

164-95 Cont	4.7-33	4.7I-1	second sentence references the "Historical Properties Management Plan". This plan is not complete as specified on page 4.7-31. How can an assessment of the impact be done without having the completed plan or without the ability for the public to review the plan. Are we just supposed to trust the city and the developer. I don't think that is what this process is about. The EIR process is about transparency and not secrecy. Impact should be changed to unknown but potentially significant.	inconsistency
164-96	4.7-34	Mitigation Measures	Where is the data to back up the assertions in these mitigation measures which would reduce the impact to less-than significant. There are no example of other similar developments which used these mitigation measures with great success. Page 4.7-9 specifically states that one site had been "severely disturbed by excavation". Just this note shows that excavation is a great concern to people studying this historical data and can greatly limit the future use of this data.	omission
164-97	4.7-34	Mitigation Measures	How can the mitigation measures have a less than significant impact when the impacts in this areas are based upon no presented analysis, a secret report that is not yet finished and a section 206 analysis that was not presented. The impact is currently unknown and therefore mitigation measures cannot be assessed.	faulty logic
164-98	4.7-37	Mitigation Measures	There is no evidence presented that the mitigation measures will work or have worked at other sites with the same type of geology. How can a determination be made with no evidence to support the claims. I'm sure that many experts can be found to dispute these mitigation measures. As the gentlemen at the meeting said, there is no way to mitigate disturbing this site once the bulldozers start moving.	omission
164-99	4.7-40	Cumulative Impacts	The conclusion of "less than significant" is based on the misleading information and statements not backed up by facts in the preceeding sections. The archaeological impact is currently unanalyzed, unknown and needs more study. The mitigation measures are not backed up by any evidence they actually work. The current impact is unknown and potentially significant.	faulty logic
164-100	4.7-8	Paragraph 2	Reference to a "proposed nature reserve" is mentioned here. The locaiton of this nature reserve is never discussed. Please include more specifics about this preserve.	omission
164-101	4.8-1,51	General Comment	Impacts on wildlife due to projected blasting in section 4.9 were not addressed.	omission
164-102	4.8-2	Vegetation	Section is missing 35% of land. This section has four subsections; Grassland, Woodland, Riparian Wetlands and Seasonal Wetlands. The total percentage of these four areas is 65% (30+29+3+3) which leaves 35% unaccounted.	omission

164-103	4.8-44	4.8I-10	Missing the analysis for raptor population in clover valley. The Raptors were not listed in the endangered or protected species list but do fall under a protection of their own. The impact is assessed as potentially significant without presenting any information as to the number of raptors impacted by this development. The only mention of raptors is on page 4.8-3 in Grassland Habitat where the sentence, "Rodents in the grassland are prey items for red-tailed and red-shouldered hawk, great horned owl,, and other predators". It appears as though a significant raptor population is present in clover valley. More analysis is required before making a determination of the impact severity.	omission
164-104	4.8-44	4.8MM-10(a)	Mitigation measure is to conduct the survey. I disagree, the impact must be determined prior to EIR approval and the survey must be complete prior to EIR approval	process
164-105	4.8-45	4.8MM-10cd	If trees with nests are to be removed then the impact cannot be classified as less-than-significant. Birds tend to re-use nests year after year. The study must be completed as part of the EIR. The level of impact cannot be assessed prior to completion of the study.	process
164-106	4.8-47	second paragraph	This paragraph states the VELB analysis for the off-site sewer has not yet been completed. This should be completed prior to approving the EIR. In addition, any other off-site sewer related habitat destruction should be studied as well.	process
164-107	4.8-50	4.8MM-12	Pond turtle study should be completed prior to approval of the EIR. The level of impact is unknown until the study is completed. Removal of the turtles from their native habitat is not presented as a viable alternative.	process
164-108	4.8-51	4.8MM-13	march occupying bird study should be completed prior to approval of the EIR. The level of impact is unknown until the study is completed. Monitoring may not be enough to mitigate the impact.	process
164-109	4.9-1,end	General Comment	Most impacts were listed as potentially significant mainly due to the fact that mitigation could be applied. This is inconsistent with the use of potentially significant in the biological resources section, 4.8, where potentially significant was used when the impact could be significant but was not fully studied. I believe the proper classification here in Geology should be significant in all sections because the impact is well known and can be determined. Without mitigation the impact is significant as defined in .4.9-6	misleading
164-110	general		Volume Two was not available for review at the fifth street Rocklin Library	process

LETTER 164 SCHIMANDLE, JOHN (MARCH 6, 2006)

Response to Comment 164-1

Throughout the DEIR, “potentially significant” is the phrase utilized when impacts would be significant prior to mitigation. Upon application of mitigation, the impacts are mitigated to a less-than-significant level. “Significant” impacts are those that cannot be mitigated below the threshold of significance.

Response to Comment 164-2

See Response to Comment 72-17 and 87-12 regarding mitigation measures. Mitigation Measure 4.5MM-2(d) was modified in Response to Comment 2-9. Under this mitigation measure, fees to offset project impacts would be set after accounting for the effectiveness of on-site measures.

Response to Comment 164-3

The mitigation measures which require additional studies were included to ensure that studies are up-to-date and accurate. Conducting studies prior to construction will present the City with a more accurate view of what is actually on site. For example, the location of active nest sites. In addition, prior to the FEIR several additional biological studies were conducted, see Section 2 of Master Response 8 - Biological Resources.

Response to Comment 164-4

The residential-agricultural to north and east is addressed for compatibility purposes on page 4.2-14 of the Land Use chapter. It should also be noted that sensitive receptors are not immediately adjacent to the project site to north, and that all sensitive receptors to the east, with exception of one, are located on the eastern side of Sierra College Boulevard. See Master Response 3 – Aesthetics.

Response to Comment 164-5

While the DEIR attempted to address all pertinent NOP comments, the DEIR is not required to do so with comments not from responsible agencies, trustee agencies, and federal agencies. Per CEQA Guidelines section 15375, “the purpose of the notice is to solicit guidance from those agencies as to the scope and content of the environmental information to be included in the EIR.” “Pertinent” comments are not defined in CEQA statutes or guidelines; the lead agency for the project, the City of Rocklin, made the determination of which comments were relevant to the analysis of environmental impacts and incorporated those comments as appropriate.

Response to Comment 164-6

This comment states that the proposed project would eliminate low-density zoning and replace it with high-density zoning. While the commenter is correct that the new equivalent of RD-1 zoning (PD 1.0-1.4) is eliminated, it should be noted that the equivalents of RD-1.5, 2, 2.5, and 3

(PD 1.5-1.9, 2.0-2.4, 2.5-2.9, and 3.0-3.9), which are also considered low-density residential, have not been eliminated. PD 4.0-4.3, which is considered medium-density, has been substantially decreased from 129 units to 46 units. See Section 2 of Master Response 2 – Land Use.

Response to Comment 164-7 through 164-10

The photos in the EIR primarily focus on views from within the project site, since the site is private property and the public thus is not as familiar with those views. While additional photographs could be helpful, the public and the decision-makers are more familiar with views of the project site from publicly-accessible locations outside the site. The RDEIR contains sufficient information to adequately inform the public and decision-makers about the environmental effects of approving the project. See Master Response 3 – Aesthetics and Section 2 of Master Response 2 – Land Use.

Response to Comment 164-11

See Response to Comments 2-9, 2-10. This comment does not provide a comment on specific mitigation measures to which to respond, but it should be noted that many of the mitigation measures in the Air Quality chapter are provided by the Placer County Air Pollution Control District.

Response to Comment 164-12

The comment remarks on the multiple attainment dates for the Placer County Air Pollution Control District and notes that the project would contribute to poor air quality and nonattainment. However, the comment does not address the adequacy of the DEIR.

Response to Comment 164-13

Mitigation measures 4.5MM-2(a) through (c) provide opportunities for reduced air pollution. In addition to these measures, the applicant would be required to prove compliance with other measures as outlined in Mitigation Measure 4.5MM-2(d) and (e).

Response to Comment 164-14

Mitigation Measure 4.5MM-2(d) includes provisions to help encourage the use of energy efficient and low-polluting equipment, as described by the commenter.

Response to Comment 164-15

One of the purposes of an EIR is describe any potentially significant changes in the environment from baseline conditions. Changes in the environment can affect existing receptors in the project vicinity, or receptors introduced to the project area by buildout of the proposed project. The noise chapter addresses both the impacts to existing residences (see Impacts 4.6I-1, 5, 7) and to proposed residences (see Impacts 4.6I-2-4, 6, and 8). An EIR must address impacts to existing or

proposed uses in order to adequately address the effects of environmental change brought about by the proposed project.

Response to Comment 164-16 and 164-17

A listing of the cultural resources within the Clover Valley project site is provided in Table 4.7-2. Additional information regarding the archeological sites in the project area is withheld for concerns related to the safety and integrity of those sites. The comment notes that conclusions are faulty and misleading. Because this comment is general in nature and does not specify which conclusions are faulty and misleading, and why, this comment cannot appropriately be addressed. See Master Response 7 – Cultural Resources.

Response to Comment 164-18

See Master Response 8 – Biological Resources.

Response to Comment 164-19

The comment requests a graphical presentation of water supply versus demands. Table 4.12-2, Water Supply Entitlements and Demands, presents water supply versus demand, with the surface water availability for future demand clearly provided.

Response to Comment 164-20

The comment notes that an NOP comment which asked about the potential for increased crime due to the introduction of the project to the area was not addressed in the DEIR. The comment addresses issues beyond the scope of the California Environmental Quality Act. Many other factors come into play when determining increases or decreases in crime. For example, statewide sentencing guidelines, the national and local economy, the level of community involvement, the nature of the surrounding communities, the willingness of victims to report crime, and the demographics of the local population (including age and gender) are other significant issues to consider. The inter-relationship of these and many other factors often impact crime patterns in unpredictable ways.

The increase in the number of local residents could be a potential cause of increased crime, should it occur. However, while a relationship exists between the number of crimes in a city and its population, it is premature to conclude that a significant increase in population alone will account for a significant increase in crime. With any increase in population, a commensurate increase in crime also likely occurs, but the magnitude of change in crime per capita is unknown.

As noted on page 4.12-36 of the DEIR, the proposed project is expected to generate the need for 1.74 officers and appropriate equipment and vehicles. It should be noted that City Council has the authority to increased Police Department funding as new staff and equipment are needed. This need is addressed as part of the budget process.

Response to Comment 164-21

The comment does not address the adequacy of the DEIR, but will be forwarded to the City Council members for their consideration in the decision making process.

Response to Comment 164-22

As noted in the DEIR on page 4.2-2 of the DEIR, the project site has a history of use as ranchland but is not currently in use as agricultural property. Page 4.10-2 discusses the project site's history of orchards, grazing land, and livestock raising area. Page 1-6 of the DEIR explains that agricultural resources were not evaluated in the DEIR because the site has not been identified as prime farm or agricultural land, is not under a Williamson Act contract, and is not designated for agricultural uses by the City of Rocklin.

The project site did not trigger any potentially significant impacts to agricultural land as identified in the CEQA checklist in Appendix G of the CEQA Guidelines. The checklist asks if a project would a) Convert Prime Farmland, Unique, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; b) Conflict with existing zoning for agricultural use, or a Williamson Act contract; or c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? Past use of the site for agricultural purposes does not necessarily trigger a substantially adverse impact to agricultural resources. Because the site is not identified as significant farmland nor is under Williamson Act contract, its conversion to urban uses would not be considered significant.

Response to Comment 164-23

Paragraph 2 on page 1-3 of the DEIR does not state that previously submitted comments are not reviewed and considered, but that any previously submitted commented must be resubmitted to become part of the Clover Valley LSLTSM EIR per CEQA Guidelines section 15088.5(f)(1). As stated on page 1-3 of the DEIR, "previous comments received will be taken into consideration during the preparation of the current EIR and are part of the administrative record."

Additionally, the comment asks what this section states; the section is quoted in full on the same page.

Response to Comment 164-24

See Response to Comment 164-22.

Response to Comment 164-25

The comment states that maintaining the rural character of Clover Valley was not discussed in the Aesthetics chapter. However, Impact 4.3I-1 discusses degradation of the visual character of

the project site or off-site areas due to construction, Impacts 4.3I-2 through 4.3I-6 discuss impacts to viewers from various vistas surrounding the project site, Impact 4.3I-7 discusses visual impacts to the Clover Valley and Antelope Creek riparian corridors, Impact 4.3I-8 discusses impacts to wooded hillsides, Impact 4.3I-9 discusses impacts to historic stone walls, and Impact 4.3I-11 addresses visual impacts related to introduction of signage to the area. In addition, Impact 4.3I-10 addresses impacts related to light and glare. In combination, these impact discussions generally address the change in the rural character of the site, which includes loss of vegetation due to grading, impacts to wooded hillside and stone walls found in rural areas, the addition of signage and lighting to the project area which contributes to an urban feel.

Response to Comment 164-26

The comment states that land use incompatibilities between proposed uses on the project site and residential uses to the north and east were not addressed in the DEIR. Paragraph 3 on page 4.2-14 of the DEIR discusses potential land use conflicts between the project's proposed uses and rural residential/agricultural uses to the north and east. These conflicts were found to be less-than-significant because the land to the north and east is within the City Sphere of Influence and has low-density residential land use designations.

Response to Comment 164-27

The fifth bullet under Transportation and Circulation on page 1-10 suffices to generally summarize the commenter's NOP comment regarding construction traffic from roadway project: "Cumulative traffic and impacts to county roadways from construction traffic."

Response to Comment 164-28

Long-term operational impacts to riparian and seasonal wetland habitat are discussed in Impact 4.8I-5. Construction-related disturbance of oak trees that damages oak trees and could lead to die-off is discussed in Impact 4.8I-2. Oak trees outside of the construction areas and easements are expected to remain part of the ongoing oak woodland habitat.

Response to Comment 164-29

See Section 6 of Master Response 8 – Biological Resources

Response to Comment 164-30

Potential pollution to Clover Valley Creek is adequately addressed in RDEIR section 4.11 Hydrology and Water Quality by means of a number of mitigation measures. Mitigation Measure 4.11MM-5(a) requires installation of a storm water treatment system for each storm drain outfall that includes a filter capable of removing dissolved pollutants. Measure 4.11MM-5(c) lists eleven illustrative best management practices that could be employed to reduce pollution. Measure 4.11MM-5(d) requires annual water quality monitoring at the upstream and downstream edges of the development. Monitoring includes biological monitoring of species and the overall toxicity of the Creek to living organisms. Mitigation measure 4.11MM-5(e) establishes the

funding mechanism for maintenance and establishes the ultimate standard to which water quality shall be held: i.e., “no net change in water quality due to water entering Clover Valley Creek from the project site.”

Response to Comment 164-31

The comment states that the Cultural Resources chapter did not include a discussion of unknown cultural resources on the project site. Impact 4.7I-4 addresses the “inadvertent discovery of unknown prehistoric or historic cultural resources, or the discovery of human remains, due to construction,” and mitigates this impacts to a less-than-significant level with implementation of Mitigation Measures 4.7MM-4(a) and (b). Impact 4.7I-3 discusses a potential increase in vandalism and artifact collecting of known or unknown cultural resources as a result of additional residences in the project area. This impact would be mitigated to a less-than-significant level with implementation of Mitigation Measure 4.7MM-3(a) and (b).

CEQA does not require an EIR to include the statistical likelihood of additional artifacts being found.

Response to Comment 164-32

Sedimentation and silt buildup are addressed in the Hydrology and Water Quality chapter than in the Geology chapter. Therefore, page 1-11 through 1-12 of Chapter 1 in the DEIR is hereby amended to read as follows:

Geology:	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Sedimentation and silt build-up; • The potential for landslides and erosion; • The grading/amount of “cut and fill.”
Hazards and Hazardous Materials:	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Wildland fires; • Construction related hazardous.
Hydrology and Water Quality:	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • <u>Sedimentation and silt build-up;</u> • Water quality, drainage, erosion, and flood impacts; • Pesticides impacting water supply; • The recommended review of local detention needs; • The quality of the creek, sedimentation, flooding, and runoff; • Groundwater contamination from Clover Valley development; • Size, operation and maintenance of detention ponds; • The City’s Phase II Stormwater permit(s) and required ordinances.

This revision does not result in any changes to the environmental analysis of the DEIR.

Response to Comment 164-33

The comment states that the development of sound walls was not discussed in the Noise chapter. The Noise chapter includes mitigation using sound walls in Mitigation Measures 4.6MM-4 and 4.6MM-8.

Response to Comment 164-34

See Response to Comment 164-20.

Response to Comment 164-35

The comment states that Mitigation Measure 4.10MM-4 should include the abandonment on the possible agricultural well on the project site. That well is included in the mitigation measure, which states that “ a licensed well drilling contractor shall abandon the on-site *groundwater wells* in accordance with State regulations” [emphasis added].

Response to Comment 164-36

In determining significance, the EIR presumes that sediment is a potential occurrence as it is likely. However, sedimentation is not anticipated to occur with complete certainty, hence the use of the phrase “*if* the proposed detention basins fill with sediment [. . .]” [emphasis added].

Response to Comment 164-37

The impact is considered potentially significant because it would be significant without implementation of the specified mitigation. The mitigation measures identifies the performance standards and process that would need to be met, so the mitigation is not considered deferral.

In addition, see Section 1 of Master Response 11 – Hydrology and Water Quality.

Response to Comment 164-38

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

Response to Comment 164-39

The comment is correct. The last paragraph on page 4.11-7 is hereby amended to read as follows:

This ordinance prohibits the discharge of any materials or pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater, into the municipal storm drain system or watercourses. Examples of materials that are ~~not~~ prohibited under this ordinance include the following:

This revision does not result in a change to the environmental analysis in the DEIR.

Response to Comment 164-40

The public services evaluated were chosen in consultation with the City of Rocklin, and medical and dental services are not typically evaluated within a Public Services EIR chapter; however, this comment will be forwarded to the City Council members for their consideration during the decision making process.

Response to Comment 164-41

The comment does not address the adequacy of the DEIR, but will be forwarded to the City Council members for their consideration in the decision making process.

Response to Comment 164-42

The comment states that because impacts related to the off-site sewer are considered significant in another section, the Impact 4.12I-2 titled “Increased demand for wastewater disposal and conveyance” should also be considered significant. It should be noted that, as stated in paragraph 1 under Impact 4.12I-2 on page 4.12-33, specific environmental impacts resulting from construction of the off-site sewer line are discussed separately in the relevant chapters of the DEIR. The specific impact related to increased demand for sewer disposal and conveyance is not considered to be significant because the off-site sewer would be constructed as part of the proposed project, and the South Placer Municipal Utility District has indicated that it can serve Rocklin’s future wastewater treatment needs, having just completed a new wastewater treatment facility.

Response to Comment 164-43

See Response to Comment 164-20.

Response to Comment 164-44

The DEIR addresses the construction and operational impacts of the proposed project, while the fuel management plan addresses how to maintain fuel safety standards after buildout of the project. Therefore, the fuel management plan would not have impacts beyond those which were addressed in the DEIR. See also Response to Comment 43-236.

Response to Comment 164-45

See Response to Comment 164-21.

Response to Comment 164-46 through 164-49

See Section 1 of Master Response 12 – Public Utilities and Services.

Response to Comment 164-50

See Response to Comment 8-9.

Response to Comment 164-51

The commenter is correct that Land Use policy 13 is “to establish residential design standards, especially for hillside and other unique areas,” and that the project would have significant and unavoidable impacts to the hillsides. Impact 4.3I-8 in the Aesthetic chapter address impacts to wooded hillsides and finds this impact significant and unavoidable. Mitigation included to reduce the magnitude of the impact would require the applicant to prepare Small Lot Design Guidelines which would include delineation of driveway access, methods of site development and grading, landscaping guidelines, and a maintenance plan for areas of preserved existing oaks.

Response to Comment 164-52

See Section 2 of Master Response 2 – Land Use.

Response to Comment 164-53

Land Use Policy 17 is “to promote and renew as needed, the Pacific Street, Rocklin Road, Sunset Boulevard, and Granite Drive business districts to provide diversified business opportunities.” This policy is inapplicable to the proposed project.

Response to Comment 164-54

Residential uses are compatible with adjoining residential uses. See Section 2 of Master Response 2 – Land Use.

Response to Comment 164-55

Although the project would result in significant, project-specific impacts to wetlands, sensitive-status species, and oak trees, the project is still consistent with Open Space Policies 1, 2, and 4 because it includes the preservation of 366 open space acres. Policies 1, 2, and 4 “encourage” the protection of natural resources and oak trees, and require development to provide usable yard areas outside of conservation easements or open space buffers. The project does these things; thus, even though significant impacts occur to these resources, the project still complies with the intent of the policies by protecting a substantial amount of natural resources and oak trees.

Response to Comment 164-56

This mitigation measure is a standard measure commonly used to address incompatibilities between residential and agricultural uses. Although the mitigation is generally considered effective to reduce the potential impacts, the comment will be forwarded to the City Council members for consideration during their decision making process.

Response to Comment 164-57

The comment is correct. Page 4.2-2 is hereby amended to read as follows:

The City of Rocklin General Plan land use designations for the project site include Low-Density Residential (LDR), Medium Density Residential (MDR), Retail Commercial (RC) for a small area adjacent to Sierra College Boulevard, Public/Quasi-Public (PQP), and Recreation/Conservation (R-C) (see Figure 3-12 3-7, Existing Land Use Designations, in Chapter 3 of this Draft EIR). The City of Rocklin General Plan defines these land use designations as follows:

This revisions does not result in a change in the environmental analysis of the DEIR.

Response to Comment 164-58

This commenter states the City's Medium Density Residential (MDR) land use designation allows 4-8 dwelling units per acre, while the RD-4 zoning classification only allows up to 4 units per acre. This is not an inconsistency between land use and zoning designations because the General Plan depicts land uses with a range of densities, while the zoning applied, specifies exactly how many units per acre are allowed.

Response to Comment 164-59

The commenter states that the DEIR does not indicate outside Table 4.2-3 that the project density has increased. However, the last paragraph on page 4.2-6 under Table 4.2-3 states that the table "indicates that the 275 larger lots in the RD-1 zone would be eliminated under the proposed project. The majority of the lots would remain around 3 units per acre, although under the proposed project the density in this zone would allow up to 3.9 units per acre." The density was increased to accommodate more open space uses, which increased from 69.91 acres to 366 acres; for this reason, and because the project still includes fairly low density single-family housing, the increased density was not considered substantial.

Response to Comment 164-60

The comment states that the PD zoning designations should be defined. The paragraph immediately preceding the table in which the PD classifications appear define the designations: "The PD designations [. . .] would allow the development of the number of residential units per acre as specified by the number after the PD designation (i.e., PD 1.0-1.4 would allow 1.0 to 1.4 units per acre). Minimum and average lot sizes are shown in Figure 3-15 [. . .]."

Response to Comment 164-61

See Response to Comment 164-26.

Regarding the illustration of homes to the north and east on project area maps, maps of the project area do not typically show off-site homes; this was not an exclusion of homes just to the north and east.

Response to Comment 164-62

The commenter asserts that no photographic evidence is included to support the claim that the southern part of the valley is visible to immediately adjoining residences at the existing subdivision to the east as well as adjacent range residences and that the entire valley is visible. The commenter's observations are based upon his experience hiking the area, while the observations in the DEIR are based upon the views from the residences themselves. The difference in perspective of that of a hiker on foot and that of views from a house may account for this difference. However, this detail does not change the conclusions reached in Impact 4.3I-1, as this impact is found to be potentially significant. The suggested mitigations would reduce this impact, however, the impact would remain at a significant and unavoidable level.

Response to Comment 164-63

The comment states that the mitigation measure does not provide any mitigation for the degradation of the visual character of the project site or off-site construction areas. The mitigation measure provides revegetation of graded and filled areas following construction work. Because vegetation is a component of the visual character of this project site, this mitigation measure would help to reduce impacts. However, as noted on page 4.3-12, this impact is not considered to reduce the impacts to below the significance threshold. Impacts to the visual character of the site would remain significant and unavoidable.

Response to Comment 164-64

The proposed project's density is considered "low density" by City zoning; thus, while the homes to the north and east may not be exactly the same density as the proposed project homes, the project is considered to be generally visually consistent. In addition, as stated in paragraph two under Impact 4.3I-4 on page 4.3-14, visual consistency in residential design would also be implemented through the City review process.

Response to Comment 164-65

See Response to Comment 164-64.

Response to Comment 164-66

This comment does not address the adequacy of the EIR.

Response to Comment 164-67

The comment states that the proposed project would be inconsistent with Clover Valley Woods to the south, which may have 1.0-1.9 houses per acre. Although the Clover Valley Woods

development may have larger lot sizes than the proposed project, the developments are still considered generally consistent because they are both “low-density single-family residential” uses. In addition, as stated in paragraph two under Impact 4.3I-4 on page 4.3-14, visual consistency in residential design would also be implemented through the City review process.

Response to Comment 164-68

Because both Clover Valley Creek and Antelope Creek are riparian corridors that could be impacted visually from the proposed project both on-site and off-site, the impact discussion and mitigation measures are general to both riparian systems.

Response to Comment 164-69

See Response to Comment 164-64.

Response to Comment 164-70

See Response to Comment 164-66

Response to Comment 164-71

The comment is correct. Therefore, the last sentence in paragraph two on page 4.3-18 of the DEIR is hereby amended to read as follows:

Therefore, the impact of the proposed project would be considered ~~potentially~~ significant.

Additionally, Table 2-1 will also be revised to reflect that this impact is significant, not potentially significant.

These revisions do not result in any changes to the environmental analysis in the DEIR.

Response to Comment 164-72

The comment states that Mitigation Measures 4.3MM-8(a) and (b) do not mitigate the impact to wooded hillsides and should be removed. However, the mitigation measures reduce some of the visual impacts to the project site’s wooded hillsides with measures such as 4.3MM-8(b), which allows grading only to the extent necessary for roadway and utility infrastructure, and methods to reduce the height and visual impact of cuts/fills. The addition of the mitigation measures serve to reduce the magnitude of the impact, but do not reduce the impact to a less-than-significant. As noted on page 4.3-18, the impact would remain significant and unavoidable even with implementation of the mitigation measures.

Response to Comment 164-73

The comment does not state why the omission of photos from the west side of creek, from an easterly direction, or photos of the existing homes to the north and east of the site should have been included in the DEIR. Because the reason for the comment is not included the comment cannot be responded to. However, it should be noted that the photographs were chosen in consultation with the City for representative views of the project site. See also Response to Comment 164-8

Response to Comment 164-74

Rock walls are not considered to be a culturally significant resource. See responses to comments 43-47 and 123-27

Response to Comment 164-75

As noted in Table 4.3-1, residential neighborhoods typically have lighting levels of 0.1 footcandles (Fc) or less, the lowest among various uses presented in the table. Additionally, the proposed project has lower densities overall than many residential projects, so the lighting levels would be expected to be even lower than the average residential neighborhood. Thus, even with uplighting of some trees on-site, the project is not expected to result in substantial light and glare in the residential uses on the project site.

Response to Comment 164-76

The project does not currently propose signage into the development. In order to provide some degree of design control over signage that may be proposed, Mitigation Measure .43MM-11 provides that the applicant must provide a Master Signage Program, which shall be reviewed and approved by the City. Contrary to the comment's concern, this mitigation does not require the applicant to provide signage at the project access points, but only enforces design criteria for signage that may be proposed.

Response to Comment 164-77

The purpose of this map, Figure 4.3-1(a), is to provide the location of where photos were taken.

Response to Comment 164-78

The traffic analysis was based on standard accepted practices, including using the most precise local model available, the City of Rocklin Travel Demand Model, to calculate traffic volumes and trip generation, and provide roadway network assumptions.

Response to Comment 164-79

The URBEMIS-2002 program, developed to estimate emissions from new development in California, estimates residential emissions for the largest “area sources” associated with residential use. These are:

Natural Gas Fuel Combustion
Wood Stove Fuel Combustion
Fireplace Fuel Combustion
Landscaping Fuel Combustion
Consumer Products

Emissions from charcoal fires are a very intermittent and minor source, and thus not quantified by URBEMIS-2002. However, within the consumer products category, one source of emissions that is considered is the evaporation of charcoal lighter fluids, which is a source of Reactive Organic Gases.

Response to Comment 164-80

See Response to Comment 164-13.

Response to Comment 164-81

See Response to Comment 164-13.

Response to Comment 164-82

See Response to Comment 164-14.

Response to Comment 164-83

Response to Comment 2-7 revised the language on page 4.5-13 of the DEIR to omit the reference to the 40 percent reduction of emissions. The language now reads, “The City of Rocklin and Placer County APCD have identified additional measures intended to maintain and control emissions. These measures are incorporated into the following mitigation measure to maintain and control emissions.” The mitigation is therefore intended as a way to provide opportunities to reduce emissions, not to provide a specific quantitative reduction of emissions.

Response to Comment 164-84

The comment states that items from Mitigation Measure 4.5MM-2(d), such as use of electric yard maintenance equipment and solar heating or no heating for pools should be added to Mitigation Measure 4.5MM-2(e). Mitigation Measure 4.5MM-2(e) provides for reduction of PM₁₀ emissions associated only with woodburning, so maintenance and pool heating measures are inappropriate under this particular heading.

Response to Comment 164-85

Impacts to wildlife from development of the project in general are addressed in Chapter 4.8. The thresholds of significance set forth in the CEQA Guidelines Checklist identify significant noise impacts as impacts, which result in increased exposure of noise to persons or in excess of any local ordinances and regulations. Wildlife are not considered to be sensitive receptors under CEQA. Therefore, this comment does not address the adequacy of the DEIR.

Response to Comment 164-86

Because only a few scattered homes are located to north and east, the project location description in the Noise chapter omitted a reference to them. However, any nearby residences are considered sensitive receptors for the purposes of the noise analysis.

See Response to Comment 164-4.

Response to Comment 164-87

See Response to Comment 164-15.

Response to Comment 164-88

The commenter states that nearby residents should be informed of any potential blasting related to the project. It should be noted that Mitigation Measure 4.6MM-5(b) includes “public notification including the media, nearby residents, and businesses, as determined appropriate by the Rocklin Police Department.”

Response to Comment 164-89

The only noise impacts which the project could have on residences is either noise due to an increase in traffic trips or noise due to construction. Streets which may be potentially impacted by an increase in noise due to the project are analyzed under Impacts 4.6I-1 and 4.6I-7, and includes analysis of traffic on Sierra College Boulevard, which is to the east of the project site. Construction noise is addressed under Impact 4.6I-5, and this analysis applies to potential impacts on all homes which may be impacted by such noise, including homes to the north and east. Specific reference to any individual residence is not necessary to the analysis.

Response to Comment 164-90

The “adopted noise and compatibility guidelines” as referenced in Policy 1 of the General Plan Noise Element are the standards listed in the Noise Element. These standards are also provided under Standards of Significance on page 4.6-9.

Response to Comment 164-91

“B.P.” is defined on page 4.7-3 of the Cultural Resources chapter, the first instance in which it is used. B.P. means “Before Present.”

Response to Comment 164-92

See Section 1 of Master Response 7 - Cultural Resources.

Response to Comment 164-93

The comment states that page 4.7-28 (presumably under “Standards of Significance”) is “supposed to summarize and discuss the archaeological resources in the proposed development.” The purpose of the Standards of Significance section is not to provide a summary of the various resources, but to provide the standards by which archaeological, historic, or paleontological impacts resulting from the proposed project should be evaluated. The standards used are drawn from applicable federal, state, and local regulations.

Response to Comment 164-94

See Section 1 of Master Response 7 - Cultural Resources. Postponing project approval until after discussions between the Tribe and Clover Valley Partners are concluded would not result in reducing effects to cultural resources. The RDEIR explains that treatment and management of impacts to cultural resources must be developed and approved by the Corps and the State Office of Historic Preservation. (RDEIR, at 4.7-26 and 4.7-33; also see Master Response CR-1) Therefore, even if the City approves the project before discussions are concluded, construction activity cannot begin until the federal NHPA section 106 process (and its mandated consultations with the Tribe) are concluded.

Response to Comment 164-95

The comment states that there should be a summary in Impact 4.7I-1 on page 4.7-33 of the resources that cannot be avoided through project design. As stated under Impact 4.7I-1, the information regarding cultural resource sites is considered sensitive information and is thus not disclosed. See Section 2 of Master Response 7 - Cultural Resources.

Response to Comment 164-96

See Section 1 of Master Response 7 - Cultural Resources. Mitigation using cultural resources monitors, educating construction personnel, fencing to prevent unintended damage and excavation of impacted sites are typically imposed where cultural resources are concerned. The City believes the protective effect of trained observers and orange fencing to prevent unintended incursion upon known or unknown resources is obvious and does not require supporting data. Excavation of resources whereby the scientifically consequential information of a site is recovered is a mitigation measure recommended by CEQA. (Pub. Resources Code § 21083.2(d);

CEQA Guidelines § 15126.4(b)(3)(C)) The significance of the effect to the resource is reduced by virtue of the gain in knowledge provided by the excavation.

Response to Comment 164-97

See Response to Comment 164-94 and Master Response 7 – Cultural Resources.

Response to Comment 164-98

See Section 1 of Master Response 7 – Cultural Resources. Commentor offers an opinion that experts may disagree with the efficacy of proposed mitigation. Commentor offers no expert opinion or facts supporting the opinion that proposed mitigation would not be effective. Moreover, even if an expert were located who offered evidence to support alternative mitigation measures, the RDEIR would not for that reason be inadequate. CEQA does not require agreement among experts. (CEQA Guidelines § 15151)

Response to Comment 164-99

See Section 1 of Master Response 7 – Cultural Resources. Commentor offers an opinion that the City’s conclusion that effects to cultural resources are “less than significant” is based on misleading information, yet commentor offers no example of the alleged misleading information.

The archaeological impact is not, as the commentor states, “currently unanalyzed.” It is important to note that the decision to keep the location, character and impact to cultural resources confidential does not reflect the level of analysis that has been performed on the individual sites. Peak & Associates’ 2002 *Determination of Eligibility and Effect on Cultural Resources within the Clove Valley Lakes Project Area* is a thorough analytical document that has been approved by the Corps and the State Office of Historic Preservation. The City has access to the *Determination of Eligibility* and has been thoroughly apprised of proposed impacts to cultural resources. It is with this considerable knowledge of the resources and impacts thereto that the City has required the project to be revised and will make its decision whether to approve the project.

Response to Comment 164-100

Details related to the nature reserve were determined in the Development Agreement.

Response to Comment 164-101

See Response to Comment 164-85.

Response to Comment 164-102

The commenter is correct in that the identified section of the DEIR does not include a comprehensive listing of habitat-types that exist in the project area. The Figure 3.3-1 (habitat

map) indicates that 33 percent (205 acres) of the 622-acre project area is covered by grasslands, 5 percent (33 acres) by oak woodlands, 27 percent by foothill mixed woodlands (169 acres), 27 percent (166 acres) by oak savannah, and 8 percent (50 acres) by riparian hardwoods. A total of 3 percent (22 acres) of the project area (generally within annual grassland habitat) has been identified as seasonal wetlands.

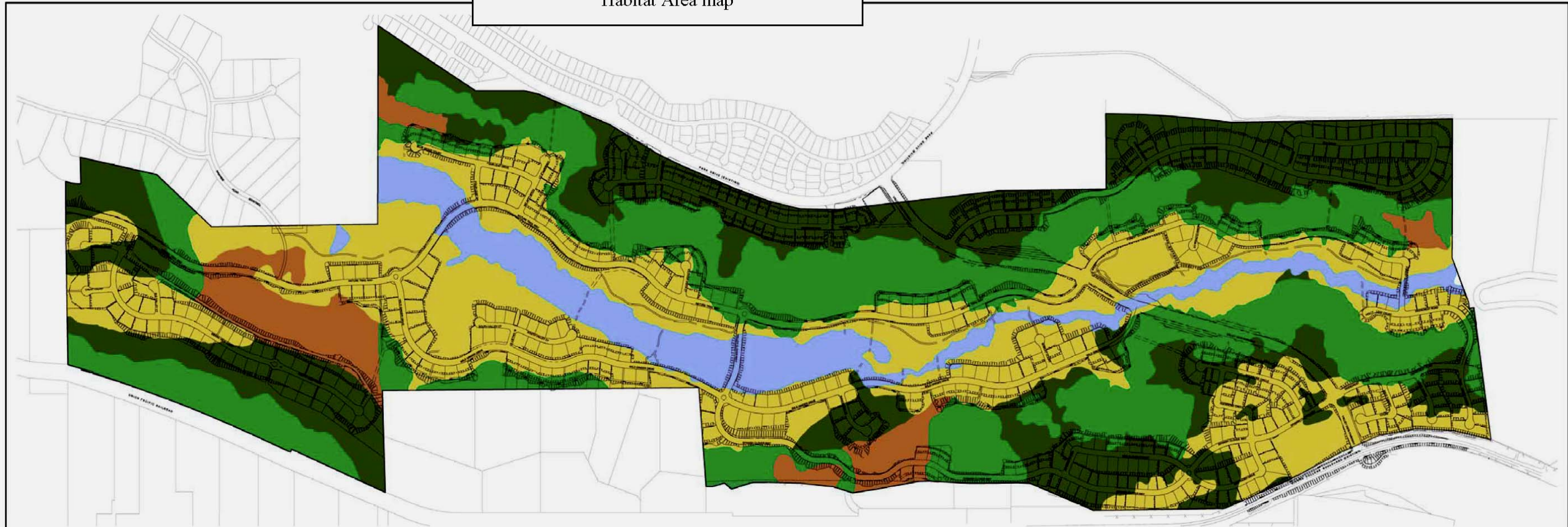
The proposed project will result in the loss of exactly one half (321 acres) of this existing natural habitat, including: 144 acres (70 percent) of existing grassland habitat, 9 acres (27 percent) of existing oak woodland, 48 acres (28 percent) of existing foothill woodland, 112 acres (67 percent) of existing oak savannah, and 7 acres (14 percent) of existing riparian hardwood habitat. Conversely, the project will preserve 61 acres (30 percent) of grassland habitat, 24 (73 percent) acres of oak woodland, 121 acres (72 percent) of foothill woodland, 53 (32 percent) acres of oak savannah, and 43 acres (86 percent) of riparian hardwood habitat.

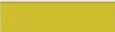


Response to Comment 164-103

The comment states that raptors are not listed in the “endangered or protected species list but do fall under a protection of their own.” It should be noted that Table 4.8-1, Special Status Species with the Potential to Occur in Clover Valley, includes raptors under the “Birds” subheading beginning on page 4.8-7. Some raptors are also included in the discussion of potentially occurring special-status birds on pages 4.8-16 through 4.8-18.

Additionally, the comment states that the number of raptors impacted by development should be presented prior to making conclusions about the significance of impacts.

Figure 3.3-1
Habitat Area map



	PLANT COMMUNITY	PRE-PROJECT AREA (ACRES)	PROJECT IMPACT AREA (ACRES)	POST-PROJECT AREA (ACRES)
	ANNUAL GRASSLANDS	204.9	144.1	60.8
	FOOTHILL WOODLAND	168.8	47.9	120.9
	OAK SAVANNAH	165.5	112.3	53.2
	OAK WOODLAND	33.4	9.2	24.2
	RIPARIAN CORRIDOR	49.7	7.2	42.5
	AREA TOTALS	622.3	320.7	301.6

* NOTE: PROJECT IMPACT AREA INCLUDES LOTS, GRADING, STREETS, AND EASEMENTS.

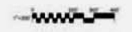
NOTES:

1. THE RIPARIAN CORRIDOR DEPICTED COMPRISES VEGETATION HABITAT ONLY AND DOES NOT CORRESPOND TO THE THREE CRITERIA TEST USED TO DETERMINE JURISDICTION FOR PURPOSES OF THE CLEAN WATER ACT.
2. LOCATIONS OF PLANT COMMUNITIES ARE BASED UPON THE CLOVER VALLEY LAKES PLANT COMMUNITIES EXHIBIT DATED JULY 1990 PREPARED BY ACORN ENVIRONMENTAL CONSULTING.



CLOVER VALLEY PARTNERS
CLOVER VALLEY
CITY OF ROCKLIN, CALIFORNIA

PROJECT IMPACTS TO VEGETATION HABITAT

SCALE: 
DATE: DECEMBER 2006 JOB NO. 844-38704
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However, for the purposes of the EIR, the potential for occurrence of even a single individual of a given species is the determination of significance, not the number of individuals.

Response to Comment 164-104

The comment states that the pre-construction survey required in Mitigation Measure 4.8MM-10(a) should be completed prior to certification of the EIR. However, pre-construction bird surveys are considered to be essential in determining whether individuals of protected species are newly nesting in a project area immediately prior to construction activities.

Response to Comment 164-105

The comments states that birds tend to reuse nests year after year; therefore, removal of any tree with a nest, even if the bird is not nesting at the time of removal, must be considered significant. However, the federal and state regulations providing protections for migratory birds and raptors protect only against the “take” of protected individuals and not against the destruction of foraging or nesting habitat. As stated on page 4.8-20 of the DEIR, “take” is defined as the following: “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect [. . .].” To “harm” is defined as habitat modification that “actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.” Because destruction of trees with nests would occur outside of the nesting season, allowing the birds to find new trees for nests, this mitigation is considered acceptable.

Response to Comment 164-106

As stated in Mitigation Measure 4.8MM-11(b), a survey for elderberry shrubs, the host plant of the Valley elderberry longhorn beetle, would be conducted prior to construction of the off-site sewer line improvements. Although the survey has not yet been conducted, the measure contains mitigation in the event that elderberry shrubs are identified on the site. This mitigation would reduce the impact to a less-than-significant if elderberry shrubs are discovered.

Response to Comment 164-107

Surveys to determine the presence of northwestern pond turtle would be conducted at the site of construction activities immediately prior to the onset of any construction activities. The timing of this measure serves to provide the most updated information possible regarding the potential presence of this species. The location of this measure serves to provide the most site-specific information regarding the potential for occurrence of this species at the sites that would be impacted by construction activities.

Response to Comment 164-108

See Response to Comment 164-107.

Response to Comment 164-109

See Response to Comment 164-1.

Response to Comment 164-110

This comment does not address the adequacy of the DEIR.