts to biological resources. This area is close to and part of a large wildlife corridor that runs from the east in Loomis to Secret Ravine near I-80 on the west. Development such as this apartment complex will obliterate the close to 400 Oak trees on this 10 acres. Making the developer pay money into an Oak Tree Mitigation Fund is an insufficient way to mitigate the loss of this oak woodland habitat and the aesthetic beauty it provides our neighborhood.

21-21

Wildlife Corridor

21-22



21-22
(Cont'd)



The Rocklin Oak Tree Preservation Ordinance states, “...the city council finds that oak woodlands constitute a valuable natural resource within the city. They provide habitat for wildlife; they contribute to the city’s beauty and varied scenery; ... Oak woodlands have declined substantially in extent and quality, both locally and regionally. They are continuing to decline under pressures of ...urbanization. The goal of this chapter is to address the decline of oak woodlands due to urbanization through a considered attempt to balance against the social benefits of private property ownership and development.”

21-22
(Cont'd)

I believe the destruction of this 10 acre oak woodland would violate **Chapter IV B - Open Space** of the City of Rocklin’s General Plan which in part states,

21-23

“The City has taken a leading role in preserving open space corridors and other natural features in newly developing areas. This approach is reflected in the open space goals and policies, which in turn reflect the

high interest expressed by Rocklin residents in the community survey in preserving remaining areas for open space and outdoor recreation. The survey showed that Rocklin residents value open space, park and recreation facilities, and the natural amenities of the community. Construction of streets, schools and parks, protecting creeks and waterways, preserving open space, and providing recreational programs and facilities were all ranked as “very important” in the survey. Connectivity of habitat and open space areas is another important issue that is addressed in the General Plan policies related to the preservation of open space for natural resources. In addition to traditional parks, Rocklin contains areas of open space that are rugged and undeveloped. Linear green space along creeks and other corridors is encouraged, while recognizing that issues related to maintenance, security and access must also be addressed. Linear open space areas can also be multi-purpose, including bicycle and pedestrian paths.”

21-23
(Cont'd)

According the **Arborist Report:**

- 368 “oak” trees or 95% of the trees on this property qualify as “protected” based on the City of Rocklin’s Tree Ordinance.
- There are at least 386 all-together of which 96% are oak trees.
- Of those “oak” trees, only five (5) are considered “dead”.
- All together 36% of the “oak” trees qualify as “dangerous not correctable” or apparently “diseased and/or dying”.
- 64% of the “oak” trees are in “healthy” condition.

4. Property Values

“The proposed project’s potential impact on the value of adjacent or near-by properties is considered to be an economic effect which would not result in any physical change, therefore it does not require analysis within the EIR. It should be noted that the proposed project could have a positive effect on near-by property values by adding to a customer base in close proximity to the small retail commercial center located across Sierra College Boulevard that struggles to maintain occupancies in its tenant spaces, thus better supporting the center and reducing vacancies.”

21-24

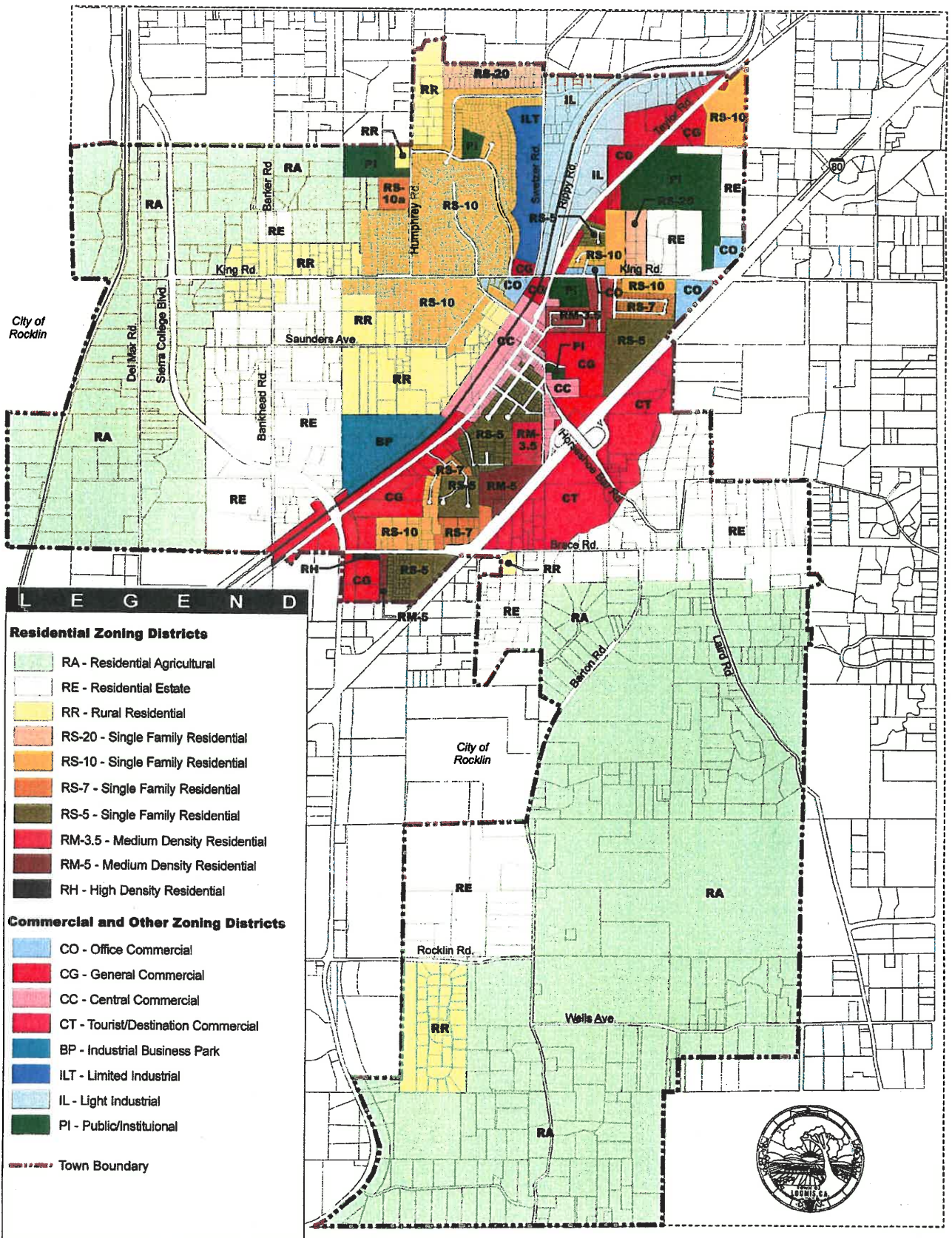
I completely disagree with this analysis in the DEIR. The value of my home is based on the unique nature of the surrounding area. Adding further development of this nature will only serve to decrease the value of my home by taking away from the special nature of this special nook in Rocklin. To come to any other conclusion is just utter nonsense. The only “potential” positive impact of this development might be providing an additional customer base to the flailing retail development at the S/W corner of SC Blvd. and Rocklin Road. And how that would help my property values is unclear to me.

I would appreciate an acknowledgement of this email.

Respectfully Submitted,

Denise Gaddis
El Don Neighborhood Advisory Committee
5521 Freeman Circle
Rocklin, CA 95677

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denise@wavecable.com



LEGEND

Residential Zoning Districts

- RA - Residential Agricultural
- RE - Residential Estate
- RR - Rural Residential
- RS-20 - Single Family Residential
- RS-10 - Single Family Residential
- RS-7 - Single Family Residential
- RS-5 - Single Family Residential
- RM-3.5 - Medium Density Residential
- RM-5 - Medium Density Residential
- RH - High Density Residential

Commercial and Other Zoning Districts

- CO - Office Commercial
- CG - General Commercial
- CC - Central Commercial
- CT - Tourist/Destination Commercial
- BP - Industrial Business Park
- ILT - Limited Industrial
- IL - Light Industrial
- PI - Public/Institutional

Town Boundary



Town of Loomis

Zoning Map



21. DENISE GADDIS, EL DON NEIGHBORHOOD ADVISORY COMMITTEE

SUMMARY OF COMMENT LETTER

Denise Gaddis provided comments regarding the project description, air quality, traffic and circulation, cultural and paleontological resources, aesthetics, biological resources, wildlife corridor, loss of trees, and property values.

21-1 The comment is a summary comment expressing an opinion that some areas have not been adequately addressed or mitigated in the Draft EIR.

The introductory comment which identifies forthcoming additional comments does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-2 The comment expresses an opinion regarding data that is misleading, missing or inaccurate, using the Draft EIR's project description and surrounding uses discussion as an example.

The Draft EIR's description of the surrounding area correctly notes that to the east of the project site are single-family residential subdivisions within the Town of Loomis and the discussion did not, nor need not, go into specifics regarding the applicable zoning designations of surrounding uses. Under the Explanation and Analysis discussion of Impact 4.2-2, Cumulative Impact of Substantially Degrading the Existing Visual Character of Quality of the Site and its Surroundings, the complete sentence of "Future development in the City of Rocklin, including the Sierra Community College campus, as well as in the Town of Loomis to the east of the proposed project site could affect the same views analyzed for the proposed project." is considered to be an accurate statement.

The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR because the project description and surrounding uses discussion is provided for context but does not include any analysis. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-3 The comment expresses an opinion regarding air quality impacts from the proposed project with the only way to mitigate such impacts is by denying the project, and the comment is regarding the inclusion of the Sierra Villages project as part of the cumulative air quality effects.

The comment includes no data to support the claims of air quality standard violations and exposure to toxic air contaminants. On the contrary, the Draft EIR included an Air Quality chapter that addressed the potential air quality impacts associated with the construction and

operation of the proposed project. The analysis within the Air Quality chapter was developed from information contained in an Air Quality and Greenhouse Gas Analysis Report. The conclusions of the air quality analysis were: 1) the project's operational emissions would not conflict with or obstruct implementation of the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan (Impact 4.3-1); 2) the project's construction emissions would not violate an air quality standard or contribute substantially to an existing or projected air quality violation and the project's operational emissions, after implementation of the identified mitigation measures, would not violate an air quality standard or contribute substantially to an existing or projected air quality violation (Impact 4.3-2); 3) the project would not result in the exposure of sensitive receptors to localized concentrations of toxic air contaminants (TACs) or any other substantial pollutant concentrations (Impact 4.3-3); 4) the project would not result in the development of land uses associated with the creation of unusual odors nor would the project locate sensitive receptors in the proximity of a known odor source (Impact 4.3-4), and 5) the project, after implementation of the identified mitigation measures, would not result in a cumulatively considerable net increase of any criteria air pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.

Because the Notice of Preparation (NOP) for the Sierra Gateway Apartments Draft Environmental Impact Report (DEIR) was published on March 24, 2016 and the application for Sierra College's planned development of its Sierra Villages project was subsequently made to the City on January 9, 2017, the Sierra Villages project has not been included in the Sierra Gateway Apartments DEIR. The Sierra Gateway Apartments DEIR's baseline condition for analysis was established as March 24, 2016 with the issuance of the NOP. CEQA Guidelines section 15125 (a) recognizes that the EIR process is a lengthy one and allows for the establishment of a baseline condition, otherwise the preparation of an EIR could become a never-ending process of constant updates if each time a new project were applied for the analysis had to be updated to incorporate the new projects.

As suggested by several commenters, to describe Sierra College's planned development of its Sierra Villages project as a "reasonably foreseeable" project presumes the proposal will be approved, and importantly, approved without mitigation or conditions of approval. The air quality analysis performed for the Sierra Gateway Apartments DEIR's cumulative scenarios included the development of the properties that are included in Sierra College's planned development of its Sierra Villages project, but the assumed development of those properties did not include development as is currently being proposed. The CEQA analysis that is to be conducted for the Sierra Villages project will examine that proposed project's potential air quality impacts in a similar fashion as was done with the Sierra Gateway Apartments DEIR, taking into account other reasonably foreseeable cumulative development projects.

See Response to Comment 16-12 regarding cumulative air quality effects.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-4 The comment expresses an opinion regarding the additional traffic generated by the proposed project and expresses concerns regarding the use of the Institute of Transportation Engineers (ITE) Trip Generation Manual to estimate the project's generated trips.

The published ITE trip generation rates are based on decades of trip generation studies from all across the United States and Canada. Page 332 of the ITE Trip Generation Manual (9th edition) states "The sites were surveyed between the late 1960s and the 2000s throughout the United States and Canada." The ITE Trip Generation Manual is considered to be the "go-to" source by the traffic consulting industry when establishing the number of trips generated by a proposed project.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-5 The comment expresses an opinion regarding existing poor traffic conditions on Rocklin Road as a result of traffic from Sierra College and how more traffic from the proposed project would add to congestion along Rocklin Road and at the Rocklin Road/Sierra College Boulevard intersection.

The comment includes anecdotal information about traffic conditions along Rocklin Road and at the Rocklin Road/Sierra College Boulevard intersection. It is recognized and understood that any school creates traffic congestion in adjacent areas during school commute times. The City's current intersection LOS policy was adopted as part of the City's General Plan Update in 2012 and the PM peak hour was selected for intersection LOS analysis because the evening rush hour is typically the worst one-hour period during any particular day. While areas around schools may be impacted outside of the typical PM peak hour, because the intersection LOS policy is applied City-wide it has to be broad enough to be able to assess and address average traffic conditions throughout the City. Rather than have an intersection LOS policy that is area/location- or situation-specific, the City has taken the approach of having a General Plan intersection LOS policy that can be applied City-wide, which is similar to other surrounding jurisdictions such as the City of Roseville, the City of Lincoln and Placer County.

The Draft EIR included a Transportation/Traffic chapter that addressed the potential transportation/traffic impacts associated with the operation of the proposed project. The analysis within the Transportation/Traffic chapter was developed from information contained in a Transportation Impact Analysis Report (Appendix L of the Draft EIR). The conclusions of the transportation impact analysis were: 1) the project would not have significant transportation/traffic impacts as an undeveloped site becomes developed and automobile trips are generated under the Existing Plus Project and Short Term Plus Project Conditions (Impacts 4.5-1 and 4.5-2, respectively); 2) the project would not conflict with an applicable congestion management program (Impact 4.5-3); 4) the project would not result in a change in air traffic patterns (Impact 4.5-4); 5) the project would not result in a substantial increase in hazards due to a design feature (Impact 4.5-5); 6) the project would not result in inadequate emergency

access (Impact 4.5-6); 7) the project would not conflict with adopted policies, plans or programs regarding public transit, bicycle or other pedestrian facilities, or otherwise decrease the performance or safety of such facilities (Impact 4.5-7), and 8) the project would have a cumulatively considerable and significant and unavoidable impact under the cumulative year (2030) during the PM peak hour at the Rocklin Road/Interstate 80 EB and WB ramp intersections (Impact 4.5-8). Mitigation measures were identified for this impact but it was ultimately determined to be a significant and unavoidable impact for a number of reasons, primarily because the City does not have the complete jurisdiction or authority to implement improvements, would not be the sole source of funding and does not have the capability to fully fund implementation of any of the identified alternative improvements to the highway ramp intersections.

As noted in the Draft EIR, in support of examining alternatives to the Rocklin Road Interchange Improvements, the City of Rocklin worked with Caltrans to develop a Project Study Report-Project Development Support (PSR-PDS) to request approval for a locally funded project and to proceed to Project Approval and Environmental Document Phase (August 24, 2012). This report identified several technically feasible alternatives for mitigating future, cumulative traffic impacts at the Rocklin Road/I-80 interchange so that it will operate at acceptable levels of service. Implementation of any of these alternatives would mitigate the significant and cumulative impact of the Project, and the City anticipates reaching agreement with Caltrans to implement one of them. However, until such agreement is in place and formal plans are adopted, this EIR is conservatively treating the impact as significant and unavoidable. It would not be feasible to require this Project to itself mitigate this cumulative impact given its comparatively small contribution to this impact and for the other reasons discussed above. It should be noted that the proposed project will be subject to the payment of applicable Traffic Impact Mitigation (TIM) fees, South Placer Regional Transportation Authority (SPRTA) fees and Highway 65 Interchange Improvement fees as applicable on a fair share basis; however, the fees generated from this alone will not fund the necessary improvements that are needed to remedy the anticipated cumulative unacceptable levels of service at the Rocklin Road/I-80 interchange.

Finally, while the comment expresses the opinion that the project site is not a preferred location for an apartment complex, the City's General Plan reflects a different policy determination. As explained on pages 3-5 to 3-6 and 6-4 to 6-5 of the Draft EIR, the City's decision to designate the project site for high density development in its General Plan was based in part on the site's proximity to the Sierra Community College (as well as nearby commercial areas), thereby providing additional housing opportunities to students and faculty within walking and biking distance of the campus. While the EIR analyzes traffic impacts making "worst case" assumptions, it should be noted that the location of such housing opportunities near the campus may actually have a mitigating impact on the college's existing traffic impacts by reducing the need for students, faculties, and other employees at the college to commute from longer distances.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-6 The comment expresses an opinion regarding concerns about the proposed project's access onto Water Lily Lane as both an exit only access and as an emergency only access and how that condition would create congestion and be dangerous.

The Draft EIR included a Transportation/Traffic chapter that addressed the potential transportation/traffic impacts associated with the operation of the proposed project. The analysis within the Transportation/Traffic chapter was developed from information contained in a Transportation Impact Analysis Report (Appendix L of the Draft EIR). The conclusions of the transportation impact analysis were: 1) the project would not have significant transportation/traffic impacts as an undeveloped site becomes developed and automobile trips are generated under the Existing Plus Project and Short Term Plus Project Conditions (Impacts 4.5-1 and 4.5-2, respectively); 2) the project would not conflict with an applicable congestion management program (Impact 4.5-3); 3) the project would not result in a change in air traffic patterns (Impact 4.5-4); 4) the project would not result in a substantial increase in hazards due to a design feature (Impact 4.5-5); 5) the project would not result in inadequate emergency access (Impact 4.5-6); 6) the project would not conflict with adopted policies, plans or programs regarding public transit, bicycle or other pedestrian facilities, or otherwise decrease the performance or safety of such facilities (Impact 4.5-7), and 7) the project would have a cumulatively considerable and significant and unavoidable impact under the cumulative year (2030) during the PM peak hour at the Rocklin Road/Interstate 80 EB and WB ramp intersections (Impact 4.5-8). Mitigation measures were identified for this impact but it was ultimately determined to be a significant and unavoidable impact for a number of reasons, primarily because the City does not have the complete jurisdiction or authority to implement improvements, would not be the sole source of funding and does not have the capability to fully fund implementation of any of the identified alternative improvements to the highway ramp intersections.

The analysis of the proposed project's traffic impacts included an examination of access to Water Lily Lane as both an exit (egress) only condition and as an emergency access only condition. The Draft EIR's transportation/traffic impact conclusions noted above as they relate to not resulting in an increase in hazards and not resulting in inadequate emergency access did not differ between those two conditions.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-7 The comment is regarding the lack of inclusion of Sierra College's proposed development in the Draft EIR traffic analysis as a reasonably foreseeable project and how will traffic from all development in the area be mitigated.

See Master Response for Comments Regarding Inclusion of Sierra College's Planned Development and Other Projects in the Traffic Analysis.

21-8 The comment expresses an opinion regarding the use of roundabouts and provides statistical data regarding bicycle accidents and roundabouts.

It should be noted that the study that is cited was conducted in Flanders-Belgium, and it should also be noted that studies by the Federal Highway Administration and the Insurance Institute for Highway Safety have determined that roundabouts lead to 37 percent fewer collisions, 75 percent fewer injury collisions, 40 percent fewer pedestrian collisions and 90 percent fewer fatal collisions. If the future Rocklin Road/Interstate 80 interchange improvements project includes the use of roundabouts, the City and Caltrans would collectively work to design a project that provides a safe environment for all users, be they automobile, pedestrian, or bicyclist.

The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-9 The comment recites a portion of the City of Rocklin General Plan Level of Service Policy C-10 with an emphasis on the "interim" portion of item B and then expresses an opinion regarding traffic conditions on Rocklin Road and how the proposed project and future projects would have to have a finding of diminished level of service being "interim".

See Response to Comment 21-5 regarding traffic conditions on Rocklin Road.

The comment contains no data to support the disagreement with findings in the Draft EIR, and it should also be noted that the Draft EIR did not report levels of service for street segments. Because the level of service on Rocklin's arterial and collector roadway system is primarily dictated by the capacity and operations of its signalized intersections, the City's LOS policy is specific to intersections and does not apply to street segments. Thus the analysis for the proposed project analyzed potential impacts at study intersections and not street segments. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-10 The comment expresses an opinion regarding disagreement with the Draft EIR's report of the level of service on Rocklin Road between Sierra College Boulevard and I-80 is currently at level of service C and the Draft EIR's report of level of service "C" at the I-80/Rocklin Road off ramp intersections. The comment also expresses opinions regarding current traffic studies not being performed, data in the traffic study not being current, level of service on Rocklin Road being more like an E or F, and the proposed project should not be allowed until a comprehensive study and plan are developed to resolve traffic circulation in the area.

The comment is incorrect in stating that the Draft EIR found that the level of service on Rocklin Road between Sierra College Boulevard and I-80 is currently at level of service C; the traffic analysis and Draft EIR only reported level of service for intersections, not roadway segments. The comment is also partially incorrect in stating that the Draft EIR reported level of service C at the I-80/Rocklin Road off ramp intersections. The Draft EIR noted that the existing level of service at the I-80 and Rocklin Road WB ramp intersection is LOS B in the AM peak hour and LOS D in the PM peak hour, and at the I-80 and Rocklin Road EB ramp intersection it is LOS C in the AM peak hour and LOS D in the PM peak hour. See Master Response for Comments Regarding Inclusion of Sierra College's Planned Development and Other Projects in the Traffic Analysis for a discussion on the improvements that are needed to get to an acceptable level of service C at the I-80/Rocklin Road ramp intersections.

The Draft EIR included a Transportation/Traffic chapter that addressed the potential transportation/traffic impacts associated with the operation of the proposed project. The analysis within the Transportation/Traffic chapter was developed from information contained in a Transportation Impact Analysis Report dated March 2017 (Appendix L of the Draft EIR). The firm of Omni-Means Ltd., a Sacramento area consulting firm with recognized expertise in transportation, prepared the traffic impact analysis of the proposed project. City staff has reviewed the documentation and is also aware that Omni-Means Ltd. has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the Omni-Means Ltd. report.

As noted in the Draft EIR on page 4.5-13, existing traffic counts for the study intersections were collected on multiple days during both AM and PM peak hours. Existing AM and PM peak hour turning movement counts at the Sierra College Boulevard/Rocklin Road intersection and the Rocklin Road/I-80 and Sierra College Boulevard/I-80 interchanges were collected in October 2015 and in May 2016, respectively, when local schools were in session. Traffic volumes for the I-80 mainline were obtained from the 2014 published Caltrans data for I-80 mainline segments, the most recent data available at the time the traffic study commenced.

Because the level of service on Rocklin's arterial and collector roadway system is primarily dictated by the capacity and operations of its signalized intersections, the City's LOS policy is specific to intersections and does not apply to street segments. Thus the analysis for the proposed project analyzed potential impacts at study intersections and not street segments.

See Response to Comment 21-5 regarding congestion on Rocklin Road.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-11 The comment is regarding traffic studies not being conducted on Rocklin Road between Sierra College Boulevard and I-80 and at the intersection of Rocklin Road and El Don Drive, and the collection of traffic count data for 15 minute intervals.

See Response to Comment 13-3 regarding traffic analysis of additional intersection locations.

Traffic counts were taken at the intersection of Rocklin Road and Sierra College Boulevard and at the ramp intersections of Rocklin Road and I-80. The intersection of Rocklin Road and El Don Drive is between these study intersections and it was not necessary to conduct traffic counts at that intersection because El Don Drive is considered to be a collector street carrying lower traffic volumes and any traffic traveling to and from El Don Drive to Rocklin Road, an arterial street carrying higher traffic volumes, would have been accounted for with the traffic counts that were conducted to the east and west of El Don Drive.

The traffic study's reference to 15 minute intervals is in the context of how AM and PM peak hours are determined. The traffic count data that is collected is evaluated to determine when the AM and PM peak hours of traffic occur, based upon the highest total volume count over four consecutive 15-minute count periods. The intersection traffic counts were collected during the two hour AM peak period and the two hour PM peak period at each study intersection.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-12 The comment is regarding the definitions of level of service as provided in the Draft EIR and from additional sources and the comment expresses an opinion regarding existing poor traffic conditions on Rocklin Road.

See Response to Comment 21-5 regarding traffic conditions on Rocklin Road.

The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-13 The comment re-states traffic study information from the Draft EIR and also expresses an opinion regarding intersections currently being at unacceptable levels of service.

The portion of the Draft EIR that is re-stated is the summary of the intersections that are projected to operate at an unacceptable level of service in the Cumulative (Year 2030) No Project and Cumulative (Year 2030) Plus Project conditions. The Draft EIR included information regarding existing levels of service at the study intersections in Table 4.5-4 on page 4.5-17. For the FEIR reader's benefit, that table is duplicated below.

**TABLE 4.5-4
EXISTING INTERSECTION LEVELS OF SERVICE (LOS)**

Intersection	Control Type ^{1,2}	Target LOS	AM PEAK HOUR		PM PEAK HOUR	
			Delay or Volume/Capacity	LOS	Delay or Volume/Capacity	LOS
Sierra College Boulevard/Rocklin Road	Signal	C	0.64	B	0.78	C
Sierra College Boulevard/Water Lily Lane	Two Way Stop	C	14.0	B	14.3	B
Rocklin Road/Rocklin Manor Drive (west)	Two Way Stop	C	13.3	B	12.9	B
Rocklin Road and I-80 WB Ramps	Signal	C	16.6	B	37.9	D
Rocklin Road and I-80 EB Ramps	Signal	C	26.9	C	39.9	D
Sierra College Boulevard and I-80 EB Ramps	Signal	C	18.8	B	29.2	C
Sierra College Boulevard and I-80 WB Ramps	Signal	C	22.7	C	27.3	C

Notes:

1. Delay based on worst minor street approach for Two Way Stop Control intersections, average of all approaches for signalized intersections.

2. Unsignalized and Sierra College Boulevard interchange intersections analyzed using HCM 2000 methodologies instead of Circular 212. Rocklin Road interchange intersections analyzed using Sim-Traffic.

BOLD = exceedance of LOS target.

See Response to Comment 21-10 regarding existing levels of service at study intersections.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-14 The comment expresses opinions regarding one of the Draft EIR’s conclusions of no mitigation measures required and the subsequent discussion of the payment of applicable traffic impact fee that would be applicable to the proposed project does not provide assurances.

The Citywide Traffic Impact Fee Program, which includes a study of roadway improvement needs, roadway improvement costs and the determination of a traffic impact fee through a nexus study, was designed to and is being implemented by the City to mitigate for traffic impacts. The Citywide Traffic Impact Fee Program was adopted by the Rocklin City Council as an adequate means with which to have development projects compensate for their “fair-share” payment towards city-wide roadway improvements, and is considered to be part of a reasonable and enforceable plan that is tied to the actual mitigation for traffic impacts.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-15 The comment expresses an opinion about the historical character of a neighborhood and its biological and cultural resources and how the development of the proposed project would destroy neighborhood aesthetics, quality of life and wildlife habitat and result in a loss of property values.

The Draft EIR included an Aesthetics chapter that addressed the potential aesthetics impacts associated with the development of the proposed project. The conclusions of the aesthetics impact analysis were: 1) the project would not substantially degrade the existing visual character or quality of the site and its surroundings (Impact 4.2-1) and 2) the project would not contribute to a cumulative impact relating to substantially degrading the existing visual character or quality of the site and its surroundings and the impact was less than cumulatively considerable and less than significant. The project's Initial Study (Appendix A of the Draft EIR) also addressed the subject area of aesthetics in terms of having a substantial adverse effect on a scenic vista, substantially damaging scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway, and creating a new source of substantial light or glare that would adversely affect day or nighttime views in the area and all of those potential impacts were determined to be less than significant.

The conversion of the project site to urban uses was anticipated in the 2012 City of Rocklin General Plan Environmental Impact Report (General Plan EIR) prepared for the City of Rocklin General Plan. The City's General Plan EIR addressed aesthetic impacts recognizing the significant and unavoidable impacts resulting from building out a City where no City had previously existed. Because feasible mitigation measures to completely eliminate those visual impacts do not exist, the City of Rocklin made findings of fact and a statement of overriding considerations accepting the significant and unavoidable impact on aesthetics due to buildout of the City. Despite the proposed project site being designated for Retail Commercial land uses at the time of the General Plan EIR analysis, the General Plan EIR is the fundamental starting point of the discussion of aesthetic impacts from this multi-family residential project proposed for development on a wooded and grassland site.

City of Rocklin Resolution No. 2012-170 approved the General Plan EIR, and Exhibit B of that resolution identifies those environmental impacts that are not capable of being mitigated to a less than significant level. While the goals and policies contained in the General Plan Land Use Element and Open Space, Conservation and Recreation Element will assist in avoiding or minimizing the visual impact of new development, the existing visual character will be substantially degraded, new sources of light and glare will be created, and cumulative impacts to scenic vistas, scenic resources, existing visual character and creation of light and glare will still occur as mixed urban development occurs on presently vacant land. As a result, future development is considered to be a significant impact with regard to aesthetics, which cannot be mitigated to less than significant levels. This is the only reasonable outcome of building a City where no City previously existed.

The Draft EIR included a Biological Resources chapter that addressed the potential biological resources impacts associated with the development of the proposed project. The analysis

within the Biological Resources chapter was developed from information contained in a Biological Resources Assessment report (Appendix F of the Draft EIR) and an Arborist report (Appendix G of the Draft EIR). The conclusions of the biological resources impact analysis were: 1) the project could affect candidate, sensitive or special status species but mitigation measures were identified to reduce the potentially significant impact to a less than significant level (Impact 4.4-1); 2) the project could affect riparian habitat and federally protected wetlands but mitigation measures were identified to reduce the potentially significant impact to a less than significant level (Impact 4.4-2); 3) the project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites (Impact 4.4-3); 4) the project could result in the removal of oak trees that are regulated by the City of Rocklin Oak Tree Preservation Ordinance but mitigation measures were identified to reduce the potentially significant impact to a less than significant level (Impact 4.4-4); 5) the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional, or state habitat conservation plans (Impact 4.4-5), and 6) the project would contribute incrementally to the cumulative loss of native plant communities, wildlife habitat values, special status species and their potential habitat, and wetland resources but mitigation measures were identified to reduce the potentially significant cumulative impact to less than cumulatively considerable and a less than significant level (Impact 4.4-6).

City of Rocklin Resolution No. 2012-170 approved the General Plan EIR, and Exhibit B of that resolution identifies those environmental impacts that are not capable of being mitigated to a less than significant level. While the goals and policies contained in the General Plan Open Space, Conservation and Recreation Element will assist in avoiding or minimizing the impacts to biological resources as a result of new development, impacts to sensitive biological communities, loss of native oak and heritage trees, loss of oak woodland habitat and cumulative impacts to biological resources will still occur as mixed urban development occurs on presently vacant land. As a result, future development is considered to be a significant impact with regard to biological resources, which cannot be mitigated to less than significant levels. This is the only reasonable outcome of building a City where no City previously existed.

The project's Initial Study (Appendix A of the Draft EIR) addressed the potential cultural resources impacts associated with the development of the proposed project and a Cultural Resources Report for the project was prepared (Appendix H of the Draft EIR). The conclusions of the cultural resources impact analysis was that project could affect unknown/undiscovered historical, archaeological, and or paleontological resources or sites as development occurs but mitigation measures were identified to reduce the potentially significant impact to a less than significant level.

Page 1-20 of the Draft EIR's Introduction and Scope of EIR chapter included a discussion regarding concerns about the project's potential impact on property values. For the FEIR reader's benefit, that discussion is repeated below in italics:

11. Property Values – Several comments expressed concern regarding the proposed project’s impacts on property values.

Per CEQA Guidelines section 15131 (a), “Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis should be on the physical changes.”

The proposed project’s potential impact on the value of adjacent or near-by properties is considered to be an economic effect which would not result in any physical change, therefore it does not require analysis within the EIR. It should be noted that the proposed project could have a positive effect on near-by property values by adding to a customer base in close proximity to the small retail commercial center located across Sierra College Boulevard that struggles to maintain occupancies in its tenant spaces, thus better supporting the center and reducing vacancies.

The prospective loss of property values is speculative and could be argued in the reverse as well. CEQA Guidelines section 15145 (a) states “Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.” Potential changes to property value, upward or downward, would not lead to physical changes and is a topic that is not required to be addressed by CEQA.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-16 The comment re-states aesthetic analysis from the Draft EIR and also expresses opinions regarding the conclusions reached and the accuracy of the analysis in the Draft EIR and Initial Study regarding aesthetics and the description of the surrounding area.

Acknowledging that aesthetics is a very subjective topic of discussion, the CEQA Guidelines set forth criteria by which a public agency shall measure the potential for impacts. The Initial Study concluded some aspects of aesthetics need not be addressed further in the Draft EIR, while another aspect did warrant further consideration and was addressed in the Draft EIR.

See Response to Comment 21-15 for a summary of the analysis of aesthetic impacts in the Initial Study and Draft EIR.

The description of the project's surrounding area as "mostly developed with retail commercial and residential uses" and as further elaborated upon in the Draft EIR is considered to be accurate. The description correctly identifies that with the exception of several isolated single family residences and vacant land designated for Mixed Use land uses under the General Plan to the north of the project site, to the east, west and south of the project site are developed retail commercial and residential uses. Whether or not the adjacent subdivisions within the Town of Loomis are large parcel homes, they are still single family residential subdivisions as described.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-17 The comment re-states aesthetic analysis from the Draft EIR and also expresses an opinion regarding the conclusions reached of the analysis in the Draft EIR regarding aesthetics.

See Response to Comment 21-16 regarding the subjective natures of aesthetics. The Draft EIR's analysis of aesthetic impacts did acknowledge that the proposed project would result in an alteration to the visual character of the project site and its surroundings, but such an alteration was not considered to be substantial as further explained in the Draft EIR.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-18 The comment re-states aesthetic analysis from the Draft EIR and also expresses an opinion regarding there no being 3-story residential structures with 195 units in the area and how adding a 3-story complex would not be harmonious.

The comment does not specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-19 The comment re-states aesthetic analysis from the Draft EIR and also expresses opinions regarding the project's design and landscaping and consulting firms.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-20 The comment re-states aesthetics analysis from the Draft EIR and findings from the General Plan EIR regarding aesthetics and also expresses opinions regarding the project renderings not being realistic.

The findings from the General Plan EIR were discussed in the aesthetics analysis to provide context from the General Plan EIR's programmatic analysis which concluded that the full

development or “build-out” of all the General Plan’s designated land uses and the conversion of undeveloped land to developed land as part of the growth of the City of Rocklin would result in significant and unavoidable aesthetic impacts. The Draft EIR’s analysis of aesthetic impacts did acknowledge that the proposed project would result in an alteration to the visual character of the project site and its surroundings, but such an alteration was not considered to be substantial as further explained in the Draft EIR.

Page 4.2-6 of the Aesthetics chapter of the Draft EIR’s notes and discloses that the artistic renderings show landscape growth at maturity (15-20 years) of the development assuming that a mix of sizes and varieties of plants and trees would be planted as part of project construction.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-21 The comment expresses opinions regarding the loss of oak trees, biological resources and a wildlife corridor as a result of the project, and payment of fees into the City’s Oak Tree Mitigation Fund as being insufficient.

See Response to Comment 21-15 regarding a summary of the Draft EIR’s biological resources impact analysis.

The “panhandle” portion of the project site is adjacent to an open space preserve area that was created when the subdivision to the south (“Reedy Subdivision/Brookfield Circle area) was developed. Consistent with the City’s General Plan policies, that project was required to preserve areas along a tributary to Secret Ravine Creek as open space. That designated open space area, like many designated open space areas in the City, does provide habitat for wildlife, but it should also be noted that Sierra College Boulevard is a five-lane facility in that area which limits wildlife movement (with the exception of the drainage culverts beneath Sierra College Boulevard). As noted in the Biological Resources chapter, the General Plan EIR’s programmatic analysis concluded that the full development or “build-out” of all of the General Plan’s designated land uses and the conversion of undeveloped land to developed land as part of the growth of the City of Rocklin would result in significant and unavoidable biological resources impacts.

The Oak Tree Preservation Ordinance, and the mitigation requirements therein, as well as the mitigation fees that have been established for oak tree removal, were designed to and are being implemented by the City to mitigate for oak tree removal impacts. The Oak Tree Preservation Ordinance and the established oak tree mitigation fees were adopted by the Rocklin City Council as adequate means for compensating for the loss of oak trees as a result of development projects, and are considered to be part of a reasonable and enforceable plan that is tied to the actual mitigation for oak tree removal impacts.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-22 The comment depicts the “wildlife corridor” noted in Comment 21-21 and also re-states portions of the City of Rocklin’s Oak Tree Preservation Ordinance.

See Response to Comment 21-21 regarding the “wildlife corridor”. The project’s arborist report (Appendix G of the Draft EIR) provides an inventory, health assessment and removal status of the oak trees on the project site and Impact 4.4-4 on pages 4.4-21 through 4.4-25 of the Biological Resources of the Draft EIR provides information relevant to the proposed project’s removal of oak trees. The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-23 The comment expresses an opinion regarding violation of the Open Space chapter of the City of Rocklin General Plan, re-states portions of the Introduction section of the Open Space chapter of the City of Rocklin General Plan, and then provides information from the arborist Report.

The discussion of oak trees on page 4.4-24 in the Biological Resources chapter of the Draft EIR notes that 108 of the oak trees are considered healthy, rated as a 3, 4 or 5 in the arborist report. Those 108 oak trees represent 29.35% of the 368 oak trees on the site, not the 64% noted in the comment. The remaining 260 oak trees are considered unhealthy (dead, dying, diseased or of poor quality), rated as 0, 1 or 2 in the arborist report, and represents 70.65% of the 368 oak trees on the site, not the 36% noted in the comment.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

21-24 The comment expresses an opinion regarding the Draft EIR’s discussion of potential impacts on property values.

See Response to Comment 21-15 regarding loss of property values.

The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

David Mohlenbrok

From: Marc Mondell
Sent: Tuesday, June 20, 2017 12:00 PM
To: David Mohlenbrok
Subject: FW: Resending Email via gmail



Marc Mondell | Director
Economic & Community Development Department | City of Rocklin
3970 Rocklin Road | Rocklin, CA 95677
direct: (916) 625-5176 | **cell:** (916) 742-3128 | **fax:** (916) 625-5195
marc.mondell@rocklin.ca.us | www.rocklin.ca.us

From: Sue Hoppe [mailto:sue.hoppe@gmail.com]
Sent: Tuesday, May 30, 2017 11:24 AM
To: Denise Gaddis
Cc: Marc Mondell; Joe Patterson; Greg Janda; Ken Broadway; scott.vuill@rocklin.ca.us; jill.gavaldo@rocklin.ca.us; Carl Sloan; Pierre Martinez; Brian Whitmore; Michele Vass; jphillipe@loomis.ca.gov; hondolane64@gmail.com; morillas.rhonda@gmail.com; bbaker@loomis.ca.gov; tonderko@loomis.ca.gov; ucovich@hotmail.com
Subject: Fwd: Resending Email via gmail

I am in total agreement with Denise Gaddis' s response to the Deir for the Sierra Gateway project! I live at Hidden Creek, the development adjacent to this beautiful piece of property. We will be the most affected by this horrendous project! It will be absolutely be an eyesore, and a Giant safety hazard, and a invasion of all of our privacy and safety in our neighborhood! The effect on the surrounding areas, in regard to safety and terrible traffic hazards, are only going to increase and continue to become a terrible blight on our area of Rocklin!

22-1

I hope that all of you that are involved in the decision making process, consider the reasons that have been sighted for not going forward with this horrible project, and also consider all of the residents of Rocklin and Loomis in the aurrounding areas.

22-2

Thank you for taking the time to evaluate and consider the situation.

Sincerely,

Susan Hoppe, Vice president of Hidden Creek HOA.

----- Forwarded message -----
From: **Denise Gaddis** <denise95677@gmail.com>
Date: Sun, May 28, 2017 at 10:16 PM

Subject: Resending Email via gmail

To:

RESENDING original MS "Outlook" (Wavecable.com) email from my Gmail account to see if those of you with gmail can view better. Please let me know if this helps.

Below is my "final" draft response to the Sierra Gateway Apartment Draft EIR (DEIR). Email sent today, 5/28/17. Please feel free to borrow any of my ideas and send an email to **David Mohlenbrok, City of Rocklin Environmental Services Manager** at Marc.Mondell@rocklin.ca.us with your "comments". Deadline to comment on the DEIR is June 12th. Any feedback on my email would be appreciated too.

Denise

From: Denise Gaddis [<mailto:denise@wavecable.com>]

Sent: Sunday, May 28, 2017 5:11 PM

To: 'Marc.Mondell@rocklin.ca.us' <Marc.Mondell@rocklin.ca.us>

Cc: 'Joe.Patterson@rocklin.ca.us' <Joe.Patterson@rocklin.ca.us>; 'greg.janda@rocklin.ca.us' <greg.janda@rocklin.ca.us>; 'ken.broadway@rocklin.ca.us' <ken.broadway@rocklin.ca.us>; 'scott.yuill@rocklin.ca.us' <scott.yuill@rocklin.ca.us>; 'Jill.gayaldo@rocklin.ca.us' <Jill.gayaldo@rocklin.ca.us>; 'Carl.sloan@rocklin.ca.us' <Carl.sloan@rocklin.ca.us>; 'Pierre.martinez@rocklin.ca.us' <Pierre.martinez@rocklin.ca.us>; 'Brian.whitmore@rocklin.ca.us' <Brian.whitmore@rocklin.ca.us>; 'Michele.Vass@rocklin.ca.us' <Michele.Vass@rocklin.ca.us>; 'jphillipe@loomis.ca.gov' <jphillipe@loomis.ca.gov>; 'hondolane64@gmail.com' <hondolane64@gmail.com>; 'morillas.rhonda@gmail.com' <morillas.rhonda@gmail.com>; 'bbaker@loomis.ca.gov' <bbaker@loomis.ca.gov>; 'tonderko@loomis.ca.gov' <tonderko@loomis.ca.gov>; 'ucovich@hotmail.com' <ucovich@hotmail.com>

Subject: COMMENTS - SIERRA GATEWAY DEIR

TO: David Mohlenbrok, City of Rocklin Environmental Services Manager

CC: City of Rocklin Planning Commissioners and City Council & Town of Loomis Representatives

Hello David,

I want to make the following comments on the [Sierra Gateway Apartment Project DEIR](#) that are **due by June 12th**. The 10.2 acre 3-story apartment project is located at the S/E corner of Rocklin Road and Sierra College Blvd. in the City of Rocklin and consists of APNs 045-161-014, 015 and 016.

22-3

I believe the below noted areas are of **significant impact** and have **not** been adequately addressed or mitigated in the DEIR. I do not believe that any mitigation measures currently exist that can avoid or reduce the magnitude of these significant impacts. Even with a "**Reduced Intensity Alternative**" of 170 units.

Additionally, this DEIR does not always address all the facts. In fact in many occasions, data is misleading, missing or inaccurate. For example when the DEIR describes the "*Project Description*" and "*Surrounding Uses*" it neglects to note that the land uses to the East of the project site within the Town of Loomis are zoned **RA** (Residential **Agricultural**) 4.6 acres per dwelling unit, **RE** (Residential Estates) 2.3 acres per dwelling unit and **RR** (Rural Residential) one acre per dwelling unit. Refer to attached Town of Loomis Zoning Map. In fact, the DEIR infers that the surrounding area within the Town of Loomis is simply "*single-family residential subdivisions*" not

22-4

agricultural or large lot residential uses. I doubt the Sierra Gateway **3-story, 195-Unit** apartment complex is complimentary to the **actual** surrounding area. The DEIR goes on to state, "...the Town of Loomis to the east of the proposed project site could affect the same views analyzed for the proposed project." Are they actually serious with this statement?

22-4
(Cont'd)

1. Air Quality:

An enormous amount of vehicle traffic and vehicle emissions would be added to the area where I live if the City were to allow the construction of this **high-density** residential 3-story, 195-unit apartment complex on 10 acres estimated to generate over 1,300 additional daily vehicle trips. The amount of traffic emissions would violate air quality standards and would increase air pollutants and exposure to toxic air contaminants to the nearby community where I live (5521 Freeman Circle). The only way to mitigate these impacts is to deny high-density residential development in this location. The cumulative effects of other pending developments, namely the pending [Sierra Village's development](#) including approximately 400 residential units plus a senior living facility and other retail/office space, in this area will only add to the air quality issues. Note: Again the DEIR avoids including the Sierra Villages data.

22-5

2. Traffic and Circulation:

This proposed apartment complex sits at the intersection of Rocklin Road and Sierra College Blvd. and is near my home and will cause significant impacts to myself and my neighbors. If developed, this project would greatly increase traffic on Sierra College Blvd. but more importantly onto an already highly congested Rocklin Road. **According to the DEIR, the proposed project is estimated to generate an additional 1,305 daily trips** using the Institute of Transportation Engineers ("ITE") *Trip Manual*, 9th edition (2012). No actual and local study was performed therefore who knows how high the actual daily trips might be. Estimates don't set so well with me. They usually turn out to be much worse than originally projected. Just look at Hwy. 65 as an example.

22-6

Currently Rocklin Road between Sierra College Blvd. and I-80 is overly congested mostly due to the traffic generated by Sierra College. I live off El Don Drive across from the College. On a daily basis I hit the congestion at the intersection of El Don Drive and Rocklin Road. The East bound vehicle traffic to the main College entrance across from El Don Drive is continually backed up to I-80. West bound traffic leaving the school is backed up from the campus to I-80 as well. And by backed up I mean **stopped, not** circulating. I routinely Google traffic conditions on Rocklin Road during normal hours and it always shows up **Red** for slow the most negative option available. It takes a long time to get to I-80 from El Don Drive and Rocklin Road. Adding more traffic to this area would cause uncontrollable grid lock. There is just no way to mitigate the additional vehicle traffic and circulation problems this development would cause. It's already impacted. The only way to mitigate these impacts is to deny high-density residential development in this area. Allowing this apartment development (whether 195 or 170 units) would create significant adverse changes to our neighborhood and to the Sierra College student body and faculty. Additionally, this project plans to have egress and ingress off a section of Rocklin Road that is mostly two lanes in that location. This will ultimately create additional congestion at the Rocklin Road/Sierra College Blvd. intersection.

22-7

"The project will also have an exit only driveway to the south onto Water Lily Lane." According to the project diagram in the DEIR they show this exit as "gated". It is unclear if this "gated" exit is for fire access only or for resident use. If apartment residents were allowed to exit the proposed complex from this southern exit onto Water Lily Lane into the Hidden Creek subdivision this would have significant traffic impacts on that neighborhood and subsequently on Sierra College Blvd. and the Sierra College Blvd/Rocklin Road intersection. The egress from Water Lily Lane onto Sierra College Blvd. currently does not have a signal light. Allowing this development to proceed with an exit onto Water Lily Lane then onto Sierra

22-8

College Blvd. would be an inappropriate traffic mitigation as well as being dangerous and irresponsible of the City. This proposed egress would also only allow access to North bound traffic on Sierra College Blvd. as there is currently an existing medium obstructing traffic to access the South bound lanes of Sierra College Blvd. thus adding additional congestion at the Sierra College/Rocklin Road intersection by U-turn traffic to access the S/B lanes of SC Blvd.

22-8
(Cont'd)

Additionally, the City has a “preliminary” application before it now from Sierra College to create additional high density residential development on a 107-acre project called “Sierra Villages” located off Rocklin Road in two locations (Rocklin Road and Sierra College Blvd. and Rocklin Road and El Don Drive). We are looking at the possibility of at least 400 additional medium to high density residential units, a senior living facility and retail/office development that would impact traffic and circulation in this exact same area. **This DEIR neglects to mention or consider this “Reasonably Foreseeable Project” when providing vehicle impact statistics.** We all know the College is going to develop 72 acres directly across the street from this apartment proposal and also more additional development on another 36 acres off Rocklin Road at El Don Drive. It is negligent to not consider the impacts of the Sierra Villages development in this DEIR. How on earth can the City of Rocklin mitigate all this proposed development and the traffic it will create? Rocklin Road is already 4 lanes between I-80 and Sierra College Blvd. And is predominantly only 2 lanes east of Sierra College Blvd. I doubt the room exists to widen Rocklin Road even further nor do the funds exists to undertake such a mitigation project.

22-9

God forbid you consider another roundabout in Rocklin let alone one for the SC Blvd/Rocklin Rd. intersection or on Rocklin Road areas near the College or I-80. I know this is the latest fad but these roundabouts are completely inappropriate for these areas. Roundabouts are not favorable to pedestrian/bicyclist traffic which would be high in these areas. Nor are roundabouts amenable and expedient to emergency vehicles.

22-10

“The conversion of intersections into roundabouts produces a significant 27% increase in the number of injury accidents involving bicyclists on or nearby the roundabouts. The increase is even higher for accidents involving fatal or serious injuries (41–46%)... However, the effects of roundabouts on bicycle accidents differ depending on whether these roundabouts are built inside or outside built-up areas. When inside built-up areas, the construction of roundabouts increased the number of injury accidents involving bicyclists by 48%. For accidents causing fatal or serious injuries inside built-up areas, an average increase of 77% was found.” Reference <http://www.sciencedirect.com/science/article/pii/S0001457507001352>.

The DEIR states...

The City of Rocklin General Plan (October 2012) Circulation Element includes LOS Policy C-10, as follows:

- A. Maintain a minimum traffic Level of Service “C” for all signalized intersections during the p.m. peak hour on an average weekday...
- B. Recognizing that some signalized intersections within the City serve and are impacted by development located in adjacent jurisdictions, and that these impacts are outside the control of the City, a development project which is determined to result in a Level of Service worse than “C” may be approved, **if** the approving body finds (1) the diminished level of service is an **interim** situation which will be alleviated by the implementation of planned improvements, ...

22-11

Living and driving in this area I would say Rocklin Road between Sierra College Blvd. and I-80 definitely has a traffic Level of Service **below** a “C”; therefore, the only way the City can approve this project (and future projects like

Sierra Villages) that will impact Rocklin Road is to have a finding that this diminished level of service is “interim” (Definition: short-term period of time between events) and must be implemented with planned improvements.

22-11
(Cont'd)

Again, I strongly disagree with the findings in this DEIR that the Level of Service (at least on **Rocklin Road between SC Blvd. and I-80**) is currently at a Level C. Well actually, and yet again, the DEIR completely disregards the impacts to Rocklin Road. And we know this development will impact traffic in this stretch of Rocklin Road. However, the DEIR does say that I-80 and Rocklin Road on and off ramp intersections are at a Level C. That is just false. I did not see any actual and/or current traffic studies that have been performed by the City or the consulting firm to prove the Level of Service is a “C”. Most of the data provided in the Traffic Impact Study was taken from 2010 and 2014 Caltrans publications. No true current study was performed. I think we all know better that the Level of Service on Rocklin Road from Sierra College Blvd. to I-80 is more like a “E” or “F” based on the below definitions from the DEIR. No further high-density residential development should be allowed in this area until the City comes up with a comprehensive traffic study and plan to resolve traffic circulation in this area. To do otherwise would be unwise and negligent.

22-12

Appendix “L” Traffic Impact Study indicates **NO** studies were conducted on Rocklin Road between Sierra College Blvd. and I-80 and specifically the intersection of Rocklin Road and El Don Drive (and main entrance to Sierra College). Additionally, the traffic study states that the I-80 ramp intersections were also not studied rather data was obtained from a **2014** published Caltrans report.

Appendix “L” states under

Existing Traffic Volumes

Existing traffic counts were collected by Omni-Means on multiple days at the **16** study intersections including Rocklin Road and I-80 intersections, during both AM and PM peak hours. **This is NOT true based on their own accounts**

22-13

Only 15 minute interval traffic counts were collected at the intersection of SC Blvd. and Rocklin Road according to their own report Again, misleading information in this DEIR. **Appendix “L”- Traffic Impact Study** states, “Existing AM and PM peak hour turning movement counts at the **Sierra College Boulevard / Rocklin Road intersection** were collected in October 2015 during a typical weekday while local schools were in session. Existing AM and PM peak hour turning movement counts at the Rocklin Road and Sierra College Boulevard interchanges were collected in May 2016 during a typical weekday while local schools were in session. AM peak hour is defined as the one-hour of peak traffic flow (which is the highest total volume count over four consecutive 15-minute count periods) counted between 7:00 AM and 9:00 AM on a typical weekday. The PM peak hour is defined as the one-hour of peak traffic flow counted between 4:00 PM and 6:00 PM on a typical weekday.”

Intersection and ramp LOS have been calculated for a control types using the methods documented in the Transportation Research Board publication *Highway Capacity Manual 2010*.

Definitions of traffic Level of Service from TABLE 4.5-2

Definition of Level C = Stable flow, but the beginning of the range of flow in which the operation of individual users becomes significantly affected by interactions with others in the traffic stream.

Definition of Level D = Represents high-density, but stable flow.

Definition of Level E = Represents operating conditions at or near the capacity level.

Definition of Level F = Represents forced or breakdown flow.

22-14

[Other Level of Service Definitions further state](#)

Level of service E: unstable flow, operating at capacity. Flow becomes irregular and speed varies rapidly because there are virtually no usable gaps to maneuver in the traffic stream and speeds rarely reach the posted limit. Vehicle spacing is about 6 car lengths, but speeds are still at or above 50 mi/h (80 km/h). Any disruption to traffic flow, such as merging ramp traffic or lane changes, will create a shock wave affecting traffic upstream. Any incident will create serious delays. Drivers' level of comfort become poor.

22-14
(Cont'd)

Level of Service F: forced or breakdown flow. Every vehicle moves in lockstep with the vehicle in front of it, with frequent slowing required. Travel time cannot be predicted, with generally more demand than capacity. A road in a constant traffic jam is at this LOS, because LOS is an average or typical service rather than a constant state. For example, a highway might be at LOS D for the AM peak hour, but have traffic consistent with LOS C some days, LOS E or F others, and come to a halt once every few weeks.

Level of Service F has delays that are **considered unacceptable to most drivers**. I definitely find the delays on Rocklin Road from SC Blvd. to I-80 "unacceptable".

The DEIR Traffic Study also states...

...Five (5) intersections are "**projected**" to operate at an unacceptable LOS:

- Sierra College Boulevard/Rocklin Road – AM and PM peak hours
- Rocklin Road/Interstate 80 WB Ramps – AM and PM peak hours
- Rocklin Road/Interstate 80 EB Ramps – AM and PM peak hours
- Sierra College Boulevard/Interstate 80 EB Ramps – AM peak hour
- Sierra College Boulevard/Interstate 80 WB Ramps – AM peak hour

22-15

I would argue that most if not all of these intersections are already "**currently**" at unacceptable levels. Again this DEIR is not representing the true facts.

The DEIR states...

"Mitigation Measures: **None required.**"

"Although no mitigation measures are required, the proposed project would be subject to the payment of applicable Traffic Impact Mitigation (TIM) fees, South Placer Regional Transportation Authority (SPRTA) fees and Highway 65 Interchange Improvement fees as applicable on a fair share basis."

22-16

I find the statement that no mitigation measures are required not only offensive but unacceptable. And contributing some unknown dollar amount of money to the above stated funds does not provide any assurances that those funds would be adequate or actually go to future and specific improvements that will be needed to Sierra College Blvd. and Rocklin Road. Again, those improvements need to be done now not in the future if the City is going to start approving high density residential and retail/office development in this area.

1. Cultural and Paleontological Resources and Aesthetics

The development of a 3-story apartment complex on this 10.2-acre beautifully wooded property will result in cumulative impacts to the historic character of our neighborhood. I have spoken with many of the neighbors in this area. When I speak of "neighbors" or "neighborhoods" I am referring to those of us who live within a one mile radius of the project. **We moved to this part of Rocklin because of its unique characteristics** Unlike Stanford Ranch, it is unique because it is not completely paved over, covered with houses and commercial development and sign lights. Our special nook of Rocklin has Oak trees, wildlife,

22-17

streams and is very well known for its Native American history and artifacts. Destroying this 10 acres covered in almost 400 Oak trees will not only destroy our neighborhood aesthetics and quality of life but will destroy more of our wildlife habitat. Allowing this development to proceed would create a substantial adverse change to our neighborhood and loss of property values.

22-17
(Cont'd)

Statement from DEIR...

The “Initial Study” provided the following conclusions:

• **Aesthetics** – *There are no designated, identified, recognized or recorded scenic vistas or view sheds in the City and the proposed project will not cause impacts to these resources. The project site is not located near a state scenic highway or other designated scenic corridor and the proposed project will not impact these resources. The proposed project will include new sources of light and glare but a photometric lighting study prepared for the proposed project indicates lighting levels will be at levels not considered to be excessive. Therefore, these issues will not be discussed in the EIR.*

I wholeheartedly disagree with the above assessment. As a ^{ready} stated, this area of Rocklin is considered by its residents to be **unique** based on its aesthetics and therefore “aesthetics” should have been discussed in the EIR and the fact that this was their original conclusion raises great concerns for me

In the “**focused**” EIR they reverse their opinion and now state...

“**Aesthetics** – *The existing visual character of the site can be described as an undeveloped site containing numerous oak trees, grassland, and gently rolling topography. The surrounding area is mostly developed with retail commercial and residential uses. To the north of the project site are Rocklin Road, several isolated single family residences and vacant land designated for Mixed Use land uses under the Rocklin General Plan. To the northwest of the project site is the Sierra Community College campus, and to the west are Sierra College Boulevard, a small retail commercial shopping center, two separate apartment complexes and single-family residences further to the west. To the south are Water Lily Lane, a single-family subdivision and an open space area associated with an intermittent tributary of Secret Ravine Creek. To the east are an apartment complex, the City of Rocklin/Town of Loomis border and single-family residential subdivisions within the Town of Loomis. The proposed project would add a 195 unit multi-family apartment complex and associated infrastructure, including new sources of lighting to an undeveloped site. The proposed project will affect the visual character of the project area, due to the transition of the project site from undeveloped land to an urbanized land use.*

22-18

The EIR will address the proposed project’s potential aesthetic impacts related to the existing visual character or quality of the site.”

I disagree with the above assessment that “*The surrounding area is mostly developed with retail commercial and residential uses.*” **This is a false statement.** The surrounding area is mostly large parcel homes within the City limits of Loomis at noted above, a variety of general residential subdivisions within the City of Rocklin, many large open spaces and open spaces that provide a huge wildlife habitat and include waterways and wetlands, an extremely large community college campus with large areas of open spaces (with many oak trees, wildlife species and creeks) and one minimal and unsuccessful retail center at the intersection of Sierra College Blvd. and Rocklin Road.

I do agree that, “*The proposed project will affect the visual character of the project area, due to the transition of the project site from undeveloped land to an urbanized land use.*”

22-19

The DEIR goes on to state...

Impact 4.2-1 Substantially Degrade the Existing Visual Character of Quality of the Site and its Surroundings

Implementation of the proposed project would result in development that could degrade the existing visual character or quality of the site and its surroundings. However, as further discussed below, this will be a less than significant impact.

I believe this development will have a **substantial adverse effect** on the “aesthetics” of my neighborhood by removing the hundreds of oak trees on this piece of property and destroying part of a larger wildlife habitat corridor. **And it almost assuredly WILL degrade the existing visual character of the site and its surroundings. How one could state otherwise is beyond any logical reasoning.**

22-19
(Cont'd)

“Aesthetics” is in the eye of the beholder. To those eyes of our neighborhood destroying the trees, plants and habitat on this 10 acres will create a substantial adverse effect on the aesthetics of our neighborhood and will have a substantial adverse effect on our scenic view.

Definition of Aesthetics...a set of principles concerned with the nature and appreciation of beauty.

We all moved to this part of Rocklin for the aesthetics!!

This section in the DEIR goes on to state...

The proposed project would result in the development of a 195-unit, two- and three-story apartment complex and associated infrastructure within the project site, which could change the visual nature or character of the site and its surroundings. The proposed project will convert the project site from a generally undeveloped wooded and grassland area to developed uses.

22-20

*The apartment complex will consist of eleven residential buildings and a clubhouse building, which will include a leasing office and a manager’s apartment. **The majority of the residential buildings will be three-story buildings** comprised of one, two, and three bedroom units with private garages located at the ground level. There will also be four two-story buildings configured to provide private garages with carriage style apartment units above...”*

There are currently **NO 3-story** residential structures or apartment developments with this many units (**195**) in this area. Currently there exists:

1. Granite Creek apartment complex (**2-stories, 80 units**)
2. Shaliko apartment complex (**2-stories, 152 units**)
3. Rocklin Manor apartment complex (**2-stories, 157 units**)

Adding another apartment complex, most notably a 3-STORY COMPLEX, is not **harmonious** to our neighborhood including those living within the Town limits of Loomis.

The DEIR states..

“The proposed project would include berms and retaining walls to adjust for grade variances. Stacked block retaining walls ranging from 3 to 7 feet tall would be placed along the project’s frontage with Sierra College Boulevard, a concrete with brick veneer retaining wall ranging from 4 to 6 feet tall would be placed along the western side of the project’s driveway on Rocklin Road, and a concrete with brick veneer retaining wall up to 10 feet tall would be placed between buildings 5 and 9 and their respective parking lots, near Water Lily Lane. In addition, the existing sound wall along Water Lily Lane would be extended westerly by the proposed project towards Sierra College Boulevard, terminating at a plane that coincides with the edge of the westernmost building (building 5) ”

22-21

Concrete veneer retaining walls up to 10 feet tall does not sound very aesthetically pleasing to me. When you look at the project diagram in the DEIR it appears that 98% of this project is asphalt and buildings. Adding a couple trees and walls is not going to mitigate the significant aesthetic impacts of this development. The DEIR goes on to state, "These artistic renderings show landscape growth at maturity (15-20 years) of the development assuming that a mix of sizes and varieties of plants and trees would be planted as part of project construction." So for 15-20 years we have to live with unsightly asphalt and buildings? This is in complete contrast to the surrounding area. And the DEIR claims there is no aesthetic impacts? Who wrote this DEIR, the developer? They certainly paid for it and got their monies worth. I have little faith that the firm of De Novo Planning Group, a Sacramento area consulting firm, or the Omni Means group that provided data for this DEIR truly have taken into perspective opposing views.

22-21
(Cont'd)

I believe this same consulting firm is being used by the City (and paid for the by the developer) for the Sierra Villages project. I would like to impress upon you to consider using a more appropriate and fair EIR consulting firm going forward as **this DEIR clearly does not adequately address the impacts of this proposed apartment project.**

Please refer to the DEIR renderings; for example **FIGURE 4.2-9 VIEW NEAR MAIN ENTRY TO PROJECT FROM ROCKLIN ROAD** below. Now imagine those pretend, large trees shown in the rendering below are not there which in reality would be the case. Not so aesthetically pleasing. Please do not rely on made to look pretty drawings that are not reality.



PROPOSED ROCKLIN ROAD BEFORE & AFTER IMAGES
SIERRA GATEWAY APARTMENTS, City of Rocklin

22-22

There is no way the City or the developer can "ensure visual compatibility with existing development" as well as "the preservation of unique natural features". The DEIR goes on to make a contradictory statement, "The City of Rocklin General Plan EIR concluded that aside from implementation of the City's Design Review Guidelines and the application of General Plan goals and policies addressing visual character and views, **no other mitigation measures are available to fully mitigate impacts to existing visual character given the extent and density of proposed development, and significant aesthetic impacts will occur as a result of development...**"

Given the above assessment, the project should be denied.

4. Biological Resources

Development in this area will result in the loss of native oak and heritage trees, the loss of oak woodland habitat, and cumulative impacts to biological resources. This area is close to and part of a large wildlife corridor that runs from the east in Loomis to Secret Ravine near I-80 on the west. Development such as this apartment complex will obliterate the close to 400 Oak trees on this 10 acres. Making the developer pay money into an Oak Tree Mitigation Fund is an insufficient way to mitigate the loss of this oak woodland habitat and the aesthetic beauty it provides our neighborhood.

22-23

I believe the destruction of this 10 acre oak woodland would violate **Chapter IV B - Open Space** of the **City of Rocklin's General Plan** which in part states,

"The City has taken a leading role in preserving open space corridors and other natural features in newly developing areas. This approach is reflected in the open space goals and policies, which in turn reflect the high interest expressed by Rocklin residents in the community survey in preserving remaining areas for open space and outdoor recreation. The survey showed that Rocklin residents value open space, park and recreation facilities, and the natural amenities of the community. Construction of streets, schools and parks, protecting creeks and waterways, preserving open space, and providing recreational programs and facilities were all ranked as "very important" in the survey. Connectivity of habitat and open space areas is another important issue that is addressed in the General Plan policies related to the preservation of open space for natural resources. In addition to traditional parks, Rocklin contains areas of open space that are rugged and undeveloped. Linear green space along creeks and other corridors is encouraged, while recognizing that issues related to maintenance, security and access must also be addressed. Linear open space areas can also be multi-purpose, including bicycle and pedestrian paths."

22-25

According to the **Arborist Report**:

- 368 "oak" trees or 95% of the trees on this property qualify as "protected" based on the City of Rocklin's Tree Ordinance.
- There are at least 386 all-together of which 96% are oak trees.
- Of those "oak" trees, only five (5) are considered "dead".
- All together 36% of the "oak" trees qualify as "dangerous not correctable" or apparently "diseased and/or dying".
- 64% of the "oak" trees are in "healthy" condition.

1. Property Values

"The proposed project's potential impact on the value of adjacent or near-by properties is considered to be an economic effect which would not result in any physical change, therefore it does not require analysis within the EIR. It should be noted that the proposed project could have a positive effect on near-by property values by adding to a customer base in close proximity to the small retail commercial center located across Sierra College Boulevard that struggles to maintain occupancies in its tenant spaces, thus better supporting the center and reducing vacancies."

22-26

I completely disagree with this analysis in the DEIR. The value of my home is based on the unique nature of the surrounding area. Adding further development of this nature will only serve to decrease the value of my home by taking away from the special nature of this special nook in Rocklin. To come to any other conclusion is just utter nonsense. The only "potential" positive impact of this development might be providing an additional customer base to the flailing retail development at the S/W corner of SC Blvd. and Rocklin Road. And how that would help my property values is unclear to me.

I would appreciate an acknowledgement of this email.

Respectfully Submitted,

Denise Gaddis
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22. SUSAN HOPPE, HIDDEN CREEK HOMEOWNER'S ASSOCIATION

SUMMARY OF COMMENT LETTER

Susan Hoppe of the Hidden Creek Homeowner's Association provided comments regarding their homeowners being the most affected by the project and concerns with aesthetics, safety, invasion of privacy, traffic hazards and blight, and attached a copy of the Denise Gaddis comment letter (Comment Letter 21).

22-1 The comment is an introductory comment which identifies forthcoming additional comments and expresses opinions regarding their homeowners being the most affected by the project, and concerns with aesthetics, safety, invasion of privacy, traffic hazards and blight.

The comment does specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

22-2 The comment suggests that those involved in the decision making process should consider the reasons that have been cited for not going forward with the project and the need to consider all of the residents of Rocklin and Loomis in the surrounding area.

The comment does specifically focus on the comprehensiveness and accuracy of the analysis within the Draft EIR. Therefore, such a comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers.

22-3 The comment is a summary comment expressing an opinion that some areas have not been adequately addressed or mitigated in the Draft EIR.

See Response to Comment 21-1.

22-4 The comment expresses an opinion regarding data that is misleading, missing or inaccurate, using the Draft EIR's project description and surrounding uses discussion as an example.

See Response to Comment 21-2.

22-5 The comment expresses an opinion regarding air quality impacts from the proposed project with the only way to mitigate such impacts is by denying the project, and the comment is regarding the inclusion of the Sierra Villages project as part of the cumulative air quality effects.

See Response to Comment 21-3.

22-6 The comment expresses an opinion regarding the additional traffic generated by the proposed project and expresses concerns regarding the use of the Institute of Transportation Engineers (ITE) Trip Generation Manual to estimate the project's generated trips.

See Response to Comment 21-4.

22-7 The comment expresses an opinion regarding existing poor traffic conditions on Rocklin Road as a result of traffic from Sierra College and how more traffic from the proposed project would add to congestion along Rocklin Road and at the Rocklin Road/Sierra College Boulevard intersection.

See Response to Comment 21-5.

22-8 The comment expresses an opinion regarding concerns about the proposed project's access onto Water Lily Lane as both an exit only access and as an emergency only access and how that condition would create congestion and be dangerous.

See Response to Comment 21-6.

22-9 The comment is regarding the lack of inclusion of Sierra College's proposed development in the Draft EIR traffic analysis as a reasonably foreseeable project and how will traffic from all development in the area be mitigated.

See Master Response for Comments Regarding Inclusion of Sierra College's Planned Development and Other Projects in the Traffic Analysis.

22-10 The comment expresses an opinion regarding the use of roundabouts and provides statistical data regarding bicycle accidents and roundabouts.

See Response to Comment 21-8

22-11 The comment recites a portion of the City of Rocklin General Plan Level of Service Policy C-10 with an emphasis on the "interim" portion of item B and then expresses an opinion regarding traffic conditions on Rocklin Road and how the proposed project and future projects would have to have a finding of diminished level of service being "interim".

See Response to Comment 21-9.

22-12 The comment expresses an opinion about the level of service on Rocklin Road and the Draft EIR's report of level of service "C" at the I-80/Rocklin Road off ramp intersections being false. The comment also expresses an opinion about current traffic studies not being performed, data in the traffic study not being current, level of service on Rocklin Road being more like an E or F, and the proposed project should not be allowed until a comprehensive study and plan are developed to resolve traffic circulation in the area.

See Response to Comment 21-10.

22-13 The comment is regarding traffic studies not being conducted on Rocklin Road between Sierra College Boulevard and I-80 and at the intersection of Rocklin Road and El Don Drive, and the collection of traffic count data for 15 minute intervals.

See Response to Comment 21-11.

22-14 The comment is regarding the definitions of level of service as provided in the Draft EIR and from additional sources and the comment expresses an opinion regarding existing poor traffic conditions on Rocklin Road.

See Response to Comment 21-12.

22-15 The comment re-states traffic study information from the Draft EIR and also expresses an opinion regarding intersections currently being at unacceptable levels of service.

See Response to Comment 21-13.

22-16 The comment expresses opinions regarding one of the Draft EIR's conclusions of no mitigation measures required and the subsequent discussion of the payment of applicable traffic impact fee that would be applicable to the proposed project does not provide assurances.

See Response to Comment 21-14.

22-17 The comment expresses an opinion about the historical character of a neighborhood and its biological and cultural resources and how the development of the proposed project would destroy neighborhood aesthetics, quality of life and wildlife habitat and result in a loss of property values.

See Response to Comment 21-15.

22-18 The comment re-states aesthetic analysis from the Draft EIR and also expresses opinions regarding the conclusions reached and the accuracy of the analysis in the Draft EIR and Initial Study regarding aesthetics.

See Response to Comment 21-16.

22-19 The comment re-states aesthetic analysis from the Draft EIR and also expresses an opinion regarding the conclusions reached of the analysis in the Draft EIR regarding aesthetics.

See Response to Comment 21-17.

22-20 The comment re-states aesthetic analysis from the Draft EIR and also expresses an opinion regarding there no being 3-story residential structures with 195 units in the area and how adding a 3-story complex would not be harmonious.

See Response to Comment 21-18.

22-21 The comment re-states aesthetic analysis from the Draft EIR and also expresses opinions regarding the project's design and landscaping and consulting firms.

See Response to Comment 21-19

22-22 The comment re-states aesthetics analysis from the Draft EIR and findings from the General Plan EIR regarding aesthetics and also expresses opinions regarding the project renderings not being realistic.

See Response to Comment 21-20.

22-23 The comment expresses an opinion regarding the loss of oak trees, biological resources and a wildlife corridor as a result of the project, and also expresses an opinion regarding payment of fees into the City's Oak Tree Mitigation Fund as being insufficient.

See Response to Comment 21-21.

22-24 The comment depicts the "wildlife corridor" noted in Comment 21-21 and also re-states portions of the City of Rocklin's Oak Tree Preservation Ordinance.

See Response to Comment 21-22.

22-25 The comment expresses an opinion regarding violation of the Open Space chapter of the City of Rocklin General Plan, re-states portions of the Introduction section of the Open Space chapter of the City of Rocklin General Plan, and then provides information from the arborist Report.

See Response to Comment 21-23

22-26 The comment expresses an opinion regarding the Draft EIR's discussion of potential impacts on property values.

See Response to Comment 21-24.

3.0 CORRECTIONS AND REVISIONS TO THE DRAFT EIR (ERRATA)

This section contains changes to the text of the Draft EIR. These revisions are minor modifications and clarifications that do not change the significance of any of the environmental impact conclusions with the Draft EIR. The changes are presented in the order in which they appear in the Draft EIR and are identified by Draft EIR page number. The text that has been revised is generally replaced in their entirety by the revisions identified below. The text deletions are shown in bold ~~strikeout~~ and additions are shown in bold underline.

- 1) To reflect the project applicant's correct name, the following changes are hereby made to the Notice of Availability that was issued in association with the Draft EIR:

PROJECT DESCRIPTION: The ~~Ezralow Company LLC~~ Rocklin Sierra Apartments II, LLC (Applicant) is requesting the City of Rocklin's approval of Design Review and Oak Tree Preservation Plan entitlements to develop a 195-unit apartment complex and associated infrastructure, parking and landscape (Proposed Project or Project) on a 10.2 +/- acre site currently designated by the Rocklin General Plan as High Density Residential (HDR) and currently zoned as Planned Development Residential, 20 dwelling units per acre (PD-20) (project site

The above changes are for clarification purposes and do not alter any of the conclusions included in the Draft EIR.

- 2) To reflect that a hearing to receive comments on the Draft EIR during the 45-day review period was not held, the following changes are hereby made to the Introduction and Scope of EIR chapter on page 1-2:

Initially this EIR is being published as a Draft EIR. The Draft EIR will be subject to review and comment by the public, as well as responsible agencies and other interested jurisdictions, agencies, and organizations for a period of 45 days. ~~During the public review period, a hearing will be held before the City of Rocklin Planning Commission at a date to be determined to receive comments on the Draft EIR.~~ The public may comment on the Draft EIR by testifying at the public hearing, or may submitting written comments at any time during the 45-day public review period.

The above changes are for clarification purposes and do not alter any of the conclusions included in the Draft EIR.

- 3) To reflect that the project's traffic study did not examine Level of Service for road segments, the following change is hereby made to the Air Quality chapter on page 4.3-25:

The Sierra Gateway Apartments Project Level of Service Analysis (Omni Means 2017) examined Level of Service (LOS) for the ~~road segments and~~ intersections affected by the proposed

project. The traffic study indicates that the Sierra College Blvd/Rocklin Road intersection would operate at an LOS of D under the Short Term No Project and Short Term Plus Project conditions during the PM peak hour, but would deteriorate to an LOS E under the Short Term Plus Project with Outbound Access from Water Lily Lane condition during the PM peak hour. Therefore, this intersection would cause the proposed project to not screen out under the CO screening approach outlined in the Placer County Air Pollution Control District's CEQA Air Quality Handbook Assessing and Mitigating Air Quality Impacts for Projects Under CEQA (2012).

The above change is for clarification purposes and does not alter any of the conclusions included in the Draft EIR.

- 4) To reflect the correct inventory of trees on the project site and the correct number of trees that are proposed for removal by the project, the following changes are hereby made to the Biological Resources chapter on page 4.4-2:

Trees

The project area includes ~~384~~ 385 total trees, of which ~~367~~ 368 are oak trees within the boundaries of the project that qualify as "protected trees" by the standards of the City of Rocklin Oak Tree Preservation Guidelines. Composition of the ~~367~~ 368 oak trees includes ~~308~~ 309 interior live oaks, 53 blue oaks, 5 valley oaks and 1 oracle oak. Of the ~~367~~ 368 oak trees, 5 are rated 0 (dead), ~~132~~ 133 are rated 1 (dangerous/non-correctable), 122 are rated 2 (poor), 107 are rated 3 (fair) or 4 (good), and 1 is rated 5 (excellent). ~~320~~ 321 trees will likely be removed for the Project, but mitigation will be required for the removal of ~~108~~ 93 of those healthy trees with "fair" to "excellent" ratings pursuant to the Oak Tree Preservation Guidelines.

The above changes are for clarification purposes and do not alter any of the conclusions included in the Draft EIR.

- 5) To eliminate a duplicative statement, the following change is hereby made to the Biological Resources chapter on page 4.4-19:

Mitigation Measures:

To address the potentially significant impact to riparian habitat and federally protected wetlands, the following mitigation measure is being applied to the project ~~and should be incorporated as notes on the grading and/or improvement plans~~ and shall be incorporated as notes on the grading and/or improvement plans:

The above change is for clarification purposes and does not alter any of the conclusions included in the Draft EIR.

- 6) To reflect the correct project name and the correct number of trees that are proposed for removal by the project, the following changes are hereby made to the Biological Resources chapter on pages 4.4-21 through 4.4-24:

The firm of Abacus, a Sacramento area consulting firm with recognized expertise in arboriculture, prepared an arborist report for the Sierra **College Gateway** Apartments project. Their report, dated October 19, 2016 is included as Appendix G to this Draft EIR. Per the arborist report, the project area includes 385 total trees, of which 368 are oak trees within the boundaries of the project that qualify as “protected trees” by the standards of the City of Rocklin Oak Tree Preservation Guidelines. Composition of the 368 oak trees includes 309 interior live oaks, 53 blue oaks, 5 valley oaks and 1 oracle oak. Of the 368 oak trees, 5 are rated 0 (dead), 133 are rated 1 (dangerous/non-correctable), 122 are rated 2 (poor), 107 are rated 3 (fair) or 4 (good), and 1 is rated 5 (excellent). As explained further below, the project proposes to remove ~~320~~ **321** of the 368 protected trees. (See Figure 4.4-2 Oak Tree Removal)

As discussed above, the City of Rocklin has recognized the value of native trees through the adoption of the City of Rocklin Oak Tree Preservation Ordinance, Chapter 17.77 of the City of Rocklin Municipal Code. The ordinance contains policies which regulate both the removal of protected trees and the encroachment of construction activities into the protected zones of these trees. Sections 17.77.030 and 17.77.050 prohibit the removal of oak trees without the issuance of a permit and require that preservation and removal of healthy oak trees from undeveloped property shall be addressed in the development application review process, and shall be governed by the guidelines adopted under Section 17.77.100.

Prior to removal of any native oak tree, the property owner must submit an application to the City of Rocklin for an Oak Tree Removal Permit. The application will provide the species, size and condition of the tree(s) proposed for removal, and include a site plan indicating the location of the tree(s) proposed for removal and the proximity of the tree(s) to structures or other manmade improvements. Additionally, if deteriorating health or the tree is a factor for removal, the applicant may be required to provide a certified arborist report on the health of the tree(s). Mitigation for the removal of healthy oak trees (those rated 3, 4 or 5 in the arborist report) will be required, and can either be by tree replacement or by payment into the City of Rocklin Oak Tree Preservation Fund.

Of the 368 total “protected” oak trees on the project site, the proposed project will remove 321 of the oak trees as a result of the grading that is necessary to accommodate structures, access, handicap accessibility, drainage, sewer and other infrastructure requirements. Mitigation for the removal of the ~~108~~ **93** healthy oak trees rated 3, 4, and 5 will be required pursuant to the Ordinance. Mitigation will not be required for the ~~remaining~~ 260 trees that are rated 0, 1, or 2, as the arborist’s report has identified them as being poor quality (i.e. diseased) or as dead or dying **(Of the 260 trees that are rated 0, 1 or 2, 228 will be impacted by the project and 32 trees, which are located in the panhandle area, will not be impacted by the project).**

The above changes are for clarification purposes and do not alter any of the conclusions included in the Draft EIR.

- 7) To reflect that the City's General Plan Update is now adopted, the following change is hereby made to the Biological Resources chapter on page 4.4-26:

Cumulative impacts to biological resources were analyzed in the City of Rocklin General Plan EIR. The General Plan EIR noted that the cumulative setting condition includes proposed and approved projects, planned development under the proposed General Plan Update, and planned and proposed land uses in the region, as well as consideration of development patterns on communities in western Placer County, the Central Valley and the Sierra foothills. The General Plan EIR analyzed the anticipated impacts that would occur to the biological resources of the Planning Area as a result of the future urban development that was contemplated by the General Plan, including the development of the proposed project site. It was recognized that continued development in the City and in the region could directly and indirectly affect biological resources, and the development of natural areas could cause loss of wildlife habitats or plant communities. The implementation of the proposed General Plan Update would contribute incrementally to the cumulative loss of native plant communities, wildlife habitat values, special-status species and their potential habitat and wetland resources in the western Placer County region, and the growth and urbanization of the City of Rocklin and other communities in western Placer County cumulatively contribute to the loss of these resources. The ~~proposed~~ General Plan Update and its associated project components, along with other development in the region, would result in adverse impacts on special-status species, biologically sensitive habitat, native oak trees, heritage trees and oak woodland, and jurisdictional features (wetlands and waters of the U.S.)(City of Rocklin General Plan Update Draft EIR, 2011, pages 4.10-1 through 4.10-47). Mitigation measures to address these impacts are incorporated into the General Plan in the Open Space, Conservation and Recreation Element, and include policies that encourage the protection and conservation of biological resources and require compliance with rules and regulations protecting biological resources, including the City of Rocklin Oak Tree Preservation Ordinance. Implementation of these policies would ensure that impacts to special-status species are mitigated by requiring replacement of habitat lost as well as maintenance of special-status species viability. However, complete offset of the habitat loss in the City cannot be ensured in every circumstance. The City specifically noted that balancing the needs of the City may result in some modification of existing undeveloped land and natural resources.

The above change is for clarification purposes and does not alter any of the conclusions included in the Draft EIR.

- 8) To reflect that the City's Level of Service (LOS) policy is specific to only the p.m. peak hour, the following changes are hereby made to the Transportation/Traffic chapter on page 4.5-9:

Intersections

Intersections analyzed in the traffic study are under the jurisdiction of two public agencies: the City of Rocklin and Caltrans. Impacts to the roadway system are considered significant if the traffic generated by the proposed project would cause any study location LOS operations to deteriorate past the identified LOS thresholds or if any of the following criteria are met:

Cause intersection operations to deteriorate to levels below the **p.m. peak hour** LOS C threshold (based on General Plan Policy C-10). If an intersection already operates below the LOS standard, an impact is considered significant if the proposed project would cause intersection operations to deteriorate by volume-to-capacity increases of at least 0.05, or average delay increases of at least 5 seconds for highway ramp intersections and unsignalized intersections.

Based on the City's significance threshold identified above, if an intersection is already operating at an unsatisfactory level of service **in the p.m. peak hour**, an increase of 5 percent (addition of 0.05) to the v/c ratio would be considered a measurable worsening of the intersection operations and therefore would constitute a significant project impact. If an unsignalized intersection is already operating at unsatisfactory LOS, then the addition of more than 5 percent of the total traffic at the intersection would be considered a significant project impact. The City has determined, based on the expert opinions of the City's traffic consultants and the City's traffic engineering staff that a 5 percent threshold is appropriate in determining that a measurable adverse change has occurred to an intersection. This threshold applies even where project traffic will be added to existing or projected conditions that are already unacceptable or are projected to be unacceptable under cumulative conditions without the project. To mitigate a significant impact at an intersection over the LOS threshold, the project's direct incremental impact must be mitigated.

The above changes are for clarification purposes and do not alter any of the conclusions included in the Draft EIR.

- 9) To reflect that the City's Level of Service (LOS) policy is specific to only the p.m. peak hour, the following changes are hereby made to the Transportation/Traffic chapter on page 4.5-10:

Level of Service (LOS) Thresholds

Consistent with the City of Rocklin (General Plan Policy C-10) and Caltrans policies (Interstate 80 and Capital City Freeway Corridor System Management Plan), this analysis will consider LOS "C" as the standard acceptable threshold for all City of Rocklin signalized and unsignalized intersections **in the p.m. peak hour** and LOS "E" for all freeway mainline segments and all ramp intersections with the freeway mainline.

The above changes are for clarification purposes and do not alter any of the conclusions included in the Draft EIR.

- 10) To reflect the correct word, the following change is hereby made to the fourth sentence of the Selection of Alternatives discussion in the Alternatives Analysis chapter on page 6-3:

Selection of Alternatives

The requirement that an EIR evaluate alternatives to the proposed project or alternatives to the location of the proposed project is a broad one; the primary intent of the alternatives analysis is to disclose other ways that the objectives of the project could be attained while reducing the magnitude of, or avoiding, the environmental impacts of the proposed project. Alternatives that are included and evaluated in an EIR must be feasible alternatives. However, the Public Resources Code and the CEQA Guidelines direct that the EIR needs to "set forth only those alternatives necessary to permit a reasoned choice." The CEQA Guidelines provide definition for "a range of reasonable alternatives" and, thus, limit the number and type of alternatives that may need to be evaluated in a given EIR. According to the CEQA Guidelines section 151265.6(f), "The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determined could feasibly attain most of the basic objectives of the project."

11) To reflect the project applicant's and property owner's correct names, the following changes are hereby made to the Appendix A (Notice of Preparation and Initial Study) on page A-12:

APPLICANT/OWNER:

The applicant is ~~Ezralow Company LLC~~ and the property owners are Rocklin Sierra Apartments II, LLC ~~Richard and Melba Resch~~.

The above changes are for clarification purposes and do not alter any of the conclusions included in the Draft EIR.

12) To reflect the project applicant's and property owner's correct names, the following changes are hereby made to the Appendix A (Notice of Preparation and Initial Study) on page A-15:

Project Sponsor's Name:

The applicant is ~~Ezralow Company LLC~~, and the property owners are Rocklin Sierra Apartments II, LLC ~~Richard and Melba Resch~~.

The above changes are for clarification purposes and do not alter any of the conclusions included in the Draft EIR.

13) To reflect the project applicant's correct name, the following changes are hereby made to the Appendix C (Distribution List) on page C-2:

Applicant

• ~~Ezralow Company~~ Rocklin Sierra Apartments II, LLC

The above changes are for clarification purposes and do not alter any of the conclusions included in the Draft EIR.

4.0 MITIGATION MONITORING AND REPORTING PLAN

INTRODUCTION

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

The following is the Mitigation Monitoring and Reporting Plan (“Plan”) for the Sierra Gateway Apartments project. The Plan includes a description of the requirements of the California Environmental Quality Act and a compliance checklist. The project as approved includes mitigation measures. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Environmental Impact Report for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the applicant.

COMPLIANCE CHECKLIST

The Mitigation Monitoring and Reporting Plan (“Plan”) contained herein is intended to satisfy the requirements of CEQA as they relate to the Environmental Impact Report for Sierra Gateway Apartments project prepared by the City of Rocklin. This Plan is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this Plan were developed in the Environmental Impact Report and Initial Study prepared for the proposed project.

The Sierra Gateway Apartments project Environmental Impact Report presents a detailed set of mitigation measures that will be implemented for the project. Mitigation is defined by CEQA as a measure which does one or more of the following:

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

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

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

MITIGATION MONITORING AND REPORTING PLAN

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

**TABLE 4-1: SIERRA GATEWAY APARTMENTS
MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
Air Quality				
<p>EIR 4.3-2 Violation of Air Quality Standards</p>	<p>MM 4.3-2(a) (AIR QUALITY) - Prior to the start of any grading or construction activity, the project applicant shall include the following standard notes on all Improvement and Building Plans approved in association with this project and shall implement the notes during all grading and construction activities:</p> <ol style="list-style-type: none"> 1. No wood burning fireplaces/hearths shall be allowed. Only natural gas or propane fired fireplace appliances are permitted. These appliances shall be clearly delineated on the Building Plans submitted in conjunction with the Building Permit application. (Based on PCAPCD Rule 225, section 302.2). 2. Install Energy Efficient (Energy Star rated) appliances, including fans, refrigeration, and clothes washers and dryers in all of the apartment units. 3. Install a total of eight electric vehicle charging stations within the project site. The location of all eight charging stations shall be identified on maps provided to the City of Rocklin. In year one, all eight locations shall have conduit installed and available for installation of the charging stations. Additionally, in year one, four electric vehicle charging stations shall be fully connected and actively available to residents. At the end of year one, the applicant shall evaluate the demand for the four active charging stations and determine whether additional 	<p>City of Rocklin</p>	<p>4.3-2 (a) and (b): Prior to the start of any grading or construction activity, the applicant shall demonstrate the inclusion of the standard notes from Mitigation Measure 4.3-2 (a) and (b) on all Improvement Plans and Building Plans approved in association with the project, and shall implement the notes during all grading and construction activities.</p> <p>Annual demand evaluations regarding electric vehicle charging stations shall be submitted to the City of Rocklin until such time that all eight charging stations are fully installed and active.</p>	

**TABLE 4-1: SIERRA GATEWAY APARTMENTS
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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p>charging stations are warranted based on the demand by the residents. The evaluation shall continue annually until all eight charging stations are fully installed and active. The demand evaluation shall be based on a combination of physical observations, electric usage (i.e., bills) and resident surveys. The annual demand evaluations shall be provided to the City of Rocklin until such time that all eight charging stations are fully installed and active.</p> <p>4. Low Volatile Organic Compound (VOC) paint shall be utilized for both the interiors and exteriors of the buildings. To limit the quantity of VOCs in architectural coatings supplied, sold, offered for sale, applied, solicited for application, or manufactured for use within the PCAPCD boundaries, all projects must comply with PCAPCD Rule 218. (Based on PCAPCD Rule 218).</p> <p>MM 4.3-2 (b) (AIR QUALITY) – Prior to the issuance of a certificate of occupancy, the project applicant shall provide certification from a sustainability energy consultant that Energy Star rated fans, refrigerators, and clothes washers and dryers have been installed in all of the apartment units.</p>			

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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
Biological Resources				
EIR 4.4-1 Special- Status Species	<p>MM 4.4-1 (a) (BIOLOGICAL RESOURCES) – A pre-construction botanical survey for Big-scale balsamroot shall be conducted by a qualified botanist during the appropriate blooming period (March to June) to determine presence of absence of this species on the project site. If no Big-scale balsam root is found, no further mitigation is required. If the species is found, the botanist shall establish an approximately 10-foot buffer around the individuals and the project should avoid impacts to the plants. If avoidance is not feasible, a plan should be developed prior to the commencement of construction activities that includes measures for preserving and enhancing existing populations, creating off-site populations through seed collection or transplanted, and/or restoring or creating suitable habitat to achieve no net loss of occupied habitat or individuals. The plan should also include monitoring and reporting requirements for populations to be preserved on the project site or protected or enhanced off site. The plan shall be approved by the California Department of Fish and Wildlife (CDFW).</p> <p>MM 4.4-1 (b) (BIOLOGICAL RESOURCES) – A pre-construction survey for western pond turtle shall be conducted by a qualified biologist within 14 days prior to start of any grading or construction activities to determine</p>	<p>City of Rocklin California</p> <p>Department of Fish and Wildlife</p>	<p>4.4-1 (a): Prior to the start of grading or construction activities, the applicant shall submit documentation of a survey for Big-scale balsamroot to the City’s Public Services Department. If the survey results are negative, no further mitigation is required. If the survey results are positive, the botanist shall implement the steps specified in the mitigation measure.</p> <p>4.4-1 (b): Prior to the start of grading or construction activities, the applicant shall submit documentation of a survey for western pond turtle to the City’s Public Services Department. If the survey results are negative, no further mitigation is required. If the</p>	

**TABLE 4-1: SIERRA GATEWAY APARTMENTS
MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p>presence of absence of this species on the project site. If no western pond turtles are found, no further mitigation is required so long as construction commences within 14 days of the preconstruction survey and, once construction begins, it does not halt for more than 14 days. If western pond turtles are found, the biologist shall relocate the species to suitable habitat away from the construction zone to similar habitat outside of the construction footprint, but within the project area.</p> <p>MM 4.4-1 (c) (BIOLOGICAL RESOURCES) – The applicant/developer shall attempt to time the removal of potential nesting habitat for raptors and migratory birds to avoid the nesting season (February 1 – August 31).</p> <p>If vegetation removal and/or project grading or construction activities occur during the nesting season for raptors and migratory birds (February 1-August 31), the applicant/developer shall hire a qualified biologist approved by the City to conduct pre-construction surveys no more than 14 days prior to initiation of development activities. The survey shall cover all areas of suitable nesting habitat within 500 feet of project activity and shall be valid for one construction season. Documentation of the survey shall be provided to the City and if the survey results are negative, no further mitigation is required and necessary tree removal may proceed. If there is a break in</p>		<p>survey results are positive, the biologist shall relocate the turtles and provide documentation of such to the City.</p> <p>4.4-1 (c): Prior to the start of grading or construction activities, the applicant shall submit documentation of a survey for nesting raptors and migratory birds to the City’s Public Services Department. If the survey results are negative, no further mitigation is required. If the survey results are positive, the developer shall consult with the City and the California Department of Fish and Wildlife as detailed in the mitigation measure.</p>	

**TABLE 4-1: SIERRA GATEWAY APARTMENTS
MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p>construction activity of more than 14 days, then subsequent surveys shall be conducted.</p> <p>If the survey results are positive (active nests are found), impacts shall be avoided by the establishment of appropriate buffers. The biologist shall consult with the California Department of Fish and Wildlife (CDFW) and the City to determine the size of an appropriate buffer area (CDFW guidelines recommend implementation of 500-foot buffers). Monitoring of the nest by a qualified biologist may be required if the activity has the potential to adversely affect an active nest.</p> <p>If construction activities are scheduled to occur during the non-breeding season (September- January), a survey is not required and no further studies are necessary.</p>			
EIR 4.4-2 Wetlands and Riparian Habitat	<p>MM 4.4-2 (BIOLOGICAL RESOURCES) – Prior to any grading or construction activities, the appropriate Section 404 permit will need to be acquired for any project-related impacts to waters of the U.S. Any waters of the U.S. that would be lost or disturbed should be replaced or rehabilitated on a “no-net-loss” basis in accordance with the Corps’ mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement should be at a location and by methods agreeable to the Corps of Engineers. In association with the Section 404 permit and prior to the issuance of improvement plans, a Section 401 water</p>	<p>City of Rocklin</p> <p>U.S. Corps of Engineers</p> <p>U.S. Fish and Wildlife Service</p> <p>Central Valley Regional</p>	<p>Prior to any grading or construction activities, the applicant shall submit documentation to the Public Services Department that they have obtained an Army Corps of Engineers Section 404 permit, a Regional Water Quality Control Board Section 401 water quality certification,</p>	

**TABLE 4-1: SIERRA GATEWAY APARTMENTS
MITIGATION MONITORING PLAN**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p>quality certification from the Regional Water Quality Control Board shall be obtained. All terms and conditions of said permits shall be complied with.</p> <p>If it is determined through consultation efforts between the U.S. Corps of Engineers and the U.S. Fish and Wildlife Service (USFWS) that a Biological Opinion is required, the applicant shall obtain one and all terms and conditions of the Biological Opinion shall be complied with.</p> <p>For potential impacts to riparian habitat, the project shall obtain a Section 1600 Streambed Alteration Agreement (SAA) from the California Department of Fish and Wildlife and all terms and conditions of the SAA shall be complied with.</p> <p>Prior to any grading or construction activities, the applicant shall submit documentation to the City of Rocklin that they have obtained an Army Corps of Engineers Section 404 permit, a Regional Water Quality Control Board Section 401 water quality certification, a California Department of Fish and Wildlife Section 1600 Streambed Alteration Agreement, and if applicable, a United States Fish and Wildlife Service Biological Opinion. The applicant shall also demonstrate to the City of Rocklin that they have implemented habitat restoration, rehabilitation, and/or replacement as stipulated in their</p>	<p>Water Quality Control Board</p>	<p>and if applicable, a USFWS Biological Opinion and California Department of Fish and Wildlife Section 1600 Streambed Alteration Agreement. The applicant shall also demonstrate that they have implemented habitat restoration, rehabilitation, and/or replacement as stipulated in their Section 404 permit. The applicant shall also demonstrate how they have, or intend to, comply with the terms and conditions of the Section 404 permit, the Section 401 water quality certification, and if applicable, the Biological Opinion and the Section 1600 Streambed Alteration Agreement.</p>	

**TABLE 4-1: SIERRA GATEWAY APARTMENTS
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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p>Section 404 permit. The applicant shall also demonstrate to the City of Rocklin how they have complied with the terms and conditions of the Section 404 permit, the Section 401 water quality certification, the Section 1600 Streambed Alteration Agreement, and if applicable, the Biological Opinion.</p>			
<p>EIR 4.4-4 Oak Tree Removal</p>	<p>MM 4.4-4 (BIOLOGICAL RESOURCES) - Prior to the issuance of improvement plans or grading permits, the applicant shall:</p> <p>1) Clearly indicate on the construction documents that oak trees not scheduled for removal will be protected from construction activities in compliance with the pertinent sections of the City of Rocklin Oak Tree Preservation Ordinance.</p> <p>2) Mitigate for the removal of oak trees on the project site consistent with the requirements of the City's Oak Tree Preservation Ordinance (Rocklin Municipal Code Section 17.77.080.B). The required mitigation shall be calculated using the formula provided in the Oak Tree Preservation Ordinance and to that end the project arborist shall provide the following information:</p> <ul style="list-style-type: none"> • The total number of surveyed oak trees; • The total number of oak trees to be removed; • The total number of oak trees to be removed that are to be removed because they are sick or dying, 		<p>Prior to any grading or construction activity, the applicant/developer shall prepare, subject to approval by the City's Community Development Director, an oak tree mitigation plan which incorporates the steps noted in the mitigation measure, including payment of necessary fees into the City's Oak Tree Mitigation Fund.</p>	

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	<p>and</p> <ul style="list-style-type: none"> • The total, in inches, of the trunk diameters at breast height (TDBH) of all surveyed oak trees on the site in each of these categories. <p>3) The protection of oak trees not scheduled for removal shall comply with the pertinent sections of the City's Oak Tree Protection Guidelines.</p>			

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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
Cultural Resources				
Initial Study V.-1 Cultural Resources	MM V.-1 (CULTURAL RESOURCES) If an inadvertent discovery of cultural materials (e.g., unusual amounts of shell, charcoal, animal bone, bottle glass, ceramics, burned soil, structure/building remains) is made during project-related construction activities, ground disturbances in the area of the find shall be halted and a qualified professional archaeologist, the City's Environmental Services Manager and the Native American Heritage Commission shall be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant as per CEQA (i.e., whether it is a historical resource, a unique archaeological resource, or a unique paleontological resource) and shall develop specific measures to ensure preservation of the resource or to mitigate impacts to the resource if it cannot feasibly be preserved in light of costs, logistics, technological considerations, the location of the find, and the extent to which avoidance and/or preservation of the find is consistent or inconsistent with the design and objectives of the project. Specific measures for significant or potentially significant resources would include, but are not necessarily limited to, preservation in place, in-field documentation, archival research, subsurface testing, and excavation. The specific type of measure necessary would be determined according to evidence indicating degrees of resource integrity, spatial and temporal extent, and	City of Rocklin Native American Heritage Commission Placer County Coroner	If evidence of undocumented cultural resources is discovered during grading or construction operations, ground disturbance in the area shall be halted and a qualified professional archaeologist, the City's Environmental Services Manager and the Native American Heritage Commission shall be notified regarding the discovery. Other procedures as specifically noted in the mitigation measure shall also be followed and complied with.	

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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
	<p>cultural associations, and would be developed in a manner consistent with CEQA guidelines for preserving or otherwise mitigating impacts to archaeological and cultural artifacts.</p> <p>In the event of the inadvertent discovery or recognition of any human remains, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains, until compliance with the provisions of Sections 15064.5 (e) (1) and (2) of the CEQA Guidelines, as well as Public Resources Code Section 5097.98, has occurred. If any human remains are discovered, all work shall stop in the immediate vicinity of the find and the County Coroner shall be notified, according to Section 7050.5 of the California Health and Safety Code. The City's Environmental Services Manager shall also be notified. If the remains are Native American, the Coroner will notify the Native American Heritage Commission, which in turn will inform a most likely descendant. The descendant will then recommend to the landowner appropriate disposition of the remains and any grave goods, and the landowner shall comply with the requirements of AB2641 (2006).</p>			

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Noise				
Initial Study XII.-1 Noise	MM XII.-1 (NOISE) The 2 nd and 3 rd floor windows of the first row of buildings facing Sierra College Boulevard shall include windows with a minimum STC rating of 32 (this only applies to the building facades which are parallel to Sierra College Boulevard). As an alternative, the applicant can have a professional acoustical engineer calculate interior noise levels when construction plans, floor plans and building elevations are available.	City of Rocklin	Prior to the issuance of building permits, the applicant shall demonstrate on their building plans that the 2 nd and 3 rd floor windows of the first row of buildings facing Sierra College Boulevard are fitted with windows with a minimum STC rating of 32. Alternatively, once construction plans, floor plans and building elevations are available the applicant can have a professional acoustical engineer calculate interior noise levels and submit a report to the City demonstrating compliance with the City's interior noise level standard.	

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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-off</i>
Transportation/Traffic				
<p>EIR 4.5-8 Conflict with Level of Service Policy</p>	<p>MM 4.5-8 (TRANSPORTATION/TRAFFIC) The proposed project will be subject to the payment of applicable Traffic Impact Mitigation (TIM) fees, South Placer Regional Transportation Authority (SPRTA) fees and Highway 65 Interchange Improvement fees as applicable on a fair share basis; however, payment of these fees alone will not fund the necessary improvements that are needed to remedy the anticipated cumulative unacceptable levels of service at the Rocklin Road/I-80 interchange. While the City has policies and traffic impact fees currently in place that are expected to help reduce impacts to freeway ramp intersections, the City does not have the complete jurisdiction or authority, would not be the sole source of funding and does not have the capability to fund implementation of any of the identified alternative improvements to the highway ramp intersections. Since mitigation of this impact is outside of the City’s control, the impact is considered to be significant and unavoidable.</p>	<p>City of Rocklin</p>	<p>Prior to the issuance of Building Permits, the applicant shall pay the appropriate Traffic Impact Mitigation (TIM), South Placer Regional Transportation Authority (SPRTA) and Highway 65 Interchange Improvement fees.</p>	