Letter 20

DEPARTMENT OF
RESOURCE MANAGEMENT
RECEIVED

DEC 22 2009

PLANNING/BUILDING
DIVISIONS

Lisa Lozir
1855 Placer Street, Suite 103
Redding, California 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

I am very concerned about the plans to develop a Retail Center at Knighton and Churn Creek Roads. I live in Churn Creek Bottom less than two miles from the site. Pachco School is our neighborhood school and the DEIR states that there will be no significant impact to the school. Pacheco School recently funded a major change where Pacheco Road will be a drop off and pickup for students and surely the traffic from the development on Knighton Road will have a major impact on this new area of the school. The proposed development would require a number of Sheriff calls. The Mt. Shasta Mall responded to 950 calls last year so we know there will be a necessity for service. This will not be appropriate so near to the elementary school. The traffic will have a significant impact on the school with the buses and parents going and coming from the school. The small bridge on Churn Creek Road and the road itself will receive much more traffic from the development of 90+ acres of retail/commercial. We have many concerns about the increased traffic on Churn Creek as that is a main route for the buses and parents going to and from school. A

I have a concern about the storm water runoff in the area proposed for development. There is no infrasture to deal with the excess water during a flood situation. Much of the acreage sits in the middle of the flood plain. Flawed assumptions and incorrect data were given for flows and percolation. B

The Area is currently zoned rural residential and the change will permanently damage the neighborhood of Churn Creek Bottom. The soil is good agricultual soil and will be permanently destroyed. It should be protected by the general plan. C

Molly Cole 12/21/09

Molly Cole
7399 Dilley Lane
Redding, CA 96002

Letter 20 Molly Cole

Response 20A: The comment is noted. Comments of proposed project opposition should be directed to the County Planning Commission and Board of Supervisors during project deliberations. Pacheco School impacts are addressed in Section 3.11, law enforcement impacts are addressed in Section 3.11 and traffic impacts are addressed in Section 3.12 and in the Partially Recirculated DEIR (PRDEIR) and the response to comments thereon.

Response 20B: The comment is noted. Flood flow drainage is addressed in Appendix K to the Draft EIR, and in Appendix U thereto and the DEIR text based on Appendix U. See Comment Letter 8, Response 8I.

The non-specific opinion regarding flows in assumptions and data cannot be addressed. The commenter is referred to Appendix K for summaries of analysis assumptions and methodology and data assumptions. Please also see Appendix U of the DEIR and the DEIR errata based thereon.

Response 20C: The comment states that the proposed project conflicts with provisions of the Shasta County General Plan regarding land use designations and commercial development at the I-5/Knighton Road intersection. Land use designations and potential General Plan conflicts have been addressed in the Land Use and Planning section of the Draft EIR (Section 3.9). As noted on Draft EIR page 3.9-14 Impact #3.9-2, this is a matter of policy that must be decided by the Board of Supervisors.

Letter 21

Lisa Lozier

From: Terry Craig [acangler@c-zone.net]
Sent: Monday, December 28, 2009 4:01 PM
To: Lisa Lozier
Subject: Ag land is irreplaceable

Dear Sir:

Regarding the Knighton Road Project, please do not build another mall on top of precious agricultural land which we may need some day in order to eat good food! Let businesses fill in the many empty buildings we already have in the greater Redding area. A

Thank you.

Sincerely,

Terry Craig

RECEIVED
DEC 28 2009
COUNTY OF SHASTA
PERMIT COUNTER

Letter 21 Terry Craig

Response 21A: This is an opinion of the commenter that the highest and best use of the proposed project site is for agricultural purposes. Impacts of the proposed project on agricultural resources are discussed and analyzed on pages 3.2-1 through 3.2-10 of the Draft EIR.

Urban blight is discussed and analyzed on page 3.9-2 through 3.9-4 of the Draft EIR. Appendix L (Urban Decay analysis) and Appendix M (Fiscal Impact Analysis) provide additional detail on this subject.

Comments regarding opposition to the proposed project should be directed to the County Planning Commission and Board of Supervisors during project deliberations.

Letter 22

RECEIVED
DEC 28 2009
COUNTY OF SHASTA
PERMIT COUNTER

December 27, 2009

MaryAnn Czermak, Ph.D.
21904 Belmont Drive
Palo Cedro, CA 96073

Lisa Lozier
Shasta County Planning Division
1855 Placer Street
Redding, CA 96001

RE: Knighton Retail Center Draft EIR

Dear Ms Lozier:

As a citizen of Shasta county I consider it my duty to express comments on the DEIR regarding the above referenced proposed project. I am opposed to this development because it violated both the letter and spirit of the current General Plan and Zoning. A

Changing the General Plan to accommodate this development will permanently change/damage the character of the neighborhood, violate zoning protections regarding the suitability of the subject property for the uses to which it has been restricted, and will detrimentally affect nearby property and community identity and values. B

Furthermore, the land in question is very unique in that it is the best of the best agricultural soil in existence (Class 1). This land cannot be traded or substituted. It is what it is and should therefore remain protected by the General Plan without amendment. C

Thank you for your consideration to this very important matter.

Sincerely,

MaryAnn Czermak, Ph.D.

MaryAnn Czermak, Ph.D.

Letter 22 MaryAnn Czermak, Ph.D.

Response 22A: See Comment Letter 6, Response 6A.

Response 22B: See Comment Letter 6, Response 6B.

Response 22C: See Comment Letter 6, Response 6C.

Letter 23

RECEIVED
DEC 28 2009
COUNTY OF SHASTA
PERMIT COUNTER

December 27, 2009

MaryAnn Czermak,Ph.D.
21904 Belmont Dr.
Palo Cedro, CA 96073

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Knighton Retail Center Draft EIR

Dear Ms Lozier:

As a citizen of Shasta County and one of your constituents below are my comments on the DEIR for the proposed Retail center at Knighton and Churn Creek Roads. Specifically, I am opposed to this development due to inadequate safeguards towards storm water runoff. A

Storm water runoff in an area as large as this proposed development is a concern, even with an existing storm water infrastructure. In this instance, there is NO infrastructure or counter measures to regulate the excess water during a flood. Furthermore, operation of the effluent disposal fields will significantly affect the elevation of groundwater, which will be exacerbated during heavy rains. While keeping the information regarding water quality in mind, it is also important to note that the vast majority of homes surrounding this proposed project have shallow wells. Such wells depend on the permeability of soil and precipitation to remain viable. And, since the development sits squarely in the 100-year floodplain, water QUALITY and drainage become major issues that have not been adequately addressed in the DEIR. B

Thank you for giving this important matter your fullest consideration.

Sincerely,

MaryAnn Czermak, Ph.D

MaryAnn Czermak, Ph.D

Letter 23 MaryAnn Czermak, Ph.D.

Response 23A: The comment is noted. Commenter opposition to the proposed project should be directed to the County Planning Commission and Board of Supervisors during project deliberations. Also, see Response 23B below.

Response 23B: Appendix K and Appendix U outlines the required components of project design to address the 'regulation of excess water' during a flood.

The operation of the wastewater disposal fields, recycling project wastewater effluent, will have less influence on area groundwater levels than the current undeveloped site's irrigation and rainfall absorption.

The commenter is referred to the analysis in Appendix J of the Draft EIR for reassurance that shallow wells in the project area will not be significantly impacted by the project.

The commenter's concern regarding the adequacy of EIR/EIR Appendices address of floodplain, water quality, and drainage issues is noted.

Letter 24

FORENSIC DOCUMENT EXAMINER

MARYANN CZERMAK, PH.D.

RECEIVED

DEC 28 2009

COUNTY OF SHASTA
PERMIT COUNTER

December 28, 2009

Ms Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Knighton Retail Center Draft EIR

Dear Ms Lozier:

The following suggestions have been made previously when the Auto Mall was proposed for this area. With regard to the above referenced proposal the same propositions hold true and are repeated herewith: Using the land and soil for agricultural purposes, especially in the present economic times, the vegetables, fruit and nuts could

Feed the population of Shasta county and then some, A
creating extra and needed revenue for the county.
It would provide much needed jobs
It would reduce the distance of hauling foodstuffs, reducing energy dependency
It would reduce or eliminate the need for donations for food and/or jobs
It would improve the soil AND climate of the area

Another retail center would increase SPRAWL rather than encouraging inner city shopping. The latter is now being practiced by enlightened city managers of such cities as Chicago and Manhattan. A government mindful of these trends dictated by an ever increasing population density would assuredly follow THESE guidelines, rather than inspiring more consumerism and bad driving habits. Use of bicycles or walking would increase the general health and decrease obesity! B

Thank you for your attention to this important matter.

Sincerely,

Maryann Czermak

21904 Belmont Drive, Palo Cedro, CA 96073 (530) 547-3431
qdferret@documents-examiner.com **www.documents-examiner.com**

Letter 24 MaryAnn Czermak, Ph.D.

Response 24A: This is an opinion of the commenter that the highest and best use of the proposed project site is for agricultural purposes.

Response 24B: The comment is a statement that the proposed project would increase sprawl and encourage bad driving habits. The proposed commercial land use designation and potential General Plan conflicts are addressed in the Land Use and Planning section of the Draft EIR (Section 3.9). As noted on Draft EIR page 3.9-14 Impact #3.9-2, this is a matter of policy that must be decided by the Board of Supervisors. Growth inducing (sprawl) impacts of the proposed project are discussed in Section 5.6 at page 5-14.

Letter 25

Shasta County
Regional Transportation Planning Agency

1855 Placer Street • Redding, CA 96001 • (530)225-5654 • FAX (530)225-5667
E-Mail scrtpa@co.shasta.ca.us • HOME PAGE www.scrtpa.org

Daniel S. Little, Executive Director

December 8, 2009

RECEIVED
DEC 09 2009
COUNTY OF SHASTA
PERMIT COUNTER

RMS 010024

Lisa Lozier
Shasta County Planning Division
1855 Placer Street
Redding, CA 96001

Subject: Knighton & Churn Creek Commons Retail Center Draft Environmental Impact Report

Dear Ms. Lozier:

Thank you for asking the Shasta County Regional Transportation Planning Agency (SCRTPA) to comment on the Knighton & Churn Creek Commons Retail Center Draft Environmental Impact Report (DEIR: SCH#2009012088). The SCRTPA is statutorily responsible for inter-jurisdictional coordination, funding, and planning of regional transportation needs. A

Page 3.12-3 of the DEIR lists several segments of mainline Interstate 5 to be evaluated; however, the report only evaluates freeway ramp merge and diverge impacts. We can find no analysis of level-of-service on these mainline segments. Since 76% of project traffic will rely on mainline I-5, impacts and mitigation should be disclosed. B

The DEIR identifies 33 significant project impacts to regional transportation facilities. The DEIR identifies mitigation for each impact, but concludes that no mitigation is required since full or partial mitigation is not feasible. The DEIR concludes that all 33 transportation impacts are "significant and unavoidable." The stated reasons for not mitigating transportation impacts are: C

1. Traffic improvements to mitigate the project impacts are "wholly or partly outside the jurisdiction of the lead agency," meaning all impacted facilities within Anderson, Redding, and Caltrans responsibility will not be mitigated in any way.

2. "A guaranteed funding source for the identified improvements has not been secured," which indicates the project will only participate in improvements that are already funded.

With respect to the first point, feasibility determinations for extra-jurisdictional impacts should be evaluated in the context of whether the mitigation is identified in local, regional, and state transportation plans and/or improvement programs. To assist you, we have attached a list of relevant plans and programs for which the SCRTPA is responsible. There are also several local traffic improvement plans and programs available from the cities and Caltrans. Our cursory analysis shows that most of the project mitigation determined not feasible is identified within one or more of these plans and programs. D

With respect to the second point, there are no guarantees when it comes to funding and programming transportation projects. Most of the transportation needs identified as mitigation in the DEIR are included in the attached list of plans and programs. All are viable due to secured funding sources and statutory financing authority available to local agencies, the region, and the state. Dedicated gas taxes and local traffic impact fees are two examples. Based on existing plans and programs backed by dedicated revenue streams, the needed mitigation projects identified in the DEIR will be built eventually. If, however, all projects with substantial regional traffic impacts are freed of the requirement to mitigate, the region's planned and programmed project needs will be delayed for several years, if not decades. E

Throughout the transportation section of the DEIR, mitigation measures state, "Payment of fees defined in the Shasta County Regional Transportation Improvement Program (SCRIP) Impact Nexus Fee Study would cover the project's fair share." The DEIR also incorrectly states the SCRIP is an "established" program. This language is confusing to the public and should be clarified. The SCRIP was never adopted by the RTPA and was rejected by the local agencies. As such, the SCRIP is an invalid reference and an invalid basis for mitigation, or lack thereof. The current disposition of the SCRIP is summarized in a final report (www.fixfive.org) which states, in part, that: F

> *"In the absence of a regional solution to Interstate 5 mainline impacts, mitigation will continue to be negotiated project-by-project and jurisdiction-by-jurisdiction. This will be the case for both private development projects and for Caltrans approvals of requests to increase interchange capacity."*

Table 3.12-9 and 3.12-10 of the DEIR shows "existing plus project conditions" would degrade the Knighton Road/I-5 and Cypress/I-5 interchanges to an unacceptable level of service. Mitigation was determined to be infeasible for the reasons discussed above. Existing plus project conditions, by definition, are direct impacts. Direct impacts should be mitigated by the project proponent. The DEIR logic used to dismiss mitigation of cumulative impacts appears more tenuous when applied to dismiss mitigation for direct impacts. G

Please contact Executive Director, Dan Little, if you have questions or need additional information. Thank you again for the invitation to comment.

Sincerely Yours,

Dick Dickerson, Chair
Shasta County Regional Transportation
Planning Agency (MPO)

DD/jac

Attachment

C: Pat Minturn, Director, Shasta County Department of Public Works
Brian Crane, Director, City of Redding Transportation and Engineering Department
Jeff Kiser, Director, City of Anderson Department of Public Works
Tim Huckabay, Deputy District Director, Caltrans District 2

Shasta County Regional Transportation Plans and Capital Improvement Programs:

1. Interstate 5 Transportation Concept Report
   www.dot.ca.gov/dist2/planning/concept_repts.htm

2. Shasta County 2004 Regional Transportation Plan
   www.scrtpa.org/RTlocalplanning.html

3. Shasta County 2008 Regional Transportation Improvement Program
   www.scrtpa.org/RTtips.html

4. Shasta County 2010 Regional Transportation Improvement Program
   www.scrtpa.org/RTtips.html

5. 2008 Federal Transportation Improvement Program
   www.scrtpa.org/RTtips.html

6. 2008 State Transportation Improvement Program
   www.catc.ca.gov/programs/STIP/2008_Orange_Book.pdf

7. Shasta County Interchange Improvement Study, Final Report (available at RTPA office)

Letter 25 Dick Dickerson, Chair, Shasta County Regional Transportation Planning Agency

Response 25A: The comment states that the Shasta County Regional Transportation Planning Agency (SCRPTA) is statutorily responsible for inter-jurisdictional coordination, finding, and planning of regional transportation needs. The comment is noted.

Response 25B: The traffic related comments herein were prepared after circulation of the original DEIR and prior to re-circulation of the DEIR. The recirculated DEIR provided a revised traffic analysis which either supplemented or supplanted the traffic information contained in the original DEIR. Therefore, with respect to all traffic related comments, please refer to the PRDEIR and the responses to comments thereon.

Response 25C: See Response 25A above.

Response 25D: See Response 25A.

Response 25E: See Response 25A.

Response 25F: See Response 25A.

Response 25G: See Response 25A.

Letter 26

DEPARTMENT OF
RESOURCE MANAGEMENT
RECEIVED

DEC 22 2009

PLANNING/BUILDING
DIVISIONS

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier

As a citizen of Shasta County and one of your constituents, I'm writing you to provide my comments on the DEIR for the proposed Retail Center at Knighton & Churn Creek Roads. Specifically, I am opposed to this development, due to inadequate safeguards towards storm water run-off. A

Storm water runoff in an area as large as this proposed development is a concern, even with an existing storm water infrastructure. In this instance, there is no infrastructure or counter measures to offset the excess water during a flood situation. Furthermore, operation of the effluent disposal fields will significantly affect the elevation of groundwater, which can be exacerbated during heavy rains. While keeping the information relating to water quality in mind, it is important to note that the vast majority of homes surrounding this proposed project have shallow wells. Shallow wells depend upon the permeability of soil and precipitation to remain viable. And, since the development sits squarely in the 100-year flood plain, water quality and drainage becomes a major issue that has not been addressed adequately by the DEIR. B

Thank you for your consideration of this important matter.

Sincerely,

Geneva Drinkwater
PO Box 495
Cottonwood, CA 96022
3008 Ponder Way

Letter 26 Geneva Drinkwater

Response 26A: See Comment Letter 23, Response 23A.

Response 26B: See Comment Letter 23, Response 23B.

Letter 27

December 28, 2009

Ms. Lisa Lozier, Senior Planner
County of Shasta
Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

Dear Planner Lisa Lozier:

The proposed Hawkins Development Project on Churn Creek Bottoms is a serious mistake and should not go forward.

This land is valuable and an important resource for all Shasta County residents. It is deemed "significant" and "unique" farmland. I understand the loam is 10 to 16 feet deep in many places. Most of Shasta County has poor soils. This amazing and important resource should not be paved over. Increasingly in a world with climate change communities must have local food sources. This is our prime farmland. A

Additionally, it is incredibly absurd to propose new giant-sized commercial mall type developments when so many commercial buildings sit vacant in our community. Build on Hilltop, Downtown Redding, or any of the other vacant commercial spots that dot our town and county. These empty carcasses of buildings already have the infrastructure in place, which makes better sense economically and resource-wise These other locations are closer to the populations centers. B

Further, this poorly thought-out development only causes more suburban sprawl. As we get wiser we know that development is best done close to the population. Sprawl encourages extra driving and increases CO2. Changes will be made soon in the practice of driving distances for shopping. It must as we are reaching peak oil and to decrease CO2 which is causing climate change. This development is beyond the established RABA bus routes. C

There is no good reason for this development.
Please make these comments part of the public record. D

Sincerely,

Annette Faurote
1055 East St
Redding, CA, 96001

Letter 27 Annette Faurote

Response 27A: This is an opinion of the commenter that the highest and best use of the proposed project site is for agricultural purposes. Impacts of the proposed project on agricultural resources are discussed and analyzed on pages 3.2-1 through 3.2-10 of the Draft EIR. Commenter opposition to the proposed project should be directed to the County Planning Commission and Board of Supervisors during project deliberations.

Response 27B: The comment is noted. Urban blight is discussed and analyzed on page 3.9-2 through 3.9-4 of the Draft EIR. Appendix L (Urban Decay analysis) and Appendix M (Fiscal Impact Analysis) provide additional detail on this subject.

Response 27C: The comment is a statement that the proposed project would increase sprawl and encourage extra driving, contributing to CO_2 emissions and global climate change. Growth inducing (sprawl) impacts of the proposed project are discussed in Section 5.6 at page 5-14, traffic impacts are addressed in Draft EIR Section 3.12 (and in the Partially Recirculated DEIR (PDEIR) and the response to comments thereon) and global climate change is addressed in Section 3.14. The proposed commercial land use designation has been addressed in the Land Use and Planning section of the Draft EIR (Section 3.9). As noted on Draft EIR page 3.9-14 Impact #3.9-2, the proposed commercial land use is a matter of policy that must be decided by the Board of Supervisors.

Response 27D: The comment is noted. This is not a comment on the environmental analysis. Commenter opposition to the proposed project should be directed to the County Planning Commission and Board of Supervisors during project deliberations.

Letter 28

DEPARTMENT OF RESOURCE MANAGEMENT
RECEIVED
DEC 23 2009
PLANNING/BUILDING DIVISIONS

December 22, 2009

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier

As a citizen of Shasta County and one of your constituents, I'm writing you to provide my comments on the DEIR for the proposed Retail Center at Knighton & Churn Creek Roads. Specifically, I am opposed to this development, because it violates both the letter and spirit of the current General Plan and Zoning. A

Changing the General Plan to accommodate this development will permanently change/damage the character of the neighborhood, violate zoning protections regarding the suitability of the subject property for the uses to which it has been restricted, and will detrimentally affect nearby property and community identity. B

Furthermore, the land in question is very unique in that it is the best of the best agricultural soil in existence (Class 1). This land cannot be traded or substituted. It is what it is, and should therefore remain protected by the General Plan without amendment. C

Thank you for your consideration of this important matter.

Sincerely,

Amber Galusha
3410 Scenic Drive
Redding, Ca 96001

Letter 28 Amber Galusha

Response 28A: The comment is noted. Traffic impacts resulting from the proposed project, including impacts identified by the commenter, are addressed by Mitigation Measures #3.12-1a through #3.12-8 beginning on page 3.12-15 of the Draft EIR and in the Partially Recirculated DEIR (PRDEIR) and the response to comments thereon.

Response 28B: The comment is noted. Traffic impacts resulting from the proposed project, including impacts identified by the commenter, are addressed by Mitigation Measures #3.12-1a through #3.12-8 beginning on page 3.12-15 of the Draft EIR and in the Partially Recirculated DEIR (PRDEIR) and the response to comments thereon.

Response 28C: See Comment Letter 6, Response 6C.

Letter 29

DEPARTMENT OF
RESOURCE MANAGEMENT
RECEIVED

DEC 29 2009

PLANNING/BUILDING
DIVISIONS

December 26, 2009

Lisa Lozier
Shasta County Planning Division
1855 Placer St., Ste. 103
Redding, Ca 96001

Subject: Knighton Retail Center Draft Env. Report

Dear Ms. Lozier:

I am very concerned about more planned loss of agricultural land in the Churn Creek Bottom area due to the proposed retail center.

Developing this area, meaning paving beautiful soil, is morally wrong. This development has no redeeming value other than making money for someone. It will make going to school at Pacheco a hazard rather than a joy (went to Pacheco as a child, riding my bike there safely). It will greatly increase pollution. It will destroy land that could be used for agriculture or small rural homes. It is the worst kind of urban sprawl.

Cities and counties all over California area trying to repair the damage done by poor planning, trying to preserve some open space. A

Instead of Shasta County following the traditional let-the-developer-do-whatever-they-want-regardless-of-the-harm-they-do-to-everyone-else planning model it would be really nice to see us learn from the mistakes of others. Plan with no sprawl in mind. Plan with regard to the quality of the soil. Use your common sense.

Anyone who supports this plan and is up for election I will not vote for.

Yours truly,

Kathy Grissom

Kathy Grissom
4788 Balls Ferry Rd.
Anderson, Ca 96007

Letter 29 Kathy Grissom

Response 29A: The comment is noted. This is an opinion of the commenter that the highest and best use of the proposed project site is for agricultural/open space purposes. Impacts of the proposed project on agricultural resources are discussed and analyzed on pages 3.2-1 through 3.2-10 of the Draft EIR. In addition, Pacheco School impacts are addressed in Draft EIR Section 3.11, traffic impacts are addressed in Section 3.12 (and in the Partially Recirculated DEIR (PRDEIR) and the response to comments thereon), and growth inducing impacts of the proposed project are discussed Section 5.6 at page 5-14. Commenter opposition to the proposed project should be directed to the County Planning Commission and Board of Supervisors during project deliberations.

Letter 30

RECEIVED
DEC 28 2009
COUNTY OF SHASTA
PERMIT COUNTER

12/28/09

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier

As a citizen of Shasta County and one of your constituents, I'm writing you to provide my comments on the DEIR for the proposed Retail Center at Knighton & Churn Creek Roads. Specifically, I am opposed to this development, because it violates both the letter and spirit of the current General Plan and Zoning. A

Changing the General Plan to accommodate this development will permanently change / damage the character of the neighborhood, violate zoning protections regarding the suitability of the subject property for the uses to which it has been restricted, and will detrimentally affect nearby property and community identity. B

Further, the land in question is very unique in that it is the best of the best agricultural soil in existence (Class 1). This land cannot be traded or substituted and should remain protected by the General Plan without amendment. We need to preserve prime agricultural land for the future of our children. Let us learn from the mistakes of other counties and use smart growth principles in the development of Shasta County. C

Thank you for your consideration of this important matter.

Sincerely,

Gloria Hall
3671 Cherrywood Dr
Redding, CA 96002

Letter 30 Gloria Hall

Response 30A: See Comment Letter 6, Response 6A.

Response 30B: See Comment Letter 6, Response 6B.

Response 30C: See Comment Letter 6, Response 6C.

Letter 31

DEPARTMENT OF
RESOURCE MANAGEMENT
RECEIVED

DEC 22 2009

PLANNING/BUILDING
DIVISIONS

December 20, 2009

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, Calif. 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier

I returned to Redding five years ago after living here nearly 25 years ago. I returned because of the rural beauty, the access to many outdoor recreational opportunities and the lack of urban sprawl. My family resides about ¾ miles from the proposed location of the Retail Center at Churn Creek and Knight on Rd.

After defeating a recent battle of urban sprawl about two years ago the Churn Creek home owners face another in the same location on the Churn Creek Bottom.

I am opposed to this proposed retail center due to several issues; the following are a few;

1. The proposed location will not provide for adequate traffic flow into and out of the proposed location and will only exacerbate the current traffic congestion at the truck stop. No peak AM analysis was performed on the DEIR for the additional traffic flow and no allowance was made for large commercial vehicles which frequent this area to a large degree. A
2. Although the DEIR specifies to widen the current section of road near the truck stop, this will only encourage faster traffic contributing to unsafe conditions. B
3. This area is located in a 100 year flood plain. Adding the proposed thousands of square feet of concrete and asphalt will create a major runoff problem with no viable means to support this additional water flow. The additional runoff will contain serious pollutants from automobiles parked near this area which inevitably will reach the Sacramento River. C

Thank you for your consideration of these key points.

Glen Harmer
7333 Waterside Way.
Redding, Ca. 96002

Letter 31 Glen Harmer

Response 31A: The comment is noted. Comments of proposed project opposition should be directed to the County Planning Commission and Board of Supervisors during project deliberations. Traffic impacts are addressed in Draft EIR Section 3.12 (and in the Partially Recirculated DEIR (PRDEIR) and the response to comments thereon).

Response 31B: See Response 31A above.

Response 31C: Analyses of 100-year flood runoff from the developed project site, its magnitude, and project-incorporated mitigation facilities to address such runoff are contained in Appendix K to the Draft EIR. Please also see Appendix U of the DEIR and the DEIR errata based thereon.

Automobile parking related storm drain runoff from the project site will be treated onsite to mitigate pollutant discharge to groundwater. Runoff from a 100-year flood sheet flow event will be, by definition, of insufficient frequency to contribute to a significant impact.

Letter 32

CITY OF REDDING

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
777 Cypress Avenue, Redding, CA 96001-271
P.O. Box 496071, Redding, CA 96049-6071
530.225.4020 FAX 530.225.4495

December 23, 2009
A-050-250

Ms. Lisa Lozier, AICP, Senior Planner
County of Shasta
Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

Subject: Response to the Draft Environmental Impact Report for the Knighton Road and Churn Creek Commons Retail Center, GPA 08-002 and RZ-08-003

Dear Ms. Lozier:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the proposed Knighton Road and Churn Creek Commons Retail Center (Project). The City of Redding believes that it is working in a partnership with Shasta County and the cities of Anderson and Shasta Lake to develop the region in a thoughtful and well-planned manner, and we appreciate the effort that has been put forward in preparing the DEIR. It is our intent that our comments will assist the County in evaluating the Project and its potential impacts on the residents of Shasta County, including the more than 60 percent of County residents who live within the incorporated communities.

Overall, we feel the EIR provides a detailed summary of the Project's environmental impacts to the degree that they have been accurately identified, and we appreciate the effort put forward by the County in addressing the issues raised in the City's response to the notice of preparation. Our review of the document has identified several areas which the City of Redding believes must be addressed prior to certification of the EIR as legally consistent with the spirit and direction of the California Environmental Quality Act (CEQA). The following comments are offered with the intention of constructively supporting these goals. A

PURPOSE OF ENVIRONMENTAL REVIEW

CEQA establishes a responsibility for public agencies to avoid or minimize environmental impacts from a project wherever feasible. CEQA states that an agency "should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects the project would have on the environment." (CEQA §15021, et seq). B

Identified in the DEIR are a large number of significant environmental impacts, many of which are identified with development of the Project as being "significant and unavoidable." These include, but are not limited to, impacts to agricultural resources, aesthetics, land use, air quality, traffic and circulation, and global climate change. Ultimately, given the lack of mitigation for many impacts that are identified in the DEIR, approval of the Project will dictate the need for adoption of a "statement of overriding considerations" by the decision makers. Such a statement may only be adopted after all feasible mitigations have been applied and/or an environmentally superior alternative is adopted, and the action must also be supported by substantial evidence in the record that sets forth in detail the reasons why the economic and/or social values of the Project, should override the significant unmitigated environmental effects that will result from the Project. This information must be reflected in the DEIR to support the Project decision process as it moves forward to its final conclusion. B cont.

As outlined below, it is the City of Redding's belief that in serving the best interests of all County residents, alternatives to the Project and/or feasible mitigation measures do exist that will satisfy CEQA requirements and which will also accomplish the stated Project objectives.

ADEQUACY OF THE DEIR

The City of Redding's comments are directed specifically to the contents and adequacy of the DEIR; the analysis of potentially significant impacts related to flooding, air quality, circulation and transportation, urban decay, as well as the adequacy of mitigation for identified impacts.

DEIR—PROJECT ALTERNATIVES ANALYSIS

Evaluation of project alternatives is a fundamental tool of CEQA analysis which is used to provide adequate disclosure and information to the decision makers prior to certification of the Project EIR. A range of reasonable and feasible alternatives is necessary, including alternative sites that could accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects of the Project. C

Chapter 4 of the DEIR "Evaluation of Alternatives" sets forth the Project objectives and appears to identify that 14 alternative sites to the Project were evaluated and rejected as not meeting the Project objectives. However, no detail was provided regarding how this decision was arrived at other than a two-sentence summary statement on page 4-5 of the DEIR, stating that all other sites were rejected because they were not large enough to accommodate a regional retail shopping center, had insufficient access to I-5, or would not result in the elimination or lessening of any environmental impacts. D

An evaluation of the Project objectives indicates that several of the alternative sites originally considered have certified environmental documents and related entitlements that document that they will meet the stated Project objectives, including providing jobs and increasing tax revenues for Shasta County and its residents, high quality "one-stop" regional shopping experiences for residents, and appropriately zoned vacant parcels of sufficient size to attract new large-format and community retailers to Shasta County and which are located immediately adjacent to I-5. E

Equally important for CEQA purposes, already approved projects, including the Oasis Towne Center (approximately 900,000 square feet of planned regional shopping) and the Bonnyview Retail Center immediately north of the Project, have demonstrated significantly fewer unmitigated environmental impacts resulting from development when compared to those disclosed in the DEIR for the Project. In addition, the Oasis Towne Center is within a joint Redding-Shasta County Redevelopment area which will generate additional financial benefits to Shasta County residents beyond typical County shares of property tax, sales tax, and Proposition 172 funds. E cont.

An objective analysis of alternatives is required by CEQA even though a substantial investment may have been made by an applicant in hopes of gaining approval for a project alternative. This is important when the project approval will require a substantial change in the land use direction contained in the Shasta County General Plan. The City of Redding recommends that the DEIR Alternatives Analysis be revised to reflect these alternative sites, and thereby meet the requirements of CEQA. The information to do so is readily available to the DEIR consultant and can easily be used for this purpose. F

DEIR ANALYSIS, IDENTIFICATION OF ENVIRONMENTAL EFFECTS, AND ADEQUACY OF PROPOSED MITIGATION MEASURES.

1. Adequacy of Proposed Mitigation Measures

The DEIR has identified a substantial number (45) of environmental effects as "significant and unavoidable" should the Project move forward. No mitigation is proposed in the case of 33 transportation-facility impacts because, as stated in the DEIR, the impacts occur on facilities "wholly or partly" outside the direct control of Shasta County. However, many of these facilities are actually identified in capital improvement programs and/or impact fee programs in the other affected jurisdictions. G

The DEIR can take the approach expected by CEQA and the public, by establishing direct Project mitigation responsibilities. This can be accomplished through modifications to the Project, by requiring construction of any improvements that are needed where the Project has a substantial share of the contribution to an impact, requiring the formation or participation in benefit fee districts established to fund the mitigation improvements, or by requiring Project participation in impact fee programs of the affected jurisdictions. The approach represented in the DEIR is simply to shift the burden of the improvement needs generated by this Project to new development or to the public in the other affected jurisdictions. H

2. Urban Decay Analysis and Fiscal Impact Analysis

Urban Decay. The DEIR acknowledges that there exists a substantial oversupply of retail space in the market area and that the Shasta County and Redding retail market place will face particularly challenging conditions in the future given economic trends. The current supply of community and regional-serving retail floor space is estimated at 3,725,900 square feet, with an additional 4,324,200 square feet entitled and/or planned, including the Project floor area. In addition, many of the major retailers that would be interested in the Project are identified as restructuring to respond to changes in the national economic conditions. I

The DEIR identifies that development of the Project will add significantly to the existing and future oversupply of retail space, resulting in 1.2 million square feet (28 percent of the total) of vacant community and regional-serving retail space by 2015. By 2020, the DEIR analysis estimates that the oversupply of retail space will decline slightly, but will still exceed 840,000 square feet of vacant space, assuming all entitled development occurs.

The net result of this oversupply will be a significant and unavoidable long-term blighting impact to existing urban shopping centers within Redding and surrounding communities as a result of a decline in rents generated by the oversupply, and in-turn, the expansion of blighting conditions as properties remain vacant for lengthy periods of time. The resulting diminution of property values, property taxes, and sales tax revenue will also result in indirect social impacts because of the negative effect on the ability of local jurisdictions to fund community needs. I cont.

The City of Redding would note that the impacts reflected in the DEIR analysis appear to be based on assumptions regarding the ability of the market place to absorb additional retail space which may be inaccurate and will likely result in an overestimation of absorption. The unemployment rate used to prepare the absorption analysis assumes an unemployment rate of 4.6 percent in the trade area (Table 2-2, pg. 15 of EPS analysis) and assumes a population growth of approximately 1.7 percent per year; the current unemployment rate in Shasta County exceeds 14 percent and the Department of Finance has identified the average annual growth rate in the period 2000-2009 to be 1.3 percent. Retail space absorption is, to a large degree, based on the fast-growing ability of customers to support existing and future retailers through growth in income and population. The effect of this overestimation of employment and overestimation of population growth should be resolved in a revision to the Urban Decay analysis. J

The broad mitigation measures for this impact as identified in the EIR—reuse of vacant space for nonretail purposes or by encouraging a mix of new tenants to prevent "excessive" competition—are inadequate and too speculative to address the likely impacts as reflected in the DEIR. Other feasible mitigation measures exist which should be considered and incorporated into the DEIR to reflect the requirements of CEQA, including the potential for mitigation funding to reduce blighting conditions that result from the relocation of existing retailers to the Project when such relocation results in a store closure. K

Fiscal Impact Analysis. The fiscal impact analysis contained in the DEIR, while not required by CEQA, has been provided to support the decision-making process, and the City commends the County for taking this proactive step. The analysis could be used to provide support for a decision to override the unmitigated environmental impacts identified in the DEIR, because of the perceived economic benefits the Project will bring to the County's general fund. However, the methodology used in the fiscal analysis is based on the Urban Decay analysis, which should be revised to accurately reflect underlying economic conditions. L

In addition, the findings represented in the analysis appear to be conflicting since, on the one hand, the Urban Decay analysis identifies that development of the Project will contribute to a substantial oversupply of retail space in the market area within five years. However, the effect of this oversupply is then dismissed because the Project's contribution is analyzed "exclusively" (in isolation). This leads to a determination that there will be no shift in revenues from existing M

locations in the market, so the net result of the Project will be entirely new property tax and sales tax revenues to the County from the Project. Given the analysis of market absorption contained in the Urban Decay analysis, there can be no doubt that the Project must be the beneficiary of a shift in sales from existing locations. An accurate representation of this would appear to benefit the overall decision process. M cont.

3. *Flooding Impact Analysis*

Section 3.8 of the DEIR addresses the issue of flooding impacts and necessary mitigation. Appendix G of the CEQA Guidelines identifies that placement of structures within a 100-year flood hazard area that impede or redirect flood flows, or which expose people or structures to a significant risk of loss, injury, or death involving flooding, are considered a significant adverse impact on the environment. The DEIR identifies that the Project site lies completely within the boundary of the 100-year FEMA floodplain of Churn Creek and is, therefore, subject to potential innundation from a 100-year storm event. To comply with CEQA, the EIR must disclose the impacts related to placement of fill or structures within a 100-year flood hazard area. The City has reviewed the information contained in the DEIR and has the following comments relative to the identification of impacts and the development of mitigation measures to address flooding hazards:

- Impact 3.8-8 (DEIR pg. 3.8-16). *Placement of structures within a 100-year flood hazard area that would impede or redirect flood flows* —less than significant impact.
- Impact 3.8-9 (DEIR pg. 3.8-17). *Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam* —less than significant impact.

Both FEMA and the California Board of Reclamation use the 100-year floodplain limits as the jurisdictional floodplain management boundary. In December 1964, a flood event occurred that represented an approximate 50-year flood event on Churn Creek, based on available hydrologic information developed by FEMA. This historic flood event almost completely inundated the Project site (see Exhibit "A"—photo of flood event). N

Although depicted on figures in Appendix K of the DEIR, the analysis does not recognize the established and historically proven floodplain represented in the currently adopted Flood Insurance Rate Maps. No explanation has been provided for this disparity in the DEIR and, as a result, the potential impacts to the adopted floodplain recognized by FEMA have not been addressed in the DEIR.

To justify the finding of no significant impact in these areas, the DEIR analysis relies on an unrecognized estimate of peak overflow from Churn Creek during the 100-year flood event. In turn, the resulting floodplain is of significantly narrower width than currently recognized. The result is that the DEIR analysis concludes that development of the 92-acre Project site, including the placement of fill to elevate buildings above the 100-year flood elevation, will not result in any increased water-surface elevations on adjacent property or in any negative impacts to people or property.

In essence, the result of the DEIR analysis is to confine a historic flood path and volume of water that in the past has inundated the entire site into a 50-foot-wide channel that is approximately one foot deep.

City of Redding staff have not found it possible to verify the results described in the DEIR because of a lack of detailed information describing the data, assumptions, and methods used to create the results in the analysis. Given that the "existing condition" overflow floodplain does not reflect the recognized FEMA floodplain, or the effects of historically documented flood events, the City of Redding believes there is a substantial risk that the Project will experience a significant flood event which will place persons and property within danger of significant loss or damage. N cont.

If the FEMA floodplain is inaccurate and in need of correction as reflected in the DEIR analysis, the determination should occur through the appropriate FEMA process prior to determining the potential project impacts and establishing effective mitigations to address flood risks. To do differently assumes FEMA approval of the revised floodplain identified in the DEIR analysis. If such approval is not granted, the result will be a failure to adequately disclose significant environmental impacts resulting from the Project as required by CEQA.

4. Transportation/Traffic Analysis and Impact Evaluation

The DEIR acknowledges that the Project will result in substantial increases in traffic at the Knighton Road/I-5 interchange, as well as on existing surface streets and regional circulation facilities. The City has reviewed the DEIR contents, as well as the comments on the adequacy of the DEIR traffic analysis and mitigation prepared by Caltrans District 2 and the Shasta County Regional Transportation Planning Agency. In general, the City of Redding believes the comments are accurate and warranted, and the City does not believe it is necessary to reiterate these comments and findings in great detail in our response. It is the City's expectation that the traffic analysis and proposed mitigation measures will be revised to respond to the comments received from all parties, prior to certification of the EIR. Following is a short list of the City's basic concerns regarding the quality of the DEIR analysis. : O

1. Many of the traffic counts appear to be very old, several as old as 7 years. Given the level of growth that has been experienced in Shasta County during the past decade, serious consideration should be given to revising the analysis to incorporate up-to-date traffic counts. P
2. The internal trip reductions assumed in the traffic analysis appear to be high, since internal trips are already deducted in the Shopping Center land use classifications of the ITE (ITE 820), and the approach used will result in a "double-deduction." Q
3. The City would note that a Level of Service (LOS) "F" impact threshold is reflected in many instances in the DEIR. While this threshold standard is within the authority of the County to establish for County facilities, this LOS threshold represents a "gridlocked" condition and is seldom, if ever, used as an acceptable threshold for traffic operations or as the baseline to establish mitigation requirements in environmental analysis . R

4. Traffic-queuing information needs to be provided in the EIR for Existing+Project (mitigated) and Cumulative+Project(mitigated) analysis so that the effectiveness of the identified mitigations at the I-5/Knighton Road interchange can be evaluated. The SimTraffic LOS reports indicate a very low percentage of volumes served compared to the demand volumes. The Queuing and Blocking report in the traffic analysis also indicates that the 95 percent queues for several movements exceed the available link distances on Knighton Road between the southbound freeway ramps and the Churn Creek Road intersection. In totality, these items call into question the ability of the coordinated signal system to function in the manner anticipated and represented in the mitigation in the DEIR. The failure of this system would also call into question the adequacy of mitigation measures identified in other areas of the DEIR, including the Air Quality section. S

5. The City would recommend that mitigation measure MM3.12-7 be revised to address the large heavy-truck volumes, close intersection spacing, and the effect of the multiple full-access driveways on Knighton Road. T

6. Mitigation Measure MM3.12-4a calls for widening Knighton Road to four lanes over I-5, while Figure 2-3 shows seven lanes. This would appear to reflect a potential phasing of the development. The idea of phasing is also reflected in the Urban Decay analysis of the DEIR and other areas in the document. CEQA requires that EIRs be written in a manner that will be useful and meaningful to the public and to decision makers. To meet this test, court decisions have clarified that project descriptions and related impact assessments must account for reasonably foreseeable phases of development. If this is the intent of the Project applicants, the Project description and DEIR should be revised accordingly. U

5. *Air Quality Section*

Section 3.12.11 of the Draft EIR identifies 11 planning policies regarding nonmotorized transportation. The document then states that "the plan does not specifically identify any routes for nonmotorized travel near the project site." This statement is true because, at the time the relevant documents were developed, they did not anticipate a large retail development at this location. Altering the County General Plan to allow the Project would impact the plans for nonmotorized and public transit, and they should be altered in order to plan for this facility. V

In addition, the Project EIR identifies undefined transportation improvements, including pedestrian and bike-commuting opportunities, as offsets to achieve a 11 percent reduction in emissions impacts from the Project. However, as stated above, there are no existing or planned routes for nonmotorized travel near the Project site, and no specifically identified transportation improvements to accomplish the stated emissions reductions. A revision of the analysis is further indicated to reflect the large number of traffic impacts which have been identified as unmitigable. W

There is little discussion of public transit in the Transportation section or the Air Quality section of the EIR. The City believes public transit should be considered as a mitigation to the significant X

impacts discussed in the document. Viable mitigations to reduce significant Project air quality impacts include: funding public transit services to the Project area; supporting bus routes to and from the facility to the major population centers; funding planning to update and implement plans for nonmotorized transportation to and from the population centers. X cont.

Conclusion

City staff, as well as other local and state agencies, have identified that the DEIR fails to provide the supporting information needed for the conclusions presented in the document. Revision and recirculation of the DEIR is needed to accurately disclose to the public and to decision makers the potential environmental impacts of the Project. It is also critical that the DEIR identify and implement all feasible mitigation measures to ensure that the requirements of CEQA are satisfied. Y

Because of the community concern about the Project impacts resulting from changes to the long-planned land use direction in the Churn Creek Bottoms, we strongly support the County in making every reasonable effort to work with the community to reach a consensus on the proposed changes to the Shasta County General Plan. We also look forward to working with Shasta County staff in developing solutions to the concerns and comments raised in our response.

Thank you again for providing this opportunity to comment on the DEIR. If you have any questions concerning this matter, please feel free to call me at 225-4020.

Sincerely,

Jim Hamilton, AICP,
Director

JH:el
Enclosure
LTR09\A12-23L-LL-KnightonCenterDEIR.wpd

Churn Creek Flood: 12/64
View south from bridge across Menzel Ranch east of Freeway. (Shasta County Water Resources Dept. photo.)

Letter 32 Jim Hamilton, AICP, Director, City of Redding Development Services Department

Response 32A: The comment is noted.

Response 32B: The commenter summarizes significant and unavoidable impacts identified within the Draft EIR and properly concludes that a statement of overriding considerations will be required setting forth the reasons why the economic and/or social values of the proposed project should override the significant unmitigated environmental effects that will result from the proposed project. Section 15093 of the CEQA Guidelines states that the statement of overriding considerations shall be stated in writing when the lead agency approves a project, not at the time of Draft EIR preparation. Much of the information that will be used in drafting a statement of overriding considerations at the time of proposed project approval consideration can be found in Appendices L and M which address the potential for the proposed project to result in urban decay and the fiscal impact of the proposed project.

Response 32C: The comment is noted.

Response 32D: The commenter indicates that no detail has been provided in the Draft EIR to justify rejection of the 14 alternative sites as not meeting most of the proposed project objectives. To address this concern Draft EIR Section 4.3 – Alternatives Rejected beginning at page 4-5 is amended as follows:

4.3 Alternatives Rejected

According to the CEQA Guidelines, two major provisions are necessary for an adequate alternative site analysis—feasibility and location. The EIR should consider alternate project locations if significant project impacts could be avoided or substantially lessened by moving the project to an alternate site.

Various potential off-site locations were identified for possible analysis in this document (see Figure 4-1). As summarized below ~~V~~vacant parcels within a 10 mile radius were not large enough to accommodate a regional retail shopping center, had insufficient access to I-5, or would not result in the elimination or lessening of any environmental impacts.

- **Fawndale.** The location is significantly north of the existing population base and no apparent land for development has been identified. All land surrounding the interchange is mountainous or currently used for mobile home/RV purposes.

- **Wonderland.** The location is significantly north of the existing population base. All of the available sites observed were substantially smaller than required for a regional development.

- **Shasta Dam.** The location is north of the existing population base. The only available site appeared to be 8-10 acres in size, which is substantially too small for a comparable project. The location also had limited I-5 visibility and inferior access.

- **Pinegrove.** This intersection is north of the existing population base. The only available site appeared to be an approximately 5 acre parcel, which is too small for any shopping center development.

- **Oasis.** Other than the Levinson project that has already received EIR approval at this intersection, no other parcels of property appeared to be of sufficient size to develop any retail shopping center, regional or otherwise. In addition, the market would not support further commercial development in competition with the Levinson project. Finally, all such available land had inferior visibility off of I-5 and inferior access.

- **Twin View.** One 6-10 acre developable parcel was located, which is too small to be comparable to the proposed project. Visibility from I-5 is limited and the access is inferior.

- **Lake/299 E.** One 8.5 acre parcel near the I-5 interchange was located, but it was not visible from I-5. In addition, access to this site is inferior.

- **Cypress.** No vacant sites we identified at the interchange.

- **Bonnyview.** An 18 acre site at Bonnyview and Churn Creek was identified as suitable for a neighborhood/community retail shopping center or for one regional superstore tenant. The access to this site is inferior as is visibility from I-5. A 19 acre site at the northwest comer of Bonnyview & I-5 was also located. This site may have wetland issues. The "for sale" sign on the site indicated it was zoned for multi-family use. Access to this site is substantially inferior.

- **Riverside.** Two parcels that could be assembled into a 41 acre development were located; however, they are still too small for a regional shopping center. The location has inferior access to the site. In addition, high-voltage power lines traverse a portion of the site, which may make that portion undevelopable.

- **Anderson S/B.** A fairly large parcel at Balls Ferry & I-5 was located. Access to the property is substantially inferior and the main hard corner is already developed. Therefore, any new development would have to develop around this existing development. The site has minimal street frontage but does have equivalent I-5 visibility. The surrounding area, however, is improved for industrial uses. Finally, further studies would be required to determine the extent, if any, of potential wetland issues.

- **Anderson N/B.** One site of approximately 10-15 acres was located across the street from the existing Wal-Mart development which would be ideally suited as a complementary use to that existing development. The site has limited visibility off of I-5 and access is substantially inferior to the proposed project site.

- **Gas Point.** A 24 acre site at the northwest comer of Gas Point and I-5 was located; however, it is too small for a retail shopping center. In addition, this location is too far south of the existing population base. The access to the site appears to be through a residential street, which would create significant other issues against and such commercial development.

Based on the above, analysis of alternative project sites was eliminated from further consideration.

Response 32E: The comment is noted. A detailed analysis regarding the appropriateness of each alternative site identified by Figure 4-1, found after page 4-6 of the Draft EIR, is provided in Response 32D above.

Response 32F: See Response 32D.

Response 32G: See Comment Letter 25, Responses 25C and 25D.

Response 32H: See Comment Letter 25, Response 25G.

Response 32I: The comment is noted. The comment does not raise a specific environmental concern related to the proposed project to which a response can be prepared.

Response 32J: The comment is noted. The employment rate is not a model determinant and thus has no impact on results. However, EPS can replace the Urban Decay Analysis (UDA) rates, which were based on 2009 data from Claritas, Inc., with preliminary unemployment rates as of March 2010 from the Employment Development Department (EDD) shown below.

Source	CTA	RTA
Final UDA	4.6%	5.0%
EDD, March 2010	17.1%	15.6%

The UDA uses a blend of growth projections to estimate population growth from the CTA. The data sources included Claritas, the Department of Finance, and Shasta County Regional Transportation and Planning Agency (RTPA). The RTA growth projections are based on Claritas, which is the only source that could provide population growth data for customized geographies.

The CTA growth rate includes data from the DOF and from other known forecasts. The methodology is appropriate. In addition the difference between the DOF and average growth rates is negligible.

Data Source	Growth Rate
Claritas	1.7%
DOF	1.5%
County RTPA	1.8%
Average (Rate used in UDA)	**1.7%**

Response 32K: The comment is noted. Based on EPS's adjustments noted in Comment Letter 16, Response 16Z, the revised results of the UDA indicate a lower probability of urban decay from the individual Project and cumulative development. Thus, mitigation measures are not considered necessary.

Response 32L: The comment is noted. The fiscal impact analysis shares some assumptions with the urban decay analysis, such as County population and Project square footage and land use assumptions. However, the methodology used in the fiscal impact analysis is independent of the urban decay analysis. The comment in this section does not identify the specific methodological elements of the fiscal impact analysis that the City wishes to be revised.

Response 32M: The purpose of the Fiscal Impact Analysis (FIA) is to estimate the impact of the Project on Shasta County's General Fund, Public Safety Fund, Road Fund, and on CSA No. 1. The FIA estimates the Project's taxable sales generated for the County based on its projected retail space.

The UDA identifies the urban decay impacts of the Project both independently and cumulatively. It identifies the impacts on the basis of the defined community and regional trade areas, which encompass the City of Redding. This analysis does not consider taxable sales shifts in the trade areas or in specific jurisdictions. Such an analysis is beyond the scope of both the UDA and FIA.

Response 32N: Appendix K of the Draft EIR, prepared by a hydrogeologic consulting firm for PACE Civil, Inc., of Redding, California is based on analysis of the 100-year FEMA floodplain (Figure 4) as it exists and as it will exist following project implementation (Figures 5 and 6). The data, assumptions and analysis methodology are described in the Appendix and in Appendix U.

The Appendix report recommends a grading plan and channel construction for implementation as a part of the project. The recommended facilities "create(s) decreases in the 100-year water surface and more than compensate(s) for flow displacement…"

The Draft EIR findings of no significant impacts due to flooding are warranted based on this analysis.

Response 32O: The comment is noted.

Response 32P: The traffic related comments herein were prepared after circulation of the original DEIR and prior to re-circulation of the DEIR. The recirculated DEIR provided a revised traffic analysis which either supplemented or supplanted the traffic information contained in the original DEIR. Therefore, with respect to all traffic related comments, please refer to the PRDEIR and the responses to comments thereon.

Response 32Q: See Response 32P above.

Response 32R: See Response 32P.

Response 32S: See Response 32P.

Response 32T: See Response 32P.

Response 32U: See Response 32P.

Response 32V: See Response 32P.

Response 32W: See Response 32P.

Response 32X: See Response 32P.

Response 32Y: The comment is noted. Modifications have been made to the Draft EIR throughout Sections Three and Four. However, they have not been made to the extent that re-circulation of the Draft EIR is not considered necessary in accordance with CEQA, except with respect to traffic impacts, for which a Partially Recirculated DEIR was prepared.

Letter 33

December 28, 2009

RECEIVED
DEC 28 2009
COUNTY OF SHASTA
PERMIT COUNTER

Ms. Lisa Lozier, Senior Planner
County of Shasta
Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Draft Environmental Impact Report for General Plan Amendment 08-002, Zone Amendment 08-003, Knighton & Churn Creek Commons Retail Center

Dear Ms. Lozier,

I wish to make the following comments regarding the DEIR for the Knighton & Churn Creek Commons Retail Center:

3.1 Aesthetics

Mitigation 3.1-1 states "Project signs shall be constructed to a height of not more than 40 feet...Additional signs shall be constructed to heights approved in the Planned Development Zone. Sign lighting shall conform to the criteria in the Planned Development Ordinance for this project."

Signage 40 feet in the air would certainly be inconsistent with the rural scenic vista and existing character of Churn Creek Bottom. No measures are identified to mitigate this impact.

A

3.2-1 Agricultural Resources

Impact 3.2-1 states the conversion and loss of Prime Farmland to a non-agricultural use would be Significant, Unavoidable and Irreversible. Mitigation 3.2-1 offers that the project proponent could preserve in perpetuity Prime Farmland of equal quality or better quality at a minimum ratio of 1:1.

Since new Prime Farmland cannot be created, the fact that the project proponent preserves Prime Farmland in another location does not in any way, shape or form mitigate the elimination of Prime Farmland in Churn Creek Bottom. Protecting someone else's Prime Farmland simply does not erase the fact that Prime Farmland in Churn Creek Bottom would no longer exist.

B

Mitigation 3.2-1 also states "... the project proponent shall select three potential mitigation sites for consideration by the County Director of Resource Management". Since the current Director of Resource Management has been openly outspoken against the residents of Churn Creek Bottom, I find that allowing him to make that decision would be a direct and legal conflict of interest and, therefore, completely unacceptable. C

Impacts 3.2-1, 3.2-2 and 3.2-3 have no mitigation measures that can reduce the impact to a less than significant level and are inconsistent with the Shasta County General Plan. D

Figure 3.2-2 Farmland map designates a 160 acre block of land bordered by Churn Creek Road (west), Mojo Lane (north), A.C.I.D. canal (east) and Pacheco School Road (south) as Other Land. This map designation is incorrect. The soil characteristics within that area are exactly the same as the surrounding land. There exists an official government soil survey that clearly disputes Figure 3.2-2. A correct map would designate the entire 160 acres as Prime Farmland with Urban and Built-Up Land only where existing homes are constructed, as the map correctly designates in other areas. Within said 160 acres is land currently under irrigation, cattle grazing, horse grazing, annual hay crop production, an organic farm and other agricultural activities. E

3.3 Air Quality

Mitigation 3.3-2b states "Trees shall be selected to shade paved areas that will shade 30% of the area within 15 years." A tremendous amount of heat will be generated from 90+ acres of black asphalt, and expecting to only shade 30% is not acceptable. Further, to not expect the 30% relief for a period of 15 years is most definitely not acceptable. F

The DEIR does not address:

1 - Who would personally monitor, measure and report this enforcement?

2 - By what form of communication would these monitoring and enforcement measures be announced to and available for review by the citizens of Shasta County? G

Mitigation 3.3-2c lists no measures to reduce the *significant and unavoidable* impacts caused by this project because it would fail to comply with Title 24, Building Energy Efficiency Standards which become effective January 1, 2010. H

Mitigation 3.3-3a lists eight (8) measures to reduce emissions and cumulative impacts. They are typical boiler plate statements that are meaningless without proper accountability. No details are explained for that necessary accountability, and without proper enforcement, it is erroneous and irresponsible to state that these measures would produce less than significant results. For **each one** of the eight (8) measures, please explain the following:

1 - Who would personally monitor this measure during every hour of construction?

2 - What form of official documentation would be used to record this monitoring?

2 - What type of active enforcement would be used when a piece of equipment is found to be in violation? I

3 - What punitive measures would be levied to those responsible for violations?

4 - By what means would the general public be assured that this monitoring was being accomplished?

3.8 Hydrology and Water Quality

Impact 3.8-8 incorrectly assesses as less than significant the placing of structures within a 100-year flood area. Any structure built on the project site that is elevated above the current ground level would certainly impede and redirect flood flows. FEMA approval is required. This impact is not adequately addressed. J

Page 3.8-14, fourth paragraph ends with "Because most domestic wells in the area are screened in the upper or intermediate aquifers, most of the domestic wells would not experience interference from the proposed project well." This statement is based on the January 2009 Technical Memo prepared by Lawrence and Associates. The memo states that approximately 90af per year will be returned to the groundwater basin from recharge of the treated wastewater. It is K

unclear if there is a greater threat of local well interference prior to build out of the project. K cont.

Impact 3.8-3 is identified as less than significant and provides no mitigation. If well interference does occur due to local groundwater impacts, there needs to be mitigation to address the impact. L

3.9 Land Use Planning, Population and Housing

Impact 3.9-8 regarding urban decay is considered cumulatively significant and unavoidable. Page 39 of the Urban Decay Analysis prepared by EPS in October 2009 states that "However, cumulative development of the Project and all other approved retail projects in the community and regional trade areas could cause negative impacts on the local retail sector and lead to outcomes consistent with urban decay, assuming that real incomes in the community and regional trade areas remain fixed and household growth occurs as projected. Well conceived redevelopment of affected projects may mitigate these impacts." The project proponent should be required to reinvest in areas impacted by urban decay such as the City of Redding. Investing in downtown Redding and other areas that would certainly be impacted by the resulting vacancy will help to offset the urban decay created by the project. M

3.10 Noise

Mitigation 3.10-1 does not explain who would pay for the open gap pavement that it states Shasta County shall use for improvements along Knighton Road between the northbound ramps and Churn Creek Road. What is that funding source? N

3.11 Public Services and Recreation

On Page 3.11-1 the DEIR describes the work force of the Shasta County Sheriff's Office as well as available resources and jail capacity. This information needs to be updated to reflect accurate information. O

The City of Redding Police Department responds to numerous calls for assistance at the Mt. Shasta Mall which is about half the size of the proposed project. Considering that the proposed project would be cited along a heavily traveled interstate freeway, one can easily assume that the demand for law enforcement would be much greater. The interstate freeway is a corridor of gang activity and drug trafficking that would be attracted to a large 3,400 space parking lot, especially after business hours. Add to that an elementary school and a 24-hour truck stop across the street and there is real potential for danger. O cont.

The DEIR states there is only one Sheriff Deputy on duty to cover an area that "stretches from Highway 44 south to the Tehama County line and from the City of Anderson east." This presents a serious impact to public safety which is inadequately addressed in the DEIR with a simple boiler plate mitigation 3.11-1 stating, "The applicant shall enter into a contract for services...shall be submitted to the Planning Division prior to issuance of building permits." The DEIR must state the exact measures that would assure public safety. This is a substantial law enforcement and public safety issue that cannot adequately be assessed nor resolved by untrained staff at a county planning office. P

.

3.12 Traffic and Circulation

There are 32 out of 38 traffic impacts listed as Significant and Unavoidable. Because a guaranteed funding source for the identified improvements has not been secured, the result is a traffic section that relies almost exclusively on Significant and Unavoidable. The DEIR must adequately mitigate its impacts by clearly identifying how and when the impacts will be mitigated to less than significant. Q

Page 1-2 states that "The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations." This section does not appear to meet this CEQA rule of adequacy. One solution is to have the project fund the required improvements to reach an impact that is less than significant, with the potential for reimbursement from future funding sources. R

Page ES-36 of Table S-2 Summary of Impacts and Mitigation Measures, Mitigation 3.12-5c through 3.12-5j appear to be mis-numbered. Based on the description, 3.12-5d in Table S-2 is actually 3.12-5c on Page 3.12-30. S

This DEIR lacks a discussion of any over riding public benefits as is required for impacts that are not mitigated. The number of major impacts that would be left as significant and unavoidable simply cannot be ignored. Decision makers should not determine that a private developer's need for profit nor a county looking for increased revenue can trump the goals and objectives of our County General Plan. T

Brenda Haynes

Brenda Haynes
19681 Osceola Court
Redding, CA 96002

Letter 33 Brenda Haynes

Response 33A: Aesthetic impacts associated with proposed project signage will be addressed at the discretion of Shasta County decision-makers, as stated in Mitigation Measure #3.2-1, through the Planned Development Zone provisions.

Response 33B: The comment is noted. The point made by the commenter is why the impact resulting from the proposed project on agricultural resources is considered to be "significant, unavoidable and irreversible".

Response 33C: The comment is noted.

Response 33D: See Response 33B above.

Response 33E: Figure 3.2-2 is based on FMMP mapping information, a credible source.

Response 33F: The parking lot shading requirement reflects Shasta County adopted standards. A greater percentage could be required through the Planned Development Zone decision-making process.

Response 33G: Monitoring and enforcement of mitigation measures will be in accordance with the Mitigation Monitoring and Reporting Program (MMRP) found as Section Five of this Final EIR.

Response 33H: Mitigation Measure #3.3-2c clearly states that the proposed project would have to comply with Title 24 becoming effective January 1, 2010.

Response 33I: See Response 33G above.

Response 33J: FEMA approval is not required for environmental analysis under CEQA. The commenter is referred to Comment Letter 32, Response 32N regarding the adequacy of the EIR determination that the impact of project development within the 100-year flood area is adequately based and addressed.

Response 33K: There is no evidence in the referenced technical report, or in an update thereto (see Comment Letter 16, Response 16U, A, Section 3.13, page 6-2, 2nd paragraph) that there will be any significant local well water interference. On the contrary, the referenced reports confirm the lack of such interference.

Response 33L: The comment is noted. See Response 33K above.

Response 33M: The comment is noted.

Response 33N: Funding for open gap pavement would be negotiated between the County and the proposed project developer.

Response 33O: The comment is noted.

Response 33P: See Comment Letter 32, Response 32P.

Response 33Q: See Comment Letter 25, Response 25D.

Response 33R: The comment is noted.

Response 33S: The traffic related comments herein were prepared after circulation of the original DEIR and prior to re-circulation of the DEIR. The recirculated DEIR provided a revised traffic analysis which either supplemented or supplanted the traffic information contained in the original DEIR. Therefore, with respect to all traffic related comments, please refer to the PRDEIR and the responses to comments thereon.

Response 33T: See Comment Letter 32, Response 32B.

Letter 34

DEPARTMENT OF
RESOURCE MANAGEMENT
RECEIVED

DEC 28 2009

PLANNING/BUILDING
DIVISIONS

December 21 2009

Lisa Lozier

Shasta County Planning Division

1855 Placer St Suite 103

Redding, CA 96001

Subject: Knighton Retail Center (DEIR)

Dear Ms Lozier

We are 45 year residents of Churn Creek Bottom. We live less than one mile from the proposed project site.

We wrote in opposition to the Auto Mall project that was perhaps one of the most poorly planned and executed projects proposed for development in the history of Shasta County. The economic models proposed were nothing less than fraudulent at the time but are evidence of how little integrity in the development process actually enters into the evaluation of responsible development. Had this " Auto Mall" been approved we would now be talking the "Churn Creek Auto Mall Junkyard". A

Some of just several reasons we opposed that project and now oppose the " Retail Center " are:

- The economic viability of the project is highly questionable, impossible to understand and can simply be defined only as speculative project at best. B
- The simple basic land use requirement of consideration of the highest and best use of land concept. Agriculture land use that exists in Churn Creek can not be replaced once covered with buildings, pavement and septic tanks and huge leach fields. C
- The 6 acres of the currently zoned " Commercial " is now proposed for expansion to a total of ***NINETY THREE acres of commercial (PD***) that would require an amendment to the general plan. Current zoning of A- cg and A-1 would be ignored, counter to the desires of the vast majority of local residents, many of whom worked for many years to develop a land use plan for the bottom compatible with life style desires of small residential / agriculture uses. D
- There ***is NO*** municpal infrastructure on site for sewer, waste water or storm water drainage. Ground water pollution and septic issues will occur. E
- Traffic projections and issues identified in the DEIR from the previous Quadnopf report were inadequate and remain totally unrealistic and unacceptable, even though essentially repeated again in this DEIR . The widening of the I-5 overpass, portions of Churn Creek, Knighten Rd and signalization do **NOT** address the constraints remaining F

on Churn Creek Road north of the project, on Knighton Road east of the project and the impact of ingress and egress to the project site **and the Truck Stop**. To dream that all traffic entering and exiting the project will remain only on the widened, signalized access points is an unrealistic dream. F cont.

- The existing two lanes on Churn Creek between Knighton, Rancho Rd and South Bonnyview are already seriously overburdened as evidenced by the number of accidents. More car, truck, big rigs traffic will mean more noise, pollution and traffic collisions. G

- The proximity of Pacheco School to the congestion associated with the increase in truck, car, big rigs and bus traffic can not be underestimated. The location of Pacheco School was one of the primary reasons the designation of "C" was limited to a maximum of 6 acres at the time the Churn Creek General Plan was approved . The Redding Police Dept already responds to over 1000 service calls each year for vehicle theft, assaults, disturbances and traffic issues at the truck stop which has the unfortunate reputation as THE drug transfer site of the North State. The increase in crime and traffic issues will be compounded many times over with the build out of this project. H

Shasta County planners and Board members can not continue to allow development in the County where adequate infrastructure is not currently available. An impasse with the City of Redding and in ability to work together to provide adequate infrastructure sharing agreements may appear to be acceptable to the County, but is unacceptable to the public of Shasta County. Projects like this massive project as proposed should only be located where infrastructure is currently available, where public support and adequate technical , planning staff capability exist. I

This project should be located only where those elements exist and help to assure projects will be successful--on Oasis Road within the City limits of Redding !

Questions of what jurisdiction within the County should gain the tax benefits of a project should not play a role in the location of projects and should not be a factor in the political process. The taxpayers and residents of the entire County need to be convinced this is just not a jealous political fight between two political entities who can't seem to work together , but should expect decisions to be made on the basis of good land management and planning policies for the benefit of all Shasta County residents. J

Sincerely

Alan Hill

Bev Hill

8057 Churn Creek Rd

Redding, CA 96002

Letter 34 Alan T. & Bev A. Hill

Response 34A: The comment is noted. Commenter opposition to the proposed project should be directed to the County Planning Commission and Board of Supervisors during project deliberations.

Response 34B: The comment is noted. Fiscal impacts of the proposed project, including economic viability, are summarized on page ES-5 and ES-6 of the Draft EIR. Appendix M (Fiscal Impact Analysis) of the Draft EIR, prepared by Economic & Planning Systems, Inc. (EPS) provides additional detail on this subject.

Response 34C: The comment is noted. This is an opinion of the commenter that the highest and best use of the proposed project site is for agricultural purposes.

Response 34D: The comment is a statement that the project conflicts with provisions of the Shasta County General Plan regarding land use designations and commercial development at the I-5/Knighton Road intersection. Land use designations and potential General Plan conflicts have been addressed in the Land Use and Planning section of the Draft EIR (Section 3.9). As noted on Draft EIR page 3.9-14 Impact #3.9-2, this is a matter of policy that must be decided by the Board of Supervisors.

Response 34E: The project incorporates facilities to provide water supply, wastewater treatment and disposal and storm water drainage. The environmental effects of the construction and operation of these facilities are evaluated in Sections 3.8 beginning at page 3.8-1 and 3.13 beginning at page 3.13-1 of the Draft EIR and Appendices I, J, P and Q.

Response 34F: The comment is noted. Traffic impacts resulting from the proposed project, including impacts identified by the commenter, are addressed by Mitigation Measures #3.12-1a through #3.12-8 beginning on page 3.12-15 of the Draft EIR (and in the Partially Recirculated DEIR (PRDEIR) and the response to comments thereon).

Response 34G: See Response 34F above.

Response 34H: The comment is noted. Pacheco School impacts are addressed in Draft EIR Section 3.11 and traffic impacts are addressed in Section 3.12 and in the Partially Recirculated DEIR (PRDEIR) and the response to comments thereon.

Response 34I: See Response 34E above.

Response 34J: The comment is noted.

Letter 35

DEPARTMENT OF
RESOURCE MANAGEMENT
RECEIVED

DEC 29 2009

PLANNING/BUILDING
DIVISIONS

December 21 2009

Lisa Lozier

Shasta County Planning Division

1855 Placer St Suite 103

Redding, CA 96001

Subject: Knighton Retail Center (DEIR)

Dear Ms Lozier

We are 45 year residents of Churn Creek Bottom. We live less than one mile from the proposed project site.

We wrote in opposition to the Auto Mall project that was perhaps one of the most poorly planned and executed projects proposed for development in the history of Shasta County. The economic models proposed were nothing less than fraudulent at the time but are evidence of how little integrity in the development process actually enters into the evaluation of responsible development. Had this " Auto Mall" been approved we would now be talking the "Churn Creek Auto Mall Junkyard". A

Some of just several reasons we opposed that project and now oppose the " Retail Center " are:

- The economic viability of the project is highly questionable, impossible to understand and can simply be defined only as speculative project at best. B
- The simple basic land use requirement of consideration of the highest and best use of land concept. Agriculture land use that exists in Churn Creek can not be replaced once covered with buildings, pavement and septic tanks and huge leach fields. C
- The 6 acres of the currently zoned " Commercial " is now proposed for expansion to a total of ***NINETY THREE acres of commercial (PD***) that would require an amendment to the general plan. Current zoning of A-cg and A-1 would be ignored, counter to the desires of the vast majority of local residents, many of whom worked for many years to develop a land use plan for the bottom compatible with life style desires of small residential / agriculture uses. D
- There ***is NO*** municpal infrastructure on site for sewer, waste water or storm water drainage. Ground water pollution and septic issues will occur. E

- Traffic projections and issues identified in the DEIR from the previous Quadnopf report were inadequate and remain totally unrealistic and unacceptable, even though essentially repeated again in this DEIR . The widening of the I-5 overpass, portions of Churn Creek, Knighten Rd and signalization do **NOT** address the constraints remaining on Churn Creek Road north of the project, on Knighton Road east of the project and the impact of ingress and egress to the project site **and the Truck Stop**. To dream that all traffic entering and exiting the project will remain only on the widened, signalized access points is an unrealistic dream. F

- The existing two lanes on Churn Creek between Knighton, Rancho Rd and South Bonnyview are already seriously overburdened as evidenced by the number of accidents. More car, truck, big rigs traffic will mean more noise, pollution and traffic collisions. G

- The proximity of Pacheco School to the congestion associated with the increase in truck, car, big rigs and bus traffic can not be underestimated. The location of Pacheco School was one of the primary reasons the designation of "C" was limited to a maximum of 6 acres at the time the Churn Creek General Plan was approved . The Redding Police Dept already responds to over 1000 service calls each year for vehicle theft, assaults, disturbances and traffic issues at the truck stop which has the unfortunate reputation as THE drug transfer site of the North State. The increase in crime and traffic issues will be compounded many times over with the build out of this project. H

Shasta County planners and Board members can not continue to allow development in the County where adequate infrastructure is not currently available. An impasse with the City of Redding and in ability to work together to provide adequate infrastructure sharing agreements may appear to be acceptable to the County, but is unacceptable to the public of Shasta County. Projects like this massive project as proposed should only be located where infrastructure is currently available, where public support and adequate technical , planning staff capability exist. I

This project should be located only where those elements exist and help to assure projects will be successful–on Oasis Road within the City limits of Redding !

Questions of what jurisdiction within the County should gain the tax benefits of a project should not play a role in the location of projects and should not be a factor in the political process. The taxpayers and residents of the entire County need to be convinced this is just not a jealous political fight between two political entities who can't seem to work together , but should expect decisions to be made on the basis of J

good land management and planning policies for the benefit of all Shasta County residents.

J cont.

Sincerely,

Steven and Sylvia Hill

8135 Green Acres Lane

Redding, CA 96002

Letter 35 Steven & Sylvia Hill

Response 35A: See Comment Letter 34, Response 34A.

Response 35B: See Comment Letter 34, Response 34B.

Response 35C: See Comment Letter 34, Response 34C.

Response 35D: See Comment Letter 34, Response 34D.

Response 35E: See Comment Letter 34, Response 34E.

Response 35F: See Comment Letter 34, Response 34F.

Response 35G: See Comment Letter 34, Response 34G.

Response 35H: See Comment Letter 34, Response 34H.

Response 35I: See Comment Letter 34, Response 34I.

Response 35J: See Comment Letter 34, Response 34J.

Comment on the Knighton and Churn Creek Development Shasta County

(Submitted to Shasta County on December 22, 2009)

This is to comment on the Knighton & Churn Creek Commons Retail Center Draft Environmental Impact Report (SCH #2009012088). The proposed development is a commercial retail, dining, entertainment and lodging center on approximately 92 acres in Shasta County and is located at the northeast corner of the Knighton Road and the Interstate Highway 5 interchange. The proposed project site is located in the Special Flood Hazard Areas (Flood Zones AE, AO, and A) as shown on the current Flood Insurance Rate Map (FIRM), Panel 2615F, dated June 16, 2006, for Shasta County, California.

Shasta County is a participant in the National Flood Insurance Program (NFIP) and is required to enforce the NFIP regulations. The minimum NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65. A

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain (Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation (BFE) level in accordance with the effective FIRM. B

- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any ***development*** must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment of materials.** A hydrologic and hydraulic analysis must be performed prior to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways. C

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to the Federal Emergency Management Agency (FEMA) for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at http://www.fema.gov/business/nfip/forms.shtm, D

As indicated in Appendix K, a hydrologic and hydraulic analysis has been performed by Hydmet, Inc. The purposes were to (1) evaluate the surface water hydrology of the existing project site and the effect of the project land use and facilities on downstream peak flows in local drainages and (2) evaluate the 100-year floodplain due to overflow from Churn Creek. Table 4, Appendix K, showed the reduced BFE levels from the HEC-RAS analysis. The HEC-RAS analysis should be reviewed by FEMA through the Conditional Letter of Map Revision (CLOMR) process to determine if the applied flow, geometry and hydraulic parameters were applied appropriately. Department of Water Resources staff recommends that: E

- Before grading or start of construction, Shasta County official submits the results of the hydrologic and hydraulic analysis to FEMA for a CLOMR.

- As soon as practicable, but not later than six months after the project is completed and the data becomes available, Shasta County official submits the technical data to FEMA for a Letter of Map Revision (LOMR).

Possible impacts of the proposed project on the floodplain:

- According to the 2004 Flood Insurance Study for Churn Creek, the creek will overflow its banks during a 100-year event, and send approximately 400 to 600 cfs as shallow sheet flow through the AO zone where the proposed project lies. The general slope of the AO zone is 0.001 which is almost flat. The proposed drainage ditch cannot do much to improve the drainage because the flow is obstructed by Knighton Road. The developer may need to add more and larger culverts through Knighton Road to drain the area. Also, a 30' wide x 3' deep to 50' wide x 1' deep drainage ditch may not remove the 1,600' x 1' deep overflow area out of the floodplain. F

- It could have adverse impact to upstream and/or downstream areas due to the proposed development. Structures on the adjacent properties may suffer flooding and damage if the proposed development is graded to divert floodwater to the adjacent properties. Possible displacement of the flow may move the floodplain boundary further east and increase the BFE. G

Comments submitted by:

Bill Hom, P.E., CFM
Department of Water Resources
Division of Flood Management
2825 Watt Avenue, Suite 100
Sacramento, CA 95821
(916) 574-1413
billh@water.ca.gov

Letter 36 Bill Horn, P.E., CFM, Department of Water Resources, Division of Flood Management

Response 36A: The comment is noted and incorporated in the EIR.

Response 36B: The comment is noted and incorporated in the EIR.

Response 36C: The comment is noted and incorporated in the EIR.

Response 36D: The comment is noted and incorporated in the EIR.

Response 36E: The comment is noted and incorporated in the EIR.

Response 36F: The project grading and drainage facilities, nor project construction, will not adversely affect or improve flood flow drainage east of Knighton Road.

The hydrogeological and hydraulic analysis performed by Hydmet, Inc. has calculated that the recommended grading plan and drainage ditch facilities will adequately drain the project area, reducing flow volumes therefrom to these from the project site as currently developed. It is not proposed, by culvert construction under Knighton Road or otherwise, to mitigate existing offsite 100-year flood impacts.

Response 36G: The proposed project with its incorporated grading and drainage facilities does not divert flood flows to adjacent properties, more the floodplain boundary further east, or increase the base flood elevation (BFE). Please refer to the analysis and conclusions in Appendix K and Appendix U.

Letter 38

SAMPLE LETTER #2

[Date] 12. 26. 09

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier

As a citizen of Shasta County and one of your constituents, I'm writing you to provide my comments on the DEIR for the proposed Retail Center at Knighton & Churn Creek Roads. Specifically, I am opposed to this development, due to inadequate safeguards towards storm water run-off. A

Storm water runoff in an area as large as this proposed development is a concern, even with an existing storm water infrastructure. In this instance, there is no infrastructure or counter measures to offset the excess water during a flood situation. Furthermore, operation of the effluent disposal fields will significantly affect the elevation of groundwater, which can be exacerbated during heavy rains. While keeping the information relating to water quality in mind, it is important to note that the vast majority of homes surrounding this proposed project have shallow wells. Shallow wells depend upon the permeability of soil and precipitation to remain viable. And, since the development sits squarely in the 100-year flood plain, water quality and drainage becomes a major issue that has not been addressed adequately by the DEIR. B

Thank you for your consideration of this important matter.

Sincerely,

[Your name] Mr. Gordon Ingraham
[Your address] 19588 Medo Vale Lane
Redding, CA. 96002
Mrs. Cindy Ingraham
19588 Medo Vale Lane

Letter 37 Harold R. & Gloria A. Horner

Response 37A: See Comment Letter 6, Response 6A.

Response 37B: See Comment Letter 6, Response 6B.

Response 37C: See Comment Letter 6, Response 6C.

Letter 38

SAMPLE LETTER #2

[Date] 12. 26. 09

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier

As a citizen of Shasta County and one of your constituents, I'm writing you to provide my comments on the DEIR for the proposed Retail Center at Knighton & Churn Creek Roads. Specifically, I am opposed to this development, due to inadequate safeguards towards storm water run-off. A

Storm water runoff in an area as large as this proposed development is a concern, even with an existing storm water infrastructure. In this instance, there is no infrastructure or counter measures to offset the excess water during a flood situation. Furthermore, operation of the effluent disposal fields will significantly affect the elevation of groundwater, which can be exacerbated during heavy rains. While keeping the information relating to water quality in mind, it is important to note that the vast majority of homes surrounding this proposed project have shallow wells. Shallow wells depend upon the permeability of soil and precipitation to remain viable. And, since the development sits squarely in the 100-year flood plain, water quality and drainage becomes a major issue that has not been addressed adequately by the DEIR. B

Thank you for your consideration of this important matter.

Sincerely,

[Your name] Mr. Gordon Ingraham
[Your address] 19588 Medo Vale Lane
Redding, CA. 96002
Mrs. Cindy Ingraham
19588 Medo Vale Lane

Letter 38 Mr. & Mrs. Gordon & Cindy Ingraham

Response 38A: See Comment Letter 23, Response 23A.

Response 38B: See Comment Letter 23, Response 23B.

Letter 39

SAMPLE LETTER #1

DEPARTMENT OF
RESOURCE MANAGEMENT
RECEIVED

DEC 22 2009

PLANNING/BUILDING
DIVISIONS

[Date] 12-28-09

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier

As a citizen of Shasta County and one of your constituents, I'm writing you to provide my comments on the DEIR for the proposed Retail Center at Knighton & Churn Creek Roads. Specifically, I am opposed to this development, because it violates both the letter and spirit of the current General Plan and Zoning. A

Changing the General Plan to accommodate this development will permanently change/damage the character of the neighborhood, violate zoning protections regarding the suitability of the subject property for the uses to which it has been restricted, and will detrimentally affect nearby property and community identity. B

Furthermore, the land in question is very unique in that it is the best of the best agricultural soil in existence (Class 1). This land cannot be traded or substituted. It is what it is, and should therefore remain protected by the General Plan without amendment. C

Thank you for your consideration of this important matter.

Sincerely,

[Your name]
[Your address] Mr. Gordon Ingraham
Mrs. Cindy Ingraham
19588 Medo Vale Lane
Redding

Letter 39 Mr. & Mrs. Gordon & Cindy Ingraham

Response 39A: See Comment Letter 6, Response 6A.

Response 39B: See Comment Letter 6, Response 6B.

Response 39C: See Comment Letter 6, Response 6C.

Letter 40

SAMPLE LETTER #4

[Date] 12-28-09

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier

I am very concerned about plans to develop a Retail Center at Knighton & Churn Creek Roads. I live in the Churn Creek Bottom neighborhood, which is less than 5 miles [best estimate of distance] from the proposed site.

There are many areas that are of grave concern, but most in my mind is that of traffic and safety. A few of the traffic issues and/or concerns are as follows:

- The proposed main entrance off Knighton Road to the retail center will be located very close to the Northbound I-5 Off-Ramp. This constitutes a significant safety issue due to the very short distance between the off-ramp and the entrance. A
- The DEIR specifies that the section of Knighton Road between I-5 and Churn Creek Road will be widened to multiple lanes in each direction. This widening will create what looks like a major thoroughfare and will encourage higher speeds, thus contributing to the unsafe condition at the entrance. B
- Construction of Knighton Road as a multi-lane facility appears to be incompatible with the existing truck stop driveways. The truck stop currently has three driveways on Knighton Road. The truck stop access requires trucks exiting the truck stop and returning to 1-5 to turn left onto Knighton Road immediately west of the Churn Creek Road intersection. This is a hazardous condition with existing traffic conditions and traffic from the proposed project. C

As I stated above, these three issues are only a sample of the many. As such, I feel it is imperative that this proposal be defeated in its current form.

Thank you for your consideration of this important matter.

Sincerely,

[Your name] Mr. Gordon Ingraham
[Your address] Mrs. Cindy Ingraham
19588 Medo Vale Lane
Redding

Letter 40 Mr. & Mrs. Gordon & Cindy Ingraham

Response 40A: The comment is noted. Traffic impacts resulting from the proposed project, including impacts identified by the commenter, are addressed by Mitigation Measures #3.12-1a through #3.12-8 beginning on page 3.12-15 of the Draft EIR and in the Partially Recirculated DEIR (PRDEIR) and the response to comments thereon.

Response 40B: See Response 40A above.

Response 40C: See Response 40A.

Letter 41

SAMPLE LETTER #3

DEPARTMENT OF
RESOURCE MANAGEMENT
RECEIVED

DEC 22 2009

PLANNING/BUILDING
DIVISIONS

[Date] 12.28.09

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier

I am very concerned about plans to develop a Retail Center at Knighton & Churn Creek Roads. The proposed site is part of an agricultural neighborhood where farming and ranching are a way of life. I live in the Churn Creek Bottom neighborhood, which is less than [best estimate of distance] miles from the proposed site.

This project could start within a year and will mean:

- More noise, more truck traffic and more pollution, resulting in a diminished quality of life and lower property values for area residents
- Removal of prime agricultural land and encouragement of more like projects (leap-frog development)
- Encourages sprawl, rather than in-filling vacant retail/commercial buildings, thus resulting in city blight
- Ground water pollution due to inadequate sewer and water services
- Incompatible mixture of big-rigs and school buses

A

I support the growth of Shasta County, but only when it's guided by a strategic plan that encompasses all the communities and that which addresses the quality of life of our residents. I object to haphazard and parochial planning that only addresses the few at the expense of many.

B

Please let me know as soon as possible how you plan to help our community.

Sincerely,

[Your name]
[Your address]

Mr. Gordon Ingraham
Mrs. Cindy Ingraham
19588 Medo Vale Lane
Redding CA. 96002

Letter 41 Mr. & Mrs. Gordon & Cindy Ingraham

Response 41A: See Comment Letter 14, Responses 14A through 14E.

Response 41B: See Comment Letter 14, Response 14F.

Letter 42

RECEIVED
DEC 28 2009
COUNTY OF SHASTA
PERMIT COUNTER

December 28, 2009

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier,

I am very concerned about the plans to develop a Retail Center at Knighton & Churn Creek Roads. The proposed site is part of an agricultural neighborhood where farming and ranching are a way of life. I live in the Churn Creek Bottom neighborhood, which is less than 2 miles from the proposed site.

This project could start within a year and will mean:

- More noise, more truck traffic and more pollution, resulting in a diminished quality of life and lower property values for area residents.
- Removal of prime agricultural land and encouragement of more like projects (leap frog) development.
- Encourage sprawl, rather than in-filling vacant retail/commercial buildings, thus resulting in city blight.
- Ground water pollution due to inadequate sewer and water services.
- Incompatible mixture of big-rigs and school buses.

A

I support the growth of Shasta County, but only when it's guided by a strategic plan that encompasses all the communities and that which addresses the quality of life of our residents. I object to haphazard and parochial planning that only addresses the few at the expense of many.

B

It has been less than three years ago that the Auto Mall failed by one vote and gee did we dodge a bullet there. What are you people thinking? You work for the tax payer not yourselves. Your job is not to see how much more revenue you can produce to perpetuate your regime but to serve us.

C

Please let me know as soon as possible how you plan to help our community.

Respectfully,

Darrell E. (Ed) Johnson
7338 Pacheco School Rd.
Redding, CA 96002

Letter 42 Darrell E. (Ed) Johnson

Response 42A: See Comment Letter 14, Responses 14A through 14E.

Response 42B: See Comment Letter 14, Response 14F.

Response 42C: The comment is noted. Commenter opposition should be directed to the County Planning Commission and Board of Supervisors during project deliberations.

Letter 43

12/21/09

DEPARTMENT OF
RESOURCE MANAGEMENT
RECEIVED

DEC 22 2009

PLANNING/BUILDING
DIVISIONS

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier

As a citizen of Shasta County and one of your constituents, I'm writing you to provide my comments on the DEIR for the proposed Retail Center at Knighton & Churn Creek Roads. Specifically, I am opposed to this development, because it violates both the letter and spirit of the current General Plan and Zoning. A

Changing the General Plan to accommodate this development will permanently change/damage the character of the neighborhood, violate zoning protections regarding the suitability of the subject property for the uses to which it has been restricted, and will detrimentally affect nearby property and community identity. B

Furthermore, the land in question is very unique in that it is the best of the best agricultural soil in existence (Class 1). This land cannot be traded or substituted. It is what it is, and should therefore remain protected by the General Plan without amendment. C

Thank you for your consideration of this important matter.

Sincerely, Carolyn Keogh

Ms. Carolyn L. Keogh
1205 Bonhurst Dr
Redding CA 96003

ASPCA

Letter 43 Carolyn Keogh

Response 43A: See Comment Letter 6, Response 6A.

Response 43B: See Comment Letter 6, Response 6B.

Response 43C: See Comment Letter 6, Response 6C.

Letter 44

DEPARTMENT OF
RESOURCE MANAGEMENT
RECEIVED
DEC 22 2009
PLANNING/BUILDING
DIVISIONS

12-21-09

Lisa Lozier
Shasta County Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier

As a citizen of Shasta County and one of your constituents, I'm writing you to provide my comments on the DEIR for the proposed Retail Center at Knighton & Churn Creek Roads. Specifically, I am opposed to this development, because it violates both the letter and spirit of the current General Plan and Zoning. A

Changing the General Plan to accommodate this development will permanently change/damage the character of the neighborhood, violate zoning protections regarding the suitability of the subject property for the uses to which it has been restricted, and will detrimentally affect nearby property and community identity. B

Furthermore, the land in question is very unique in that it is the best of the best agricultural soil in existence (Class 1). This land cannot be traded or substituted. It is what it is, and should therefore remain protected by the General Plan without amendment. C

Thank you for your consideration of this important matter.

Sincerely,

Donald Keogh

DONALD KEOGH
1366 SPANISH BAY DR
REDDING, CA 96003

Letter 44 Donald Keogh

Response 44A: See Comment Letter 6, Response 6A.

Response 44B: See Comment Letter 6, Response 6B.

Response 44C: See Comment Letter 6, Response 6C.

California Regional Water Quality Control Board
Central Valley Region
Karl E. Longley, ScD, P.E., Chair

Letter 45

Linda S. Adams
Secretary for Environmental Protection

415 Knollcrest Drive, Suite 100, Redding, California 96002
(530) 224-4845 • Fax (530) 224-4857
http://www.waterboards.ca.gov/centralvalley

Arnold Schwarzenegger
Governor

22 December 2009

DEPARTMENT OF
RESOURCE MANAGEMENT
RECEIVED

DEC 23 2009

PLANNING/BUILDING
DIVISIONS

Ms. Lisa Lozier
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE KNIGHTON & CHURN CREEK COMMONS RETAIL CENTER, GENERAL PLAN AMENDMENT #08-002 AND ZONE AMENDMENT #08-003, SCH# 2009012088, SHASTA COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). We reviewed the Draft Environmental Impact Report (DEIR) for the Knighton & Churn Creek Commons Retail Center project prepared on your behalf by Quad Knopf and dated October 2009. The project applicant is proposing to develop and operate a commercial retail and entertainment center on approximately 92 acres in Shasta County, located at the northeast corner of the Knighton Road and the Interstate Highway 5 interchange. When the development (which may include retail shops, restaurants, lodging, food supplies, recreation activities and equipment, traveler services and entertainment-related facilities) to be phased over three to four years. The northern most 18 acres of the proposed project site would serve as an open space buffer between the proposed commercial development and existing low-density residential uses to the north, and would contain the water supply and wastewater treatment facilities needed to serve the project.

The project would use a 300-gallon per minute (GPM) well on-site, using water storage tanks to handle excess demands, to provide water to the project. The proposed project would include an on-site sewage treatment and disposal system consisting of gravity sewer mains to a central pump station and conveyance to the treatment facility.

Our comments on the DEIR are as follows:

1. **Unresolved comments from our Notice of Preparation comment letter:** On 23 February 2009 we sent your office a letter in response to the Notice of Preparation for this project. Our letter contained anticipated permit requirements from our agency and a list of significant environmental effects, mitigation measures and alternatives that need to be explored in the EIR. A copy of our letter was included in Appendix A of the DEIR. The DEIR, however, did not address the two environmental analyses requested in paragraph 2 of the letter. Specifically, the DEIR did not include a mounding analysis to assure that the disposal system will have adequate separation between the discharge A

and the groundwater and the DEIR did not include an Antidegradation Analysis completed in accordance with State Water Resources Control Board Resolution No. 68-16, Statement of Policy with Respect to Maintaining High Quality of Waters in California (Antidegradation Policy). Regional Board staff met with the project proponent and their consultants over the past several months regarding these requirements. The final EIR needs to contain the analyses requested in items 2.a and 2.b of our 23 February 2009 letter. Section 3.13 of the EIR should be updated accordingly. In summary, the final EIR must identify the anticipated Water Quality impacts from the project, explain what measures are being used to minimize impacts, and explain how the remaining impacts are consistent with the Antidegradation Policy.

2. **DEIR errata**: The following errors should be corrected in the EIR: B

   a. Table 2-1, Subsequent Permits, Approvals, Review and Consultation Requirements – The entry for the CRWQCB is incomplete and does not include the anticipated WDRs for the operation of the wastewater treatment facilities and the MS4 General Permit (General Permit and the Small Municipal Separate Storm Sewer Systems Permit).

   b. Appendix Q, RWQCB Sewage Requirements, Section 4.4 Municipal and Domestic Wastewater: Treatment, Disposal and Reclamation – This appendix contains requirements from the Lahontan (Region 6) Basin Plan instead of quoting the Region 5 Basin Plan. The appropriate Basin Plan for this project is *The Water Quality Control Plan for the California Regional Water Quality Control Board Central Valley Region, The Sacramento River Basin and the San Joaquin River Basin.* This appendix needs to be updated to refer to applicable Basin Pan requirements.

The following comments are provided to help outline the potential permitting which may be required by the Central Valley Water Board, policy issues concerning the project, and suggestions for mitigation measures. Our present comments focus primarily on discharges regulated under our CWA §401 and storm water programs.

<u>Water Quality Certification (401 Certification)</u>

Certifications are issued for activities resulting in dredge or fill within waters of the United States. All projects must be evaluated for the presence of jurisdictional waters, including wetlands and other waters of the state. Impacts to these waters should be avoided, minimized, and/or mitigated. Impacts to waters of the United States requires an Army Corps of Engineers (Corps) Clean Water Act (CWA) Section 404 Permit and a CWA Section 401 Water Quality Certification from the Central Valley Water Board. The Section 404 and 401 permits are required for activities involving a discharge (such as fill or dredged material) to Waters of the United States. "Waters" include wetlands, riparian zones, streambeds, rivers, lakes, and oceans. Typical activities include any modifications to these waters, such as stream crossings, stream bank modifications, filling of wetlands, etc. If required, the Section 404 Permit and Section 401 Certification must be obtained prior to site disturbance. C

Waste Discharge Requirements (WDRs) or a Conditional Waiver of WDRs
Under authority of the California Water Code, the Central Valley Water Board may issue WDRs for any project, which discharges or threatens to discharge waste to waters of the state. As outlined in the California Water Code, "Waste" includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, including sediment, associated with human activities. Prior to the discharge of waste, the project proponent must obtain waste discharge requirements (WDRs) from the Central Valley Board. To obtain WDRs, the proponent must submit an application called a *Report of Waste Discharge (ROWD)* to our office. Please note that the discharge of wastewater to the surface shall not occur until WDRs are adopted, and statutorily the Central Valley Board has 140 days to issue WDRs once a ROWD, deemed complete by the Central Valley Board, is received.

Isolated wetlands not covered by the federal Clean Water Act
Wetlands not covered by the Clean Water Act are known as "isolated wetlands." Should the U.S. Army Corps of Engineers determine that isolated wetlands exist within the project scope, and should the project impact or have potential to impact the isolated wetlands, a Report of Waste Discharge and filing fee must be submitted prior to commencing the construction activity. The Central Valley Board will consider the provided information and either issue or waive Waste Discharge Requirements. Failure to obtain waste discharge requirements or a waiver thereof, when required, may result in enforcement action.

C cont.

Creek and Wetland Setbacks
The Central Valley Water Board recommends providing an adequate buffer from all rivers, streams, lakes and wetlands, to ensure protection of the beneficial uses of those waters. As a protective measure for any stream habitat on-site, as well as any wetland, riparian areas and species of special concern, adequate buffers should be incorporated for those areas whenever possible, and recorded on the final approval documents.

General Permit for Storm Water Discharges Associated with Construction Activity (General Permit) – Land disturbances on projects of 1 acre or more requires the landowner to obtain coverage under the General Permit. If disturbances exceed 1 acre, the project proponent and/or representatives will need to file a Notice of Intent (NOI), along with a vicinity map, a Storm Water Pollution Prevention Plan (SWPPP), and appropriate fees to the State Water Resources Control Board (SWRCB), prior to the commencement of activities on site. The owner may call our office to receive a permit package or download it off the Internet at http://www.waterboards.ca.gov/water_issues/programs/stormwater/

Post Construction Requirements
The General Permit and the MS4 General Permit, requires the preparation and submittal of specific information regarding post-construction Best Management Practices (BMPs) that will be incorporated in the project to mitigate pollutants. Post-construction storm water management in areas undergoing new development or redevelopment is necessary because runoff from these areas has been shown to significantly affect receiving waterbodies. As stated in the Environmental Protection Agency MS4 Phase II Final Rule, many studies indicate that prior planning and design for minimization of pollutants in post-construction storm water discharges is the most cost-effective approach to storm water quality management.

Therefore, the project development plans and environmental review documents prepared pursuant to the CEQA should indicate that the proposed project applicant shall prepare an NOI, a SWPPP and post construction storm water development plans, as discussed above, and submit copies to the Regional Water Board for review, to mitigate pollutants from the new development proposed on the site. The development plans should contain specific structural and non-structural post-construction BMPs, such as grassed swales, bioretention, porous pavement, treatment vaults, retention of buffer strips, minimization of impervious surfaces, ect, and approximate locations of each BMP. For more information go to: http://www.waterboards.ca.gov/water_issues/programs/stormwater/ C cont.

If you have any questions, please contact me at (530) 224-4850 or at the letterhead address above.

Kevin Kratzke
Water Resource Control Engineer
North Regulatory Unit

KEK: als/knr

cc: Brian Huffaker, Hawkins Companies, Boise ID
Bonnie Lampley, Lawrence and Associates, Shasta Lake City
Paul Reuter, PACE Civil, Inc., Redding
Ron Dykstra, RWQCB, Redding
Andrew Jensen, RWQCB, Redding
State Clearinghouse, Sacramento

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Letter 45 Kevin Kratzke, Water Resource Control Engineer, North Regulatory Unit, California Regional Water Quality Control Board

Response 45A: The Draft EIR, relying upon the data, analysis and conclusions contained in Appendix P prepared by PACE Engineering has determined that the construction and operation of the project wastewater facilities will, as mitigated, be less than significant. The PACE Engineering report evaluates both the wastewater treatment required to assure non-degradation of project area groundwater and the disposal system required to maintain adequate separation from groundwater.

The Regional Board may wish to buttress this study, its analysis and conclusions, by requiring submittal and approval by the Board of a disposal mounding study and an antidegredation analysis prior to consideration by the Board of a WDR for the project facilities.

Response 45B: (a) The comment is noted and the need for the listed permits is incorporated in Table 2-1, page 2-3 of the Draft EIR.

Table 2-1
Subsequent Permits, Approvals, Review and Consultation Requirements

Agency	Use/Action
California Regional Water Quality Control Board (Central Valley Region)	Approval of Notice of Intent under General Waste Discharge Order and Approval of a Stormwater Pollution Prevention (construction) Permit Section 401 Permit Approval of MS4 General Permit (General Permit and the Small Municipal Separate Storm Sewer Systems Permit) Approval of Waste Discharge Requirements (WDRs) or a Conditional Waiver of WDRs

(b) The comment is noted. The inclusion of the referenced Appendix material was to provide general information regarding California wastewater treatment requirements and processes for the reader of the EIR. It is not believed that a similar document exists for the Central Valley Region. It is, however, recognized that the proposed project facilities are within the jurisdiction of the Central Valley Region and must meet the requirements of the Water Quality Control Plan, and the regulations contained therein, for that Region.

Response 45C: The comment is noted and incorporated in the EIR. See Response 45B(a) above.

Letter 46

December 26, 2009

RECEIVED
DEC 28 2009
COUNTY OF SHASTA
PERMIT COUNTER

Shasta County Planning Department
1855 Placer Street, suite 103
Redding, CA 96001

Re: Proposed Churn Creek Commons Retail Development and Draft EIR

Dear Planners,

We have reviewed some of the Draft EIR for the above proposed development in Churn Creek Bottom and have grave reservations about the possibility of the EIR or the project being approved.

A

Many issues regarding the development have been brought to your attention by opponents as well as by the Draft EIR. Our concerns are that many crucial issues are not adequately addressed or resolved by the EIR.

We who live in Churn Creek Bottom, and other citizens for good planning, will note that the potential problems of waste water and sewage treatment are not adequately addressed in the Draft EIR. The fact that commercial runoff would drain into the ACID water system and send polluted water to agricultural areas and possibly to local residential groundwater is alarming, and mitigation measures are inadequate.

B

The report makes it clear that the measures to mitigate the traffic problems generated by the proposed project are totally inadequate.

C

It goes without saying that the project violates the intent and purpose of the General Plan as well as the specific zoning for the area. Furthermore, the issue of aesthetics with the placement of big box sprawl in the middle of a rural agricultural/residential area is not addressed thoroughly.

D

Good planning is not addressed if the Draft EIR is not able to show that the inevitable blight that will result with this kind of urban sprawl will not occur. The time and money spent on keeping the downtown mall and other sagging commercial areas alive will be lost, as will the opportunity to provide the city and county with well planned projects that bring jobs, taxes and appeal without causing decay.

E

Please do not approve this EIR and project.

Sincerely,

Phyllis Lawler
Bernie Lawler

Phyllis and Bernie Lawler
7009 Churn Creek Road
Redding, CA 96002

Letter 46 Phyllis & Bernie Lawler

Response 46A: The comment is noted. Comments regarding opposition to the proposed project should be directed to the County Planning Commission and Board of Supervisors during project deliberations.

Response 46B: See Comment Letter 45, Responses 45A and 45B and Comment Letter 34, Response 34E.

Response 46C: The comment is noted. Traffic impacts resulting from the proposed project, including impacts identified by the commenter, are addressed by Mitigation Measures #3.12-1a through #3.12-8 beginning on page 3.12-15 of the Draft EIR and in the Partially Recirculated DEIR (PRDEIR) and the response to comments thereon. Although several mitigation measures are not fully funded at this time, the measures, when implemented, will provide adequate mitigation.

Response 46D: The comment is a statement that the project conflicts with provisions of the Shasta County General Plan regarding land use designations and commercial development at the I-5/Knighton Road intersection. Land use designations and potential General Plan conflicts have been addressed in the Land Use and Planning section of the Draft EIR (Section 3.9). As noted on Draft EIR page 3.9-14 Impact #3.9-2, this is a matter of policy that must be decided by the Board of Supervisors.

Response 46E: The comment is noted. Fiscal impacts of the proposed project, including projected revenues from sales tax and other sources, are summarized on page ES-5 and ES-6 of the Draft EIR. Urban blight is discussed and analyzed on page 3.9-2 through 3.9-4 of the Draft EIR. Appendix L (Urban Decay analysis) and Appendix M (Fiscal Impact Analysis) provide additional detail on this subject. Comments regarding opposition to the proposed project should be directed to the County Planning Commission and Board of Supervisors during project deliberations.

A note from...

12-21-09

Mr. & Mrs. Eugene Lang

Re: Knighten Retail Center Draft Impact Report

Ms. Lozier:

The Knighten Retail Center DEIR should not be allowed - it goes against current zoning.

Our important Ag land should not be lost. In addition - there

A note from...

Mr. & Mrs. Eugene Lang

is no adequate sewer + water services.

This project is not compatable with a school (Peckeco) so near by.

What happened to talk of a specific plan in this region so that this subject can be put to rest

A note from...

Mr. & Mrs. Eugene Lang
569 Rivella Vista
Redding CA 96001
(530) 241-9068

DEPARTMENT OF
RESOURCE MANAGEMENT
RECEIVED
DEC 23 2009
PLANNING/BUILDING
DIVISIONS

A

B

B cont.

C

D

Letter 47

Letter 47 Mr. & Mrs. Eugene Long

Response 47A: The comment is noted. Comments regarding opposition to the proposed project should be directed to the County Planning Commission and Board of Supervisors during project deliberations.

Response 47B: The comment is noted. Agricultural impacts are addressed in Section 3.2 and sewer and water service impacts are addressed in Section 3.13 of the Draft EIR.

Response 47C: The comment is noted. Pacheco School impacts are addressed in Section 3.11 of the Draft EIR.

Response 47D: The comment is noted. This is not a comment on the environmental analysis.

Letter 48

RECEIVED
DEC 28 2009
COUNTY OF SHASTA
PERMIT COUNTER

December 28, 2009

Lisa Lozier

Shasta County Planning Division

1855 Placer St. #103

Redding, CA 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier,

As a citizen of Shasta County, I am writing you to provide my comments on the DEIR for the proposed Retail Center at Knighton & Churn Creek Roads. Specifically, I am opposed to the development, because it violates the letter and spirit of the current general Plan and Zoning. A

Changing the General Plan to accommodate this development will permanently change and damage the character of the neighborhood, violate zoning protections regarding the suitability of the subject property for the uses to which it has been restricted, and will detrimentally affect nearby property and community identity. B

Furthermore, the land in question is very unique in that it is the best agricultural soil in existence (Class 1). With the continuing demand and need for local food it is a crime to put this soil under asphalt. This land cannot be traded or substituted. It must remain protected by the General Plan without amendment. C

Thank you for your consideration of this matter.

Sincerely,

Diana McConnel

Diana McConnel

21617 Rusty Ln.

Palo Cedro, CA 96073

Letter 48 Diana McConnel

Response 48A: See Comment Letter 6, Response 6A.

Response 48B: See Comment Letter 6, Response 6B.

Response 48C: See Comment Letter 6, Response 6C.

Letter 49

RECEIVED

DEC 28 2009

COUNTY OF SHASTA
PERMIT COUNTER

December 28, 2009

Lisa Lozier

Shasta County Planning Division

1855 Placer St. #103

Redding, CA 96001

Subject: Knighton Retail Center Draft Environmental Impact Report (DEIR)

Dear Ms. Lozier,

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Thank you for your consideration of this matter.

Sincerely,

Tom McConnel

21617 Rusty Ln.

Palo Cedro, CA 96073

Letter 49 Tom McConnel

Response 49A: See Comment Letter 6, Response 6A.

Response 49B: See Comment Letter 6, Response 6B.

Response 49C: See Comment Letter 6, Response 6C.

DEPARTMENT OF TRANSPORTATION
OFFICE OF COMMUNITY PLANNING
1657 RIVERSIDE DRIVE
P. O. BOX 496073
REDDING, CA 96049-6073
PHONE (530) 229-0517
FAX (530) 225-3020
TTY (530) 225-2019

Letter 50

Flex your power!
Be energy efficient!

December 24, 2009

IGR/CEQA Review
Sha-5-9.77
Knighton & Churn Creek Commons
Retail Center (Hawkins)
GPA 08-002, Z 08-003 DEIR
SCH# 2009012088

Ms. Lisa Lozier
Shasta County Department of Resource Management Planning Division
1855 Placer Street
Redding, CA 96001

Dear Ms. Lozier:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the Knighton and Churn Creek Commons Retail Center. The project requests a General Plan amendment and zone amendment to consider a 740,000 square foot retail commercial and entertainment center in the northeast quadrant of the Interstate 5 (I-5)/ Knighton Road interchange. A

The DEIR Appendix O contains 250 pages of technical data but is not well summarized in the Traffic Section of the DEIR. Adequate disclosure of the traffic analysis and micro-simulation computer model is critical since the project results in the addition of 24,801 daily weekday trips and 33,000 Saturday mid-day trips. Figure 3.12-4 identifies that 78% of the project traffic is expected to travel through the Knighton Road interchange and 76% will travel on I-5. The technical data is inadequate for Caltrans review of the impacts to the State's facilities. B

In response to the Notice of Preparation (NOP), Caltrans requested an analysis of this regionally significant project's impacts on mainline I-5, including the project's impacts on the overall capacity of the existing 4-lane freeway. The document does include fair share percentages for some improvements to the merge/diverge areas of the ramps at the interchanges, but the supporting documentation for those calculations has not been included. Due to the amount of resultant trips from this project, a clear analysis of mainline I-5 impacts needs to be disclosed. C

In the absence of the analysis and data identified in the attached comments, the DEIR fails to adequately disclose the supporting information for the conclusions presented. Recirculation of the DEIR is necessary to make a good faith effort to disclose to the public and decision makers the consequences of this project. It is also critical that the DEIR identify and implement feasible mitigation measures due to concerns with not only this project, but also other development contemplated within the I-5 corridor and the long-term operations of the State Highway system. D

Caltrans will continue to offer the opportunity to work diligently with the County and the Shasta County Regional Transportation Planning Agency to obtain the mitigation measures needed to reduce the traffic impacts of this project and to identify alternative mitigation measures that may be considered to reduce the project's traffic impacts. We look forward to receiving and reviewing the responses to these comments in the recirculated draft EIR. If you have any questions, please do not hesitate to call me or my staff at (530) 229-0517. E

Sincerely,

Michelle Millette

MICHELLE MILLETTE, Chief
Office of Community Planning
Caltrans District

Attachment

ATTACHMENT
KNIGHTON & CHURN CREEK COMMONS RETAIL CENTER (HAWKINS) DEIR
CALTRANS DISTRICT 2 COMMENTS
December 24, 2009

Incomplete Traffic Data

In response to the NOP, Caltrans requested analysis of this regionally significant project's impacts on mainline I-5, including the projects impacts on the overall capacity of the existing 4-lane freeway. The document does include fair share percentages for some improvements to the merge/diverge areas of the ramps at the interchanges, but the supporting documentation for those calculations has not been included. F

Caltrans is particularly interested in the technical review of the traffic simulation and inputs (assumptions) used. In order to provide adequate disclosure and a method for verifying the impact analysis and proposed mitigation measures, we again requested this information in our letter dated November 19, 2009 but the entire electronic traffic simulation (both input and output) files have not been provided in order for Caltrans to run the simulation. These concerns are further described in the "Synchro Output Data and Disclosure of Micro-Simulation Data" section. Once the information is provided, we will also be verifying that the micro-simulation represents a full operational analysis between the project and the interchange and the resultant impacts to mainline I-5. In the absence of this information, the document fails to adequately disclose the supporting information for the conclusions presented. G

The DEIR Traffic Section does not describe the mainline I-5 segment impacts, as requested in Caltrans' NOP response. However, Appendix O does include two tables showing the vehicles per lane density, changes to highway speeds, and Level of Service (LOS) in the Basic Freeway Segments Capacity Analysis for Cumulative No Project and Cumulative plus Project conditions. The Basic Freeway Segments Capacity Analysis needs to address Existing conditions, Existing plus Project, Cumulative conditions, and the Cumulative plus Project conditions. This information needs to be included in the Traffic Section of the EIR. H

Caltrans requests that the specific traffic volumes used and supporting calculations be provided for review to verify the proportionate shares presented in the DEIR and that the mainline segment impacts and mitigation measures be included in the Traffic Section of the DEIR for the benefit of the public and decision makers reading the document. The information presented in the DEIR is inadequate to disclose these concerns. I

Direct Plus Project Impacts and Mitigation Measures

As disclosed in Table 3.12-9 (DEIR p. 3.12-14) and Table 3.12-11b (DEIR p. 3.12-19), most of the transportation facilities, including the interchange, are currently operating with ample existing capacity. Approval of a General Plan amendment and the addition of this project to the two-lane interchange overcrossing results in a **direct significant impact** that degrades the Level of Service (LOS) and volume to capacity ratio (v/c) from LOS B and C at the Knighton Road ramp intersections (Table 3.12-4, DEIR page 3.12-6) to unacceptable LOS F and recommends widening of the road section between the ramps (which is the interchange overcrossing) to six lanes and signalization of the ramp intersections (Tables Table 3.12-11b, DEIR page 3.12-19; Table 3.12-9, DEIR page 3.12-14; and Table 3.12-11a, DEIR page 3.12-18). The DEIR fails to clearly identify that if additional lanes are needed, the overcrossing structure would require replacement. J

Freeway Overcrossing Impacts

Table 3.12-11b identifies that the roadway LOS on Knighton Road between the ramp intersections also goes from existing LOS A to LOS F with the project (Tables 3.12-9 and 3.12-11b, DEIR pp. 3.12-9 and 19). Table 3.12-11b further identifies that the mitigation necessary is to widen the roadway (overcrossing) to **six (6) lanes**, confirming that the capacity of the two-lane facility is exceeded with this project alone. However, Mitigation Measure 3.12-1a on page 3.12-15 recommends widening the overcrossing from two-lanes to **four (4) lanes** which conflicts with Table 3.12-11b that identifies six lanes. Interestingly, Figure 2-3, although conceptual, depicts a seven lane overcrossing. This internal inconsistency undermines the validity of the conclusions presented. The document should be revised to clearly determine what infrastructure improvements are needed. K

It should also be noted that Caltrans cannot permit the existing overcrossing to be widened due to inadequate sight distance. In each case, the addition of the plus-project traffic alone requires that the overcrossing be replaced. L

The DEIR in Section 3.12.3, page 3.12-13, presents confusion because only the full build out project is analyzed. The traffic analysis is inconsistent with the project description on DEIR page 2-1 that states that the project, **"(is) to be phased in accordance with market conditions and required improvement thresholds."** The DEIR Traffic Section does not present thresholds for the number of trips, types of commercial uses, or commercial square footages trips that could be accommodated with the remaining capacity of the interchange. It also does not consider thresholds of commercial use trip generation that will result in exceeding the two-lane capacity of the existing facilities and does not identify capacity thresholds that can be considered based on interim improvements, such as intersection signalization or road widening of local streets without replacement of the two-lane interchange overcrossing. If the development is proposed in a manner that immediately exceeds the capacity of the affected interchanges, the project should be fully responsible for constructing the improvements needed to accommodate the project. M

The DEIR analysis figures need to be revised to reflect the conclusions reached in the traffic analysis. The figures need to accurately and consistently disclose the lane configurations necessary to meet the plus-project conditions, the cumulative plus project conditions, and since the project proposes a general plan amendment, the general plan buildout conditions. N

The revised figures need to address the interchange footprint necessary to change the existing geometrics to reflect current design standards that may either expand the footprint of the interchange or may result in changes to the location of the ramp intersections to reflect the changes in approach slopes. Provisions for pedestrians and bicycles also need to be included. O

General Plan Consistency

The project proposes a General Plan amendment. The relevant circulation policies are listed in the DEIR pages 3.12-10 and 11. The policies include Policy C-6l that requires, in part, that where a project results in LOS E (or worse) on existing facilities the project shall either demonstrate all feasible methods of reducing travel demand or the provision of capacity improvements to the specific road link, the transit system, or any reasonable combination. Table 3.12-8 on DEIR page 3.12-10 discusses General Plan consistency with the policies but does not include Policy C-6l. P

As previously identified, Impact 3.12-2 and Table 3.12-10 identify that the addition of the project to the existing conditions will result in a direct significant impact to delay and unacceptable LOS. Policy C-6l is Q

identified in the impact threshold of significance discussion for roadway segments and intersections. The mitigation measures included in the DEIR should be adopted and implemented to find the project consistent with the General Plan. This would require that the project be responsible for mitigating the traffic impacts by constructing the transportation improvements necessary to accommodate the project traffic. Q cont.

The resultant anticipated traffic congestion, expected long queues, waits through multiple signal cycles, and difficult maneuvering to reach the site should also be considered in concluding whether emergency access will be impeded at full buildout. R

Synchro Output Data and Disclosure of Micro-Simulation Data

DEIR page 3.12-6 discusses that the Synchro/SimTraffic micro-simulation software was used to evaluate the project site. However, without the inputs or the entire simulation, Caltrans is unable to verify the conclusions presented. The inputs and simulation are also critical to determine if the intersections were analyzed independently or analyzed and simulated together as a coordinated signal system. The difficulty in agreeing with the document's conclusions is demonstrated in the Queuing and Blocking Report in Appendix O. The report looks at the ramp intersections in the Cumulative plus Project PM conditions, but shows that a total of six lanes (three westbound and three eastbound) were analyzed for the I-5 Knighton northbound ramps but only four lanes (three westbound and one eastbound) for the southbound ramps. S

Given the close proximity of the project access and adjacent intersections, a coordinated system analysis of all the intersections in the project vicinity is needed to determine the resulting impacts as queuing from one intersection will likely affect the operation of adjacent intersections. The impact discussion in the Transportation Section of the DEIR needs to disclose all of the intersections affected, the percentage of time that queues will exceed the vehicle lane storage length, and the number of signal cycles traffic will be delayed. T

The location of the project access may have to be relocated to Churn Creek Road in order to provide for the safe and efficient operation of the I-5 ramps. From the limited analysis provided, it appears that traffic from the ramps will queue onto mainline I-5. Traffic queuing that results in stopped vehicles on an interstate mainline presents a significant safety concern. U

It should be noted that as indicated on DEIR page 3.12-9, Caltrans considers the LOS C/D threshold as the threshold for significant impacts, per the Caltrans' "Guide for the Preparation of Traffic Impact Studies" (TIS Guide). Caltrans does not consider LOS E an acceptable level of service for its facilities. The DEIR should identify the state facility locations where the Caltrans threshold is exceeded. Caltrans considers these impacts to be significant direct impacts for Existing plus Project conditions and significant cumulative impacts in the Cumulative plus Project conditions. Section 3.12 of the DEIR does not accurately represent this for Caltrans facilities. V

The Synchro output data in Appendix O shows the assumed amount of heavy vehicles using the I-5 Knighton northbound ramps as 2% to 6% of the total traffic (Appendix O, Synchro 6 Report, page 10). This assumption needs to be explained as it appears low given the adjacent truck stop/fueling facility. Other output sheets do not indicate what percentage of heavy vehicles are assumed which further emphasizes the need for complete disclosure of the input assumptions and micro-simulation files needed to assess the conclusions presented. W

Impact 3.12-3 identifies a significant direct impact at the Cypress Avenue/I-5 northbound merge. Since this **significant direct impact** is a result of adding the project traffic to the existing conditions, mitigation should be the responsibility of this project. Mitigation Measure 3.12-3 requires the addition of a third northbound X

travel lane to I-5. The DEIR should disclose the length of the third lane needed to mitigate this significant direct project impact. Similarly, the DEIR should disclose the length of the third lane needed for those mitigation measures affecting the I-5 merge and diverge areas of the affected interchanges. Ramp metering should be assessed as another potential mitigation measure at the affected interchange ramps. X cont.

FHWA Approval of Interchange Modifications

As noted in our NOP response, modifications to the interchange will require Federal Highway Administration (FHWA) approval. The DEIR lacks any discussion of alternative interchange designs. The County and the developer are advised that at the time an encroachment permit is applied for, the applicants may be required to analyze alternative interchange designs. The expanded analysis may result in improvements that differ from the proposed mitigation measures in the DEIR. It should be noted that Caltrans and FHWA are the lead agencies for projects within the interstate right of way. Therefore, the applicant will be required to prepare environmental documentation acceptable to FHWA and Caltrans for those projects. Y

Mitigation Measure 3.12-7 addresses Shasta County roadway improvement standards (DEIR, page 3.12-40). The measure should either be amended or a new measure added to state that for freeway facility improvements, the project will need to address state and federal design standards. The regulatory setting discussion on DEIR page 3.12-9 regarding federal regulations should indicate that freeway improvements will need to meet FHWA standards. Z

Cumulative Plus Project Impacts and Mitigation Measures

The DEIR on page 3.12-26 finds the mitigation measures for cumulative plus project conditions to be significant and unavoidable. It also questions the funding and jurisdiction controls for implementing mitigation measures. In regards to utilizing the Shasta County Regional Improvement Program Impact Fee Nexus Study (SCRIP), the DEIR does not make any recommendations that the County adopt the program to address the mitigation measures. The DEIR references the study as an adequate basis for determining proportionate share mitigation. In the absence of an adopted mitigation fee program for the state highway facilities, the DEIR must determine the project's proportionate share impacts and mitigation measures based on the project traffic and the changes to the buildout conditions for the General Plan amendment. AA

Feasible Mitigation Measures

CEQA prohibits public agencies from approving projects that will have significant effects on the environment unless certain findings are made. The agency must find – for each significant effect – that mitigation measures or alternatives have either been adopted by the agency, should and can be adopted by another agency with exclusive responsibility and jurisdiction over the affected resource, or that the mitigation or alternatives are infeasible. Additionally, in order to approve a project that will have significant but unavoidable effect, overriding economic, legal, social, technological, or other benefits of the project must be found to outweigh the significant effects. BB

The DEIR cites the fact that the freeways are not under the precise jurisdiction of the County as supporting rationale for a finding of "significant but unavoidable" impact and provides no analysis of overriding considerations. The findings are inadequate under CEQA. The DEIR must adopt the mitigation measures or explain why they are not feasible and make findings of overriding considerations. Offsite mitigation or proportionate share contributions have consistently been upheld as appropriate methods of mitigation. Since the Department has the procedural mechanisms in place to allow other agencies to construct projects on the State Highway System, the measures are feasible. CC

Caltrans strives to work in partnership with the local agencies (cities and counties) to mutually agree on the appropriate transportation project(s) to mitigate the impacts of development on the state highway system. Many local agencies and private developers fund and build state highway improvement projects, either through the encroachment permit process, or if the project is more complex, through the Caltrans Planning Division's Oversight Project Manager. One current and local example is the City of Anderson's installation of a traffic signal on State Route (SR) 273 at Alexander Avenue. Even though Caltrans is the owner-operator of the state highway system, local agencies are not prohibited from funding or building state highway projects. DD

The statement in the DEIR that the County cannot build the improvements or be certain that the improvements will be built because it is not in their jurisdiction or funding has not been fully guaranteed is inaccurate and should be revised. The forefront issue should be whether there is an obligation to mitigate the project's impacts per CEQA, which the document recognizes, and to correctly identify that there are methods to insure and monitor their construction through conditions of approval, development agreements, and cooperative agreements. The recommended mitigation measures that include the requirements of other agencies, such as Caltrans, the California Department of Fish and Game, the Regional Water Quality Control Board, or the US Army Corps of Engineers, are feasible and are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the County consistent with Section 15126.4 of the CEQA Guidelines. EE

To this end, it is further requested that the transportation mitigation be negotiated between the County and Caltrans. The desired results of the negotiated traffic mitigation would be that the project applicants/ developer(s) shall contribute a proportionate share amount for all needed improvements, both within the County jurisdiction and outside the County jurisdiction. The proportionate share calculations shall also be verified in consultation with Caltrans. Where the impacts are located within the City of Anderson, or the City of Redding, those jurisdictions shall agree on proportionate share mitigation. The proportionate share funds shall be held by Shasta County. As the freeway and interchange improvements identified in the EIR are proposed, designed, and planned for construction by the developer with oversight by the responsible agency, the County will offer the developer's contribution to the appropriate agency. If the identified improvements are not constructed, or if findings are not made to demonstrate the improvements will be made, the County, in cooperation with Caltrans, may agree to redirect the developer's fund contributions to other improvements within Shasta County required to mitigate the project's impacts. This mechanism will ensure that the collected mitigation funds will be spent on the measures identified in the EIR or on alternative improvements that will reduce the project's transportation impacts. FF

Alternatively, the project proponent can fund and build the entire mitigation, and get reimbursed when other development contributes to the funding of the mitigation improvement project.

The DEIR raises concerns about the lack of a guaranteed funding source or program for the projects needed to address the significant cumulative impacts. Available funding sources include local development fees, state and federal gas taxes (RTIP), and impact fee programs, such as the County's Public Facilities Improvement Program. The County's Public Facilities Improvement Program collects impact fees toward improving the Knighton Road interchange. The interchange improvement needs are also included in the Shasta County RTP, but are not currently prioritized for construction. The priority for improving the Knighton Road interchange has not been needed because, until this project was proposed, there has been adequate remaining capacity for existing development. However, the RTP can be amended to raise the project funding priority of these improvements. GG

Project Alternatives

DEIR Chapter 4 discusses the project alternatives including a Reduce Size Alternative. The discussion identifies that the Reduce Size Alternative would result in fewer vehicle trips and lower impacts to the interchange and roadway segments. It concludes that the alternative would have the same potential for vehicle conflicts and would require mitigation similar to that of the proposed project. The analysis provides no quantification to support this conclusion. Therefore, we look forward to the revised traffic analysis incorporating project phasing consistent with the project description to quantify and support the conclusion made regarding impacts and mitigation measures applicable to a reduced size alternative. GG cont.

Storm Water Runoff

The discussion of Impact 3.8-5 indicates that the project will not cause an increase in the amount of storm water runoff or result in flooding on- or off-site (DEIR, page 3.8-15). Mitigation Measure 3.8-2 discusses that Best Management Practices will be utilized to reduce the potential impacts on water quality from storm water runoff and from affecting the base flood elevation that may impact I-5. Caltrans requests that prior to the issuance of building permits, a copy of the final drainage report be provided to verify the conclusions presented.

No net increase to the 100-year storm event peak discharge or increase in elevation into the State's highway right of way or Caltrans' drainage facilities may occur as a result of this project. Further, the developer must maintain or improve existing drainage patterns and facilities affected by this project to the satisfaction of the State and Caltrans. The DEIR indicates that this will be accomplished through the implementation of storm water management best management practices including detention/retention ponds or basins, sub-surface galleries, on-site storage or infiltration ditches, as appropriate. Once installed, the property owner must properly maintain these systems. The developer/owner may be held liable for future damages due to impacts for which adequate mitigation was not undertaken or maintained. All surface water runoff that is discharged to the State's highway right of way and Caltrans' highway drainage facilities must meet Central Valley Regional Water Quality Control Board clean water standards prior to discharge. The cumulative effects on drainage due to development within this area should be considered in the overall development plan of the area. Any work within the State right of way, including modifications to existing drainage facilities, will require a Caltrans encroachment permit. For more information regarding encroachment permit fees or the encroachment permit process, the applicant may contact the District 2 Permits Office located at 1000 Center Street in Redding. The telephone number is (530) 225-3400. HH

Letter 50 Michelle Millette, Chief, Office of Community Planning, Caltrans District 2, California Department of Transportation

Response 50A: The traffic related comments herein were prepared after circulation of the original DEIR and prior to re-circulation of the DEIR. The recirculated DEIR provided a revised traffic analysis which either supplemented or supplanted the traffic information contained in the original DEIR. Therefore, with respect to all traffic related comments, please refer to the PRDEIR and the responses to comments thereon.

Response 50B: See Response 50A above.

Response 50C: See Response 50A.

Response 50D: See Response 50A.

Response 50E: See Response 50A.

Response 50F: See Response 50A.

Response 50G: See Response 50A.

Response 50H: See Response 50A.

Response 50I: See Response 50A.

Response 50J: See Response 50A.

Response 50K: See Response 50A.

Response 50L: See Response 50A.

Response 50M: See Response 50A.

Response 50N: See Response 50A.

Response 50O: See Response 50A.

Response 50P: See Response 50A.

Response 50Q: See Response 50A.

Response 50R: See Response 50A.

Response 50S: See Response 50A.

Response 50T: See Response 50A.

Response 50U: See Response 50A.

Response 50V: See Response 50A.

Response 50W: See Response 50A.

Response 50X: See Response 50A.

Response 50Y: See Response 50A.

Response 50Z: See Response 50A.

Response 50AA: See Response 50A.

Response 50BB: See Response 50A.

Response 50CC: See Response 50A.

Response 50DD: See Response 50A.

Response 50EE: See Response 50A.

Response 50FF: See Response 50A.

Response 50GG: See Response 50A.

Response 50HH: See Response 50A.