PUBLIC SCOPING REPORT

TIERRA ROBLES PLANNED DEVELOPMENT

Zone Amendment Z10-002
Tract Map 1996

SCH NO. 2012102051

LEAD AGENCY:

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1.0 INTRODUCTION

The environmental review of the Tierra Robles Planned Development Project, Zone Amendment Z10-002, Tract Map 1996) (proposed project) is being conducted by the Shasta County Department of Resource Management (County) and therefore is regulated by the California Environmental Quality Act (CEQA) under California law. The intent of the public scoping process under CEQA is to initiate the public scoping for the Environmental Impact Report (EIR), provide information about the proposed project, and solicit information that will be helpful in the environmental review process.

This Public Scoping Report for the proposed project documents the issues and concerns expressed by members of the public, government agencies, and organizations during the previous October 2012 – November 2012 EIR public scoping period and the 2016 scoping period (February 2016 – March 2016). The release of the Notice of Preparation (NOP) to prepare an EIR initiated the County's 30-day public scoping period under CEQA. The comment period allowed the public and regulatory agencies an opportunity to comment on the scope and content of the environmental document, including the alternatives to be considered, and issues that should be addressed in the EIR.

Shasta Redd, LLC, the project proponent or applicant, has filed an application with the County to subdivide the property into 166 residential lots, along with separate parcels for open space uses. As part of the review process, the County will prepare an EIR, which will evaluate the potential environmental impacts associated with the Tierra Robles Planned Development Project and will identify mitigation measures to reduce these impacts, where possible.

1.1 SCOPING REPORT ORGANIZATION

This scoping report includes four main sections and appendices, as described below:

- **Section 1** provides an introduction to the report and describes the purpose of scoping and a brief overview of the Bethel Church of Redding Collyer Drive Campus Planned Development Project.
- **Section 2** provides information on the scoping meeting and notification materials, including the NOP.
- **Section 3** summarizes the comments received and highlights the key issues raised during the scoping comment period.
- **Section 4** describes the next steps in the EIR process.

Appendices consist of all the supporting materials used during scoping. These appendices include copies of the NOP and meeting materials provided at the public scoping meeting. They also include copies of the scoping comment letters received during the NOP public comment period.

1.2 PURPOSE OF AN ENVIRONMENTAL IMPACT REPORT

An EIR is a public information document used in the planning and decision-making process. This project-level EIR analyzes the environmental impacts of the project. The City of Redding Planning Commission and City Council will consider the information in the EIR, including public comments and staff responses to those comments, during the public hearing process. As a legislative action, the final decision is made by

the City Council, who may approve, conditionally approve, or deny the project. The purpose of an EIR is to identify:

- The significant impacts of the project on the environment and indicate the manner in which those significant impacts can be avoided or mitigated;
- Any unavoidable adverse impacts that cannot be mitigated; and
- Reasonable and feasible alternatives to the project that would eliminate any significant environmental impacts or reduce the impacts to a less-than-significant level.

The EIR will also disclose potential growth-inducing impacts, impacts found not to be significant, and significant cumulative impacts of the project.

CEQA requires an EIR to reflect the independent judgment of the lead agency with respect to impacts, disclose the level of significance of the impacts both with and without mitigation, and describe the mitigation measures proposed to reduce the impacts. A Draft EIR is circulated to responsible agencies, trustee agencies with resources affected by the project, and interested agencies and individuals. The review process gives both agencies and individuals an opportunity to share expertise, discuss agency analyses, check for accuracy, detect omissions, discover public concerns, and solicit mitigation measures and alternatives capable of avoiding or reducing the significant effects of the project, while still attaining most of the basic objectives of the project.

Reviewers of the forthcoming Draft EIR for the proposed Bethel Church of Redding Collyer Drive Campus Planned Development Project are requested to focus on the sufficiency of the document (i.e., the thoroughness of its identification and analysis of possible impacts on the environment as well as ways to avoid or mitigate such impacts). Comments are most helpful when they suggest better ways to avoid or mitigate significant environmental effects (e.g., through additional alternatives or mitigation measures).

1.3 PURPOSE OF SCOPING

The process of determining the focus and content of the EIR is known as scoping. Scoping helps to identify the range of actions, alternatives, environmental effects, and mitigation measures to be analyzed in depth, and eliminates from detailed study those issues that are not pertinent to the final decision on the proposed project. The scoping process is not intended to resolve differences of opinion regarding the proposed project or evaluate its merits. Instead, the process allows all interested parties to express their concerns regarding the proposed project and thereby ensures that all opinions and comments applicable to the environmental analysis are addressed in the EIR. Scoping is an effective way to bring together and address the concerns of the public, affected agencies, and other interested parties. Members of the public, relevant federal, State, regional and local agencies, interests groups, community organizations, and other interested parties may participate in the scoping process by providing comments or recommendations regarding issues to be investigated in the EIR.

Comments received during the scoping process are part of the public record as documented in this scoping report. The comments and questions received during the public scoping process have been reviewed and considered by the City in determining the appropriate scope of issues to be addressed in the EIR. The purpose of the scoping for the Bethel Church of Redding Collyer Drive Campus Planned Development Project was to:

- Inform the public and relevant public agencies about the proposed project, CEQA requirements, and the environmental impact analysis process;
- Identify potentially significant environmental impacts for consideration in the EIR;
- Identify possible mitigation measures for consideration in the EIR;
- Identify potential alternatives to the proposed project for evaluation in the EIR; and
- Compile a mailing list of public agencies and individuals interested in future public hearings and notices.

1.4 SUMMARY OF TIERRA ROBLES PLANNED DEVELOPMENT

The project site is located approximately five miles east of the City of Redding, between the unincorporated communities of Bella Vista and Palo Cedro. The 715.4-acre site is bounded by Old Alturas Road to the north and Boyle Road to the south and located 1.6 miles west of Deschutes Road.

Prior Project Summary (2012)

The 2012 project concept consisted of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 5–acre minimum (RR-BA-5), Rural Residential 3–acre minimum (RR-BA-3), and Unclassified (U) to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site; and a Tract Map (TR 1996) to divide the 715.4-acre property into 166 residential parcels ranging from 1.5 acres to 7.5 acres in size, and four open space parcels totaling 175.4 acres. As proposed in 2012, the project would have included a non-contiguous annexation of the 715.4-acre property into County Service Area No. 8, for sewage treatment and disposal. The proposed annexation would have been subject to a separate application and approval from the Shasta County Local Agency Formation Commission (LAFCO).

The Planned Development proposed the following design features: (1) Inclusion of solar design in new homes which reduces annual energy usage by 15 percent or more; (2) Variation of housing design and setbacks with not more than 5 percent of the same building footprint or building design; (3) Class 1 public bikeways within the project site; and (4) pedestrian pathways and equestrian trails located along project roadways. The project included four open space parcels, ranging in size from 2.62 acres to 150.4 acres, which contain sensitive habitat features and/or species. The largest open space parcel is generally located on steep slopes (>30% slope) adjacent to waterways in the eastern portion of the project site. This open space area would serve as both a conservation and recreation area for the proposed subdivision.

Revised Project Summary (2016)

The project applicant revised the original 2011 project to omit the proposed 3.4-mile sewer pipeline to Community Services District (CSD) No. 8. The revised project application now includes the formation of a CSD specific to the project to oversee and manage project facilities and amenities, including an on-site wastewater treatment facility. In addition to changes in the proposed backbone infrastructure, the applicant has also provided a revised site development concept that fully avoids impacts to on-site jurisdictional waters.

The proposed project consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 5–acre minimum (RR-BA-5), Rural Residential 3–

acre minimum (RR-BA-3), and Unclassified (U) to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site; and a Tract Map (TR 1996) to divide the 715.4-acre property into 166 residential parcels ranging from 1.38 acres to 6.81 acres in size, and six open space parcels totaling 190.5 acres. The average residential lot size across the proposed subdivision would be 2.85 acres. Required building setbacks include 30 feet on the front, side, and rear. Maximum structural height for the homes is 35 feet. An internal road system would provide circulation and access throughout the subdivision, totaling approximately 52.8 acres. Bridge crossings of Clough Creek would be limited to two locations.

The project site is designated in the Shasta County General Plan as Rural Residential A (R/A) (1 dwelling unit/2 acres). Due to lot size averaging, a General Plan Amendment would not be necessary. The current zoning on APNs 061-240-001 and 061-210-001 is Rural Residential (R-R), with a minimum lot area of three to five acres (R-R BA 3 & 5). The current zoning on APNs 078-250-002, 078-060-036 and 078-060-039 is Unclassified (U), which is intended to be applied as a holding district until a principal zone district has been determined.

The proposed project would require a Zone Amendment to adopt the R-R zone for the entire proposed site. In the R-R BA 3 & 5 zone, the maximum density for land greater than 30% slope is one dwelling unit per 10 acres and the maximum density for land less than 30% slope is one dwelling unit per three to five acres. In all cases, each building site area shall contain at least one contiguous acre not exceeding a 30% slope.

The Planned Development includes the following features:

- Formation of a Community Service District (CSD) as provided under the authority of Government Code Section 61000et seq. to give oversight management of project facilities and amenities.
- Wildfire/Vegetative Management Plan that provides the management direction for the reduction of flammable vegetation from around building envelopes, roadways and driveways in accordance with the California Department of Forestry and Fire Protection/Shasta County Fire Department (CAL FIRE/SCFD) requirements.
- Total disturbance area of 186.8 acres or 25.7% of the total project area (74.3% preservation area).
- Non-disturbed areas include the following three classes:
    - Open Space includes 190.5 acres (26.43% of the total project area).
    - Resource Management Areas (RMA) totaling 206.2 acres or 28.62% of the total project area. The RMA will be managed by the private land owner under the direction of the Tierra Robles CSD as described by the Wildfire/Vegetative Management Plan.
    - Non-Disturb Privately Owned Open Space: Areas within individual lots designated as non-disturbance areas that are maintained and managed by the individual land owners as described by the resource management plan. The total area within this designation is 135.2 acres (18.75%) of the total project area.
- The project includes Design Guidelines to be imposed for the development of each lot. The Design Guidelines oversight and enforcement will be the responsibility of the Tierra Robles CSD in coordination with Shasta County.
- Lot landscaping criteria set by the State of California for maximum water use per residence.

- On-site infrastructure for the conveyance, treatment and dispersal of the waste water generated onsite. The treatment and dispersal of the waste water will be managed onsite with the operation and maintenance performed by the Tierra Robles CSD.
- The Planned Development also proposes the following design features: (1) Grey water diverter system; (2) Inclusion of solar design in new homes which reduces annual energy usage by 15 percent or more; (3) Variation of housing design and setbacks with not more than 5 percent of the same building footprint or building design; (4) Class II public bikeways within the project site; and (5) pedestrian trails located along project roadways.

Primary access would be from Boyle Road at the south end of the project with a north-south oriented arterial roadway connecting to Old Alturas Road at the north end of the site. The internal street network would be built to applicable local street standards and would include two bridge crossings of Clough Creek with public utility easements for water, sewer, electricity, telephone and storm-drain improvements within the road right-of-way. Domestic and fire suppression water would be provided by the Bella Vista Water District (BVWD).

2.0 PROJECT SCOPING

This section describes the methods used by the County to notify the public and agencies about the scoping process conducted for the proposed project. It outlines how information was made available for public and agency review and identifies the different avenues that were and are available for providing comments on the project (i.e., meetings, fax, email, mail, and phone).

2.1 NOTICE OF PREPARATION

As required by CEQA *State Guidelines* §15082, the County issued a Notice of Preparation (NOP) on October 26, 2012 that summarized the proposed project, stated its intention to prepare an EIR, and requested comments from interested parties (see Appendix A for full copy of the NOP). The NOP also included notice of the County's public scoping meeting that was held on November 8, 2012 at the North Cow Creek Elementary School in Palo Cedro, California. The NOP was filed with the State Clearinghouse on October 25, 2012 (SCH# 2012102051), which initiated the 30-day public scoping period. The review period for the NOP ended on November 26, 2012. A revised Initial Study and NOP was circulated for an additional 30-day comment period between February 19, 2016 and March 25, 2016.

Over 80 copies of the NOP were distributed to federal, State, regional, and local agencies; and elected officials. In addition, four copies of the NOP were delivered to local repository sites where documents and project information can be reviewed. The NOP and all future proposed project-related documents are available for review at the information repository sites listed in Table 1. The purpose of the NOP was to formally announce that the County is preparing a Draft EIR for the proposed project, and that, as Lead Agency, was soliciting input regarding the scope and content of the environmental information to be included in the EIR. Applicable agencies and interested members of the public have 30 days to respond to the NOP, indicating, at a minimum, reasonable alternatives and mitigation measures they wish to have explored in the Draft EIR, and whether the agency will be a responsible agency or a trustee agency for the project.

Table 1
Repository Sites

REPOSITORY SITE	LOCATION	PHONE NUMBER	HOURS OF OPERATION
Shasta County RMA	1855 Placer Street, Suite 103	530-225-5532	MON – FRI: 8:00 am – 5:00 pm
Shasta County Library	1100 Parkview Avenue Redding, CA 96001	530-245-7250	MON – THR: 10:00 am – 8:00 pm FRI – SAT: 10:00 am – 6:00 pm SUN: 1:00 pm – 5:00 pm
Shasta County Library – Anderson Branch	3200 West Center Street Anderson, CA	530-365-7685	TUE – FRI: 9:00 am – 6:00 pm SAT: 10:00 am – 2:00 pm SUN, MON Closed
Shasta County RMA Website	http://www.co.shasta.ca.us/index/drm_index/planning_index/eirs.aspx	NA	NA

Scoping Meeting

The County held one public scoping meeting on November 8, 2012 at the North Cow Creek Elementary School gymnasium that provided an opportunity for the public and government agencies to obtain more information on the proposed Tierra Robles Planned Development Project, to learn more about the CEQA

environmental review process, to ask questions regarding the proposed project, and to provide formal scoping comments. The meeting was held between 7:00 pm and 9:00 pm. Handouts and informational materials made available at the meeting are listed below.

- Sign-In Sheet
- Notice of Preparation
- PowerPoint Presentation
- Introduction to CEQA Flyer
- Comment Cards

The County did not hold a new scoping meeting during the 2016 revised NOP public circulation period.

Newspaper and Media Advertisements

The date and location of the public scoping meeting was advertised in one newspaper of local circulation. Two additional newspapers and two local media networks received copies of the NOP (refer to Table 2). The advertisement provided a brief synopsis of the project and encouraged the public to share comments on the proposed project.

Table 2
Newspaper and Media Advertisements

PUBLICATION	ADVERTISEMENT DATE
East Valley Times	NOP Mailed February 19, 2016
Redding Record Searchlight	March 10, 2016
Valley Post	NOP Mailed February 19, 2016
KQMS Newstalk 1400	NOP Mailed February 19, 2016
KRCR TV News Channel 7	NOP Mailed February 19, 2016

3.0 SCOPING COMMENTS

3.1 2012 SCOPING

The following summary highlights both written and oral comments that were received during the 2012 NOP 30-day public review period that circulated from October 26, 2012 through November 26, 2012. Fifty-four (54) comment letters were submitted by private individuals during the scoping process, and approximately forty-seven (47) individuals presented oral comments during the November 8, 2012 scoping meeting. In addition to private individuals, five (5) government agencies and two (2) private organizations submitted written and/or oral comments. Appendix C, which summarizes all comments received during the 2012 scoping period and contains all of the scoping comment letters in their original format as submitted by commenters during the October 26, 2012 through November 26, 2012 public review.

Government Agencies

Bella Vista Water District
California Department of Transportation – District 2
City of Redding
Governor's Office of Planning and Research
Shasta County Department of Public Works
Shasta County Local Agency Formation Commission

Private Organizations

Wintu Audubon
Shasta Cascade Bicycle Coalition

Private Citizens

Sandra Kotch
Steve Davis
Sue A. Harbert
Thomas Rowe
Vern Barbara Deatherage
Vickie Wolf
Virginia Siemens
William Peggy Perkins
Zoie Griffin
Allan Schmidt
Allen Toney
Brad and Barbee Seiser (4 comment submissions)
Bill Walker
Bruce Shafer
Elaine Flavin (2 comment submissions)
Enid Bissot
Glenn and Sara Hoxie
Greg and Julie Tucker
Greg Gibson
Gregory Marshall
Howard G. Harbert
Jack A. Sanders Jr.
Jeanise Karimi
Jeannette Baugh
Jim Savase
Joan Tornai
John and Pam Ahern (2 comment submissions)
E. Judith Knowles
Kay Gibson
Ken and Jane Brackett
Kris Conner
Leslie Golden
Linda Blue
Gerald Hayler
Loraine Towne
Loren and Kristen Alldrin
Marcia Russell
Lawrence W. Schilling
Nancy Main
Paul and Norma McCracken
Raymond and Carol Ramos Rebecca Final
Renee Ottsman
Rick and Patty Marty
MRobb Lightfoot
Robert J. Grosch
Robert Tornai
Letter of Opposition (43 local residents)
Three (3) Anonymous Comments

3.2 2016 SCOPING

This section summarizes the comments raised by the public and agencies during the 2016 scoping process for the Tierra Robles Planned Development Project EIR. This summary is based upon written comments that were received during the 2016 NOP 30-day public review period, from February 19, 2016 through March 25, 2016. All written comments received during the public comment period for the NOP were reviewed for this report.

Forty-one (41) comment letters were submitted by private individuals during the NOP comment period. In addition to private individuals, four (4) government agencies and one (2) private organizations submitted written and/or oral comments. Section 3.1 discusses the key issues that were raised during the scoping process. Appendix D, which summarizes all comments received during the scoping period and contains all of the scoping comment letters in their original format as submitted by commenters.

Government Agencies

California Department of Fish and Wildlife
Central Valley Regional Water Quality Control Board
Native American Heritage Commission
Shasta County Environmental Health Division

Private Organizations

Bella Vista Water District
Redding Gun Club

Private Citizens

Alan Schmidt
Anne Shoenberger
Bert Aarsen
Bill and Betty Schilling
Brad and Barbee Seiser
David and Carol Waters
Carol Betush
Chris Alexander
Dan and Linda Colwell
David Bullard
Doug and Dianna Stephens
Gary Smith
Gerald and Susan Hayler
Glenn and Sara Hoxie
Greg and Kay Gibson
Gunther and Jean Sturm
Howard Harbert
Jason and Amy Luther
Jeannette Baugh (2 comment submissions)
Joel and Eleanor Townsend (2 comment submissions)
John and Pamela Ahern
Karen and Tom Taylor
Kathy Creasey
Ken and Marlene Marzocchi
Les and Kim Rice
Leslie Golden
Marcia Russell
Mark and Penelope Crumpton
Mary Severson
Mancy Main
Patricia Ahlf
Raymond and Carol Ramos
Rebecca Final
Renee Lezottie-Ottsman
Robert and Janis Lanphear
Ron Freeman
Sandra Kotch
Steve Davis

3.3 KEY ISSUES RAISED DURING THE 2012 AND 2016 PUBLIC SCOPING PERIODS

As discussed above, written and oral comments and suggestions were provided by members of the public, organizations, and government agencies. The discussion below presents a summary of key issues identified from the written and oral comments received on the proposed project during the two scoping periods (2012 and 2016).

In general, the summary comments noted below have been, in large part, paraphrased with a focus on key issues of concern, questions and general comments/suggestions. Where one or more comments address a similar issue or concern, those comments were combined together and summarized to minimize redundancy. Appendix C and Appendix D presents all written comments received from the general public, government agencies, and private organizations in their original format as submitted to the County. The specific issues raised during the public scoping process are summarized below according to topic. Original 2012 comments that are no longer applicable to the proposed project are identified as *[NOT APPLICABLE].*

Aesthetics

- ✓ Concerns with the introduction of new sources of light (streetlights) with the proposed project and impacts to the night sky.
- ✓ Concerns with the aesthetic impact of converting over 500 acres of the site to small lot residential which is inconsistent with the rural character of the area.
- ✓ Concerns were expressed with regards to the development including overhead power lines and telephone poles.

Agricultural Resources

- ✓ The property has an agricultural history that should be maintained to allow local farmers the ability to contribute to local sustainability.
- ✓ How will the project mitigate the loss of soils identified by the Natural Resource Conservation Service as "farmland of statewide importance?"

Air Quality

- ✓ Concerns of odors from the onsite waste water treatment facility associated with open air processing.
- ✓ Concerns that more homes may change current open burning restrictions and burn days.
- ✓ Concerns of air quality impacts to local residents during project construction, including the sewer line construction.
- ✓ Concerns with the project's potential impacts on global warming and its consistency with the State's policies on greenhouse gas emissions and the proposed Shasta County Climate Action Plan.

Biological Resources

- ✓ Significant concerns expressed regarding the project impacts to mature blue oak habitat and the related species that live in the area, including albino deer.

- ✓ Several special status plant species and anadramous fish should be considered in the biological evaluation.
- ✓ Concerns that the project will displace deer, wild turkeys, birds, skunks, and possum.
- ✓ Recommendations that the cumulative effect of the project in the context of loss of biodiversity needs to be studied.
- ✓ Recommendations for breeding bird surveys, surveys for nesting raptors, vernal pool, riparian habitat and streams surveys.
- ✓ Concerns regarding potential detrimental impacts to Clough Creek and onsite wildlife.

Hydrology and Water Quality

- ✓ Concerns raised related to water quality and aquatic species impacts along Clough Creek.
- ✓ Concerns regarding major impacts to storm water runoff due to the alteration of existing runoff patterns causing downstream flooding.
- ✓ Short and long-term negative effects on the local environmental due to increased runoff volumes, velocities and sediment transport.
- ✓ Concerns of negative effects to adjacent water wells.

Hazards

- ✓ Additional homes in an extreme wildland fire hazard area will contribute to the fire risk.
- ✓ Concerns regarding impacts to fire protection services.

Land Use and Planning

- ✓ Concerns that a higher density development will change the rural character of the area and is not consistent or compatible with the existing zoning surrounding the site. Project would result in a diminution of property values.
- ✓ Concerns that the project will negatively impact the rural community character of the area.
- ✓ Concerns were raised that the project is inconsistent with the Objectives and Policies of the Shasta County General Plan, particularly concerning density. How is the project consistent with the land capability analysis for the property?
- ✓ Concerns that smaller parcels will promote splitting of adjacent properties into smaller parcels.
- ✓ Concerns that the project's growth inducing impacts will set precedence for increasing density in the area.
- ✓ The increase in density will create greater hazards to the community.
- ✓ Concerns that potential blight would occur if the subdivision is left undeveloped or with a significant number of unfinished lots.
- ✓ The areas currently proposed for open space should be expanded.
- ✓ Concerns that complaints from the project's residents would force the closure of the nearby Redding Gun Club.
- ✓ Mini parcels are not consistent with the 3-5 acre parcels within the community.
- ✓ The project would set a precedent for future re-zoning or PD development for future subdivisions to have smaller lots.
- ✓ Overall loss of open space.
- ✓ Concerns that without fences, unauthorized access will occur on adjacent properties.

Noise

- ✓ Increase in traffic-related noise within a normally quiet rural area.

Public Services

- ✓ Concerns that crime will increase in the area of the homes are purchased for investments rather than as a primary residence.
- ✓ Increased demand on already constrained County sheriff and fire services.
- ✓ Current school capacity would not be able to accommodate the increase in student population as a result of the project.

Recreation

- ✓ Concerns that this development would impact the Palo Cedro Park. Will the development provide funds for the needed improvements to the park?
- ✓ Regional park impact to Redding, Anderson and Shasta Lake.

Transportation and Traffic

- ✓ Concerns regarding existing roadway geometries being inadequate to support the development, contributing to an already unsafe condition at many locations due to high rates of speed and blind curves.
- ✓ Concerns that the project will contribute to existing traffic impacts along Boyle Road and traffic safety conflicts at Foothill High School.
- ✓ Access from Deschutes Road should be provided. Two access locations to the project may not be sufficient to support the development.
- ✓ Safety concerns at Old Alturas entrance due to the existing roadway configuration.
- ✓ Concerns that efforts to widen roadways may require acquisition of private property outside of the existing right-of-way.
- ✓ Responsible parties for on-site and off-site roadway maintenance.
- ✓ Concerns raised regarding Northgate Drive being used as the emergency access road for fire. The roadway is a private road which cannot handle the increased traffic. Residents located along Northgate Drive have not given permission for the road to be used for the purpose of emergency access.
- ✓ Concerns regarding significant traffic congestion along Boyle Road and Deschutes Road.
- ✓ Concerns that dirt roads that exist today will become feeder roads for the development and adjacent residents will have to provide right-of-way access.
- ✓ Concerns over ingress and egress.
- ✓ Concerns with safety along Boyle Road.

Utilities and Service Systems

- ✓ Significant concerns express with regards to Bella Vista Water District's (BVWD) ability to supply water to the project. Noted concerns of BVWDs inability to provide water during drought

conditions, including inadequate water for fire suppression and poor water pressure for existing customers.

- ✓ Concerns that property owners be assessed additional property taxes to pay for water to support the project.
- ✓ Concerns raised that property owners along the sewer alignment who are currently on septic systems will be forced to connect to the sewer system proposed by the development. Inducing off-site growth due to the extension of the proposed sewer line. [NOT APPLICABLE]
- ✓ BVWD cannot meet current water needs. Existing occurrences of water rations, restricted allocations and higher rates compared to other neighboring water districts.
- ✓ Concerns over costs to existing property owners to maintain the new infrastructure required of the project, particularly the proposed sewer line extension to CSA No. 8. [NOT APPLICABLE]
- ✓ Concerns expressed that special water assessments and costs will be distributed to all Bella Vista Water District customers.
- ✓ Concerns that surrounding property owners will be required to hook up to the proposed onsite wastewater treatment facility.
- ✓ Concerns regarding poor water pressure for fire suppression.

Project Alternatives

- ✓ The property should be split into three to ten acre parcels that are consistent with the surrounding rural area.

Other Questions, Concerns and Comments

- ✓ Decrease in property values.
- ✓ Concerns that the project will not be economically viable and the community will be left with an abandon project and backbone infrastructure.
- ✓ Higher property taxes due to the increase in student enrollment associated with the project.

4.0 NEX STEPS IN THE EIR PROCESS

4.1 EIR EVENTS AND DOCUMENTS

While scoping is the initial step in the environmental review process, additional opportunities to comment on the project EIR will be provided. The County will provide for additional public input when the Draft EIR is released for public review, and during the public meetings for the Draft EIR. Table 3 below presents the proposed timeline for the proposed Tierra Robles Development Project environmental review process, and identifies where in the process the public and agencies can provide additional input in the environmental review process.

Table 3
EIR Events and Documents

EVENT / DOCUMENT		PURPOSE	APPROXIMATE DATE
		Completed Events / Documents	
Notice of Preparation (NOP)	Release of NOP	Notified interested parties and agencies of the County's intent to prepare an EIR.	October 2012
	Public Review Period	NOP and Initial Study released for 30-day public/agency review period to provide for public comments on the scope of the EIR.	October - November 2012 and February – March 2016
Scoping Meeting	One Scoping Meeting was Held	Presented information on the project and provided opportunity for public and agency comments in a public forum.	November 8, 2012
Scoping Report for CEQA NOP Process	Submittal of Scoping Meeting Report	Reported public and agency comments on the proposed project and environmental issues of concern to the public and agencies. This report includes comments made during the scoping process for the CEQA NOP.	Completed December 2012 and Updated April 2016
		Anticipated CEQA Milestone Dates	
Draft EIR	Release of Draft EIR	Draft EIR Notice of Completion is filed with the State Clearinghouse. EIR presents analysis of impacts and proposes mitigation measures for the proposed project and alternatives brought forward for analysis. Includes other required analysis per CEQA,	August 2016
	Public Review Period	45-ay minimum CEQA-required public review period.	August - September 2016
	Draft EIR Public Meeting	Allows for public comment on the Draft EIR	September 2016
Final EIR	Release of Final EIR	Final EIR issued by the County, including responses to public comments.	October - November 2016
	Decision on the Project	County certifies the Final EIR and Notice of Determination is filed with the State Clearinghouse.	December 2016 - January 2017

Notes:

1. The NOP was mailed to interested parties, property owners within ½-mile of the proposed project, federal, State, and local regulatory agencies, and elected officials.
2. Refer to the County's website for specific EIR document dates: http://www.co.shasta.ca.us/index/drm_index/planning_index/eirs.aspx.

4.2 GUIDELINES FOR COMMENTING ON THE DRAFT EIR

The purpose of the public review of the Draft EIR is to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA. Section 15151 of the State *CEQA Guidelines* states the following regarding standards from which adequacy is judged:

An EIR should be prepared with sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonable feasible.

Section 15204(a) of the State C*EQA Guidelines* provides guidance to assist members of the public and public agencies in preparing comments on a Draft EIR. Section 15204.5(a) states:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated.

Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviews should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts. And the geographic scope of the project. CEQA does not require a Lead Agency to conduct every test of perform all research, stud, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

Pursuant to the State *CEQA Guidelines*, and effect is not considered significant in the absence of substantial evidence; therefore, comments should be accompanied by factual support. Section 15204(c) of the State *CEQA Guidelines* states:

Reviewers should explain the basis for their comments, and, should submit data or references offering facts, reasonable assumptions based on facts. Or expert opinion supported by facts in support of the comments. Pursuant to §15064 an effect shall not be considered significant in the absence of substantial evidence.

Appendices

Appendix A
2012 Notice of Preparation

Appendix B
2016 Notice of Preparation

Appendix C
Comment Letters Received in Response to 2012 NOP

Appendix D
Comment Letters Received in Response to 2016 NOP

Appendix A
2012 Notice of Preparation

COPY

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # _____

Project Title: Zone Amendment 10-002, Tract Map 1996 - Tierra Robles Planned Development

Lead Agency: Shasta County, Department of Resource Management — Contact Person: Kent Hector, Senior Planner

Mailing Address: 1855 Placer Street, Suite 103 — Phone: (530) 225-5532

City: Redding — Zip: 96001 — County: Shasta

Project Location: County: Shasta — City/Nearest Community: Palo Cedro & Bella Vista

Cross Streets: Boyle Road / Porta Dego Way — Zip Code: 96073

Lat. / Long.: 40° 35' 36" N/ 122° 16' 01" W — Total Acres: Approximately 715

Assessor's Parcel No.: 061-210-001, 061-240-001, 078-060-036, 078-060-039, and 078-250-002

Sections: Portions of Section 19, 30 — Twp.: 32 North — Range: 3 West — Base: MDBM
Portions of Section 24, 25 — Twp.: 32 North — Range: 4 West — Base: MDBM

Within 2 Miles: State Hwy #: SR-299 — Waterways: Clough Creek
Airports: _____ — Railways: _____ — Schools: North Cow Creek Elem., Bella Vista Elem.

Document Type:

CEQA: ☒ NOP ☐ Early Cons ☐ Neg Dec ☐ Mit Neg Dec ☐ Draft EIR ☐ Supplement/Subsequent EIR (Prior SCH No.) _____ Other _____

NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI Other: ☐ Joint Document ☐ Final Document ☐ Other _____

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Local Action Type:

☐ General Plan Update ☐ General Plan Amendment ☐ General Plan Element ☐ Community Plan
☐ Specific Plan ☐ Master Plan ☐ Planned Unit Development ☒ Site Plan
☒ Rezone ☐ Prezone ☐ Use Permit ☒ Land Division (Subdivision, etc.)
☒ Annexation ☐ Redevelopment ☐ Coastal Permit ☐ Other _____

Development Type:

☒ Residential: Units 166 Acres 715
☐ Office: Sq.ft. _____ Acres _____ Employees _____
☐ Commercial: Sq.ft. _____ Acres _____ Employees _____
☐ Industrial: Sq.ft. _____ Acres _____ Employees _____
☐ Educational _____
☐ Recreational _____

☐ Water Facilities: Type _____ MGD _____
☐ Transportation: Type _____
☐ Mining: Mineral _____
☐ Power: Type _____ MW _____
☐ Waste Treatment: Type _____ MGD _____
☐ Hazardous Waste: Type _____
☐ Other: _____

Project Issues Discussed in Document:

☒ Aesthetic/Visual
☒ Agricultural Land
☒ Air Quality
☒ Archeological/Historical
☒ Biological Resources
☐ Coastal Zone
☒ Drainage/Absorption
☒ Economic/Jobs
☒ Fiscal
☒ Flood Plain/Flooding
☒ Forest Land/Fire Hazard
☒ Geologic/Seismic
☒ Minerals
☒ Noise
☒ Population/Housing Balance
☒ Public Services/Facilities
☒ Recreation/Parks
☒ Schools/Universities
☒ Septic Systems
☒ Sewer Capacity
☒ Soil Erosion/Compaction/Grading
☒ Solid Waste
☒ Toxic/Hazardous
☒ Traffic/Circulation
☒ Vegetation
☒ Water Quality
☒ Water Supply/Groundwater
☒ Wetland/Riparian
☒ Wildlife
☒ Growth Inducing
☒ Land Use
☒ Cumulative Effects
☐ Other _____

Present Land Use/Zoning/General Plan Designation:

The proposed project consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 5-acre minimum (RR-BA-5), Rural Residential 3-acre minimum (RR-BA-3), and Unclassified (U) to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site; and a Tract Map (TR 1996) to divide the 715.4-acre property into 166 residential parcels ranging from 1.5 acres to 7.5 acres in size, and four open space parcels totaling 175.4 acres. As proposed, the project would include a non-contiguous annexation of the 715.4-acre property into County Service Area No. 8, for sewage treatment and

Note: The state Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

disposal. The proposed annexation is considered in this Initial Study, but would be subject to a separate application and approval from the Shasta County Local Agency Formation Commission (LAFCO).

The Planned Development proposes the following design features: (1) Inclusion of solar design in new homes which reduces annual energy usage by 15 percent or more; (2) Variation of housing design and setbacks with not more than 5 percent of the same building footprint or building design; (3) Class 1 public bikeways within the project site; and (4) pedestrian pathways and equestrian trails located along project roadways. The proposed project would include four open space parcels, ranging in size from 2.62 acres to 150.4 acres, which contain sensitive habitat features and/or species. The largest open space parcel is generally located on steep slopes (>30% slope) adjacent to waterways in the eastern portion of the project site. This open space area would serve as both a conservation and recreation area for the proposed subdivision.

Primary access would be from Boyle Road at the south end of the project with a north-south oriented arterial roadway connecting to Old Alturas Road at the north end of the site. The internal street network would be built to applicable local street standards and would include two bridge crossings of Clough Creek with public utility easements for water, sewer, electricity, telephone and storm-drain improvements within the road right-of-way. Domestic and fire suppression water would be provided by the Bella Vista Water District. The project would require construction of approximately 1.3 miles of sewer line on-site and 3.4 miles of new force main sewer line off-site (and outside the boundary of the County Service Area) within the Boyle Road and Deschutes Road right-of-way. The new off-site sewer main line would extend from the southern portion of the project site to an existing County Service Area No. 8 manhole located near the intersection of Old 44 Drive and Deschutes Road in Palo Cedro. New on- and off-site sewer lines would be sized to meet the requirements of County Service Area No. 8 and LAFCO and upon completion would be dedicated to County Service Area No. 8, which would be responsible for on-going operation and maintenance.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

X Air Resources Board
___ Boating & Waterways, Department of
S California Highway Patrol
___ Cal Fire
S Caltrans District # 2
___ Caltrans Division of Aeronautics
___ Caltrans Planning (Headquarters)
___ Central Valley Flood Protection Board
___ Coachella Valley Mountains Conservancy
___ Coastal Commission
___ Colorado River Board
S Conservation, Department of
___ Corrections, Department of
___ Delta Protection Commission
___ Education, Department of
___ Energy Commission
S Fish & Game Region # 1
___ Food & Agriculture, Department of
___ General Services, Department of
___ Health Services, Department of
___ Housing & Community Development
X Integrated Waste Management Board
S Native American Heritage Commission

S Office of Emergency Services
X Office of Historic Preservation
___ Office of Public School Construction
___ Parks & Recreation
___ Pesticide Regulation, Department of
S Public Utilities Commission
S Regional WQCB # 5
X Resources Agency
___ S.F. Bay Conservation & Development Commission
___ San Gabriel & Lower L.A. Rivers and Mtns Conservancy
___ San Joaquin River Conservancy
___ Santa Monica Mountains Conservancy
___ State Lands Commission
___ SWRCB: Clean Water Grants
S SWRCB: Water Quality
S SWRCB: Water Rights
___ Tahoe Regional Planning Agency
___ Toxic Substances Control, Department of
S Water Resources, Department of

S Other National Marine Fisheries Service
S Other U.S. Army Corps of Engineers
S Other U.S. Fish and Wildlife Service

Local Public Review Period (to be filled in by lead agency)

Starting Date October 26, 2012 Ending Date November 26, 2012

Lead Agency (Complete if applicable): Shasta County, Resource Management Agency

Consulting Firm: RBI Consulting
Address: 4540 Duckhorn Drive, Suite 202
City/State/Zip: Sacramento, CA 95834
Contact: Mr. Bruce R. Grove, Jr., RLA
Phone: 916-928-3636

Applicant: Shasta Red, LLC
Address: 9595 Wilshire Blvd., Suite 214
City/State/Zip: Beverly Hills, CA 90212
Phone: (916) 502-7341

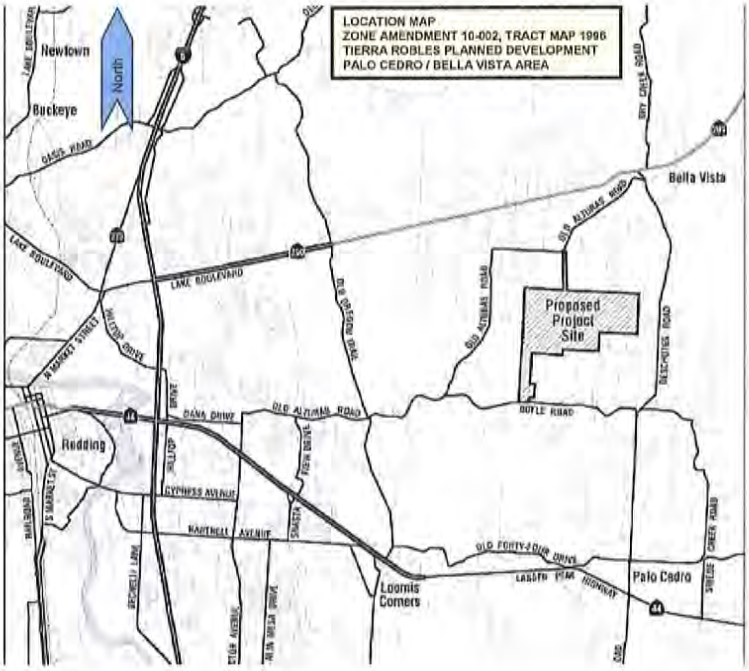
Signature of Lead Agency Representative: _____ **Date:** 10/26/12

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

NOTICE OF PUBLIC SCOPING MEETING FOR AN ENVIRONMENTAL IMPACT REPORT

PROPOSED TIERRA ROBLES PLANNED DEVELOPMENT PROJECT

As lead agency under the California Environmental Quality Act, Shasta County will prepare an Environmental Impact Report (EIR) for the proposed Tierra Robles Planned Development project. A public meeting will be held to help the County identify the potential environmental impacts which could result from development of the project. The meeting will be held on **Thursday, November 8, 2012, beginning at 7:00 p.m., in the gym at North Cow Creek Elementary School, 10619 Swede Creek Road, Palo Cedro, California**, and will be facilitated by the County's environmental consulting firm, RBF Consulting. The intent of this meeting is to receive public comments regarding the potential environmental impacts that should be addressed in depth in the EIR. The merits of the project will not be discussed, and no comments regarding approval or denial of the project will be addressed at this meeting. Upon completion, the draft EIR will be made available for public review and comment, and a new notice will be published indicating when and where the draft EIR may be reviewed, and specifying the public review time frame.



Shasta Red, LLC, the project applicant, is proposing a residential Planned Development requiring a Zone Amendment (Z10-002); a Tract Map (TR1996); and a proposed non-contiguous annexation of the 715.4-acre property into County Service Area No. 8, for sewage treatment and disposal. Shasta Red, LLC, has requested approval of the following:

- Zone Amendment. A Zone Amendment (Z10-002) is requested to change the current zoning from Rural Residential 5-acre minimum (RR-BA-5), Rural Residential 3-acre minimum (RR-BA-3), and Unclassified (U), to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site.
- Tract Map. A Tract Map (TR 1996) is requested to divide the approximate 715.4-acre property into 166 residential parcels ranging from 1.38 acres to 7.86 acres in size, and four open space parcels totaling 174.66 acres.
- Annexation to County Service Area (CSA) No. 8. Proposal for a non-contiguous annexation of the 715.4-acre property into County Service Area No. 8, for sewage treatment and disposal. The proposed annexation would be subject to a separate application and approval from the Shasta County Local Agency Formation Commission.

Written Comments will be accepted until November 26, 2012, at 5:00 p.m., and should be directed to the attention of Kent Hector, Senior Planner, Shasta County Department of Resource Management, Planning Division, 1855 Placer Street, Suite 103, Redding CA 96001. Comments may also be sent to Kent Hector at khector@co.shasta.ca.us A copy of the Notice of Preparation, comment forms and the project file are available at the Shasta County Department of Resource Management, Planning Division, 1855 Placer Street, Suite 103, Redding, CA 96001, Monday through Friday 8:00 a.m. to 5:00 p.m. Application documents may also be viewed on the internet at the following site: http://www.co.shasta.ca.us/index/drm_index/planning_index/eirs.aspx If you have any questions concerning this project, please contact Kent Hector at (530) 225-5532.

NOTICE OF PREPARATION

TO:	State Clearinghouse State Responsible Agencies State Trustee Agencies Other Public Agencies Interested Organizations Members of the Public	**FROM:** **CONTACT:**	County of Shasta Shasta County Dept. of Resource Management, Planning Division Kent Hector, Senior Planner 1855 Placer Street, Suite 103 Redding, CA 96001 (530) 225-5532

SUBJECT: Notice of Preparation of an Environmental Impact Report (EIR) for the Tierra Robles Planned Development Project (Zone Amendment 10-002, Tract Map 1996)

EIR CONSULTANT

RBF Consulting
Bruce Grove, Vice President
4540 Duckhorn Drive, Suite 202
Sacramento, CA 95834
(916) 928-2636

Shasta County is the Lead Agency under the California Environmental Quality Act (CEQA), and is preparing an Environmental Impact Report (EIR) for the project identified as the Tierra Robles Planned Development Project (Zone Amendment 10-002, Tract Map 1996).

An Initial Study has been prepared for the project and is available on the internet at: http://www.co.shasta.ca.us/index/drm_index/planning_index/eirs.aspx. Also, attached to this Notice of Preparation (NOP) are graphics showing the proposed project location, zone amendment, tract map, and area to be annexed to Community Service Area #8 (see Figures 1 through 5). The project description and project applicant are noted in the Initial Study (IS). The IS lists anticipated environmental impacts including those that will require detailed analysis, and technical studies that will need to be evaluated and/or prepared as part of the EIR. The EIR will also consider all substantive environmental issues which are raised by responsible agencies, trustee agencies, other interested agencies, and members of the public or related groups during the NOP process, and will analyze these potential effects to the detail necessary to make a determination on the level of significance. Discussion of those environmental effects that have been determined to be less-than-significant or no impact will be limited to a brief explanation of why those effects are not considered potentially significant. We need to know the views of your agency or organization as to the scope and content of the environmental information germane to your agency's statutory responsibilities or of interest to your organization in connection with the proposed project. Specifically, we are requesting the following:

1. If you are a public agency, state if your agency will be a responsible or trustee agency for the project and list the permits or approvals from your agency that will be required for the project and its future actions;
2. Identify significant environmental effects and mitigation measures that you believe need to be explored in the EIR with supporting discussion of why you believe these effects may be signi icant;
3. Describe special studies and other information that you believe are necessary for the County to analyze the significant environmental effects, alternatives, and mitigation measures you have identified;
4. Provide the name, title, and telephone number of the contact person from your agency or organization that we can contact regarding your comments;

Due to the time limits mandated by State law, your response must be received by the County of Shasta by the following deadlines:

- **For responsible and trustee agencies, not later than 30 days after you receive this notice,**
- **For all other agencies, organizations, and individuals not later than 30 days following the publication of this Notice of Preparation. The 30-day review period ends on November 26, 2012.**

If we do not receive a response from you, your agency or organization within the applicable time frame, we will presume that you, your agency or organization has no response to make.

A responsible agency, trustee agency, or other public agency may request a meeting with Shasta County or its representatives in accordance with Section 15082(c) of the CEQA Guidelines. A public scoping meeting will be held during the NOP public review period. Electronic copies of project related document and technical studies are available by clicking on the Tierra Robles Planned Development link on the Shasta County Department of Resource Management homepage at http://www.co.shasta.ca.us/index/drm_index/planning_index/eirs.aspx.

Scoping Meeting Notice: Shasta County will hold a public scoping meeting for individuals and agencies to learn more about the project and to receive comments regarding the appropriate scope and content of the EIR. The meeting will be held Thursday, November 8, 2012, at 7:00 p.m. at North Cow Creek Elementary School, 10619 Swede Creek Road, Palo Cedro, California.

Please send your responses and any direct questions to the attention of Kent Hector, Senior Planner at the Shasta County Department of Resource Management, Planning Division, 1855 Placer Street, Suite 103, Redding, CA 96001. Phone (530) 225-5532.

Date: _____ _____ Kent Hector, Senior Planner

ENVIRONMENTAL INITIAL STUDY

Tierra Robles Planned Development
Zone Amendment 10-002
Tract Map 1996

Shasta Red, LLC

October 26, 2012

INITIAL STUDY CHECKLIST
References and Documentation

Prepared by
SHASTA COUNTY DEPARTMENT OF RESOURCE MANAGEMENT
PLANNING DIVISION
1855 Placer Street, Suite 103
Redding, California 96001

SHASTA COUNTY
ENVIRONMENTAL CHECKLIST FORM
INITIAL STUDY

1. **Project Title:**
Tierra Robles Planned Development – Zone Amendment 10-002 & Tract Map 1996, Shasta Red LLC

2. **Lead agency name and address:**

Shasta County Department of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001-1759

3. **Contact Person and Phone Number:**
Kent Hector AICP, Senior Planner (530) 225-5532

4. **Project Location:**
The project site is located approximately five miles east of the City of Redding, between the unincorporated communities of Bella Vista and Palo Cedro. The 715.4-acre site is bounded by Old Alturas Road to the north and Boyle Road to the south and located 1.6 miles west of Deschutes Road.

5. **Applicant's Name and Address:**
Shasta Red LLC
Geringer Capital
9595 Wilshire Blvd., Suite 214
Beverly Hills, CA 90212

Representative's Name and Address:
Frank Lehmann
Frank Lehmann & Associates Consulting
1212 South Street, Suite B
Redding, CA 96001

6. **General Plan Designation:**
Rural Residential 'A'

7. **Zoning:**
Rural Residential 5–acre minimum (RR-BA-5), Rural Residential 3–acre minimum (RR-BA-3), and Unclassified (U)

8. **Description of Project:**
The proposed project consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 5–acre minimum (RR-BA-5), Rural Residential 3–acre minimum (RR-BA-3), and Unclassified (U) to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site; and a Tract Map (TR 1996) to divide the 715.4-acre property into 166 residential parcels ranging from 1.5 acres to 7.5 acres in size, and four open space parcels totaling 175.4 acres. As proposed, the project would include a non-contiguous annexation of the 715.4-acre property into County Service Area No. 8, for sewage treatment and disposal. The proposed annexation is considered in this Initial Study, but would be subject to a separate application and approval from the Shasta County Local Agency Formation Commission (LAFCO).

The Planned Development proposes the following design features: (1) Inclusion of solar design in new homes which reduces annual energy usage by 15 percent or more; (2) Variation of housing design and setbacks with not more than 5 percent of the same building footprint or building design; (3) Class 1 public bikeways within the project site; and (4) pedestrian pathways and equestrian trails located along project roadways. The proposed Project would include four open space parcels, ranging in size from 2.62 acres to 150.4 acres, which contain sensitive habitat features and/or species. The largest open space parcel is generally located on steep slopes (>30% slope) adjacent to waterways in the eastern portion of the project site. This open space area would serve as both a conservation and recreation area for the proposed subdivision.

Primary access would be from Boyle Road at the south end of the project with a north-south oriented arterial roadway connecting to Old Alturas Road at the north end of the site. The internal street network would be built to applicable local street standards and would include two bridge crossings of Clough Creek with public utility easements for water, sewer, electricity, telephone and storm-drain improvements within the road right-of-way. Domestic and fire suppression water would be provided by the Bella Vista Water District. The project would require construction of approximately 1.3 miles of sewer line on-site and 3.4 miles of new force main sewer line off-site (and outside the boundary of the County Service Area) within the Boyle Road and Deschutes Road right-of-way. The new off-site sewer main line would extend from the southern portion of the project site to an existing County Service Area No. 8 manhole located near the intersection of Old 44 Drive and Deschutes Road in Palo Cedro. New on- and off-site sewer lines would be sized to meet the requirements of County Service Area No. 8 and LAFCO and upon completion would be dedicated to County Service Area No. 8, which would be responsible for on-going operation and maintenance.

9. Surrounding Land Uses and Setting:

Surrounding properties are designated Rural Residential A (RA) and zoned Rural Residential (R-R). Adjacent properties to the east, south, and west consist primarily of 5 to 10-acre parcels used for residential and part-time agricultural uses. Properties to the north consist of 80-acre to 160-acre parcels used for residential and cattle grazing activities. A gun and rod club operation is also located on adjacent parcels northeast of the property. The 715.4-acre project site lies at an elevation of approximately 600 to 650 feet above mean sea level with the topography consisting of broad, nearly level meadows, steep hills, ridges, and gullies. The property is dissected by three major drainage systems which include Clough Creek, which flows southwest across the northwest corner of the property, an unnamed stream that flows south across the east central portion of the property, and a major unnamed drainage that flows from north to southeast across the eastern side of the property. In addition, there are two small streams with attached tributaries which drain the central portion of the property. Along Clough Creek there is a narrow belt of riparian habitat interspersed with upland vegetation with annual grasses. Common species found within this area are willows, black cottonwood, and occasional alders. There are also scattered pockets of riparian habitat located along the creek in the northeast portion of the property. California wild grape, Himalayan blackberry, spike rush are also present. The upland areas of the project site have a vegetative composition that is dominated by blue oaks with scattered gray pine over an annual grassland understory. Tree canopy cover ranges from 10 to 50 percent with the majority of the trees being greater than 6" dbh. Annual grasses and forbs comprise the understory with patches of manzanita, coffee berry, and poison oak being the predominant shrubs. Some occurrences of live oak are also found within the steeper draws of the drainage in the northeast corner of the property. Currently, the property is vacant, but has been used for ranching and cattle grazing activities in the past.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):

U.S. Army Corps of Engineers (USACE): Clean Water Act (CWA) Section 404 permit;
Central Valley Regional Water Quality Control Board (RWQCB) (Region 5): CWA Section 401 Certification;
National Pollutant Discharge Elimination System (NPDES) Stormwater General Construction Permit;
California Department of Fish & Game (CDFG): Fish & Game Code Section 1602 Streambed Alteration Agreement;
U.S. Fish & Wildlife Service (USFWS): incidental take permit under Endangered Species Act (ESA) Section 10 or consultation under ESA Section 7; and
State Historic Preservation Officer (SHPO): compliance with National Historic Preservation Act (NHPA) Section 106.
Shasta County Environmental Health Division
Shasta County Department of Public Works
Bella Vista Water District
Shasta County Air Quality Management District
Shasta Local Agency Formation Commission (LAFCO)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

✓	Aesthetics	✓	Agricultural Resources	✓	Air Quality
✓	Biological Resources	✓	Cultural Resources	✓	Geology / Soils
✓	Hazards & Hazardous Materials	✓	Hydrology / Water Quality	✓	Land Use / Planning
	Mineral Resources	✓	Noise	✓	Population / Housing
✓	Public Services		Recreation	✓	Transportation / Traffic
✓	Utilities / Service Systems		Mandatory Findings of Significance		

DETERMINATION: (To be completed by the Lead Agency)

On the basis of the initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR of NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Copies of the Initial Study and related materials and documentation may be obtained at the Planning Division of the Department of Resource Management, 1855 Placer Street, Suite 103, Redding, CA 96001. Contact Kent Hector, Senior Planner at (530) 225-5532.

_____ _____

Kent Hector, AICP — Date
Senior Planner

_____ _____

Richard W. Simon, AICP — Date
Assistant Director of Resource Management

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parenthesis following each question. A "No Impact" answer is adequately supported if all the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less-than-significant with mitigation, or less-than-significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more, "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less-than-significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less-than-significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from Section XVIII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures: For effects that are "Less-than-significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. General Plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify the following:

   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less-than-significant.

I. **AESTHETICS**: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	✔			
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	✔			
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	✔			
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	✔			

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a,b) Scenic vistas are defined as expansive views of highly-valued landscapes from publicly accessible viewpoints. Scenic vistas include views of natural features such as topography, water courses, outcrops, and natural vegetation, as well as man-made scenic structures. The primary character of the project site proposed for development consists of broad, nearly level meadows interspersed with oak trees with a grassland understory. The project site is not located within a State scenic highway. However, development of approximately 540 acres of the project site for the proposed planned development would result in the removal of an undetermined number of oaks and other trees along with the introduction of roadways, bikeways, 166 residential dwellings and accessory buildings which could substantially change the visual character of the project site and potentially result in substantial adverse impacts to scenic vistas and resources.

c) See previous comments under (a,b)

d) The development of 166 parcels for residential buildings and uses could potentially create a new source of substantial light or glare which could result in night sky illumination and/or other adverse effects on day and nighttime views in and around the area.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

II. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural, Land Evaluation and Site Assessment Mode (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	✔			
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				✔
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	✔			

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The portion of the project site proposed for residential development is currently used for cattle grazing. Project implementation would result in the conversion of approximately 540 acres of grazing land to non-agricultural uses which would be considered to be a significant impact on agricultural resources.

b) None of the parcels within the project site are under a Williamson Act contract. While agricultural uses occur on some adjacent properties, these properties are not zoned for agricultural uses, and are not under Williamson Act contracts. Therefore, project implementation would not result in conflicts with existing agricultural zoning.

c) See discussion under II.a above.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

III. <u>AIR QUALITY</u>: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	✔			
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	✔			
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emission which exceed quantitative thresholds for ozone precursors)?	✔			
d) Expose sensitive receptors to substantial pollutant concentrations?	✔			
e) Create objectionable odors affecting a substantial number of people?				✔

Discussion: Based on related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a-d) The applicable air quality plan for the project area is the Northern Sacramento Valley Air Basin's (NSVAB's) 2009 Air Quality Attainment Plan ("Plan"). The Plan is primarily concerned with the pollutant ozone for which the NSVAB has been designated non-attainment. In particular, the Plan presents strategies necessary to attain the California ambient air quality standard for the 1-hour ozone standard at the earliest practicable date. Due to the scale of the proposed project, further analysis is required to determine the extent to which increases in Nitrogen (NOx), Reactive Organic Gasses (ROG), and Inhalable Particulate Matter (PM10) generated from project construction and operational activities may conflict with or obstruct implementation of the 2009 Air Quality Attainment Plan as well as what, if any, mitigation measures should be incorporated to reduce the impacts to a level that is less than significant. Therefore, these impacts are considered to be potentially significant and will need to be addressed in an EIR.

Another potential air quality impact is the project's incremental increase in emissions of greenhouse gases (GHGs). These gases, mainly water vapor, carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), ozone, and chlorofluorocarbons (CFCs) all act as effective global insulators, reflecting back to earth visible light and infrared radiation. Scientists have theorized that human activities, such as burning coal to produce electricity and gasoline to run cars have accelerated the accumulation of these gases in the Earth's atmosphere which in turn has been is causing the Earth's temperature to rise. Scientists predict a warmer Earth may lead to changes in rainfall patterns, smaller polar ice caps, and a rise in sea levels, along with the corresponding impacts on plants, wildlife and humans.

Individual development projects contribute relatively small amounts of greenhouse gases. However, when added to all other greenhouse gas producing activities around the world, the accumulation of these GHG's results in global climate changes. At this time, no state-wide standards or thresholds of significance has been established for what would constitute a cumulatively significant increase in greenhouse gases for individual development projects. In the absence of these thresholds, impacts from individual projects are considered to be less-than-significant if the project incorporates California Air Pollution Control Officers Association (CAPCOA)

suggested mitigation measures and reduces its "business-as-usual" emissions levels by 15%, which is in accordance with the California Air Resources Board's (CARB) "Approved Scoping Plan" for reducing overall GHGs in California. Since the proposed project does not contain measures which would reduce its overall GHG emissions levels by 15%, these impacts are considered to be potentially significant and will need to be addressed in an EIR.

e) Due to the characteristics of the proposed development, it is unlikely that the project would cause air emissions which would create objectionable odors affecting a substantial number of people. No impact has been identified.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

IV. BIOLOGICAL RESOURCES: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	✔			
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local of regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	✔			
c) Have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	✔			
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	✔			
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	✔			
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other approved local, regional, or State habitat conservation plan?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a-c) The wetlands delineation study prepared by Wildland Resource Managers Inc. in December 2008, identified 5.7 acres of Jurisdictional Waters of the U.S. and 0.37 acres of Non-Jurisdictional Waters, both consisting of ephemeral and intermittent streams. Potentially significant impacts to existing riparian and wetland areas on the property could occur due to the removal or disturbance of vegetation and wildlife habitat resulting from the development of project access roads, driveways, and future home sites on the 715.4-acre property. In addition, increased surface water runoff mixed with sediments and various pollutants generated from future residential development and uses on the property may adversely impact water quality in wetland areas located on or adjacent to the property.

d) Due to the large scale of the project, the movement of any native resident or migratory wildlife species or established native resident or migratory wildlife corridors may be significantly impacted from future development of the property.

e) Shasta County Board of Supervisors' Resolution No. 95-157 provides guidance regarding use and protection of oak trees on a voluntary basis. The Biological Evaluation prepared by Wildland Resource Managers in January 2005, identified Blue Oak Woodlands within the project site. Due to the large scale of the proposed development, the project has the potential to significantly impact this biological resource.

f) No habitat conservation plans or other similar plans have been adopted for the project site or project area.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

V. CULTURAL RESOURCES – Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	✔			
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	✔			
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	✔			
d) Disturb any human remains, including those interred outside of formal cemeteries?	✔			

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a-d) An archaeological report prepared by Coyote and Fox Enterprises (July, 2004) for a previous project proposed on the project site indicates that there is at least one prehistoric site on the property which should be considered to be a potentially significant cultural resource. This archaeological report and any further studies necessary to determine the project's potential impacts on cultural resources will be discussed in the EIR.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

VI. GEOLOGY AND SOILS – Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake, fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publications 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?	✔			
b) Result in substantial soil erosion or the loss of topsoil?	✔			
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	✔			
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	✔			
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would may expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault;

According to the Alquist-Priolo Earthquake Fault Zoning Maps for Shasta County, there is no known earthquake fault on the project site.

ii) Strong seismic ground shaking;

According to the Shasta County General Plan Section 5.1, Shasta County has a low level of historic seismic activity. The entire County is in Seismic Design Category D. According to the Seismic Hazards Assessment for the City of Redding, California, prepared by Woodward Clyde, dated July 6, 1995, the most significant earthquake at the project site may be a background (random) North American crustal event up to 6.5 on the Richter scale at distances of 10 to 20 km. All structures shall be constructed according to the seismic requirements of the currently adopted Uniform Building Code.

iii, iv) The Preliminary Geotechnical Report prepared by Brown & Mills, Inc, (December 18, 2006) for a previously proposed project on the project site does not contain sufficient information for determining whether or not all the residential sites would be subject to seismic-related ground failure and/or landslides. Further evaluation in the EIR is required.

b) Construction and development of roads, bikeways, residential sites, and driveways for the proposed development would result in substantial grading, soil compaction, removal of vegetation, and the creation of impervious surfaces; all of which could contribute to a significant increase in wind erosion and in the amount of surface water runoff, both of which would result in greater erosion of soils on and off the project site. Further evaluation in the EIR is required.

c) The Preliminary Geotechnical Report prepared by Brown & Mills, Inc, (December 18, 2006) for a previously proposed project on the project site does not contain sufficient information for determining whether or not all the residential sites proposed under this planned development would be located on a geologic unit or soil that is unstable, or would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. Further evaluation in the EIR is required.

d) The Preliminary Geotechnical Report prepared by Brown & Mills, Inc, (December 18, 2006) for a previously proposed project on the project site does not contain sufficient information for determining whether or not all the residential sites proposed under this planned development contains expansive soils. Further evaluation in the EIR is required.

e) Preliminary indications related to capacity are that sewage collection and treatment for the proposed project could be provided by Shasta County Service Area No. 8.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

VII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✔
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✔
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✔
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✔
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✔
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✔
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✔
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas, or where residences are intermixed with wildlands?	✔			

Discussion: Based on these comments, the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) Small quantities of potentially hazardous substances (e.g., petroleum and other chemicals used to operate and maintain construction equipment) would be used at the project site and transported to and from the site during construction. In addition, some potentially hazardous construction waste may be generated during the construction phase. Construction wastes from the site would be disposed of in accordance with the Standard Specifications in the California Code of Regulations. Compliance with federal and state laws would reduce the potential for hazards related to construction waste to a less-than-significant level.

Operation of the project would not include the use or transportation of significant amounts of potentially hazardous materials, including fuels or other hazardous liquids. The project would therefore not result in a significant hazard to workers, the public, or the environment through the routine transport, use, or disposal of hazardous materials. Compliance with applicable regulations and hazardous materials plans sufficiently minimizes potential exposure and risk.

b) Construction of the proposed project could expose construction workers, the public, or the environment to hazardous materials through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Small quantities of potentially hazardous substances (e.g., petroleum and other chemicals used to operate and maintain construction equipment) would be used at the project site. Accidental releases of these substances could potentially contaminate soils and degrade the quality of surface water and groundwater, resulting in a public safety hazard. Compliance with standard safety procedures and hazardous materials handling regulations will reduce any impacts to a less-than-significant level.

c) The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

d) The project is not located on a site which is included on a list of hazardous materials sites and would not create a significant hazard to the public or the environment.

e) The project is not located within an airport land use plan or within two miles of a public airport or public use airport.

f) The project is not located within the vicinity of a private airstrip.

g) There are no indications at this time that the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

h) Fire protection services for the project area are provided by the Shasta County Fire Department. The Shasta County Fire Department has indicated that the project is located in an area which is designated as "Moderate" fire hazard severity zone. The project site is considered to be at risk for wildland fires due to the rural character of the project site and existing on-site woodlands. Development of the project site would generally reduce fuels, and therefore fire hazards; however, the increased population would increase the potential for fires to be started.

All roadways, driveways, and buildings for the proposed planned development would be required to be constructed in accordance with the Shasta County Fire Safety Standards. These standards also require the clearing of combustible vegetation around all structures for a distance of not less than 30 feet on each side, or to the property line. The California Public Resources Code 4291 includes a "Defensible Space" requirement of clearing 100 feet around all buildings, or to the property line, whichever is less. In addition, the applicant would be required to prepare a Wildland-Fuel Vegetation Management Plan to address on-site vegetation management in areas within 100 feet of structures, and in open space areas. However, with the increased demand on the Shasta County Fire Department as a result of project build-out, there is a potentially significant impact as it could lead to an increased potential for loss, injury, or death involving wildland fires.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

VIII. HYDROLOGY AND WATER QUALITY: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	✔			
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a new deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✔	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	✔			

VIII. **HYDROLOGY AND WATER QUALITY**: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	✔			
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	✔			
f) Otherwise substantially degrade water quality?	✔			
g) Place housing within 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✔
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✔
i) 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?	✔			
j) Inundation by seiche, tsunami, or mudflow?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The tentative subdivision map shows numerous drainages throughout the project site. Construction and development of roads, residential sites, and driveways for the proposed development would require substantial grading, and result in soil compaction, removal of vegetation, and the creation of impervious surfaces; all of which could contribute to changes in drainage patterns and a significant increase in the amount of surface water runoff, erosion of soils and discharge of sediments into existing drainages and to riparian and wetland habitat located on and off the project site.

b) Water service for the project is to be provided by the Bella Vista Water District. The District has provided a Will Serve Letter and is responsible for review of groundwater supplies prior to approving the water supply for the proposed project.

c,d, e,f) See discussion under a) above.

g) The project would not place housing within the 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. The project site is not located within a flood hazard boundary.

h) The project would not place within a 100-year flood hazard area structures which would impede or redirect flood flows. No structures are proposed in the 100-year flood hazard area.

i) Aerial photos show an approximately 9-acre water impoundment located on the adjacent property to the north which in the event of dam failure may impact residential home sites downstream on the project site.

j) The project would not result in inundation by seiche, tsunami, or mudflow. The project is not located near a large lake or the ocean so would not be subject to seiche or tsunami. It is not located on or near a mountainside or hillside which is subject to mudflows.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

IX. LAND USE AND PLANNING - Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Physically divide an established community?				✔
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	✔			
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The 715.4-acre site is not located in any established community. The project does not include the creation of any road, ditch, wall, or other feature which would physically divide an established community.

b) The proposed planned development would require changes to the existing zoning of the 715.4-acre property. In addition, the project would require annexation of the project site, along with the 3.4 miles of force sewer main off-site, into County Service Area No. 8. for sewage treatment and disposal. Policies and regulations regarding both the rezone and annexation necessary to support the proposed project along with potential impacts to the community and County Service Area No. 8 will be evaluated further and discussed in the EIR.

c) The project would not conflict with any applicable habitat conservation plan or natural community conservation plan. There is no adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other approved local, regional, or State habitat conservation plans for the project site or project area.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

X. MINERAL RESOURCES - Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?				✔
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, specific plan or other land use plan?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State. There are no known mineral resources of regional value located on or near the project site.

b) The project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. The project site is not identified in the General Plan Minerals Element as containing a locally-important mineral resource. There is no other land use plan which addresses minerals.

Mitigation/Monitoring: None proposed.

XI. NOISE – Would the project result in:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	✔			
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels				✔
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	✔			
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	✔			
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✔
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) Construction activities that could produce potentially significant noise levels include use of engine-powered equipment, power tools, impact sounds, and vehicles. The actual period of construction noise and impacts associated with the project would vary with the location of the sensitive receptor, and it should be noted that the noise exposure for a given receptor would not be constant over the construction period. Rather, there are likely to be relatively short intermittent periods (days or weeks) of intense activity. The overall time frame for noise exposure at a given sensitive receptor location would be limited. However, overall noise due to construction activities may result in a potentially significant impact. Additional automobile and truck traffic generated from the proposed project may also result in potentially significant noise impacts to residents along internal project roadways and along connecting roadways to project site. Noise associated with the gun club operation located on adjacent parcels northeast of the property may also significantly impact future residents on nearby parcels proposed in the Planned Development.

b) The project would not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. There is no identified source of groundborne vibration or groundborne noise levels in the project area.

c) See discussion under XI. a).

d) See discussion under XI. a).

e) The project is not located within an airport land use plan or within two miles of a public airport or public use airport.

f) The project is not located within the vicinity of a private airstrip.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

XII. POPULATION AND HOUSING – Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	✔			
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✔
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) Project implementation could potentially induce off-site population growth. Off-site population growth may occur due to the proposed construction of approximately 3.4 miles of new force main sewer line within the Boyle Road and Deschutes Road right-of-way, from the southern portion of the project site to an existing County Service Area No. 8 manhole located near the intersection of Old 44 Drive and Deschutes Road in Palo Cedro, and the associate extension of the CSA No. 8 boundary through areas of the County currently not served, or within the existing boundary. The potential for growth inducement on properties adjacent to the 3.4 miles of new force main sewer line off-site may be significant.

b,c) The project site is primarily undeveloped, and is being used for agricultural purposes. The project would have a less-than-significant impact with regard to the displacement of housing and people.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

XIII. PUBLIC SERVICES: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Fire Protection?	✔			
Police Protection?	✔			
Schools?	✔			
Parks?			✔	
Other public facilities?	✔			

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

The project could result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for:

Fire Protection:

The project is located in a "Moderate"" fire hazard severity zone. However, due to the size of the proposed planned development which includes 166 additional residential parcels, significant additional level of fire protection, including new facities, may be necessary.

Police Protection:

The County has a total of 147 sworn and 119 non-sworn County peace officers (Sheriff's deputies) for the County population of 71,091 (Calif. Dept. of Finance, Official State Estimates as of May 2009) persons in the unincorporated area of the County. That is a ratio of one officer per 267 persons. The project will result in 166 additional residences, with an additional population of 435 persons (use 2.621 persons per household per Calif. Dept. of Finance Official State Estimates as of January 1, 2003). The project may warrant additional sworn or non-sworn peace officers, or related facilities.

Schools:

The project area is currently served by The North Cow Creek Elementary District and the Columbia Elementary District. School related impacts will be addressed in the EIR

Parks:

See discussion under XIV. RECREATION a,b.

Other public facilities:

The proposed project would require construction of approximately 1.3 miles of sewer line on site and 3.4 miles of new force main sewer line off site (within the Boyle Road and Deschutes Road right-of-way) and would require annexation into County Service Area No. 8 for sewage treatment and disposal. County Service Area No. 8 would also be responsible for on-going operation and maintenance of this additional system. Impacts to County Service Area No. 8 from the proposed project will be addressed in the EIR.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

XIV. RECREATION:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✔	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✔	

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The County does not have a neighborhood or regional parks system or other recreational facilities.

b) The project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. School facilities are typically used for sports and recreation. The City of Redding also has a number of recreational facilities. In addition, there are tens of thousands of acres of rivers, lakes, forests, and other public land available for recreation in Lassen National Park, the Shasta and Whiskeytown National Recreation Areas, the National Forests, and other public land administered by Bureau of Land Management.

Mitigation/Monitoring: None proposed

XV. **TRANSPORTATION/TRAFFIC**: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	✔			
b) Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highway?	✔			
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	✓			
e) Result in inadequate emergency access?	✓			
f) Result in inadequate parking capacity?				✓
g) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	✓			

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a,b) The project would result in the construction of 166 additional residences, which would be expected to generate ten vehicle trips per day, per residence. A traffic impact study prepared by Omni-means (February, 2008) for a previous project proposed on the subject property indicates that additional vehicle trips generated by the proposed project, along with anticipated traffic from other future development in the area, will require mitigation measures to provide additional capacity (e.g. intersection and roadway widening) and improved control and safety (e.g. intersection signals and roundabouts). This traffic study along with and changes to traffic on local street systems and affected intersections since this study was performed will need to be analyzed and addressed in the EIR.

c) The project would not result in a change in air traffic patterns. The project would result in the construction of single-family residences which would not affect air traffic patterns.

d,e) The potentially significant increase in vehicular trips on existing roadways could result in an increase in traffic hazards on roads and at intersections leading to and from the site. Access connections with Boyle Road and Old Alturas Road, along with other intersections and/or road segments that may be affected, will need to be addressed in the EIR.

f) The project would not result in inadequate parking capacity. The project design incorporates adequate area for off-street parking in accordance with County standards.

g) Project design includes a Class I Bikeway along some of the roadways within the proposed Planned Development. However, the proposed Class I Bikeway does not provide any connection between the project site and school sites, other bikeways, or to shopping areas, and conflicts could result between automobiles, pedestrians, and bicyclists along existing roadways in the area.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

XVI. UTILITIES AND SERVICE SYSTEMS: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	✓			
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	✓			
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	✓			
d) Have sufficient water supplies available to serve the project which serves or may serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	✓			
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	✓			
g) Comply with Federal, State, and local statutes and regulations related to solid waste?				✓

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) There are no indications at this time whether or not the proposed project would exceed wastewater treatment requirements of the Regional Water Quality Control Board.

b) The proposed project would require construction of approximately 1.3 miles of sewer line on site and 3.4 miles of new force main sewer line off site (within the Boyle Road and Deschutes Road right-of-way) and would require annexation into County Service Area No. 8 for sewage treatment and disposal. Shasta County Department of Public Works states that a sewer capacity study will be required to determine any necessary additional improvements to existing County Service Area No. 8 treatment facilities resulting from the proposed project.

c) The project would introduce impervious surfaces (e.g. roads, building sites) to a currently undeveloped area and therefore may have the potential to alter long-term drainage and groundwater infiltration patterns on and off site. The location, size and maintenance of the storm water drainage system will be analyzed and discussed in the EIR.

d) The project site is located within the Bella Vista Water District. Development of the proposed planned development will require extension of the District's water lines to serve the proposed residential parcels for domestic water use and fire protection purposes and will be addressed in the EIR

e) See discussion under b) above.

f) At present, information has not been received indicating whether or not the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

g) The project would comply with Federal, State, and local statutes and regulations related to solid waste.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below the self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	✓			
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	✓			
c) Does the project have potential environmental effects which may cause substantial adverse effects on human beings, either directly or indirectly?	✓			

Discussion:

a) Based on the discussion and findings in Section IV. Biological Resources, there is evidence to support a finding that the project would have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below the self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal.

Based on the discussion and findings in Section V. Cultural Resources, there is evidence to support a finding that the project would have the potential to eliminate important examples of the major periods of California history or prehistory.

b) Based on the discussion and findings in all Sections above, there is evidence to suggest that the project would have impacts that are cumulatively considerable.

c) Based on the discussion and findings in all Sections above, there is evidence to support a finding that the project has potential environmental effects which may cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation/Monitoring: Additional project and environmental data, environmental impact analysis, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

INITIAL STUDY COMMENTS

PROJECT NUMBER Z10-002 & TR1996 – Shasta Red LLC

GENERAL COMMENTS:

Special Studies: The following project-specific studies have been completed for the proposal and will be considered as part of the record of decision for the Negative Declaration. These studies are available for review through the Shasta County Planning Division.

1. *"Preliminary Geotechnical Investigation and Limited Geologic Hazards Evaluation of Proposed Residential Subdivision, Chatham Ranch, Shasta County, California"*, Brown & Mills, Inc., December 18, 2006.
2. *"Archaeological Reconnaissance for the Chatham Ranch (820 Acres North of Boyle Road) between Deschutes Road and Old Alturas Road), Palo Cedro, Shasta County, California"*, Coyote and Fox Enterprises, July 28, 2004.
3. *"Additional Archaeological Reconnaissance for the Chatham Ranch Development"*, Coyote and Fox Enterprises, April 3, 2006.
4. *"Chatham Ranch Biological Evaluation"*, Wildland Resource Managers, January 2005.
5. *"Wetlands Delineation for Chatham Ranch"*, Wildland Resource Managers, December 2008.
6. *"Chatham Ranch Development Traffic Impact Study"*, Omni-Means, February 2008.
7. *"Chatham Ranch Development Urbemis Air Quality Analysis"*, Omni-Means, January 2009.
8. *"Sewer System for Tierra Robles Subdivision"*, Lawrence & Associates, January 2011.
9. *"Chatham Ranch Wetlands Delineation Addendum"*, Wildland Resource Managers, May 2011
10. *"Wetland Delineation Addendum for Proposed Sewer Line Route"*, Wildland Resource Managers, May 2011 (On CD).

Conclusion/Summary: Based on a field review by the Planning Division and other agency staff, information provided by the applicant, and existing information available to the Planning Division, the project could potentially result in significant environmental impacts.

SOURCES OF DOCUMENTATION FOR INITIAL STUDY CHECKLIST

All headings of this source document correspond to the headings of the initial study checklist. In addition to the resources listed below, initial study analysis may also be based on field observations by the staff person responsible for completing the initial study. Most resource materials are on file in the office of the Shasta County Department of Resource Management, Planning Division, 1855 Placer Street, Suite 103, Redding, CA 96001, Phone: (530) 225-5532.

GENERAL PLAN AND ZONING

1. Shasta County General Plan and land use designation maps.
2. Applicable community plans, airport plans and specific plans.
3. Shasta County Zoning Ordinance (Shasta County Code Title 17) and zone district maps.

ENVIRONMENTAL IMPACTS

I. AESTHETICS

1. Shasta County General Plan, Section 6.8 Scenic Highways, and Section 7.6 Design Review.
2. Zoning Standards per Shasta County Code, Title 17.

II. AGRICULTURAL RESOURCES

1. Shasta County General Plan, Section 6.1 Agricultural Lands.
2. Soil Survey of Shasta County Area, California, published by U.S. Department of Agriculture, Soil Conservation Service and Forest Service, August 1974.

III. AIR QUALITY

1. Shasta County General Plan Section, 6.5 Air Quality.
2. Northern Sacramento Valley Air Basin, 2006 Air Quality Attainment Plan.
3. Records of, or consultation with, the Shasta County Department of Resource Management, Air Quality Management District.

IV. BIOLOGICAL RESOURCES

1. Shasta County General Plan, Section 6.2 Timberlands, and Section 6.7 Fish and Wildlife Habitat.
2. Designated Endangered, Threatened, or Rare Plants and Candidates with Official Listing Dates, published by the California Department of Fish and Game.
3. Natural Diversity Data Base Records of the California Department of Fish and Game.
4. Federal Listing of Rare and Endangered Species.
5. Shasta County General Plan, Section 6.7 Fish and Wildlife Habitat.
6. State and Federal List of Endangered and Threatened Animals of California, published by the California Department of Fish and Game.
7. Natural Diversity Data Base Records of the California Department of Fish and Game.

V. CULTURAL RESOURCES

1. Shasta County General Plan, Section 6.10 Heritage Resources.
2. Records of, or consultation with, the following:
   a. The Northeast Information Center of the California Historical Resources Information System, Department of Anthropology, California State University, Chico.
   b. State Office of Historic Preservation.
   c. Local Native American representatives.
   d. Shasta Historical Society.

VI. GEOLOGY AND SOILS

1. Shasta County General Plan, Section 5.1 Seismic and Geologic Hazards, Section 6.1 Agricultural Lands, and Section 6.3 Minerals.
2. County of Shasta, Erosion and Sediment Control Standards, Design Manual
3. Soil Survey of Shasta County Area, California, published by U.S. Department of Agriculture, Soil Conservation Service and Forest Service, August 1974.
4. Alquist - Priolo, Earthquake Fault Zoning Maps.

VII. HAZARDS AND HAZARDOUS MATERIALS

1. Shasta County General Plan, Section 5.4 Fire Safety and Sheriff Protection, and Section 5.6 Hazardous Materials.
2. County of Shasta Multi-Hazard Functional Plan
3. Records of, or consultation with, the following:
   a. Shasta County Department of Resource Management, Environmental Health Division.
   b. Shasta County Fire Prevention Officer.

c. Shasta County Sheriff's Department, Office of Emergency Services.
d. Shasta County Department of Public Works.
e. California Environmental Protection Agency, California Regional Water Quality Control Board, Central Valley Region.

VIII. HYDROLOGY AND WATER QUALITY

1. Shasta County General Plan, Section 5.2 Flood Protection, Section 5.3 Dam Failure Inundation, and Section 6.6 Water Resources and Water Quality.
2. Flood Boundary and Floodway Maps and Flood Insurance Rate Maps for Shasta County prepared by the Federal Emergency Management Agency, as revised to date.
3. Records of, or consultation with, the Shasta County Department of Public Works acting as the Flood Control Agency and Community Water Systems manager.

IX. LAND USE AND PLANNING

1. Shasta County General Plan land use designation maps and zone district maps.
2. Shasta County Assessor's Office land use data.

X. MINERAL RESOURCES

1. Shasta County General Plan Section 6.3 Minerals.

XI. NOISE

1. Shasta County General Plan, Section 5.5 Noise and Technical Appendix B.

XII. POPULATION AND HOUSING

1. Shasta County General Plan, Section 7.1 Community Organization and Development Patterns.
2. Census data from U.S. Department of Commerce, Bureau of the Census.
3. Census data from the California Department of Finance.
4. Shasta County General Plan, Section 7.3 Housing Element.
5. Shasta County Department of Housing and Community Action Programs.

XIII. PUBLIC SERVICES

1. Shasta County General Plan, Section 7.5 Public Facilities.
2. Records of, or consultation with, the following:
   a. Shasta County Fire Prevention Officer.
   b. Shasta County Sheriff's Department.
   c. Shasta County Office of Education.
   d. Shasta County Department of Public Works.

XIV. RECREATION

1. Shasta County General Plan, Section 6.9 Open Space and Recreation.

XV. TRANSPORTATION/TRAFFIC

1. Shasta County General Plan, Section 7.4 Circulation.
2. Records of, or consultation with, the following:
   a. Shasta County Department of Public Works.
   b. Shasta County Regional Transportation Planning Agency.
   c. Shasta County Congestion Management Plan/Transit Development Plan.
3. Institute of Transportation Engineers, Trip Generation Rates.

XVI. UTILITIES AND SERVICE SYSTEMS

1. Records of, or consultation with, the following:
   a. Pacific Gas and Electric Company.
   b. Pacific Power and Light Company.
   c. Pacific Bell Telephone Company.
   d. Citizens Utilities Company.
   e. T.C.I.
   f. Marks Cablevision.
   g. Shasta County Department of Resource Management, Environmental Health Division.
   h. Shasta County Department of Public Works.

Appendix B
2016 Notice of Preparation

Notice of Completion & Environmental Document Transmittal (Revised 02/05/16)

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2012102051

Project Title: Zone Amendment 10-002, Tract Map 1996 - Tierra Robles Planned Development

Lead Agency: Shasta County, Department of Resource Management
Contact Person: Kent Hector, Senior Planner
Mailing Address: 1855 Placer Street, Suite 103
Phone: (530) 225-5532
City: Redding
Zip: 96001
County: Shasta

Project Location: County: Shasta
City/Nearest Community: Palo Cedro & Bella Vista
Cross Streets: Boyle Road / Porta Dego Way
Zip Code: 96073
Lat. / Long.: 40° 35′ 36″ N/ 122° 16′ 01″ W
Total Acres: Approximately 715
Assessor's Parcel No.: 061-210-001, 061-240-001, 078-060-036, 078-060-039, and 078-250-002
Sections: Portions of Section 19, 30 Twp.: 32 North Range: 3 West Base: MDBM
Portions of Section 24, 25 Twp.: 32 North Range: 4 West Base: MDBM

Within 2 Miles: State Hwy #: SR-299
Waterways: Clough Creek
Airports:
Railways:
Schools: North Cow Creek Elem., Bella Vista Elem.

Document Type:

CEQA:
- ☒ NOP
- ☐ Early Cons
- ☐ Neg Dec
- ☐ Mit Neg Dec
- ☐ Draft EIR
- ☐ Supplement/Subsequent EIR (Prior SCH No.)
- Other

NEPA:
- ☐ NOI
- ☐ EA
- ☐ Draft EIS
- ☐ FONSI

Other:
- ☐ Joint Document
- ☐ Final Document
- ☐ Other

Governor's Office of Planning & Research
FEB 18 2016
STATE CLEARINGHOUSE

Local Action Type:

- ☐ General Plan Update
- ☐ General Plan Amendment
- ☐ General Plan Element
- ☐ Community Plan
- ☐ Specific Plan
- ☐ Master Plan
- ☐ Planned Unit Development
- ☒ Site Plan
- ☒ Rezone
- ☐ Prezone
- ☐ Use Permit
- ☒ Land Division (Subdivision, etc.)
- ☐ Annexation
- ☐ Redevelopment
- ☐ Coastal Permit
- ☒ Other CSD

Development Type:

- ☒ Residential: Units 166 Acres 715
- ☐ Office: Sq.ft. Acres Employees
- ☐ Commercial: Sq.ft. Acres Employees
- ☐ Industrial: Sq.ft. Acres Employees
- ☐ Educational
- ☐ Recreational
- ☐ Water Facilities: Type MGD
- ☐ Transportation: Type
- ☐ Mining: Mineral
- ☐ Power: Type MW
- ☐ Waste Treatment: Type MGD
- ☐ Hazardous Waste: Type
- ☐ Other:

Project Issues Discussed in Document:

- ☒ Aesthetic/Visual
- ☒ Agricultural Land
- ☒ Air Quality
- ☒ Archeological/Historical
- ☒ Biological Resources
- ☐ Coastal Zone
- ☒ Drainage/Absorption
- ☒ Economic/Jobs
- ☒ Fiscal
- ☒ Flood Plain/Flooding
- ☒ Forest Land/Fire Hazard
- ☒ Geologic/Seismic
- ☐ Minerals
- ☒ Noise
- ☒ Population/Housing Balance
- ☒ Public Services/Facilities
- ☒ Recreation/Parks
- ☒ Schools/Universities
- ☒ Septic Systems
- ☒ Sewer Capacity
- ☒ Soil Erosion/Compaction/Grading
- ☒ Solid Waste
- ☒ Toxic/Hazardous
- ☒ Traffic/Circulation
- ☒ Vegetation
- ☒ Water Quality
- ☒ Water Supply/Groundwater
- ☒ Wetland/Riparian
- ☒ Wildlife
- ☒ Growth Inducing
- ☒ Land Use
- ☒ Cumulative Effects
- ☐ Other

Present Land Use/Zoning/General Plan Designation:

Agricultural - Grazing/ Rural Residential 5–acre minimum (RR-BA-5), Rural Residential 3–acre minimum (RR-BA-3), and Unclassified (U)/ Rural Residential 'A' (RA).

Note: The state Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Project Description:

The revised project consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 5–acre minimum (RR-BA-5), Rural Residential 3–acre minimum (RR-BA-3), and Unclassified (U) to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site; and a Tract Map (TR 1996) to divide the 715.4-acre property into 166 residential parcels ranging from 1.38 acres to 6.81 acres in size. The project proposes the formation of the Tierra Robles Community Services District (TRCSD) as a means to provide operation and maintenance of the wastewater treatment system, maintenance of improved streets within the subdivision, management of open spaces, including preservation and fire management operations, and maintenance of drainage improvements. The ultimate approval of the TRCSD would be subject to separate application and approval from the Shasta County Local Agency Formation Commission (LAFCO).

The Planned Development proposes the following design features: (1) Grey water diverter system; (2) Inclusion of solar design in new homes which reduces annual energy usage by 15 percent or more; (3) Variation of housing design and setbacks with not more than 5 percent of the same building footprint or building design; (4) Class II public bikeways within the project site; and (5) pedestrian trails located along project roadways. The proposed project would include 190.5 acres of open space, which contain sensitive habitat features and/or species. The largest open space parcel is generally located on steep slopes (>30% slope) adjacent to waterways in the eastern portion of the project site. This open space area would serve as both a conservation and recreation area for the proposed subdivision.

Primary access would be from Boyle Road at the south end of the project with a north-south oriented arterial roadway connecting to Old Alturas Road at the north end of the site. The internal street network would be built to applicable local street standards and would include two bridge crossings of Clough Creek with public utility easements for water, sewer, electricity, telephone and storm-drain improvements within the road right-of-way. Domestic and fire suppression water would be provided by the Bella Vista Water District.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

X	Air Resources Board	S	Office of Emergency Services
	Boating & Waterways, Department of	X	Office of Historic Preservation
S	California Highway Patrol		Office of Public School Construction
	CalFire		Parks & Recreation
S	Caltrans District # 2		Pesticide Regulation, Department of
	Caltrans Division of Aeronautics	S	Public Utilities Commission
	Caltrans Planning (Headquarters)	S	Regional WQCB # 5
	Central Valley Flood Protection Board	X	Resources Agency
	Coachella Valley Mountains Conservancy		S.F. Bay Conservation & Development Commission
	Coastal Commission		San Gabriel & Lower L.A. Rivers and Mtns Conservancy
	Colorado River Board		San Joaquin River Conservancy
S	Conservation, Department of		Santa Monica Mountains Conservancy
	Corrections, Department of		State Lands Commission
	Delta Protection Commission		SWRCB: Clean Water Grants
	Education, Department of	S	SWRCB: Water Quality
	Energy Commission	S	SWRCB: Water Rights
S	Fish & Game Region # 1		Tahoe Regional Planning Agency
	Food & Agriculture, Department of		Toxic Substances Control, Department of
	General Services, Department of	S	Water Resources, Department of
	Health Services, Department of		
	Housing & Community Development		
X	Integrated Waste Management Board		
S	Native American Heritage Commission	S	Other National Marine Fisheries Service
		S	Other U.S. Army Corps of Engineers
		S	Other U.S. Fish and Wildlife Service

Local Public Review Period (to be filled in by lead agency)

Starting Date February 19, 2016 Ending Date March 25, 2016

Lead Agency (Complete if applicable): Shasta County, Resource Management Agency

Consulting Firm: Kimley-Horn
Address: 555 Capitol Mall, Suite 300
City/State/Zip: Sacramento, CA 95814
Contact: Mr. Bruce R. Grove, Jr.
Phone: 916-571-1009

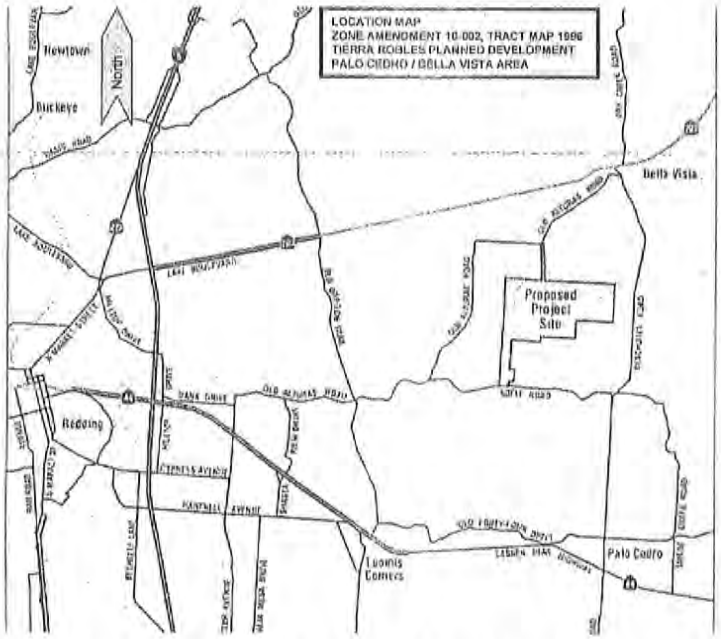
Applicant: Shasta Red, LLC
Address: 9595 Wilshire Blvd., Suite 214
City/State/Zip: Beverly Hills, CA 90212
Phone: (916) 502-7341

Signature of Lead Agency Representative: **Date: 02/05/16**

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

(REVISED) NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED TIERRA ROBLES PLANNED DEVELOPMENT PROJECT

Shasta County is the Lead Agency under the California Environmental Quality Act (CEQA), and is preparing an Environmental Impact Report (EIR) for the revised project identified as the Tierra Robles Planned Development Project (Zone Amendment 10-002, Tract Map 1996). The proposed revised project is located approximately five miles east of the City of Redding, between the unincorporated communities of Bella Vista and Palo Cedro. The 715.4-acre site is bounded by Old Alturas Road to the north and Boyle Road to the south and located 1.6 miles west of Deschutes Road.



The proposed revised project consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 5–acre minimum (RR-BA-5), Rural Residential 3–acre minimum (RR-BA-3), and Unclassified (U) to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site; and a Tract Map (TR 1996) to divide the 715.4-acre property into 166 residential parcels ranging from 1.38 acres to 6.81 acres in size, and six open space parcels totaling 190.5 acres. The average residential lot size across the proposed subdivision would be 2.85 acres.

Due to recent revisions to the proposed project (e.g. inclusion of an on-site waste-water treatment facility instead of pumping sewage generated from future development to Shasta County's treatment facility located in Palo Cedro), a revised Initial Study has been prepared for the project and lists the anticipated environmental impacts including those that will require detailed analysis, and technical studies that will need to be evaluated and/or prepared as part of the EIR. The EIR will also consider all substantive environmental issues which are raised by responsible agencies, trustee agencies, other interested agencies, and members of the public or related groups during the NOP process, and will analyze these potential effects to the detail necessary to make a determination on the level of significance. Discussion of those environmental effects that have been determined to be less-than-significant or no impact will be limited to a brief explanation of why those effects are not considered potentially significant.

Due to the time limits mandated by State law, your response must be received by the County of Shasta no later than 30 days following the publication of this Notice of Preparation. The 30-day review period ends on March 25, 2016.

Future notifications regarding scheduled Planning Commission and Board of Supervisors hearings on this proposed project will be circulated. Electronic copies of the revised Initial Study and other revised project related document and technical studies are available by clicking on the Tierra Robles Planned Development link on the Shasta County Department of Resource Management homepage at:

http://www.co.shasta.ca.us/index/drm_index/planning_index/eirs.aspx in the Tierra Robles Revised Project 2016 folder.

Please send your responses and any direct questions to the attention of Kent Hector, Senior Planner at the Shasta County Department of Resource Management, Planning Division, 1855 Placer Street, Suite 103, Redding, CA 96001. Phone (530) 225-5532. Publication Date (02/19/16)

REVISED ENVIRONMENTAL INITIAL STUDY

Tierra Robles Planned Development Revised Project

Zone Amendment 10-002

Tract Map 1996

(State Clearinghouse No. 2012102051)

Applicant:
Shasta Red, LLC

INITIAL STUDY CHECKLIST
References and Documentation

Prepared by:
SHASTA COUNTY DEPARTMENT OF RESOURCE MANAGEMENT
Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

February 2, 2016

SHASTA COUNTY
ENVIRONMENTAL CHECKLIST FORM
INITIAL STUDY

1. **Project Title:**
Tierra Robles Planned Development – Zone Amendment 10-002 & Tract Map 1996, Shasta Red LLC (Revised 2016)

2. **Lead agency name and address:**

Shasta County Department of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001-1759

3. **Contact Person and Phone Number:**
Kent Hector AICP, Senior Planner (530) 225-5532

4. **Project Location:**
The project site is located approximately five miles east of the City of Redding, between the unincorporated communities of Bella Vista and Palo Cedro. The 715.4-acre site is bounded by Old Alturas Road to the north and Boyle Road to the south and located 1.6 miles west of Deschutes Road.

5. **Applicant's Name and Address:**
Shasta Red LLC
Geringer Capital
9595 Wilshire Blvd., Suite 214
Beverly Hills, CA 90212

Representative's Name and Address:
Steve Nelson
$S_2 \sim J_2$ Engineering, Inc.
19032 Lahalah Way
Cottonwood, CA 96022

6. **General Plan Designation:**
Rural Residential 'A'

7. **Zoning:**
Rural Residential 5–acre minimum (RR-BA-5), Rural Residential 3–acre minimum (RR-BA-3), and Unclassified (U)

a) **Description of Project:**
The revised project consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 5–acre minimum (RR-BA-5), Rural Residential 3–acre minimum (RR-BA-3), and Unclassified (U) to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site; and a Tract Map (TR 1996) to divide the 715.4-acre property into 166 residential parcels ranging from 1.38 acres to 6.81 acres in size, and six open space parcels totaling 190.5 acres. The average residential lot size across the proposed subdivision would be 2.85 acres. Required building setbacks include 30 feet on the front, side, and rear. Maximum structural height for the homes is 35 feet. An internal road system would provide circulation and access throughout the subdivision, totaling approximately 52.8 acres. Bridge crossings of Clough Creek would be limited to two locations.

The project site is designated in the Shasta County General Plan as Rural Residential A (R/A) (1 dwelling unit/2 acres). Due to lot size averaging, a General Plan Amendment would not be necessary. The current zoning on APNs 061-240-001 and 061-210-001 is Rural Residential (R-R), with a minimum lot area of three to five acres (R-R BA 3 & 5). The current zoning on APNs 078-250-002, 078-060-036 and 078-060-039 is Unclassified (U), which is intended to be applied as a holding district until a principal zone district has been determined.

The proposed project would require a Zone Amendment to adopt the R-R zone for the entire proposed site. In the R-R BA 3 & 5 zone, the maximum density for land greater than 30% slope is one dwelling unit per 10 acres and the maximum density for land less than 30% slope is one dwelling unit per three to five acres. In all cases, each building site area shall contain at least one contiguous acre not exceeding a 30% slope.

The revised Planned Development includes the following features:

- Formation of a Community Service District (CSD) as provided under the authority of Government Code Section 61000et seq. to give oversight management of project facilities and amenities.
- Wildfire/Vegetative Management Plan that provides the management direction for the reduction of flammable vegetation from around building envelopes, roadways and driveways in accordance with the California Department of Forestry and Fire Protection/Shasta County Fire Department (CAL FIRE/SCFD) requirements.
- Total disturbance area of 186.8 acres or 25.7% of the total project area (74.3% preservation area).
- Non-disturbed areas include the following three classes:
  - Open Space includes 190.5 acres (26.43% of the total project area).
  - Resource Management Areas (RMA) totaling 206.2 acres or 28.62% of the total project area. The RMA will be managed by the private land owner under the direction of the Tierra Robles CSD as described by the Wildfire/Vegetative Management Plan.
  - Non-Disturb Privately Owned Open Space: Areas within individual lots designated as non-disturbance areas that are maintained and managed by the individual land owners as described by the resource management plan. The total area within this designation is 135.2 acres (18.75%) of the total project area.
- The project includes Design Guidelines to be imposed for the development of each lot. The Design Guidelines oversight and enforcement will be the responsibility of the Tierra Robles CSD in coordination with Shasta County.
- Lot landscaping criteria set by the State of California for maximum water use per residence.
- On-site infrastructure for the conveyance, treatment and dispersal of the waste water generated onsite. The treatment and dispersal of the waste water will be managed onsite with the operation and maintenance performed by the Tierra Robles CSD.
- The Planned Development also proposes the following design features: (1) Grey water diverter system; (2) Inclusion of solar design in new homes which reduces annual energy usage by 15 percent or more; (3) Variation of housing design and setbacks with not more than 5 percent of the same building footprint or building design; (4) Class II public bikeways within the project site; and (5) pedestrian trails located along project roadways.

Primary access would be from Boyle Road at the south end of the project with a north-south oriented arterial roadway connecting to Old Alturas Road at the north end of the site. The internal street network would be built to applicable local street standards and would include two bridge crossings of Clough Creek with public utility easements for water, sewer, electricity, telephone and storm-drain improvements within the road right-of-way. Domestic and fire suppression water would be provided by the Bella Vista Water District (BVWD).

9. Surrounding Land Uses and Setting:

Surrounding properties are designated Rural Residential A (RA) and zoned Rural Residential (R-R). Adjacent properties to the east, south, and west consist primarily of 5 to 10-acre parcels used for residential and part-time agricultural uses. Properties to the north consist of 80-acre to 160-acre parcels used for residential and cattle grazing

activities. A gun and rod club operation is also located on adjacent parcels northeast of the property. The 715.4-acre project site lies at an elevation of approximately 600 to 650 feet above mean sea level with the topography consisting of broad, nearly level meadows, steep hills, ridges, and gullies. The property is dissected by three major drainage systems which include Clough Creek, which flows southwest across the northwest corner of the property, an unnamed stream that flows south across the east central portion of the property, and a major unnamed drainage that flows from north to southeast across the eastern side of the property. In addition, there are two small streams with attached tributaries which drain the central portion of the property. Along Clough Creek there is a narrow belt of riparian habitat interspersed with upland vegetation with annual grasses. Common species found within this area are willows, black cottonwood, and occasional alders. There are also scattered pockets of riparian habitat located along the creek in the northeast portion of the property. California wild grape, Himalayan blackberry, spike rush are also present. The upland areas of the project site have a vegetative composition that is dominated by blue oaks with scattered gray pine over an annual grassland understory. Tree canopy cover ranges from 10 to 50 percent with the majority of the trees being greater than 6" dbh. Annual grasses and forbs comprise the understory with patches of manzanita, coffee berry, and poison oak being the predominant shrubs. Some occurrences of live oak are also found within the steeper draws of the drainage in the northeast corner of the property. Currently, the property is vacant, but has been used for ranching and cattle grazing activities in the past.

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):**

National Pollutant Discharge Elimination System (NPDES) Stormwater General Construction Permit;
State Historic Preservation Officer (SHPO): compliance with National Historic Preservation Act (NHPA) Section 106.
Shasta County Environmental Health Division
Shasta County Department of Public Works
Bella Vista Water District
Shasta County Air Quality Management District
Shasta Local Agency Formation Commission (LAFCO)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

X	Aesthetics	X	Agricultural Resources	X	Air Quality
X	Biological Resources	X	Cultural Resources	X	Geology / Soils
X	Greenhouse Gas Emissions	X	Hazards & Hazardous Materials	X	Hydrology / Water Quality
X	Land Use / Planning		Mineral Resources	X	Noise
X	Population / Housing	X	Public Services		Recreation
X	Transportation / Traffic	X	Utilities / Service Systems	X	Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of the initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

X I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR of NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Copies of the Initial Study and related materials and documentation may be obtained at the Planning Division of the Department of Resource Management, 1855 Placer Street, Suite 103, Redding, CA 96001. Contact Kent Hector, Senior Planner at (530) 225-5532.

Kent Hector, AICP
Senior Planner

2/2/16
Date

Richard W. Simon, AICP
Director of Resource Management

2/2/16
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parenthesis following each question. A "No Impact" answer is adequately supported if all the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less-than-significant with mitigation, or less-than-significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more, "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Less-than-significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less-than-significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level.

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures: For effects that are "Less-than-significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. General Plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify the following:

   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less-than-significant.

I. AESTHETICS: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	X			
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	X			
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	X			
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	X			

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a,b) Scenic vistas are defined as expansive views of highly-valued landscapes from publicly accessible viewpoints. Scenic vistas include views of natural features such as topography, water courses, outcrops, and natural vegetation, as well as man-made scenic structures. The primary character of the project site proposed for development consists of broad, nearly level meadows interspersed with oak trees with a grassland understory. The project site is not located within a State scenic highway. However, development of approximately 186.8 acres of the project site for the proposed planned development would result in the removal of an undetermined number of oaks and other trees along with the introduction of roadways, bikeways, 166 residential dwellings and accessory buildings which could substantially change the visual character of the project site and potentially result in substantial adverse impacts to scenic vistas and resources.

c) See previous comments under (a,b).

d) The development of 166 parcels for residential buildings and uses could potentially create a new source of substantial light or glare which could result in night sky illumination and/or other adverse effects on day and nighttime views in and around the area.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

II. AGRICULTURE RESOURCES: *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural, Land Evaluation and Site Assessment Mode (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	X			
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	X			

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The portion of the project site proposed for residential development is currently used for cattle grazing. Project implementation would result in the conversion of approximately 525 acres of grazing land to non-agricultural uses which would be considered to be a potentially significant impact on agricultural resources.

b) None of the parcels within the project site are under a Williamson Act contract. While agricultural uses occur on some adjacent properties, these properties are not zoned for agricultural uses, and are not under Williamson Act contracts. Therefore, project implementation would not result in conflicts with existing agricultural zoning.

c) See discussion under II.a, above.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

III. AIR QUALITY: *Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	X			
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	X			
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emission which exceed quantitative thresholds for ozone precursors)?	X			
d) Expose sensitive receptors to substantial pollutant concentrations?	X			
e) Create objectionable odors affecting a substantial number of people?				X

Discussion: Based on related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a-d) The applicable air quality plan for the project area is the Northern Sacramento Valley Air Basin's (NSVAB's) 2009 Air Quality Attainment Plan ("Plan"). The Plan is primarily concerned with the pollutant ozone for which the NSVAB has been designated non-attainment. In particular, the Plan presents strategies necessary to attain the California ambient air quality standard for the 1-hour ozone standard at the earliest practicable date. Due to the scale of the proposed project, further analysis is required to determine the extent to which increases in Nitrogen (NOx), Reactive Organic Gasses (ROG), and Inhalable Particulate Matter (PM10) generated from project construction and operational activities may conflict with or obstruct implementation of the Air Quality Attainment Plan as well as what, if any, mitigation measures should be incorporated to reduce the impacts to a level that is less than significant. Therefore, these impacts are considered to be potentially significant and will need to be addressed in an EIR.

e) Due to the characteristics of the proposed development, it is unlikely that the project would cause air emissions which would create objectionable odors affecting a substantial number of people. No impact has been identified.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

IV. BIOLOGICAL RESOURCES: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	X			
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local of regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	X			
c) Have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X			
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	X			
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X			
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other approved local, regional, or State habitat conservation plan?				X

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a-c) The wetlands delineation study prepared by Wildland Resource Managers Inc. in May 2011, identified 5.7 acres of Jurisdictional Waters of the U.S. and 0.37 acres of Non-Jurisdictional Waters, both consisting of ephemeral and intermittent streams. Potentially significant impacts to existing riparian and wetland areas on the property could occur due to the removal or disturbance of vegetation and wildlife habitat resulting from the development of project access roads, driveways, and future home sites on the 715.4-acre property. In addition, increased surface water runoff mixed with sediments and various pollutants generated from future residential development and uses on the property may adversely impact water quality in wetland areas located on or adjacent to the property.

d) Due to the large scale of the project, the movement of any native resident or migratory wildlife species or established native resident or migratory wildlife corridors may be significantly impacted from future development of the property.

e) Shasta County Board of Supervisors' Resolution No. 95-157 provides guidance regarding use and protection of oak trees on a voluntary basis. The Biological Evaluation prepared by Wildland Resource Managers in July 2015, identified Blue Oak Woodlands within the project site. Due to the large scale of the proposed development, the project has the potential to significantly impact this biological resource.

f) No habitat conservation plans or other similar plans have been adopted for the project site or project area.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

V. CULTURAL RESOURCES: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	X			
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	X			
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X			
d) Disturb any human remains, including those interred outside of formal cemeteries?	X			
e) Will the project cause a substantial adverse change in the significance of a Tribal Cultural Resource	X			

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a-e) An archaeological report prepared by Coyote and Fox Enterprises (July, 2004 and January 2013) for a previous project proposed on the project site indicates there are potentially significant cultural resources on the project site. This archaeological report and any further studies necessary to determine the project's potential impacts on cultural resources will be discussed in the EIR.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

VI. GEOLOGY AND SOILS: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake, fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publications 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?	X			
b) Result in substantial soil erosion or the loss of topsoil?	X			
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	X			
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	X			
e) Have soils incapable of adequately supporting the use of septic tanks or	X			

VI. GEOLOGY AND SOILS: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
alternative wastewater disposal systems where sewers are not available for the disposal of waste water?				

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would may expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault;

According to the Alquist-Priolo Earthquake Fault Zoning Maps for Shasta County, there is no known earthquake fault on the project site.

ii) Strong seismic ground shaking;

According to the Shasta County General Plan Section 5.1, Shasta County has a low level of historic seismic activity. The entire County is in Seismic Design Category D. According to the Seismic Hazards Assessment for the City of Redding, California, prepared by Woodward Clyde, dated July 6, 1995, the most significant earthquake at the project site may be a background (random) North American crustal event up to 6.5 on the Richter scale at distances of 10 to 20 km. All structures shall be constructed according to the seismic requirements of the currently adopted Uniform Building Code.

iii, iv) The Preliminary Geotechnical Report prepared by Brown & Mills, Inc, (December 18, 2006) for a previously proposed project on the project site does not contain sufficient information for determining whether or not all the residential sites would be subject to seismic-related ground failure and/or landslides. Further evaluation in the EIR is required.

b) Construction and development of roads, bikeways, residential sites, and driveways for the proposed development would result in substantial grading, soil compaction, removal of vegetation, and the creation of impervious surfaces; all of which could contribute to a significant increase in wind erosion and in the amount of surface water runoff, both of which would result in greater erosion of soils on and off the project site. Further evaluation in the EIR is required.

c) The Preliminary Geotechnical Report prepared by Brown & Mills, Inc, (December 18, 2006) for a previously proposed project on the project site does not contain sufficient information for determining whether or not all the residential sites proposed under this planned development would be located on a geologic unit or soil that is unstable, or would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. Further evaluation in the EIR is required.

d) The Preliminary Geotechnical Report prepared by Brown & Mills, Inc, (December 18, 2006) for a previously proposed project on the project site does not contain sufficient information for determining whether or not all the residential sites proposed under this planned development contains expansive soils. Further evaluation in the EIR is required.

e) The wastewater treatment facility will be centrally located. It will be approximately 0.25 acre in size and will be fenced for security. The facility will include a controls/storage building approximately 12' by 15' in size. This building will have a restroom and will house the treatment system controls, the disinfection system, records keeping work station, safety equipment, maintenance equipment and miscellaneous storage.

The treatment system will be designed to meet the reuse requirements for discharge of Title 22 Disinfected Secondary effluent. Title 22 reuse requires daily testing for coliform. The system controls will have remote monitoring capability with automatic alarms if the effluent discharge does not meet minimum requirements. Effluent constituents that will be monitored will include turbidity, Oxidation Reduction Potential (ORP), and Chlorine Residual. The treatment system will include flow equalization and emergency storage tankage. Secondary treatment will occur through Orenco AXMAX units installed in phases as the wastewater flow increases. Chlorine disinfection will follow, including capacity for contact time and de-chlorination prior to dispersal. Further evaluation in the EIR is required.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

VII. GREENHOUSE GAS EMISSIONS: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	X			
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	X			

a) The project will generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The use of internal combustion engines for on-site mobile equipment, power generation for on-site stationary equipment, and for off-site transportation including trucking and rail transportation will generate carbon dioxide emissions. This is considered a potentially significant impact and will be further addressed in the EIR.

b) The project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Shasta County is in the process of developing a Regional Climate Action Plan. This is considered a potentially significant impact and will be further addressed in the EIR.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

VIII. HAZARDS AND HAZARDOUS MATERIALS: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas, or where residences are intermixed with wildlands?	X			

Discussion: Based on these comments, the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) Small quantities of potentially hazardous substances (e.g., petroleum and other chemicals used to operate and maintain construction

equipment) would be used at the project site and transported to and from the site during construction. In addition, some potentially hazardous construction waste may be generated during the construction phase. Construction wastes from the site would be disposed of in accordance with the Standard Specifications in the California Code of Regulations. Compliance with federal and state laws would reduce the potential for hazards related to construction waste to a less-than-significant level.

Operation of the project would not include the use or transportation of significant amounts of potentially hazardous materials, including fuels or other hazardous liquids. The project would therefore not result in a significant hazard to workers, the public, or the environment through the routine transport, use, or disposal of hazardous materials. Compliance with applicable regulations and hazardous materials plans sufficiently minimizes potential exposure and risk.

b) Construction of the proposed project could expose construction workers, the public, or the environment to hazardous materials through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Small quantities of potentially hazardous substances (e.g., petroleum and other chemicals used to operate and maintain construction equipment) would be used at the project site. Accidental releases of these substances could potentially contaminate soils and degrade the quality of surface water and groundwater, resulting in a public safety hazard. Compliance with standard safety procedures and hazardous materials handling regulations will reduce any impacts to a less-than-significant level.

c) The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There are no schools within one-quarter mile of the project site.

d) The project is not located on a site which is included on a list of hazardous materials sites and would not create a significant hazard to the public or the environment.

e) The project is not located within an airport land use plan or within two miles of a public airport or public use airport.

f) The project is not located within the vicinity of a private airstrip.

g) There are no indications at this time that the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

h) Fire protection services for the project area are provided by the Shasta County Fire Department. The Shasta County Fire Department has indicated that the project is located in an area which is designated as "Moderate" fire hazard severity zone. The project site is considered to be at risk for wildland fires due to the rural character of the project site and existing on-site woodlands. Development of the project site would generally reduce fuels, and therefore fire hazards; however, the increased population would increase the potential for fires to be started.

All roadways, driveways, and buildings for the proposed planned development would be required to be constructed in accordance with the Shasta County Fire Safety Standards. These standards also require the clearing of combustible vegetation around all structures for a distance of not less than 30 feet on each side, or to the property line. The California Public Resources Code 4291 includes a "Defensible Space" requirement of clearing 100 feet around all buildings, or to the property line, whichever is less. In addition, the applicant would be required to prepare a Wildland-Fuel Vegetation Management Plan to address on-site vegetation management in areas within 100 feet of structures, and in open space areas. However, with the increased demand on the Shasta County Fire Department as a result of project build-out, there is a potentially significant impact as it could lead to an increased potential for loss, injury, or death involving wildland fires.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

IX. HYDROLOGY AND WATER QUALITY: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	X			
c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a new deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	

IX. HYDROLOGY AND WATER QUALITY: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	X			
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	X			
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	X			
f) Otherwise substantially degrade water quality?	X			
g) Place housing within 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) 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?	X			
j) Inundation by seiche, tsunami, or mudflow?				X

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The tentative subdivision map shows numerous drainages throughout the project site. Construction and development of roads, residential sites, and driveways for the proposed development would require substantial grading, and result in soil compaction, removal of vegetation, and the creation of impervious surfaces; all of which could contribute to changes in drainage patterns and a significant increase in the amount of surface water runoff, erosion of soils and discharge of sediments into existing drainages and to riparian and wetland habitat located on and off the project site.

b) Water service for the project is to be provided by the Bella Vista Water District. The District has provided a Will Serve Letter and is responsible for review of groundwater supplies prior to approving the water supply for the proposed project.

c-f) See discussion under a) above.

g) The project would not place housing within the 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. The project site is not located within a flood hazard boundary.

h) The project would not place within a 100-year flood hazard area structures which would impede or redirect flood flows. No structures are proposed in the 100-year flood hazard area.

i) Aerial photos show an approximately 9-acre water impoundment located on the adjacent property to the north which in the event of dam failure may impact residential home sites downstream on the project site.

j) The project would not result in inundation by seiche, tsunami, or mudflow. The project is not located near a large lake or the ocean so would not be subject to seiche or tsunami. It is not located on or near a mountainside or hillside which is subject to mudflows.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

X. LAND USE AND PLANNING: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	X			
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The 715.4-acre site is not located in any established community. The project does not include the creation of any road, ditch, wall, or other feature which would physically divide an established community.

b) The proposed planned development would require changes to the existing zoning of the 715.4-acre property. In addition, establishment of the proposed Tierra Robles Community Services District (CSD) will require review and approval from the Shasta County Local Agency Formation Commission (LAFCO). Further discussion in the EIR is necessary.

c) The project would not conflict with any applicable habitat conservation plan or natural community conservation plan. There is no adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other approved local, regional, or State habitat conservation plans for the project site or project area.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

XI. MINERAL RESOURCES: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, specific plan or other land use plan?				X

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State. There are no known mineral resources of regional value located on or near the project site.

b) The project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. The project site is not identified in the General Plan Minerals Element as containing a locally-important mineral resource. There is no other land use plan which addresses minerals.

Mitigation/Monitoring: None proposed.

XII. NOISE: *Would the project result in:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	X			
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X			
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X			
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) Construction activities that could produce potentially significant noise levels include use of engine-powered equipment, power tools, impact sounds, and vehicles. The actual period of construction noise and impacts associated with the project would vary with the location of the sensitive receptor, and it should be noted that the noise exposure for a given receptor would not be constant over the construction period. Rather, there are likely to be relatively short intermittent periods (days or weeks) of intense activity. The overall time frame for noise exposure at a given sensitive receptor location would be limited. However, overall noise due to construction activities may result in a potentially significant impact. Additional automobile and truck traffic generated from the proposed project may also result in potentially significant noise impacts to residents along internal project roadways and along connecting roadways to project site. Noise associated with the gun club operation located on adjacent parcels northeast of the property may also significantly impact future residents on nearby parcels proposed in the Planned Development.

b) The project would not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. There is no identified source of groundborne vibration or groundborne noise levels in the project area.

c) See discussion under XII. a).

d) See discussion under XII. a).

e) The project is not located within an airport land use plan or within two miles of a public airport or public use airport.

f) The project is not located within the vicinity of a private airstrip.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

XIII. POPULATION AND HOUSING: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	X			
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X	

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The proposed project could potentially induce growth because a substantial amount of new housing is proposed as part of the project. Infrastructure and public services would be extended though the project area. Indirectly, the project could potentially induce growth by encouraging future development in the areas surrounding the project to use the extended services for their own projects. Therefore, impacts are considered potentially significant and will be further analyzed in the EIR.

b,c) The project site is primarily undeveloped, and is being used for agricultural purposes. The project would have a less-than-significant impact with regard to the displacement of housing and people.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

XIV. PUBLIC SERVICES: *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Fire Protection?	X			
Police Protection?	X			
Schools?	X			
Parks?			X	
Other public facilities?	X			

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

The project could result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for:

Fire Protection:

The project is located in a "Moderate" fire hazard severity zone. However, due to the size of the proposed planned development which includes 166 additional residential parcels, significant additional level of fire protection, including new facilities, may be necessary.

Police Protection:

The County has a total of 147 sworn and 119 non-sworn County peace officers (Sheriff's deputies) for the County population of 67,274 (Calif. Dept. of Finance, Official State Estimates as of May 2015) persons in the unincorporated area of the County. That is a ratio of one officer per 253 persons. The project will result in 166 additional residences, with an additional population of 417 persons (use 2.51 persons per household per Calif. Dept. of Finance Official State Estimates as of May 2015). The project may warrant additional sworn or non-sworn peace officers, or related facilities.

Schools:

The project area is currently served by The North Cow Creek Elementary District and the Columbia Elementary District, Foothill High School and Shasta Colldege. School related impacts will be addressed in the EIR

Parks:

See discussion under XV. RECREATION a,b.

Other public facilities:

The proposed project could potentially affect other public or government facilities, such as libraries. Because the project involves a substantial change in the character of land uses and would generate new residents within the County, the project could result in an increased demand on public facilities. Potential impacts to public facilities and the potential to build new offices and buildings to serve the public will be evaluated in the EIR.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

XV. RECREATION:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The County does not have a neighborhood or regional parks system or other recreational facilities.

b) The project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. School facilities are typically used for sports and recreation. The City of Redding also has a number of recreational facilities. In addition, there are tens of thousands of acres of rivers, lakes, forests, and other public land available for recreation in Lassen National Park, the Shasta and Whiskeytown National Recreation Areas, the National Forests, and other public land administered by Bureau of Land Management.

Mitigation/Monitoring: None proposed

XVI. TRANSPORTATION/TRAFFIC: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	X			
b) Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highway?	X			
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	X			
e) Result in inadequate emergency access?	X			
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	X			

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a,b) The project would result in the construction of 166 additional residences, which would be expected to generate ten vehicle trips per day, per residence. A traffic impact study prepared by Omni-means (May, 2015) for the proposed project indicates that additional vehicle trips generated by the proposed project, along with anticipated traffic from other future development in the area, will require mitigation measures to provide additional capacity (e.g. intersection and roadway widening) and improved control and safety (e.g. intersection signals and roundabouts). This traffic study along with and changes to traffic on local street systems and affected intersections since this study was performed will need to be analyzed and addressed in the EIR.

c) The project would not result in a change in air traffic patterns. The project would result in the construction of single-family residences which would not affect air traffic patterns.

d,e) The potentially significant increase in vehicular trips on existing roadways could result in an increase in traffic hazards on roads and at intersections leading to and from the site. Access connections with Boyle Road and Old Alturas Road, along with other intersections and/or road segments that may be affected, will need to be addressed in the EIR.

f) The project would not result in inadequate parking capacity. The project design incorporates adequate area for off-street parking in accordance with County standards.

g) Project design includes a Class II Bikeway along some of the roadways within the proposed Planned Development. However, the proposed Class II Bikeway does not provide any connection between the project site and school sites, other bikeways, or to shopping areas, and conflicts could result between automobiles, pedestrians, and bicyclists along existing roadways in the area.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

XVII. UTILITIES AND SERVICE SYSTEMS: *Would the project:*	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	X			
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	X			
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	X			
d) Have sufficient water supplies available to serve the project which serves or may serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	X			
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	X			
g) Comply with Federal, State, and local statutes and regulations related to solid waste?			X	

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) There are no indications at this time whether or not the proposed project would exceed wastewater treatment requirements of the Regional Water Quality Control Board.

b) A new wastewater treatment facility to serve the development will be centrally located on-site. It will be approximately 0.25 acre in size and will be fenced for security. The facility will include a controls/storage building approximately 12' by 15' in size. This building will have a restroom and will house the treatment system controls, the disinfection system, records keeping work station, safety equipment, maintenance equipment and miscellaneous storage.

The treatment system will be designed to meet the reuse requirements for discharge of Title 22 Disinfected Secondary effluent. Title 22 reuse requires daily testing for coliform. The system controls will have remote monitoring capability with automatic alarms if the effluent discharge does not meet minimum requirements. Effluent constituents that will be monitored will include turbidity, Oxidation Reduction Potential (ORP), and Chlorine Residual. The treatment system will include flow equalization and emergency storage tankage. Secondary treatment will occur through Orenco AXMAX units installed in phases as the wastewater flow increases. Chlorine disinfection will follow, including capacity for contact time and de-chlorination prior to dispersal. Further evaluation in the EIR is required.

c) The project would introduce impervious surfaces (e.g. roads, building sites) to a currently undeveloped area and therefore may have the potential to alter long-term drainage and groundwater infiltration patterns on and off site. The location, size and maintenance of the storm water drainage system will be analyzed and discussed in the EIR.

d) The project site is located within the Bella Vista Water District. Development of the proposed planned development will require extension of the District's water lines to serve the proposed residential parcels for domestic water use and fire protection purposes and will be addressed in the EIR

e) See discussion under b) above.

f) At present, information has not been received indicating whether or not the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

g) The project would comply with Federal, State, and local statutes and regulations related to solid waste.

Mitigation/Monitoring: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below the self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	X			
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	X			
c) Does the project have potential environmental effects which may cause substantial adverse effects on human beings, either directly or indirectly	X			

Discussion:

a) Based on the discussion and findings in Section IV. Biological Resources, there is evidence to support a finding that the project would have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below the self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal.

Based on the discussion and findings in Section V. Cultural Resources, there is evidence to support a finding that the project would have the potential to eliminate important examples of the major periods of California history or prehistory.

b) Based on the discussion and findings in all Sections above, there is evidence to suggest that the project would have impacts that are cumulatively considerable.

c) Based on the discussion and findings in all Sections above, there is evidence to support a finding that the project has potential environmental effects which may cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation/Monitoring: Additional project and environmental data, environmental impact analysis, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in an Environmental Impact Report to be prepared for this project.

INITIAL STUDY COMMENTS

PROJECT NUMBER Z10-002 & TR1996 – Shasta Red LLC

GENERAL COMMENTS:

Special Studies: The following project-specific studies have been completed for the proposal and will be considered as part of the record of decision for the proposed project. These studies are available for review through the Shasta County Planning Division.

1. *The Oaks Resource of Tierra Robles*, Wildland Resource Managers, 2015.
2. *Biological Review for Geringer's Capitol "Tierra Robles Ranch" Shasta County, California*, Wildland Resource Managers, July 2015.
3. *Tierra Robles Oak Tree Assessment Study*, Wildland Resource Managers, September 2012.
4. *Tierra Robles Wildland Fuel/Vegetation Management Plan*, Wildland Resource Managers, July 2015.
5. *Tierra Robles Waste Water Management Plan*, S_2~J_2 Engineering, Inc., July 2015.
6. *Tierra Robles Design Guidelines*, Shasta Red, LLC, 2015.
7. *Preliminary Hydrology Analysis*, S_2~J_2 Engineering, Inc., March 11, 2013.
8. *Tierra Robles Traffic Impact Study*, Omni-Means, LTD, May 2015.
9. *Preliminary Geotechnical Investigation and Limited Geologic Hazards Evaluation of Proposed Residential Subdivision, Chatham Ranch, Shasta County, California*, Brown & Mills, Inc., December 18, 2006.
10. *Archaeological Reconnaissance for the Chatham Ranch (820 Acres North of Boyle Road) between Deschutes Road and Old Alturas Road), Palo Cedro, Shasta County, California*, Coyote and Fox Enterprises, July 28, 2004.
11. *Additional Archaeological Reconnaissance for the Chatham Ranch Development*, Coyote and Fox Enterprises, April 3, 2006.
12. *Cultural Resource Investigations for Tierra Robles Development*, Coyote and Fox Enterprises, January 2013.
13. *Wetlands Delineation for Chatham Ranch*, Wildland Resource Managers, December 2008.
14. *Chatham Ranch Wetlands Delineation Addendum*, Wildland Resource Managers, May 2011.

Conclusion/Summary: Based on a field review by the Planning Division and other agency staff, information provided by the applicant, and existing information available to the Planning Division, the project could potentially result in significant environmental impacts.

SOURCES OF DOCUMENTATION FOR INITIAL STUDY CHECKLIST

All headings of this source document correspond to the headings of the initial study checklist. In addition to the resources listed below, initial study analysis may also be based on field observations by the staff person responsible for completing the initial study. Most resource materials are on file in the office of the Shasta County Department of Resource Management, Planning Division, 1855 Placer Street, Suite 103, Redding, CA 96001, Phone: (530) 225-5532.

GENERAL PLAN AND ZONING

1. Shasta County General Plan and land use designation maps.
2. Applicable community plans, airport plans and specific plans.
3. Shasta County Zoning Ordinance (Shasta County Code Title 17) and zone district maps.

ENVIRONMENTAL IMPACTS

I. AESTHETICS

1. Shasta County General Plan, Section 6.8 Scenic Highways, and Section 7.6 Design Review.
2. Zoning Standards per Shasta County Code, Title 17.

II. AGRICULTURAL RESOURCES

1. Shasta County General Plan, Section 6.1 Agricultural Lands.
2. Soil Survey of Shasta County Area, California, published by U.S. Department of Agriculture, Soil Conservation Service and Forest Service, August 1974.

III. AIR QUALITY

1. Shasta County General Plan Section, 6.5 Air Quality.
2. Northern Sacramento Valley Air Basin, 2006 Air Quality Attainment Plan.
3. Records of, or consultation with, the Shasta County Department of Resource Management, Air Quality Management District.

IV. BIOLOGICAL RESOURCES

1. Shasta County General Plan, Section 6.2 Timberlands, and Section 6.7 Fish and Wildlife Habitat.
2. Designated Endangered, Threatened, or Rare Plants and Candidates with Official Listing Dates, published by the California Department of Fish and Game.
3. Natural Diversity Data Base Records of the California Department of Fish and Game.
4. Federal Listing of Rare and Endangered Species.
5. Shasta County General Plan, Section 6.7 Fish and Wildlife Habitat.
6. State and Federal List of Endangered and Threatened Animals of California, published by the California Department of Fish and Game.
7. Natural Diversity Data Base Records of the California Department of Fish and Game.

V. CULTURAL RESOURCES

1. Shasta County General Plan, Section 6.10 Heritage Resources.
2. Records of, or consultation with, the following:
   a. The Northeast Information Center of the California Historical Resources Information System, Department of Anthropology, California State University, Chico.
   b. State Office of Historic Preservation.
   c. Local Native American representatives.
   d. Shasta Historical Society.

VI. GEOLOGY AND SOILS

1. Shasta County General Plan, Section 5.1 Seismic and Geologic Hazards, Section 6.1 Agricultural Lands, and Section 6.3 Minerals.
2. County of Shasta, Erosion and Sediment Control Standards, Design Manual
3. Soil Survey of Shasta County Area, California, published by U.S. Department of Agriculture, Soil Conservation Service and Forest Service, August 1974.
4. Alquist - Priolo, Earthquake Fault Zoning Maps.

VIII. GREENHOUSE GAS EMISSIONS

1. Shasta County General Plan Section, 6.5 Air Quality.
2. Northern Sacramento Valley Air Basin, 2006 Air Quality Attainment Plan.
3. Records of, or consultation with, the Shasta County Department of Resource Management, Air Quality Management District.

VIII. HAZARDS AND HAZARDOUS MATERIALS

1. Shasta County General Plan, Section 5.4 Fire Safety and Sheriff Protection, and Section 5.6 Hazardous Materials.
2. County of Shasta Multi-Hazard Functional Plan

3. Records of, or consultation with, the following:
   a. Shasta County Department of Resource Management, Environmental Health Division.
   b. Shasta County Fire Prevention Officer.
   c. Shasta County Sheriff's Department, Office of Emergency Services.
   d. Shasta County Department of Public Works.
   e. California Environmental Protection Agency, California Regional Water Quality Control Board, Central Valley Region.

XI. HYDROLOGY AND WATER QUALITY

1. Shasta County General Plan, Section 5.2 Flood Protection, Section 5.3 Dam Failure Inundation, and Section 6.6 Water Resources and Water Quality.
2. Flood Boundary and Floodway Maps and Flood Insurance Rate Maps for Shasta County prepared by the Federal Emergency Management Agency, as revised to date.
3. Records of, or consultation with, the Shasta County Department of Public Works acting as the Flood Control Agency and Community Water Systems manager.

X. LAND USE AND PLANNING

1. Shasta County General Plan land use designation maps and zone district maps.
2. Shasta County Assessor's Office land use data.

XI. MINERAL RESOURCES

1. Shasta County General Plan Section 6.3 Minerals.

XII. NOISE

1. Shasta County General Plan, Section 5.5 Noise and Technical Appendix B.

XIII. POPULATION AND HOUSING

1. Shasta County General Plan, Section 7.1 Community Organization and Development Patterns.
2. Census data from U.S. Department of Commerce, Bureau of the Census.
3. Census data from the California Department of Finance.
4. Shasta County General Plan, Section 7.3 Housing Element.
5. Shasta County Department of Housing and Community Action Programs.

XIV. PUBLIC SERVICES

1. Shasta County General Plan, Section 7.5 Public Facilities.
2. Records of, or consultation with, the following:
   a. Shasta County Fire Prevention Officer.
   b. Shasta County Sheriff's Department.
   c. Shasta County Office of Education.
   d. Shasta County Department of Public Works.

XV. RECREATION

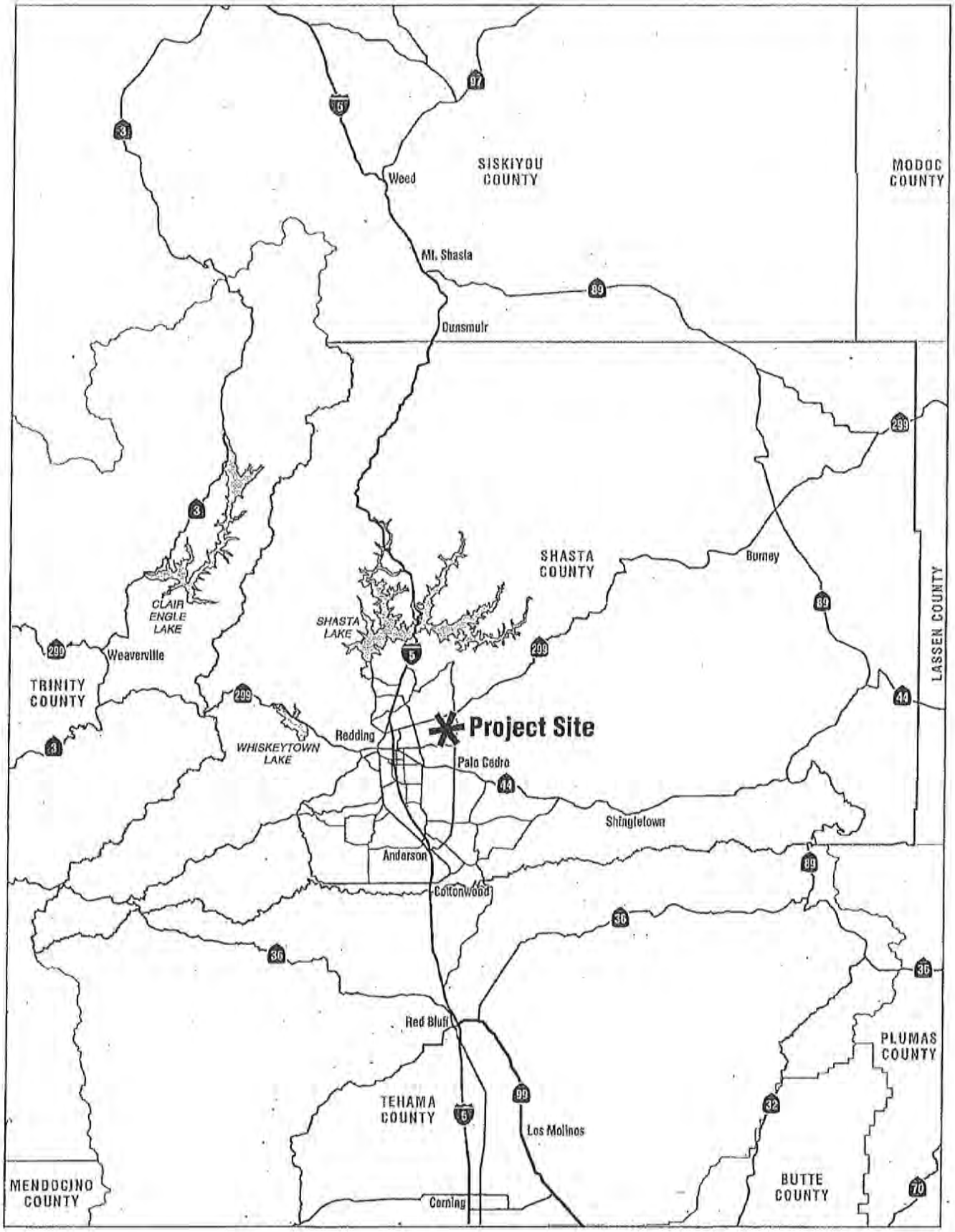
1. Shasta County General Plan, Section 6.9 Open Space and Recreation.

XVI. TRANSPORTATION/TRAFFIC

1. Shasta County General Plan, Section 7.4 Circulation.
2. Records of, or consultation with, the following:
   a. Shasta County Department of Public Works.
   b. Shasta County Regional Transportation Planning Agency.
   c. Shasta County Congestion Management Plan/Transit Development Plan.
3. Institute of Transportation Engineers, Trip Generation Rates.

XVII. UTILITIES AND SERVICE SYSTEMS

1. Records of, or consultation with, the following:
   a. Pacific Gas and Electric Company.
   b. Shasta County Department of Resource Management, Environmental Health Division.
   c. Shasta County Department of Public Works.

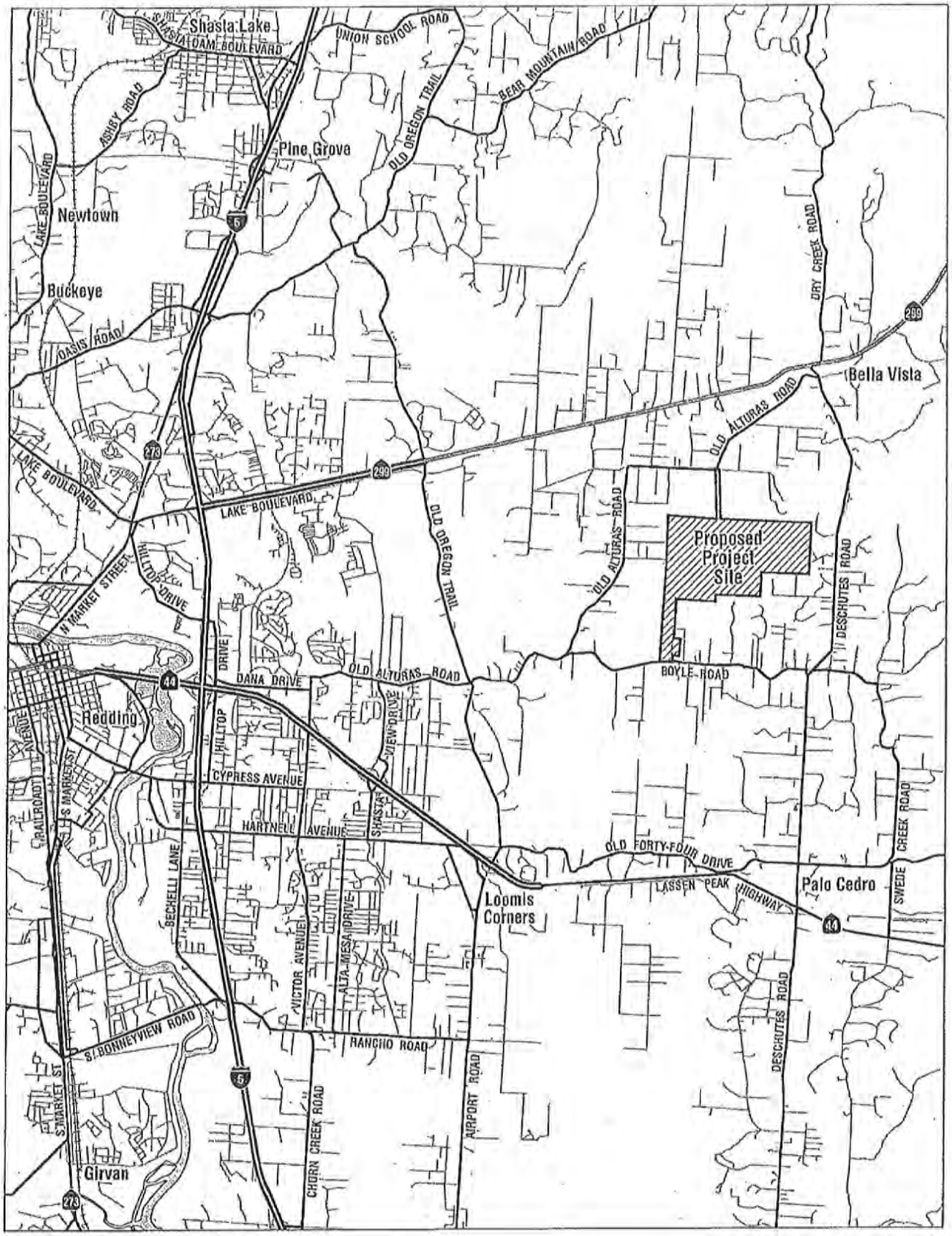


Not to scale

TIERRA ROBLES PLANNED DEVELOPMENT

Regional Vicinity

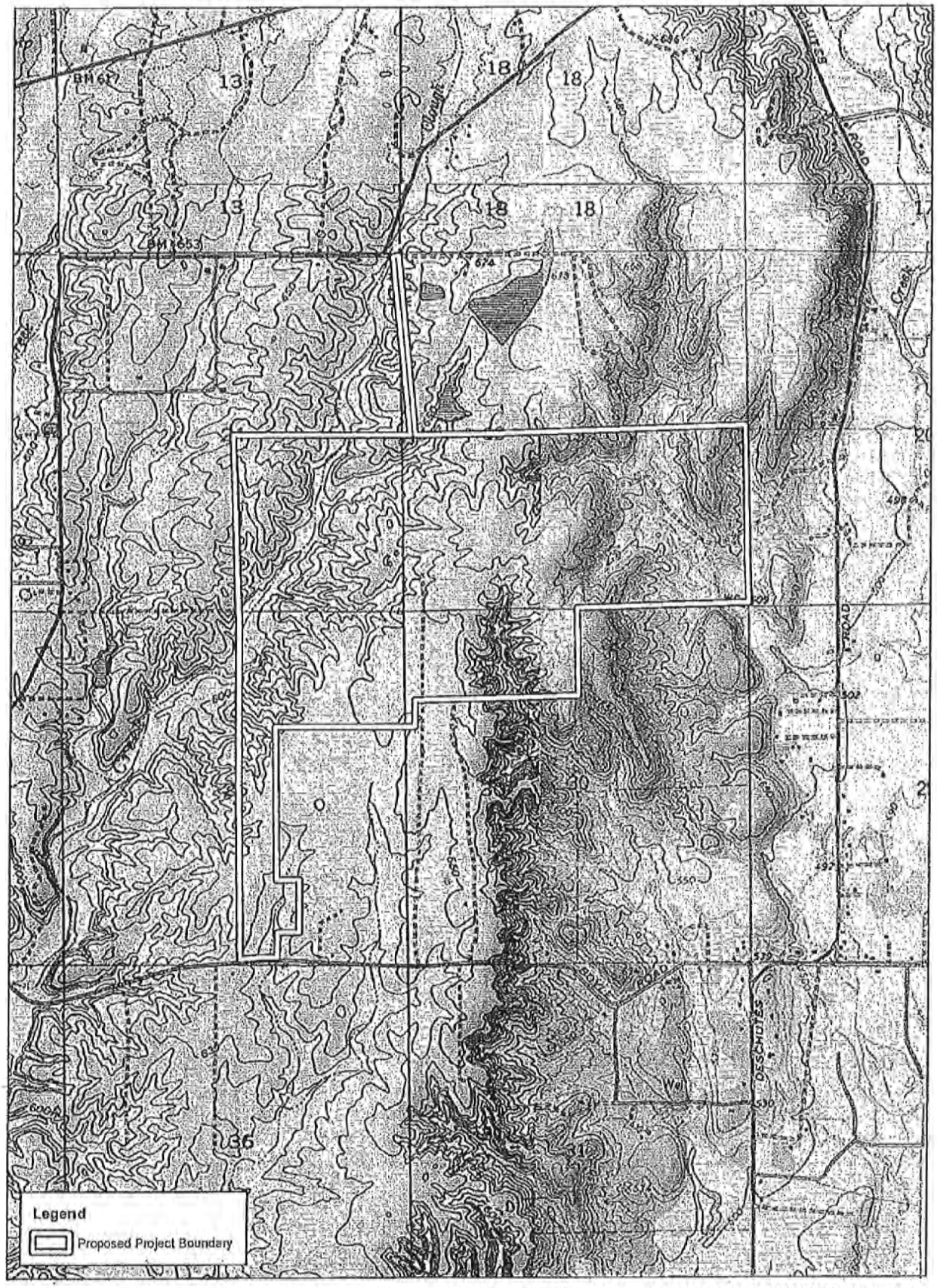
Figure 1



TIERRA ROBLES PLANNED DEVELOPMENT

Site Vicinity

Figure 2



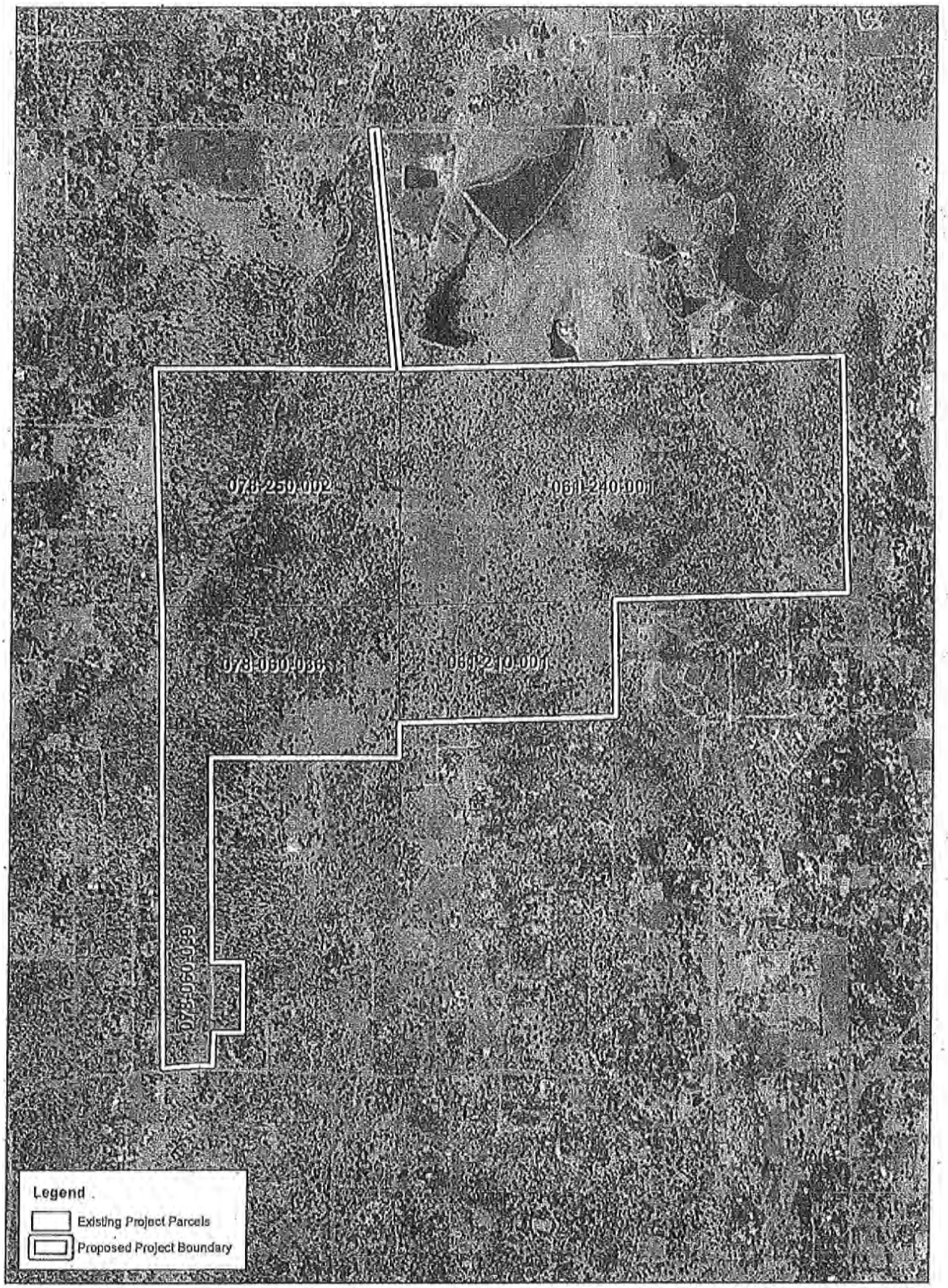
0 0.15 0.3 0.6 Miles

TIERRA ROBLES PLANNED DEVELOPMENT

USGS

Source: Esri U&A Topo Map web map service 2012

Figure 3



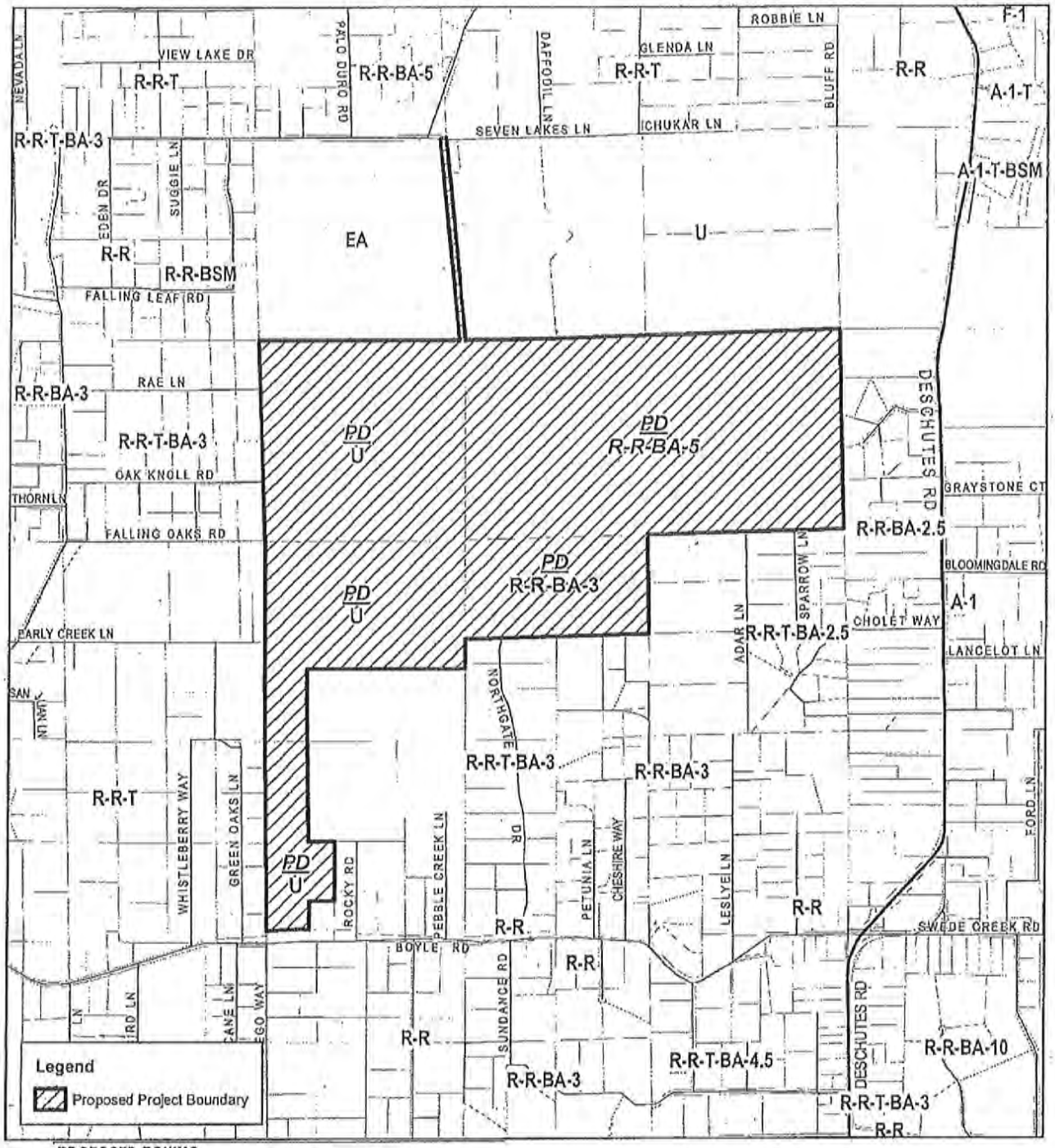
0 0.125 0.25 0.5 Miles

TIERRA ROBLES PLANNED DEVELOPMENT

Aerial Photograph

Source: Esri World Imagery; Shasta County GIS 2012 (parcels)

Figure 4



PROPOSED ZONING

PD	Planned Development

EXISTING COUNTY ZONING

A-1	Limited Agriculture	R-R-BA-3	Rural Residential 3-acre minimum
A-1-T	Limited Agriculture with Mobile Home	R-R-BA-5	Rural Residential 5-acre minimum
A-1-T-BSM	Limited Agriculture with Mobile Home and minimum	R-R-BSM	Rural Residential with minimum lot area is area of individual lot
EA	Exclusive Agriculture	R-R-T	Rural Residential with Mobile Home
F-1	Desingated Floodway	R-R-T-BA-2.5	Rural Residential with Mobile Home 2.5-acre minimum
R-R	Rural Residential	R-R-T-BA-3	Rural Residential with Mobile Home 3-acre minimum
R-R-BA-10	Rural Residential 10-acre minimum	R-R-T-BA-4.5	Rural Residential with Mobile Home 4.5-acre minimum
R-R-BA-2.5	Rural Residential 2.5-acre minimum	U	Unclassified

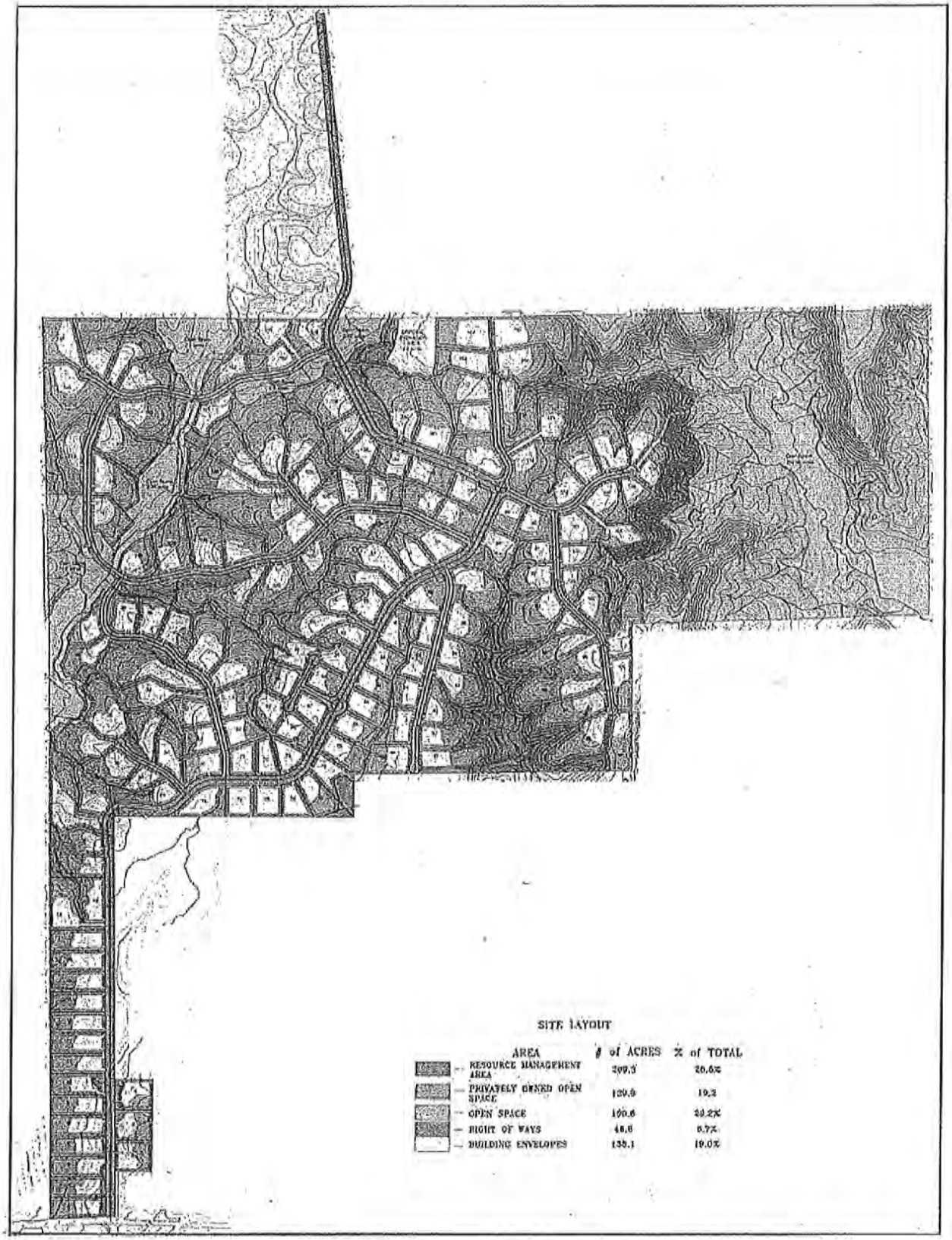
0 0.1 0.2 0.4 Miles

TIERRA ROBLES PLANNED DEVELOPMENT

Existing and Proposed Zoning Classifications

Source: Shasta County GIS 2012 (parcels, zoning)

Figure 5



0 15 30 60 Miles

TIERRA ROBLES PLANNED DEVELOPMENT

Proposed Site Layout

Figure 6

Redd, Christa

From: Tremayne, Jennifer
Sent: Tuesday, April 12, 2016 10:27 AM
To: Redd, Christa
Subject: FW: T002100 01D MM-0(216)T Mohave County/ADOT Oatman Highway at Sacramento Wash

FYI

Kimley»Horn
Jennifer Tremayne
Kimley-Horn | 7740 N. 16th Street, Suite 300, Phoenix, AZ 85020
Direct: 602 906 1187 | Mobile: 602 290 0472

From: Steven Olmsted [mailto:SOlmsted@azdot.gov]
Sent: Tuesday, April 12, 2016 10:23 AM
To: Marissa Romero <Marissa.Romero@dot.gov>; Kimberly Utley (FHWA) <Kimberly.Utley@dot.gov>
Cc: Steven Latoski <Steven.Latoski@mohavecounty.us>; tim.walsh@mohavecounty.us; Tremayne, Jennifer <Jennifer.Tremayne@kimley-horn.com>; Rashidul Haque <RHaque@azdot.gov>; Christian, Raj <Raj.Christian@kimley-horn.com>; Leistiko, Dave <Dave.Leistiko@kimley-horn.com>; Paul O'Brien <PO'Brien@azdot.gov>
Subject: T002100 01D MM-0(216)T Mohave County/ADOT Oatman Highway at Sacramento Wash

All,

Just to summarize getting thru the two environmental documents –

We were not going to be able to appease Refuge/FWS with an ADOT only CE covering the entire footprint. Therefore, I approved the approach to continue NEPA requirements related to the entire project area but split key parts of the NEPA documentation process in order to meet ADOT's federally funded NEPA threshold for inside ROW work, to ensure compliance with the June 24th AID expiration, and to respectfully fulfill the Refuge (FWS) needs to conduct an EA for channelization, training dike, and grading that will be conducted by County.

Even though County work utilizes non-federal funds for their work the design and environmental technical review (i.e. 106, biology and 404) are intertwined and complicit with the entire project area and ADOT's review process requirements. We are basically facilitating the Refuge permit process, which requires the execution of an EA, by having the County EA needs piggyback on ADOT's total project footprint CE technical reporting.

We have a series of moving parts heading into the end of the year - So, to keep it as simple as possible

From an AID/showcase project standpoint the preferred timeline is as follows and attempts to tighten the amount of time between when the bridge structure is built and it being functional upon the completion of the County grading/channelization/dike work;

- May 15th CE completion allows ADOT C&S to review and prepare the package for bid
- The grant has a use expiration date of June 24th
- C&S completes bid package in June(ish) for a July advertise
- Bids received, contract awarded and contractor on board is scheduled for 3 ½ months taking us to November(ish)

The 3 ½ months is where some efficiencies can be gained by;

- The Refuge/FWS concurrence is under two time approximations (the desired Sept/Oct goal of Kimley Horn (and myself) and the conservative "we need more time" Refuge/FWS goal of no sooner than Dec.
- As the design concludes County can package their SOW into a **draft** ready bid package
- I will need Kimberly and Marissa at some point to respectfully do a Federal to Federal verbal request or meeting to spur Refuge/FWS along to an early concurrence
- Refuge/FWS are claiming slowness due to their reviewer becoming unavailable shortly and no replacement in sight (that is not going to be a good enough reason to delay concurrence for up to three months or eternally)
- If we have the contractor doing the ADOT inside-ROW-work begin offsite deck fabrication in Dec with an eye toward scheduling actual shaft/site earthwork in January.
- That should allow County to get there bid package out, bid and contractor on board by late January if we get an October EA completion.
- This would seem to then have the ABC structure done in January with completion of County work February

Two important pieces –
County desires and will not proceed with any bid package work beyond draft preparation without the full disclosure to Refuge/FWS
Can County check the area for fire damage and work with Jennifer to ensure any vegetative damage is note in the bio docs of both the CE and EA. As this will seriously expedite matters if habitat is burned.

This approach should get us closer to February instead of April for total completion and a functioning bridge as opposed to a 60-120 gap in flood functionality

Feel free for any edits

Steve

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Appendix C
Comment Letters Received in Response to 2012 NOP

Grove, Bruce

From: Kent Hector <khector@co.shasta.ca.us>
Sent: Tuesday, December 04, 2012 3:34 PM
To: Grove, Bruce
Subject: Tierra Robles NOP Comments - Shasta County Department of Public Works
Attachments: TierraRobWillServe.pdf

Kent,

DPW received the NOP for the above project. The Department specifically commented sewer service to the Developer in 2009—letter attached. The Department will stand by this conditional "Will Serve Letter" for the project.

Al Cathey
Shasta County
Department of Public Works
Ph (530)225-5661
Fax (530)225-5667
Email: acathey@co.shasta.ca.us

Shasta County

DEPARTMENT OF PUBLIC WORKS

1855 PLACER STREET
REDDING, CA 96001-1759
530 225-5661 530 225-5667 FAX
800 479-8022 California Relay Service at 700 or 800-735-2922

PATRICK J. MINTURN, DIRECTOR
C. TROY BARTOLOMEI, DEPUTY
SCOTT G. WAHL, DEPUTY

September 1, 2009

David Storer
DAS, Inc.
P.O. Box 6763
Folsom, CA 95763-6763

Subject: Pre-Application 09-001 Conditional Will Serve Letter

Dear Mr. Storer:

This letter is in response to our meeting with the Director of Public Works and the Assistant Director of Resource Management on August 27, 2009. The following paragraph summarizes the current and future capacity of the County Service Area (CSA) as permitted by the Regional Water Quality Control Board.

The Palo Cedro Sewer Plant has a capacity of 500 household equivalents (HEs). There are 464 HEs connected with 380 HEs on standby for a total of 844. Paralleling 6000' of force main from the main pump station to the plant would provide an 800 HE capacity. The master plan for the plant allows for staged construction to provide new capacity. The plan has three stages. Ultimate capacity of the plant, per the master plan, is 1585 HEs.

Because your project is well outside of the boundaries for CSA #8-Palo Cedro, the developer would have to do all necessary studies and build the required infrastructure, including potential plant capacity improvements, to accommodate the development. The sewer capacity study would need to be completed by the developer and approved by the Public Works Department. All costs associated with the study and the costs for checking and approving the study will be borne by the developer.

The study will quantify the improvements that will need to be in place with each phase of the proposed project. Given the nature of this proposal, it is not possible to quantify the total scope of the improvements until a detailed sewer study is submitted by the applicant. Sewer service is technically feasible, but many design details will need to be fleshed out prior to final approval of the study and conditioning for improvements.

An annexation proceeding will need to be undertaken prior to providing sewer service to the proposed project. The developer will be responsible to pay all costs associated with the annexation. As proposed, the project would not be contiguous with the boundary for CSA #8-Palo Cedro. LAFCO would be the final arbiter on the proposed boundary for the modified CSA #8 boundary.

The subject property can be served subject to the requirements above.

Very truly yours,

Patrick J. Minturn, Director

By
Alfred Cathey, Supervising Engineer
Development Services Division

ALC/lcg

· DIRECTORS ·
BOB NASH JEFF THOMPSON
JEFF O. STEPPAT LYNETTE BLAISDELL
LEIMONE WAITE

DAVID J. COXEY
Secretary/Treasurer/General Manager

BELLA VISTA WATER DISTRICT

11368 E. STILLWATER WAY • REDDING, CALIFORNIA 96003-9510
TELEPHONE (530) 241-1085 • FAX (530) 241-8354

November 27, 2012

Kent Hector, Senior Planner
Shasta County Dept. of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Proposed Tierra Robles Planned Development Project

Dear Mr. Hector:

The Bella Vista Water District has reviewed the "Environmental Initial Study" for the proposed Tierra Robles Planned Development. As you may know, the District receives nearly all of its water supply from the federal Central Valley Project (CVP) through a water service contract with the United States that is subject to severe shortage measures pursuant to the U.S. Bureau of Reclamation's municipal and industrial (M&I) shortage policy and any amendments thereto. The total contract quantity of 24,578 acre-feet/year is adequate for the current and planned needs of the District in normal year types. However, in single and consecutive "dry" or "severe" hydrologic year types, the District has experienced and anticipates severely reduced CVP allocations that may not meet current average year demands within the District. The yield of the Central Valley Project was reduced in 1992 with the passage of the Central Valley Improvement Act (H.R. 429, Public Law 102-575). The implementation of this Act combined with subsequent regulatory actions intended to protect threatened and endangered fish species has substantially reduced the reliability of CVP supplies, especially in shortage years. Current and anticipated regulatory actions and processes will further reduce the likelihood of the District receiving full water supply allocations especially in "below normal" year types and will exacerbate single and consecutive year shortages. Therefore, with regards to the Initial Study Environmental Checklist regarding water supply, specifically section XVI. Utilities and Service Systems, we believe a finding of "less than significant" is not accurate or appropriate.

Additionally, we offer the following comments regarding the potential environmental impacts that need to be addressed regarding the water supply, treatment and distribution requirements for the project:

1. There are presently no existing Bella Vista Water District water lines inside of the boundaries of the 715.4 acre tract.

2. Plans for the water system improvements required to serve the proposed development must be submitted to Bella Vista Water District for review and the improvement plans will require the approval of the District.

3. The existing 16-inch line in Boyle Road and the 36-inch line in Old Alturas Road are owned by the U.S. Bureau of Reclamation, and operated and maintained by the District. The connection to the 16-inch main and the crossing of the 36-inch main will require the approval of Reclamation.

4. In addition to the connections to the District's existing water system shown in Figure 4 of the Notice of Preparation – "Proposed Annexation Boundary and Off-Site Utilities Improvements," connections to existing water lines in Old Alturas Road near Seven Lakes Land, in Oak Knoll Road and in Falling Oaks Road may be required. Hydraulic modeling will be necessary to determine the sizes of the connections and of the water lines within the project boundaries.

5. The required water system improvements must be installed and accepted by the District prior to the District providing permanent water service to any of the parcels proposed to be developed.

6. The proposed off-site force main will require a number of crossings of the District's water system facilities and the abandonment or relocation of the existing 8-inch water line in Boyle Road between Daystar Way and Leslye Lane. Detailed plans for each of the crossings and for the abandonment or relocation of the existing 8-inch water main must be submitted to the District for review and approval prior to the initiation of construction of the force main. Some of the water lines that the force main will cross are owned by the U.S. Bureau of Reclamation. The pipe crossings and any encroachments within Reclamation's rights-of-way will also require the approval of Reclamation.

7. The water supply needs for the project need to be determined based on the full potential range of development that will be allowed for the parcels. If there are no imposed land use restrictions then parcels may potentially be utilized for agricultural purposes which would have a larger annual water supply demand and a larger instantaneous flow (capacity) requirement than non-agricultural parcels.

8. The water supply needs for the project need to be determined based on the full range of water usage on similarly sized parcels within the District's service area not just the average water usage for similarly sized parcels. If there are no limits on meter sizes and allowable crop or landscape irrigation, then maximum water demands need to be calculated based on the irrigation of landscaping and/or crops for the entire parcel (less the building areas, driveways, walkways, etc.).

9. If the projected annual water demands for the project will exceed 250 acre-feet (the equivalent of a 500 residential dwelling unit project) then a Water Supply Assessment will be required pursuant to California Water Code 10910 et seq. The District is willing to work with the County to identify issues and develop strategies subject to reimbursement for project related expenses in accordance with the District's adopted Reimbursement Policy.

10. Possible mitigation measures to reduce the impact on the District's water supply and delivery capabilities that should be explored in the EIR include: imposition of restrictions for irrigated agricultural development, restricting landscaped areas, restricting the size of the water meters that will be permitted for the parcels, use of water efficient landscaping, use of water efficient plumbing

fixtures, and dry-year water supply augmentation to ensure the District's existing customers are not adversely impacted during single and consecutive dry years.

11. Landscaping will need to comply with the County's Landscape Irrigation ordinance (or the State's "Model Water Efficient Landscape Ordinance").

12. Water service to the parcels within the development will be subject to water service requirements, fees, and water service availability at such time as water service is requested from the District.

Please feel free to contact me if you have any questions regarding any of the above comments.

Sincerely,

Don M. Groundwater, P.E.
District Engineer

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SHASTA COUNTY

NOV 15 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

CITY OF REDDING

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
777 Cypress Avenue, Redding, CA 96001-2718
P.O. Box 496071, Redding, CA 96049-6071
530.225.4020 FAX 530.225.4495

November 13, 2012
L-010-390

Mr. Kent Hector
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Subject: Notice of Preparation
Tierra Robles Planned Development

Dear Mr. Hector:

Thank you for the Notice of Preparation for a draft environmental impact report (EIR) being prepared for the Tierra Robles Planned Development project. The Redding Planning Division has reviewed the project description and believes the project has the potential for increased traffic impacting the service level of certain city street segments and intersections. The City requests that the EIR include an analysis of potential project impacts on the service levels of:

- Old Alturas Road corridor between Old Oregon Trail and Browning Street, including the intersections at Rose Tree Lane, Shasta View Drive, Oak Mesa Lane, Edgewood Drive, Victor Avenue, and Browning Street.
- Shasta View Drive corridor between Old Alturas Road and SR44, including the intersection at Atrium Way and Viking Way.
- Victor Avenue corridor between Old Alturas Road and SR44, including the intersection at Dana Drive.

The City is available to meet with County staff and it's EIR consultant to further clarify or refine this requested element of the traffic analysis scope. To arrange such consultation, please contact me at (530) 225-4028 or demallie@ci.redding.ca.us.

Sincerely,

Douglas DeMallie
Planning Manager

DD:et
LTR12\E111312L-KH

cc: Chuck Aukland, Assistant Public Works Director

DEPARTMENT OF TRANSPORTATION
OFFICE OF COMMUNITY PLANNING
1657 RIVERSIDE DRIVE
REDDING, CA 96001-0536
PHONE (530) 229-0517
FAX (530) 225-3020
TTY 711

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SHASTA COUNTY

NOV 19 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Flex your power!
Be energy efficient!

November 15, 2012

IGR/CEQA Review
Sha-44-3.62, 7.0, 299-46.74
Tierra Robles Planned Development
NOP EIR
SCH # 2012102051

Mr. Kent Hector
Shasta County
Department of Resource Management
Planning Division
1855 Placer Street
Redding, CA 96001

Dear Mr. Hector:

Thank you for the opportunity to review the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) submitted on behalf of Shasta Red LLC to subdivide 715 acres into 166-parcels. The project is located on the north side of Boyle Road between the communities of Bella Vista and Palo Cedro and between State Routes (SR) 299 and SR 44.

Access to the site is available from several routes onto SR 44 and SR 299 or County roads into the City of Redding. A traffic study was prepared and reviewed by Caltrans in 2009. Highway facilities in this area that are identified for future improvements due to cumulative growth include the SR 44 road segment between Palo Cedro and the Airport Road interchange, and the Deschutes Road/SR 44 and Airport Road/SR 44 interchanges.

The need for signalization of the Deschutes Road/SR 44 interchange ramp intersections has been previously identified in the review of several County residential subdivision approvals and as early as the development of Foothill High School. We look forward to the DEIR and conditions of approval recognizing that the project will contribute traffic impact fees or a proportionate share mitigation funds toward the interchange signalization. As identified in the review of the Russell, Avantino, Brannon, and Trinity Equipment (Weibelhaus) subdivisions, Caltrans will work with the County in the design and construction of the signal improvements once the County programs the improvements. A two-year advanced notice prior to signalization construction is needed.

Caltrans looks forward to reviewing the traffic section of the DEIR. If you have any questions, or if the scope of this project changes, please call me at 225-3369.

Sincerely,

MARCELINO GONZALEZ
Local Development Review
District 2

2516 Goodwater Avenue, Suite A
Redding, California 96002
530.242.1112
www.shasta.lafco.ca.gov

Les Baugh, Chairman
County Member

Larry Farr
City Member

Irwin Fust
Special District Member
Alternate

Linda Hartman
County Member
Alternate

Brenda Haynes
Special District Member

Patrick Jones
City Member

David Kehoe
County Member

John Mathena, Vice Chairman
Public Member

Stephen Morgan
Special District Member

Larry Russell
Public Member
Alternate

James Yarbrough
City Member
Alternate

Amy Mickelson
Executive Officer

November 26, 2012

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DEC 03 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Kent Hector, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Dear Kent,

Thank you for the opportunity to comment on the Notice of Preparation of an Environmental Impact Report (EIR) for the Tierra Robles Planned Development Project. As you know, due to the proposed non-contiguous annexation to CSA#8, Shasta Local Agency Formation Commission (LAFCO) is a responsible agency in this project. We look forward to working with you over the course of this proposal.

As requested, the following are hereby identified as significant environmental effects and mitigation measures that will need to be explored and discussed within the EIR, according to LAFCO policies and practice:

1. The conversion of agricultural lands;
2. Capacity and service availability for sewage treatment and disposal provided by the proposed annexation to CSA No. 8;
3. The effect on fire protection services, currently provided by Shasta County Fire Department (CSA No.1);
4. The effect on Bella Vista Water District, specifically, the availability of adequate water supplies.
5. Detailed discussion regarding the substantial growth-inducing nature of the proposal location, particularly along the proposed extension of the new force main sewer line;
   and
6. Whether or not the proposed project would exceed wastewater treatment requirements of the Regional Water Quality Control Board.

As to special studies and other information that our agency believes are necessary for the County to analyze the significant environmental effects, alternatives, and mitigation measures you have identified; we would be looking towards a sewer capacity study to answer many of our questions in regard to this project. Alternatives to annexation should also be discussed in detail. We would also be looking for more information regarding Bella Vista Water District's water service capabilities and limitations regarding a readily available water supply. As noted above, we also have concerns regarding the effect on fire protection services. An update to the CSA No. 1 Municipal Service Review (MSR) will be a requirement prior to consideration by Shasta LAFCO, with the cost of the update born by the applicant.

If you have any questions or concerns, please feel free to contact me at:

Amy Mickelson
Executive Officer
Shasta Local Agency Formation Commission
2516 Goodwater, Suite A
Redding, California 96002
(530)242-1112
exec@shasta.lafco.ca.gov

Again, thank you for your time and consideration of our comments.

Regards,

Amy K. Mickelson

Amy Mickelson
Executive Officer

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

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SHASTA COUNTY

OCT 29 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Notice of Preparation

October 25, 2012

To: Reviewing Agencies

Re: Zone Amendment 10-002, Tract Map 1996 - Tierra Robles Planned Development
SCH# 2012102051

Attached for your review and comment is the Notice of Preparation (NOP) for the Zone Amendment 10-002, Tract Map 1996 - Tierra Robles Planned Development draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Kent Hector
Shasta County Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2012102051
Project Title Zone Amendment 10-002, Tract Map 1996 - Tierra Robles Planned Development
Lead Agency Shasta County

Type NOP Notice of Preparation

Description The proposed project consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 5-acre minimum (RR-BA-5), Rural Residential 3-acre minimum (RR-BA-3), and Unclassified (U) to a Planned Development (PD) zone district establishing a conceptual development plan covering the entire site; and a Tract Map (TR 1996) to divide the 715.4-acre property into 166 residential parcels ranging from 1.5 acres to 7.5 acres in size, and four open space parcels totaling 175.4 acres. As proposed, the project would include a non-contiguous annexation of the 715.4-acre property into County Swervice Area No. 8, for sewage treatment and disposal.

Lead Agency Contact

Name Kent Hector
Agency Shasta County Department of Resource Management
Phone 530 225-5532 **Fax**
email
Address 1855 Placer Street, Suite 103
City Redding **State** CA **Zip** 96001

Project Location

County Shasta
City
Region
Cross Streets Boyle Road / Porta Dego Way
Lat / Long 40° 35' 36" N / 122° 16' 01" W
Parcel No. 061-210-001, 061-240-001, 078-060-036, 078-060-039, and 078-250-002
Township 32 N **Range** 3,4 W **Section** 19,30, **Base** MDBM

Proximity to:

Highways SR-299
Airports
Railways
Waterways Clough Creek
Schools No. Cow Creek Elem, Bella Vista Elem
Land Use

Project Issues Schools/Universities; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Fiscal Impacts; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Aesthetic/Visual; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

---

Reviewing Agencies Resources Agency; Department of Conservation; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Resources, Recycling and Recovery; Department of Fish and Game, Region 1; California Highway Patrol; Native American Heritage Commission; Caltrans, District 2; Regional Water Quality Control Bd., Region 5 (Redding)

Date Received 10/25/2012 **Start of Review** 10/25/2012 **End of Review** 11/26/2012

Note: Blanks in data fields result from insufficient information provided by lead agency.

2012102051

Resources Agency

- [x] Resources Agency
  Nadell Gayou
- [ ] Dept. of Boating & Waterways
  Nicole Wong
- [ ] California Coastal Commission
  Elizabeth A. Fuchs
- [ ] Colorado River Board
  Gerald R. Zimmerman
- [x] Dept. of Conservation
  Elizabeth Carpenter
- [ ] California Energy Commission
  Eric Knight
- [x] Cal Fire
  Dan Foster
- [ ] Central Valley Flood Protection Board
  James Herota
- [x] Office of Historic Preservation
  Ron Parsons
- [x] Dept of Parks & Recreation
  Environmental Stewardship Section
- [x] California Department of Resources, Recycling & Recovery
  Sue O'Leary
- [ ] S.F. Bay Conservation & Dev't. Comm.
  Steve McAdam
- [x] Dept. of Water Resources Resources Agency
  Nadell Gayou

Fish and Game

- [ ] Depart. of Fish & Game
  Scott Flint
  Environmental Services Division
- [x] Fish & Game Region 1
  Donald Koch
- [ ] Fish & Game Region 1E
  Laurie Harnsberger
- [ ] Fish & Game Region 2
  Jeff Drongesen
- [ ] Fish & Game Region 3
  Charles Armor
- [ ] Fish & Game Region 4
  Julie Vance
- [ ] Fish & Game Region 5
  Leslie Newton Reed
  Habitat Conservation Program
- [ ] Fish & Game Region 6
  Gabrina Gatchel
  Habitat Conservation Program
- [ ] Fish & Game Region 6 I/M
  Brad Henderson
  Inyo/Mono, Habitat Conservation Program
- [ ] Dept. of Fish & Game M
  George Isaac
  Marine Region

Other Departments

- [ ] Food & Agriculture
  Sandra Schubert
  Dept. of Food and Agriculture
- [ ] Depart. of General Services
  Public School Construction
- [ ] Dept. of General Services
  Anna Garbeff
  Environmental Services Section
- [ ] Dept. of Public Health
  Jeffery Worth
  Dept. of Health/Drinking Water
- [ ] Delta Stewardship Council
  Kevan Samsam

Independent Commissions,Boards

- [ ] Delta Protection Commission
  Michael Machado
- [ ] Cal EMA (Emergency Management Agency)
  Dennis Castrillo
- [x] Native American Heritage Comm.
  Debbie Treadway
- [ ] Public Utilities Commission
  Leo Wong
- [ ] Santa Monica Bay Restoration
  Guangyu Wang
- [ ] State Lands Commission
  Jennifer Deleong
- [ ] Tahoe Regional Planning Agency (TRPA)
  Cherry Jacques

Business, Trans & Housing

- [ ] Caltrans - Division of Aeronautics
  Philip Crimmins
- [ ] Caltrans - Planning
  Terri Pencovic
- [x] California Highway Patrol
  Suzann Ikeuchi
  Office of Special Projects
- [ ] Housing & Community Development
  CEQA Coordinator
  Housing Policy Division

Dept. of Transportation

- [ ] Caltrans, District 1
  Rex Jackman
- [x] Caltrans, District 2
  Marcelino Gonzalez
- [ ] Caltrans, District 3
  Gary Arnold
- [ ] Caltrans, District 4
  Erik Alm
- [ ] Caltrans, District 5
  David Murray
- [ ] Caltrans, District 6
  Michael Navarro
- [ ] Caltrans, District 7
  Dianna Watson
- [ ] Caltrans, District 8
  Dan Kopulsky
- [ ] Caltrans, District 9
  Gayle Rosander
- [ ] Caltrans, District 10
  Tom Dumas
- [ ] Caltrans, District 11
  Jacob Armstrong
- [ ] Caltrans, District 12
  Marlon Regisford

Cal EPA

Air Resources Board

- [ ] Airport/Energy Projects
  Jim Lemer
- [ ] Transportation Projects
  Douglas Ito
- [ ] Industrial Projects
  Mike Tollstrup
- [ ] State Water Resources Control Board
  Regional Programs Unit
  Division of Financial Assistance
- [ ] State Water Resources Control Board
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] State Water Resouces Control Board
  Phil Crader
  Division of Water Rights
- [ ] Dept. of Toxic Substances Control
  CEQA Tracking Center
- [ ] Department of Pesticide Regulation
  CEQA Coordinator

Regional Water Quality Cor Board (RWQCB)

- [ ] RWQCB 1
  Cathleen Hudson
  North Coast Region (1)
- [ ] RWQCB 2
  Environmental Document Coordinator
  San Francisco Bay Region (2
- [ ] RWQCB 3
  Central Coast Region (3)
- [ ] RWQCB 4
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] RWQCB 5S
  Central Valley Region (5)
- [ ] RWQCB 5F
  Central Valley Region (5
  Fresno Branch Office
- [x] RWQCB 5R
  Central Valley Region (5
  Redding Branch Office
- [ ] RWQCB 6
  Lahontan Region (6)
- [ ] RWQCB 6V
  Lahontan Region (6)
  Victorville Branch Office
- [ ] RWQCB 7
  Colorado River Basin Region
- [ ] RWQCB 8
  Santa Ana Region (8)
- [ ] RWQCB 9
  San Diego Region (9)

- [ ] Other _____

- [ ] _____ Conservancy

Last Updated 8/14/2012

From:
Claudia Lyons Yerion
Conservation Chair
Wintu Audubon
2891 Wyndham Ln.
Redding, CA 96001
sealions@c-zone.net
(530) 227-2360

To: Kent Hector, Senior Planner
Shasta County Dept. of Resource Management
Planning Division
1855 Placer St., Suite 103
Redding, CA
96001
khector@co.shasta.ca.us

Subject:
Notice of Preparation of an Environmental Impact Report (EIR) for the Tierra Robles Planned Development Project (Zone Amendment 10-002, Tract Map) 1996

November 26, 2012

Dear Mr. Hector,

I am writing as Conservation Chair on behalf of Wintu Audubon to submit our comments in response to the Notice of Preparation for the EIR for the Tierra Robles Planned Development project.
We are very concerned about the potential significant effects to Biological Resources, water quality and Soils that the Initial Study has concluded may be affected by the project.

The premise for all of these harmful effects occurring is that it is a direct result of the proposed zoning change. This is stated in the Initial Study in pg. 13, "IX. Land Use Planning, "the project conflicts with any applicable land use plan, policy, or regulation of an agency with the jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?" (my underline). This is answered by "Potentially Significant Impact" being indicated.

This means that the current zoning designation which is in place exists to prevent the adverse environmental effects that the Initial Study concludes are likely to occur.

It is clear that the fundamental question is whether the approval of the zoning change will result in potential significant and un-mitigatable effects to the biological resources, and we already know from the initial study that this is projected to be the case. Therefore, Wintu Audubon opposes this zoning change.

In Part IV, Biological Resources, 5 of the 6 areas of impact to biological resources are predicted to have potentially significant Impact as a result of the project. According to the Initial Study, the Biological effects will remain Significant even with mitigation.

Wintu is concerned due to the potential significant and unavoidable effects to the various biological systems present on the parcel and adjacent area, including the streams, riparian, marsh and Oak Woodland habitats. These habitats support a complex system of flora and fauna that includes many bird species and their food and nesting resources. We are concerned about the direct affects of this project to the various species of resident, nesting and migratory birds and

other wildlife that is supported by these ecosystems. This includes CA Species of Special Concern such as the Yellow Warbler, which nest in Valley riparian habitat, CA Threatened Insect species such as the Valley Elderberry Longhorn Beetle, which depends on riparian habitat, various raptor and Owl species which depend on the Oak woodland for their nesting and food needs. Numerous waterfowl utilize the waterways for their nesting as well.

For the Scope of the EIR:
We would like to see all of the standard biological and bird surveys performed, but at nesting season for riparian and raptor species. This should include breeding bird surveys, and surveys for nesting raptors. Also, any vernal pool habitat should be examined at the proper time of year to determine its biological composition. Riparian habitat and streams should be surveyed as well for all organisms potentially affected.
This project should also be examined in terms of the affect of any habitat fragmentation of habitat depended on by various organisms.
The cumulative effect of this project in the context of loss of biodiversity needs to be studied as well, in a robust manner, as this is increasingly important as more and more habitat is lost or fragmented.

Please feel free to contact me if you wish to discuss any of these issues.

Sincerely,

Claudia Lyons Yerion
Conservation Chair
Wintu Audubon
Redding, CA

Kent Hector

From: Nicholas Webb [monkeywebb@hotmail.com]
Sent: Sunday, November 18, 2012 5:11 PM
To: Kent Hector
Subject: Tierra Robles Development Comments
Attachments: BellaVistaDevelopment2012B.doc

Dear Mr. Hector-

Attached please find comments from the Shasta Cascade Bicycle Coalition in reference to the proposed Tierra Robles development near Bella Vista.

If you have any questions or would like to follow up regarding any of the enclosed comments please feel free to be in touch.

Thank you,

Nick Webb
Shasta Cascade Bicycle Coalition
monkeywebb@hotmail.com
530-945-2176

Shasta Cascade Bicycle Coalition
Redding, California

November 16, 2012

Shasta County Department of Resource Management; Planning Division
Attention: Mr. Kent Hector, Senior Planner
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Tierra Robles Planned Development Project NOP and Draft EIR Comments

The Shasta Cascade Bicycle Coalition is concerned about traffic and related impacts on air quality, safety, and quality of life in the area surrounding the Tierra Robles Planned Development, as it is currently proposed. However, there are opportunities for the development to have a positive impact on walking and bicycling in the area by providing non-motorized transportation options and linking to destinations which will support healthy lifestyles, safety, and quality of life.

We offer the following comments and suggestions for the development to better serve its future residents as well as existing residents in the area:

- The Environmental Initial Study refers to a Class I bike path within the development. We commend that feature as a recreational opportunity. We encourage you to **expand bicycle facilities (substantially widened shoulder, add bike lanes or ideally a multiuse separated path that serves both bicyclists and pedestrians) to nearby community services,** such as the grocery store and school in the Bella Vista area, so that it can be used for functional transportation as well. Possibly this could fall within the right of way for Old Alturas Road. Or explore options for a paved trail connection linking the east side of the property with Deschutes Road, along with a separated path along Deschutes to the school and store in the Bella Vista area. This may help mitigate traffic impacts by giving people a safer non-motorized option for reaching common destinations.

- **Connect streets in the new development to existing streets in the area to facilitate better mobility. If this cannot be done for all modes of transportation, at least provide paths to connect these streets for bicyclists and pedestrians** so existing residents can walk/bike to destinations and those in the new development have increased non-motorized connectivity. For example, it would be ridiculous for a family who lives on Northgate Drive to have to travel out and around on Boyle to visit a friend on the center cul de sac at the south end of the development, when it could be a short walk or bike ride. This would benefit both existing residents in the area as well as future residents of the development by providing more transportation and recreational opportunities. Specific locations might include:
    - Northgate Drive to the south.
    - Rae Lane and/or Oak Knoll Road to the west.
    - Connect to Deschutes Road to the east via one of the existing residential streets, if possible

- **Utilize the proposed open space to benefit and attract future residents** by providing trails for recreational use. In many areas, trails have been found to increase property values and have a positive impact on quality of life in the neighborhood. Trails help neighbors interact with each other, creating a better sense of place and cohesion.

- Consider inclusion of a **community gathering space**, such as park, playground, or picnic tables near a trailhead. Or contribute to the park facilities being built in nearby Palo Cedro. Residents of such a large development should not have to travel all the way to Redding for recreational facilities (the Environmental Initial Study refers to facilities at Lassen National Park and Whiskeytown, which are too far removed to be relevant).

- **Consider traffic speed and risk to children and residents**. Motor vehicle traffic crashes are the leading cause of death to children and young adults 5-24 years of age. Designing streets that keep traffic speeds low can reduce the risk of death in a motor vehicle crash (for motorists, pedestrians, and bicyclists); design the streets so speeds are low, especially near intersections in residential areas. For example, the risk of death for a pedestrian or bicyclists hit by a car going less than 30 mph is substantially lower than if the vehicle is going over 40 mph.

Some transportation facts:

- According to Coldwell Banker (2008), 78% of homebuyers are looking for a location that will help reduce their transportation costs. Offering non-motorized options to destinations helps to fulfill this desire.
- Future of Transportation Study (2010) found that 66% of Americans want more transportation options so that they have more choice in how to get around; 57% reported that they would like to spend less time in their car.
- About 1/3 of Americans do not drive (too old, too young, disability, can't afford it, or prefer not to).
- Some of the highest ranked values identified during the Shasta Forward planning process (which engaged one in 60 Shasta County adults, completed in 2010) included having multi-model transportation choices and accessible open space.

Respectfully Submitted by Nick Webb on behalf of the Shasta Cascade Bicycle Coalition.

Nick Webb
Redding, CA
530-945-2176

RECEIVED
SHASTA COUNTY

NOV 20 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: ALLAN SCHMIDT

Agency:

Mailing Address: 10169 ROCKING HORSE LN. REDG. 96003

Phone Number: 530-215-0794

Comments: (1A) ANY NEW ASSESSMENTS FOR AREA PROPERTY OWNER

(1) WHY NO ACCESS FROM DESCHUTES ROAD.

(2) BOYLE AND OLD ALTURAS ROADS ALREADY TRAFFIC PROBLEMS.

(3) WHO WILL PAY FOR THE SEWER CONSTRUCTION AND TRAFFIC PROBLEMS ON BOYLE AND DESCHUTES.

(4) WILL THE NEW SEWER EXTEND DOWN PORTA DEGO OR MADIIINE AND WILL ~~THE~~ ANY OF THE PROPERTY OWNERS BE FORCED TO HOOK IN AND PAY EITHER NOW OR FUTURE

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

Kent Hector

From: Allen Toney [allen@rta-c.com]
Sent: Friday, November 16, 2012 10:13 AM
To: Kent Hector
Subject: Tierra Robles planned Development

Kent,

I am curious if a fire access is being considered through Cholet out to Deschutes like it is through Northgate?

Allen E. Toney PE
RTA Construction, Inc.
9614 Tanqueray Court
Redding, CA 96003
(530) 223-1100 ext. 13
(530) 223-6320 fax
allen@rta-c.com

Kent Hector

From: mrg755@frontiernet.net
Sent: Monday, November 26, 2012 10:09 AM
To: Kent Hector
Subject: Tierra Robles EIR public comments

Dear Mr. Hector,

I submit the following public comments for consideration for the environmental impact report for the Tierra Robles project.

I have major concerns about this project and expect these issues to be fully studied and mitigated as needed. I will list them below in no particular order.

This project will have major impacts to storm water runoff. The existing runoff patterns will be altered and this may have negative effects on the local environment. Thisgn such as runoff volumes, velocities, sediment transport etc. should all be studied and quantified to determine both short and long term effects.

This project will have major impacts to mature blue oak habitat and the related species that live in this area. A count of mature oaks that will be removed or threatened should be conducted and appropriate mitigation should be required.

Other plant species such as silky cryptantha, henderson's bent grass, meadow foam and other dangered/threatened plant species should be considered.

A determination needs to be made about this project's impact to anadramous fish habitat. Studies should be conducted to determine any impacts to the Shasta crayfish, the Shasta slamander and their associated habitats.

The traffic patterns in this area will be seriously impacted, studies should be done to determine the extend of traffic impacts and associated improvements to the areas roads must be required. These improvements should include capacity as well as alignment improvements and overall pavement condition improvements.

Both light and sound pollution need to be studied and quantified to determine how this development will impact these areas. Appropriate mitigation measures should be required.

All these issues, as well as others that may be expressed by others need to be studied for existing condition compared to post-project condition.

I understand that this project may be attractive to the County of Shasta because of the tax revenue it may bring but this re-zoning proposal is not very welcome by the locals especially because the current zoning is why many of us live here now.

Thank you for your consideration of these concerns.

Kent Hector

From: Mbscritters [mbscritters@aol.com]

Sent: Sunday, November 18, 2012 2:42 PM

To: Kent Hector

Subject: Terra Robles Planned Development

As a Palo Cedro resident, I have several concerns regarding the Terra Robles Planned Development. We live just west of Deschutes with this proposed project being behind our property. We live out here because we enjoy the relative peace and quiet, lack of crowding, and safety of the area. This proposed development is against our zoning regulations. I am concerned for our property values, our water supply, and our safety.

Considering the fact that Bella Vista Water barely has enough water allotment to serve the present customers, I cannot see how they can service this additional area, especially in light of the fact that additional develpments have already been approved in the Bella Vista Water District.

This many additional homes would bring in the need for additional school space and road improvements. We property owners already bare the burden of paying additional taxes for schools we may not have wanted and additional fees to Bella Vista Water for their improvements and expansion. Crime being what it is in Redding, we don't need that spreading to our area with our limited Sheriff staff.

Then there is the issue of guns. County regulations seem to allow shooting from anyone's property out here. Will 166 new home owners be allowed all to shoot on their property some of which will only be1.38 acres? This development is next to a gun club. This project seems to be totally disregarding the quality of life of the present residents.

Kent Hector

From: stockcarman@netzero.net
Sent: Monday, November 26, 2012 4:25 PM
To: Kent Hector
Subject: Development Proposal Tierra Robles Subdision

Hi Kent, I would like to say, I oppose this development. I think there is already too much traffic on Boyle Rd. I see a lot of parents rushing to take their kids to school and Foothill High School. If there are that many new households there will be some serious need for widening of Boyle Rd. I've lived out here for a few years now, I love it, but I have seen several accidents at Boyle and Old Altruras, Some minor, some not so minor. There will probably have to be Traffic lights at both Boyle and Old Alturas, and at Deschutes and Old Alturas. We also just got hit with another FEE. A FIRE PREVENTION FEE from the BOARD OF EQUALIZATION ??? because I live in a State Resposibility Area. A $150.00 fee knocked down to $115.00 because of a FEE EXEMPTION. What is a development like that going to do to that fee? A BAD MOVE TO MY WAY OF THINKING, SOMEBODY WANTS TO MAKE SOME MONEY AT EVERYBODY ELSE'S EXPENSE. Thank you for hearing my plea, Sincerely Resident of Boyle Rd.
P.S. I was born here in Redding, and lived here all my life, I've seen many changes to the city and it surroundings. This is not a GOOD DEAL

NetZero now offers 4G mobile broadband. Sign up now.

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: BARBEE + BRAD SEISER

Agency:

Mailing Address: 10603 NORTHGATE DRIVE, PALO CEDRO, CA 96073

Phone Number: 530-549-3532

Comments:

The project proposes to use Northgate Drive for the development's emergency access road. Northgate Drive is a Private Road and we and the other residents on this private street have not given permission for the road to be used for this purpose. We are not inclined to give such permission at this time. The paved road is not in great condition and of major concern is that the width of the road can barely accommodate two cars passing each other, let alone two fire trucks. Also, the current maps and documents supplied to the county and public that depict this proposed project do not include this proposed use of Northgate Drive, a private street, as an emergency access road. This is a major oversight on the part of the builder and county and will not be tolerated.

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6168

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: BARBEE + BRAD SEISER

Agency:

Mailing Address: 10603 NORTHGATE DRIVE, PALO CEDRO, CA 96073

Phone Number: 530-549-3532

Comments:

This project will negatively impact an already burdened water system through the Bella Vista Water District. Current water pumps serving Northgate Drive can't provide the necessary water pressure to service the irrigation needs of our home and those of our neighbors. Even when additional water pumps are turned on the late spring, water pressure is still insufficient to meet irrigation needs . We have been told by water audit personnel that the pressure is inadequate for our needs. With the addition of 166 residences the water pressure is sure to drop even further. This would be particularly dangerous to current home owners if there was insufficient water pressure to fight wild fires which have been known to impact this area. We oppose this project unless the water district or builder is required to add water pumping capacity or the project is required to have its own water well and pumping system, AT NO COST TO CURRENT BELLA VISTA WATER DISTRICT CUSTOMERS!

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: BARBEE + BRAD SEISER

Agency:

Mailing Address: 10603 NORTHGATE DRIVE, PALO CEDRO, CA 96073

Phone Number: 530-549-3532

Comments:

We moved to Palo Cedro because of its rural landscape and its lack of subdivision housing. If we wanted to live in that kind of neighborhood we would have moved to Redding. This project is completely out of character for the area and will detract from the physical beauty and way of life that we cherish and paid for. It's interesting to note that no previous project of its size has been approved for this area in the past and we should not start now. This project will degrade the quality of life through higher traffic on Boyle Road and Old Alturas Road, increased demand on already strained fire and sheriff services, and poorer air quality due to 166 more residences being able to burn within this small community. Also, with 166 additional families the local schools will find it difficult to assimilate the increase in student population and limited financial resources.

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: BARBEE + BRAD SEISER

Agency:

Mailing Address: 10603 NORTHGATE DRIVE, PALO CEDRO, CA 96073

Phone Number: 530-549-3532

This project will negatively impact the wildlife and flora that are on the 716 acres. This project will displace deer, wild turkeys, birds, skunks, and possum and will put them in greater contact with already existing populated areas which cannot accommodate them. At least with this open land they can exist and thrive naturally. This project will also destroy a good number of trees which we need to improve air quality.

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

November 25, 2012

RECEIVED
NOV 26 2012
COUNTY OF SHASTA
PERMIT COUNTER

Kent Hector, AICP, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street
Redding, CA 96001

Dear Mr. Hector:

Regarding: Scoping for the Environmental Impact Report for Zone Amendment 10-002, Tract 1996, and the proposed annexation to Community Service Area 8 for sewage treatment and disposal for the Tierra Robles Planned Development Project

In addition to all of the issues raised in the Public Scoping Meeting Summary of Comments, I think the following potential environmental impacts should be addressed in the Environmental Impact Report for this project:

1. Aesthetics: Will lighting the project have an impact on the night sky, and if so, how will this impact be mitigated?

2. Agricultural Resources: According to the Natural Resource Conservation Service soils maps, some areas of the project site are identified as "farmland of statewide importance." How will the project mitigate for the loss of these soils?

3. Air Quality: What are the potential impacts of this project on global warming? How would this project be consistent the State of California policies on greenhouse gas emissions and how would it be consistent with the proposed Shasta County Climate Action Plan?

4. Biological Resources: What candidate, sensitive, and/or special status species are potentially found on the site and what is the potential impact of the project on these species? This project will result in the fragmentation and loss of oak woodlands. Where and how will this impact be mitigated?

5. Hydrology and Water Quality: Does the Bella Vista Water District currently have water resources available, including adequate volume and pressure, and the infrastructure in place to serve this project, including water for agricultural as well as residential use? If not, how will water be provided? Will new wells and storage tanks be required? If so, what and where will they be located? If the District increases its capacity to provide water will this have growth inducing impacts on the Palo Cedro area? How will the project avoid increasing peak stream flow in the intermittent streams which drain the site? What provisions will be made for on-site infiltration of storm water?

6. Land Use and Planning: How is this development consistent with all of the applicable Objectives and Policies of the Shasta County General Plan, especially those concerning residential density? How is the project consistent with the land capability analysis for the subject property? How many residences could be located on the site without sewer service, based on soil suitability for individual septic systems? How does lot size affect usage? Other parcels in the area are large enough for agricultural use. Some of the proposed parcels are clearly intended for residential use. Will there be potential conflicts between agricultural and residential uses caused by the design of this development?

7. Population and Housing: It appears that this project has the potential to induce off-site population growth indirectly through the proposed extension of the sewer line. Once the right-of-way is established, what is to prevent other developers from also requesting annexation? Given that the Bella Vista Water District already serves all of the area between the proposed development and the existing Community Service Area 8, all of this area has the potential for a much higher density of development. The EIR should include an analysis of all potential on-site and off-site development.

8. Transportation and Traffic: How much additional traffic is expected, and at which intersections and on which roads? What traffic improvements are proposed to mitigate for this additional traffic?

9. Utilities and Service Systems: The proposed annexation of the project site to Community Service Area 8 appears to be inconsistent with state policies concerning annexation of discontiguous areas. What is the current capacity of CSA 8? What additional capacity would be needed? What are the off-site impacts of development of infrastructure to meet this capacity? What is the long-term cost of provision of sewer service to low-density residential development, including maintenance, replacement, etc.?

10. All existing studies of this project site listed in the Environmental Initial Study should be posted on the County's website for public review.

Thank you for the opportunity to comment on the issues to be addressed in the Environmental Impact Report.

Sincerely,

Bill Walker
P. O. Box 991824
Redding, CA 96099

Kent Hector

From: Bruce Shafer [shaferfam4@hotmail.com]

Sent: Sunday, November 25, 2012 7:51 AM

To: Kent Hector

Subject: home development in Old Alturas area

Mr. Hector,
Our family lives on Falling Oaks Rd. off of Old Alturas and Boyle Roads. We bought our home the end of June, 2012, specifically to be in the country away from the noise, traffic, and crime. We are against the proposed housing development in our area and hope you will vote against it. There are very few areas like our around that are affordable and close to town. If this development goes in, it will change everything, and not for the better.
Thanks for your time,
Bruce Shafer

Kent Hector

From: Elaine Flavin [christmasmaniac@yahoo.com]

Sent: Monday, November 26, 2012 9:51 AM

To: Kent Hector

Cc: Elaine Flavin

Subject: Tierra Robles Development

I have two concerns, We live on Cheshire way off Boyle Rd. at one of the S curves. Most cars are doing well over the speed limit. Their have already been a few wrecks coming out of our street. I am also worried as I turn into my street from either direction of being rear ended. They really do need to address cutting down bushes and maybe a few trees.

My next question has to do with our own property? If this developer is allowed to split his parcels into 1.38 acres, will I be able to do the same? When we bought our property the existing house was to small. We built a house next door. Now the old house which is perfectly livable had to be deemed storage because it is to big to be a mother in law house and we can not rent it out. We have an adult Autistic son that we would love to move next door but because it is 1,800 sq ft. it is too big. Because of the design of the house, (two story) we are not able to make it smaller by tearing half of it down. In the mean time. A perfectly good house is just rotting away.

Thank you

Elaine Flavin
10633 Cheshire

Way

Palo Cedro,

CA. 96073

530-549-4105

Kent Hector

From: Elaine Flavin [christmasmaniac@yahoo.com]

Sent: Monday, November 26, 2012 3:43 PM

To: Kent Hector

Cc: Elaine Flavin

Subject: 2nd look Tierra Robles

I am sending a 2nd letter to you today, I just drove out of Cheshire way and it looks as if most of the bushes that I had mentioned earlier are cut back. The only problem is speed and that many more cars.
I also forgot to mention in my first letter that our parcel is just under 4 acres.

Thank you again
Elaine Flavin
10633 Cheshire Way
Palo Cedro, CA.
530-549-4105

Kent Hector

From: sbissot@gmx.com
Sent: Thursday, November 22, 2012 10:10 PM
To: Kent Hector
Subject: Tierra Robles Planned Development

Regarding traffic I wish to point out that the proposed development has only two access points. All of the traffic will be electing to go to Redding via Boyle Road as the Northern access is significantly longer and out of the way to access Redding. Folks trying to access Boyle from the many existing feeder streets are going to have problems, especially during peak traffic periods. These impact will continue on Old Alturas as the traffic continues toward Redding. Porto Dego and Candy Cane Lane may be severely impacted as from these streets drivers may not see the traffic from the development turning onto Boyle until they are already accessing Boyle themselves. As it exists now, Boyle has turns and elevation changes that obscure the view of oncoming traffic from Candy Cane Lane. I know this from my personal experience. This additional traffic would exacerbate this issue.

I understand that housing densities are too high for septic systems and so they propose to run a sewer to Palo Cedro. If this density is allowed, neighboring parcels could then apply for the same density with their own planned developments, correctly claiming they just want what the parcel next-door already has.

Then there is the issue of tearing up Bolye and Deschutes Road and the traffic delays during the substantial construction period to run a sewer line the many miles to Palo Cedro.

Thank you,

Enid Bissot
10388 Candy Cane Ln
Redding, CA 96003

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DEPT OF RESOURCE MGMT
PLANNING DIVISION

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: GERALD HAYLER

~~Agency:~~ EMAIL: GRHAYLER@CSUPOMONA.EDU

Mailing Address: 21212 OAK KNOLL RD.

Phone Number: (530) 549-5138

Comments: SEE ATTACHED

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

Comments on the Tierra Robles Planned Development Project Zone Amendment Z10-002 and Tract Map 1996 Environmental Impact Report

Submitted by Gerald Hayler, 21212 Oak Knoll Rd, Redding, CA 96003, grhayler@csupomona.edu, (530) 549-5138.

1. Air Pollution: We burn wood to heat our home even though there are more expensive alternatives available. We hear of other cities in the area (Chico for example) that have bans on wood fires for home heating depending on air quality conditions. Is there any guarantee that the 166 additional homes in Tierra Robles (TR) would not increase the air pollution to the point where we would be limited in using wood to heat our homes? Would this concern also apply to our November to May window for burning yard waste?

2. Water: The Bella Vista Water District (BVWD) supply capability is limited and its service is marginal. At times the BVWD is limited in their draw from the Sacramento River and they ask for voluntary restrictions when they must rely on wells. If BVWD needs to sell more bonds to create additional infrastructure to support TR will our property tax be used to pay for them? Our current property tax statement includes a levee of ¾% on the value of the land to pay for BVWD bonds. An example of the marginal operation of BVWD is that our pressure is only 60 psi in the winter and 40 psi in the summer.

3. Increased Traffic: The neighborhood history as related to us is that the house on the North East corner of Old Alturas Rd and Falling Oaks Rd was a Stage Coach stop, most likely on the way to Alturas. The path of Boyle Rd would also appear to be a stage coach era road. There are some apparent minor realignments to Old Alturas but not significant enough to handle increased traffic. The new traffic circle on Old Alturas that was just installed to improve traffic flow should be checked at 7:50 am on a weekday to see how traffic is backing up under current conditions. The Shasta County Environmental Check List Form Initial Study (Initial Study) page 17 suggests that 166 homes would be expected to generate 10 trips per home per day. That is an addition of 1,660 equivalent trips on our old roads designed for stage coach traffic.

4. Noise: The Redding Gun Club (RGC) is adjacent to the TR project near the eastern end of the north boundary. The RGC is currently open on Sunday 9:00 am to 3:00 pm and Wednesday from noon to dark. There are also times when the Trap League or other events are scheduled for limited time periods. I can hear the shots fired at our home on the east end of Oak Knoll Rd, adjacent to the west boundary of the TR project. I am a strong supporter of the shooting sports and the proximity of RGC was a factor in selecting our property for our retirement home. I have been told that the RGC had to abandon their previous location due to the encroachment of housing. I and 345 RGC members do not want to see RGC having to relocate because of noise complaints by future residents of the TR project.

5. Sewer Service: The Initial Study, page 15 addresses the issue of inducing substantial population growth in the area as a result of constructing 3.4 miles of new force main sewer within the Boyle Rd and Deschutes Rd right-of-way from the southern portion of the project to an existing County Service Area No. 8 Manhole near the intersection of Old 44 Drive and Deschutes Rd in Palo Cedro. During the meeting at North Cow Creek School someone asked if the line would be available for connection by properties between TR and Manhole No. 8. The response was that the sewer would be sized to handle only the 166 properties of TR. This appears to be extremely short sighted to install the sewer line through the public right-of-way without the possibility of connecting to it if desired.

6. Failure to Complete: On a visit to Fort Myers, Florida in the late 1980's I was given a scenic flight over mile after mile of land cleared of vegetation with streets, cul-de-sacs and other infrastructure which had been created and then abandoned. I did not see a single house built in this enormous project. My concern here is that the recovery has barely begun from the housing bubble failure. The economic recovery at the national level does not have a stable footing and California just raised taxes and is now the highest of any state in the nation. We are in the beginning stages of building an $800 Billion Bullet Train of less than current design standards from somewhere near Oakland to somewhere near Grapevine and a $23 Billion peripheral tunnel under the delta to route our water to Southern California which may well impact the BVWD draw of water from the Sacramento River. All this is to imply that the probability is less than 100% that the TR project will find an economic environment for success. If so, will we be left with an abandon infrastructure where there are currently wildlife and oak trees?

7. Wildlife: We have enjoyed Bald Eagles soaring over our home on Oak Knoll Rd and have seen them land in our yard. Neighbors have determined that the eagles nest in a tree somewhere in the northwest quadrant of the TR project. We also enjoy the coyotes which reside on the TR project. They provide some much needed rodent control on our property and frequently serenade us in the evenings.

8. Light Pollution: I am concerned about the housing density in the southern corridor of the TR project. After 40 years in the LA Basin, the Milky Way is now a common sight. The first year that we were here (2005) we would spend many evening hours outside watching the night sky. It is not uncommon to see 3 shooting stars and 3 satellite flyovers from our lawn chairs before going inside. We also witnessed the undocking of the Space Shuttle from the International Space Station from our yard.

In summary, I am concerned about added air pollution restricting our current use of fire; the ability of BVWD to provide service to TR without affecting our water service or increasing our cost; the 1,660 additional car trips on our less than modern roads; the potential loss of the RGC due to noise complaints or fear of nearby firearms activity; the potential loss of local wildlife and star gazing and what we will end up with if the project is abandoned after removing trees and installing streets.

Kent Hector, senior planner,
Shasta County Department of Resource Management,
Planning Division,
1855 Placer St., Suite 103,
Redding, CA 96001.

Dear Mr. Hector,

We have lived at 10024 Roadrunner Way since the year 2000. We are opposed to the Tierra Robles subdivision for the following reasons:

1. Boyle road is already too busy. We are concerned about sewer, services and the in ability for the soils to perc effectively for this level of impact. Other subdivisions in the Palo Cedro area have failed after the land and habitat was altered.

2. We live here for the quietude this area offers. We intentionally did not move to an area that included subdivisions. If this subdivision is approved and built others will follow and the ascetics' of the area and the lifestyle it offers will be forever changed.

3. There is extensive wild life habitat across this ridge. There is small game, a variety of birds including screech owls and western bluebirds. Small lots, increased traffic and noise and light pollution will have an adverse impact on wildlife populations.

4. We request that the zoning for this area be left unchanged and that planners do not encourage leap frog development in Shasta County. Use wise planning and keep the more populated neighborhoods closer to town.

Sincerely,

Sara and Glenn Hoxie

Glenn and Sara Hoxie
10024 Roadrunner Way
Redding, Ca 96003

(530) 221-7057

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NOV 26 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: Greg & Judy Tucker

Agency:

Mailing Address: 21342 Boyle Rd
21314 Boyle Rd.

Phone Number: 530-549-4305 or 530-549-5181

Comments:

Please see attached

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

Shasta County
Department of Resource Management
Planning Division
Atten: Kent Hector Senior Planner

My Property, Parcel #078-060-024-027, borders the Tierra Robles Development Project. My address is 21314 Boyle Rd. and 21342 Boyle Rd.

I am extremely concerned about how this development project will change our quality of life and increase our living expenses. We moved to Palo Cedro twenty plus year ago to live in the country and this development will put us right in the middle of subdivision. Our rural lifestyle will be replaced with a suburban lifestyle. Below are a list of concerns and questions that we have about the new development:

1. Traffic-How will increased noise & traffic be handled? With 166 houses well over 300 automobiles will be using the access road which will increase traffic on a narrow 2 lane Boyle Road. Who bares the costs of widening Boyle Road? How much land will be lost to homeowners to widen Boyle Road.? What about traffic lights? Will our taxes & fees increase to support this project?

2. Water-We already have problems with water pressure in the summer months and this new development will increase these problems. Where will the water come from? Will our rates increase?

3. Sewage-How will the sewage issues be dealt with? This land at present does not perk! What about water run-off? Will these sewage issues increase our rates?

4. Fire Protection-We have a very small volunteer fire dept in Palo Cedro. We just got a bill that requires homeowners to pay $115.00 per year for additional costs per dwelling for fire protection? Will we pay more to pay for added housing density?

5. Schools-How will this impact our schools in the area? Will schools need to expand to accommodate increase in student populations? Will this increase our taxes?

6. Noise-This will have a significant impact on our rural way of life. Foothill High School has already added to this problem. Students use Boyle Road as a main thorough fare to travel to & from school. Add another 300 plus vehicles, noise and air pollution is greatly affected.

7. Open Spaces-This will greatly diminish our open spaces. Does the development plan include adding designated open spaces?

8. Wildlife-We have turkeys, coyotes, deer, dove, quail, foxes and many smaller animals & rodents that graze & live on the open space land. What happens when we can no longer enjoy these small creatures? They are part of our rural lifestyle.

9. Burn Days-We can now burn openly on days in the Fall & Winter months depending on air quality. Will we still be able to burn downed trees & leaves on our property?

10. Firearms-At present I can target practice on my property. If this project is approved all of that will be lost.

This development project is too expansive and the lot sizes are too small. The impact on our rural way of life is too great! If this project is approved in its present form our rural way of life will be lost forever. This project needs to be built in the urban areas of town not in here.

Sincerely

Greg Tucker Judy Tucker

Greg & Judy Tucker
21342 Boyle Rd.
Palo Cedro, Ca 96073 530-549-5181

Kent Hector

From: kay gibson [myvintage88@yahoo.com]
Sent: Thursday, November 22, 2012 5:13 PM
To: Kent Hector
Subject: Tierra Robles Project

Mr. Hector:

I was at the meeting on Nov 8th where many concerns were presented from community residents. I agreed with virtually all concerns, including noise, traffic, water, erosion, wildlife, and area schools. My wife and I live within a quarter mile of the project and we are sure that the enormity of this project will have intense negative impacts. Traffic on Boyle Road is already frequently overwhelming and it is doubtful that any more than minimal traffic will flow toward Old Alturas to the north. Furthermore, there is no access to the larger Deschutes Road that could accommodate more traffic. Water is an extreme concern as we face rationing during years of diminished rainfall, and our ag water has already been curtailed under overly strict guidelines. In summer time, our water pressure is significantly reduced already. Erosion will impact our streams during and after construction. We moved to this area with the intent of retiring here, in hopes that it would retain a semblance of rural beauty. A project such as this would ruin that ideal quality of life, not only for us, our neighbors, but also myriad wildlife that still manages to exist around us. I urge you to reject this ridiculous, money-making scheme.

Sincerely,
Greg Gibson
10414 Maddelein Lane
Palo Cedro, CA

Kent Hector

From: Gregory Marshall [gmal@citlink.net]

Sent: Tuesday, November 27, 2012 4:00 PM

To: Kent Hector

Subject: Tierra Robles

Mr. Hector:

I have seen a copy of the letter sent to you recently by Robb Lightfoot about the concerns the Tierra Robles idea raises. I cannot improve upon what Mr. Lightfoot has said, and I won't try to. I will just second his comments.

Apart from that, while I know that the politics of something like this is not your area of concern, as of now you are the 'point person' on this. I want to offer my prediction, which I hope you will pass along to the Supervisors, that the Palo Cedro / Bella Vista community simply will not allow this development to happen. There is absolutely no market for this, and it will be regarded as a disaster by virtually all of the people who live in this area. We will not let this happen without a fight.

- Gregory Marshall
  Boyle Road resident

LETTER TO MR. KENT HECTOR, SENIOR PLANNER, SHASTA COUNTY PLANNING DEPARTMENT @ 1855 PLACER ST SUITE 103 REDDING CA 96001

16 NOVEMBER 2012

WE THE UNDERSIGNED property owners, residents and concerned citizens of Shasta County are requesting that the proposed development, Tierra Robles, **not** be approved for our rural area. We also request that the developer's request to re-classify or re-zone the 5 parcels involved in the proposed project to "planned development zone" also be denied. We are **against this project as it will have major negative impacts on our area.**

The Tierra Robles proposal is to **build a 166-home-subdivision in a rural agricultural area** that is classified and zoned for much larger parcels.

Our properties surround the planned development and are classified as rural residental with 3 to 5 acre splits allowed. The developer is requesting lots as small as only 1 acre. **This is unfair to surrounding property owners who bought their property knowing the classifications are for larger parcels and fewer future homes.**

We are concerned about the negative impacts that bringing 166 new homes into our rural area will bring. Increased traffic and noise will lessen our quality of life. Glare from lights will take away our quiet star-filled nights. Fire danger will increase and so will crime.

The Clough Creek area is a habitat for multiple types of wildlife, birds and native plants. Many birds migrate through this area each year. A large development in this area will negatively impact our enjoyment of this natural area and the wildlife it supports.

We are also concerned that property taxes and other fees will rise as the county deals with how to pay for the sewer system and widening the roads that may follow this development. We are already taxed enough!

Please do not allow this planned development to be approved. Please do not allow the parcels in question to be re-zoned for smaller parcels. This development does not belong in this area!

We appreciate your consideration. Thank you.

Sandra Katch	20858 Boyle Rd.	Redding, Ca	96003
[illegible]	21185 Boyle Rd	Redding	CA 96003
Jack Ahern	21287 Boyle Rd	"	" "
Pam Ahern	21287 Boyle Rd.	Redding	CA 96003
Linus W. Gruma	21481 Boyle Rd	Palo Cedro	CA 96073
James McDonald	21851 Boyle Rd	Palo Cedro	CA "
Marlene McDonald	21851 Boyle Rd	Palo Cedro	96073
Risa McDonald	21851 Boyle Rd	Palo Cedro	96073

SIGNATURES FOR LETTER TO KENT HECTOR
CONTINUED:

Jeanise Karimi 20858 Boyle Rd Redding, CA 96003
RICHARD K. MADDEN 10515 CHESHIRE WAY PALO CEDRO 96073
Linda Ames 21676 Boyle Rd Palo Cedro 96073
Robert D. Ames 21676 Boyle Rd., Palo Cedro 96073
Tim Wilkerson 21450 Boyle Rd, Palo Cedro 96073
[illegible] 21204 Boyle Rd, Redding CA 96003
[illegible] 21204 Boyle Rd. Redding CA 96003

Don C. Fickley 21102 Boyle Rd. " " "
WA Fryer 21085 Boyle Rd. " " "
[illegible] 20970 Boyle Rd Redding CA 96003
[illegible] 10548 Gaucho Rd Redding CA 96003
Anna Hoemeher 20830 Steven Creek Ln " " "
Dianna Hunt 20835 Steven Creek Ln " " "
Sandra McCaleb 20761 Old Alturas Rd Redding CA 96003
Dustie Kenyon 20855 Old Alturas Rd. Rdg CA 96003
Brett Kenyon 20855 Old Alturas Rd Redding CA 96003
Bill Wilson 20867 Old Alturas Rd, Rdg 96003
Kim Hunter 20867 Old Alturas Rd. Rdg. 96003
Kevin Hutchinson 21012 Falling Oaks Rd. Rdg 96003
Rick Higgins 21180 Falling Oaks Rd, Redding 96003
[illegible] 21180 Falling Oaks Rd Redding 96003
[illegible] 21195 Rae Lane Redding 96003
Charles D. Cox 21138 Rae Lane Redding 96003
[illegible] 21215 OLD ALTURAS RD REDDING 96003

OVER PLEASE →

SIGNATURES FOR LETTER TO RENT HECTOR CONTINUED -

Laurie Greig 11385 Easy St. Redding CA 96003
Kenneth Greig 11385 Easy st Redding Ca 96003
Mark R [illegible] 11366 EASY ST Redding CA 96003
[illegible] 11339 Easy St. " " "
Angela Wallin 11338 Easy St. Redding CA 96003
Cynthia Madden 10515 Cheshire Way Palo Cedro, CA 96073
Jennifer Fisk-Becker 22081 Rustic Oak Lane, Palo Cedro 96073
DONALD R. GARNER 22072 RUSTIC OAK LP CA
PAULA M. FRIDAY 22072 RUSTIC OAK LN PALO CEDRO 96073
Stephen & Carol Fisher 12711 Intermountain, Redding, CA. 96003
[illegible] 21444 Boyle Rd. Palo Cedro, CA 96073

MR. HECTOR,

THESE SIGNATURES WERE OBTAINED BY CONTACTING LAND OWNERS / RESIDENTS WHO LIVE NEAR THE PLANNED DEVELOPMENT SITE

ALL WHO WERE CONTACTED ARE AGAINST THIS PLANNED DEVELOPMENT, ALL ARE CONCERNED ABOUT THIS HOUSING TRACT CAUSING DAMAGE TO OUR ENVIRONMENT AND WAY OF LIFE.

INTERESTINGLY, MORE THAN HALF OF THOSE CONTACTED KNEW NOTHING OF THE PLANNED DEVELOPMENT OR ZONE CHANGE AND EXPRESSED A DESIRE TO BE NOTIFIED OF FUTURE PROCEEDINGS REGARDING THIS PROJECT THAT WILL AFFECT OUR LIVES.

DUE TO THE HOLIDAY I WAS ONLY ABLE TO GO OUT ON ONE DAY TO CONTACT NEIGHBORS. SINCE ALL THOSE WHO WERE CONTACTED DID EXPRESS NEGATIVE REACTIONS TO THE PROJECT, I'M SURE MANY OTHERS WOULD HAVE SIGNED THIS LETTER AS WELL IF THERE HAD BEEN MORE TIME ALLOWED TO CONTACT EVERYONE IN THE IMMEDIATE AREA THAT WILL BE IMPACTED BY THIS HOUSING TRACT. THANK YOU,

Sandra Kotch 11-24-12

This photo is of the Clough Creek area, south of Old Alturas Rd at Seven Lakes. This area is home to deer, mountain lions, bobcats, coyotes, rabbits, racoons, and many other types of wildlife. The area is also habitat for many local birds, migrating birds, and many types of trees, plants and grasses.

The planned development, Tierra Robles, will have major negative affects on this area and the surrounding environment. Loss of trees will ruin hatitat for animals and birds. Loss of open space and vegetation and additional noise will drive the animals and birds out of the area. Water drainage from numerous homes and cars with gasoline, oil and other runoff will drain into the nearby creeks. More traffic and fireplaces will cause more emissions to go into the air and air quality will decrease. The housing tract will cause environmental blight as it is not compatible with the surrounding environment of larger parcels and fewer homes.

Sandra Kotch
PHOTO TAKEN 11-21-12

PUBLIC SCOPING SUGGESTIONS/COMMENTS

T-AYED 11-23-12

EMAILED

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: HOWARD G. HARBERT

Agency:

Mailing Address: 10274 MADDELEIN LN. PALO CEDRO

Phone Number: (530) 223-3251 DAYS 223-2270 EVE

Comments: off of Boyle Road between and Allen and Deschutes there are 20 individual streets (homes on each street with access onto Boyle Rd) and 57 each individual drive ways with access to Boyle road. Total of 707 access points to Boyle rd & who knows how many total homes / vehicles. Hopefully this will be addressed completely during the EIR [redacted]

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

Kent Hector

From: jasanders@frontiernet.net
Sent: Sunday, November 11, 2012 7:32 AM
To: Kent Hector
Subject: 166 Acre Sub-division on Boyle R.

Kent Hector,
I was unabale to attend planned meeting at North Cow Creek School on Nov. 8th due to work. I would like to express a few of my concerns about this proposed project. I currently live on Boyle road and have for the past 15 years. When Foothill High School was built the traffic on Boyle road more than doubled/tripled. I don't think Boyle rd. can handle another 166 residence without some major changes to the road. My kid's go to North Cow Creek School and as you probably already know they have no school bus system. They walk to school on Boyle Road along with a lot of other kids. The traffic now is questionable to allow kids to walk to school due to the traffic from Foothill High School, I'm affarid to see what it would be with another 166 residence. I think if the County allows this re-zoning it will open a can of worms. People that have smaller parcels will be asking to sub-divide there lots into smaller parcels and you have already made a precidence with this re-zoning. Has the County thought about that, are they prepared for all of the new requests for re-zoning? What will it cost to bring in the sewer lines and maintain them,who will pay for that? Who will pay for all the necessary road inprovements needed and furture maintenance cost to Boyle Rd. and Old Alturas Road? Tax Payers?
I moved here to be in a country setting yet close to town,Palo Cedro/Redding. I strongly oppose the re-zoning of this project.
Jack A Sanders Jr

Kent Hector

From: jeanise karimi [neacyk@hotmail.com]
Sent: Monday, November 26, 2012 3:34 PM
To: Kent Hector
Subject: Input for environmental report Tierra Robles project

Dear Mr Hector,
I would like to address the environmental issues the subdivision and re-zoning project will impact the area around Boyle road. The subdivision of 166 homes and the re-zoning of 3 to 5 acre minimin (that is in place for rural living and for the very protection of plants and animal habitats in our area) should not be allowed.

The environmental impact plus the cost to the county, home owners, animal habitats will greatly be affected by poor planning of the 166 homes.

EMISSION: Each of these households will have at least (2) plus vehicle per home = 332 additional vehicles on the roadway.
*Increases Traffic *Increases Noise *Increases traffic fatalities *Increases in C02 increases health issues
*Increase in NO2 (Nitrogen Oxide) harms plants native to this area as well as the animals.
* Health issues...Increase over time like Asthma, Lung Cancer, Cardiovascular diseases.

NOISE: Effects of stress on humans and animals alike..
*Disrupts animals of altering prey detection, reproduction in animals increases put them at risk of death.

WATER: 166 homes will affect the quality and quantity of water supplies.
* Wild life habitats are displaced (per home) built.
* Covering ground with impervious surfaces such as concrete and asphalt which causes rain water to pick up oils, gasoline, metal etc. which makes rainfall less effectively absorbed into the ground and in time this can cause serious illness both to people and animals.
* Drainage water will affect the wet lands habitats of various birds in our rural area.
*The water table aquifers will be affected as soil erosion and stream sedimentation from the road easement that will be very near Clough Creek.

HABITATS: This area protects migratory deer herds, mountain lions, other animals, oak tree habitats, hawks, owls, doves and other birds that nest in ground & trees.
Animals and birds are dependent on more than one habitat and they need a variety of habitats near each other. Water fowl depend on upland habiats for nesting sites, and near wetlands for food supplies for broods.

COSTS:
*Larger roadway expansion....(NOISE, EMISSIONS, WATER runoff, and Soil Erosion) and increased costs to taxpayers
*Decreased desirability of this area...
*Future problems with water pollution (Aquifers)
* Sewer expense, maintence, construction cost..to the county..(cost will be passed on the tax payer)
* Increase cost to Bella Vista water for upgrades to water system. (Cost passed on to us)
* Delays in medical service response times (cost to lives). In the Journal of Economic Issues, state and local govenments show links between urban sprawl and medical response.
* Vacant homes if not sold would drive down equity values of our homes

If you were to check the number of foreclosed homes and homes for sale in the Redding area there are 540 on the market as of this date. Why do we need a 166 home sub division in our rural area?

Sincerely,
Jeanise Karimi, concerned Nurse. 530 549-4743

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DEPT OF RESOURCE MGMT
PLANNING DIVISION

November 9, 2012

Mr. Kent Hector, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street
Suite 103
Redding, Ca. 96001

Re: Tierra Robles Planned Development

Dear Mr. Hector:

I have been a resident on Boyle Road for thirty-two years, at that time there was hardly anything around us. Over a period of time I have not only seen additional housing developments, but more traffic on a very winding narrow two-way country road. Along with the every day traffic, since the construction of Foothill High School, Boyle Road receives heavy traffic use.

There have been wildlife, dogs, cats, and even a horse killed on Boyle Road. With the approval of this project there surely will be more animals either injured or killed, lying on or beside not only on Boyle Road, but the other roads involved in this proposed project. Boyle Road is an extremely DARK ROAD AT NIGHT, and even more so when we go off daylight savings time. Is it going to take a human life or injury to prevent this project from going forward?

We moved here because we wanted to live in a RURAL OPEN SETTING, without a lot of people, as well as the traffic, which always comes along with more housing developments.

Not only am I concerned about more houses, noise, traffic, etc., but my question is, where is the water resources going to come from. Every year Bella Vista Water District has concerns about drought conditions if we don't receive enough rain. With an additional housing development this only puts more strain on an already overwhelming agency. For those of us, including myself, who have lived here for a period of time, WE FACE THIS ISSUE EVERY YEAR. ARE WE GOING TO HAVE ENOUGH WATER?

With our already depleting sheriff department, police department, and fire stations, this proposed project will only cause an increasing hardship over these agencies. The respond time will be even longer than it is right now for any incident that happens.

And as far as the school issue goes in the surrounding area, they are already overcrowded. Where are the kids living in this proposed project supposed to go to school?

If this project is allowed to split the acreage into smaller lots, then those who have larger pieces of property should be able to do the same. Can you imagine the impact this would have on the environment then?

Speaking of environmental impact, that all begins with the cutting down of trees, moving the ground around to make room for this project, building bridges to cross the necessary creeks, as well as the impact put on all the wildlife that live and use this area.

The housing market is down, just drive around or read the newspaper, and see all the empty houses for sale. People are losing their homes because they can't make their payments. If these lots don't sell, then the damage will already have been done, and all we will have is A ONCE SERENE OPEN AREA DAMAGED AND GONE FOREVER.

As it was so adequately said at the meeting, this proposed project not only effects those of us who live near the site, but for all of those who live several miles around it.

It stands to reason the approval of the proposed project would definitely have a significent impact on this area. One that would be detrimental indeed, if the additional 166-lot residental development is allowed to happen.

Sincerely,

Jeannette Baugh

Jeannette Baugh
21241 Boyle Road
Redding, Ca. 96003
549-3118

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: JIM SAVASE

Agency:

Mailing Address: P.O BOX 5 PALO CEDRO CA

Phone Number: 530-547-4721

Comments: ATTENTION KENT HECTOR
TIERRA ROBLES SUB. PALO CEDRO

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

November 18, 2012

Attn: Kent Hector, Senior Planner

Shasta County
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

1. Is any of this land in the Williamson Act?
2. Will the proposed subdivision be asking for easements, is so how many, and where are the locations
3. Street lights- they should be required
4. gated community- this should be re1quired for all large land developments including this one
5. Are sidewalks proposed for the front of the homes?
6. CC&Rs should be imposed
7. HOA dues should be held in a monthly fund for maintenance and landscaping
8. Will burning be allowed by home owners, if so on what size of parcels
9. Will the shooting range be closed due to the noise on the subdivision? The range should not be closed. Is it possible for a stray bullet to hit a person from the gun range? Who will assume responsibility for the risks of building so close to a gun range, the developer, builder, or land owner?
10. Will RV parking be allowed on lots that do not have covered garages. Will storage shops be built by the project or allowed to be built later?
11. Will old trucks and broken down cars be allowed to remain on the properties? Will boats be allowed to be stored on the properties?
12. Boyle Road- will it have to be widened? If so, at who's expense?
13. Will security guards patrol the area? 166 homes times 4 people per home equals 664 additional people. That is 25 % growth for Palo Cedro, if this subdivision be passed.
14. Fire Department- where will the fire trucks come from in case of a fire? Will another fire truck be required? If so, which party will pay for the new fire truck and the extra people that will be needed? Will there be a new substation be required?
15. What is the estimate for new residents for this project?
16. What are the projected changes to the area change if this project is allowed?
17. Will retaining walls be allowed? if so, how many?
18. Are wood stoves allowed?
19. Will all cleared vegetation be mulched or will it be allowed to be burned?

20. Will the heavy use of traffic effect other major intersections? If so, will lights be paid for, and at the expense of whom?
21. Will the subdivision be planned to provide additional parking for boats, large trucks, and large RVs, motorhomes, etc.?
22. All trees larger than 4 inches in diameter should be replaced on a ration of two to one.
23. Schools- what schools will the children attend? Who pays for the additional teachers?
24. Are there any abandoned wells?
25. Does the subdivision support Native American culture if it is located during the development?
26. Water_ Is Bella Vista Water the source for Water? If so, can it handle the size and scope of this development? Every couple of years or so, Bella Vista Water District tells their customers to preserve water or we will be charged a higher price. If Bella Vista Water District cannot handle the demands now how can it meet the needs for a development of this scope of size? Is water pressure going to be an issue?
27. Roads- There will be a n increase of traffic on all roads connected to this development. Because of the increased use of the roads there will be repairs that will be needed. Who will pay for the repairs of the roads after the developer is gone?
28. Will the developer put in and build 20% of the homes and then be allowed to sell the project and move on to another project even though this project could take 10-15 years to complete? My concern is that the project will end up like developments like I have seen in Sacramento, Stockton and Modesto. If the developer does not put up ½ of the money for this development this project runs the risk of never being finished.
29. Open Spaces- The proposed project is 715.4 acres with 174.26 acres for open space. That is not enough open land. The amount of open space should be at least 40%, <u>no less</u>! At 40% open space 286 acres of land would be required.
30. If the developer wants this land they should not be allowed to change the zoning requirements. Let them build on the current residential plan. Why have a zoning plan, if we do not enforce it?!
31. We need a 40-50 year general plan for all of Shasta County to stop this kind of development.

Kent Hector

From: tornetts@aol.com

Sent: Monday, November 26, 2012 4:48 PM

To: Kent Hector

Subject: Proposed Development in Palo Cedro

To. Mr. Kent Hector -

I am opposed to the rezoning of property in Palo Cedro to allow for 166 new homes being built. This is an area of 3-5 acre parcels and allowing for the construction of this many homes will alter the feel of the community.
There is not adequate water supply for this area as it is and adding this many homes to the Bella Vista Water District will be a problem for residents, both new and existing residents.
Also, there is not enough access into the proposed development. The increase on Boyle Road and Old Alturas will create dangerous driving conditions. These roads are narrow, hilly and windy. We do not want to see them have to be widened because of an increase in traffic.
We moved to Palo Cedro because of the rural character the area offers. We enjoy the wildlife and do not want to see this many homes constructed thus changing the vary nature of an area that we love.

Sincerely,
Joan Tornai

To:

Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT
PLANNING DIVISION

KENT D. HECTOR, AICP
SENIOR PLANNER

Phone (530) 225-5532
Fax (530) 245-6468

1855 PLACER ST
SUITE 103
REDDING, CA 96001-1759

From:

John and Pam Ahern

21287 Boyle Rd, Redding, CA 96003

530-223-6633

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: John and Pam Ahern

Agency:

Mailing Address: 21287 Boyle Rd, Redding, CA 96003

Phone Number: 530-223-6633

Comments: We are writing to express our strong opposition to the Tierra Robles Planned Development Project. The area that would be impacted is currently rural residential, with most properties between 2 and 5 acres, some larger. The proposed development calls for a comparatively high density, which is bound to have a major detrimental impact on traffic congestion, air quality, utility services, and personal lifestyles, as well as to the wildlife which still inhabits this area. We are also concerned about the impact so much construction and the resulting human footprint will have on Clough Creek and the nearby seasonal runoff creeks and ponds, which support a variety of wildlife. In addition, it would seem that fire hazard would greatly increase. Currently Bella Vista Water District water pressure tends to be low; during the devastating 1999 Jones Fire, water pressure was practically non-existent, as fire protection services struggled to contain the fire. We do not believe water services, particularly with regard to fire safety, can possibly support this development. In short, a development of this size and scope should in no way be considered for this largely rural residential/agricultural area.

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

Kent Hector

From: Judith [ejudith2@frontiernet.net]

Sent: Monday, November 26, 2012 12:59 PM

To: Kent Hector

Subject: Tierra Robles Planned Development Project

Dear Mr. Hector,

I have been a resident of Boyle Road for 25 years and enjoy the rural atmosphere, having raised llamas for many years (not now). The entrance of the Tierra Robles Development will disrupt the rural setting and I am against any such large project for the following reasons.

1. There is no public transportation in the area so the following 2 lane roads will be heavily effected: Boyle, Deschutes, Old Oregon Trail, Old 44, Shasta View

The area of Palo Cedro has 5 schools with people already causing heavy traffic – Foothill High-Redding School of the Arts

There are already many homes and developments that are empty or few residents. Fill the empty spaces.

Sincerely, E. Judith Knowles

Kent Hector

From: kay gibson [myvintage88@yahoo.com]
Sent: Thursday, November 22, 2012 2:28 PM
To: Kent Hector
Subject: 166 home project on Boyle Road

Dear Mr Hector,

I have lived on Maddelein Lane since 1987, and at the time we purchased the property, this area was 5 acre minimums. We felt uncrowded and at our parcel, we were pleased to note that neighbors could never subdivide. You can imagine our surprise when we found out the zoning had changed at some point, unbeknownst to us, when our neighbor did subdivide. This happened maybe 10 years ago. I run daily along Boyle Road, and it has become steadily more congested, and at this point, is probably ill-advised. North Cow Creek School serves this area and does not provide bus transportation. Children now days could really use a good walk to school and back, but it currently is not safe. This project would drastically worsen this situation. I feel the project developer is asking for re-zoning to increase his profit margin, but would comply with existing zoning if forced to do so. He has already invested a substantial amount of money and is gambling on your approval for re-zoning. A more prudent and respectful businessman would have purchased land that met his zoning needs. Please don't let his calculated gamble impact our way of life and property values.

Kay Gibson

Kent Hector

From: Jane Brackett [sackettbrackett@hotmail.com]
Sent: Monday, November 26, 2012 3:47 PM
To: Kent Hector
Subject: 166 homes re-zoning

Kent,

We strongly oppose the re-zoning of the property off of Boyle Road for a 166 lot development. We are particularly opposed to lot sizes smaller than 2 1/2 acres.
This development will impact us as it is within 1000 feet from our property.

Ken and Jane Brackett
10844 Green Oaks Lane
Redding, CA 96003
(530) 549-4957

Please consider the environment before printing this e-mail

Kent Hector

From: kljconn [kljconn@yahoo.com]
Sent: Monday, November 19, 2012 4:33 PM
To: Kent Hector
Subject: proposed subdivision on Boyle Road

Mr. Hector,

My name is Kris Conner. I live at 10405 Candy Cane Lane, Redding. Candy Cane Lane is off of Boyle Road, near the location for a proposed 166 lot subdivision.
Boyle Road is a narrow two lane road. One hundred sixty six new homes utilizing this road would cause horrendous traffic problems. Traffic on Boyle increased substantially after Foothill High School was built, and it really cannot take the increase in traffic this subdivision would bring. Even if part of the traffic were routed out through Old Alturas Road, it would still impact traffic in this area, as Boyle joins Old Alturas Road eastbound to Redding and that is the quickest and shortest route to Redding, which would be the likely destination for the majority of the traffic.
The land out here does not perk well, so the question of a sewage system arises. What impact does that have on neighbors who have lived here for years.
I understand that the subdivision as proposed necessitates zoning changes. I am certainly opposed to a higher density of homes in this area.
I also have concerns about the effect 166 new homes would have on the property values of existing homes.
Most importantly to those of us who live in this area is the negative impact this would have on our way of life.
So let me register my objection to the proposed subdivision off of Boyle Road.

Sincerely,

Kris Conner

Kent Hector

From: Leslie Golden [leslie@catpublishing.com]
Sent: Monday, November 26, 2012 2:16 PM
To: Kent Hector
Cc: 'James Golden'
Subject: Concerns regarding the Proposed Tierra Robles Planned Development Project

Hello Mr. Hector,

Thank you for your time on the telephone this afternoon. The purpose of this email is to express my concerns regarding the proposed Tierra Robles Development Project, specifically regarding the impact on Northgate Drive, a privately owned and maintained road.

As a property owner on Northgate Drive I am concerned about the following issues:

1) Will Northgate Drive be used to access this planned development?
2) Is it proposed that Northgate Drive be used to access the proposed project during the construction process?
3) If Northgate Drive is being planned as an emergency access route, who will install/maintain the gate and how will access be limited/controlled?
4) Will a legal document be created to insure: a) the purpose of the gate? B) insuring the gate will remain locked at all times except in an emergency? and c) who will have access to the lock in case of an emergency?
5) In case of an emergency such as fire, how would the gate be opened to allow access/escape from either side?
6) Will the property developers assume responsibility for the improvement and maintenance of Northgate Drive prior to, during and after the completion of this project? Note: Northgate Drive is currently a private drive which is maintained by a verbal agreement amongst property owners.

Once again, thank you for your efforts and your attention to these concerns.

Best regards,

Leslie Golde, Property Owner
10793 Northgate Drive
Palo Cedro, CA 96073
530-356-7926

Kent Hector

From: Linda Blue [lrblue2@yahoo.com]
Sent: Monday, November 26, 2012 12:14 PM
To: Kent Hector; L Blue
Subject: Proposed Tierra Robles Project

2012 November 26, 2012
EMAIL TO: khector@co.shasta.ca.us
FROM: Royal and Linda Blue 10399 Deschutes Road, Palo Cedro. Lrblue2@yahoo.com

We are writing regarding the proposed Tierra Robles planned development project in the Palo Cedro, Bella Vista area.

We have lived in the Palo Cedro area for over 45 years. We are very concerned regarding the many possible seriously dangerous and detrimental impacts of this huge proposed subdivision project to our area.

1. Old Alturas Road and Boyle Road are both heavily traveled, narrow, and in certain spots, very dangerous curvy country roads. This proposed subdivision will detrimentally and dangerously add to, and overload the already too many vehicles on these dangerous country roads.
2. The proposed subdivision is in a hard pan, no perk area of land. The proposed subdivision will cause water, land, tree, native grasses, and shrubs, and endangered species damage, due to inability of the water runoff to be absorbed properly.
3. Bella Vista Water District was originally brought to the east side of the county for agriculture irrigation purposes. We were among the first ranchers to sign up for the agriculture water. We are already experiencing very serious water shortages and other customer problems with the Bella Vista water district. This subdivision will add to the water costs and water shortages, and other responsibilities for all the Bella Vista water customers.
4. Bella Vista Water District will more than likely have to be the proposed subdivision sewer system. We the customers of Bella Vista Water District are strongly oppose to adding any more sewer system costs to our water district. We do not want to pay for a sewer system for the proposed subdivision, nor do we want to pay for ongoing managerial costs and expenses to maintain a sewer system for the proposed subdivision.
5. A sewer system would seriously, dangerously environmentally impact the whole area and beyond.
6. The proposed subdivision is in a regularly traveled migratory bird area. The proposed subdivision will detrimentally impact many species environments.
7. There is only one access narrow road into the proposed subdivision, which is already too heavily traveled. The subdivision will overload the access road in and out, and will create very dangerous, overloaded fire and disaster escape routes along Old Alturas, Boyle, and Deschutes Roads.
8. The area proposed for the subdivision has previously failed several environmental, and land/water, housing safety usage tests, according to a report that was brought to the water users group meeting.
9. The proposed subdivision will detrimentally impact the open space of our ranch and farm lands in the Bella Vista and Palo Cedro areas. And will impact the fire safety of all properties surrounding the subdivision.
10. The traffic from the proposed subdivision will be astronomically dangerous, no matter what road is accessed to travel on, whether Old Alturas, Boyle, Deschutes, or the one and only access narrow road in and out of the proposed subdivision, to get to these roads.
11. We are adamantly opposed to the Shasta Red, LLC Proposed Tierra Robles Planned Development Project, because of the many, many seriously dangerous, and adverse impacts it will bring to Palo Cedro/Bella Vista communities.

I am against the project and the rural area that we live in will be lost forever.

From: Loraine Towne <rainytowne@sbcglobal.net>
To: Kent Hector <khector@co.shasta.ca.us>
Sent: Monday, November 26, 2012 4:36 PM
Subject: Re: Failure Notice

I had concerns about the new planned development going in at Tierra Robles. I have concerns about water, sewer and traffic on Old Alturas and Boyle. Both roads are not four lane highways as they will need to become if this development is approved. Is this development bought and paid for already or are public members able to still address their concerns? I would like to be appraised of all planned meetings. The needed services need to be addressed.

Loraine Towne

From: Kent Hector <khector@co.shasta.ca.us>
To: Loraine Towne <rainytowne@sbcglobal.net>
Sent: Monday, November 26, 2012 4:04 PM
Subject: RE: Failure Notice

Loraine,

Please resend email. As you can see, this one did not come through clearly.

Thanks.

Kent Hector, Senior Planner

From: Loraine Towne [mailto:rainytowne@sbcglobal.net]
Sent: Monday, November 26, 2012 4:01 PM
To: Kent Hector
Subject: Fw: Failure Notice

----- Forwarded Message -----
From: "MAILER-DAEMON@yahoo.com" <MAILER-DAEMON@yahoo.com>
To: rainytowne@sbcglobal.net
Sent: Monday, November 26, 2012 3:41 PM
Subject: Failure Notice

Sorry, we were unable to deliver your message to the following address.

<khector@co.shasta.a.us>:
No MX or A records for co.shasta.a.us

--- Below this line is a copy of the message.

Received: from [98.138.226.179] by nm11.bullet.mail.ne1.yahoo.com with NNFMP; 26 Nov 2012 23:41:15 -0000
Received: from [66.94.237.121] by tm14.bullet.mail.ne1.yahoo.com with NNFMP; 26 Nov 2012 23:41:15 -0000
Received: from [127.0.0.1] by omp1026.access.mail.mud.yahoo.com with NNFMP; 26 Nov 2012 23:41:15 -0000
X-Yahoo-Newman-Property: ymail-3
X-Yahoo-Newman-Id:
797288.96667.bm@omp1026.access.mail.mud.yahoo.com
Received: (qmail 80014 invoked by uid 60001); 26 Nov 2012 23:41:15 -0000
DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=sbcglobal.net;
s=s1024; t=1353973275;
bh=0fe/HTleKG57vqqKy1tPFyz0TtSx5lOHbcXlMDq+sd4=; h=X-YMail-OSG:Received:X-Rocket-MIMEInfo:X-Mailer:Message-ID:Date:From:Reply-To:Subject:To:MIME-Version:Content-Type;
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h=X-YMail-OSG:Received:X-Rocket-MIMEInfo:X-Mailer:Message-ID:Date:From:Reply-To:Subject:To:MIME-Version:Content-Type;

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X-Mailer: YahooMailWebService/0.8.123.460
Message-ID:
<1353973275.40511.YahooMailNeo@web182202.mail.bf1.yahoo.com>
Date: Mon, 26 Nov 2012 15:41:15 -0800 (PST)
From: Loraine Towne <rainytowne@sbcglobal.net>
Reply-To: Loraine Towne <rainytowne@sbcglobal.net>
Subject: re: the Tierra Robles Planned Development
To: "khector@co.shasta.a.us" <khector@co.shasta.a.us>
MIME-Version: 1.0
Content-Type: multipart/alternative; boundary="-1168743889-625029260-
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Content-Transfer-Encoding: quoted-printable

I was amazed when I read the paper about 166 homes going in off Boyle Road. =
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<b=
r>Sincerely

Loraine Towne

 </body></html>
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Kent Hector

From: Loren Alldrin [lalldrin@gmail.com]
Sent: Monday, November 26, 2012 3:19 PM
To: Kent Hector
Subject: Regarding proposed re-zoning and development on Boyle Rd.

We wanted to express the concerns of one family living on Maddelein Lane in Palo Cedro. We live less than a mile from the proposed Boyle Road development, and drive by that location several times a day.

We feel strongly that smaller parcels should NOT be allowed in this proposed development. This area of Palo Cedro has a wonderful "country feel" due to the larger lots. Fences, horses, space to grow, minimal traffic—these are the reasons we moved to this area. Cramming 166 houses on smaller lots will definitely have a negative impact on the quality of life of those living near the development.

Who gains from smaller lots? The developer and the county. Who loses? All of the residents of this area. Tough budget times or not, we urge you to make the right choice for the greater good of the residents already living here.

Every neighbor we've spoken with about the proposed development shares this view. Please allow development of this land to proceed, but only in accordance with current zoning laws.

Thank you,

Loren and Kristen Alldrin
10216 Maddelein Ln.
Palo Cedro, CA 96073

Kent Hector

From: Marcia Russell [kady96073@gmail.com]
Sent: Friday, November 23, 2012 1:34 PM
To: Kent Hector
Subject: planned development Terra Robles zone amendment

Mr Hector;

I live on Boyle road and have for the past 26 years. This planned community will be a devastating impact to the residents of this area and the entire community of Palo Cedro. I moved here to be in the country not surrounded by a planned development with all of its environmental impacts. Palo Cedro area has been deeded as 2 acres and larger and we do not want smaller parcels. we do not want this area rezoned.

The environmental impact will be wildlife habitat decimation as this is the only large undeveloped property left in our community, where are the deer, mountain lion. raccoon, birds to live with the destruction of their homes.
There are vernal pools with fairy shrimp and pink salamanders endangered by this development. Pollution of Clough creek and the fish that live and spawn there.

Traffic will be a large impact on the noise factor which is already a problem especially during peak school travel times. last Sunday 300 cars passed by my house within a 3 hour span The road has dangerous curves in front of my property as it descends a steep hill. My fence has been hit 9 times and I always end up repairing them with out assistance from those who have done the damage,
With only one main access road to the development onto Boyle Road it will increase the impact on the roads. This road will be used transporting children to the 6 schools that we have in Palo Cedro. The number of cars will increase by at least 500 cars in that development as most people have at least 3 cars per family. People also trek their children from Redding to Palo Cedro schools using Boyle Road since there isn't any zone restrictions on where children go to school.

Pollution with the increased traffic due to exhaust from the increased automobiles. If fire places are allowed that will increase the pollution as well as outdoor burning.

Sewer line installation down Boyle road will be noise and dust inconvenience and we will not have access to use it.

There are many bicyclist and runners that use Boyle road as their circuit from the college and there is not a bike lane and the speed limit is 45mph and people drive 50 or greater making it a very dangerous situation.
Motorcyclist use it on their poker runs. Boats and Atv's traveling to the lake via Boyle road and Old Alturas to 299 to dry creek to the Lake. that will triple.

Bella Vista water system is raising it's fees every year and they have denied agricultural water to farming individual but say they have enough water to add 166 new home to the system. The water pressure is variable in the summer and during drought years they have restrictions on water usage.

Crime will increase with increased population and with crime already on the rise we do not want or need this.

There are several other planned communities within 7 miles of this planned community that are not occupied. the clover creek and preserve developments. The development behind junction school where they have put in roads and the land sits vacant of homes. They have black topped over land for the money factor when there in not a real need for the housing. There has been a planned community in the works behind the Alan and Dahl Funeral home and that land still sits vacant.

Why do we want to have a Beverly Hills Developer come in and remove our natural habitat for the greed of money. It will supply temporary jobs but will have life time of devastation on the environment and lifestyles of the people who have called Palo Cedro home and country. Planned communities of this size belong in the City not the Country.

Thank You. Please do not allow this to go forward.

Marcia Russell
Boyle road P.o. Box 615
Palo Cedro Ca
530-549-3070

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SHASTA COUNTY

NOV 14 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Dear Mr. Hector
Department of Resource Management
Planning Division

Thank you for listening to the concerns of those who will be impacted by the planned development in our area.

I won't take up your valuable time with a lot of talk, but I will list our concerns.

1. The amount of home being built will take a big toll on the animals in the area. There has already have been many animals killed by the heavy traffic on Boyle Rd., think of what will happen with increased traffic and a wider road,
2. There is not enough water for the residents at this time, and our water pressure is very low. In seasons when we have little rain they want us to cut way back on our water usage. What will it be like if these new homes are approved?
3. If the area is rezoned for 1 ½ acre lots how many of the present residents will want to split their property?
4. The fire department and sheriff departments would have added strain on them. They have already closed fire stations because of lack of funds and want each property owner to pay $150 dollars to have fire protection.
5. Schools would have a big impact with all the new students, and traffic would be really bad with the added high school students driving.
6. Crime that has increased in our area will be even worse. I had my home broken into once, as has others in the neighborhood.
7. The gun club which many are member of would be shut down.
8. We all have burning days to get rid of brush, etc. can you imagine the extra smoke from that many more homes burning brush? And if they restricted the burning of brush the fire danger would increase.

Thank you for listening to our concerns.

Mr. & Mrs. Lawrence W. Schilling
21242 Boyle Rd.
Redding, CA 96003
530-549-3447

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SHASTA COUNTY

NOV 21 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: Nancy Main

Agency:

Mailing Address: 10697 Northgate Drive, Palo Cedro, CA 96073

Phone Number: 530 549 4233

Comments: See attached

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

November 19, 2012

Comments: Nancy Main
10697 Northgate Drive
Palo Cedro, CA 96073
530 549 4233

Tierra Robles Planned Development Project
Zone Amendment Z10-002 and Tract Map 1996
Environmental Impact Report

Environmental Factors Potentially Affected:

Aesthetics: Although this project property is "land locked" from general public view those homes located within view would end up losing the natural beauty their property was probably purchased for originally. Subdivisions are not a thing of beauty for those wanting more open space. The light created by so many new homes would greatly affect the night sky making the area much more city like. The multiple power poles within the project site would extremely unsightly.

Biological Resources: The project area supports numerous biological resources (deer, foxes, bobcats, coyotes, rabbits, and multiple bird species) that would be greatly affected, in fact, most would be forced to relocate with the housing density proposed. The proposed road center line would see some of the property's nicest large blue oaks removed not to mention the many mature oaks that would have to be removed for houses. Many oaks not removed originally would eventually die and need to be removed due to the irrigation of landscaping that would be made up of non native species.

Public Service: My understanding is that the project is located in a number of different school districts. While may schools would like to have additional students to increase their revenues do the schools involved have adequate facilities to support an increase in population? What strain will this put on our local fire station and police protection?

Utilities/Service Systems: The proposed sewer line system has been proposed due the project soils being unsuitable for individual septic systems. the construction of said line would be extremely disruptive to anyone traveling along Boyle and Deschutes roads. The construction of utility lines including water and power would also be disruptive.
Water supply from BVWD frequently is a problem. I see that the proposed water system connections are along Boyle, Rae Lane and Northgate Drive. Will this affect those living on those streets water pressure? During the Jones fire water pressure was so bad that many had no water to help save their homes. We recently received our "fire tax" notification for living in such an area. How will this serious matter be addressed for water supply for fighting fires?

Agricultural Resources: The property presently is used a number of months a year for cattle grazing and for keeping numerous bee boxes. I assume they do this because it is a good viable option for the rancher/bee keeper. This opportunity would be lost.

Hydrology/Water Quality: Construction on the project for infrastructure as well as the housing projects themselves would require a significant amount of grading resulting in a permanent change to the drainage runoff. The soils in the area are subject to compaction and the hard surfaces (roads, driveways) would negatively impact the immediate area as well as any properties downstream. The increased runoff would result in a large increase of sediment contaminates in the streams especially during construction. The runoff from developed sites from fertilizers, car emissions etc. would be an ongoing problem.

Cultural Resources: I assume that this issue will be addressed in a confidential report. I am not sure if the historical ranch use of the project is note worthy enough to be addressed but I assume it should be.

Noise: People make noise, construction makes noise and adding that density of housing certainly will create unwanted noise for any neighbors. If this project is planned to be built out in 8 years the construction noise will be significant.

Air Quality: Home owners in the area quite often chose to burn their landscape pruning's etc, resulting in smoky days if not done in the right conditions. Adding 166 more potential burns/wood stoves may have a significant impact. The increased auto emissions from the significant increase of autos in the area (especially those diesel trucks) will have an additional effect on air quality.

Geology and Soils: Previously mention is the compaction nature of the native soil and hardpan in areas that would result in increased runoff.

Land Use and Planning: The project site is zoned the way it is for a reason. I know "things" change but the surrounding area is still one of larger properties and more open space and is not near a city needing to expand. The amount of infrastructure needed to proceed with this project is probably why the need to change the zoning to allow the sale of more lots. A significant number of the lots proposed are under the present zoning and will create an unwanted housing density in the area.

Recreation: There is a gun club located adjacent to the project site used for recreation by it's members. Will the homeowner's within the site be able to get an injunction to stop this activity because they do not like the noise after moving in? I as well as others like to ride our bikes or run in the area but Boyle and Old Alturas at times can be dangerous due to the already present amount of traffic. The additional amount of traffic from the project will create an even more dangerous situation.

Transportation/Traffic: The increase in traffic resulting from this project will undoubtedly have the biggest impact on the most people, even those not living in the immediate area. The proposed second access out to the north will be used by a few but I am sure that the majority will use the Boyle access because it will be quicker to go either to Redding or Palo Cedro. The traffic on Boyle Road is significant for such a small road, especially during the school year. A bus from one of the schools uses a private road (Maddelein) to turn around in resulting in backed up traffic every morning and afternoon. During construction the added larger vehicles will put a much added strain on the existing road. Boyle has a minimum shoulder, dangerous curves, hills and intersections, especially at the Boyle/ Deschutes, Boyle/April, Boyle/ Leslye, Boyle/ Daystar, and the Boyle/Northgate intersections. The stretch of Old Alturas that will be used by the few is also narrow, shoulder less, with several dangerous curves.
Will these situations be addressed and will the resulting costs for solutions be on the taxpayer? I live on Northgate Drive and at the public meeting held on November 8th we were told that our road was to be used as an emergency exit and that a locked gate would be placed between the project and our road. Do the people living on the road have a say in this?

Thank you for your consideration in these matters.

Nancy Main

Nancy Main

Kent Hector

From: Pam Ahern [pamelarahern@yahoo.com]
Sent: Wednesday, November 21, 2012 3:51 PM
To: Kent Hector
Subject: Tierra Robles Planned Development Project
Attachments: scan0005.pdf

Please see attached comments (which have also been faxed)

Pam Ahern

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: John and Pam Ahern

Agency:

Mailing Address: 21287 Boyle Rd, Redding, CA 96003

Phone Number: 530-223-6633

Comments: We are writing to express our strong opposition to the Tierra Robles Planned Development Project. The area that would be impacted is currently rural residential, with most properties between 2 and 5 acres, some larger. The proposed development calls for a comparatively high density, which is bound to have a major detrimental impact on traffic congestion, air quality, utility services, and personal lifestyles, as well as to the wildlife which still inhabits this area. We are also concerned about the impact so much construction and the resulting human footprint will have on Clough Creek and the nearby seasonal runoff creeks and ponds, which support a variety of wildlife. In addition, it would seem that fire hazard would greatly increase. Currently Bella Vista Water District water pressure tends to be low; during the devastating 1999 Jones Fire, water pressure was practically non-existent, as fire protection services struggled to contain the fire. We do not believe water services, particularly with regard to fire safety, can possibly support this development. In short, a development of this size and scope should in no way be considered for this largely rural residential/agricultural area.

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

Kent Hector

From: lazym [lazym@frontiernet.net]

Sent: Monday, November 26, 2012 7:31 PM

To: Kent Hector

Subject: Rezoning to smaller partials regarding 166 homes

To Whom it may Concern
We are opposed to the rezoning to smaller partials to 166 homes. We bought our home in 1990 for open space. We don't want homes that are looking down on us. Plus the added traffic this would cause, we do not want.
Thank you

Paul & Norma McCracken
10705 Green Oaks Lane
Redding, CA 96003

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PLANNING DIVISION

November 15, 2012

Mr. Kent Hector, Sr. Planner Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001-1759

RE: Tierra Robles Planned Development Project, Palo Cedro, CA

Dear Mr. Hector,

We are writing to urge you and Shasta County to reject the proposal for the above referenced housing tract in Palo Cedro. We live on Northgate Drive and would be highly impacted by the proposed tract because of traffic, change of our views, noise & the possibility of increased crime in our neighborhood.

First, let us tell you why we moved to Palo Cedro and why most people we know choose to live in this beautiful rural area. We did not want the traffic, noise, congestion, crime and school overcrowding that you find in a larger city. We wanted the rural setting of large open lots without tract housing, the natural open areas, and the smaller class sizes that North Cow Creek & Junction School offer, the slower pace of living and lighter traffic.

Now let us tell you what we see happening with the addition of **166** more homes in Palo Cedro. This would cause a major increase in the population of a very small town that already has a slow response time from the Sheriff's department due to staff shortages and distance of travel due to the very large coverage area. More people will certainly mean more crime, 911 calls, traffic and general policing needs. Is the County prepared to spend the money to give us adequate protection? We have a small fire house staffed by Cal Fire who often need the assistance of other departments just to cover the homes we have now. Both the Sheriff's Department and Cal Fire do the best they can with the recourses they have. Is the County prepared to increase staff for both to cover the additional needs of another 166 homes? Bella Vista Water District also do the best they can with what they have but there are many times when our water pressure is low already and we are asked to cut back due to drought situations. The fires of the past should give you a good indication of the type of increased fire protection & water requirements this development would require. Where is additional water supposed to come from? Our roads, many of which are private, gravel or dirt with even the 3 main thoroughfares (Deschutes, Boyle & Old 44) being 2 lane roads that are already becoming congested and less maintained. It is difficult already on some days to get from the residential side roads out onto Boyle. What is the County going to do to accommodate the addition of the estimated 2-4 cars per home (664 MORE CARS!) on our roads? It is also our understanding that these new homes would be allowed access to a sewer main on Deschutes & Old 44. We don't have sewer service! Our lots had to perk in order for us to build. Will it be available for the rest of us to tie into? NO, is what we told at the meeting. So why are they being allowed this special treatment? How is the disruption of our main roads going to be handled when they are being dug up to accommodate the installation of this sewer line? As well as the increased usage by heavy equipment necessary to build the project? We are also concerned that this tract will end up as many of the tracts in Shasta County have – Uncompleted, Unsold, Vacant Blights on nice areas & Bank Owned.

Palo Cedro is currently a very open, inviting and beautiful place to live. The open area that you are proposing to build on has its own special attributes. We understand it is a premier bee keeping area for

the making of honey and keeping the honeybee population healthy, the deer that bed down & raise their young, the eagles & hawks that have nested in the same trees for years, the flyway used by migrating ducks & geese, the coyotes that we listen to & the smaller animals that roam the area (even if we aren't always so fond of some of them) plus the cattle that graze there. All of these deserve some space in this overcrowded world.

Please, if you do have to build in Palo Cedro stick to the current 5 to 10 acre lot size that are established in the area, increase the proposed open space and limit the number of homes to much less than proposed to help us keep Palo Cedro the small town it is.

Sincerely,

Raymond & Carol Ramos
10801 Northgate Drive
Palo Cedro, CA 96073
(530) 549-5492

November 26, 2012

Kent Hector, Senior Planner
Shasta County Planning Department
1855 Placer Street, Suite 103
Redding CA, 96001

Re: Tierra Robles Subdivision

Mr. Hector:

I find it important to join the numbers of residents in the Boyle Rd. area who are opposed to the approval of the plans for the Tierra Robles Subdivision. Among the many reasons I find for opposition to this project are:

* Proposed lot sizes will negatively affects established homes and community. Personally, I moved to this area for the rural atmosphere and a "housing tract" is totally unappealing to me. I would have moved within the city limits had I wanted congestion and neighbors on top of me.
* Allowing small lots would establish a precedent for the whole Palo Cedro, Bella Vista and Millville area.
* Evidenced by history, crimes in a construction area will be increased on unattended, partially developed properties and could certainly spread to adjoining existing properties.
* Increased traffic and a history of previous fatalities on Boyle road; and existing hazardous road conditions, i.e. sharp turns.
* There appears to be no plan for road upgrade/improvements and currently there is insufficient access to and from the proposed development
* Construction of a sewage system that only serves the one development sounds like a huge expense for a small portion of the population
* Having lived in my home since 1989, I have experienced insufficient water availability for existing properties and this development will certainly not help the situation.
* One of the things I love about my existing neighborhood is that at any time I can see deer, turkeys, raccoons, and other wildlife. This type of congested housing will certainly create a negative impact on area wildlife.

Please take these concerns into serious consideration when making your decision on behalf the citizens of this beautiful rural area.

Respectfully

Rebecca Final
10708 Green Oaks Ln.
Redding, CA 96003

cc: Glen Hawes, Supervisor, District 3, ghawes@co.shasta.ca.us

November 12, 2012

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DEPT OF RESOURCE MGMT
PLANNING DIVISION

Kent Hector, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

RE: Proposed 715-Acre Subdivision North of Palo Cedro

Dear Mr. Hector,

I live off of Boyle Road and am deeply concerned about the proposed subdivision's impact on traffic in the area. If 166 residential lots are developed it would mean approximately two cars per lot which comes to a staggering 332 vehicles accessing the subdivision daily. When you multiply 332 by two trips daily, one in and one out, accessing Boyle Road as a primary, you get 664 more vehicles on the road each and every day.

After Foothill High School opened, Old Alturas and Boyle Road became a convenient artery for the students. The morning and after-school traffic is very noticeable. Speeding students trying to make morning classes is the most annoying aspect of their use on these roads. I've experienced it and don't appreciate it.

Deschutes Road was recently repaved, what, two, three years after the school opened? Absolutely no improvements were made to either Boyle or Old Alturas but the wear and tear goes on daily. Should the development of the 715-acre parcel come to fruition, what are the plans to enhance these roads? What are the benefits to the current residents along these roads? I can't see an up-side at this point. Tell me otherwise.

We are all looking forward to the outcome of your investigation into the impact study.

Sincerely,

Renee Ottsman

Mrs. Renee Ottsman
10371 Surrey Lane
Redding, CA 96001

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PLANNING DIVISION

Shasta County Senior Planner
Mr. Kent Hector
1855 Placer St. Ste 103
Redding, CA 96001

Reference- planned Tierra Robles subdivision

Mr. Hector

We were unable to attend the meeting at North Cow Creek School on November 8th but are very concerned over the impact of this planned development. In reading the article in the East Valley Times we see that many of our concerns were addressed at that meeting; however we will list them for the record.

1- Bella Vista Water District
Will they be able to supply enough water during dry years and at a pressure that is usable? We have already experienced a fall off of available pressure in recent years as golf courses and additional developments are added and no new sufficient infrastructure is added.

2- Traffic on the existing sub-standard roadways.
We see that the main access will be from Boyle road but an access will also be installed at Old Alturas Rd. Based on the published plot map, the tie-in at Old Alturas will be at the corner of Old Alturas and Seven Lakes Road. This corner already has traffic issues without the estimated 332 additional cars a day that would be possible with this development.

Further, just a few hundred feet to the west of this location is a blind hill intersection where Palo Duro Rd intersects with Old Alturas Rd. With the additional traffic load of the proposed development this will become a major traffic hazard unless addressed and corrected.

3- Lot size.
The small lots proposed are not consistent with the general plans of the area for rural living. We realize that they are proposing a tie-in with the sewerage system in Palo Cedro and that septic systems (perk testing) have been the main limiting factor for lot size in this area. Based on a sewer tie-in they could propose the next phase to be muliti-family dwellings and feel justified in so doing if this lot size minimum is altered.

We hope that your department and the County of Shasta will look at this carefully and not base the final decision on tax revenue.

Thank you
Rick & Patty Marty
Bella Vista, CA.

Nov. 26, 2012

To: Kent Hector, Shasta County Planning Office:

From: Robb Lightfoot

RE: Opposing Tierra Robles Proposed 166 unit housing development off Boyle Road in Palo Cedro

I am writing in opposition of this proposed development. I have deep concerns about the probable consequences of approving this large project. I see that the developers seek exemptions or waivers from some zoning requirements so they can squeeze an excessive number of units onto the property. This breaks from the current pattern of development. Most people who move outside the city core do so to enjoy a simpler, less hectic lifestyle that comes from getting away from the congestion of the city. So, cramming this project into Palo Cedro represents a loss in quality of life and a "taking" from those already here substantial components lifestyle. This alone, should be reason enough to insist that the land be developed in accordance within the current policies and downsized, if it is approved at all.

I list this as my first objection, because it most directly affects me and my family, but there is another issue of even greater import--If this project is allowed to go forward, I see it representing a major change, a "tipping point" in dynamic of Palo Cedro. It will represent going from an unincorporated area towards a level of density and complexity that may well require yet another layer of management, government, and additional expenses to be borne by all of us.

Traffic

Anyone who has driven Boyle road regularly, as I have for almost 20 years, knows that there are dangerous curves. There is a memorial placed on one such curve. Other curves are well known as corners were young, inexperienced or unwary drivers have hit trees and stumps. Adding this many units to an already busy roadway would make matters even worse. I can see that there would need to be places were turn pockets would be required, and the school busses that use this, and pull over, would need additional protection.

I have bicycled for years, and Boyle road is an important, if not risky, bicycle corridor. The increases in traffic will make this even riskier and should require, if we're to thoughtfully plan, adequate bicycle paths and lanes.

One last thought on this subject would be the intersection of Deschutes and Boyle and Swede Creek. Many collisions happen here, as parents take their kids to school. I can see that there will need to be a signal on Deschutes and Boyle. Who will pay for this?

Public Safety

I have lived through an evacuation. It was a real problem getting out, finding shelter, and dealing with our animals. Evacuations are always a time where our infrastructure is stressed. Getting out in a hurry would be complicated by a development of this magnitude, and then, putting these people, their

possession or animals someplace would be complicated. Any such development would require disaster plans to be revised, and the ability to safely house people would be complicated and costly. Who should bear these costs?

Even on routine days, it's likely, too, that the county sheriff will need to expand patrols and staffing to meet the population increase.

Parks and Recreation

Palo Cedro has long needed more recreational space. The Palo Cedro Park has been working to meet this need, but it would be taxed by this big development. Will this development provide for funds for the needed improvements to the Palo Cedro Park? Will it provide for additional recreational space, soccer fields and such that these new residents would expect? Who will pay for this?

Infrastructure

The information I've seen says that Belle Vista Water can meet the need for the proposed expansion. This may be so, but what about the needs for additional firefighting capacity? Who will pay to expand our fire station, as would surely be required for it to continue to meet the community's needs?

I also see where we will reach a point with this where there will need to be better walkways and adequate bicycle lanes to meet the needs of children and those without a personal auto to reach the community center or the local high school.

As I noted earlier, this development represents a tipping point change. If the county decides to give up the rural nature of Palo Cedro, and pack in this many homes, then it should step up to providing the services one would expect of a small city, sidewalks, adequate lights, a branch library, bicycle lanes. And it that's what is to come to pass, the people who cause these changes to be required ought to be on the front lines of bearing those costs. Most of what I have mentioned above—except for the branch library—offers no additional benefits to those of us who live in Palo Cedro. They simply mitigate the problems that will arise.

In short, this project will diminish the quality of life, poses risks to public safety, and it threatens to impose significant cost increases in transportation, fire and public safety. It should not be approved.

Thanks for your time and attention.

Robb Lightfoot
9951 Hillview Drive
Palo Cedro, CA 96073

Kent Hector

From: Bob Grosch [bobgrosch@frontiernet.net]
Sent: Sunday, November 25, 2012 12:09 PM
To: Kent Hector
Subject: Proposed Boyle road Development

Dear Mr. Hector:

Thank you for your recent phone conversation regarding the proposed housing development off Boyle Road, between Deschutes and Old Alturas. I urge the Shasta County Planning Commission and other public agencies to reject the project as proposed for the following reasons:

1. One quarter of these proposed lots fall under 2 acres. This formula represents an urbanization of an otherwise rural area, where lots from 3-20 acres are the norm. Such an urbanization of our area would destroy the nature of our rural residential area and diminish our quality of life. Specifically, the deterioration of our quality of life would be seen in the following ways:

A. Increased traffic on Boyle Road, a road which Mr. Miturn of Shasta County Public Works describes as a "secondary feeder route". The proposed development would likely require improvements to Boyle Road and would perhaps double the traffic load on this "secondary feeder route." Overall increased traffic is but one part of the problem; the heavy load of traffic trying to exit the project onto Boyle road from a single primary exit would significantly increase traffic congestion and danger.

B. Part of rural living is the enjoyment of living away from the city lights. Light pollution is now recognized as a threat to our enjoyment of the night sky. The density of this development would bring urban levels of light into our rural night sky.

C. Noise pollution increases with the density of the population.

2. This proposed project violates two basic principles of sound urban planning:

A. This project is an excellent example of urban sprawl. If dense developments are called for by a growing population, they should take place at the edges of the city, not leap frog out into the country where they contribute to increased cummuting traffic, increased air pollution, and handicap further planning for wise, well planned urban expansion.

B. The project proposes to deal with its sewage by running a 3 1/2 mile sewer line to Palo Cedro. This line is proposed to serve only this development and no others. Hence, such a sewer line will take up space in the ground that would otherwise be utilized by additions to the Palo Cedro sewer system as it grows in the coming years. The proposed sewer line will make it virtually impossible to add to the Palo Cedro system for a distance of 3 1/2 miles unless in the future this line is torn up and replaced with a larger system. The proposal represents foolish, short sighted planning. If sufficient easement exists to install a sewer line, it should be large enough to accomodate developments along the 3 1/2 mile route that will require such a line during the life expectancy of the system.

3. The sewer line will very possibly make the project financially risky, at best. It is doubtful that sufficient easements exist for such an installation. Mr. Minturn has told me that along some

areas of Boyle Road, the County's easement ends at the edge of the pavement. However, even if there were no additional costs in obtaining easements, the proposed sewer line could cost anywhere from $1-20 million dollars. At the higher end of this range of costs, the need to pass on these costs to the eventual parcel owners would probably make the project unprofitable.

For all the above reasons, I encourage the County to require significant revisions to the proposal lest we suffer serious detriment to our area.

Thank you for placing these objections into the project's process of consideration.

Yours,

Robert J. Grosch
10810 Cheshire Way
Palo Cedro, CA 96073-9777

(530) 549-4872

Kent Hector

From: teamtornai@aol.com

Sent: Monday, November 26, 2012 4:57 PM

To: Kent Hector

Subject: Fwd: Proposed Development in Palo Cedro

RE: Proposed addition of 166 homes in Palo Cedro

To. Mr. Kent Hector -

I am opposed to the rezoning of property in Palo Cedro to allow for 166 new homes being built. This is an area of 3-5 acre parcels and allowing for the construction of this many homes will alter the feel of the community.

.

There is not enough access into the proposed development. The increase in traffic on Boyle Road and Old Alturas Road will create dangerous driving conditions. These roads are narrow, hilly and windy. We do not want to see them have to be widened because of an increase in traffic.

There is not adequate water supply for this area as it is and adding this many homes to the Bella Vista Water District will be a problem for residents, both new and existing residents.

We moved to Palo Cedro because of the rural character the area offers. We enjoy the wildlife and do not want to see this many homes constructed thus changing the vary nature of an area that we love.

Sincerely,
Robert Tornai

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NOV 19 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

15 November 2012

Kent Hector, Senior Planner, Shasta County Planning Division

1855 Placer St. Suite 103

Redding, CA 96001

Dear Mr. Hector,

Thank you for taking the time to speak with me on the telephone regarding the proposed Tierra Robles planned development that is being considered for our area. I own 19 acres on Boyle Road and have lived on this property for over 20 years.

As I said on the telephone I am strongly against this development invading our rural way of life. I am strongly against any zone amendment that will allow the property owners to change the zone classification from rural residental with 3 to 5 acre splits (and unclassified) to "planned development zone" with only 1 acre splits.

As you probably already know this proposed site is surrounded by parcels currently zoned as follows. On the north, rural residental, 5 acre minimum split, and exclusive agricultural. To the west, rural residental, 3 acre minimum split. On the east side of the proposed site, the property is classified as, rural residental 3 or 5 acre splits. The south side is classified as rural residental as well.

Prior to buying my property I visited the Shasta County Planning Department as well as the property tax offices to ascertain how the property and surrounding parcels were classified. I **bought my land based on this zoning information** as I wanted to be sure that parcels in the area were not splitable into small lots so no housing developments would be built in my area. I purposly selected this rural area to get away from housing tracts that comsume the beautiful landscape. What is the point of classifying land parcels only to have a developer come into the area and change a rural area into a housing tract that belongs in the city where parcels are smaller?

If the developer is granted the zone change, this housing tract will be located in the middle of rural and agriculture lands. This is very unfair. The 5 parcels that are being considered for this development should be classified the **same as those parcels that surround it.** This proposed development is not suited for this location and should not be built there. It will negatively affect the other properties in the area.

If this developer is allowed to change the zoning this will set a precedent for others to do the same and before you know it we will look like southern California with no vacant land.

Please do not apporve the re-classifying of these parcels to a planned development. Please do not approve this development in this rural area. If this development is allowed to continue it will have multiple negative impacts on our area.

First of all the proposal is to add 166 homes to this rural area, most of it is in and around the Clough Creek area. Clough Creek is a home to multiple types of wildlife, birds and native plants. Many birds also migrate to the area each year and use the area to rest. A development here would ruin this area for not only the residents who enjoy its natural beauty but also for the wildlife as well. Clough Creek is also a drainage area. What effect downstream will all the grading have on the creek area?

In addition, the traffic will increase on Boyle Rd as well as Old Alturas, both of which are narrow and winding in areas. Vehicles will compete with bicycles that will spill out of the development onto these roads creating a safety issue. Along with the increase in traffic will come the increase in noise. We moved out of town to get away from this!

Other negative factors include an increase in fire danger. This area is a wildland fire zone and hundreds if not thousands of additional residents will increase this danger for all of us. More people also means more crime moving into the area.

ONE HUNDRED AND SIXTY-SIX HOMES crammed into this rural area will take away our beautiful star-filled nights with all the glare from the lights. This to me is very sad.

Other concerns are if this project is allowed to move forward, how long will it be before the land-owners also known as tax payers get the bills for the new sewer lines that now have to be constructed. This could cost thousands of dollars. In addition, how long will it be before Boyle Road and Old Alturas will have to be widened to handle the increase in traffic? We already pay enough property taxes.

We are entitled to the quiet enjoyment of our homes. Many of us moved to this rural area to enjoy the open space, the quiet, less traffic, fewer people, fewer homes, and less noise. The proposed project would take all the this away and will ruin our way of life. Please do not allow some out of the area developer (or any developer) who could care less about our landscape to come into our homes and build a project that belongs in the city limits, not on lands meant for less dense living.

Please, Mr. Hector, do not approve the zone change to allow this development to ruin our area. Housing tracts belong in the city not in rural areas.

Thank you for your time and consideration.

Sincerely,

Sandra Kotch

Sandra Kotch

Kent Hector

From: Steve Davis [swdavis124@gmail.com]
Sent: Sunday, November 25, 2012 4:55 PM
To: Kent Hector
Subject: Tierra Robles Planned Development Coments

Attachments: Planning Dept Tierra Robles Subdivision.doc.rtf

Planning Dept
Tierra Robles Su...

Mr. Hector,
Attached is a letter of comments pertaining to the proposed Tierra Robles Development.
Please feel free to contact me if you wish to discuss or need additional information.

Respectfully,

Steve Davis
549-5727
swdavis124@gmail.com
Alternate e-mail:
swdavis@citlink.net

Proposed Tierra Robles Subdivision

Kent Hector, Senior Planner
1855 Placer Street, Suite 103
Redding CA, 96001

Dear Mr. Hector:

This letter is in reference to the environmental impact report regarding the proposed Tierra Robles Subdivision. I have many objections to this project, and will outline them for consideration by the County, the Planning Commission and the Board of Supervisors.

- **Lot Size Negatively Affects Established Homes and Community:** The small size of the lots that are proposed, coupled with the total number of lots proposed for the subdivision will have a negative effect on quality of life for nearby established homes and property owners, and will have an overall negative impact on the community. As proposed, the development would place small city-sized lots adjacent to Boyle Road and existing homes and properties.

- **Diminished Property Values for Existing Homeowners:** The introduction of a huge, poorly planned development that places the smallest lots next to existing properties will decrease property values for current residents. Property owners purchased land in this area with the understanding that it was zoned for 2.5 acre minimums.

- **Lot Size Does Not Comply with Zoning Regulations:** Minimum lot size in this unincorporated area is 2.5 acres, and there is no identifiable compelling reason to make an exception for absentee land investors that wish to profit from the community, taking their profits elsewhere and leaving the community to deal with the increased costs that result from such a development.

- **Allowing Small Lots Would Establish a Precedent:** Established zoning laws/regulations set fourth by the planning commission and confirmed by the Board of Supervisors in Shasta County provide that the area in which the proposed subdivision is located is zoned for and limited to lot sizes of 2.5 acres. Deviation from the regulations for a large subdivision would establish a precedent that could negatively impact Shasta County residents in the future and nullify existing planning. The "Shasta Red" investment group had ample opportunity to familiarize themselves with zoning requirements, perk tests, water and sewer availability before purchasing the land. The County of Shasta needs to protect the integrity of the zoning laws that have been established, the community and the established residents surrounding the proposed project area.

- **Increased Crime:** It is an established fact that the introduction of large neighborhoods into rural areas results in an increase of criminal activity, not only within the subdivision but in surrounding communities and neighborhoods. It is common to see a rise in burglary, petty theft, rape, domestic violence, auto theft and narcotics sales. An increase in the crime rate will result in a cost to the County and its taxpayers resulting in a need for additional deputies to patrol the area. Currently, the sheriff's office, operates with minimal staffing, and they react to calls for service, and lack the ability to investigate much of the current criminal activity. Authorizing the development of this subdivision will place an unnecessary tax burden on the citizens of Shasta County.

- **Development Plans:** The viability of a project of this size in this area is questionable based on

the current economic conditions. According to statements made by David Storer, representative for Shasta Red, LLC, the plans of the Corporation are to implement a multi phased building of structures in the subdivision that will be based on market demand. The translation is that Shasta Red is only going to build only what the market supports, which raised a question as to what will happen to the development and the surrounding properties if the company fails to complete the project, goes bankrupt or experiences any number of potential difficulties. It is likely that the area under development will attract vandalism and other criminal activity, as abandoned properties create blight conditions and draw in criminals, juveniles activity, alcohol/drug consumption, and an increase in fire hazard due to tall dry grass growing in vacant lots during hot summer months. This directly adversely affects the surrounding areas, and adds to the impact on public safety and the cost to taxpayers.

- **Increased Traffic:** Boyle Road is a heavily traveled road at present. It has become a main thoroughfare due to a number of already existing conditions. The elementary school closest to the proposed development, North Cow Creek, has no bus service. This means that parents are driving their students to school in the morning, picking their students up at three different release times in the afternoon, depending on the age of the student, and making additional trips associated with after school activities, as well as teachers and staff driving to and from school. A substantial number of parents and staff use Boyle Road as their primary access route.

- **Highway 44 Traffic Dangers:** A substantial percentage of Foothill High School students/parents use Boyle Road to travel from Redding to Foothill High School, or they live in the East Redding/Palo Cedro area. They know that driving to Palo Cedro via Highway 44 and Deschutes Road is a hazardous route, due to Highway 44's inherent dangers and major injury/fatal accident rates, competing traffic conditions related to nearby Junction Elementary School traffic and commuter traffic and the convergence of all the traffic on Deschutes Road.

- **Previous Fatalities on Boyle Road**: There have been at least two fatal accidents at the Clough Creek Bridge on Boyle Road during the past 10 years, and at least one major injury accident requiring medevac by helicopter. There have been other serious accidents on the road as well.

- **Existing Hazardous Road Conditions**: The Clough Creek bridge area of Boyle Road has a sharp corner that is difficult to negotiate. The "S" curves near Cheshire Road and Leslye Lane include severe corners that are not easily negotiated. Adding a heavy load of traffic on this small rural road is a recipe for tragedy, as it is unfathomable to expect that Boyle Road can handle the increased traffic load in its present condition.

- **No Plan for Road Upgrade/Improvements**: The current condition of Boyle Road will not support the increased traffic pressure from the estimated additional 700-1000 vehicle trips per day that a subdivision like this would generate. No plans have been outlined by Shasta Red to finance the reengineering of Boyle Road, increasing it to a four-lane roadway or a two-lane with center turn lanes, or to add traffic lights at major intersections, which would need to occur in order to mitigate the danger that the subdivision poses to the safety of the community and existing residents. It will be necessary to enlarge and improve the roadway providing access to a large development, and doing so will involve complicated imminent domain issues, and potentially years of associated litigation that will not be quickly or easily resolved.

- **Insufficient Alternate Access to Subdivision:** Establishing the main access to the proposed

subdivision on Boyle Road, with a secondary access planned for Seven Lakes Road in Bella Vista, will result in a concentration of well over 90 percent of associated traffic onto Boyle Road, due to the unlikelihood that residents will use an access that takes them farther from Redding. This places an inappropriate and dangerous burden on those using Boyle Road to access their residences, schools or businesses.

- **Insufficient Water Availability for Existing Properties:** As a lifelong resident of Redding and Shasta County, and one who lived in the Bella Vista Water District when it was formed in the 60's, I have some knowledge of the varied weather conditions that Shasta County experiences, and the reduction in allotments from the federal government. We have experienced drought conditions many times over the years, and it has become second nature to be concerned about annual water allotments. Bella Vista Water District has rescinded agricultural water allotments for many area residents due to not being able to provide a full water supply. BVWD customers are repeatedly urged to conserve water during dry months to avoid rationing.

- **Proposed Aqueduct Construction by State of California:** With the awareness of the State's proposal to engage in aqueduct construction from Northern California to Southern California, it is not prudent to add an unnecessary substantial burden on BVWD, when the water district currently struggles to honor their existing commitments.

- **Construction of a Sewage System that Only Serves the Development**: According to information presented at a November 2012 public meeting at North Cow Creek School, Shasta Red plans to bring a sewer line from Palo Cedro to the proposed development site, a distance of over three miles, but the sewer line will only be large enough to serve the subdivision. It does not make economic sense for Shasta County to undertake the oversight and maintenance of a sewer system that will only serve one development, while exposing countless properties and citizens to potential sewage leaks and backups.

- **Negative Impact on Area Wildlife:** One of the attractive things about living in an area zoned for large lots and a rural atmosphere is the ability to live side by side with wildlife. Having lived on this acreage for over 20 years, I am familiar with the Chatham Ranch property and have observed that the proposed development area is inhabited by a strain of rare piebald or albino deer, as well as bobcats, turkeys, owls, hawks, eagles, other wildlife, and a large wetland area. Obliterating the habitat for area wildlife negatively impacts the environment and endangers the ability for a rare species of deer to exist.

I urge the Planning Commission and the Board of Supervisors to oppose the Tierra Robles Subdivision, as there are many negative impacts and few positives.

Respectfully,

Steve Davis
530-549-5727
swdavis124@gmail.com

RECEIVED
SHASTA COUNTY

NOV 13 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: SUE A. HARBERT

Agency:

Mailing Address: 10274 MADDELEIN LN
PALO CEDRO CA 96073

Phone Number: (530) 223-3251

Comments: SEE ATTACHMENT

you never returned Call of 10-27-12

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

Shasta County Resource Management

Attachment for Tierra Robles Development

Sue A. Harbert, landowner

November 9, 2012

Public Notice: Only persons living within one half mile of the project were notified. This subdivision impacts properties on all of Boyle Road, all of Old Alturas and connecting roads. There should be more notification to the public regarding this project. I would like to request another meeting and extended time so that the property owners that this subdivision effect can hear and be heard.

Meeting: In my opinion, the representative for the County did a poor job in responding to the public. When asked questions, he didn't even stand up to be heard, I am hearing impaired and couldn't hear much of the meeting. There should have been a sound system.

Fire: The State of California has determined that my property is in a high fire rated area.

Is this subdivision in a high fire rated area?

Adding the subdivision, is it endangering my and others properties?

Adding an additional 166 homes to the area is going to put a drain on our all volunteer fire department.

Will the current fire department be enlarged?

Will it become Shasta County fire service?

If the becomes Shasta County fire service, will my taxes increase on my property?

Most of the roads off of Boyle Road and Old Alturas are private road.

Where will the fire access be for the new subdivision?

Water: Bella Vista Water District will not be able to service this area as needed. During low water years, we existing customers have been cut as much as 50% of our supply. The water pressure has decreased over the years as customers have been added. We have been forced to replace our irrigation sprinkler heads with low pressure heads. Adding Tierra Robles subdivision to the Bella Vista Water District will drain the current already low pressure system.

Is Bella Vista Water District planning on adding additional pump stations?

Is the water district planning on adding new wells?

Is the water district planning on increasing current rate because of this subdivision?

Traffic: I have lived on the same property for 34 years, off Boyle Road. When Foothill High School was in the planning stages there was never any consideration or studies of how the traffic would affect Boyle Road. Well, the traffic increased 100%. Boyle Road is a rural area. In the rural road area, there is wildlife such as deer, fox, cougars, hawks, eagles, turkeys, guinea hens and much more. On Boyle Road and Old Alturas roadways there can be found large and small domestic animals, which at times get out of their fenced areas. These animals have been killed in the last few years since the increase of traffic.

Is there a plan to widen Boyle Road? If so, who will fund this cost, taxpayers?

Is there a plan to upgrade Boyle Road? If so, who will fund this cost, taxpayers?

Is there a plan to widen Old Alturas Road? If so, who will fund this cost, taxpayers?

Is there a plan to upgrade Old Alturas Road? If so, who will fund this cost, taxpayers?

Roads:

What types of roads are required for this subdivision? Chip and seal, gravel, asphalt?

These roads will have heavy traffic from the 166 planned homes. The vehicles traveling on the subdivision road will accumulate rubber, oil, fuel, even animals and animal deposits. During rainy season (which has heavy rains) these deposits will wash away from from the road surfaces. These deposits will leach into the ground water. In the

surrounding areas, properties have public and private wells. This subdivision property has already attempted a perk test and failed.

Is that why a sewer is planned?

Will there be a plan to catch these contaminated waters, so they don't leach into wells and ground water?

Gun & Rod Club:

If this subdivision is approved, how long before the residence complain about the gun and rod club?

Will the club have to be reduced?

Will the club have to be closed?

And if so, why?

Wildlife:

The area is covered with vegetation and grasses.

What will the wildlife and habitat feed on if these grasses and vegetation are removed?

Zoning Changes:

Changes zoning to residential from rural residential, **what type of structures will be allowed on the residential properties?**

Will there be large animals on the residential zoning properties?

Will all property owners in the surrounding areas be able to change their zoning?

Will all property owners in the surrounding areas, be able to now split their parcels?

Miscellaneous:

Will there be street lights required in the subdivision?

The area will become a high density area with students, how will this increase affect North Cow Creek School and Bella Vista School?

What will be the necessary changes and/or requirements to the school properties?

Who will pay for the necessary changes to the schools, taxpayers?

People that purchase the smaller properties will not desire the same type of lifestyles as the purchasers of the larger properties. There should not be mixed zoning for the parcels.

Enough for now, looking forward to next public meeting!

Sue Harbert

Kent Hector

From: Thomas "Doc" Rowe [bionicdolphin@frontiernet.net]
Sent: Tuesday, November 06, 2012 8:54 AM
To: Kent Hector
Subject: Proposed Tierra Robles project in "Ghost Deer" area.

Hi Kent,

Here are a couple pics of the areas Ghost Deer.
In 2008 there were triplets, all white! At first glance it looked like a normal doe had adopted three goat kids. From neighborhood reports I believe 2 of the 3 survived to adults.

We have seen these rare genetic abnormalities in this area for 20 years and would really hate to see development drive out the bloodline.

Best Regards

Thomas "Doc" Rowe
530-549-4839

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SHASTA COUNTY
NOV 13 2012
DEPT OF RESOURCE MGMT
PLANNING DIVISION

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: Vern and Barbara Deatherage

Agency:

Mailing Address: 21008 Boyle Rd Redding 96003

Phone Number: 530 949 1903

Comments: This property is very close to ours. Boyle road traffic is already high. Our fear is that an additional 166 homes would make traffic and safety issues untenable.

B Deatherage

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

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DEPT OF RESOURCE MGMT
PLANNING DIVISION

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: Vickie Wolf

Agency:

Mailing Address: 11048 Myrtlewood Dr.
Redding, CA 96003

Phone Number: 356-3601

Comments:

Please see attached.

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

November 23, 2012

TO: Shasta County
Department of Recourse Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Ken Hector, Senior Planner

FROM: Vickie Wolf
11048 Myrtlewood Dr.
Redding, CA 96003
(530) 356-3601

SUBJECT: Tierra Robles Planned Development Project Environmental Impact Report Comments

I would first like to acknowledge Shasta County in their efforts in bringing the county into code compliance from a past history of property owner's attitudes of "I will build as I please". It takes time and resources to build a community that is safe and sustainable. I would also like to give thanks to Shasta County in giving notice of this proposed development to residences beyond what is required by law.

Although we as long time residences have a hard time accepting change the benefits of change can be for the good of all. As the population grows we all have to make positive contributions for a clean, safe and sustainable community. We have witnessed in the past developers from out of the area come to our county to build "their vision" leave with their profits and leave us with the scars of vacant buildings, vacant subdivisions with infrastructure and environmental damages.

Development is part of our future. The question is how do we be responsible and positive contributors to a clean, safe and sustainable community? All of us, residents, Shasta County Officials, Shasta Red, LLC and all affected agencies have a unique opportunity to work together to show case a sustainable development for the future. After experiencing the recent economic down turn, state and local budget cuts and job losses we must remember these effects will be long lasting for us for some time to come.

We can look within our own county borders for examples that are not leading examples of responsible development. Within Shasta County borders there are municipalities and separate districts that are governed independently but independent decisions affect us all. We have commercial lots we can't give away; we see many vacant commercial buildings with a turnover of start up businesses unable to keep their doors open. We see the losses of our limited agricultural lands being threatened to commercial development. We see how our water ways and wildlife are negatively impacted through damming and storm water runoff. We see residential properties with developed roads and infrastructure left without developed housing. We see our road ways impacted by the increase of vehicle traffic creating major safety hazards to life, property and environment and we see how some agencies are mitigating these traffic hazards. We see and feel in recent times the impact of budgetary short falls and know the long recovery time ahead.

I submit the following comments not in opposition at this point in time to the Tierra Robles Project but as a community member that wants to be a positive contributor to seeing the future development of Shasta County as responsible and sustainable.

We must remember that although new development generated monies is appealing today we have to look to the future and ask the questions can we responsibly sustain the new infrastructure. As we look around our county today it is very clear to see regardless of which side of the Isle we align with there are many unmet needs of the infrastructure that pose safety concerns to the public.

AESTHETICS:

In addition to Shasta County noted impacts to allow development to go forward without Covenants, Conditions and Restrictions or a Home Owners Association in place from Shasta Red, LLC and/or Shasta County there is great potential to negatively impact surrounding property values and create environmental hazards. In areas of Shasta County we can see where property owners have in use as additional residents the use of recreation vehicles as permanence residences. The containment of raw sewerage, supplying proper electricity, improper disposal of house hold trash, infestations of pest are all the result of these type of residences presently in use throughout the county.

With the passage of Proposition of 215 the properties growing marijuana has increased significantly in Shasta County. It is known that in addition to marijuana being grown for medical purposes it is also grown for sale to supplement income. Along with the marijuana being processed other illegal drugs are being manufactured that result in hazardous waste that is not disposed of properly.

Shasta County has a complaint procedure in place but follow through with mitigation is in question because violations are still visible.

AGRICULTURE RESOURCES:

All of our vacant land should not be seen by developers as a site for high density housing. Shasta County and the residents have seen many benefits from the recent increase of small farms. The popularity of our Local Farmer's Markets has grown and provides income and fresh quality foods to local families. Many local farmers can produce enough for sale on an acre so long as the zoning allows. The project property has an agriculture history. To keep zoning in line with this history will afford future small famers the ability to contribute to local sustainability. In our area where unemployment is still high and job forecasts are not presently keeping pace with other parts of California if a property owner can create their own responsible and sustainable income in this case through agriculture the zoning should allow this possibility.

AIR QUALITY:

Currently Shasta County residents are allowed to burn yard trimmings on designated Burn Days and many use wood stoves as their primary heating source. If all of the current vacant abandon subdivisions where developed along with the current proposed subdivisions what is the tipping point when our air quality is compromised and burn restrictions are put in place? The City of Chico is an example. When their air quality is poor wood stove burning is banned. The current solid waste provider is Waste Management which does not have a Green Waste program in place so door yard burning is the only economical mitigation option.

There was at one time, a long time ago, an acceptable practice of burning of one's house hold trash. Although it is illegal some property owner's feel it is within their right. Shasta County has a complaint procedure in place but with limited staffing the fire has consumed the trash and the complaint is unfounded and the practice continues.

HAZARDS AND HAZARDOUS MATERIALS:

It appears that a majority of this section covers the construction phase. We have to also ask what the long term potential effects are. Without Covenants, Conditions and Restrictions, Home Owners Association or other acceptable guide lines in place from Shasta Red, LLC and/or Shasta County we take the risk to negatively impact the environment. Without the staffing from all local agencies to mitigate the current complaints of hazards to life, property and environment this built out project has the potential to contribute to the current violations and back log of complaints.

HYDROLOGY AND WATER QUALITY:

This project alone may not negatively impact water quantity at present time but we have to look at the big picture. If all of the current vacant subdivisions with infrastructure in place were built out along with the other current ones coming up for review there logically as to be an impact to available water quantity. Water rights are far reaching beyond Bella Vista Water District. Within Bella Vista Water District alone water rights once granted to residences have been taken away. In recent years we have experienced water usage restrictions.

Transparency at all levels is needed on this issue more than ever.

LAND USE AND PLANNING:

If all of the current vacant subdivisions with infrastructure in place where built out along with the other current ones coming up for review in the county impacted agencies do not presently have the resources to maintain what is in place at this time. I realize this report focuses on the environment but without proper resources to maintain what we have does and will lead to blight which negatively impacts the environment.

Increasing the service impact to County Service Number 8 will have an immediate and long term future impact.

POPULATION AND HOUSING:

The question was asked during the November 8, 2012 Public Meeting if others outside of the proposed subdivision would be allowed to tie into the new proposed sewer line and it was indicated that it is not an option. But, the County's Notice of Preparation says the sewer line "could potentially induce off- site population growth" and "may be significant". I could have misunderstood the question and answer but please make it clear as this process goes forward.

PUBLIC SERVICES:

Fire and Police Protection:
Our current serving agencies cannot meet the current demands. The area is served by volunteer fire departments with augmentation from other local and state agencies to meet the need. This area is under Cal Fire's jurisdiction and this Ranger Unit is still considering closing two fire stations. Many existing private roads adjoining the project do not meet the County's current Fire Safety Standards requirement. If access was needed from these private roads it could cause significant safety risks to personnel and equipment.

I would suspect the actual numbers quoted in the Notice of Preparation is quite different today for the County's Peace Officer's. Officers have to rely on other agencies for immediate need and officer safety.

Mutual and Automatic Aid Agreements are in place for police and fire but what is often over looked is the decreased resources for the home agency for 9-1-1 responses.

Schools:
Only North Cow Creek and Columbia School Districts are mentioned in the Notice of Preparation. What about a high school? There are several schools the residents could choose from and many do not provide bus service thus increasing traffic counts.

Parks:
It is unfortunate and irresponsible that The County does not revise its policy on public recreation areas. The City's of Anderson, Redding and Shasta Lake having invested in neighborhood recreation facilities and welcomes all including Shasta County residences to use their facilities. So, this project would have a significant impact on neighboring communities.

RECREATION:

Because The County does not have any such policy in place and states in the Notice of Preparation that "The City of Redding has a number of recreational facilities" is putting the burden on other neighboring agencies to provide public recreation for Shasta County residences. This attitude is lacking respect for other agencies as they all struggle to maintain clean and safe facilities.

TRANSPORTATION/ TRAFFIC:

Many of the roads that service this project have not been up graded to meet the current demands of increased traffic. There are 90 degree curves, no shoulders, flooding occurs because of lack of maintenance of drainages and culverts, asphalt patch work that fails, general lack of ongoing road surface maintenance, private roads that should cause concern for emergency personnel and equipment to travel safely, school buses have to make illegal maneuvers on public roadways to turn around, the roads are unsafe for bicyclist because of; traffic speeds, no shoulder and reduced visibility. The list goes on in this category and there is no public transportation that serves this area.

An example of a traffic hazard in a school zone is Columbia Elementary School on Old Oregon Trail. The northbound traffic on Old Oregon Trail has to make an illegal left turn crossing a double yellow line to enter the school and an illegal left turn exiting the school.

UTILITIES AND SERVICE SYSTEMS:

Bella Vista Water can claim that they have the water allocation and looping the system will help with water pressures. What also must be communicated are the occurrences of water rations, restricted allocations, low water pressures, the higher rates compared to other neighboring water districts for current customers and the age of the water line infrastructure. Current customers have experienced when Bella Vista Water cannot meet the current needs.

We are all pioneers when we look to the future and envision the communities we want to live in. We should have new visions of seeing responsible, sustainable development that serves the environment and the individuals that chose to live here. We should be able to show case to the rest of the country that through transparency and responsible attitudes and actions that we all want a successful and sustainable community through responsible development.

Thank you for this opportunity to submit comments.

Respectfully,

Vickie Wolf

Vickie Wolf

November 26, 2012

Kent Hector, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer St. Suite 103
Redding, CA 96001

Dear Mr. Hector,

My family has lived at 22122 Old Alturas Road for over 22 years. I oppose the Tierra Robles subdivision proposal.

I would assume that most of the traffic resulting from the subdivision would use Old Alturas Road because there is close access to Hwy 299. Old Alturas Road is a narrow, windy road with a few very sharp turns. More traffic on the road will make driving it far more dangerous. Traffic noise will be increased which will make our quiet country setting feel more like a city street.

Bella Vista water supplies our home. We have very low water pressure. I'm afraid that when a big subdivision must receive that water, also, we will not have enough for our needs. We lost our first home on that property during the Jones Valley fire. There was no water to fight the fire.

My husband and I enjoy the wildlife that is part of living in the country. We especially enjoy the birds in our yard and those that fly overhead going to roost in the proposed subdivision area. The ecology in the area is so vital to a healthy environment. Space is needed for wildlife and the beautiful oaks and flowers. We must preserve open land to protect the environment.

I request that the zoning for this area be left unchanged and no subdivision be built.

Sincerely,

Virginia Siemens

Virginia Siemens
22122 Old Alturas Road
Redding, CA 96003
549-4897

Kent Hector

From: Peggy Jenkins [pj2323@yahoo.com]
Sent: Wednesday, November 21, 2012 1:28 PM
To: Kent Hector
Subject: Comments re: Tierra Robles Planned Development
Attachments: dev letter palo cedro.doc

Hello, Mr. Hector,

Attached is our letter in response to a request for community comments regarding Tierra Robles, the proposed subdivision in the Bella Vista / Palo Cedro area. We appreciate the chance to comment on this proposal.

Thank you,

William and Peggy Jenkins

William & Peggy Jenkins 10510 Northgate Road, Palo Cedro, CA 96073
email: bjenkins@windwardco.com

November 22, 2012

Mr. Kent Hector, Senior Planner
Planning Department, County of Shasta
1855 Placer St., Suite 103
Redding, CA 96001

RE: Proposed Tierra Robles Subdivision

Dear Mr. Hector:

My wife and I are new residents of the Northgate Road neighborhood in Palo Cedro. We moved here in June of this year, and are enjoying our new property and the town of Palo Cedro very much. It was quite a disappointment to us to hear that there is now a proposal to build a large project near the end of our road. Had we known about this in February, it might have been a factor in our decision to purchase land here.

I was a developer and builder in Santa Cruz County for many years. I made every effort to build attractive homes and small PUD's that were a good and sensible fit in their respective communities. I understand the owner's desire to maximize their profits on the development of this land; however, I am concerned about this project because it is not a good fit for Palo Cedro as it is now proposed.

This proposed project is not a good fit for many reasons. Most importantly, the requested zoning variance indicates some small lot sizes that are not consistent with the surrounding community. This, along with proposed infrastructure improvements, will likely encourage further development of large parcels of agricultural land in our area. The density of the proposed project would add significant traffic on Boyle Road, which is a narrow and winding country road. This is completely unacceptable to homeowners like us whose property borders Boyle Road, and who purposely sought out an area with larger properties and minimal traffic noise.

I respectfully encourage denial of this project. A good profit could be gained by splitting this property into three–to-ten acre lot sizes that are more in line with the rest of our rural area. Although any development of this large parcel would still negatively impact traffic in the area, I think it is a reasonable alternative to the proposal that is on the table.

Thank you for the opportunity to address this matter.

Sincerely,

William Jenkins
Peggy Jenkins

Kent Hector

From: Zoie Griffin [gypsy2012@gmail.com]
Sent: Tuesday, November 06, 2012 5:02 AM
To: Kent Hector
Subject: RE: Bella Vista Subdivision

Dear Mr. Hector,

A few years ago a proposal was made for a subdivision out here in Bella Vista. Probably the very one that was mentioned in the Record Searchlight today. One of the problems was sewer, in that the developer(s) would have to install a sewer system rather than septic tanks. All of us land owners out here are on septic tanks. How can we be assured that we won't be forced, and I do mean forced, into a system like the city of Redding. Would we be "grandfathered" in and allowed to keep our septic systems as we have all these decades? Would the developers and county use its power and money to make all of us have to pay for a sewer system that, clearly, is not needed?

I ask that someone please take the time to answer these questions. Thank you very much.

Zoie Griffin
(Thee lots west of Deschutes; one quarter of a mile south of Old Alturas. Can you understand my concern?)

SUMMARY OF COMMENTS

MEETING: **PUBLIC SCOPING MEETING**
TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

DATE: November 8, 2012

TIME: 7:00 PM – 9:00

LOCATION: NORTH COW CREEK ELEMENTARY SCHOOL
10619 Swede Creek Road
Palo Cedro, California

The following represents a summary of comments and questions presented by meeting attendees. Where one or more attendees addressed a similar issue of concern or project specific question, those statements were combined together to minimize redundancy. To distinguish between public statements regarding the project itself, or existing area conditions, and submitted project related questions, the "statements" are noted in *italics*.

1. Will the project construct the on-site residential units or is it just approving the lots for development?
2. Will the project include street lights?
3. Where will the new fire station be located or which existing station will provide fire protection services?
4. Who will be responsible for maintaining on-site and off-site roadway maintenance?
5. Is there adequate water supply to serve the project?
6. Is the amount of open space proposed adequate for the size of the development?
7. Subdivision of existing parcels will increase density resulting in greater hazards to the community?
8. Does Bella Vista Water District have adequate water during dry years?
9. *Existing Bella Vista Water District customers experience shortages during dry years.*
10. What is the capacity of the sewer district to provide service to the development?
11. *There would be potential blight resulting from undeveloped/unfinished lots.*
12. What is the adequacy of water service?
13. *The development would be attractive to crime if homes are purchased for investments rather than primary residences.*
14. Boyle Road is currently a hazard, particularly since the High School was constructed eight years ago, and the high rates of speed and blind curves?
15. *There will be a significant traffic impact(s) on other roads and down to Loomis Corner.*
16. Will the traffic engineer meet with residents to discuss issues for the traffic study based on locally observed conditions?
17. With the potentially significant impacts to Boyle Road, why is there not an access from Deschutes Road?

18. *There needs to be considerations made to school safety.*
19. *General safety issues at Old Alturas entrance due to the existing roadway configuration at that location.*
20. *Low water pressure delivery for many existing customers within Bella Vista Water District.*
21. How are the water delivery improvements to be assessed?
22. Will the development have a special water assessment and costs distributed to all Bella Vista Water District customers?
23. Where is the access point on Boyle Road?
24. Impacts to Clough Creek from roadways and surface drainages. How will the drainage be managed?
25. Will the widening of Boyle Road require additional property takes outside of the existing right-of-way?
26. *Proposed fire access road at Northgate cannot handle additional traffic.*
27. What mailing address will apply to the project area? Will it be a Bella Vista or Palo Cedro address?
28. What school district will this project impact?
29. *Impacts to eagles, hawks, deer, geese, and coyotes.*
30. *Too many small lots. Density is out of character with surrounding uses.*
31. *Growth inducing impacts will set precedence for increasing density in the area.*
32. Will lots have fireplaces and be able to participate in burn days?
33. *There will be an increase of smoke due to the addition of fireplaces.*
34. Will new residents be able to force the Redding Gun Clun to move due to excessive noise?
35. Will residents on Boyle Road have to pay or be required to hook up to the new sewer extension?
36. *There will be construction impacts from off-site utility construction.*
37. Is the site a high fire area and will it result in higher fire risk to surrounding properties?
38. Will equestrian uses be allowed on-site? Will the individual lots be considered an "Agricultural Use"?
39. Will the fiscal analysis cover anticipated costs to existing property owners to maintain infrastructure?
40. *The area uses volunteer fire fighters and law enforcement service has diminished.*
41. What are the costs to upgrade emergency services to meet need of the new residents?
42. Will the EIR address the characteristics of the project in terms of residents per dwelling?
43. Will impacts on schools be addressed from an increased student population standpoint?
44. Can larger parcels be placed along the perimeter (areas that are visible) to minimize the impacts to aesthetics?
45. *Higher density changes the rural character of the area.*
46. Are two entrances sufficient for the size of the project?
47. Will more homes change open burning restrictions?

Appendix D
Comment Letters Received in Response to 2016 NOP

March 7, 2016

RECEIVED
SHASTA COUNTY
MAR 11 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Mr. Kent Hector, Senior Planner
Shasta County Dept. of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Dear Mr. Hector:

I am in receipt of the Revised Notice of Preparation of and EIR for the Proposed Tierra Robles Planned Development Project. I would like to respond to this notice by expressing several concerns:

1. What will be the source of water for this project? I assume it will be Bella Vista Water District? What will be the funding source for the water? Who will be paying to provide water for this project? Will it be included in the cost of the housing and passed along to the buyers, or are surrounding property owners going to be assessed additionally via property taxes as was the case with the Logan Road Water Project?

2. What will be the funding source for the installation and maintenance of the proposed onsite waste water treatment facility? Will surrounding property owners be forced to hook up to this facility (resulting in additional property tax assessments or monthly fees) or will it be for this project exclusively?

3. According to the location map, only two access roads are shown. I am concerned that this will eventually result in increased traffic congestion on Boyle Road, and feel that additional accesses from Deschutes and Old Alturas Roads are warranted.

I plan on attending future meetings of the Planning Commission and Board of Supervisors related to this project. While I do not represent all surrounding property owners, I have been in contact with several and all have expressed similar concerns.

Thank you for your time and I look forward to your response in writing at your earliest convenience.

Sincerely,

Allan M. Schmidt
10169 Rocking Horse Lane
Redding, CA 96003

Kent Hector

From: Anne Schoenberger <gladstoneanne1@yahoo.com>
Sent: Friday, March 18, 2016 10:51 AM
To: Kent Hector
Subject: 166 Rezone

My name is Anne Schoenberger. My address is P. O. Box 1293, Palo Cedro, CA 96073. I am against this development.
Sent from my iPhone

March 21, 2016

Mr. Kent Hector
Senior Planner
Shasta County Department
Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

RECEIVED
SHASTA COUNTY
MAR 24 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Re.: Tierra Robles Planned Development Project

Mr. Hector,

As by now you will have received various comments regarding the project and I am sure you will have heard the concerns raised in regards to anticipated water consumption and increased traffic flow on Boyle Road. Since I live on Boyle Rd. the increased traffic does raise my concern and I am confused in regards to the availability for increased water supply by the Bella Vista Water District since the current customers have to contend with a limited supply enforced by water usage allocated financial penalties.

Again, as stated before you are definitely aware of my concerns and I hope they will have some impact in your decision making process.

Sincerely,

Bert I. Aarsen
21444 Boyle Rd.
Palo Cedro, CA 96073

2/3/16

Mister Kent,

We as residents of Boyle Rd. are very concerned about the housing going in our area. We live at 21242 Boyle Rd. And we have many concerns, among which are that there is to be no community meeting where all inputs and objections of our neighborhood can be aired. Many of our concerns are. Increased traffic, scarcity of water, Street lights, increased burden on schools, sewer treatment, water run off, how many trees will be cut down, fire protection, fire insurance will increase, density of housing, will there have to be low income houses built. And if these homes can be just a little over and acre apiece, then we as adjoining neighbors will have to be allowed to split our land and split and sell acreage so other house can be built on our property. And this is a given that we will do so, which will further complicate the problems involved. We hope you will arrange to have a meeting soon for all our neighbors to give there em put! We feel there is a fast one being thrust upon us in not doing so.

Very concerned!
Mr. & Mrs. Schilling

RECEIVED
SHASTA COUNTY
MAR 07 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Brad and Barbee Seiser
10603 Northgate Drive
Palo Cedro, CA 96073
530-549-3532

RECEIVED
MAR 15 2016
COUNTY OF SHASTA
PERMIT COUNTER

March 14, 2016

Mr. Kent Hector, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street
Suite 103
Redding, CA 96001

RE: Tierra Robles Revised Project 2016 NOP

Dear Mr. Hector,

Thank you for notification of the Revised NOP of an Environmental Impact Report for Tierra Robles Planned Development Project. Since this project was originally proposed we have been opposed to the building of this development and the needed rezoning of this land for that purpose. We moved to Shasta County 14 years ago to escape the overdevelopment of the Bay Area by buying a home on 4.5 acres in a rural zoned community. The Tierra Robles project of 166 new homes opens the door to turning Palo Cedro into a developer's wonderland where a once purely rural area, marked by 3-5 acre parcels will open the door to a morass of subdivisions with all the attendant problems that the Bay area experiences daily.

The addition of these 166 subdivision homes to the area will not only detract from our rural environment, but will negatively impact our property values (already depressed) since the rural character will be changed. As with most subdivision developments, the Boyle Road entrance will likely have the usual big splash of a Tierra Robles sign, and the attendant marketing sales flags or signs which will substantially degrade the existing visual character of the area. This development will stick out like a sore thumb in a rural setting. The proposed rezoning of the project will substantially reduce the average parcel size below the 3-5 acres that are primarily zoned on the subject property. In particular, the 17 homes (mini parcels) planned for the entrance roadway off of Boyle will not fall within the 3-5 acre parcels that are consistent with our community and most of the land on the subject property.

These 166 homes negatively impact the water and traffic infrastructure of our community, as well as, fire and police protection. Regarding water, these added homes will put a tremendous strain on the existing Bella Vista Water District water and pumping capacities. At this time, water pressure is poor and with these added homes drawing more water, firefighting efforts will be hampered by lower water pressure, creating an even greater wildfire danger to our home.

We are in the midst of a severe drought, with our community being on a Stage 3 water rationing. We have been diligent in cutting back our water, however how can it make sense to add 166 new homes at this time or even in the foreseeable future? Existing customers will have to pay higher water and pumping capacity costs as current resources are not adequate for these new homes. It is mind boggling to think that Bella Vista Water district gave a "Will Serve" letter without public comment, and in light of the current water rationing situation. Who knows when this drought will end?

These 166 homes will bring an added fire danger since past fires have shown that the area is prone to wildfires and low water pressure for fire suppression. Given the recent past history of *severe* wild fires in this area, how the NOP can designate this as a "Moderate" fire risk area? Certainly this must be a mistake? If the fire danger is "Moderate", then how come insurance companies are making it more difficult, if not impossible, to acquire new or revised policies due to the increased risk of wildfires in this area? These added homes will only add to these insurance difficulties for existing homeowners. We ask that this "Moderate" assessment be changed to "Severe".

Section XVII Utilities and Service Systems, Section d) relates to "sufficient water supplies available to serve the project." The assessment of your office notes this issue as "Less Than Significant Impact". Given the concerns raised above, we believe your good offices should change the designation to "Potentially Significant Impact" so it can be accurately addressed in the Environmental Impact Report. Please confirm the adjustment of this designation.

Regarding traffic congestion, we object to the anticipated increase of at least 10 vehicle trips per day per home coming onto Boyle Road. We think this is a conservative estimate and not an accurate reflection of what is likely to take place. Boyle Road currently has high traffic volume in the morning as Redding commuters are going west to connect with Old Alturas Road, while parents and teen drivers are driving east to Cow Creek Elementary and Foothill High Schools. A reverse situation takes place in the afternoon. With a subdivision entrance on Boyle there are more likely to be accidents due to the fact that car speeds on this road tend to be in excess of the speed limit (teen drivers) and cars turning into and out of the development in either direction will affect safe traffic flow. With the added traffic and the significant number of curves on Boyle, travel on this road can only get more dangerous. There has already been a loss of life on this roadway.

Another factor will be the additional wear and tear on Boyle Road due to the added vehicle trips per day per home. As it is the County is resurfacing large sections of Boyle road every 1-2 years. Where is that money going to come from?

Disturbingly, the NOP already notes that "A traffic impact study prepared by Omni-means (May 2015) for the proposed project indicates that additional vehicle trips generated by the proposed project **along with anticipated traffic from other future development in the area**, will require mitigation measures to provide additional capacity (e.g. intersection and roadway widening) and improved control and safety (e.g. intersection signals and roundabouts)." *You can see by the **highlighted words** that it has already been predicted without public comment that there will be anticipated traffic from future development in the area. It would appear that the growth genie is out of the bottle!*

It should be noted that we live on Northgate Drive (off of Boyle Road) which leads north to the subdivision property. Northgate Drive is a Private Road and residents on this street whole heartedly object to Northgate being used for any access to this Subdivision, for any purpose whatsoever, including but not limited to, construction vehicles, resident's vehicles, emergency fire and police access etc. Our road curves and it is somewhat narrow at points (less than two vehicles can pass at the same time) and is currently in need of a repaving in many areas.

Finally, the newly proposed onsite waste water treatment facility with open air processing will result in horrendous smells emanating from the property and will impact properties on all sides of the project, particularly from the prevailing north and south winds. This will definitely affect our home on Northgate Drive. This is unacceptable!

The above issues make this project unacceptable to us. We look forward to receiving your response to the concerns and questions in this letter.

Very truly yours,

Brad Seiser Barbee Seiser

Brad and Barbee Seiser

Cc: Redding Record Searchlight
The Local Agency Formation Commission
Bella Vista Water District

Kent Hector

From: David Waters <dwaters@frontiernet.net>
Sent: Thursday, March 17, 2016 2:28 PM
To: Kent Hector
Subject: Tierra Robles Planned Development - Comments

Dear Mr. Hector,

As residents of Palo Cedro for 37 years, we are concerned that our rural lifestyle and amenities will be adversely impacted by the proposed Tierra Robles project. After reviewing both the 2012 and 2016 revised IS studies, we recognize that many of the potential negative effects of the project have been classified as having "Potentially Significant Impact" in the "Evaluation of Environmental Impacts" section of both versions. However, there are several areas of concern within the 2016 IS report in the introductory and "Evaluation of Environmental Impacts" sections which we would like to take exception to.

Introduction Section:
On page 1, section a) [or is it 8. ?], "Description of Project": Why should the County allow the developer to partially divide all but about 200 acres of the 715.4 acre property into 1.38 acre to 6.8 acre parcels through the use of a "Planned Development Zone District" tactic in this part of Palo Cedro? Even some of the current APNs contained in the property are zoned for minimum lot areas of three to five acres. The change to allow for one acre parcels will set a precedent for future 're-zoning' or PD development for future sub-divisions to have smaller lot areas.

Evaluation of Environmental Impacts Section:
III. Air Quality: e) *"Create objectionable odors affecting a substantial number of people?* [Rated: **NO IMPACT]** The 2016 IS now contains provision for "An on-site infrastructure for the conveyance, treatment and disposal of the waste water generated on-site. The treatment and disposal of the waste water will be managed onsite with the operation and maintenance performed by the Tierra Robles CSD." Unlike the 2012 IS, where the waste water from the development was to be conveyed offsite, it will now be treated onsite which may in fact result in objectionable odors affecting a substantial number of people. This seems to be contrary to the "no impact" finding contained in the 2016 IS.

XVII Utilities and Service Systems: d) *"Have sufficient water supplies available to serve the project which serves or may serve the project from existing entitlements and resources, or are new or expanded entitlements needed?"* [Rated: **LESS-THAN-SIGNIFICANT-IMPACT]** Since the 2012 IS report, the Bella Vista Waters District has been faced with an insufficient water supply from its own wells and water purchases and has had to severely curtail distribution to its customers through voluntary compliance or stiff penalties. In light of these action by the BVWD, it's inconceivable that the 2016 IS study could classify the existing water supply issues as having a "less-than-significant impact" on the BVWD customers. Adding 166 homes will certainly only exacerbate the current water shortage issue. Water availability aside, the current BVWD system water pressure tends to be low and/or fluctuates sometimes to the point of not being high enough in certain areas to adequately allow certain household conveniences to function properly.

Finally, the 2016 IS report itself exposes many negative issues that need to be adequately and sufficiently addressed such that the Tierra Robles development will not negatively impact the country style of life that many of us have become accustomed to in the Boyle Rd. area of Palo Cedro. The traffic increase alone on Boyle and Deschutes roads since the advent of Foothill High School has been huge. This, along with all the other identified issues, begs the question: Is the placement of the Tierra Robles development in Palo Cedro area a good idea? We think the answer is a resounding no and urge that approval of the project be denied.

Sincerely,

Carol & David Waters
10303 Jackson Hole RD.
Palo Cedro, CA 96073-9772

530-549-5669

Feb 29, 2016

To: Shasta County Dept of Resource Management; Attn: Kent Hector

From: Carol Betush, 11411 Suggie Lane, Redding 96003

Re: Tierra Robles Planned Development Project

RECEIVED
SHASTA COUNTY
MAR 02 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Dear Sir;

I live in the area bounded by the parameters of the project stated above. My biggest concern about going forward with adding 166 residential properties is WATER.

All of the neighborhoods in the Bella Vista Water District have been severely restricted in water use in the past two years and will continue this year. How will that many new homes impact existing homes water supplies? We have lost $$$ in our landscaping.....in my case, 35 years worth. Do new homes get to have water at our expence.

And then there is Old Alturas Road. At best, it is old and in need of repair. It has hardly any shoulder for walkers or bike riders, of which there are plenty. What is the impact of 166 or more cars using this road daily, especially between Old Oregon Trail and Boyle. Will dirt roads that exist today become feeder roads for the development and if so, will current residents have to give way for that access.

I am in favor of progress, growth and development but must be done with the current situations of the times in mind. Please be mindful of those that already call this area home and make sure our needs continue to be met without being compromised.

Sincerely,
Carol Betush
Carol Betush, Owner

Kent Hector

From: Chris Alexander <gr8scotpc@gmail.com>
Sent: Thursday, March 17, 2016 9:00 PM
To: Kent Hector
Subject: Fwd: Tierra Robles

Mr Kent Hector,
I have followed this project development and find adjusting the minimum acreage that has been the standard to as low as 1.66 acre lots not acceptable. The density of this project does not reflect the community it is proposed in. Progress and building are a part of growth for a community but impacting the face of the community and the quality of it's structure and life is a disservice.

Chris Alexander

March 15, 2016

Mr. Kent Hector, Senior Planner

Shasta County Dept. of Resource Management,

Planning Division

1855 Placer St. Suite 103

Redding, Ca 96001

RECEIVED
SHASTA COUNTY
MAR 18 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Re: Tierra Robles, proposed planned development

Mr. Hector,

For the record, we are strongly opposed to a subdivision of this size for all of the same reasons that have been stated in the past by many people around the area opposed to the project as well. Traffic on Boyle Rd. and Old Alturas Rd., which are both substandard as far as design and have led to many accidents in the 35 plus years we have lived in the area. These roads will not be improved by a wastewater treatment facility, nor will it help to supply the water for all of these added parcels!

The maps in the reports and information are very erroneous and do not clearly address the issue of ingress and egress, so one is left wondering if it was an accidental omission or an "on pupose" omission!

So no to the planned development that does nothing for the existing surrounding area but add more Traffic, water issues , noise, pollution etc.

Sincerely, Dan & Linda Colwell, 10714 Whistleberry Way, Redding 96003

Dan Colwell

Kent Hector

From: davidandlyndse Bullard <dibullard@hotmail.com>
Sent: Thursday, March 24, 2016 11:53 AM
To: Kent Hector
Subject: Tierra Robles Project

Kent Hector,

My name is David Bullard and I live at 21353 Boyle Rd. I have some concerns with the tierra robles project that is in the planning. I am concerned the most with the amount of traffic it will add to Boyle road. Boyle is already a very busy road and is narrow with a lot of sharp turns . I feel like adding 300+ cars to this road multiple times a day will make it into a highway. The road noise will be miserable. How and what improvements could be made to decrease traffic? Could there be more entrances ? So only some would use Boyle road. Will it need to be widened and a turning lane added? My second concern is the waste water treatment . I live downwind from this project and I don't want to smell a sewer plant. I don't think it's right to make everybody who moved into the county for the fresh air , peace and quite, to have to smell that. How will they be able to control the smell? Why don't they have to put in a septic like everyone else? My next concern is the lot sizes. I feel like the current zoning of 5 acre lots is what helps property values in the neighborhood. If they put houses on small lots , under 3 ,I think it will really decrease property values for my neighbors and I . If they wanted to put 5 acre lots I would be a lot more supportive of this idea, and I think a lot of others would to. This project is not being built out in the middle of nowhere where there is nothing around. It will be completely surrounded by 5 acre + lots. It's not right to let them put this in the middle of all the existing properties.

Thanks,
David Bullard

02/24/16

RECEIVED
SHASTA COUNTY
FEB 29 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Doug and Dianna Stephens

21724 Old Alturas Rd.

Redding, Ca. 96003

549-4466

Shasta County Planning Department

Kent Hector

1855 Place St. Ste 103

Redding, Ca. 96001

RE: Tierra Robles Project

Mr. Hector,

We are opposed to the planned development for several reasons.

1. Increased traffic past our home. Old Alturas is already a very fast road. The noise has increased over the years from high traffic levels. It is used as a short cut for 299 if you were not aware.
2. We are concerned odors or contamination from the waste water facility will compromise our quality of life.
3. Property values will decrease due to the high concentration of homes. The area is attractive due to the rural lifestyle.

Thank you for your consideration. We would like to attend meetings in the future.

regards,

D. and .D Stephens

RECEIVED
SHASTA COUNTY
MAR 09 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

3-7-16

Kent Hector

This letter is in response to the Sierra Robles Planned Development Project.

I oppose the project going any further due to the fact that living just one street over on Northgate Dr., I don't want an on site waste water treatment facility in my back yard. The odor will not fully be contained. I don't want to be outside on my property feeling as tho I need to wear a gas mask on a breezy day when I once enjoyed the clean air we once had before the project. Plus it will lower our property values if the odor cannot fully 100% be contained. We are still in a "drought." It seems rather foolish to add more subscribers to a water system that has already put its customers on a reduced water program.

These three main issues are the reason I vote no on the Sierra Robles Project at this time.

Mary B. Smith
& family

10660 Northgate Dr.

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name: GERALD HAYLER

Agency:

Mailing Address: 21212 OAK KNOLL RD

Phone Number: 549-5138 EMAIL GRHAYLER@CPP.EDU

Comments:

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

2016 Comments on the Tierra Robles Planned Development Project Zone Amendment Z10-002 and Tract Map 1996 Environmental Impact Report

Submitted by Gerald Hayler, 21212 Oak Knoll Rd, Redding, CA 96003, grhayler@cpp.edu (530) 549-5138.

1. The current zoning of this area allows Residential 5 acres minimum, Residential 3 acres minimum and Unclassified which may be used for residential lots of not less than 8000 square feet. The proposed abandonment of current zoning and replacing it with Planned Development allows urban style lots of 6000 square feet. For comparison, 5 acres is 653,400 square feet and 3 acres is 130,680 square feet. The Planned Development request would effectively change a portion of their area from rural character to urban housing density. Abandoning the current zoning for this project would open the flood gates to other urban style projects that have been considered such as the recent sale of the 240 acre parcel on the west side of Old Alturas at the junction of Boyle Road, and another project of 155 homes which was to be located just west of Old Alturas across from the Shadow Lakes Ranch and was then considered unfeasible for lack of sewage disposal.

2. Water: The Bella Vista Water District (BVWD) supply capability is limited and its service is marginal. We are currently in Severe Drought Stage 3 with the ultimate stage 4 approaching. Stage 4 will authorize BVWD to refuse new hookups. When created the BVWD contracted the Bureau of Reclamation for 24,578 acre-feet per year, but in 2015 they were only getting 1,829 acre feet. That is a severe limitation on our water supply. They have had to restrict users to a fraction of the average usage of the last three years prior to the drought. An example of the marginal operation of BVWD is that our maximum water pressure is only 60 psi in the winter and 40 psi in the summer. We are lucky as others in our area are complaining about 30 psi or less. Drought is a way of life in California. No one can predict how long the current drought will last or when the next one will occur. We need to be prudent with our allocations and use of water, not cutting supplies to current residents so a big investor out of the area can make some bucks.

Several years ago a housing project was created in Anderson and then it was discovered that they had not planned for adequate water service and there are homes that were built there then some of which cannot be sold because they still do not have water.

3. Increased Traffic: The neighborhood history as related to us is that the house on the North East corner of Old Alturas Rd and Falling Oaks Rd was a Stage Coach stop, most likely on the way to Alturas. The path of Boyle Rd would also appear to be a stage coach era road. There are some apparent minor realignments to Old Alturas but not significant enough to handle increased traffic. The new traffic circle on Old Alturas and Shasta View that was just installed to improve traffic flow should be checked at 7:50 am on a weekday to see how traffic is backing up under current conditions. The Shasta County Environmental Check List Form Initial Study (Initial Study) page 17 suggests that 166 homes would be expected to generate 10 trips per home per day. That is an addition of 1,660 equivalent trips on our old roads designed for stage coach traffic. It now has drivers that travel over the speed limit and more cars will add to the danger for people, pets and wildlife.

9. Failure to Complete: On a visit to Fort Myers, Florida in the late 1980's I was given a scenic flight over mile after mile of land cleared of vegetation with streets, cul-de-sacs and other infrastructure which had been created and then abandoned. I did not see a single house built in this enormous project. My concern here is that the recovery has barely begun from the housing bubble failure. The economic recovery at the national level does not have a stable footing and California has raised taxes and is now the highest of any state in the nation. We are in the beginning stages of building an $800 Billion Bullet Train of less than current design standards from somewhere near Oakland to somewhere near Grapevine and a $23 Billion peripheral tunnel under the delta to route our water to Southern California which may well impact the BVWD draw of water from the Sacramento River. All this is to imply that the probability is less than 100% that the TR project will find an economic environment for success. If so, will we be left with an abandon infrastructure where there are currently wildlife and oak trees?

10. Light Pollution: We are concerned about the housing density in the southern corridor of the TR project. After 40 years in the LA Basin, the Milky Way is now a common sight. We have spent many evening hours outside watching the night sky. It is not uncommon to see 3 shooting stars and 3 satellite flyovers from our lawn chairs before going inside. We also witnessed the undocking of the Space Shuttle from the International Space Station from our yard with out the need for binoculars.

In summary, we are concerned about the ability of BVWD to provide service to TR without affecting our water service or increasing our cost; ; the 1,660 additional car trips on our less than modern roads. With respect to sewage treatment there are many unanswered questions about how much water will be required to service the sewer system, how will the effluent be handled, and will we be subjected to smelly aromas emanating from the process. Will additional air pollution restrict our current use of firewood for heating; the impact on police, fire and school services; the potential loss of the RGC due to noise complaints or fear of nearby firearms activity; the potential loss of local wildlife and star gazing; and what we will end up with if the project is abandoned after removing trees and installing streets and housing should the economic nose dive reoccur before the project is completed.

Please maintain the current zoning and do not allow the Planned Development containing housing density that is greater than currently allowed. The beauty of our area should not be destroyed by the likes of Beverly Hills investors looking to make financial gains by urbanizing our rural Shasta County.

Thank you for your consideration,

Gerald & Susan Hayler

Kent Hector, Senior Planner,
Shasta County Department of Resource Management,
Planning Division,
1855 Placer St., Suite 103,
Redding, CA 96001.

Dear Mr. Hector,

We have lived at 10024 Roadrunner Way since the year 2000. We are opposed to the Tierra Robles subdivision for the following reasons:

1. We are in a persistent drought. All existing homeowners live with water restrictions. There is simply not enough water on this ridge for this type development in this area.

2. Boyle road is already too busy. We are concerned about sewer, services and the in ability for the soils to perc effectively for this level of impact. Other subdivisions in the Palo Cedro area have failed after the land and habitat was altered.

3. We live here for the quietude this area offers. We intentionally did not move to an area that included subdivisions. If this subdivision is approved and built others will follow and the ascetics' of the area and the lifestyle it offers will be forever changed.

4. There is extensive wild life habitat across this ridge. There is small game, a variety of birds including screech owls and western bluebirds. Small lots, increased traffic and noise and light pollution will have an adverse impact on wildlife populations.

4. We request that the zoning for this area be left unchanged and that planners do not encourage leap frog development in Shasta County. Use wise planning and keep the more populated neighborhoods closer to town.

Sincerely,

Glenn and Sara Hoxie
10024 Roadrunner Way
Redding, Ca 96003

(530) 221-7057

RECEIVED
SHASTA COUNTY
MAR 15 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

DATE: March 12, 2016
TO: Shasta County Planning Division
ATTN: Kent Hector
RE: Tierra Robles Planned Development

Dear Sirs,

I was one of the many concerned residents who attended the community meeting at North Cow Creek School last year. Many residents voiced their concerns, with much vocal support and approval from the audience. The concerns were myriad and I sincerely doubt that those worries have dissipated with the new plan revisions and amendments to zoning. It appears that momentum is building with the county planning department submitting to the desires of big-money development, at least compared to what we are accustomed to in our rural lifestyles. We carefully chose to be in a low density, natural setting and we guard our solitude seriously, and I am sure the same is true of my neighbors. If we had wanted a suburban lifestyle, we would have bought a tract house in a subdivision nearly 30 years ago.

To specifics, I draw your attention to Bella Vista Water District which cannot meet the needs of the present population it serves. Are these new residents bringing with them some magical new source of drinking water? Of course, we do give them kudos for addressing the wastewater aspect but that would be an after-thought. Which of the 3 local K through 8th grade schools would be able to absorb another few hundred students? The roads would be overwhelmed with traffic, making pedestrian or bicycle travel perilous. Air pollution would become more of a problem. One proponent of this project mentioned that most people would chose to travel north to highway 299 to get to Redding, but that is an erroneous assumption, considering that most destinations are much closer to the south. Noise and dust are further concerns. I hope that I'm not alone when considering the environmental impact of pushing wildlife further and further from their homes, and 166 homes full of people would be difficult to mitigate. The recent droughts have left us with severe water restrictions and wildfires are a constant worry. Leave us to our chosen lifestyle and don't consider this ill-advised boondoggle any further. We don't need to add a city to our small rural area.

Your planning department wisely developed the current zoning of Rural Residential 5 acre minimum and Rural Residential 3 acre minimum to be a guiding criteria for future development, and not subject to a developer's investment interests. Based on those established guidelines, we have not sub-divided our lot for profit nor have our neighbors. We value a rural lifestyle more than money in the bank account. Please abide by your own zoning guidelines.

Sincerely,
Greg and Kay Gibson

Kent Hector

From: Jean Sturm <gun1@citlink.net>
Sent: Wednesday, March 16, 2016 10:23 PM
To: Kent Hector
Subject: No to Tierra Robles current plan

Dear Mr. Hector,

We have been residents in Palo Cedro for 35 years. We chose to move here because of the wonderful ambiance of country living, with space, quiet, less traffic, a small school and the fact that we would be serviced by a water district. We are really concerned about this new 166 lot subdivision being shoved down our throats. We know that our way of life is being threatened. We believe this for the following reasons:

1. The number one decision for selecting this area of Palo Cedro was the fact that we would be serviced by Bella Vista Water District. For the first few years we were okay with the service from Bella Vista Water District, but that satisfaction has slipped. The service we now receive is less than adequate throughout the year. The main complaint we have is the lack of water pressure. It fluctuates, and can be a problem, especially when other people are using their water to do whatever they do. Furthermore, we lost water to our house during the fire in 1998. The only reason our house was left standing is because a D9 came crashing through brush and cut a wide swath to stop the flames from consuming our house. I know that our water service will be further compromised if this development goes through.

2. The zoning is not appropriate for this area. Like everyone else out here, we chose to live in this area of Palo Cedro because the lot sizes were 3 acres or more. Now, this development will include lot sizes much smaller than this. This will change the face of this part of Palo Cedro as we all know it in very negative ways. Smaller lots in this subdivision will set a precedent. I know other developers are watching what will happen in this proposed subdivision, and will try to match whatever lot size might be approved in Tierra Robles.

3. Traffic will greatly increase on Boyle Rd. If this monster goes through, many of the residents will use Boyle Rd. At it is now, since the opening of Foothill High School, there has been a big increase in traffic on Boyle. The school is a necessity, this subdivision is not!

4. I am very concerned about the sewage disposal system that is proposed. I understand that it is not sufficient for 166 families crammed into such a small area. I know there is a lot of unusable land included in this area. I know there is a lot of hardpan in this area, as well. Hardpan and wastewater can be a real problem. Especially if the waste water is not processed correctly.

I earnestly implore you to deny approval of the current plan for Tierra Robles because it is bad for this part of Palo Cedro.

Respectfully,

Gunther and Jean Sturm
10295 Jackson Hole Rd.
Palo Cedro, CA 96073

gun1@citlink.net

Kent Hector

From: Howard Harbert <hgharbert@yahoo.com>
Sent: Thursday, March 24, 2016 10:59 AM
To: Kent Hector
Subject: Tierra Robles project

Statement-- 166 parcels at 2cars per parcel(probably more), add in all the existing streets that use Old Alturas and Boyle Rd, and all the traffic on Boyle Rd from people going to Foothill high school (when school in session) I am wondering how these two roads, as is now will handle the extra traffic. I am aware that there will not be all the extra traffic until full development.
Question--- left turn lanes, widening,other improvements needed for the roads,when, who pays for these improvements (existing tax payers -- as time goes by) or developer?
Statement-- thru out the year as we drive by one of the city's waste water treatment facilities (south of 44 and west of Shasta View), there are TERRIBLE smells coming from the plant
Question--- what kind of a guaranty for all EXISITING and proposed parcel owners to not have to put up with smells from the proposed waste water treatment facility?
Statement--- I am a local contractor (since 1980) and have been making a living from development and growth so I am not against development and growth. However, I really do not see that CRAMMING this type of development into this area is a positive THING for us in the area or Shasta County. As this works thru the process it will also be interesting to see what Bella Vista Water has to add to this development (hopefully there will not be 166 new water wells put in).

Thank you HOWARD HARBERT---- hgharbert@yahoo.com

Sent from my iPad

Jason and Amy Luther
21222 Falling Oaks Road, Redding, CA 96003

RECEIVED
MAR 24 2016
COUNTY OF SHASTA
PERMIT COUNTER

Kent Hector, Senior Planner
Shasta County Department of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding CA 96001

03/24/16

Subject: Terra Robles Planned Development Project

To Whom it May Concern

We are writing in response to the Terra Robles Planned Development Project. We do not believe this project should proceed as planned due to many concerns. First we moved into the area due in part to the large lot size, about 5 acres or more. We did not think that there was a possibility that the county would rezone the acreage behind our property to allow for lot sizes as small as 1.38 acres and include a large subdivision. We are also concerned that 166 homes will substantially increase water runoff into Clough Creek and affect the lower lying areas with homes in our area possibly causing existing homes to flood. Another concern is that the "open space" or buffer space on both sides of Clough Creek will become an area open to foot traffic. Thus providing an easy way for people with possible bad intentions to access the back of our property unnoticed. Also a concern is the increase in traffic on Old Alturas Road, Seven Lakes Road and Boyle Road. These roads are curvy, slow, country roads and not built to handle the traffic increase that 166 additional homes would bring. In addition, we keep hearing from Bella Vista Water District that they don't have enough water to service the homes already in the area. Adding 166 more homes to our already stressed water system seems irresponsible. The proposed Terra Robles Planned Development Project includes a provision to add a sewage treatment plant, this would be a true determent to existing homes in our area as the smell would drift on the wind which is nearly constant in this area. I am sure you can understand that we do not want to go outside of our home and smell that! The area across the east boundary of our property is full of wildlife. We regularly see or hear Black tail deer, Wild turkeys, coyotes, rabbits and a large variety of birds. One reason we moved to our home is because we enjoy seeing and

hearing the wildlife and our beautiful view of the undeveloped property to our east. We believe there will be a great loss in the diversity and numbers of wildlife in our community if this area is rezoned and this project allowed to proceed.

Thank you for your careful consideration of our concerns regarding this proposed project.

Sincerely,

Jason and Amy Luther

March 7,2016

RECEIVED
SHASTA COUNTY
MAR 09 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Mr. Kent Hector, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street
Suite 103
Redding, Ca. 96001

Re: Tierra Robles Planned Development

Dear Mr. Hector:

I am sure you have been listening and reading all the weather reports about our severe four year drought. And, even though we have had rain and snow, California, especially here in our area, still are in a very serious drought situation.

Therefore, for the life of me, I can't understand why, or believe that the development of the Tierra Robles project is still being considered.

I have been a resident on Boyle Road since 1979, and at that time there was hardly anything around us. Over a period of time I have not only seen additional housing developments, but more traffic on a VERY WINDING NARROW TWO COUNTRY ROAD. Along with the every day traffic, since the construction of Foothill High School, Boyle Road receives heavy traffic use. IT IS LIKE A FREEWAY.

There have been wildlife, dogs, cats, and even a horse killed on Boyle Road. With the approval of this project there surely will be more animals either injured or killed, lying on or beside not only on Boyle Road, but the other side roads involved in this proposed project. BOYLE ROAD IS AN EXTREMELY DARK ROAD AT NIGHT, WITH NO LIGHTING. Is it going to take a human life or injury to prevent this project from going forward? Also, why have just a few of us been notified about this project and not the whole neighborhood? Meaning those who live on the side roads that intersect with Boyle Road.

We moved here because we wanted to live in a RURAL OPEN SETTING, without a lot of people, as well as the traffic, which always comes along with more housing developments.

Not only am I concerned about more houses, noise, traffic, etc., but now we have Bethel Church wanting to build more facilities, so my question is, WHERE IS THE WATER RESOURCES GOING TO COME FROM. Every year Bella Vista Water District has concerns about

drought conditions if we don't receive enough rain. With an additional housing development this only puts more strain on an already overwhelming agency. For those of us, including myself, who have lived here for a period of time, WE FACE THIS ISSUE EVERY YEAR. ARE WE GOING TO HAVE ENOUGH WATER. For the past several years, we have had to cut back on our water usage because of the drought situation.

With our already depleting sheriff department, police department, and fire stations, this proposed project will only cause an increaing hardship over these already stressed agencies. The respond time will be even longer than it already is right now for any incident that happens.

And as far as the school issue goes in the surrounding area, they are already over crowded. Where are the kids living in this proposed project supposed to go school? MORE SCHOOLS MEAN HIGHER PROPERTY TAXES.

If this project is allowed to split the acreage into smaller lots, then those of us who have larger pieces of property should be able to do the same. Can you imagine the impact this will have on the environment then? And speaking of environmental impact on the area, what about the on-site waste-water treatment facility they are proposing?

This envirmental impact all begins with the cutting down of trees, moving the ground around to make room for this project, but most of all the impact it puts on all the wildlife that live and use this area.

There already so many lots and houses for sale, just read the newspaper or go on line. If these lots don't sell, then the damage will be done, and all we will have is A ONCE SERENE OPEN AREA DAMAGED AND GONE FOREVER. This proposed project not only effects those of us who live near the site, but for all of those who live several miles around it.

It stands to reason the approval of the proposed project would definitely have a significent impact on this area. ONE THAT WILL BE DETRIMENTAL INDEED, if the additional 166 residental development IS ALLOWED TO HAPPEN.

In closeing, I would like to quote a comment from the Record Searchlight from Johnnie Powell, a forecaster with the National Weather Service. "Our winter, unless it's a massive flood, doesn't get you out of a drought. Every little bit helps BUT WE'VE GOT A LONG WAY TO GO .

Sincerely,

Jeannette Baugh

Jeannette Baugh
21241 Boyle Road
Redding, Ca. 96003

March 13, 2016

RECEIVED
SHASTA COUNTY
MAR 16 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Ms. Pam Giacomini, District 3 Supervisor
1450 Court Street
Suite 308B
Redding, Ca. 96001

Re: Tierra Robles Planned Development

Dear Ms. Giacomini:

I sincerely hope that you will take a few moments to read my letter, as well as the enclosed, and not just throw it in the waste basket or put it through the paper shredder.

As you are the Supervisor for District 3, the area in which I reside, I am enclosing a copy of the recent letter I wrote to Kent Hector, Senior Planner, Shasta County Department of Resource Management, regarding the Tierra Robles project consisting of 166 residential parcels.

Myself, including all of those who live within this proposed project, or those impacted by it, DON'T WANT THIS PROJECT APPROVED. IT APPEARS TO ME THAT IT'S THE "BIG MONEY" THAT IS SPEAKING FOR THIS PROJECT, AND NOT THE ACTUAL CONCERNS OR HEALTH OF MYSELF OR THE OTHER RESIDENTS EFFECTED BY THIS PREPOSTEROUS DEVELOPMENT. It is my understanding THAT THE PROJECT IS BACKED BY A "BIG TIME LAWYER", who doesn't even LIVE IN OUR AREA, BUT LIVES IN SOUTHERN CALIFORNIA. WE NEED YOU TO STAND BEHIND US AND REPRESENT US ON THIS VERY IMPORTANT ISSUE. As a matter of fact, we need the complete support of all The Shasta County Board of Supervisors. Therefore, I am sending a copy of this letter to them, as well as my letter to Kent Hector. By the way, I have been told this are is considered a wetland area, and a few of the residents have even SEEN A EAGLE.

Election time is just ahead of us, and District 3 has another opponet running, who as assured us they will stand behind us and represent us on this very important matter.

In closing, I would like to stipulate again, if this project is approved, THE ONCE SERECE OPEN WILD AREA, WE AS RESIDENTS HAVE COME TO LOVE AND ENJOY, WILL BE DAMAGED AND GONE FOREVER.

Sincerely,

Jeannette Baugh

Jeannette Baugh
21241 Boyle Road
Redding, Ca. 96003

cc: Shasta County Board of Supervisors
Kent Hector

March 13, 2016

Shasta County Board Of Supervisors
1450 Court Street
Redding, Ca. 96001

Re: Tierra Robles Planned Development

Dear Supervisors:

As I have stated in my letter to Ms. Giacomini, I sincerely hope that all of you will take a few moments to read my letter to her, as well as the letter I wrote to Kent Hector, and not just throw them in the waste basket or put them through the paper shredder.

To you this just might sound like a bunch of residents complaining about a proposed project, BUT IT IS INDEED A VERY SERIOUS CONCERN for not only myself, but for all of those impacted by a decision that WOULD DESTROY OUR COUNTRY WAY OF LIFE. As I mentioned earlier, I have been a resident on Boyle Road since 1979.

In closing, I would just like to say, THE DECISION ON THIS PROJECT TRULY NEEDS SOME DEEP THINKING.

Sincerly,

Jeannette Baugh

Jeannette Baugh
21241 Boyle Road
Redding, Ca. 96003

cc: Pam Giacomini
Kent Hector

Kent Hector

From: Eleanor Townsend <Eftownsend@frontiernet.net>
Sent: Friday, March 18, 2016 1:03 PM
To: Kent Hector
Subject: Opposition to Tierra Robles Plan

Dear Mr. Hector

We are extremely concerned about the Tierra Robles subdivision planned between Palo Cedro and Bella Vista.

Our main objections include, but are not limited to:

the re-zoning of land to much smaller parcels than originally agreed when we bought in this area;

the dire situation with water allocations from Bella Vista Water - we cannot understand how so many more users can possibly be added to this already overstrained resource;

the additional traffic on Boyle, Old Alturas and Deschutes Roads - surely those streets would have to be widened,, and these streets are already overburdened and dangerous. More traffic would very negatively affect safety in this area, and wider roads would seriously impair the rural nature of our region.

the loss of our country atmosphere. We bought here in the County to escape the crowding in town, and never would have envisaged that the County would allow construction of this magnitude, and its deleterious effect on all of us who bought here under apparently false premises. We cannot imagine the County's consideration of this project (unless it is purely financial, and without regard of its constituents.)

Please include our concerns in the EIR.

Thank you for your courtesy.

Joel and Eleanor Townsend
530 547 1195

Kent Hector

From: Eleanor Townsend <Eftownsend@Frontiernet.net>
Sent: Friday, March 18, 2016 1:51 PM
To: Kent Hector
Subject: Opposition to Tierra Robles Plan

Dear Mr. Hector

We are extremely concerned about the Tierra Robles subdivision planned between Palo Cedro and Bella Vista.

Our main objections include, but are not limited to:

the re-zoning of land to much smaller parcels than originally agreed when we bought in this area;

the dire situation with water allocations from Bella Vista Water - we cannot understand how so many more users can possibly be added to this already overstrained resource;

the additional traffic on Boyle and Old Alturas Roads - surely those streets would have to be widened, as well as Deschutes, and these streets are already overburdened and dangerous. More traffic would seriously impair safety in this area.

the loss of our country atmosphere. We bought here in the County to escape the crowding in town, and never would have envisaged that the County would allow construction on this magnitude, and its deleterious effect on all of us who bought here under apparently false premises.

Please include our concerns in the EIR.

Thank you for your courtesy.

Joel and Eleanor Townsend
530 547 1195

Kent Hector

From: Pam Ahern <pamelarahern@yahoo.com>
Sent: Thursday, March 17, 2016 3:21 PM
To: Kent Hector
Subject: Tierra Robles Planned Development Project - Revised 2016

March 17, 2016

Mr. Kent Hector, Senior Planner
Shasta County Planning Division
1855 Placer St., Suite 103
Redding, CA 96001-1759

RE: Tierra Robles Planned Development Project – Revised 2016

Dear Mr. Hector,

It is with great dismay that we are communicating again with regard to the Tierra Robles Planned Development. If anything, the proposed change of installing an on site sewage treatment makes our opposition even stronger. Our original letter follows, with additional new commentary below:

We are writing to express our strong opposition to the Tierra Robles Planned Development Project. The area that would be impacted is currently rural residential, with most properties between 2 and 5 acres, some larger. The proposed development calls for a comparatively high density, which is bound to have a major detrimental impact on traffic congestion, air quality, utility services, and personal lifestyles, as well as to the wildlife which still inhabits this area. We are also concerned about the impact so much construction and the resulting human footprint will have on Clough Creek and the nearby seasonal runoff creeks and ponds, which support a variety of wildlife. In addition, it would seem that fire hazard would greatly increase. Currently Bella Vista Water District water pressure tends to be low; during the devastating 1999 Jones Fire, water pressure was practically non-existent, as fire protection services struggled to contain the fire. We do not believe water services, particularly with regard to fire safety, can possibly support this development. In short, a development of this size and scope should in no way be considered for this largely rural residential/agricultural area.

Additional Comments:

- In particular, Clough Creek and the seasonal run off creeks are likely to be seriously impacted by such a dense development due to the disturbance of so much construction of roads and houses. Will the native plants be razed, as is usually the case with projects such as this? All of this sets the stage for detrimental impact to remaining wildlife, which is still quite prevalent.
- Will Bella Vista Water District be able to issue a "will to serve" letter assuring 250 gallons of water per household, equaling 1.5 million gallons of water per month? Despite above average rainfall totals year to date, we're told that one season does not end a drought. Currently most households in the Bella Vista Water District have severely restricted water usage.

- What will be the impact of a sewage treatment plant, not only to the environment and air quality but to the quality of life for hundreds of surrounding residents?
- The traffic situation will be disastrous. Boyle Road has already become a busy thoroughfare; another 166 houses, totaling an estimated 322+ vehicles, with multiple trips per day adds up to a serious safety concern, in addition to the road maintenance and lifestyle condition issues.

Rezoning this area from rural residential 3 and 5 acre minimums to a Planned Development is incompatible with this rural area. I invite anyone involved in the planning and decision-making process for this development to take a drive down Boyle Road; if you do you will readily understand the kind of impact this high density project would have on our neighborhood.

Sincerely,

John & Pamela Ahern
21287 Boyle Rd.
Redding, CA 96001
(530)223-6633

RECEIVED
SHASTA COUNTY
MAR 21 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

March 17, 2016

RECEIVED
SHASTA COUNTY
MAR 22 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Shasta County Department of Resource Management
Planning Division
1855 Placer St. Suite 103
Redding, CA 96001
Kent Hector – Senior Planner

We are Karen and Tom Taylor, and we live at 21205 View Lake Dr. Redding 96003. Our home is one block north of Old Alturas Rd., and we're served by the Bella Vista Water District. We are about one half mile west of the proposed new subdivision.

Our main concerns and questions are these:

1. We've been on very serious water conservation cutbacks over the past three years, and we would like to know exactly how our water district is going to serve 160 new properties without further cutting allocations to already existing customers. We have had to remove water from many plants in our yard and watch them die, more each year, so as not to pay penalties. Adding so many properties will have a serious impact on current Bella Vista Water customers.
2. The proposed plan estimates 10 motor vehicle trips per day to and from each of 160 new residences. This sounds unusually high, but even if it's only two or three per day average, that's still a large amount of additional traffic on Boyle and Old Alturas roads. I am a regular bicycle rider on these narrow, winding roads, and another 320 to 480 cars on those roads every day will make them much more dangerous. I would like to know what the plans are for mitigation of this significant increase in the percent of motor vehicle traffic.

Thank you for answering our questions.

Karen Taylor

Tom Taylor

Kathy Creasey

10490 Maddelein Lane
Palo Cedro Ca, 96073

RECEIVED
SHASTA COUNTY
MAR 16 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

March 10, 2016

Kent Hector, Senior Planner
1855 Placer Street
Redding, Ca. 96001

Dear Mr. Hector

This letter is in response to the Notice of Preparation on a EIR for the proposed Tierra Robles Planned Development. I have a few serious concerns regarding this planned development:

1. Traffic
2. Water
3. Waste water treatment facility
4. Diminished quiet rural community due to zone change.

With a proposed 166 residential parcels and the main access to this development being on Boyle Road, the traffic implications are frightening. Boyle Rd. is used as a route to Foothill High School every morning and afternoon, thereby increasing the traffic pattern significantly. There are a series of dangerous curves on the east side of Boyle that result in cars running off the road and hitting fences, literally taking out fences to running into ditches. There is also a dangerous curve on the west side of Boyle that cars tend to speed thru. This development can easily increase the traffic by 300 cars daily. Every household has at least 2 cars x 166 parcels, that is a conservative estimate. There are double solid lines on many areas of Boyle Rd. that are ignored by drivers. I have many times had drivers pass me on hills and blind curves with double yellow lines, and high school students use it as a raceway on the straight portions. Living right on Boyle I have seen cars doing at least 50 mph or more, combine that with many driveways entering directly on Boyle, this leads to dangerous conditions already. Imagine a high school student driving home from school heading west bound on Boyle Rd-sun sinking down directly in the

drivers eyes, cresting over the hill with an on-coming car now making a left in front of this students path to the entrance of your Tierra Robles subdivision. Now multiply that 30 times a day. Boyle Road has too much traffic for its' current use now, to increase that would be irresponsible .

Bella Vista Water District has been in a 3 year drought allocation. It has been at least 5 years since normal allocations were allowed for agriculture and residents. All of us in the Bella Vista Water District are sacrificing and conserving each month. I have two neighbors ,one recently bought a foreclosed house and the other had one built. Neither has enough water to do household chores and put in any landscaping, there just isn't enough water allocated..

Water allotments are getting tighter and tighter, even with the rains we've had this year can't make up for the demand. The fisheries are requiring more cold water from the bottom of Shasta Lake for salmon spawning, this has a direct impact on Bella Vista Water users. How in the world do you propose that this district is going to come up with enough water to satisfy another 166 households with acreage and landscaping needs and a waste water treatment facility? I strongly urge to to talk to Mr Coxey directly and listen carefully to what he has to say about the future water reserves for the Bella Vista Water District. He cannot directly halt development, but he cannot guarantee a consistent water supply either.

The idea of a waste water treatment facility being built without adequate water supply to maintain its' function is unrealistic and irresponsible. None of the current residents here relish the idea of living next to a waste water treatment facility. In the summer months we get very strong north winds that blow thru here. These are warm, strong winds that will surely cause the smell to drift in the surrounding neighborhoods. No one moved to the country to smell, or live next to a sewer facility.

I am at a lost as to how, or who is going to maintain this facility? Who will pay for its' maintenance? How is any buyer working in Shasta County going to be able to pay for the land, the house, infrastructure, solar and all the bell and whistles promised in this development. Shasta County doesn't have a lot of high paying jobs. Look at the Palo Cedro Oaks Development. It has been in the works for years and they have how many homes built? Three. There just aren't the salaries to accommodate the expense of this type of development. The county would end up with roads and streetlights with no homes built due to a lack of buyers.

How sad that he with the most money can come in to a community and completely change its' charm. People move out here because they want to live in the country with acreage. These are good people who have raised livestock,

ranched, farmed and raised families, they have become active members of the community. We have paid our taxes and taken care of our properties and made Palo Cedro our home. We have enjoyed the quiet evenings and the sounds of birds in the morning. Now, because a developer has the money and backing he wants to change the zoning? Why even have zoning to begin with? We moved out here for a reason.

Building this development next to a shooting range also invites problems. Heard of Mary Lake? Why repeat the mistake? There are going to be neighbors from Tierra Robles complaining about the noise from guns shooting every weekend. This won't end well.

With these concerns in mind, I strongly urge you on behalf of all of us who currently live out here to not approve this development. Thank you for your time.

sincerely

Kathy Creasey

SEVEN LAKES

21623 SEVEN LAKES LANE, REDDING, CA. 96003

2/24/2016

RECEIVED
SHASTA COUNTY
FEB 29 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Ken and Marlene Marzocchi
Seven Lakes
21623 Seven Lakes Lane, Redding, Ca. 96003

Kent Hector, Senior Planner
Shasta County Department of Resource Management
1855 Placer St. Suite 103,
Redding, Ca. 96001

Dear Mr. Hector

I am writing to you regarding the Tierra Robles Planned Development between Boyle Road and Old Alturas Road in Shasta County. Our land borders the north side of this development. We have several concerns and issues regarding the environmental impact of this development.

1. Is there a planned well? How deep will the well be? I have several lakes on the Seven Lakes property and a well. How will we be impacted?
2. We are an actively operating ranch. Farm operations are continual. We discharge firearms to rid ourselves of predators, and for pleasure. There is trap shooting on the property. Farm equipment is operating at 4:00am and sometimes thru the night. Will the noise issue be an issue? Can we establish a 150 yard barrier to reduce noise bothering the new homeowners?
3. Will there be a fence in place to prevent unauthorized access to our property? We spray herbicides and pesticides in accordance with California law.
4. We have turkey and quail populations that share both parcels. Will the habitat be destroyed?
5. Have traffic studies been done? Will we have increased traffic on Old Alturas Road?

Please consider these issues.

Sincerely Yours,

Ken Marzocchi
Marlene M Marzocchi

Ken and Marlene Marzocchi
Homeowners and Ranch Operators
Seven Lakes

Kent Hector

From: kim olinger <krolinger@yahoo.com>
Sent: Sunday, March 20, 2016 4:07 PM
To: Kent Hector
Subject: Tierra Robles Planned Development - Palo Cedro

Dear Mr. Kent Hector,
I am responding to the letter I received in the mail regarding the planned development Tierra Robles. My husband Les Rice and I oppose this development. We have reviewed the project details via the link provided in the letter. We have many unanswered questions and believe this project will impact this area drastically with major negative consequences.

Our property is located at the north end of Northgate Drive and we purchased this property for the specific reason to have property for our horses. We do not want to live in or near a housing development. This development does not belong in this type of atmosphere or this section of our community.

Currently, I can be on my property and see coyotes, many species of birds, turkeys, foxes, raccoons and cattle grazing to name a few of the wildlife on this proposed site. This development will wipe it all out, which is just the beginning of the negative impact it will have. Traffic is another huge concern along with the noise factor and air pollution.

From the initial study details report, clearly there is lots to consider with a development of this size, but want to make sure my voice is heard that the Rice residence completely opposes this project at this specific site.

Sincerely,

Les and Kim Rice
530-917-6166

RECEIVED
SHASTA COUNTY

MAR 15 2016

DEPT OF RESOURCE MGMT
PLANNING DIVISION

March 11, 2016

Kent Hector, Senior Planner
Shasta County Department of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Dear Mr. Hector,

I am writing to express my concern regarding the proposed Tierra Robles Revised Project 2016. Specifically, I am concerned about the introduction of 166 new residential parcels to an area that has been experiencing drought conditions and water restrictions for the past several years. As you know, over the past two years, Bella Vista Water District has imposed mandatory reduction of water usage on existing customers due to reduced availability of water in this service area. My question/concern has to do with increasing the demand for water by adding 166 new parcels in a district that is having difficulty providing water to their existing customers.

Thank you for considering my concerns.

Sincerely,

Leslie Golden
10793 Northgate Drive
Palo Cedro, CA 96073
530-356-7926

Kent Hector

From: Marcia Russell <kady96073@gmail.com>
Sent: Friday, March 11, 2016 3:02 PM
To: Kent Hector
Subject: Tierra Robles planned development project (zone amendment 10-002 tract map 1996

Mr Hector:
This is in regards to the Tierra Robles development project in Redding/Palo Cedro.

I have many concerns regarding this development. The parcel size is not compatable for a rural area which has 3- 5 acre or larger designation in the area. we do not want to be in a subdivsion area. Thats why we live in the country.

The development has only one designated exit on to Boyle road plus a fire road on Old Alturas. It needs to have 2 designated exits. Preferably one onto Deschutes road that is designed to handle a higher traffic impact than Boyle Road. It is unsafe to have one exit. Boyle Road already has a exhorbitant amount of traffic due to the high school traffic.

I can hardly get out of my driveway when school traffic is in progress on Boyle Road.

The amount of heavy duty trucks/trailers has increased. There are big ruts in the road and it is sinking in spots due to the heavy traffic. Water settles and cars hydroplane during the wet months.
The speed on Boyle Road is 45 m.p.h and people travel much faster, making it very dangerous. With the addtional traffic from the development it will be more dangerous and unsafe for those traveling on Boyle road.

If each household has only two cars and each car drives Boyle Road 4x daily. 2 trips each that will increase travel by over 1328 trips per day. Most people will be making more trips than that and have more than two cars. my point being the development needs two designated exits at all times plus fire roads. for the safety of the residents and those of us that live on Boyle Road.

Boyle road is a dangerous and unsafe road especially at the end of "Dead Mans Hill" at the curves at Neville and Daystar.

My fence has been Hit 10 times due to high speed careless drivers and several times by drunk drivers. Most not reported by law enforcement.
Lower speed is needed and better signage. I would like to safely be able to exit my driveway on to Boyle road. Safety is the issue here.

I am also concerned about the endangered pink salamanders that habitat the vernal pools on the property. I used to ride my horse on that land so am aware of the enviroment and habitat for the deer, cougar. oppossum,racoon and the bald eagles, and many other bird species that reside there. These animals will be displaced.

I am deeply concerned about the water for those homes as Bella Vista water service does does not have enough water for their current customers. we are under severe restrictions the past two years and are severely fined for over usage. Our trees are dying and yet they are going to supply yet another development.

The development can drill their own wells and form their water service community as well as the waste water facility as melmar subdivision has done.

I am also concerned about contamination of wells for those living near the development.

Please do not allow this develpment to rezone to 1.38 acre parcel but maintain our rural enviroment and to save the animals and endangered pink salamanders and vernal pools.

Thank you for your consideration in these matters as it is a real concern for those of us who live here for the rural county life. I hope the planning department will be considerate as well as the enviromental impact people.

Sincerely,
Marcia Russell
Boyle road resident.

TIERRA ROBLES REVISED PROJECT 2016

Kent Hector, Senior Planner

My husband and I are opposed to the Tierra Robles Subdivision for the following reasons.

We are surprised and disappointed the Tierra Robles Development is still under consideration, revised or not. This is a ridiculous idea when there are so many developed pieces of property with homes on them sitting vacant in the area that aren't selling. You are considering allowing a developer that didn't do his homework before he purchased the land in question who is desperately trying to recoup the money he lost at the expense of those of us in the area that purchased our homes out here to get away from living in a congested area.

This property is home to eagles, hawks, dear, turkeys, fox, coyotes and many other forms of wildlife that would be destroyed or uprooted if the development of this magnitude is approved. More than likely this displaced wildlife will be shot or run over as they scatter every which way once the land is being leveled and construction begins.

Those of us living in the Bella Vista Water District have been dealing with severe water restrictions during the recent drought where we can't even water our gardens or bathe regularly for fear of being fined for going over our usage limit. Hopefully this years rainfall will turn the severe lack of water supply around but what if next year we return to drought conditions again. Do you think adding 166 more houses on the Bella Vista water system makes sense? That doesn't even take into consideration the problem with the water pressure issues out here. Certain days and times of the year we can barely get our toilets to flush let alone take a decent shower.

The roads out here are already dangerous. One of my neighbors and myself have been hit by speeding vehicles while we were trying to exit our road onto Old Alturas. My daughter was hit from behind when she was trying to turn onto our road from Old Alturas by an inattentive speeding driver. That is just our one little road. How many others have suffered similar experiences up and down Boyle and Old Alturas? Changing the speed limit won't help because the vast majority of people using these roads don't obey the speed limits now, and with little to no law enforcement available out here to catch them it wouldn't do any good anyway. Another problem with the roads out here

is that at night when it's raining you can't tell where the road ends and the shoulder begins.

If this housing development is approved there will be at least 166 more vehicles driving back and forth on Old Alturas and or Boyle roads. If you consider that each home will probably have two drivers and two vehicles per household that means 332 more autos zooming up and down these country roads. If any of these families has a teenage driver that's even additional traffic. That's crazy!

If you consider the fact that the Sheriff Department is already understaffed to the point that you have to wait a very long time for a response, you can imagine the impact 166 more homes added to this area will stress the resources available.

Heaven forbid, what about a repeat of the fires we had in this area several years ago. During the Jones fire we had no water to fight the fire with after some of the homes burned and the pipes were destroyed. The water pressure dropped to a dribble. Leaving us helpless to help ourselves.

The schools out here are pretty crowded already as it is. You have to consider the fact that the families moving into these homes in such large numbers are going to have a minimum of two children per household, if not more. That will put a huge strain on the schools.

The proposed way the developer has come up with to eliminate the huge amount of sewage generated by these homes really aggravates us. I didn't move out here to smell a sewer pond. Where is the water coming from to help filter and dilute this massive pond of sludge and stink? There goes more demand on our already stressed water system! When we have another year with these downpours like we have had this year the sewer pond will be overwhelmed and then we will have raw sewage flowing out into our local streams polluting every water way in its path. This is a very active migration route for many types of water fowl, how will they be affected by landing in this sewage pond that is primarily a very large unflushed toilet.

There is a gun club in very close proximity to the proposed development. Once these homes become occupied the residents will very likely demand that the sound of guns going off every weekend is a nuisance and the gun club could be forced out. Another victim of a wealthy land developer getting rich off of our misfortune.

I recall this very similar scenario playing out in the Anderson area at least ten years or more ago. A land developer rushed through an approval for a housing development without the sufficient resources from the utilities approved of and in existence to

support it. The land was cleared and foundations were laid, building soon followed only to get stuck in limbo when it was discovered there wasn't adequate water supply to accommodate the development. The developer and contractor went bankrupt and the city didn't make the money the developer convinced them was a sure thing. The structures that had been started are now torn down. That property still is empty of houses. The damage done. The destruction complete and nothing to show for it.

I haven't even touched on the ridiculous request to rezone the land in question. A vast majority of the land owners surrounding what would be Tierra Robles and others affected by the proposed development chose this area with its zoning requirements knowing that they would be assured of a continued rural existence. Rezoning would signal the beginning of the end of that type of lifestyle. If the zoning is changed it will open the door to even more get rich quick schemers trying to swoop in hoping to make a killing on cheap land, compared to where they are from, without any regard for the surroundings or the effect it might have on the established residents of the community.

There is also the problem our county has with lack of jobs to support the need for more housing of this magnitude. As I mentioned before there are already many, many homes sitting vacant for lack of buyers.

Drainage runoff from all the proposed homes is another thing to consider. The reason there has to be some sort of way to deal with sewage dispersal is because the property in question won't perk. That is why the developer is scrambling around trying to figure out a way to deal with the huge amount of waste Tierra Robles will generate. In its natural state this land soaks up some of the rain water, but once it's covered in asphalt and concrete this will not be the case. Where is this fast moving water runoff going to drain to then?

We feel that there should be another public meeting for all concerned residents because the revised proposal is so different from the first proposal submitted and discussed back in 2012.

Will these homes all have propane tanks? How will our little volunteer fire department handle a fire going through such a congested community?

Will you please take the time to consider the points we have raised. My husband and I as well as all the others opposed to the Tierra Robles Development are depending on you to investigate all aspects thoroughly.

Thank you,

Mark and Penelope Crumpton

21194 Rae Lane

Redding, Ca 96003

(530) 549-3931

RECEIVED
SHASTA COUNTY

FEB 29 2016

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Mary Severson
10953 Sparrow Lane
Palo Cedro, CA 96072

Kent Hector
Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Mr. Hector:

In regards to the Tierra Robles proposed development, I would like to comment on the injustice and impracticality of adding any new major development to the Bella Vista Water System. We are already under strict usage restrictions and to add 166 new households makes our efforts at water conservation seem useless.

The existing environmental review already states numerous negative impacts of the project, and that is little changed by their adding their own sewage treatment facility.

The impact on wildlife, agriculture, culture and quality of life all make this project impractical and unethical.

The Bureau of Reclamation has already denied Bella Vista Water expansions. Drought may no longer be uncommon to this area. Also, the review does not mention the impact this development would have on local schools and additional traffic to and from the schools.

Please carefully review the environmental impacts of the report and reject this project.

Sincerely,
Mary Severson
Mary Severson

Revised March 16, 2016

RECEIVED
MAR 18 2016
County of Shasta
Permit Counter

Comments: Nancy Main
10697 Northgate Drive
Palo Cedro, CA 96073
530 549 4233

Tierra Robles Planned Development Project
Zone Amendment Z10-002 and Tract Map 1996
Environmental Impact Report

Environmental Factors Potentially Affected:

Aesthetics: Although this project property is "land locked" from general public view those homes, built on smaller then zoned for now properties located within view, would end up losing the natural beauty their property was probably purchased for originally. Subdivisions are not a thing of beauty for those wanting more open space. The light created by so many new homes and potential street lights would greatly effect the night sky making the area much more city like. The multiple power poles within the project site would be extremely unsightly.

Biological Resources: The project area supports numerous biological resources (deer, foxes, bobcats, coyotes, rabbits, and multiple bird species) that would be greatly affected, in fact, most would be forced to relocate with the housing density proposed. The proposed road center line would see some of the property's nicest large blue oaks removed not to mention the many mature oaks that would have to be removed for houses. Many oaks not removed originally would eventually die and need to be removed due to the irrigation of landscaping that would probably be made up of non native/non drought tolerant species.

Public Service: My understanding is that the project is located in a number of different school districts. While may schools would like to have additional students to increase their revenues do the schools involved have adequate facilities to support an increase in population? What strain will this put on our local fire station and police protection?

Utilities/Service Systems: The revised NOP eliminates the plan to connect with the present sewer system located in Palo Cedro by creating an onsite waste-water treatment facility. I assume this is why Figure 4 has been eliminated from the Environmental Initial Study report which originally showed the proposed BVWD water connections.
Water pressure from BVWD has been a problem in the past until the system's equipment was upgraded. The original Figure 4 indicated water system connections were at the end of Rae Lane, Northgate Drive and another just off Boyle. How will water pressure be effected for those living on those and other streets in the area? During the Jones fire water pressure was so bad that many had no water to help save their homes. We recently

received our "fire tax" notification for living in such an area. How will this serious issue be addressed for water supply for fighting fires since paying this tax does not guarantee any improvement in fire protection and adding 166 more homes to protect will put a much greater strain on resources including man power.

Agricultural Resources: The property presently is used a number of months a year for cattle grazing and for keeping numerous bee boxes. I assume they do this because it is a good viable option for the rancher/bee keeper. This opportunity would be lost.

Hydrology/Water Quality: Construction on the project for infrastructure as well as the housing projects themselves would require a significant amount of grading resulting in a permanent change to the drainage runoff. The soils in the area are subject to compaction and the hard surfaces (roads, driveways) would negatively impact the immediate area as well as any properties downstream. The increased runoff would result in a large increase of sediment contaminates in the streams especially during construction. The runoff from developed sites from fertilizers, car emissions etc. would be an ongoing problem. The Study indicates potential 5 out of 8 significant negative impacts of this project.

Cultural Resources: I assume that this issue will be addressed in a confidential report. I am not sure if the historical ranch use of the project is note worthy enough to be addressed but I assume it should be.

Noise: People make noise, construction makes noise and adding that density of housing certainly will create unwanted noise for any neighbors. I am not sure when the revised planned build out is but the original was 8 years making the construction noise significant for an extended time. Approximately 20 houses being built per year is significant.

Air Quality: Home owners in the area quite often chose to burn their landscape pruning's etc, resulting in smoky days if not done in the right conditions. Adding 166 more potential burns/wood stoves may have a significant impact. The increased auto emissions from the significant increase of autos in the area (especially those diesel trucks) will have an additional effect on air quality. The revised Study indicates 4 out of 5 potentially significant impacts but sights no impact for e) concerning odors but waste-water treatment facilities smell. How many people have to be effected to make it significant?

Geology and Soils: Previously mention is the compaction nature of the native soil and hardpan in areas that would result in increased runoff.

Land Use and Planning: The project site is zoned the way it is for a reason. I know "things" change but the surrounding area is still one of larger properties and more open space and is not near a city needing to expand. A significant number of the lots proposed are under the present zoning size and will create an unwanted housing density in the area.

The original 2012 Notice of Public Scoping Meeting letter stated the parcel size ranging from 1.38 acres to 7.86 acres while the 2016 Notice of Preparation letter places the parcel size range from 1.38 acres to 6.81 acres with an average size of 2.85. Instead of being closer to the original lots size they have gotten smaller! The original Report listed lot size figures on a Proposed Tentative Map (Figure 5). I do not see such a table on the revised rendition but that table indicates that 146 lots would be under the 5 acre minimum and 107 of those would be under the 3 acre minimum present zoning. Since the revised maximum size has gone from 7.86 to 6.81 I must assume that the number of smaller sized lots has increased. This is not what I was expecting and not in the best interest of our neighborhood or community.

Recreation: There is a gun club located adjacent to the project site used for recreation by it's members. Will the homeowner's within the site be able to get an injunction to stop this activity because they do not like the noise after moving in? I as well as others like to ride our bikes or run in the area but Boyle and Old Alturas at times can be dangerous due to the already present amount of traffic. The additional amount of traffic from the project will create an even more dangerous situation.

Transportation/Traffic: The increase in traffic resulting from this project will undoubtedly have the biggest impact on the most people, even those not living in the immediate area. The proposed second access out to the north will be used by a few but I am sure that the majority will use the Boyle access because it will be quicker to go either to Redding or Palo Cedro. The traffic on Boyle Road is significant for such a small road, especially during the school year. A bus from one of the schools uses a private road (Maddelein) to turn around in resulting in backed up traffic every morning and afternoon. During construction the added larger vehicles will put a much added strain on the existing road. Boyle has a minimum shoulder, dangerous curves, hills and intersections, especially at the Boyle/ Deschutes, Boyle/April, Boyle/ Leslye, Boyle/ Daystar, and the Boyle/Northgate intersections. The stretch of Old Alturas that will be used by the few is also narrow, shoulder less, with several dangerous curves.
Will these situations be addressed and will the resulting costs for solutions be on the taxpayer? Adding significant traffic resulting in the need for intersection signals is not a desirable option.
I live on Northgate Drive and at the public meeting held on November 8th 2012 we were told that our road was to be used as an emergency exit and that a locked gate would be placed between the project and our road. Do the people living on the road have a say in this? Is this still part of the revised plan?

Thank you for your consideration in these matters.

Nancy Main

Nancy Main
nancy@shasta.com

TO: Kent Hector
Senior Planner
1855 Placer St.
Suite 103
Redding, Ca 96001

3/16/16

RECEIVED
SHASTA COUNTY
MAR 18 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Regarding the planned development of 166 homes in the area between Bella Vista and Palo Cedro, I have the following concerns:

1. Sewage. The plan is to build a sewage plant which allows for open pools. The current homeowners are on septic systems. Will we be forced to tie in with the new sewage plant or be grandfather in, keeping our septic systems.

2. I understand the developer plans to build the 166 houses, then leave without selling them, Until the houses are sold, there will be empty houses to attract transients. Who is going to protect these houses until sold? What if a fire is started in one of the houses? Where is the water coming from?
We're in a stage three drought, and water is not abundant. Some of our neighbors already have reduced water pressure.

3. The developer wants to change the zoning to less than the 2/1/2 acres that the current zoning provides for now, in order to squeeze 166 into the area. The impact of that many houses added to the current homeowners will be terrific. The traffic on the two narrow winding roads, Old Alturas and Boyle roads will increase dramatically. And so will accidents.

4. The developer plans to use Clough Creek for runoff water from washing cars, watering lawns etc.. Clough Creek runs through my property. There are many species of wildlife inhabiting the creek, that my neighbors and I enjoy watching, the use of detergents and chemicals will pollute the creek, and the animals and birds will sadly disappear.

All of the above concerns will negate the peace full enjoyment of the current homeowners who reside in this area.

I hope you will read this letter and address our concerns.

Patricia Ahlf
10620 Whistleberry Way
Redding Ca. 96003
(530) 549-4160

RECEIVED
SHASTA COUNTY
FEB 29 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

February 25, 2016

Mr. Kent Hector, Sr. Planner Shasta County Dept. of Resource Management
Planning Department
1855 Placer Street, Suite 103
Redding, CA 96001-1759

RE: Tierra Robles Planned Development Project – Revised 2016

Dear Mr. Hector,

We are writing to you to again, as we did in 2012, to urge you and Shasta County to reject the proposed building of the above referenced housing tract in Palo Cedro. We live on Northgate Drive and would be highly impacted by the proposed tract because of the increase in traffic on our already busy roads, changes to our beautiful views, noise and the possibility of increased crime in our neighborhoods.

As far as we can see from reviewing the online information on the revised project the only real difference is that they will now have to build their own waste treatment plant. All other objections and environmental issues are the same as they were back in 2012. We would definitely like more information on where that facility will be located within the tract, the environmental impact having a sewer treatment plant in what we consider "our backyard", smell, etc. The County would not have allowed any of the current houses to have been built if they didn't pass the perk test. Maybe the land is trying to tell us something.

I would like to tell you why we moved to Palo Cedro and why most people we know choose to move to this beautiful rural area. We did not want the traffic, noise, congestion, crime, school overcrowding and house on top of house that you find in a city. We wanted the rural setting of large open lots without "cookie cutter" tract housing, the beautiful natural open areas, the small class sizes that North Cow Creek and Junction School offer, the lighter traffic and the slower pace of a small town.

Now let us tell you what we see happening with the addition of 166 more houses in Palo Cedro. This would cause a major increase in the population of a very small town that already has a slow response time from the Sheriff's department due to staff shortages and distance of travel due to a very large coverage area. More people will certainly mean more crime, 911 calls, traffic and general policing needs. Is the County prepared to spend the money to give us adequate police protection? We have a small fire station staffed by Cal Fire who often needs the assistance of other departments just to cover the homes we have now. Is the County prepared to spend the money to give us the additional fire protection we will need? Bella Vista Water District also do the best they can to serve our community but at times our water pressure is already low and with the drought our water resources are at an all time low. The fires of the past should give you a good indication of the type of increased fire protection and water requirements this development would require. Where is the additional water for their brand new landscaping, pools and daily needs to come from? Our roads, many of which are private, gravel or dirt with even the main thoroughfares (Deschutes, Boyle, Old 44, Old Alturas & even Highway 44) being only two lane roads that are already becoming more congested and less maintained. It is already difficult, especially on school days, to get from the residential side roads on to Boyle or Deschutes. What is the County going to do to accommodate the addition of the estimated 2+ cars per home (a

minimum of **332+** cars!) on our roads? We are also concerned about the heavy equipment on the roads, noise and decrease in air quality that the building or this tract will cause those of us living near the site.

Palo Cedro is currently a very open, inviting and beautiful place to live. The open area that they are proposing to build on has its own special attributes. It is a premier bee keeping area for the making of honey and keeping the honeybee population healthy, the deer bed down and raise their young, there are eagles and hawks that have nested in the same trees for years, it is part of the flyway used by migrating ducks and geese, the coyotes that we listen to and the smaller animals that roam the area (even if we aren't always so fond of them) plus the cattle that graze there are all part of what makes the area so special in today's world. All of these deserve consideration and space in an overcrowded world.

Please, if you do have to allow more houses in Palo Cedro make them large lots – 5 to 10 acres – as are most of the homes in this area, increase the proposed open space to allow the wildlife a place to live and make the number of houses a much smaller number so that we can keep Palo Cedro the small town we all love.

Sincerely,

Raymond L Ramos

Carol Ramos

Raymond & Carol Ramos
10801 Northgate Drive
Palo Cedro, CA
(530) 549-5492

February 24, 2016

RECEIVED
SHASTA COUNTY
FEB 26 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Mr. Kent Hector
Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer St., Suite 103
Redding, CA 96001

Mr. Hector

Upon reciept of the notice of the proposed construction of the Tierra Robles Planned Development off Boyle Rd. I wish to make the following comments.

My first concern about this large development is that Boyle Rd can really not handle the amount of traffic this development is bound to produce. While I realize there will be an exit north onto Old Alturas Rd., it can be assumed that most traffic will exit south onto Boyle Rd. heading into Redding or Palo Cedro. Boyle Rd. is already heavily traveled and often at high speed. The amount of vehicles produced by 166 residential parcels (perhaps up to 2 vehicles per parcel) would make it very hard for those living off Boyle Rd to exit their existing roads during high traffic periods.

Water restrictions currently enforced by Bella Vista Water would most certainly not get better by the increase of 166 more residences. As it is we are a very dry area now, I don't see how BVWD could increase usage to that extent and keep up with demand.

Fire danger is always a threat and would increase tremendously with this number of residences.

It could be assumed that at least half of those residences would include school age children and it's questionable that the local schools could handle the load.

I would be concerned about the affect to natural waterways and drainages by this construction.

One of my biggest complaints is that the developer of this project - Shasta Red LLC Frank Lehmann, Geringer, 9595 Wilshire Blvd., Suite 214, **Beverly Hills, CA** - doesn't even live in the Redding area. Once again, Southern California is using our beautiful area to increase their cash flow without any concern as to how it will affect the lives of the people who currently live, and have lived, in Redding for many years. They don't care that their project will have a negative impact on our lives and our environment. This is exactly the reason the 20 northern counties of California are currently fighting for the State of Jefferson, so that Southern California can no longer pass restrictions, regulations, projects and unnecessary development onto our way of life.

I also feel there is already over development in the Redding area. There are empty businesses and homes for sale everywhere. There is a townhouse development currently being constructed on Old Alturas Rd. at Browning. Building continues while existing residences and businesses remain empty. The chance to fill someone's pocket in Southern California is simply not a good enough reason to approve this development.

I am whole heartedly against this development.

Respectfully,

/s/ Rebecca Final

Rebecca Final
10708 Green Oaks Rd.
Redding, CA 96003

REDDING GUN CLUB

P.O. BOX 493847
REDDING, CALIFORNIA 96049
(530) 549-4652

March 20, 2016

SUBJECT: Response to Notice of an Environmental Impact Report for Terra Robles Planned Development Project (Zone Amendment 10-0002, Tract Map 1996) SCH No. 2012102051

Attention: Kent Hector, Senior Planner

The Redding Gun Club has been located at 2777 Seven Lakes Lane, Bella Vista for more than 30 years. During calendar year 2015 our club had close to 700 members. At present time membership is projected ahead of last years enrollment.

I have attached Redding Gun Club's calendar of events, hours of operation and the various shooting disciplines that utilize the range.

I must point out, the Redding Gun Club is a good neighbor, with numerous residential dwellings within eyesight of the range facilities.

My request is that disclosure of a firearms range be required to those purchasing property(s) within Terra Robles Development.

Feel free to contact me for additional information.

Jack Nehr, President
Attachment 2016 Redding Gun Club

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SHASTA COUNTY
FEB 29 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

February 24, 2016

Kent Hector, Senior Planner
Shasta County Dept. of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

RE: Revised Proposal "Tierra Robles Planned Development Project"

TRAFFIC:
I am enclosing my original letter of November 12, 2012 which I think still applies.

DROUGHT CONDITIONS vs WATER RESTRICTION:
I'm also concerned that the issue of water consumption is not addressed. Everyone who is a Bella Vista Water District user is required to decrease their usage by 40%. The additional water required for 166 homes adds to the burden of BV Water. Are new restrictions going to be put in place regarding swimming pools and lawns? Would allocations to the rest of the area residents be effected?

SEWAGE:
One last item which was glossed over would be the location of the "waste-water (sewage) treatment plant" planned for this community. Who gets the resulting product, the residents of Tierra Robles or the rest of us? Obviously the property as a whole didn't perk for septic or you would not be looking at this, so where is the "treated product" going to end up?

Sincerely,

Renee LeZotte-Ottsman

Renee LeZotte-Ottsman
10371 Surrey Lane
Redding, CA 96003
530-223-4274

Enclosure: Ltr. Dated November 12, 2012

November 12, 2012

Kent Hector, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, California 96001

RE: Proposed 715-Acre Subdivision North of Palo Cedro

Dear Mr. Hector,

I live off of Boyle Road and am deeply concerned about the proposed subdivision's impact on traffic in the area. If 166 residential lots are developed it would mean approximately two cars per lot which comes to a staggering 332 vehicles accessing the subdivision daily. When you multiply 332 by two trips daily, one in and one out, accessing Boyle Road as a primary, you get 664 more vehicles on the road each and every day.

After Foothill High School opened, Old Alturas and Boyle Road became a convenient artery for the students. The morning and after-school traffic is very noticeable. Speeding students trying to make morning classes is the most annoying aspect of their use on these roads. I've experienced it and don't appreciate it.

Deschutes Road was recently repaved, what, two, three years after the school opened? Absolutely no improvements were made to either Boyle or Old Alturas but the wear and tear goes on daily. Should the development of the 715-acre parcel come to fruition, what are the plans to enhance these roads? What are the benefits to the current residents along these roads? I can't see an up-side at this point. Tell me otherwise.

We are all looking forward to the outcome of your investigation into the impact study.

Sincerely,

Mrs. Renee Ottsman
10371 Surrey Lane
Redding, CA 96001

Feb 27, 2016

Terra Robles Development

I would like to address some of my Concerns about this Project.

1. Boyle Road and old Alturas Roads are not built to handle 166+ cars on these roads. these road are narrow 2 lane roads.
2. Are they going to Put in wells for water and how will that affect the people who ahead have wells?
3. Have there been any traffic studies on Boyle Road and old alturas Roads?
4. Are these homes all going to have sepic tank and what will that doe to ground water
5. what about the creek that flows through that area that your map shows there is an access point?
6. How much is this going to cost the Tax Payers of Shasta County

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Robert M. Lanphear
James S. Lanphear

11386 Easy St
Redding, Ca 96003
March 10, 2016

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MAR 15 2016
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PLANNING DIVISION

Ken Hector
Senior Planner
Shasta County Dept of Resource Mgmt
Planning Division
1855 Placer St Suite 103
Redding, Ca. 96001

Mr. Hector:

In regards to the Tierra Robles revised project:
My concerns are as follows:

My main concern with adding 166 homes with an estimated 1000 people is going to overly burden the existing water resources. The addition of the sewer treatment plant will also seemingly use additional water. My neighbors and I have cut back severely on our water usage, sacrificing trees, landscaping, and being very frugal with inside the home water use. When someone moves into a new house, the first thing they do is put in landscaping, pools, fountains, and hot tubs, which further strains the limited water resources.
How can the county justify the increases of water usage that this project proposes?

Secondly, I am concerned about the increased traffic on the roadways. Many of the county roads are poorly maintained and with the additional traffic, the large construction vehicles, and machinery, it will over burden our country roads.

Thirdly, added noise is another factor. There may be considerable noise associated with this large construction project for years.

Back to the sewage treatment facility, If the project runs into problems, and lack of funds, who is going to pay the maintenance costs of the facility in the years to come? I think a trust fund or a fund of some type should be set up to pay for the 30 year projected cost of this sewage treatment plant and any damages caused by the facility. These costs, if any, should not become the responsibility of the taxpayers.

After reading the revised environmental report, there is a great possibility of the project causing significant damage to the wildlife, the flora, and fauna and the scenic and ascetic value of the area.

Rezoning of lot size for this project is not in the best interest of the existing land owner's property values.

I feel that this project is not the right one for this area and it will severely impact the quality of life of the existing residences.

Sincerely,

Ron Freeman

Ron Freeman

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SHASTA COUNTY

MAR 07 2016

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Sandra Kotch
20858 Boyle Rd
Redding, CA 96003

3 March 2016

Kent Hector, Sr. Planner, Shasta County Planning Division
1855 Placer St. Suite 103
Redding, CA 96001

Dear Mr. Hector,

The Tierra Robles planned development is out of character for this rural area, it belongs in the city NOT in this rural and agriculture zone. Neighboring parcel sizes are 2.5, 3, and 5 acre sizes. **As a nearby property owner I strongly object to any zone changes that will allow parcel sizes smaller than surrounding properties.** Prior to purchasing my parcel I researched the zone regulations and noted that the parcel sizes were for less dense living. I would have never bought my land in 1989 if I had known a large development would be allowed here.

The out of town developer/lawyer should have done the same prior to buying the ranch property. What good are the County's zoning requirements if they can be ignored and the rights of the local residents (other nearby property owners) ignored as well?

I have spoken with many residents who have expressed major concerns about the **terrible environmental impact** this development will have on our beautiful area as the project will negatively impact our rural way of life. We moved to this area to get away from over-development and housing tracts. Some long-time residents are even considering moving away and this is very sad.

Some of the negative impacts include, on site sewage plant (where does the run off go?). Will there be an offensive odor from this proposed plant? Additional traffic on an already stressed road system. This is a very high fire hazard zone, and we are in a drought with water rationing going on already, allowing 166 homes to be built while we are rationing water is frankly stupid, irresponsible and unfair. Would there be enough water pressure to fight a major wild fire? Imagine even more residents fleeing a wild fire via narrow roads when the next fire does occur. Other negative factors are noise as the construction will go on for years not to mention additional noise, from additional residents and traffic. Street lights if allowed will diminish our beautiful star filled sky. We have drainage issues with Clough Creek as I have seen heavy water flow through there when we have higher than normal rain. I hate to think of the animal, plant and bird life that will be negatively impacted by such a large development. I could list pages of reasons for NOT allowing this project in this area but the list is too long. Many other residents have already listed many negative impact environmental reasons for not allowing this project in correspondence to you earlier and I agree with all of them. Allowing rezoning and a large development of this magnitude in an un compatible area is not good planning. Dozens of neighbors I have spoken with feel the same way!

Thank you,

Sandra Kotch

Steve & Diane Davis
10733 Green Oaks Lane, Redding, California 96003

March 5, 2016

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MAR 2 5 2016
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Mr. Kent Hector
Senior Planner
Shasta County Resource Management
Planning Department
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Proposed Tierra Robles Subdivision

Dear Mr. Hector,

This letter is written in opposition to the proposed Tierra Robles Subdivision off of Boyle Road in the Bella Vista/Palo Cedro area. We have many objections to the project and would ask that they be given consideration by Shasta County, the Board of Supervisors and the Planning Commission.

Lot Size Negatively Affects Established Homes and Community: The small size of the most visible lots that are proposed by Shasta Red, coupled with the total number of proposed lots for the subdivision will negatively impact the quality of life for established homes and property owners nearby, have an overall negative impact on the community and create an unnecessary tax burden on tax payers. As proposed, the development would place small, city sized lots adjacent to Boyle Road and the existing homes and properties that are zoned for 2.5 acre minimums and are situated in a rural area, while placing larger lots that meet zoning requirements in the heart of the subdivision.

Diminished Property Values for Existing Homeowners: Interjecting a large development into an established rural area, and allowing small lots that do not meet existing zoning requirements to be placed next to established homes and properties that are zoned for 2.5 acre minimums will decrease property values for current residents. Property owners purchased land in the area knowing that it was zoned for 2.5 acre minimums.

Lot Size Does Not Comply with Zoning Regulations and would Establish a Precedent: The established zoning laws and regulations provide that the area where the proposed subdivision is located must have lot sizes of 2.5 acres. A decision to deviate from established regulations for the purpose of rezoning this particular spot so that Shasta Red can build a large subdivision is inconsistent with existing planning and would establish a precedent that could negatively impact Shasta County residents in the future and nullify existing planning and zoning. It is important for the County to protect the integrity of the zoning laws and the parcels surrounding the proposed project area; and it is important that Shasta Red meet the same requirements that other residents are expected to meet. Shasta Red was familiar with zoning requirements, perk test results, water, and sewer availability before purchasing the land. Some property owners have

requested and been denied by planning officials the ability to divide their property into smaller lot sizes. Allowing an exception for this development undermines the community and allows absentee land investors to profit from the community, take their profits elsewhere and leave the taxpayers of Shasta County to deal with the increased infrastructure costs that will result from a development of this size.

Development Will Result in Increased Crime: The introduction of large neighborhoods into rural areas results in an increase of criminal activity, not only within the subdivision but in surrounding communities and neighborhoods. It is common to see a rise in burglary, petty theft, rape, domestic violence, auto theft and narcotic sales. An increase in the crime rate will result in a cost to Shasta County and its taxpayers, and the need for additional deputies to be assigned to patrol the area. The Shasta County Sheriff's Department already struggles to respond and handle calls for service. A decision to authorize the development of the subdivision would place an unnecessary and undue tax burden on the citizens of Shasta County, and negatively impact the safety of existing residents.

Multi-phased Development Plans May Created a Blight: The viability of a project of this size in this area is questionable based on the current economic conditions. According to previous statements made by a representative for Shasta Red, the Corporation plans to implement a "multi-phased building" of structures in the subdivision that would be based on market demand at the time, meaning that Shasta Red will only build what the market supports at that time. This raises the question as to what will happen to the development and the surrounding properties if Shasta Red fails to complete the project in a timely manner, goes bankrupt or experiences any number of potential difficulties. It is likely that the area under development will attract theft, vandalism and other criminal activity, as abandoned properties create blight conditions and are a draw for criminal activity, alcohol and drug consumption, and an increase in fire hazards. This directly has an adverse impact on existing property owners, the surrounding area, an adverse impact on public safety and creates a cost to Shasta County taxpayers.

Increased Traffic: Boyle Road is already a heavily traveled road. It is a main thoroughfare for area residents, schools and businesses. The elementary school closest to the proposed development, North Cow Creek, has no bus service. Parents drive their students to school in the morning, pick children up at three different release times in the afternoon and make additional trips associated with after-school activities. Parents, students and staff from Bella Vista School and Foothill High School also utilize Boyle Road as a primary access route. The proposed plan by Shasta Red does not identify proposed necessary traffic mitigation. It appears that it would be necessary to increase Boyle Road to a four-lane roadway or establish a center turn lane throughout the length of Boyle Road, and traffic lights would be needed at major intersections.

No Plan for Road Upgrade or Improvement of Existing Hazardous Road Conditions: The Clough Creek Bridge has a sharp corner that is difficult to negotiate and has resulted in a number of serious or fatal accidents. The proposed plan by Shasta Red does not include a mitigation of existing safety issues through reengineering or redesigning portions of Boyle Road between Old Alturas Road and Deschutes Road. The roadway near Cheshire Road and Leslye Lane includes several sudden and severe corners on a narrow roadway that are not easily negotiated. Adding a heavy load of traffic on this small, rural road is a recipe for tragedy. One cannot expect that Boyle Road, in it's present condition, could handle the increased traffic load that the proposed subdivision would create. These things would need to occur to mitigate the danger that the subdivision poses to the safety of the existing community and residents.

Insufficient Alternate Access to Subdivision: Shasta Red's plan to establish Boyle Road as the main access

to the proposed subdivision, with a secondary access planned at the north end of the proposed development near Seven Lakes Road in Bella Vista, concentrates most of the associated traffic onto Boyle Road, due to the unlikelihood that residents will use an access that takes them farther from Redding and the condition of Old Alturas Road between Boyle Road and Seven Lakes Road. This places an inappropriate and dangerous burden on citizens that use Boyle Road to access their residences, schools or businesses. It will also lead to additional future costs to Shasta County as Old Alturas Road will need upgrades.

Insufficient Water Availability for Existing Properties: As a lifelong resident of Redding and Shasta County, and one who has lived in the Bella Vista Water District since it was formed in the 1960s, I have some knowledge of the varied weather conditions that Shasta County experiences, and the reduced allotments that this district has received from the federal government. Shasta County has experienced drought conditions many times over the years, and attention must be given to water allotments. Bella Vista Water District has rescinded agricultural water allotments for many area residents, stating that they do not have sufficient allotments to provide water for agricultural purposes. Bella Vista Water District customers are repeatedly mandated to conserve water during dry months, and fined for using water above what the district has deemed to be the minimal necessary amount for household usage. Adding 160 homes to the district would create an undue burden on the water supply, jeopardize the ability of existing customers to get the water service that they depend on, and have a detrimental impact on the ability of agricultural customers to pursue agricultural endeavors. Shasta County is an agricultural area, and this must be preserved.

Installation of On-site Waste Treatment Plant Diminishes Property Values and Negatively Impacts Way of Life for Existing Homeowners: Installing an on-site treatment plant for wastewater, as Shasta Red has now indicated they wish to do, will invariably result in unhealthy and nauseating odors being carried to surrounding properties. This has a detrimental impact on the ability of existing homeowners to enjoy and use their property to pursue their established way of life, and it negatively impacts property values. No plan has been offered by Shasta Red to address or mitigate the damage this plant would cause to area residents. Shasta Red has apparently abandoned their previous plan to pipe sewage down Deschutes Road south of Palo Cedro to an existing treatment plant. If this proposal were to be approved, once the developers have made their money and moved on, Shasta County taxpayers will become liable for the cost of maintaining the sewage treatment plant that Shasta Red plans to place in the backyards of existing homes.

Negative Impact on Area Wildlife: This area has been the home of many species; turkey, fox, bobcat, mountain lion and a variety of birds, small animals and insects. A fair amount of the involved acreage includes wetlands. This is also the habitat of a rare strain of white or piebald black-tailed deer, a strain that reportedly occurs in less than one percent of the deer population. The area where the subdivision is proposed is the habitat for these creatures, which are occasionally observed by area residents. This subdivision would destroy the habitat of all the wildlife and wipe out the existence of the rare treasure of the white deer.

Proposed Development Does Not Allow for Carefully Planned, Moderate Growth: Shasta County residents benefit most from developments that are carefully planned, environmentally sound, implemented in a moderate manner that is consistent with the zoning for the community. A new development should not harm the way of life for existing residents, financially overwhelm local government or leave Shasta

County taxpayers to inherit the financial burden caused by the need to enhance infrastructure, roads, fire, schools and public safety, while non-resident investors and developers make their money, take it back to Beverly Hills and move on to another area.

Sincerely,

Steve Davis

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

21 March 2016

Kent Hector, AICP
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001-1759

COMMENTS ON THE ENVIRONMENTAL DOCUMENT FOR PLANNED DEVELOPMENT REVISED PROJECT, ZONE AMENDMENT 10-002, TIERRA ROBLES, 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). On 22 February 2016, we received your request for comments on the Environmental documents for the Zone Amendment 10-002.

Shasta Red LLC is proposing to divide a 715.4-acre property into 166 residential parcels and six open space parcels including an internal road system, two bridges and an on-site wastewater treatment and dispersal system.

Based on our review of the information submitted for the proposed project, we have the following comments:

Clean Water Act (CWA) Section 401, Water Quality Certification
The Central Valley Water Board has regulatory authority over wetlands and waterways under both the Federal Clean Water Act (CWA) and the California Water Code, Division 7 (CWC). Discharge of dredged or fill material to waters of the United States requires a CWA Section 401 Water Quality Certification from the Central Valley Water Board. Typical activities include any modifications to these waters, such as stream crossings, stream bank modifications, filling wetlands, etc. 401 Certifications are issued in combination with CWA Section 404 Permits issued by the Army Corps of Engineers. The proposed project must be evaluated for the presence of jurisdictional waters, including wetlands and other waters of the State. Steps must be taken to first avoid and minimize impacts to these waters, and then mitigate for unavoidable impacts. Both the Section 404 Permit and 401 Water Quality Certification must be obtained prior to site disturbance.

Isolated wetlands and other waters not covered by the Federal Clean Water Act
Some wetlands and other waters are considered "geographically isolated" from navigable waters and are not within the jurisdiction of the Clean Water Act (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high water mark). Discharge of dredged or fill material to these waters may require either individual or general waste discharge requirements from the Central Valley Water Board. If the U.S. Army Corps of Engineers determine that isolated wetlands or other waters exist at the project site, and the project impacts or has the potential to impact these non-jurisdictional waters, a Report of Waste Discharge and filing fee

must be submitted to the Central Valley Water Board. The Central Valley Water Board will consider the information provided and either issue or waive Waste Discharge Requirements. Failure to obtain waste discharge requirements or a waiver may result in enforcement action.

Any person discharging dredge or fill materials to waters of the State must file a report of waste discharge pursuant to Sections 13376 and 13260 of the CWC. Both the requirements to submit a report of waste discharge and apply for a Water Quality Certification may be met using the same application form, found at:
http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/wqc_application.pdf

General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP)
Construction activity, including demolition, resulting in a land disturbance of one acre or more must obtain coverage under the CGP. The Conditional Use Permit 2014-006 Project must be conditioned to implement storm water pollution controls during construction and post-construction as required by the CGP. To apply for coverage under the CGP the property owner must submit Permit Registration Documents electronically prior to construction. Detailed information on the CGP can be found on the State Water Board website:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/gen_const.shtml

Sewage Treatment and Disposal
The current project design includes a community sewage treatment and disposal system. Due to the size of the system a permit (referred to as Waste Discharge Requirements, or WDRs) from the Central Valley Water Board will be required. A complete application for WDRs (referred to as a Report of Waste Discharge, or ROWD) must be submitted at least 140 days prior to discharging waste. The applicant should contact Central Valley Water Board staff to discuss this process.

If you have any questions or comments regarding this matter, please contact me at (530) 224-4205, Monique.Gaido@waterboards.ca.gov, or the footer address.

Monique Gaido
Engineering Geologist
WDR Unit

MG:reb

cc: Mr. Steve Nelson, $S_2 \sim J_2$ Engineering, Inc., Redding

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
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Twitter: @CA_NAHC

Edmund G. Brown Jr., Governor

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MAR 02 2016
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PLANNING DIVISION

February 25, 2016

Kent Hector
Shasta County Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

RE: SCH# 2012102051, Zone Amendment 10-002, Tract Map 1996 – Tierra Robles Planned Development Project, near the Town of Bella Vista, Shasta County, California

Dear Mr. Hector:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
    a. A brief description of the project.
    b. The lead agency contact information.
    c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
    d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
    a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
    a. Alternatives to the project.
    b. Recommended mitigation measures.

c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
   a. Type of environmental review necessary.
   b. Significance of the tribal cultural resources.
   c. Significance of the project's impacts on tribal cultural resources.
   d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
   a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
   b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
   a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
   b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
    a. Avoidance and preservation of the resources in place, including, but not limited to:
       I. Planning and construction to avoid the resources and protect the cultural and natural context.
       II. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
    b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
       I. Protecting the cultural character and integrity of the resource.
       II. Protecting the traditional use of the resource.
       III. Protecting the confidentiality of the resource.
    c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
    d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
    e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
    f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
    a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
    b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
    c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

    This process should be documented in the Cultural Resources section of your environmental document.

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have been already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
    b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
    a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
    b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
    a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
    b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
    c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5,

subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton
Associate Governmental Program Analyst

cc: State Clearinghouse

MEMORANDUM

SHASTA COUNTY DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Environmental Health	Administration	Air Quality Management
Suite 201	Suite 200	Suite 101
225-5787	225-5789	225-5674
Planning Division	**Community Education Section**	**Building Division**
Suite 103	Suite 200	Suite 102
225-5532	225-5789	225-5761

TO: Kent Hector, Senior Planner

FROM: Ken Henderson, Waste Management Specialist

DATE: March 24, 2016

SUBJECT: Comments for Environmental Document for Revised Project Tierra Oaks Subdivision, Tract Map 1996

Shasta County Environmental Health Division (EHD) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On February 19, 2016, EHD received the revised Notice of Preparation for Tract 1996/Z10-002 (Project).

Shasta Red, LLC is proposing to divide a 715.4 acre property into 166 residential parcels and six open space parcels. The project will also include the creation of an internal road system and a community onsite wastewater treatment system.

The Project proposes the creation of a community onsite wastewater treatment system to service each of the proposed parcels. Each parcel will have a septic tank and pump capable of pumping sewage to the community treatment system. Additionally, greywater diversion is proposed for this project with greywater to be discharged via subsurface irrigation.

Based on EHD's review of the information submitted for the project, we have the following comments:

1. It is mentioned that a Community Service District (CSD) will be created for the operation of the proposed community sewage treatment system. How will the CSD be created? Who will be in charge of running the CSD?

2. The proposed community sewage treatment system for the Project is fairly advance and will include several stages of treatment, including disinfection, prior to discharge to ground. Who will operate and maintain the proposed treatment system? What are their qualifications for operating and maintaining such a system? Has the applicant built and maintained a similar system elsewhere? If so, please provide information on that system, including operation and maintenance, to EHD.

3. The community wastewater treatment system will likely fall under the Central Valley Regional Water Quality Control Board's Waste Discharge Requirements. A separate Shasta County Sewage Disposal System permit application is required for the project. The application shall include estimated daily waste water generation and detailed plans for the proposed treatment system.

4. In addition to the permit application for the community treatment system, each individual parcel will require a sewage disposal system permit issued by EHD for the installation of septic tank and pump system.

5. Greywater separation, in conjunction with an advanced onsite sewage treatment system, typically poses unique issues for the treatment system. Is the applicant aware of the issues associated with greywater diversion in conjunction with advanced wastewater treatment? If so, what plans does the applicant have to mitigate these issues? What is the estimated daily volume of greywater to be diverted?

6. Greywater diversion systems shall be installed under permit with Shasta County Building Division. EHD shall review all plans for greywater discharge to ground.

7. Odor and noise impacts associated with the community waste water treatment system are possible. How will the applicant prevent neighboring properties from experiencing odor and noise impacts?

8. Detailed plans have not been submitted for the community treatment system. The facility will be required to submit a Hazardous Materials Business Plan to EHD if the facility contains reportable quantities of hazardous materials at or above 55 gallons of liquids, 500 pounds of solids or 200 cubic feet of compressed gases.

EHD looks forward to reviewing additional information on the project. Please feel free to contact me with questions or comments pertaining to this matter. I can be reached at the number listed for EHD in the document header.

KH/pw

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

March 24, 2016

Mr. Kent Hector
Shasta County Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

Subject: Review of the Notice of Preparation for the Zone Amendment 10-002, Tract Map 1996-Tierra Robles Planned Development Draft Environmental Impact Report, Shasta County, California

Dear Mr. Hector:

The California Department of Fish and Wildlife (Department) has reviewed the Notice of Preparation (NOP) dated February 18, 2016, for the above-referenced project (Project). The Department commented on this Project during early consultation via email on August 26, 2011. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resource Code section 21000 et seq.

As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and their habitat necessary for biologically sustainable populations of those species (Fish and Game Code (FGC) sections 1801 and 1802). As the Trustee Agency for fish and wildlife resources, the Department provides requisite biological expertise to review and comment upon CEQA documents, and makes recommendations regarding those resources held in trust for the people of California.

The Department may also assume the role of Responsible Agency. A Responsible Agency is an agency other than the Lead Agency that has a legal responsibility for carrying out or approving a project. A Responsible Agency actively participates in the Lead Agency's CEQA process, reviews the Lead Agency's CEQA document and uses that document when making a decision on a project. The Responsible Agency must rely on the Lead Agency's CEQA document to prepare and issue its own findings regarding a project (CEQA Guidelines, sections 15096 and 15381). The Department most often becomes a Responsible Agency when a Lake or Streambed Alteration Agreement (FGC section 1600 et. seq.) or a California

Endangered Species Act (CESA) Incidental Take Permit (FGC section 2081(b)) is needed for a project. The Department relies on the CEQA document prepared by

the Lead Agency to make a finding and decide whether or not to issue the permit or agreement. It is important that the Lead Agency's Environmental Impact Report (EIR) considers the Department's Responsible Agency requirements. For example, CEQA requires the Department to include additional feasible alternatives or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect a project would have on the environment (CEQA Guidelines, section 15096 (g) (2)).

Project Description and Location

> "*The revised project consists of a residential Planned Development requiring a Zone Amendment (Z10-002) to change the current zoning from Rural Residential 5-acre min (RR-BA-5), Rural Residential 3-acre min, and Unclassified to a Planned Development zone district establishing a conceptual development plan covering the entire site; and a Tract Map to divide the 715.4-acre property into 166 residential parcels ranging from 1.38 acres to 6.81 acres in size. The project proposes the formation of the Tierra Robles Community Services District as a means to provide operation and maintenance of the wastewater treatment system, maintenance of improved streets within the subdivision, management of open spaces, including preservation and fire management operations, and maintenance of drainage I mprovements. The ultimate approval of the TRCSD would be subject to separate application and approval from the Shasta County Local Agency Formation Commission.*"

The Project is located in the unincorporated communities of Bella Vista and Palo Cedro. The Project is located north of Boyle Road, between Deschutes Road and Old Alturas Road and was formerly known as the "Chatham Ranch."

Comments and Recommendations

The Department met onsite with Shasta County and Project Applicant staff on March 18, 2016. Based on the site visit and the documentation provided, the Department has the following comments and recommendations for biological resources.

To enable Department staff to adequately review and comment on the proposed Project, we recommend the following information be included in the draft EIR, as applicable.

1. A complete assessment of the flora and fauna within and adjacent to the Project area should be conducted, with particular emphasis upon identifying special status species including rare, threatened, and endangered species.

This assessment should also address locally unique species, rare natural communities, and wetlands. The assessment area for the Project should be large enough to encompass areas potentially subject to both direct and indirect Project affects. Both the Project footprint and the assessment area (if different) should be clearly defined and mapped in the draft EIR.

a. The Department's California Natural Diversity Data Base (CNDDB) should be searched to obtain current information on previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the FGC. In order to provide an adequate assessment of special-status species potentially occurring within the Project vicinity, the search area for CNDDB occurrences should include all U.S.G.S 7.5-minute topographic quadrangles with Project activities, and all adjoining 7.5-minute topographic quadrangles. The EIR should discuss how and when the CNDDB search was conducted, including the names of each quadrangle queried, or why any areas may have been intentionally excluded from the CNDDB query. As a reminder, the Department cannot and does not portray the CNDDB as an exhaustive and comprehensive inventory of all rare species and natural communities statewide. Field verification for the presence or absence of sensitive species will always be an important obligation of our customers. Likewise, your contribution of data to the CNDDB is equally important to the maintenance of the CNDDB. Whenever possible, we request that data be submitted using our online field survey form along with a map with the rare populations or stands indicated.

b. A complete assessment of rare, threatened, and endangered invertebrate, fish, wildlife, reptile, and amphibian species should be presented in the draft EIR. Rare, threatened, and endangered species to be addressed shall include all those which meet the CEQA definition (see CEQA Guidelines, section 15380). Seasonal variations in use of the Project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service. Links to some survey procedures are provided on the Department's website.[1]

c. Species of Special Concern status applies to animals generally not listed under the federal Endangered Species Act or the California Endangered Species Act, but which nonetheless are declining at a rate that could

[1] http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html

result in listing, or historically occurred in low numbers and known threats to their persistence currently exist (see CEQA Guidelines, section 15380 and CEQA Guidelines Appendix G (IV)(a)). Species of Special Concern (SSC) should be considered during the environmental review process. The CEQA (California Public Resources Code sections 21000-21177) requires State agencies, local governments, and special districts to evaluate and disclose impacts from "projects" in the State. Section 15380 of the CEQA Guidelines clearly indicates that species of special concern should be included in an analysis of project impacts if they can be shown to meet the criteria of sensitivity outlined therein. More information regarding SSC's can be found in Attachment 2.

d. Sections 15063 and 15065 of the CEQA Guidelines, which address how an impact is identified as significant, are particularly relevant to SSCs. Project-level impacts to listed (rare, threatened, or endangered species) species are generally considered significant thus requiring lead agencies to prepare an EIR to fully analyze and evaluate the impacts. In assigning "impact significance" to populations of non-listed species, analysts usually consider factors such as population-level effects, proportion of the taxon's range affected by a project, regional effects, and impacts to habitat features.

e. Fully Protected animals may not be taken or possessed at any time and the Department is not authorized to issue permits or licenses for their incidental take[2]. Fully Protected animals should be considered during the environmental review process and all Project-related take must be avoided.

f. A thorough assessment of rare plants and rare natural communities should be conducted, following the Department's November 2009 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (Attachment 1).

g. A detailed vegetation map should be prepared, preferably overlaid on an aerial photograph. The map should be of sufficient resolution to depict the locations of the Project site's major vegetation communities, and show Project impacts relative to each community type. The Department's preferred vegetation classification system should be used to name the polygons; however, the vegetation classification ultimately used should be described in detail. Additional information for vegetation mapping can be found on the Department's website[3]. Special Status natural communities should be specifically noted on the map.

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[2] Scientific research, take authorized under an approved NCCP, and certain recovery actions may be allowed under some circumstances; contact the Department for more information.
[3] http://www.dfg.ca.gov/biogeodata/vegcamp/

h. The draft EIR should include survey methods, dates, and results and should list all plant and animal species (with scientific names) detected within the Project study area. Special emphasis should be directed toward describing the status of rare, threatened, and endangered species in all areas potentially affected by the Project. All necessary biological surveys should be conducted in advance of the draft EIR circulation, and should not be deferred until after Project approval.

2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, should be included.

   a. The draft EIR should present clear thresholds of significance to be used by the Lead Agency in its determination of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect (CEQA Guidelines 15064.7).

   b. CEQA Guidelines, section 15125 (a-e), direct that knowledge of environmental conditions at both the local and regional levels is critical to an assessment of environmental impacts and that special emphasis shall be placed on resources that are rare or unique to the region.

   c. Impacts associated with initial Project implementation as well as long-term operation and maintenance of the Project shall be addressed in the EIR pursuant to CEQA Guidelines 15126.2 (a).

   d. In evaluating the significance of the environmental effect of the Project, the Lead Agency should consider direct physical changes in the environment which may be caused by the Project and reasonably foreseeable indirect physical changes in the environment which may be caused by the Project. Expected impacts should be quantified (e.g., acres, linear feet, number of individuals taken, volume or rate of water extracted, etc. to the extent feasible).

   e. Project impacts should be analyzed relative to their effects on off-site habitats and species. Specifically, this may include public lands, open space, downstream aquatic habitats, areas of groundwater depletion, or any other natural habitat or species that could be affected by the Project (CEQA Guidelines Appendix G (IV and IX)).

   f. Impacts to and maintenance of wildlife corridor/movement areas and other key seasonal use areas should be fully evaluated and provided (CEQA Guidelines Appendix G (IV), FGC section 450).

g. A discussion of impacts associated with increased lighting, noise, human activity, impacts of free-roaming domestic animals including dogs and cats, changes in drainage patterns, changes in water volume, velocity, quantity, and quality, soil erosion, and/or sedimentation in streams and water courses on or near the Project site.

The Department recognizes the effects of artificial lighting on birds and other nocturnal species. The effects are numerous and include impacts to singing and foraging behavior, reproductive behavior, navigation, and altered migration patterns. To minimize adverse effects of artificial light on wildlife, the Department recommends that lighting fixtures associated with the Project be downward facing, fully-shielded and designed and installed to minimize photo-pollution.

h. A cumulative effects analysis shall be developed for species and habitats potentially affected by the Project. This analysis shall be conducted as described under CEQA Guidelines, section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts to species and habitats.

3. A range of Project alternatives shall be analyzed to ensure that the full spectrum of alternatives to the proposed Project are fully considered and evaluated. Alternatives which avoid or otherwise minimize impacts to sensitive biological resources shall be identified.

   a. If the Project will result in any impacts described under the Mandatory Findings of Significance (CEQA Guidelines, section 15065) the impacts must be analyzed in depth in the draft EIR, and the Lead Agency is required to make detailed findings on the feasibility of alternatives or mitigation measures to substantially lessen or avoid the significant effects on the environment. When mitigation measures or Project changes are found to be feasible, such measures should be incorporated into the Project to lessen or avoid significant effects.

4. Mitigation measures for adverse Project-related impacts to sensitive plants, animals, and habitats should be developed and thoroughly discussed. Mitigation measures should first emphasize avoidance and reduction of Project impacts. For unavoidable impacts, the feasibility of on-site habitat restoration or enhancement should be discussed. If on-site mitigation is not feasible, off-site mitigation through habitat creation, enhancement, acquisition and preservation in perpetuity should be addressed.

a. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for most impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful. If considered, these types of mitigation measures must be discussed with the Department prior to release of the draft EIR.

b. Areas reserved as mitigation for Project impacts shall be legally protected from future direct and indirect development impacts. Potential issues to be considered include public access, conservation easements, species monitoring and management programs, water pollution, and fire management.

c. Plans for restoration and revegetation should be prepared by persons with expertise in northern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and/or seeding rates; (c) a schematic depicting the mitigation area; (d) planting/seeding schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for long-term conservation of the mitigation site.

5. Please include fuel modification impacts in the biological resources section of the draft EIR. All impacts, including future maintenance, should be quantified and described.

6. Take of species of plants or animals listed as endangered or threatened under CESA is unlawful unless authorized by the Department. However, a CESA 2081(b) Incidental Take Permit may authorize incidental take during Project construction or over the life of the Project. The draft EIR must state whether the Project could result in any amount of incidental take of any CESA-listed species. Early consultation for incidental take permitting is encouraged, as significant modification to the Project's description and/or mitigation measures may be required in order to obtain a CESA Permit.

   The Department's issuance of a CESA Permit for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA will consider the Lead Agency's Negative Declaration or Environmental Impact Report for the Project. The Department may require additional mitigation measures for the issuance of a CESA Permit unless the Project CEQA

document addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA Permit.

To expedite the CESA permitting process, the Department recommends that the draft EIR addresses the following CESA Permit requirements:

a. The impacts of the authorized take are minimized and fully mitigated;

b. The measures required to minimize and fully mitigate the impacts of the authorized take and: (1) are roughly proportional in extent to the impact of the taking on the species; (2) maintain the applicant's objectives to the greatest extent possible, and (3) are capable of successful implementation;

c. Adequate funding is provided to implement the required minimization and mitigation measures and to monitor compliance with and the effectiveness of the measures; and

d. Issuance of the permit will not jeopardize the continued existence of a State-listed species.

7. The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. We oppose any development or conversion which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, Project mitigation assures there will be "no net loss" of either wetland habitat values or acreage. The EIR should demonstrate that the Project will not result in a net loss of wetland habitat values or acreage.

   a. The Project has the potential to support aquatic, riparian, or wetland habitat. A delineation of lakes, streams, and associated riparian habitats potentially affected by the Project should be provided for agency and public review. This report should include a preliminary jurisdictional delineation including wetlands identification pursuant to the U. S. Fish and Wildlife Service wetland definition as adopted by the Department. Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers. The jurisdictional delineation should also include mapping of ephemeral, intermittent, and perennial stream courses potentially impacted by the Project. In addition to "federally protected wetlands" (see CEQA Appendix G), the Department considers impacts to any wetlands (as defined by the Department) as potentially

significant.

b. The Project may require a Lake or Streambed Alteration Agreement, pursuant to Section 1600 et seq. of the FGC, with the applicant prior to the applicant's commencement of any activity that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank (which may include associated riparian resources) of a river, stream or lake, or use material from a streambed. The Department's issuance of a Lake or Streambed Alteration Agreement for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA may consider the local jurisdiction's (Lead Agency) Negative Declaration or EIR for the Project. To minimize additional requirements by the Department pursuant to Section 1600 et seq. and/or under CEQA, the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement. The project as proposed requires notification to the Department pursuant to 1600 et seq. of the FGC. A Streambed Alteration Agreement notification package may be obtained through the Department's website at https://www.wildlife.ca.gov/Conservation/LSA.

8. If the Project proposes trails into the open space areas, this should be discussed in terms of direct and indirect impacts to both plant and wildlife species in the draft EIR.

9. Fencing for property owners should be wildlife friendly and not prohibit wildlife movement corridors.

10. CEQA requires that information developed in EIRs and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, section 21003, subd. (e)). Please report any special status species and natural communities detected during Project surveys to the CNDDB. The CNNDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDB_FieldSurveyForm.pdf The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

Specific Comments

The Department realizes that a number of biological studies have been conducted for this Project and as discussed in the field, the Department anticipates the biological study results and impacts to be compiled into one concise document. This includes impacts to plants, wildlife, and habitats from the build-out of the Project (direct, indirect and cumulative impacts), fuel modification requirements, and on-going maintenance. The Department looks forward to reviewing the analysis for using a Community Services District for managing the open space areas in perpetuity; however, the Department is not convinced that "Private Open Space" designation will be feasible in terms of protecting the open space.

Additionally, the Department understands that a lot of forethought has gone into designing each lot around the oak woodland. The Department recommends considering different alternatives for lot placement. Alternatives could include (1) one where a large acreage of "prairie" areas are preserved and some of the oak woodland with many of the same size age class may be removed; (2) smaller house footprint to avoid unnecessary fuel modification requirements; and (3) clustering the homes to allow for more wildlife movement.

The Biological Review dated July 2015 states the following with regard to riparian vegetation:

> *"This habitat appears in pockets of vegetation and as individual plants rather than a continuous belt of riparian vegetation. Common species found within these areas are willows (Salix spp.), black cottonwood (Populus trichocarpa), and scattered alders (Alnus sp.). California wild grape (Vitus californica), Himalayan blackberry (Rubus discolor), spike rush (Eleocharis macrostachya), and nutsedge (Cyperus eragrostis) are also present. True riparian habitat does not really exist due to the scattered occurrence of the riparian species."*

The Department could not find alders (*Alnus rhombifolia*), black cottonwood (*Populus trichocarpa*), spike rush, (*Eleocharis macrostachya*), or nutsedge (*Cyperus eragrostis*) in the plant list and wanted to confirm that these species actually exist onsite. If they are present, please provide the acreage present onsite and/or the amount impacted in the impact table. If impacted, please include appropriate mitigation measures.

If you have any questions, please contact Amy Henderson, Environmental Scientist, at (530) 225-2779, or by email at Amy.Henderson@wildlife.ca.gov.

Sincerely,

Curt Babcock
Habitat Conservation Program Manager

Attachment 1
Attachment 2

ec: Kent Hector
Shasta County Department of Resource Management
khector@co.shasta.ca.us

State Clearinghouse
State.clearinghouse@opr.ca.gov

Matthew Kelley
U.S. Army Corps of Engineers
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Michael R. Harris, Kristin Hubbard and Amy Henderson
California Department of Fish and Wildlife
Michael.R.Harris@wildlife.ca.gov, Kristin.Hubbard@wildlife.ca.gov;
Amy.Henderson@wildlife.ca.gov;

CHRON

Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities

State of California
CALIFORNIA NATURAL RESOURCES AGENCY
Department of Fish and Game
November 24, 2009[1]

INTRODUCTION AND PURPOSE

The conservation of special status native plants and their habitats, as well as natural communities, is integral to maintaining biological diversity. The purpose of these protocols is to facilitate a consistent and systematic approach to the survey and assessment of special status native plants and natural communities so that reliable information is produced and the potential of locating a special status plant species or natural community is maximized. They may also help those who prepare and review environmental documents determine when a botanical survey is needed, how field surveys may be conducted, what information to include in a survey report, and what qualifications to consider for surveyors. The protocols may help avoid delays caused when inadequate biological information is provided during the environmental review process; assist lead, trustee and responsible reviewing agencies to make an informed decision regarding the direct, indirect, and cumulative effects of a proposed development, activity, or action on special status native plants and natural communities; meet California Environmental Quality Act (CEQA)[2] requirements for adequate disclosure of potential impacts; and conserve public trust resources.

DEPARTMENT OF FISH AND GAME TRUSTEE AND RESPONSIBLE AGENCY MISSION

The mission of the Department of Fish and Game (DFG) is to manage California's diverse wildlife and native plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. DFG has jurisdiction over the conservation, protection, and management of wildlife, native plants, and habitat necessary to maintain biologically sustainable populations (Fish and Game Code §1802). DFG, as trustee agency under CEQA §15386, provides expertise in reviewing and commenting on environmental documents and makes protocols regarding potential negative impacts to those resources held in trust for the people of California.

Certain species are in danger of extinction because their habitats have been severely reduced in acreage, are threatened with destruction or adverse modification, or because of a combination of these and other factors. The California Endangered Species Act (CESA) provides additional protections for such species, including take prohibitions (Fish and Game Code §2050 *et seq.*). As a responsible agency, DFG has the authority to issue permits for the take of species listed under CESA if the take is incidental to an otherwise lawful activity; DFG has determined that the impacts of the take have been minimized and fully mitigated; and, the take would not jeopardize the continued existence of the species (Fish and Game Code §2081). Surveys are one of the preliminary steps to detect a listed or special status plant species or natural community that may be impacted significantly by a project.

DEFINITIONS

Botanical surveys provide information used to determine the potential environmental effects of proposed projects on all special status plants and natural communities as required by law (i.e., CEQA, CESA, and Federal Endangered Species Act (ESA)). Some key terms in this document appear in **bold font** for assistance in use of the document.

For the purposes of this document, **special status plants** include all plant species that meet one or more of the following criteria[3]:

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1 This document replaces the DFG document entitled "Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened and Endangered Plants and Natural Communities."

2 http://ceres.ca.gov/ceqa/

3 Adapted from the East Alameda County Conservation Strategy available at http://www.fws.gov/sacramento/EACCS/Documents/080228_Species_Evaluation_EACCS.pdf

- Listed or proposed for listing as threatened or endangered under ESA or candidates for possible future listing as threatened or endangered under the ESA (50 CFR §17.12).

- Listed[4] or candidates for listing by the State of California as threatened or endangered under CESA (Fish and Game Code §2050 *et seq.*). A species, subspecies, or variety of plant is **endangered** when the prospects of its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, disease, or other factors (Fish and Game Code §2062). A plant is **threatened** when it is likely to become endangered in the foreseeable future in the absence of special protection and management measures (Fish and Game Code §2067).

- Listed as rare under the California Native Plant Protection Act (Fish and Game Code §1900 *et seq.*). A plant is **rare** when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens (Fish and Game Code §1901).

- Meet the definition of rare or endangered under CEQA §15380(b) and (d). Species that may meet the definition of rare or endangered include the following:

  - Species considered by the California Native Plant Society (CNPS) to be "rare, threatened or endangered in California" (Lists 1A, 1B and 2);

  - Species that may warrant consideration on the basis of local significance or recent biological information[5];

  - Some species included on the California Natural Diversity Database's (CNDDB) *Special Plants, Bryophytes, and Lichens List* (California Department of Fish and Game 2008)[6].

- Considered a **locally significant species**, that is, a species that is not rare from a statewide perspective but is rare or uncommon in a local context such as within a county or region (CEQA §15125 (c)) or is so designated in local or regional plans, policies, or ordinances (CEQA Guidelines, Appendix G). Examples include a species at the outer limits of its known range or a species occurring on an uncommon soil type.

Special status natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects. These communities may or may not contain special status species or their habitat. The most current version of the Department's *List of California Terrestrial Natural Communities*[7] indicates which natural communities are of special status given the current state of the California classification.

Most types of wetlands and riparian communities are considered special status natural communities due to their limited distribution in California. These natural communities often contain special status plants such as those described above. These protocols may be used in conjunction with protocols formulated by other agencies, for example, those developed by the U.S. Army Corps of Engineers to delineate jurisdictional wetlands[8] or by the U.S. Fish and Wildlife Service to survey for the presence of special status plants[9].

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4 Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata.

5 In general, CNPS List 3 plants (plants about which more information is needed) and List 4 plants (plants of limited distribution) may not warrant consideration under CEQA §15380. These plants may be included on special status plant lists such as those developed by counties where they would be addressed under CEQA §15380. List 3 plants may be analyzed under CEQA §15380 if sufficient information is available to assess potential impacts to such plants. Factors such as regional rarity vs. statewide rarity should be considered in determining whether cumulative impacts to a List 4 plant are significant even if individual project impacts are not. List 3 and 4 plants are also included in the California Natural Diversity Database's (CNDDB) *Special Plants, Bryophytes, and Lichens List*. [Refer to the current online published list available at: http://www.dfg.ca.gov/biogeodata.] Data on Lists 3 and 4 plants should be submitted to CNDDB. Such data aids in determining or revising priority ranking.

6 Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata.

7 http://www.dfg.ca.gov/biogeodata/vegcamp/pdfs/natcomlist.pdf. The rare natural communities are asterisked on this list.

8 http://www.wetlands.com/regs/tipge02a.htm

9 U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/sacramento/es/protocol.htm

BOTANICAL SURVEYS

Conduct botanical surveys prior to the commencement of any activities that may modify vegetation, such as clearing, mowing, or ground-breaking activities. It is appropriate to conduct a botanical field survey when:

- Natural (or naturalized) vegetation occurs on the site, and it is unknown if special status plant species or natural communities occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
- Special status plants or natural communities have historically been identified on the project site; or
- Special status plants or natural communities occur on sites with similar physical and biological properties as the project site.

SURVEY OBJECTIVES

Conduct field surveys in a manner which maximizes the likelihood of locating special status plant species or special status natural communities that may be present. Surveys should be **floristic in nature**, meaning that every plant taxon that occurs on site is identified to the taxonomic level necessary to determine rarity and listing status. "Focused surveys" that are limited to habitats known to support special status species or are restricted to lists of likely potential species are not considered floristic in nature and are not adequate to identify all plant taxa on site to the level necessary to determine rarity and listing status. Include a list of plants and natural communities detected on the site for each botanical survey conducted. More than one field visit may be necessary to adequately capture the floristic diversity of a site. An indication of the prevalence (estimated total numbers, percent cover, density, etc.) of the species and communities on the site is also useful to assess the significance of a particular population.

SURVEY PREPARATION

Before field surveys are conducted, compile relevant botanical information in the general project area to provide a regional context for the investigators. Consult the CNDDB[10] and BIOS[11] for known occurrences of special status plants and natural communities in the project area prior to field surveys. Generally, identify vegetation and habitat types potentially occurring in the project area based on biological and physical properties of the site and surrounding ecoregion[12], unless a larger assessment area is appropriate. Then, develop a list of special status plants with the potential to occur within these vegetation types. This list can serve as a tool for the investigators and facilitate the use of reference sites; however, special status plants on site might not be limited to those on the list. Field surveys and subsequent reporting should be comprehensive and floristic in nature and not restricted to or focused only on this list. Include in the survey report the list of potential special status species and natural communities, and the list of references used to compile the background botanical information for the site.

SURVEY EXTENT

Surveys should be comprehensive over the entire site, including areas that will be directly or indirectly impacted by the project. Adjoining properties should also be surveyed where direct or indirect project effects, such as those from fuel modification or herbicide application, could potentially extend offsite. Pre-project surveys restricted to known CNDDB rare plant locations may not identify all special status plants and communities present and do not provide a sufficient level of information to determine potential impacts.

FIELD SURVEY METHOD

Conduct surveys using **systematic field techniques** in all habitats of the site to ensure thorough coverage of potential impact areas. The level of effort required per given area and habitat is dependent upon the vegetation and its overall diversity and structural complexity, which determines the distance at which plants can be identified. Conduct surveys by walking over the entire site to ensure thorough coverage, noting all plant taxa

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10 Available at http://www.dfg.ca.gov/biogeodata/cnddb

11 http://www.bios.dfg.ca.gov/

12 Ecological Subregions of California, available at http://www.fs.fed.us/r5/projects/ecoregions/toc.htm

observed. The level of effort should be sufficient to provide comprehensive reporting. For example, one person-hour per eight acres per survey date is needed for a comprehensive field survey in grassland with medium diversity and moderate terrain[13], with additional time allocated for species identification.

TIMING AND NUMBER OF VISITS

Conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting. Space visits throughout the growing season to accurately determine what plants exist on site. Many times this may involve multiple visits to the same site (e.g. in early, mid, and late-season for flowering plants) to capture the floristic diversity at a level necessary to determine if special status plants are present[14]. The timing and number of visits are determined by geographic location, the natural communities present, and the weather patterns of the year(s) in which the surveys are conducted.

REFERENCE SITES

When special status plants are known to occur in the type(s) of habitat present in the project area, observe reference sites (nearby accessible occurrences of the plants) to determine whether those species are identifiable at the time of the survey and to obtain a visual image of the target species, associated habitat, and associated natural community.

USE OF EXISTING SURVEYS

For some sites, floristic inventories or special status plant surveys may already exist. Additional surveys may be necessary for the following reasons:

- Surveys are not current[15]; or
- Surveys were conducted in natural systems that commonly experience year to year fluctuations such as periods of drought or flooding (e.g. vernal pool habitats or riverine systems); or
- Surveys are not comprehensive in nature; or fire history, land use, physical conditions of the site, or climatic conditions have changed since the last survey was conducted[16]; or
- Surveys were conducted in natural systems where special status plants may not be observed if an annual above ground phase is not visible (e.g. flowers from a bulb); or
- Changes in vegetation or species distribution may have occurred since the last survey was conducted, due to habitat alteration, fluctuations in species abundance and/or seed bank dynamics.

NEGATIVE SURVEYS

Adverse conditions may prevent investigators from determining the presence of, or accurately identifying, some species in potential habitat of target species. Disease, drought, predation, or herbivory may preclude the presence or identification of target species in any given year. Discuss such conditions in the report.

The failure to locate a known special status plant occurrence during one field season does not constitute evidence that this plant occurrence no longer exists at this location, particularly if adverse conditions are present. For example, surveys over a number of years may be necessary if the species is an annual plant having a persistent, long-lived seed bank and is known not to germinate every year. Visits to the site in more

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13 Adapted from U.S. Fish and Wildlife Service kit fox survey guidelines available at www.fws.gov/sacramento/es/documents/kitfox_no_protocol.pdf

14 U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/sacramento/es/protocol.htm

15 Habitats, such as grasslands or desert plant communities that have annual and short-lived perennial plants as major floristic components may require yearly surveys to accurately document baseline conditions for purposes of impact assessment. In forested areas, however, surveys at intervals of five years may adequately represent current conditions. For forested areas, refer to "Guidelines for Conservation of Sensitive Plant Resources Within the Timber Harvest Review Process and During Timber Harvesting Operations", available at https://r1.dfg.ca.gov/portal/Portals/12/THPBotanicalGuidelinesJuly2005.pdf

16 U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/ventura/speciesinfo/protocols_guidelines/docs/botanicalinventories.pdf

than one year increase the likelihood of detection of a special status plant especially if conditions change. To further substantiate negative findings for a known occurrence, a visit to a nearby reference site may ensure that the timing of the survey was appropriate.

REPORTING AND DATA COLLECTION

Adequate information about special status plants and natural communities present in a project area will enable reviewing agencies and the public to effectively assess potential impacts to special status plants or natural communities[17] and will guide the development of minimization and mitigation measures. The next section describes necessary information to assess impacts. For comprehensive, systematic surveys where no special status species or natural communities were found, reporting and data collection responsibilities for investigators remain as described below, excluding specific occurrence information.

SPECIAL STATUS PLANT OR NATURAL COMMUNITY OBSERVATIONS

Record the following information for locations of each special status plant or natural community detected during a field survey of a project site.

- A detailed map (1:24,000 or larger) showing locations and boundaries of each special status species occurrence or natural community found as related to the proposed project. Mark occurrences and boundaries as accurately as possible. Locations documented by use of global positioning system (GPS) coordinates must include the datum[18] in which they were collected;
- The site-specific characteristics of occurrences, such as associated species, habitat and microhabitat, structure of vegetation, topographic features, soil type, texture, and soil parent material. If the species is associated with a wetland, provide a description of the direction of flow and integrity of surface or subsurface hydrology and adjacent off-site hydrological influences as appropriate;
- The number of individuals in each special status plant population as counted (if population is small) or estimated (if population is large);
- If applicable, information about the percentage of individuals in each life stage such as seedlings vs. reproductive individuals;
- The number of individuals of the species per unit area, identifying areas of relatively high, medium and low density of the species over the project site; and
- Digital images of the target species and representative habitats to support information and descriptions.

FIELD SURVEY FORMS

When a special status plant or natural community is located, complete and submit to the CNDDB a California Native Species (or Community) Field Survey Form[19] or equivalent written report, accompanied by a copy of the relevant portion of a 7.5 minute topographic map with the occurrence mapped. Present locations documented by use of GPS coordinates in map and digital form. Data submitted in digital form must include the datum[20] in which it was collected. If a potentially undescribed special status natural community is found on the site, document it with a Rapid Assessment or Relevé form[21] and submit it with the CNDDB form.

VOUCHER COLLECTION

Voucher specimens provide verifiable documentation of species presence and identification as well as a public record of conditions. This information is vital to all conservation efforts. Collection of voucher specimens should

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17 Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata. For Timber Harvest Plans (THPs) please refer to the "Guidelines for Conservation of Sensitive Plant Resources Within the Timber Harvest Review Process and During Timber Harvesting Operations", available at https://r1.dfg.ca.gov/portal/Portals/12/THPBotanicalGuidelinesJuly2005.pdf

18 NAD83, NAD27 or WGS84

19 http://www.dfg.ca.gov/biogeodata

20 NAD83, NAD27 or WGS84

21 http://www.dfg.ca.gov/biogeodata/vegcamp/veg_publications_protocols.asp

be conducted in a manner that is consistent with conservation ethics, and is in accordance with applicable state and federal permit requirements (e.g. incidental take permit, scientific collection permit). Voucher collections of special status species (or suspected special status species) should be made only when such actions would not jeopardize the continued existence of the population or species.

Deposit voucher specimens with an indexed regional herbarium[22] no later than 60 days after the collections have been made. Digital imagery can be used to supplement plant identification and document habitat. Record all relevant permittee names and permit numbers on specimen labels. A collecting permit is required prior to the collection of State-listed plant species[23].

BOTANICAL SURVEY REPORTS

Include reports of botanical field surveys containing the following information with project environmental documents:

- **Project and site description**
  - A description of the proposed project;
  - A detailed map of the project location and study area that identifies topographic and landscape features and includes a north arrow and bar scale; and,
  - A written description of the biological setting, including vegetation[24] and structure of the vegetation; geological and hydrological characteristics; and land use or management history.
- **Detailed description of survey methodology and results**
  - Dates of field surveys (indicating which areas were surveyed on which dates), name of field investigator(s), and total person-hours spent on field surveys;
  - A discussion of how the timing of the surveys affects the comprehensiveness of the survey;
  - A list of potential special status species or natural communities;
  - A description of the area surveyed relative to the project area;
  - References cited, persons contacted, and herbaria visited;
  - Description of reference site(s), if visited, and phenological development of special status plant(s);
  - A list of all taxa occurring on the project site. Identify plants to the taxonomic level necessary to determine whether or not they are a special status species;
  - Any use of existing surveys and a discussion of applicability to this project;
  - A discussion of the potential for a false negative survey;
  - Provide detailed data and maps for all special plants detected. Information specified above under the headings "Special Status Plant or Natural Community Observations," and "Field Survey Forms," should be provided for locations of each special status plant detected;
  - Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms should be sent to the CNDDB and included in the environmental document as an Appendix. It is not necessary to submit entire environmental documents to the CNDDB; and,
  - The location of voucher specimens, if collected.

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22 For a complete list of indexed herbaria, see: Holmgren, P., N. Holmgren and L. Barnett. 1990. Index Herbariorum, Part 1: Herbaria of the World. New York Botanic Garden, Bronx, New York. 693 pp. Or: http://www.nybg.org/bsci/ih/ih.html

23 Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata.

24 A vegetation map that uses the National Vegetation Classification System (http://biology.usgs.gov/npsveg/nvcs.html), for example *A Manual of California Vegetation*, and highlights any special status natural communities. If another vegetation classification system is used, the report should reference the system, provide the reason for its use, and provide a crosswalk to the National Vegetation Classification System.

- **Assessment of potential impacts**
  - A discussion of the significance of special status plant populations in the project area considering nearby populations and total species distribution;
  - A discussion of the significance of special status natural communities in the project area considering nearby occurrences and natural community distribution;
  - A discussion of direct, indirect, and cumulative impacts to the plants and natural communities;
  - A discussion of threats, including those from invasive species, to the plants and natural communities;
  - A discussion of the degree of impact, if any, of the proposed project on unoccupied, potential habitat of the species;
  - A discussion of the immediacy of potential impacts; and,
  - Recommended measures to avoid, minimize, or mitigate impacts.

QUALIFICATIONS

Botanical consultants should possess the following qualifications:

- Knowledge of plant taxonomy and natural community ecology;
- Familiarity with the plants of the area, including special status species;
- Familiarity with natural communities of the area, including special status natural communities;
- Experience conducting floristic field surveys or experience with floristic surveys conducted under the direction of an experienced surveyor;
- Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
- Experience with analyzing impacts of development on native plant species and natural communities.

SUGGESTED REFERENCES

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Species of Special Concern:

A Brief Description of an Important California Department of Fish and Game Designation

What is a "Species of Special Concern"?

A Species of Special Concern (SSC) is a species, subspecies, or distinct population of an animal* native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

- is extirpated from the State or, in the case of birds, in its primary seasonal or breeding role;
- is listed as Federally-, but not State-, threatened or endangered; meets the State definition of threatened or endangered but has not formally been listed;
- is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status;
- has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for State threatened or endangered status.

*for the purposes of this discussion, "animal" means fish, amphibian, reptile, bird and mammal

What important factors contribute to a species being designated as an SSC?

SSCs tend to have a number of factors in common, as follows:

- occur in small, isolated populations or in fragmented habitat, and are threatened by further isolation and population reduction;
- show marked population declines. Taxa that show a marked population decline, yet are still abundant, may not meet the SSC definition, whereas marked population decline in uncommon or rare species may meet the SSC definition. Note that population estimates are unavailable for the vast majority of California taxa;
- depend on a habitat that has shown substantial historical or recent declines in size and/or quality or integrity. This criterion infers the population viability of a species based on trends in the habitats in which it specializes. Coastal wetlands, particularly in the urbanized San Francisco Bay and south-coastal areas, alluvial fan sage scrub and coastal sage scrub in the southern coastal basins, vernal pools in the Central Valley, arid scrub in the San Joaquin Valley, and riparian habitat statewide, are examples of California habitats that have seen dramatic reductions in size in recent history;
- occur only or primarily in or adjacent to an area where habitat is being converted to uses incompatible with the animal's survival;

- have few California records, or which historically occurred in the State but for which there are no recent records; and
- occur largely in areas where current management practices are inconsistent with the animal's persistence.

How does the Department use the SSC designation?
"Species of Special Concern" is an administrative designation and carries no formal legal status. The intent of designating SSCs is to:

- focus attention on animals at conservation risk by the Department, other State, local and Federal governmental entities, regulators, land managers, planners, consulting biologists, and others;
- stimulate research on poorly known species;
- achieve conservation and recovery of these animals before they meet California Endangered Species Act criteria for listing as threatened or endangered.

How are SSCs addressed under the California Environmental Quality Act?
SSCs should be considered during the environmental review process. The California Environmental Quality Act (CEQA; California Public Resources Code §§ 21000-21177) requires State agencies, local governments, and special districts to evaluate and disclose impacts from "projects" in the State. Section 15380 of the CEQA Guidelines clearly indicates that species of special concern should be included in an analysis of project impacts if they can be shown to meet the criteria of sensitivity outlined therein.

Sections 15063 and 15065 of the CEQA Guidelines, which address how an impact is identified as significant, are particularly relevant to SSCs. Project-level impacts to listed (rare, threatened, or endangered species) species are generally considered significant thus requiring lead agencies to prepare an Environmental Impact Report to fully analyze and evaluate the impacts. In assigning "impact significance" to populations of non-listed species, analysts usually consider factors such as population-level effects, proportion of the taxon's range affected by a project, regional effects, and impacts to habitat features.

Who is responsible for developing and maintaining SSC documents and lists?
The Wildlife Branch's Nongame Wildlife Program is responsible for producing and updating SSC publications for mammals, birds, reptiles and amphibians. The Fisheries Branch is responsible for updates to the Fish Species of Special Concern document and list and should be contacted for further information regarding process and project details. The Biogeographic Data Branch is responsible for maintaining the most current list of SSCs via inclusion on its "Special Animals List" (http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp). These publications are updated periodically as staff and funding allow. Publications are typically produced by a contractor knowledgeable about the taxonomic group.

The contractor's draft publication is reviewed by the Department, as well as by the contractor's peers, other agencies, and other biologists, as appropriate. Final publication of an SSC document requires approval of the Director.

What procedures are used to designate SSCs?
California Bird Species of Special Concern (Shuford and Gardali 2008; http://www.dfg.ca.gov/wildlife/species/ssc/birds.html) articulates the State's desired methodology, when achievable. Criteria used to develop this document were vetted Department-wide, by DFG leadership, and by the scientific community.

The process to designate SSCs will include the following:

- maintaining a consistent definition of SSC, per page 1 of this document, across taxonomic lines;
- establishing a Technical Advisory Committee (TAC), consisting of authorities on the biology and status of pertinent taxonomic group (amphibians and reptiles, bird, mammals);
- using metrics, developed in concert with the TAC, to assess the status of each taxon. Where sufficient data allow it, metrics should include population size and trend, range size and trend, population concentration, percentage of entire range or population within California (endemism), and assessment of threats;
- developing a nominee list of taxa to be considered for SSC status in concert with the TAC, using an open process, i.e., not basing consideration solely on a previous SSC list or a or other special designation that may have already been assigned;
- automatically including Federally-listed taxa as designated SSCs but not establishing rankings or preparing range maps for them. Metrics shall be applied to any Federally-listed taxon subsequently delisted to determine its new status as either a SSC or placement on a Watch List;
- automatically excluding State-listed taxa from the nominee list. Metrics shall be applied to any State-listed taxon that is subsequently delisted to determine its new status as either SSC or Watch List;
- developing priorities for conservation action using a ranking scheme;
- providing an explanation for each taxon that was designated as an SSC but that is omitted from a revised list.

What elements are found in an SSC document?

- overview, including a description of methods, results and discussion;
- recommendations and priorities for research, management and monitoring;
- species accounts for each SSC, including data on population and range trend, population size and trend, threats, ecological considerations, management recommendations, taxonomic remarks, and life history information relevant to status;
- range and/or distribution maps for each ranked SSC;

- California Responsibility List *(sensu* Shuford and Gardall 2008) indicating endemic or nearly endemic taxa, and which of those are SSCs;
- Watch List, consisting of taxa that were previously SSCs but no longer merit SSC status or which do not meet SSC criteria but for which there is concern and a need for additional information to clarify status.

How does the Department add or remove animals from the SSC lists?
A list of nominee taxa considered for SSC status is developed during the course of a major revision of an SSC document. Metrics (see above) are applied to each taxon; SSC threshold criteria are determined and a ranking scheme developed which discriminates between SSCs and taxa that do not qualify for that designation. Thus, a Nominee Species Database (NSD) is developed as part of the project. Keeping the NSD up-to-date is an important part of the SSC process.

Scores in the NSD will be updated at least annually by the Department with the assistance of the appropriate Technical Advisory Committee; results will be included on the Special Animals List, and posted to the Department website, as appropriate. Scores may change as a result of new information gained from scientific, peer-reviewed literature, expert opinion, or other reliable sources. Members of the public may present new information to the Department as part of this process. A score change may move a taxon on or off the list. In all cases, any change must be evaluated by the general SSC criteria on page 1, as well as those developed by the Department and TAC for each taxonomic group, and documented by a written record of findings.

What is the relationship between SSCs and the California Wildlife Action Plan?
A major component of the California Wildlife Action Plan (WAP) (http://www.dfg.ca.gov/wildlife/wap/report.html) is the identification of species of greatest conservation need in the State. The Department uses the Special Animal List (http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp), which includes SSCs, as the primary source list of these species. Species of greatest conservation need are eligible for and considered as priorities for conservation funding via State Wildlife Grant funds (these funds are linked to State WAPs). Revisions to the WAP will include threat assessments for current SSCs and their habitats, and will change conservation actions and priorities accordingly.

Suggested citation: Comrack, L., B. Bolster, J. Gustafson, D. Steele, and E. Burkett. April 10, 2008. Species of Special Concern: A Brief Description of an Important California Department of Fish and Game Designation. California Department of Fish and Game, Wildlife Branch, Nongame Wildlife Program Report 2008-03, Sacramento, CA. 4pp.

Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities

State of California
CALIFORNIA NATURAL RESOURCES AGENCY
Department of Fish and Game
November 24, 2009[1]

INTRODUCTION AND PURPOSE

The conservation of special status native plants and their habitats, as well as natural communities, is integral to maintaining biological diversity. The purpose of these protocols is to facilitate a consistent and systematic approach to the survey and assessment of special status native plants and natural communities so that reliable information is produced and the potential of locating a special status plant species or natural community is maximized. They may also help those who prepare and review environmental documents determine when a botanical survey is needed, how field surveys may be conducted, what information to include in a survey report, and what qualifications to consider for surveyors. The protocols may help avoid delays caused when inadequate biological information is provided during the environmental review process; assist lead, trustee and responsible reviewing agencies to make an informed decision regarding the direct, indirect, and cumulative effects of a proposed development, activity, or action on special status native plants and natural communities; meet California Environmental Quality Act (CEQA)[2] requirements for adequate disclosure of potential impacts; and conserve public trust resources.

DEPARTMENT OF FISH AND GAME TRUSTEE AND RESPONSIBLE AGENCY MISSION

The mission of the Department of Fish and Game (DFG) is to manage California's diverse wildlife and native plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. DFG has jurisdiction over the conservation, protection, and management of wildlife, native plants, and habitat necessary to maintain biologically sustainable populations (Fish and Game Code §1802). DFG, as trustee agency under CEQA §15386, provides expertise in reviewing and commenting on environmental documents and makes protocols regarding potential negative impacts to those resources held in trust for the people of California.

Certain species are in danger of extinction because their habitats have been severely reduced in acreage, are threatened with destruction or adverse modification, or because of a combination of these and other factors. The California Endangered Species Act (CESA) provides additional protections for such species, including take prohibitions (Fish and Game Code §2050 *et seq.*). As a responsible agency, DFG has the authority to issue permits for the take of species listed under CESA if the take is incidental to an otherwise lawful activity; DFG has determined that the impacts of the take have been minimized and fully mitigated; and, the take would not jeopardize the continued existence of the species (Fish and Game Code §2081). Surveys are one of the preliminary steps to detect a listed or special status plant species or natural community that may be impacted significantly by a project.

DEFINITIONS

Botanical surveys provide information used to determine the potential environmental effects of proposed projects on all special status plants and natural communities as required by law (i.e., CEQA, CESA, and Federal Endangered Species Act (ESA)). Some key terms in this document appear in **bold font** for assistance in use of the document.

For the purposes of this document, **special status plants** include all plant species that meet one or more of the following criteria[3]:

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1 This document replaces the DFG document entitled "Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened and Endangered Plants and Natural Communities."

2 http://ceres.ca.gov/ceqa/

3 Adapted from the East Alameda County Conservation Strategy available at http://www.fws.gov/sacramento/EACCS/Documents/080228_Species_Evaluation_EACCS.pdf

- Listed or proposed for listing as threatened or endangered under ESA or candidates for possible future listing as threatened or endangered under the ESA (50 CFR §17.12).

- Listed[4] or candidates for listing by the State of California as threatened or endangered under CESA (Fish and Game Code §2050 *et seq.*). A species, subspecies, or variety of plant is **endangered** when the prospects of its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, disease, or other factors (Fish and Game Code §2062). A plant is **threatened** when it is likely to become endangered in the foreseeable future in the absence of special protection and management measures (Fish and Game Code §2067).

- Listed as rare under the California Native Plant Protection Act (Fish and Game Code §1900 *et seq.*). A plant is **rare** when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens (Fish and Game Code §1901).

- Meet the definition of rare or endangered under CEQA §15380(b) and (d). Species that may meet the definition of rare or endangered include the following:

  - Species considered by the California Native Plant Society (CNPS) to be "rare, threatened or endangered in California" (Lists 1A, 1B and 2);

  - Species that may warrant consideration on the basis of local significance or recent biological information[5];

  - Some species included on the California Natural Diversity Database's (CNDDB) *Special Plants, Bryophytes, and Lichens List* (California Department of Fish and Game 2008)[6].

- Considered a **locally significant species,** that is, a species that is not rare from a statewide perspective but is rare or uncommon in a local context such as within a county or region (CEQA §15125 (c)) or is so designated in local or regional plans, policies, or ordinances (CEQA Guidelines, Appendix G). Examples include a species at the outer limits of its known range or a species occurring on an uncommon soil type.

Special status natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects. These communities may or may not contain special status species or their habitat. The most current version of the Department's *List of California Terrestrial Natural Communities*[7] indicates which natural communities are of special status given the current state of the California classification.

Most types of wetlands and riparian communities are considered special status natural communities due to their limited distribution in California. These natural communities often contain special status plants such as those described above. These protocols may be used in conjunction with protocols formulated by other agencies, for example, those developed by the U.S. Army Corps of Engineers to delineate jurisdictional wetlands[8] or by the U.S. Fish and Wildlife Service to survey for the presence of special status plants[9].

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4 Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata.

5 In general, CNPS List 3 plants (plants about which more information is needed) and List 4 plants (plants of limited distribution) may not warrant consideration under CEQA §15380. These plants may be included on special status plant lists such as those developed by counties where they would be addressed under CEQA §15380. List 3 plants may be analyzed under CEQA §15380 if sufficient information is available to assess potential impacts to such plants. Factors such as regional rarity vs. statewide rarity should be considered in determining whether cumulative impacts to a List 4 plant are significant even if individual project impacts are not. List 3 and 4 plants are also included in the California Natural Diversity Database's (CNDDB) *Special Plants, Bryophytes, and Lichens List.* [Refer to the current online published list available at: http://www.dfg.ca.gov/biogeodata.] Data on Lists 3 and 4 plants should be submitted to CNDDB. Such data aids in determining or revising priority ranking.

6 Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata.

7 http://www.dfg.ca.gov/biogeodata/vegcamp/pdfs/natcomlist.pdf. The rare natural communities are asterisked on this list.

8 http://www.wetlands.com/regs/tlpge02e.htm

9 U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/sacramento/es/protocol.htm

BOTANICAL SURVEYS

Conduct botanical surveys prior to the commencement of any activities that may modify vegetation, such as clearing, mowing, or ground-breaking activities. It is appropriate to conduct a botanical field survey when:

- Natural (or naturalized) vegetation occurs on the site, and it is unknown if special status plant species or natural communities occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
- Special status plants or natural communities have historically been identified on the project site; or
- Special status plants or natural communities occur on sites with similar physical and biological properties as the project site.

SURVEY OBJECTIVES

Conduct field surveys in a manner which maximizes the likelihood of locating special status plant species or special status natural communities that may be present. Surveys should be **floristic in nature**, meaning that every plant taxon that occurs on site is identified to the taxonomic level necessary to determine rarity and listing status. "Focused surveys" that are limited to habitats known to support special status species or are restricted to lists of likely potential species are not considered floristic in nature and are not adequate to identify all plant taxa on site to the level necessary to determine rarity and listing status. Include a list of plants and natural communities detected on the site for each botanical survey conducted. More than one field visit may be necessary to adequately capture the floristic diversity of a site. An indication of the prevalence (estimated total numbers, percent cover, density, etc.) of the species and communities on the site is also useful to assess the significance of a particular population.

SURVEY PREPARATION

Before field surveys are conducted, compile relevant botanical information in the general project area to provide a regional context for the investigators. Consult the CNDDB[10] and BIOS[11] for known occurrences of special status plants and natural communities in the project area prior to field surveys. Generally, identify vegetation and habitat types potentially occurring in the project area based on biological and physical properties of the site and surrounding ecoregion[12], unless a larger assessment area is appropriate. Then, develop a list of special status plants with the potential to occur within these vegetation types. This list can serve as a tool for the investigators and facilitate the use of reference sites; however, special status plants on site might not be limited to those on the list. Field surveys and subsequent reporting should be comprehensive and floristic in nature and not restricted to or focused only on this list. Include in the survey report the list of potential special status species and natural communities, and the list of references used to compile the background botanical information for the site.

SURVEY EXTENT

Surveys should be comprehensive over the entire site, including areas that will be directly or indirectly impacted by the project. Adjoining properties should also be surveyed where direct or indirect project effects, such as those from fuel modification or herbicide application, could potentially extend offsite. Pre-project surveys restricted to known CNDDB rare plant locations may not identify all special status plants and communities present and do not provide a sufficient level of information to determine potential impacts.

FIELD SURVEY METHOD

Conduct surveys using **systematic field techniques** in all habitats of the site to ensure thorough coverage of potential impact areas. The level of effort required per given area and habitat is dependent upon the vegetation and its overall diversity and structural complexity, which determines the distance at which plants can be identified. Conduct surveys by walking over the entire site to ensure thorough coverage, noting all plant taxa

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[10] Available at http://www.dfg.ca.gov/biogeodata/cnddb

[11] http://www.bios.dfg.ca.gov/

[12] Ecological Subregions of California, available at http://www.fs.fed.us/r5/projects/ecoregions/toc.htm

observed. The level of effort should be sufficient to provide comprehensive reporting. For example, one person-hour per eight acres per survey date is needed for a comprehensive field survey in grassland with medium diversity and moderate terrain[13], with additional time allocated for species identification.

TIMING AND NUMBER OF VISITS

Conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting. Space visits throughout the growing season to accurately determine what plants exist on site. Many times this may involve multiple visits to the same site (e.g. in early, mid, and late-season for flowering plants) to capture the floristic diversity at a level necessary to determine if special status plants are present[14]. The timing and number of visits are determined by geographic location, the natural communities present, and the weather patterns of the year(s) in which the surveys are conducted.

REFERENCE SITES

When special status plants are known to occur in the type(s) of habitat present in the project area, observe reference sites (nearby accessible occurrences of the plants) to determine whether those species are identifiable at the time of the survey and to obtain a visual image of the target species, associated habitat, and associated natural community.

USE OF EXISTING SURVEYS

For some sites, floristic inventories or special status plant surveys may already exist. Additional surveys may be necessary for the following reasons:

- Surveys are not current[15]; or
- Surveys were conducted in natural systems that commonly experience year to year fluctuations such as periods of drought or flooding (e.g. vernal pool habitats or riverine systems); or
- Surveys are not comprehensive in nature; or fire history, land use, physical conditions of the site, or climatic conditions have changed since the last survey was conducted[16]; or
- Surveys were conducted in natural systems where special status plants may not be observed if an annual above ground phase is not visible (e.g. flowers from a bulb); or
- Changes in vegetation or species distribution may have occurred since the last survey was conducted, due to habitat alteration, fluctuations in species abundance and/or seed bank dynamics.

NEGATIVE SURVEYS

Adverse conditions may prevent investigators from determining the presence of, or accurately identifying, some species in potential habitat of target species. Disease, drought, predation, or herbivory may preclude the presence or identification of target species in any given year. Discuss such conditions in the report.

The failure to locate a known special status plant occurrence during one field season does not constitute evidence that this plant occurrence no longer exists at this location, particularly if adverse conditions are present. For example, surveys over a number of years may be necessary if the species is an annual plant having a persistent, long-lived seed bank and is known not to germinate every year. Visits to the site in more

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13 Adapted from U.S. Fish and Wildlife Service kit fox survey guidelines available at www.fws.gov/sacramento/es/documents/kitfox_no_protocol.pdf

14 U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/sacramento/es/protocol.htm

15 Habitats, such as grasslands or desert plant communities that have annual and short-lived perennial plants as major floristic components may require yearly surveys to accurately document baseline conditions for purposes of impact assessment. In forested areas, however, surveys at intervals of five years may adequately represent current conditions. For forested areas, refer to "Guidelines for Conservation of Sensitive Plant Resources Within the Timber Harvest Review Process and During Timber Harvesting Operations", available at https://r1.dfg.ca.gov/portal/Portals/12/THPBotanicalGuidelinesJuly2005.pdf

16 U.S. Fish and Wildlife Service Survey Guidelines available at http://www.fws.gov/ventura/speciesinfo/protocols_guidelines/docs/botanicalinventories.pdf

than one year increase the likelihood of detection of a special status plant especially if conditions change. To further substantiate negative findings for a known occurrence, a visit to a nearby reference site may ensure that the timing of the survey was appropriate.

REPORTING AND DATA COLLECTION

Adequate information about special status plants and natural communities present in a project area will enable reviewing agencies and the public to effectively assess potential impacts to special status plants or natural communities[17] and will guide the development of minimization and mitigation measures. The next section describes necessary information to assess impacts. For comprehensive, systematic surveys where no special status species or natural communities were found, reporting and data collection responsibilities for investigators remain as described below, excluding specific occurrence information.

SPECIAL STATUS PLANT OR NATURAL COMMUNITY OBSERVATIONS

Record the following information for locations of each special status plant or natural community detected during a field survey of a project site.

- A detailed map (1:24,000 or larger) showing locations and boundaries of each special status species occurrence or natural community found as related to the proposed project. Mark occurrences and boundaries as accurately as possible. Locations documented by use of global positioning system (GPS) coordinates must include the datum[18] in which they were collected;
- The site-specific characteristics of occurrences, such as associated species, habitat and microhabitat, structure of vegetation, topographic features, soil type, texture, and soil parent material. If the species is associated with a wetland, provide a description of the direction of flow and integrity of surface or subsurface hydrology and adjacent off-site hydrological influences as appropriate;
- The number of individuals in each special status plant population as counted (if population is small) or estimated (if population is large);
- If applicable, information about the percentage of individuals in each life stage such as seedlings vs. reproductive individuals;
- The number of individuals of the species per unit area, identifying areas of relatively high, medium and low density of the species over the project site; and
- Digital images of the target species and representative habitats to support information and descriptions.

FIELD SURVEY FORMS

When a special status plant or natural community is located, complete and submit to the CNDDB a California Native Species (or Community) Field Survey Form[19] or equivalent written report, accompanied by a copy of the relevant portion of a 7.5 minute topographic map with the occurrence mapped. Present locations documented by use of GPS coordinates in map and digital form. Data submitted in digital form must include the datum[20] in which it was collected. If a potentially undescribed special status natural community is found on the site, document it with a Rapid Assessment or Relevé form[21] and submit it with the CNDDB form.

VOUCHER COLLECTION

Voucher specimens provide verifiable documentation of species presence and identification as well as a public record of conditions. This information is vital to all conservation efforts. Collection of voucher specimens should

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17 Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata. For Timber Harvest Plans (THPs) please refer to the "Guidelines for Conservation of Sensitive Plant Resources Within the Timber Harvest Review Process and During Timber Harvesting Operations", available at https://r1.dfg.ca.gov/portal/Portals/12/THPBotanicalGuidelinesJuly2005.pdf

18 NAD83, NAD27 or WGS84

19 http://www.dfg.ca.gov/biogeodata

20 NAD83, NAD27 or WGS84

21 http://www.dfg.ca.gov/biogeodata/vegcamp/veg_publications_protocols.asp

be conducted in a manner that is consistent with conservation ethics, and is in accordance with applicable state and federal permit requirements (e.g. incidental take permit, scientific collection permit). Voucher collections of special status species (or suspected special status species) should be made only when such actions would not jeopardize the continued existence of the population or species.

Deposit voucher specimens with an indexed regional herbarium[22] no later than 60 days after the collections have been made. Digital imagery can be used to supplement plant identification and document habitat. Record all relevant permittee names and permit numbers on specimen labels. A collecting permit is required prior to the collection of State-listed plant species[23].

BOTANICAL SURVEY REPORTS

Include reports of botanical field surveys containing the following information with project environmental documents:

- **Project and site description**
  - A description of the proposed project;
  - A detailed map of the project location and study area that identifies topographic and landscape features and includes a north arrow and bar scale; and,
  - A written description of the biological setting, including vegetation[24] and structure of the vegetation; geological and hydrological characteristics; and land use or management history.
- **Detailed description of survey methodology and results**
  - Dates of field surveys (indicating which areas were surveyed on which dates), name of field investigator(s), and total person-hours spent on field surveys;
  - A discussion of how the timing of the surveys affects the comprehensiveness of the survey;
  - A list of potential special status species or natural communities;
  - A description of the area surveyed relative to the project area;
  - References cited, persons contacted, and herbaria visited;
  - Description of reference site(s), if visited, and phenological development of special status plant(s);
  - A list of all taxa occurring on the project site. Identify plants to the taxonomic level necessary to determine whether or not they are a special status species;
  - Any use of existing surveys and a discussion of applicability to this project;
  - A discussion of the potential for a false negative survey;
  - Provide detailed data and maps for all special plants detected. Information specified above under the headings "Special Status Plant or Natural Community Observations," and "Field Survey Forms," should be provided for locations of each special status plant detected;
  - Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms should be sent to the CNDDB and included in the environmental document as an Appendix. It is not necessary to submit entire environmental documents to the CNDDB; and,
  - The location of voucher specimens, if collected.

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22 For a complete list of indexed herbaria, see: Holmgren, P., N. Holmgren and L. Barnett. 1990. Index Herbariorum, Part 1: Herbaria of the World. New York Botanic Garden, Bronx, New York. 693 pp. Or: http://www.nybg.org/bsci/ih/ih.html

23 Refer to current online published lists available at: http://www.dfg.ca.gov/biogeodata.

24 A vegetation map that uses the National Vegetation Classification System (http://biology.usgs.gov/npsveg/nvcs.html), for example *A Manual of California Vegetation*, and highlights any special status natural communities. If another vegetation classification system is used, the report should reference the system, provide the reason for its use, and provide a crosswalk to the National Vegetation Classification System.

- **Assessment of potential impacts**
  - A discussion of the significance of special status plant populations in the project area considering nearby populations and total species distribution;
  - A discussion of the significance of special status natural communities in the project area considering nearby occurrences and natural community distribution;
  - A discussion of direct, indirect, and cumulative impacts to the plants and natural communities;
  - A discussion of threats, including those from invasive species, to the plants and natural communities;
  - A discussion of the degree of impact, if any, of the proposed project on unoccupied, potential habitat of the species;
  - A discussion of the immediacy of potential impacts; and,
  - Recommended measures to avoid, minimize, or mitigate impacts.

QUALIFICATIONS

Botanical consultants should possess the following qualifications:

- Knowledge of plant taxonomy and natural community ecology;
- Familiarity with the plants of the area, including special status species;
- Familiarity with natural communities of the area, including special status natural communities;
- Experience conducting floristic field surveys or experience with floristic surveys conducted under the direction of an experienced surveyor;
- Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
- Experience with analyzing impacts of development on native plant species and natural communities.

SUGGESTED REFERENCES

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Species of Special Concern:

A Brief Description of an Important California Department of Fish and Game Designation

What is a "Species of Special Concern"?

A Species of Special Concern (SSC) is a species, subspecies, or distinct population of an animal* native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

- is extirpated from the State or, in the case of birds, in its primary seasonal or breeding role;
- is listed as Federally-, but not State-, threatened or endangered; meets the State definition of threatened or endangered but has not formally been listed;
- is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status;
- has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for State threatened or endangered status.

*for the purposes of this discussion, "animal" means fish, amphibian, reptile, bird and mammal

What important factors contribute to a species being designated as an SSC?

SSCs tend to have a number of factors in common, as follows:

- occur in small, isolated populations or in fragmented habitat, and are threatened by further isolation and population reduction;
- show marked population declines. Taxa that show a marked population decline, yet are still abundant, may not meet the SSC definition, whereas marked population decline in uncommon or rare species may meet the SSC definition. Note that population estimates are unavailable for the vast majority of California taxa;
- depend on a habitat that has shown substantial historical or recent declines in size and/or quality or integrity. This criterion infers the population viability of a species based on trends in the habitats in which it specializes. Coastal wetlands, particularly in the urbanized San Francisco Bay and south-coastal areas, alluvial fan sage scrub and coastal sage scrub in the southern coastal basins, vernal pools in the Central Valley, arid scrub in the San Joaquin Valley, and riparian habitat statewide, are examples of California habitats that have seen dramatic reductions in size in recent history;
- occur only or primarily in or adjacent to an area where habitat is being converted to uses incompatible with the animal's survival;

- have few California records, or which historically occurred in the State but for which there are no recent records; and
- occur largely in areas where current management practices are inconsistent with the animal's persistence.

How does the Department use the SSC designation?
"Species of Special Concern" is an administrative designation and carries no formal legal status. The intent of designating SSCs is to:

- focus attention on animals at conservation risk by the Department, other State, local and Federal governmental entities, regulators, land managers, planners, consulting biologists, and others;
- stimulate research on poorly known species;
- achieve conservation and recovery of these animals before they meet California Endangered Species Act criteria for listing as threatened or endangered.

How are SSCs addressed under the California Environmental Quality Act?
SSCs should be considered during the environmental review process. The California Environmental Quality Act (CEQA; California Public Resources Code §§ 21000-21177) requires State agencies, local governments, and special districts to evaluate and disclose impacts from "projects" in the State. Section 15380 of the CEQA Guidelines clearly indicates that species of special concern should be included in an analysis of project impacts if they can be shown to meet the criteria of sensitivity outlined therein.

Sections 15063 and 15065 of the CEQA Guidelines, which address how an impact is identified as significant, are particularly relevant to SSCs. Project-level impacts to listed (rare, threatened, or endangered species) species are generally considered significant thus requiring lead agencies to prepare an Environmental Impact Report to fully analyze and evaluate the impacts. In assigning "impact significance" to populations of non-listed species, analysts usually consider factors such as population-level effects, proportion of the taxon's range affected by a project, regional effects, and impacts to habitat features.

Who is responsible for developing and maintaining SSC documents and lists?
The Wildlife Branch's Nongame Wildlife Program is responsible for producing and updating SSC publications for mammals, birds, reptiles and amphibians. The Fisheries Branch is responsible for updates to the Fish Species of Special Concern document and list and should be contacted for further information regarding process and project details. The Biogeographic Data Branch is responsible for maintaining the most current list of SSCs via inclusion on its "Special Animals List" (http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp). These publications are updated periodically as staff and funding allow. Publications are typically produced by a contractor knowledgeable about the taxonomic group.

The contractor's draft publication is reviewed by the Department, as well as by the contractor's peers, other agencies, and other biologists, as appropriate. Final publication of an SSC document requires approval of the Director.

What procedures are used to designate SSCs?
California Bird Species of Special Concern (Shuford and Gardali 2008; http://www.dfg.ca.gov/wildlife/species/ssc/birds.html) articulates the State's desired methodology, when achievable. Criteria used to develop this document were vetted Department-wide, by DFG leadership, and by the scientific community.

The process to designate SSCs will include the following:

- maintaining a consistent definition of SSC, per page 1 of this document, across taxonomic lines;
- establishing a Technical Advisory Committee (TAC), consisting of authorities on the biology and status of pertinent taxonomic group (amphibians and reptiles, bird, mammals);
- using metrics, developed in concert with the TAC, to assess the status of each taxon. Where sufficient data allow it, metrics should include population size and trend, range size and trend, population concentration, percentage of entire range or population within California (endemism), and assessment of threats;
- developing a nominee list of taxa to be considered for SSC status in concert with the TAC, using an open process, i.e., not basing consideration solely on a previous SSC list or a or other special designation that may have already been assigned;
- automatically including Federally-listed taxa as designated SSCs but not establishing rankings or preparing range maps for them. Metrics shall be applied to any Federally-listed taxon subsequently delisted to determine its new status as either a SSC or placement on a Watch List;
- automatically excluding State-listed taxa from the nominee list. Metrics shall be applied to any State-listed taxon that is subsequently delisted to determine its new status as either SSC or Watch List;
- developing priorities for conservation action using a ranking scheme;
- providing an explanation for each taxon that was designated as an SSC but that is omitted from a revised list.

What elements are found in an SSC document?

- overview, including a description of methods, results and discussion;
- recommendations and priorities for research, management and monitoring;
- species accounts for each SSC, including data on population and range trend, population size and trend, threats, ecological considerations, management recommendations, taxonomic remarks, and life history information relevant to status;
- range and/or distribution maps for each ranked SSC;

- California Responsibility List *(sensu* Shuford and Gardali 2008) indicating endemic or nearly endemic taxa, and which of those are SSCs;
- Watch List, consisting of taxa that were previously SSCs but no longer merit SSC status or which do not meet SSC criteria but for which there is concern and a need for additional information to clarify status.

How does the Department add or remove animals from the SSC lists?
A list of nominee taxa considered for SSC status is developed during the course of a major revision of an SSC document. Metrics (see above) are applied to each taxon; SSC threshold criteria are determined and a ranking scheme developed which discriminates between SSCs and taxa that do not qualify for that designation. Thus, a Nominee Species Database (NSD) is developed as part of the project. Keeping the NSD up-to-date is an important part of the SSC process.

Scores in the NSD will be updated at least annually by the Department with the assistance of the appropriate Technical Advisory Committee; results will be included on the Special Animals List, and posted to the Department website, as appropriate. Scores may change as a result of new information gained from scientific, peer-reviewed literature, expert opinion, or other reliable sources. Members of the public may present new information to the Department as part of this process. A score change may move a taxon on or off the list. In all cases, any change must be evaluated by the general SSC criteria on page 1, as well as those developed by the Department and TAC for each taxonomic group, and documented by a written record of findings.

What is the relationship between SSCs and the California Wildlife Action Plan?
A major component of the California Wildlife Action Plan (WAP) (http://www.dfg.ca.gov/wildlife/wap/report.html) is the identification of species of greatest conservation need in the State. The Department uses the Special Animal List (http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp), which includes SSCs, as the primary source list of these species. Species of greatest conservation need are eligible for and considered as priorities for conservation funding via State Wildlife Grant funds (these funds are linked to State WAPs). Revisions to the WAP will include threat assessments for current SSCs and their habitats, and will change conservation actions and priorities accordingly.

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BELLA VISTA WATER DISTRICT

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TELEPHONE (530) 241-1085 • FAX (530) 241-8354

March 24, 2016

SENT VIA EMAIL khector@co.shasta.ca.us; ORIGINAL MAILED
Kent Hector, Senior Planner
Shasta County Dept. of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Proposed Tierra Robles Planned Development Project

Dear Mr. Hector,

The District offers the following comments regarding the subject project

1. *If you are a public agency, state if your agency will be a responsible or trustee agency for the project and list the permits or approvals from your agency that will be required for the project and its future actions;*

   The Bella Vista Water District is a California Special District formed under the California Water Code and provides water service within the District's boundary that includes the proposed development (See Exhibit 1).

   The District will require the following permits and approvals for the subject project:

   a. A Will Serve Commitment in accordance with the District's adopted Will Serve Policy (See Exhibit 2)
   b. On and Offsite Water System Improvement Plans and Specifications in compliance with the District's adopted Design Standards and Contraction Standards, most recent edition.
   c. Reimbursement Agreement with the District in accordance with the District's adopted Reimbursement Policy (See Exhibit 3).
   d. Conveyance Agreement, Offer of Dedication, Release, Bonds, etc. in accordance with the District's adopted Capital Conveyance requirements (See Exhibit 4).
   e. Offsite improvements will include a connection to an existing 16- inch main and the crossing of a 36-inch main, both of which will require the approval as well as an encroachment permit issued by the U.S. Bureau of Reclamation.

f. At such time as service is requested from the District for any of the parcels that will be created under the proposed project, payment of the applicable capital improvement fees, meter and service installation fees will be required in order to receive water service from the District. The District's current capital improvement fees can be found in Appendix A of the District's Policy Manual on the District's website at:
http://www.bvwd.org/documents/503/Policy_Manual_160125.pdf.
The proposed project is located in the Welch Pressure Zone and would be subject to the capital improvement fees established for that zone in effect at the time that water service is requested. New on-site water mains will be required throughout the project in order to meet fire flows and provide water service connections for the proposed project. Construction of the improvements will be required before the District could provide water service to the proposed project.

g. Landscaping on all parcels created within the project shall be in compliance with the California Model Water Efficient Landscape Ordinance (MWELO), latest edition. The District will require submittal of copies of Shasta County certifications of compliance with MWELO before landscaping is installed.

2. *Identify significant environmental effects and mitigation measures that you believe need to be explored in the EIR with supporting discussion of why you believe these effects may be significant;*
Water supply availability and reliability - The District's primary water supply is through a 25-year, renewable Water Service Contract with the U.S. Bureau of Reclamation for water supply from the Central Valley Project (CVP) and is subject to shortage provisions (See Exhibit 5). Although the District's Water Service Contract entitlement is for up to 24,578 acre-feet annually, it is subject to shortage provisions and a "condition of shortage". Available Project Water furnished under the Contract is allocated in accordance with the M&I Water Shortage Policy as amended, modified, or superseded. In recent years, a "condition of shortage" has been significantly influenced by regulatory actions and court rulings associated with the Endangered Species Act and the Biological Opinions that have constrained CVP operations and reduced the water supply available to CVP Water Service Contractors, including the Bella Vista Water District. The U.S. Bureau of Reclamation has recently finalized the CVP Municipal and Industrial Water Shortage Policy and release a Final Environmental Impact Statement on September 10, 2015. The U.S. Bureau of Reclamation is presently developing rules and guidelines for the implementation of the policy.

The Bella Vista Water District has adopted a Water Shortage Contingency Plan (See Exhibit 6). The purpose of this Resolution was to establish a Water Shortage Contingency Plan (WSCP) for the District's Municipal and Industrial (M&I) customers that would conserve the available water supply to protect and preserve public health, welfare, and safety, with particular regard for domestic water use, sanitation, and fire protection; and minimize the adverse impacts of water supply shortage or other water supply emergency conditions. The District will be updating its Federal Water Management Plan and its Urban Water Management Plan in 2016. The reliability of the District's water supply will need to be addressed in these plan updates in light of the cutbacks in Central Valley Project water deliveries to the District during the past several years. All customers including

any new development within the District are subject to the District's rules, regulations and policies including adopted shortage measures as amended, modified, or superseded. Presently, the District is in a Stage 3 – Severe Water Shortage. A table of customer actions by shortage stage is attached (Exhibit 7).

3. Describe special studies and other information that you believe are necessary for the County to analyze the significant environmental effects, alternatives, and mitigation measures you have identified;
    a. Water supply needs analysis for full buildout of the proposed project
    b. Bella Vista Water District's Urban Water Management Plan, most recent edition
    c. U.S. Bureau of Reclamation Municipal and Industrial Shortage Policy for the Central Valley Project and Final Environmental Impact Statement for the Central Valley Project Municipal and Industrial Water Shortage Policy (http://www.usbr.gov/mp/cvp/mandi/)
    d. Bella Vista Water District's Water Shortage Contingency Plan, most recent edition (Exhibits 5, 6).
    e. Previous Bella Vista Water District comments, dated November 27, 2012, are hereby incorporated by reference (Exhibit 8).

4. Provide the name, title, and telephone number of the contact person from your agency or organization that we can contact regarding your comments;

   If you have any questions or require additional information, please contact Don Groundwater, District Engineer, by phone at 530-241-1085, or via e-mail at dgroundwater@bvwd.org

Sincerely,

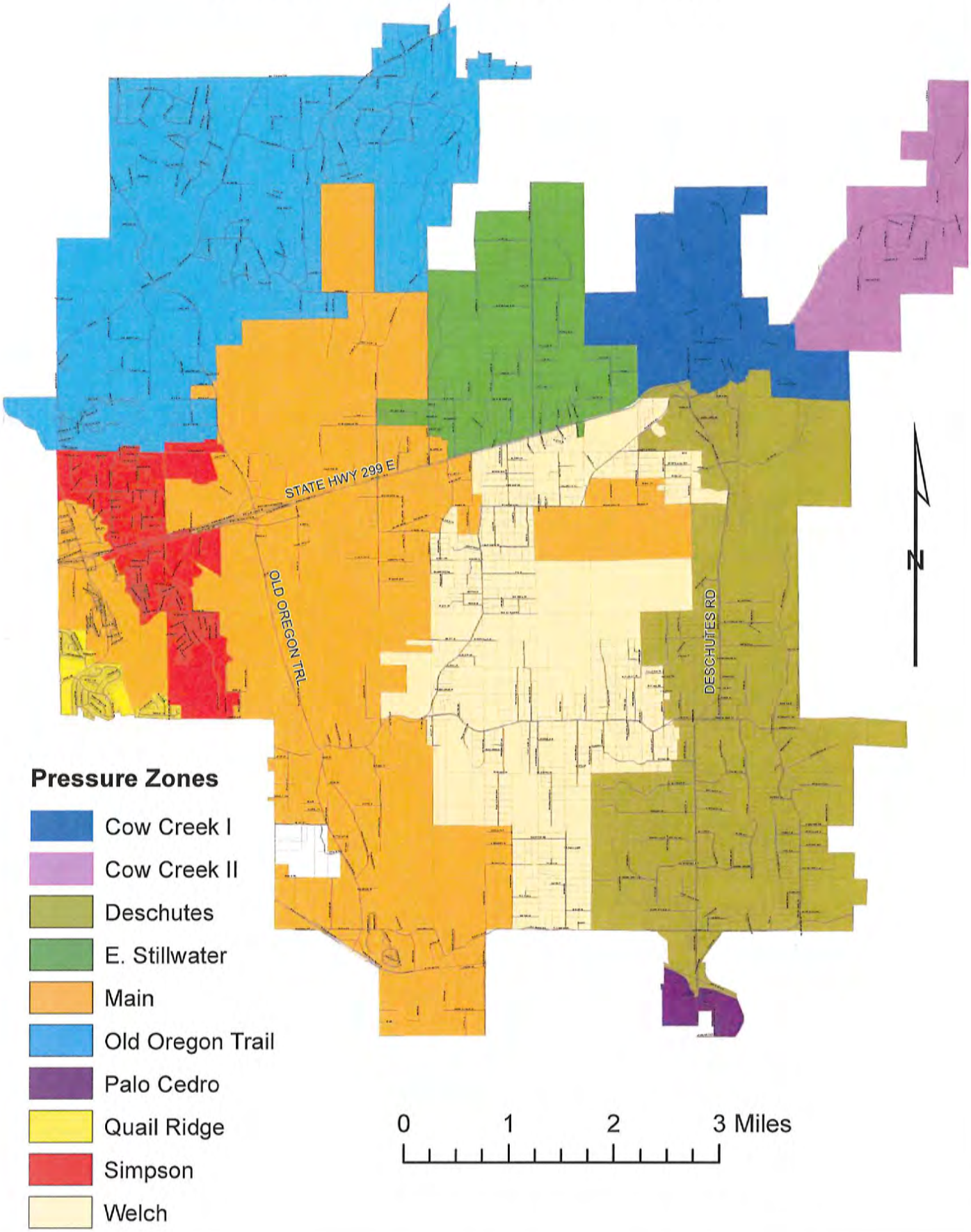
David J. Coxey

David J. Coxey
General Manager

Enclosures

Bella Vista Water District
Service Area and Pressure Zones

Exhibit 1



WILL SERVE LETTER POLICY

Adopted by the Board of Directors on October 27, 2014

Bella Vista Water District (the "District") provides water services within the District's Service Boundary in Shasta County, California. Periodically, the District receives from a property owner requests for the District to provide to a regulatory agency a "Will Serve Letter." A Will Serve Letter provides notification to the regulatory agency and the applicant that the District has sufficient water and facilities available to serve the property/properties and that the District will serve the real property/properties owned by the applicant subject to this policy and conditions contained in the Will Serve Letter. Will Serve Letters will be considered by the District upon receipt of a complete application and will describe the location, type of service and the specific conditions under which the District will provide service. Residential Developments of four (4) or fewer parcels may be approved by the District's General Manager. Subdivision and Commercial Developments must be approved by the Board of Directors. This Will Serve Policy adopted by the Board of Directors of the District sets forth the policies of the District with respect to the issuance of Will Serve Letters.

The District's General Manager will report on any Will Serve Letters issued by the District at the next regularly scheduled Board of Directors meeting.

Additionally, the District's General Manager will provide a report annually on the status of all issued and unexpired Will Serve Letters during the planning process for the upcoming fiscal year.

Section 1 - Will Serve Letters

1. District Will Serve Letters are issued to regulatory agencies consistent with this policy and on behalf of an applicant to provide an indication of the District's willingness and ability to provide domestic water service to real property/properties within the District's Service Boundary. A Will Serve Letter outlines the general conditions under which the District will provide such water service. It is the District's conditional commitment to provide domestic water service to new customers.

2. The District will not issue a Will Serve Letter for real property which is not within the District's Boundary at the time of the request for the Will Serve Letter.

Section 2 - Eligibility & Criteria

1. Applications for Will Serve Letters requesting water service outside of the District's then existing Service Boundary will only be processed upon approval of an annexation of the affected real property by the District's Board of Directors in accordance with the District's adopted Annexation Policy and contingent upon completion of the annexation of the real property into the District's Service Boundary through the Shasta County

Local Agency Formation Commission, and obtaining Bureau of Reclamation approval for inclusion of the real property within the District's Service Area, at the applicant's sole cost and expense.

2. A Will Serve Letter issued by the District to an applicant shall terminate at the sooner to occur of ten (10) years after the date of the Will Serve Letter or (unless connection to the District water system has been made prior to the termination or expiration of any use permit, tentative map or parcel division approval) upon the termination or expiration of any building permit issued to the applicant for construction of improvements on the real property which is the subject of the Will Serve Letter.

3. Connection of water services as provided in a Will Serve Letter shall be contingent upon the District, at the time of request for connection, having sufficient water based upon their contractual entitlements and owned water, and shall further be contingent upon the District having sufficient treatment and delivery capacity to comply with all laws and regulations concerning the delivery of domestic water. All District commitments to deliver water shall, during shortage conditions, be subject to the provisions of the then current Water Shortage Contingency Plan and/or adopted Water Shortage Emergency Measures.

Section 3 - District Fees and Costs

1. Applicants for Will Serve Letters shall be responsible for payment or reimbursement to the District as provided in this policy of all District fees and costs in existence on the date that a request by the applicant for connection to the District's water system is made. Connections to the District's water system will be made only to real property which has, at the time of the request for connection, a valid building permit.

2. The District establishes and periodically updates fees, charges and cost reimbursements which are applicable to connection of water service to real property being developed in the District. The fees established by the District which are applicable to a Will Serve Letter for which an applicant will be responsible are as set forth on **Exhibit "A"** attached hereto.

3. District fees and costs are normally updated not more frequently than annually although additional fees and costs may be adopted by the District's Board of Directors at any time. An applicant for a Will Serve Letter shall be responsible at the time that such fees are to be collected to pay to or reimburse the District for all fees and costs in existence on the date of the request for connection.

Section 4 - Application for Will Serve Letter - Form

1. Any person or entity requesting a Will Serve Letter from the District shall fully complete and submit to the District an "Application for Will Serve Letter" in the form

attached hereto as **Exhibit "B"**. The application will not be considered received by the District until such time as all information required thereon has been provided and the form has been duly executed as provided in the form.

2. An applicant will be required to pay at the time of the submission of the Application for the Will Serve Letter those District administrative fees then in effect for the submissions of an Application for Will Serve Letter together with any deposits required for engineering fees and attorneys' fees, all as provided on **Exhibit "A"** hereto.

3. Following receipt by the District of a complete Application for Will Serve Letter, together with any fees or costs required at the time of the filing of the application, the District will have up to 21 days to review the request. During the review process the District may require the applicant to furnish the District with such other and further information as the District deems pertinent to review and process the application. If during the District's initial review of the application, the District determines that there are additional fees or costs which are required to evaluate and process the application, the District will provide an estimate of these additional fees and costs in writing to the applicant. The District requires collection of all fees and costs at the times provided in **Exhibit "A"** hereto. Will Serve requests that must be approved by the District's Board of Directors will be presented to the Board for their consideration at their next regularly scheduled meeting following the completion of the review process.

4. The District will not provide water service to any property in the event of non-payment of any applicable fees or costs.

Section 5 –Development Agreement

1. Applicants who request a Will Serve Letter from the District to supply water to a proposed development which requires the construction of new or additional District water distribution system improvements in order to provide water service requested, will be required to enter into a Development Agreement between the applicant and the District.

2. The Development Agreement will set forth all terms and conditions of water service for the applicant by the District and will describe in detail the responsibilities of the applicant and the District with respect to the construction of and payment for any required District water distribution system improvements.
3. In the event that a Development Agreement is required for the applicant's proposed development, the applicant will be responsible to execute and deliver the Development Agreement prior to approval of project improvement plans by the District's General Manager and to pay or to reimburse the District for fees and expenses incurred by the District for its District engineer and attorney in the preparation of the Development Agreement.

Will Serve Policy adopted by the Bella Vista Water District on _____ and last amended on _____.

The undersigned, an applicant for a Will Serve Letter from the Bella Vista Water District acknowledges receipt of the Will Serve Policy this ____ day of _____, 20____.

_____ _____

Authorized Signature Date

_____

Name (print)

EXHIBIT "A"

WILL SERVE LETTER FEE SCHEDULE
October 28, 2014

Administrative Fees

Administrative Fees are to be paid at the time an application for a will serve letter or application for connection to the District is received, whichever first occurs.

(a) District Administrative Overhead Filing
& Research .....$ 50.00
(or as superseded in the District Policy Manual "Appendix A – Schedule of Rates and Charges")

(b) Projects requiring an "Agreement for Water System Improvements" shall first execute a Reimbursement Agreement setting forth the terms and conditions to reimburse the District for all project related expenses including staff, engineering and legal expenses associated with the project and preparation of the Off Site Improvements/Development Agreement.

Engineering and Attorney Fees

For subdivisions that will create more than 4 parcels and commercial/industrial projects that will require review by the District's Engineer and/or Attorney a deposit of $500.00 (or as superseded in the District Policy Manual "Appendix A – Schedule of Rates and Charges") each for engineering and attorney fees is to be collected at the time the District receives an application. After the District's receipt of a complete application, applicants will be provided with an estimate of all District Engineering and Attorney fees to be incurred. Estimated Engineering and Attorney fees in excess of the initial deposit are to be paid upon receipt of the estimate. Engineering and Attorney fees in excess of the deposits will be billed to the applicant by the District upon receipt of the bills thereafter, and are payable immediately. Deposits in excess of final billing will be refunded to the applicant.

Connection Fees

Connection fees are to be paid at the time the real property is connected to the District water system. Connection fees include the following fees and costs pursuant to District's Policy as amended: Capital Improvement Fees, Water Meter Set Fees and Service Line Installation Fees.

EXHIBIT "B"

APPLICATION FOR WILL SERVE LETTER

Date: _____

APPLICANT INFORMATION

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone #: _____ Fax #: _____

E-Mail: _____

PROPERTY INFORMATION

Location of Property(s): _____

_____

Legal Description: _____

_____

_____

(Include Section, Township and Range)

Assessor's Parcel Number (APN) of lot(s) to be served: _____

_____

Service address of parcel(s) served: _____

_____

Planning Department Development Number: _____

Type of Use:

a)	Single Family Residence	Yes ☐	No ☐
b)	Multi Family Residence	Yes ☐	No ☐
c)	Residential Development (Including Residential Subdivisions)	Yes ☐	No ☐
d)	Commercial/Industrial	Yes ☐	No ☐

Number of Units: _____ Type: _____

THE FOLLOWING ITEMS MUST BE SUBMITTED

1. Notarized "Request for Will Serve Letter" Form.
2. Multi-Family, Residential and Commercial/Industrial Developments must supply plans.
3. Check payable to the Bella Vista Water District for all fees associated with the Request for Will Serve Letter Form.
4. **Please Note**: Payment for Will Serve Letter fees and the Request Form will not be accepted until all required items have been submitted.

WILL SERVE LETTER ADDRESSEE INFORMATION

This Will Serve Letter needs to be sent to:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone #: Fax #:

E-Mail: _____

Property Owner(s) Name, Address and Phone Number:

Name:	Address:	Phone #;
_____	_____	_____
_____	_____	_____

I (We) the undersigned applicant(s) do hereby request a Will Serve Letter from Bella Vista Water District for the real property(s) described in this application. The undersigned certifies under penalty of perjury that I (we) have the authority to make this request and have provided correct information. I (we) understand and agree that I (we) will be responsible for and will pay all fees and costs associated with the Will Serve Letter as provided for in the Will Serve Policy of the Bella Vista Water District.

Dated this _____ day of _____ 20_____

_____

_____

(Notarial Acknowledgement Required)

Exhibit "C" – Standard Will Serve Letter

{Date}

City of Redding Building Department P.O. Box 496071 Redding, CA 96049-6071	or	Shasta County Department of Resource Management Planning Division 1855 Placer Street, Suite 103 Redding, CA 96001-1759

Re: {Project Name and (Parcel Map, APN, or Proponent)}

This is to inform you that the above referenced real property lies within the Bella Vista Water District's current contract boundary.

Water service by the District to this project will be provided contingent upon compliance with all rules, regulations, policies, resolutions, fees, and specifications that are in effect at the time connection to the District's water system is requested.

The District requires receipt of and an opportunity to comment on:

1. Tentative maps for the real property or use permit applications as the case may be;
2. Review and acceptance of improvement plans for construction of needed water system improvements; and
3. Review and acceptance of completed water system improvements whether on site or off site and which are associated with this property

{And, if applicable}

{4. Completion of the conditions as set forth in an "Agreement for Water System Improvements" for the proposed project. (Note: This project will require an Agreement for Water System Improvements between the applicant and the District with terms and conditions as provided by the District.}

Connection of water service as provided in a Will Serve Letter shall be contingent upon the District, at the time of request for connection, having sufficient water based upon their contractual entitlements and owned water, and shall further be contingent upon the District having sufficient treatment and delivery capacity to comply with all laws and regulations concerning the delivery of domestic water. All District commitments to deliver water shall, during water supply shortage conditions, be subject to the provisions of the then current District Water Shortage Contingency Plan and/or Adopted Water Shortage Emergency Measures.

This Will Serve Letter shall terminate at the sooner to occur of either ten (10) years after the date of the Will Serve Letter or upon the termination or expiration of any building permit issued to the applicant for construction of improvements on the real property which is the subject of the Will Serve Letter (unless connection to the District water system has been made prior to the termination or expiration of any use permit, tentative map or parcel division approval).

Should you require additional information, please contact the District office.

Sincerely,

General Manager or District Engineer

cc: File

POLICY OF
BELLA VISTA WATER DISTRICT
BOARD OF DIRECTORS
ON REIMBURSEMENT OF DISTRICT
FOR LANDOWNER-SPECIFIC EXPENSES
Effective August 28, 2007

Findings

Since the formation of the District, there has been a steady conversion of open and irrigated land within the Bella Vista Water District (the "District") to residential, municipal and industrial uses. The District believes such conversions will continue – and may accelerate – for the foreseeable future.

District planning efforts including Master Plans, hydraulic modeling and related studies are intended as planning tools for the orderly development of the District. However, there are occasionally projects that exceed the scope and parameters of routine planning efforts such as annexations and land uses which exceed Master Plan hydraulic design assumptions. Such development activities often create new expenses for the District, both because new land uses impose new legal and operational requirements on the District and because developers frequently request the District to take certain actions to facilitate their activities.

Because the District wishes to serve all of its landowners, regardless of the nature of their water uses, and because the District is committed to comprehensively managing the water resources within its boundaries, the District intends to cooperate with its landowners wherever possible. However, the District believes that costs incurred by the District for the benefit of specific landowners should be borne solely by those landowners whenever possible, and not spread to District landowners and customers not directly benefiting from those expenses. The District wishes to formalize such policy.

Therefore, the District hereby adopts the following policy.

Policy

1. When the District is required or requested to take any action for the benefit of a single landowner or group of landowners (the "Project Proponent") that is solely or primarily for benefit of only the Project Proponent, including without limitation any action required by any other District policy then in effect, the District's General Manager will develop an appropriate agreement with that Project Proponent requiring the payment or reimbursement of all District expenses incurred for the benefit of that Project Proponent.

2. The expenses to be paid or reimbursed to the District under this Policy include without limitation (i) actual out-of-pocket expenses incurred by the District, (ii) the actual amount of legal fees, consulting fees and similar third-party charges incurred by the District for the benefit

of the Project Proponent, including without limitation the costs incurred by the District in connection with preparing any environmental documentation, plus a reasonable amount of District overhead for processing those amounts, (iii) the cost of District staff time dedicated to activities on behalf of the Project Proponent, calculated based on hourly rates determined with reference to each staff member's actual compensation, employee benefits and associated overhead, (iv) all costs of litigation (including without limitation attorneys' fees) actually incurred by the District in defending any action brought as the result of or challenging the District's actions on behalf of a Project Proponent, and (v) damages actually payable by the District relating to any activities the District undertakes on behalf of on for the benefit of a Project Proponent.

3. Each agreement executed with a Project Proponent will provide that the Project Proponent is to immediately deposit an amount equal to two months' estimated District expenses associated with the activity the Project Proponent wishes the District to undertake on its behalf, as determined by the District, with the District for the account of the Project Proponent. Each month, within five business days after receipt of written request from the District, the Project Proponent shall deposit additional funds sufficient to again bring the amount held on deposit by the District for the Project Proponent to two months' estimated District expenses associated with the project to be undertaken on behalf of the Project Proponent, as determined by the District. If a Project Proponent fails to timely make any such required deposit, or if at any time the District's General Manager reasonably believes that the District is likely to incur expenses for the benefit of a Project Proponent in excess of the amounts then on deposit for the benefit of that Project Proponent, the District may cease all activities being carried out for the benefit of that Project Proponent that could result in expenses to the District until the amounts requested by the District's General Manager have been deposited by the Project Proponent.

4. All amounts deposited a Project Proponent will be deposited by the District in an insured account selected by the District.

5. Each agreement under this policy will provide that the District is entitled to automatically withdraw funds held on account for the Project Proponent after providing the Project Proponent with an accounting for the funds to be so withdrawn.

6. The District will not undertake any activities on behalf of a Project Proponent that could result in expenses to the District until the agreement described in this policy has been executed.

REIMBURSEMENT AGREEMENT

THIS AGREEMENT is made and effective as of _____, _____ by and between the Bella Vista Water District, a California water district (the "District") and the party or parties listed on the attached Exhibit A (the "Project Proponent"), with reference to the following facts:

A. The District is a California water district serving approximately 34,079 acres in Shasta with irrigation, municipal and industrial water supplies. Project Proponent is comprised of one or more landowners within the District.

B. Project Proponent wishes to undertake the project described on the attached Exhibit B (the "Project"). When the Project is completed, it will provide benefits solely or primarily to Project Proponent. Project Proponent has requested, and/or may require, the District's assistance in connection with undertaking the Project.

C. The District wishes to serve all of its landowners and to comprehensively manage the water resources within its boundaries. Accordingly, the District is willing to cooperate with Project Proponent with respect to the Project. However, it is the District's policy that costs incurred by the District for the benefit of specific landowners should be borne solely by those landowners whenever possible, and not spread to District landowners not directly benefiting from those expenses. The District's formal policy in that regard is attached hereto as Exhibit C.

D. This Agreement has been executed in accordance with the policy attached hereto as Exhibit C in order to provide for the reimbursement to the District of expenses incurred by the District for the benefit of Project Proponent in connection with the Project.

THEREFORE, in consideration of the mutual terms, conditions and covenants set forth below, the parties agree as follows:

1. District Cooperation. Subject to any determination by the District's board of directors or General Manager that such cooperation is not in the best interest of the District, the District shall cooperate with Project Proponent with respect to accomplishing the Project. In connection therewith, the District shall undertake such actions as are required of it by law or applicable District policy in effect from time to time, or as otherwise determined to be appropriate by the District's General Manager. The District will undertake all such activities with reasonable diligence, subject at all times to the availability of District resources and the terms of this Agreement.

2. Reimbursement of District Expenses. Project Proponent shall pay or reimburse the District for all expenses and costs incurred by the District in connection with activities undertaken by the District in connection with the Project, whether at Project Proponent's request, as required by law or District policy, or as otherwise determined to be appropriate by the District's General Manager. The expenses to be paid or reimbursed by Project Proponent include without limitation (i) actual out-of-pocket expenses incurred by the District, (ii) the actual amount of legal fees, consulting fees and similar third-party charges incurred by the

District for the benefit of Project Proponent in connection with the Project, including without limitation the costs incurred by the District in connection with preparing any environmental documentation, plus a reasonable amount of District overhead for processing those amounts, (iii) the cost of District staff time dedicated to activities on behalf of Project Proponent in connection with the Project, calculated based on hourly rates determined with reference to each staff member's actual compensation, employee benefits and associated overhead, (iv) all costs of litigation (including without limitation attorneys' fees) actually incurred by the District in defending any action brought as the result of or challenging the District's actions on behalf of Project Proponent in connection with the Project, and (v) damages actually payable by the District relating to any activities the District undertakes on behalf of on for the benefit of Project Proponent.

3. Deposits by Project Proponent. Upon execution of this Agreement by both parties, Project Proponent shall deposit an amount equal to two months' estimated District expenses associated with the Project, as determined by the District, with the District for the account of Project Proponent. The District shall be entitled to automatically withdraw funds held on account for Project Proponent to pay or reimburse the expenses described in Section 2 of this Agreement. However, no such withdrawals shall be made until the District has provided Project Proponent with an accounting for the funds to be so withdrawn. Each month, within five business days after receipt of written request from the District, Project Proponent shall deposit additional funds sufficient to again bring the amount held on deposit by the District for Project Proponent to two months' estimated District expenses associated with the Project, as determined by the District. If Project Proponent fails to timely make any such required deposit, or if at any time the District's General Manager reasonably believes that the District is likely to incur expenses for the benefit of Project Proponent in connection with the Project in excess of the amounts then on deposit for the benefit of Project Proponent, the District may cease all activities being carried out for the benefit of Project Proponent in connection with the Project that could result in expenses to the District until the amounts requested by the District's General Manager have been deposited by Project Proponent. All amounts deposited by Project Proponent shall be maintained by the District in an insured account selected by the District.

4. Disputed Amounts. Project Proponent may dispute any District expenses described in any accounting provided by the District to Project Proponent pursuant to Section 3 of this Agreement within ten days after the receipt of such accounting. If Project Proponent disputes any such amount, Project Proponent shall provide the District with a written description of the disputed amounts and the basis for the dispute within such ten-day period. Any amounts not disputed in writing within such ten-day period shall be conclusively deemed approved by Project Proponent. If Project Proponent disputes any amounts, District and Project Proponent shall promptly discuss such disputed items and in good faith attempt to resolve the dispute. However, such disputes shall not prohibit the District from withdrawing amounts held on account for Project Proponent in accordance with Section 3 of this Agreement or relieve Project Proponent from its obligation to deposit additional amounts with the District pursuant to Section 3 hereof. Further, if such dispute is not resolved within 30 days after the written description of the disputed amounts is received by the District, the District may suspend all work on the Project or otherwise for the benefit of Project Proponent until the dispute is resolved.

5. Indemnification. Project Proponent shall indemnify, defend and hold the District and its directors, officers, employees, agents, attorneys and consultants free and harmless from and against any and all loss, cost, expense or claims, including without limitation attorneys' fees and costs (collectively, "Claims") incurred by any of them directly or indirectly resulting from any activities undertaken by or on behalf of the District in connection with the Project, except to the extent such Claims were the direct result of the willful misconduct of the party that would otherwise be indemnified.

6. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the State of California. The venue for any action brought to interpret or enforce any provision of this Agreement shall be proper in Shasta County, California.

7. Attorneys' Fees. If any party commences an action to interpret or enforce any provision of this Agreement, the prevailing party shall be entitled to an award of its actual attorneys' fees and costs of litigation as determined by the court.

8. Waiver. No waiver of any provision of this Agreement shall be effective unless it is in writing, and no waiver granted by either party shall be deemed a continuing waiver of any provision hereof.

9. Entire Agreement. This Agreement constitutes the entire agreement of the parties with respect to the subject matter hereof. No amendment of this Agreement shall be effective unless it is memorialized in writing and executed by all parties hereto.

10. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be considered an original document.

11. Joint and Several Obligations. If Project Proponent is comprised of more than one party, the obligations of the parties comprising Project Proponent to the District under this Agreement shall be joint and several. Should legal action under this Agreement become necessary, the District may pursue any or all of the parties comprising Project Proponent, and no other party comprising Project Proponent shall assert that the District's failure to pursue any other party is a bar to recovery.

12. Successor Landowners. Should one or more other parties become a part of Project Proponent, such other parties shall execute and agree to be bound by this Agreement as a condition of the District's performance of further work with respect to the Project following the addition of such party(ies) to Project Proponent.

13. Agent for Project Proponent. The District may recognize _____ as the agent for Project Proponent for all purposes under this Agreement.

14. Representation. Each of the individuals executing this Agreement on behalf of Project Proponent or as a member of Project Proponent represents and warrants that s/he is duly authorized to so execute this Agreement, and that his/her signature is sufficient to bind the party on whose behalf such individual has executed this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

BELLA VISTA WATER DISTRICT

By:_____

Its:_____

PROJECT PROPONENT

_____

Print Name:_____

_____

Print Name:_____

_____

Print Name:_____

_____

Print Name:_____

_____

Print Name:_____

_____

Print Name:_____

_____

Print Name:_____

_____

Print Name:_____

EXHIBIT A
Parties Comprising Project Proponent

EXHIBIT B
The Project

EXHIBIT C
District Policy

Exhibit 4

BELLA VISTA WATER DISTRICT

Capital Conveyance

Re-Adopted October 27, 2014

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BELLA VISTA WATER DISTRICT
CONVEYANCE AGREEMENT – MASTER

LEGEND

ZZZ	Developer's name (In Caps)
<<	Street address of Developer
>>	City, State, and Zip code of Developer
YY	Parcel Number
WW	Project known as, etc.
XX	Filed in District office as
VV	Engineering Firm
UU	Description listing length & diameter of pipe, etc.
##	How many sheets

BELLA VISTA WATER DISTRICT
CONVEYANCE AGREEMENT

THIS AGREEMENT, made and entered into this_____day of_____, 20__, by and between the BELLA VISTA WATER DISTRICT, hereinafter referred to as "District" and {Developer's Name (in CAPS)}, hereinafter referred to as "Developer".

Recitals

WHEREAS, Developer has prepared or caused to be prepared, at Developer's sole cost, expense, and responsibility, plans and specifications entitled {Project known as, etc.}, (filed in District's office as {District's file name}"), as prepared by {Name of Project's Engineer} for construction of water system improvements consisting generally of {Description listing length & diameter of pipe, etc.} and all appurtenances thereto, to provide treated water to Shasta County AP {PARCEL NO.}, a copy of which is attached hereto marked Exhibit "A" and made a part of this Agreement; and

WHEREAS, the plans and specifications contained in Exhibit "A" meet with the State Water Resources Control Board Drinking Water Program and District Engineer's acceptance; and

WHEREAS, the facilities and lands to be served treated water by said water system improvements lie within the boundaries of the District and are more particularly described in Exhibit "A"; and

WHEREAS, Developer desires District to accept said water system improvements into District's overall water system upon completion; and

WHEREAS, District, subject to the following terms and conditions, as well as those contained in the District's Regulations relating to water service, is willing to accept said water system improvements upon completion, provided the water system improvements are constructed in accordance with the District's adopted policies, Design Standards, Construction Standards, plans and specifications and in a manner meeting District's approval;

NOW, THEREFORE, the parties mutually agree as follows:

ARTICLE 1 - RECITALS: The recitals contained herein are an integral part of this Agreement.

ARTICLE 2 - PLANS: Attached hereto marked Exhibit "A" and made a part of this Agreement is one set of plans reduced to 11" x 17", prepared by the Developer's licensed civil engineer, and consisting of {Number of Sheets in the Plan Set} sheets, and specifications for construction of water system improvements. The District's acceptance of these plans and specifications does not constitute a warranty or guaranty by District of proper design nor does it relieve Developer of responsibility for the proper design and construction of the improvements thereon.

ARTICLE 3 - CONNECTION FEES: The District's Policy Manual "Exhibit A Schedule of Rates and Charges" as adopted by the Board of Directors and amended from time to time, sets forth the applicable schedule of fees, rates and charges and is hereby incorporated by reference. Developer understands and agrees to be bound by any District alterations, additions, amendments, revisions or modifications to Policy Manual "Exhibit A" or any other District policies, rules, or regulations. All parties hereby agree hereto that District is entitled to those connection fees (the sum of the

meter, service installation and applicable Capital Improvement Fee) as specified in Policy Manual "Exhibit A". District shall collect said connection fees for each parcel at the time that application for water service is made. It shall be incumbent upon the water service applicant to pay the then current connection fees and all other applicable fees and charges.

ARTICLE 4 - ENGINEERING, PLAN-CHECK, AND INSPECTION SERVICES PERFORMED BY DISTRICT: District and Developer understand and agree that Developer shall assume the cost and expense of District's performance of "engineering, plan-check, and inspection services", hereinafter referred to as "inspection", in connection with Developer's construction of water system improvements described in Exhibit "A" attached hereto. Developer shall execute a Reimbursement Agreement in accordance with the District's adopted Reimbursement Policy. The Developer agrees to pay any balance due prior to offering the improvements to District. District shall not accept conveyance until any balance due is paid. The primary purpose of this paragraph within Article 4 is intended to compensate and reimburse District for any and all inspection services performed in connection with Developer's construction of water system facilities described in Exhibit "A" attached hereto. District's acceptance of payment for inspection services performed is not a warranty or guarantee by District of proper design or proper specifications of materials or construction.

ARTICLE 5 - LABOR AND MATERIAL PAYMENT BONDING REQUIREMENTS: The Developer shall defend and indemnify the District against all claims for nonpayment of labor, material, and other obligations incurred by the Developer, its agents, contractors, employees, and assigns. The estimated cost of construction of the water system improvements is $_____.

Should the estimated cost of constructing the improvements be less than $50,000 at the time of offering the water system improvements to the District, the Developer shall provide a written "OFFER OF DEDICATION" in the form as described in Exhibit "C" attached hereto and made a part hereof. The "OFFER OF DEDICATION" shall state inter alia that the improvements are free and clear of all liens, encumbrances, and other expense.

Should the estimated cost of constructing the water system improvements be less than $500,000, but more than $50,000, in addition to supplying a written "OFFER OF DEDICATION" in the form as described in Exhibit "C", the Developer shall either submit a "RELEASE" agreement in the form of Exhibit "D", attached hereto and made a part hereof, from each and every contractor, subcontractor, corporation, firm, person, or business entity furnishing materials for or performing labor or other services in performing the terms and provisions of this Agreement, or a Labor and Material Payment Bond to the District in the form prescribed by Exhibit "E" attached hereto and made a part hereof the principal sum of not less than the estimated construction cost as provided herein. In addition, Developer shall maintain an accurate and current list of all contractors, subcontractors, business entities, corporations, firms, and/or persons performing the terms and provisions of this Agreement, and shall make this list available to the District upon request.

Should the estimated cost of constructing the water system improvements be in excess of $500,000, the Developer shall, prior to commencing construction, submit a Labor and Material Payment Bond in the form as shown in Exhibit "E" attached hereto and made a part hereof. The bond shall be obtained at the sole cost of Developer and shall be in a principal amount of not less than the estimated cost of construction as set forth herein. In addition, the Developer shall, at the time of offering the water system improvements to the District, provide an "OFFER OF DEDICATION" statement in the form as set forth in Exhibit "C", attached hereto and made a part hereof, which statement verifies that

the water system improvements are free and clear of all liens, encumbrances, and other expense.

ARTICLE 6 - INSURANCE REQUIREMENTS: Prior to Developer's commencement of construction of the water system improvements as otherwise set forth in the terms and provisions of this Agreement, general liability insurance naming the District as an additional named insured shall be taken out and maintained for the duration of this Conveyance Agreement by Developer or Developer's contractor for claims for damages to property, personal injury, bodily injury, and accidental death. The types of insurance covered under the general liability policy shall include, but not be limited to, comprehensive form, premises-operations, underground hazard, products completed operations hazard, broad form property damage, independent contractor, and personal injury. Prior to any blasting operations for removal of rock, stumps, or other materials from the work area, the general liability policy must also contain explosion and collapse hazard coverage. It shall also include coverage for Products, Completed Operations liability losses for a period of 12 months from the date of District's acceptance of the completed works. (This time period corresponds with the 12-month maintenance bond requirement.) All insurance acquired under the terms of this article must be obtained through an insurance company authorized and licensed to do business in the State of California. All of the insurance shall be provided on policy forms and through companies satisfactory to the BELLA VISTA WATER DISTRICT. The general liability policy shall contain minimum limits of liability as follows:

1. Bodily Injury: $1,000,000 for each occurrence, $1,000,000 aggregate
2. Property Damage: $500,000 each occurrence, $1,000,000 aggregate

General Liability Insurance policies having combined single limits damage combined of liability shall carry limits for bodily injury and property damage and other provisions as required by the District.

The certificate of insurance shall also have a description of operations/locations/vehicles that refers specifically to the water system improvements.

ARTICLE 7 - PROOF OF INSURANCE: The Developer shall submit or cause to be submitted a copy of the insurance policy(ies) with endorsements and exclusions, and shall submit a certified copy of the endorsement naming the District as additional insured to the District as proof of general liability insurance as required by this Agreement. Developer shall receive District approval that the insurance requirements of this Agreement have been met. The Developer must receive this approval prior to the start of construction pursuant to the terms of this Agreement.

ARTICLE 8 - HOLD HARMLESS AND INDEMNIFICATION: Developer shall hold District and District's agents, officers, and employees harmless from any and all claims, lawsuits, acts, or omissions arising out of Developer's performance of the terms and conditions of this Agreement. Likewise, Developer shall defend and/or pay the cost of defending and indemnifying District together with District's Agents, employees, and officers from all civil proceedings, claims, and/or judgments including, but not limited to, payment of all attorney fees and litigation costs.

ARTICLE 9 – INSPECTION OF WORK: Developer shall give the District two working days' advance notice prior to Developer's contractor starting any work associated with the water system improvements and shall keep District informed of construction schedules throughout the course of the work in order for District to properly schedule inspection personnel. It is suggested that Developer's contractor provide District submittals on any materials proposed for the water system improvements for approval prior to purchase.

ARTICLE 10 - BEGINNING OF WORK OR TERMINATION: This Agreement shall terminate and be of no further force or effect at District's discretion should District determine that Developer has failed to cause construction of the water system improvements as shown on Exhibit "A" to commence within nine (9) months from the date of this Agreement.

For purposes of this Article, Developer's commencement of construction shall not be deemed to have occurred upon one or any combination of the following actions or events:

1. Bid advertisement
2. Execution of contracts or bonds
3. Ordering of material and supplies or the delivery and stockpiling of materials and supplies on the job site.
4. Clearing and grubbing for or construction of roads including the completion of rough subgrade work.

District and Developer understand and agree that construction upon the water system improvements shall be deemed to have commenced when Developer causes its properly-licensed contractor to excavate and backfill pipeline in excess of 10 percent of the total water system to be constructed pursuant to the terms of this Agreement. The District Engineer shall make the determination as to the percentage of water system caused to be constructed and installed by Developer.

ARTICLE 11 - CONSTRUCTION: Developer shall cause the water system improvements described in Exhibit "A" to be constructed by a properly-licensed contractor, without expense to District, and District shall not be responsible for any of the cost of said improvements. The Developer is not acting as a contractor, agent, official, or representative of District in constructing or providing such water system improvements, or in causing such improvements to be installed. This Agreement simply provides for the transfer and assumption of responsibility for such water system improvements to be installed upon completion and upon performance of all terms of this Agreement to be performed by Developer. The approval of the plans and specifications as presented by Developer shall not be deemed as a warranty or guarantee by District of proper design or proper specifications of materials or construction. District specifically relies upon the design and specifications as prepared or caused to be prepared by Developer as being in keeping with the requirements of District, as being in accordance with the conditions of the geography, and as having specific materials and equipment of the highest practicable quality and character. The Developer will provide a licensed civil engineer to act as the project engineer during construction.

ARTICLE 12 - NOTIFICATION OF DEVIATIONS OR FAILURES: District agrees to notify Developer in writing as to any deviations or failure in construction of the water system improvements pursuant to said plans and specifications, and the requirements of said District as soon as any deviation is brought to District's attention, and Developer shall immediately cause such deviation or failure to be corrected at the sole cost of Developer. Developer agrees that District is

not, by inspection of the construction or installation of the improvements, representing Developer or providing a substitute for inspection and control of the work by Developer. Developer agrees that any inspections and observations of the work by District are for the sole purposes of providing notice of the stage and character of the work. Developer agrees that the failure of the District to note variances from the plans and specifications for the project does not excuse or exempt Developer from complying with all terms of these plans and specifications.

ARTICLE 13 - REBATE FOR MONIES EXPENDED BY DEVELOPER: Should Developer desire a rebate for the monies expended in the installation and construction of water system improvements as provided in the terms and provisions of this Agreement in addition to all other monies expended for the acquisition of rights of way and employment of engineers and contractors for construction, planning, and design of the water system improvements, then Developer shall request such rebate in writing and deliver such writing to District headquarters at least 30 days prior to conveyance of the water system improvements to District as provided in Article 16 herein. District, upon receiving Developer's written request for a rebate for monies expended pursuant to the terms and provisions of this Agreement, will then determine whether or not Developer is entitled to a rebate pursuant to District policies, rules, and regulations then in effect. Should District determine that Developer may be entitled to a rebate, then the District, in its sole discretion, may enter into a rebate agreement with Developer which shall provide for the method and manner by which Developer would achieve reimbursement of its monies expended for the construction and installation of the water system improvements. Should the District, in its discretion, determine to enter into a rebate agreement with Developer, such agreement shall be prepared and entered into prior to Developer's conveyance of water distribution facilities to District, all as set forth in Article 16 herein. The rebate agreement shall provide for the method and manner by which District may assist Developer in obtaining a rebate for a portion of monies expended by Developer for the water system improvements constructed pursuant to the terms of this Agreement.

The Developer is advised that for facilities installed with public funds, the Labor Code requires that all craftsmen, mechanics and laborers be paid the local prevailing wages. The District has not ascertained whether or not a rebate could be construed as public funding. The Developer assumes all risk as to whether a rebate could be construed as public funding, and indemnifies the District from all liability claims arising or alleged to arise from construction wages not conforming to local prevailing wages.

IF DISTRICT PARTICIPATION (Fee Credit or District Contribution) IS INVOLVED, INCLUDE THE FOLLOWING:

ARTICLE 14 – PREVAILING WAGES The Developer's attention is directed to and the Developer shall comply with Sections 1720 to 1780, inclusive of the California Labor Code.

All craftsman, mechanics, and laborers employed or working upon the site of the work (water system improvements) will be paid unconditionally and without subsequent deductions or rebate on any account the full amounts due at the time of payment at wage rates not less than those contained in the wage determination which is referenced herein and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the Developer, the Developer's Contractor and subcontractors and such laborers and mechanics.

In accordance with Section 1770 of the Labor Code, the District has ascertained that the local prevailing wage rates shall be as determined by the California Department of Industrial Relations.

Said rates are accessible on the Internet under the heading "General Prevailing Wage Determination made by the Director of Industrial Relations pursuant to California Labor Code Part 7, Chapter 1, Article 2, Section 1770, 1773 and 1773.1". The Internet address is http://www.dir.ca.gov/. The wage determination shall be posted by the Developer's Contractor before start of work, throughout the work, and at the site of work in a prominent place where it can easily be seen by the workers.

The Developer, the Developer's Contractor, and his subcontractors shall comply with Section 1775 of the California Labor Code concerning the payment of prevailing rate of per diem wages. In accordance with this section, should the Developer's Contractor or his subcontractor fail to pay prevailing rates, the Labor Commissioner may assess monetary forfeitures. The Developer will be responsible for payment of any penalties. A labor and material payment bond is required as specified in this Conveyance Agreement.

ARTICLE 15 - COMPLETION OF WORK OR TERMINATION: This Agreement shall terminate and be of no further force or effect at District's discretion should District determine that Developer has failed to cause construction of the water system improvements as shown on Exhibit "A" to be completed within one and one-half (1-1/2) years from the date of this Agreement.

For the purposes of this Article, Developer's completion of the construction shall occur upon the District's accepting conveyance of the water system improvements pursuant to ARTICLE 16 of this Agreement. Developer further understands and agrees that District may withhold acceptance of Developer's proposed dedication of the facilities should the District Engineer determine that any portion of the water system improvements have failed to pass appropriate pressure and leakage tests or that samples of water taken from the treated water lines and tested are determined not to be safe by the District Engineer. Developer understands and agrees the District may also withhold acceptance of the proposed dedication of water system should the District Engineer determine that Developer failed to complete all other construction either over, under or adjacent to the water system improvements including but not limited to final road grade, paving, curbs, gutters, sidewalks, all other utilities, and restoration of rights of way.

ARTICLE 16 - CONVEYANCE: Upon completion of the water system improvements in a manner meeting District's approval, Developer shall immediately convey said improvements and title thereto free and clear of all liens, encumbrances and expense to District by such conveyance and documents as deemed necessary by District, including but not limited to the following:

1. An executed "OFFER OF DEDICATION" (Exhibit "C") offering the water system improvements shown on Exhibit "A" to the District.

2. "RELEASE" statements (Exhibit "D") from every contractor, subcontractor, corporation, firm or business entity furnishing materials for or performing labor or other services, *OR* a Labor and Material Payment Bond (Exhibit "E"), all as specified in Article 5.

3. Developer shall provide District with proof satisfactory to District that Developer has acquired all local, state, and federal permits, maps or licenses and that Developer shall comply with all local, state and federal rules, ordinances and regulations relevant to the real property on, over or under which the water system improvements are situated.

4. Payment of any balance due for engineering, plan-check, and inspection services performed by District.

5. The Developer/Contractor shall keep an accurate record of all approved deviations from the plans and shall provide reproducible and electronic "contract record drawings" of the improvements constructed, in accordance with the District's current Design Standards, prior to final acceptance of the completed improvements.

6. All easements and rights-of-way required by District.

7. The Developer-constructed water system shall be flushed (or re-flushed) and shall pass bacteriological testing no earlier than 14 calendar days prior to the date the General Manager accepts the Offer of Dedication. The Developer shall provide for proper drainage and de-chlorination equipment during flushing operations.

8. Developer shall furnish a Maintenance Bond in the form prescribed in Exhibit "F" attached hereto and made part hereof in an amount of not less than 20 percent of construction cost of the water system improvements protecting the District against any failure of the work due to faulty materials, poor workmanship, or defective equipment within a period of one year following acceptance of the "OFFER OF DEDICATION" of the water system improvements by the District's Board of Directors.

In place of a Maintenance Bond, the Developer may offer a certificate of deposit or an irrevocable letter of credit meeting the District's approval as to form and financial institute utilized. Certificates of deposit used in lieu of a maintenance bond must be opened either in the Developer's name and specifically assigned to the District or opened on behalf of the District only. The signatory for the District shall be the General Manager of the District.

District, upon approving the work in writing, shall present to its Board of Directors for acceptance the "OFFER OF DEDICATION" of the water system improvements and include said improvements into its overall water system and shall operate, maintain, and repair said improvements except as specified during the warranty period.

ARTICLE 17 - APPLICATION FOR WATER: No water shall be delivered to or conveyed by or through the water system improvements shown on Exhibit "A", other than for testing purposes, until said water system is conveyed to District, formally accepted by the District's Board of Directors, and proper applications for water service have been filed with District and accepted.

ARTICLE 18 - OBLIGATION FOR PIPELINES AND/OR FACILITIES: District shall be under no obligation to provide additional pipelines and/or facilities in order to serve water to Developer's project. Upon acceptance of the water system improvements by District, it shall become the sole property of District and shall be used and operated at District's sole discretion.

ARTICLE 19 - RULES AND REGULATIONS: Upon the water system improvements being accepted by District, Developer, its successors and assigns, shall be subject to and shall comply with all of the rules and regulations of District and shall pay the water rates, tolls and charges, and standby charges as they may be levied and/or established by District's Board of Directors from time to time.

ARTICLE 20 - ASSIGNMENT: No transfer or assignment may be made by Developer of this Agreement or any part or interest of law unless such transfer or assignment is approved in writing by the District, provided further that District shall not unreasonably withhold consent to transfer or assignment. In the event of such transfer or assignment, District may, at its sole option and in addition to any other remedy that it may have, elect to terminate this Agreement.

ARTICLE 21 - NOTICES: The mailing addresses of District and Developer for purposes of giving any notice required pursuant to this Agreement are as follows:

DISTRICT	DEVELOPER
BELLA VISTA WATER DISTRICT 11368 East Stillwater Way Redding, CA 96003	{Developer's Name (in CAPS)} {Street address of Developer} {City, state, and zip code of Developer}

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

BELLA VISTA WATER DISTRICT

By_____
President

By_____
Secretary

DEVELOPER

By_____

By_____

Exhibit A

DEVELOPER'S IMPROVEMENT PLANS

Exhibit B

SCHEDULE OF FEES, RATES AND CHARGES

Insert a current copy of the applicable fees from Policy Manual "Appendix A – Schedule of Fees, Rates and Charges" as revised and superseded.

Exhibit C

OFFER OF DEDICATION

I/We hereby extend an offer to convey, transfer, and dedicate all rights, title, and interest in and to that certain water system and appurtenances more particularly described in Exhibit "A" attached to the Agreement by and between BELLA VISTA WATER DISTRICT and {Developer's Name (in CAPS)} hereinafter referred to as DEVELOPER, dated_____, 20__ , a copy of which is on file in District headquarters located in Redding, California; to BELLA VISTA WATER DISTRICT, assuring and warranting to said District that the water system for the project known as {Project known as, etc.} (filed in District's office as "{District's file name}"), is free and clear of all liens, encumbrances, and other expense.

I/We have constructed or caused the construction and installation of the water system and improvements described in Exhibit "A" attached to said Agreement, and do hereby assure and warrant to BELLA VISTA WATER DISTRICT that the water system improvement facilities together with the contractors, subcontractors, employees, or agents of the Developer have been fully and completely paid and there exist no liens, encumbrances, stop notices, or claims on the water system improvement facilities or by any of the subcontractors, employees, or agents against the water system improvement facilities constructed pursuant to the terms of the above Agreement or against BELLA VISTA WATER DISTRICT.

I/We declare under penalty of perjury that the foregoing is true and correct. Executed this _____ day of_____, 20___, in the City of_____, County of_____, State of California.

Developer

By_____

By_____

We accept this "OFFER OF DEDICATION" made by _____ _____on this_____day of_____, 20_____.

BELLA VISTA WATER DISTRICT

By_____
General Manager

Note: All blanks must be completed properly, otherwise the BELLA VISTA WATER DISTRICT will not accept the Offer.

Exhibit D

RELEASE

FOR ADEQUATE CONSIDERATION, receipt of which is hereby acknowledged, the undersigned, jointly, severally, and individually releases and forever discharges the Developer, {Developer's Name (in CAPS)}, and BELLA VISTA WATER DISTRICT, together with all other persons, firms, business entities, irrigation districts, and government entities whatsoever of and from any and all actions, causes of action, claims, demands, damages, stop notice actions, costs, expenses, liens, and compensation on account of or in any way growing out of the construction, installation, and work of those certain water system facilities described in the Conveyance Agreement dated _____. 20 , by and between BELLA VISTA WATER DISTRICT and the Developer named above; the project being known as {Project known as, etc.}, (filed in District's office as "{District's file name}").

Individual or Firm

_____
(Print Name)

_____
(Address)

_____
(City) (State) (Zip)

By _____
(Signature)

_____
(Title) (Date)

Note: All blanks must be completed; otherwise the BELLA VISTA WATER DISTRICT will not accept the release.

Exhibit E

LABOR AND MATERIAL PAYMENT BOND

By this Agreement _____

Of _____, hereinafter referred

to as "Principal", and _____

of _____

(a corporation certified as a corporation admitted to do business in the State of California as a surety insurer), hereinafter referred to as "Surety" are held and firmly bound to BELLA VISTA WATER DISTRICT, hereinafter referred to as "District", and to any and all persons who perform labor upon, or furnish material to be used in, or furnish appliances, trucks, or power contributing to the work to be performed under an agreement (filed in District's office as "{District's file name}"), hereinafter specifically described in the amounts of _____ ($ _____), for the payment of which Principal and Surety hereby bind themselves, their heirs, legal representatives, successors, and assigns, jointly and severally.

On the date of_____, 20___, Principal entered into an agreement with District for the principal purposes of constructing or providing for the construction of certain water system improvements, together with appurtenances thereto, to which agreement references are made for further particulars. A copy of the Agreement is attached hereto labeled Exhibit "A" and made a part hereof.

The condition of this obligation is that if the Principal shall promptly and faithfully make payment to all persons, firms, subcontractors, and corporations furnishing material for or performing labor thereof including all amounts due for materials, lubricants, labor, in the prosecution of the work provided for in the Agreement attached hereto as Exhibit "A" and any authorized extension or modification thereof including all amounts due for materials, lubricants, oil, gasoline, power, repairs on machinery, equipment, and tools consumed or used in connection with the construction of such work, and all insurance premiums on said work, and for all other labor, performed in such work whether by subcontractor or otherwise, then this obligation shall be void; otherwise this obligation shall remain in full force and effect.

FOR VALUE RECEIVED, the Surety hereby agrees that no change, extension of time, alteration, or addition to the terms of the Agreement attached hereto as Exhibit "A" or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect the Surety's obligation on this Bond, and said Surety does hereby waive notice of any such change, extension of time, alteration, or addition or modification to the terms of the Agreement or to the work to be performed or to the specifications.

The lien claimants to whom the provisions of this Bond inure shall have a right of action to recover hereon in any suit brought to foreclose liens as provided by the Mechanics Lien Laws and Public Work Lien Laws of the State of California, or in a separate suit brought hereon. No final settlement or compromise between the District and the Developer shall abridge the right of any beneficiary hereunder to pursue such remedies as may be provided such beneficiary by California Law.

IN WITNESS WHEREOF, this Labor and Material Payment Bond is executed on the _____day of_____, 20_____. in the City of _____, County of _____, State of California.

_____

[Seal]

_____
"PRINCIPAL"

_____

[Seal]

_____
"SURETY"

State of California }
} ss
County of_____}

Subscribed and sworn to before me this_____day of_____, 20_____, at _____, California.

_____
Notary Public

(1) No_____

Exhibit F

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That we, (2) ___ hereinafter called "Principal", and (3)_____of_____, hereinafter called "Surety", are held and firmly bound unto the BELLA VISTA WATER DISTRICT, 11368 East Stillwater Way, Redding, California 96003, hereinafter called "Obligee", in the sum of (5) _____Dollars, (6)($_____) for the payment of which, well and truly to be made, the said Principal and Surety bind themselves, jointly, severally, and firmly by these presents together with their heirs, executors, administrators, successors, and assigns.

The condition of this obligation is such that whereas, the said Principal has entered into a certain Agreement with the Obligee (filed in District's office as "{District's file name}") dated (7)____, this Maintenance Bond being Exhibit "F" of that Agreement, for the construction and the installation of water system improvements and all appurtenances thereto, the conditions of said Agreement being made a part hereof, wherein Principal agrees to repair, maintain, and remedy the water system improvements and all appurtenances for a period of one year following the date of Obligee's acceptance of the conveyance of the water system improvements and appurtenances.

NOW, THEREFORE, if the Principal shall maintain and remedy said work free from defects in materials and workmanship for a period of one year following the date on which the Board of Directors of the Obligee formally accepts conveyance of work described herein, then this obligation shall be void; otherwise, it shall remain in full force and effect.

IN WITNESS WHEREOF, this Maintenance Bond is executed on the _____ day of

_____, 20____, in the City of_____, County of_____, State of California.

(Seal) (8)

_____

(If Applicable)

(9)
By _____
"PRINCIPAL"

(Seal) (10)_____

_____

(11)
By _____
"SURETY"

(12) Address _____

_____

_____

State of California }
}
County of _____ }

Subscribed and sworn to before me this _____ day of _____, 20_____, at _____, California.

_____
Notary Public

(1) Surety's Bond number for reference.
(2) Same as "Developer" in Conveyance Agreement.
(3) Full name of Surety Company.
(4) State in which it was duly organized.
(5) Amount as agreed to by District Engineer - spell out.
(6) Numerical dollar amount.
(7) Date of Agreement with the District.
(8) Type or print Principals (correct) Corporate, Partnership, or individual's name, as the case may be.
(9) Signature and seal, if applicable, must be witnessed and notarized.
(10) Type or print Surety's corporate name.
(11) Signature and seal must be witnessed and notarized. If signatory for Surety is Attorney-in-fact, attach the proper Power of Attorney.
(12) Enter mailing address of Surety for purposes of giving any notice pursuant to this Maintenance Bond.

Exhibit G

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That we (1)_____

_____a (2) _____

hereinafter called "Principal" and (3)_____

of_____State of_____hereinafter called the "Surety", are held and firmly bound unto Bella Vista Water District, hereinafter called "Owner", in the penal sum of _____Dollars ($_____) in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS such that WHEREAS, the Principal entered into a certain agreement with the Owner, dated the_____day of_____, 20___, a copy of which is hereto attached and made a part hereof for the construction of the _____ _____ including all appurtenances thereto, all as set forth in the attached agreement.

NOW, THEREFORE, if the Principal shall well, truly and faithfully perform its duties, all the undertakings, covenants, terms, conditions and agreements of said agreement during the original term thereof, and any extensions thereof which may be granted by the Owner, with or without notice to the Surety, and if he shall satisfy all claims and demands incurred under such agreement, and shall fully indemnify and save harmless the Owner from all costs and damages which it may suffer by reason of failure to do so, and shall reimburse and repay the Owner all outlay and expense which the Owner may incur in making good any default, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED, FURTHER, that the said Surety, for value received hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

PROVIDED, FURTHER, that no final settlement between the Owner and the developer shall abridge the right of any beneficiary hereunder whose claim may be unsatisfied.

IN WITNESS WHEREOF, this instrument is executed in two (2) counterparts, each one of which shall be deemed an original, this the _____ day of_____, 20_____.

ATTEST:

_____
(Principal) Secretary

(Seal)

(Witness as to Principal) (Address)

_____
Principal

By _____

_____

_____
(Address)

ATTEST:

_____
(Surety) Secretary (Seal)

_____
(Witness as to Surety)

_____
(Address)

_____
Surety

By _____
Attorney-in-Fact

_____
(Address)

NOTE: Date of Bond must not be prior to date of Agreement.

1) Correct name of Developer.
2) A Corporation, A Partnership, or an Individual, as case may be.
3) Correct name of Surety.
4) If Principal is a Partnership, all partners must execute bond.

Exhibit 5

Irrigation and M&I
Contract No.
14-06-200-851A-LTR1

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Central Valley Project, California

LONG-TERM RENEWAL CONTRACT BETWEEN THE UNITED STATES
AND
BELLA VISTA WATER DISTRICT
PROVIDING FOR PROJECT WATER SERVICE
FROM TRINITY RIVER DIVISION

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Exhibit A Map – Description of Contractor's Service Area

Exhibit B Water Rates and Charges

Exhibit C Guidelines for Determining if Project Water Is Put to Use as Irrigation Water

Contract No.
14-06-200-851A-LTR1

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Central Valley Project, California

LONG-TERM RENEWAL CONTRACT BETWEEN THE UNITED STATES
AND
BELLA VISTA WATER DISTRICT
PROVIDING FOR PROJECT WATER SERVICE
FROM TRINITY RIVER DIVISION

THIS CONTRACT, made this 25th day of February, 2025, in pursuance generally of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory or supplementary thereto, including, but not limited to, the Acts of August 26, 1937 (50 Stat. 844), as amended and supplemented, August 4, 1939 (53 Stat. 1187), as amended and supplemented, July 2, 1956 (70 Stat. 483), June 21, 1963 (77 Stat. 68), October 12, 1982 (96 Stat. 1263), October 27, 1986 (100 Stat. 3050), as amended, and Title XXXIV of the Act of October 30, 1992 (106 Stat. 4706), all collectively hereinafter referred to as Federal Reclamation law, between THE UNITED STATES OF AMERICA, hereinafter referred to as the United States, and BELLA VISTA WATER DISTRICT, hereinafter referred to as the Contractor, a public agency of the State of California, duly organized, existing, and acting pursuant to the laws thereof;

WITNESSETH, That:

EXPLANATORY RECITALS

[1st] WHEREAS, the United States has constructed and is operating the Central Valley Project (Project), California, for diversion, storage, carriage, distribution and beneficial use, for flood control, irrigation, municipal, domestic, industrial, fish and wildlife mitigation, protection and restoration, generation and distribution of electric energy, salinity control, navigation and other

beneficial uses, of waters of the Sacramento River, the American River, the Trinity River, and the San Joaquin River and their tributaries; and

[2nd] WHEREAS, the United States constructed the Cow Creek Unit facilities, which will be used in part for the furnishing of water to the Contractor pursuant to the terms of this Contract; and

[3rd] WHEREAS, the rights to Project Water were acquired by the United States pursuant to California law for operation of the Project; and

[4th] WHEREAS, the Contractor and the United States entered into Contract No. 14-06-200-851A, dated April 3, 1964, as amended by a letter agreement from the Bureau of Reclamation to the Contractor dated December 14, 1971, which letter agreement was accepted and countersigned by the Contractor on December 28, 1971, which contract and letter agreement established terms for the delivery to the Contractor of Project Water from the Cow Creek Unit from April 3, 1964, through December 31, 1994; and

[5th] WHEREAS, pursuant to subsection 3404(c)(1) of the Central Valley Project Improvement Act (CVPIA), the Contractor and the United States have, beginning on December 28, 1994, entered into successive interim renewal contract(s) identified as Contract No(s). 14-06-200-851A-IR1, 14-06-200-851A-IR2, 14-06-200-851A-IR3, 14-06-200-851A-IR4, 14-06-200-851A-IR5, 14-06-200-851A-IR6, 14-06-200-851A-IR7, 14-06-200-851A-IR8, and 14-06-200-851A-IR9, which individually and successively amended and replaced the water service component, Part A, of Contract No. 14-06-200-851A, the current form of which is hereinafter referred to as the "Existing Contract," providing for continued water service to the Contractor from March 1, 2004, through February 28, 2006; and

[5.1] WHEREAS, the United States and the Shasta County Water Agency entered into Contract No. 14-06-200-3367A which established terms for the delivery to the Shasta County Water Agency of Central Valley Project Water from Project facilities; and

[5.2] WHEREAS, the Shasta County Water Agency and the Contractor entered into a partial assignment on 02/25/05, identified as Contract No. 14-06-200-3367Y, to permanently

assign to the Contractor 578 acre-feet of the Central Valley Project Water made available to the Shasta County Water Agency pursuant to Contract No. 14-06-200-3367A; and

[5.3] WHEREAS, the Contractor desires to merge the Existing Contract and Contract No. 14-06-200-3367Y into a single contract identified as Contract No. 14-06-200-851A-LTR1; and

[6th] WHEREAS, Section 3404(c) of the CVPIA provides for long-term renewal of the Existing Contract following completion of appropriate environmental documentation, including a programmatic environmental impact statement (PEIS) pursuant to the National Environmental Policy Act (NEPA), analyzing the direct and indirect impacts and benefits of implementing the CVPIA and the potential renewal of all existing contracts for Project Water; and

[7th] WHEREAS, the United States has completed the PEIS and all other appropriate environmental review necessary to provide for long-term renewal of the Existing Contract; and

[8th] WHEREAS, the Contractor has requested the long-term renewal of the Existing Contract, pursuant to the terms of the Existing Contract, Federal Reclamation law, and the laws of the State of California, for water service from the Project; and

[9th] WHEREAS, the United States has determined that the Contractor has fulfilled all of its obligations, including its responsibility to ascertain whether Project Water delivered by it is put to use as Irrigation Water or M&I Water, under the Existing Contract; and

[10th] WHEREAS, the Contractor has demonstrated to the satisfaction of the Contracting Officer that the Contractor has utilized the Project Water supplies available to it for reasonable and beneficial use and, based upon a needs analysis cooperatively prepared by the Contracting Officer and the Contractor, has demonstrated projected future demand for water use that exceeds the Contract Total to be made available to it pursuant to this Contract; and

[11th] WHEREAS, water obtained from the Project has been relied upon by urban and agricultural areas within California for more than 50 years, and is considered by the Contractor as an essential portion of its water supply; and

[12th] WHEREAS, the economies of regions within the Project, including the Contractor's, depend upon the continued availability of water, including water service from the Project; and

[12.1] WHEREAS, Contractor has made and will continue to make substantial capital investments in diversion and treatment facilities, and requires a consistent, predictable quality of raw water in order to meet Safe Drinking Water Act requirements for its municipal customers, and to provide a consistent and predictable quality of water for its industrial customers; and

[13th] WHEREAS, the Secretary intends through coordination, cooperation, and partnerships to pursue measures to improve water supply, water quality, and reliability of the Project for all Project purposes; and

[13.1] WHEREAS, the Contractor is located in the region of the Redding Groundwater Basin, and it is the desire of both the United States and the Contractor to facilitate the cooperative efforts of local water service agencies to develop the Redding Groundwater Basin for conjunctive management and use with Project Water supplies, to maximize the reasonable beneficial use of water for the water service agencies and their customers in the region; and

[14th] WHEREAS, the mutual goals of the United States and the Contractor include: to provide for reliable Project Water supplies; to control costs of those supplies; to achieve repayment of the Project as required by law; to guard reasonably against Project Water shortages; to achieve a reasonable balance among competing demands for use of Project Water; and to comply with all applicable environmental statutes, all consistent with the legal obligations of the United States relative to the Project; and

[15th] WHEREAS, the parties intend by this Contract to develop a more cooperative relationship in order to achieve their mutual goals; and

[16th] WHEREAS, the United States and the Contractor are willing to enter into this Contract pursuant to Federal Reclamation law on the terms and conditions set forth below;

NOW, THEREFORE, in consideration of the mutual and dependent covenants herein contained, it is hereby mutually agreed by the parties hereto as follows:

DEFINITIONS

1. When used herein unless otherwise distinctly expressed, or manifestly incompatible with the intent of the parties as expressed in this Contract, the term:

(a) "Calendar Year" shall mean the period January 1 through December 31, both dates inclusive;

(b) "Charges" shall mean the payments required by Federal Reclamation law in addition to the Rates and Tiered Pricing Component specified in this Contract as determined annually by the Contracting Officer pursuant to this Contract;

(c) "Condition of Shortage" shall mean a condition respecting the Project during any Year such that the Contracting Officer is unable to deliver sufficient water to meet the Contract Total;

(d) "Contracting Officer" shall mean the Secretary of the Interior's duly authorized representative acting pursuant to this Contract or applicable Federal Reclamation law or regulation;

(e) "Contract Total" shall mean the maximum amount of water to which the Contractor is entitled under subdivision (a) of Article 3 of this Contract;

(f) "Contractor's Service Area" shall mean the area to which the Contractor is permitted to provide Project Water under this Contract as described in Exhibit "A" attached hereto, which may be modified from time to time in accordance with Article 35 of this Contract without amendment of this Contract;

(g) "CVPIA" shall mean the Central Valley Project Improvement Act, Title XXXIV of the Act of October 30, 1992 (106 Stat. 4706);

(h) "Eligible Lands" shall mean all lands to which Irrigation Water may be delivered in accordance with Section 204 of the Reclamation Reform Act of October 12, 1982 (96 Stat. 1263), as amended, hereinafter referred to as RRA;

(i) "Excess Lands" shall mean all lands in excess of the limitations contained in Section 204 of the RRA, other than those lands exempt from acreage limitation under Federal Reclamation law;

(j) "Full Cost Rate" shall mean an annual rate as determined by the Contracting Officer that shall amortize the expenditures for construction properly allocable to the Project

irrigation or M&I functions, as appropriate, of facilities in service including all O&M deficits funded, less payments, over such periods as may be required under Federal Reclamation law, or applicable contract provisions. Interest will accrue on both the construction expenditures and funded O&M deficits from October 12, 1982, on costs outstanding at that date, or from the date incurred in the case of costs arising subsequent to October 12, 1982, and shall be calculated in accordance with subsections 202(3)(B) and (3)(C) of the RRA. The Full Cost Rate includes actual operation, maintenance, and replacement costs consistent with Section 426.2 of the Rules and Regulations for the RRA. The costs associated with the Contractor's irrigation water distribution works constructed by the United States are separately covered by a repayment contract, Contract No. 14-06-200-851A, Part B, entered into pursuant to 43 USC 485h(d);

(k) "Ineligible Lands" shall mean all lands to which Irrigation Water may not be delivered in accordance with Section 204 of the RRA;

(l) "Irrigation Full Cost Water Rate" shall mean the Full Cost Rate applicable to the delivery of Irrigation Water;

(m) "Irrigation Water" shall mean water made available from the Project that is used primarily in the production of agricultural crops or livestock, including domestic use incidental thereto, and watering of livestock;

(n) "Landholder" shall mean a party that directly or indirectly owns or leases nonexempt land, as provided in 43 CFR 426.2;

(o) "Municipal and Industrial (M&I) Water" shall mean Project Water, other than Irrigation Water, made available to the Contractor. M&I Water shall include water used for human use and purposes such as the watering of landscaping or pasture for animals (e.g., horses) which are kept for personal enjoyment or water delivered to landholdings operated in units of less than five acres unless the Contractor establishes to the reasonable satisfaction of the Contracting Officer that the use of water delivered to any such landholding is a use described in subdivision (m) of this Article. The determination of whether Project Water is used as Irrigation Water or M&I Water shall be in accordance with the guidelines set forth in Exhibit "C" attached hereto, which

guidelines may be modified by mutual agreement of the parties to this Contract without amending the Contract: Provided, That if during the term of this Contract, a Reclamation-wide rule or regulation is promulgated that defines M&I Water or Irrigation Water or if Congress should enact a law which defines M&I Water or Irrigation Water, such rule, regulation, or law shall supersede this Article 1(o);

(p) "M&I Full Cost Water Rate" shall mean the Full Cost Rate applicable to the delivery of M&I Water;

(q) "Operation and Maintenance" or "O&M" shall mean normal and reasonable care, control, operation, repair, replacement (other than capital replacement), and maintenance of Project facilities or the Transferred Works;

(r) Omitted;

(s) "Project" shall mean the Central Valley Project owned by the United States and managed by the Department of the Interior, Bureau of Reclamation;

(t) "Project Contractors" shall mean all parties who have water service contracts for Project Water from the Project with the United States pursuant to Federal Reclamation law;

(u) "Project Water" shall mean all water that is developed, diverted, stored, or delivered by the Secretary in accordance with the statutes authorizing the Project and in accordance with the terms and conditions of water rights acquired pursuant to California law;

(v) "Rates" shall mean the payments determined annually by the Contracting Officer in accordance with the then-current applicable water ratesetting policies for the Project, as described in subdivision (a) of Article 7 of this Contract;

(w) "Recent Historic Average" shall mean the most recent five-year average of the final forecast of Water Made Available to the Contractor pursuant to this Contract or its preceding contract(s);

(x) "Secretary" shall mean the Secretary of the Interior, a duly appointed successor, or an authorized representative acting pursuant to any authority of the Secretary and through any agency of the Department of the Interior;

(y) "Tiered Pricing Component" shall be the incremental amount to be paid for each acre-foot of Water Delivered as described in subdivision (j) of Article 7 of this Contract;

(z) "Water Delivered" or "Delivered Water" shall mean Project Water diverted for use by the Contractor at the point(s) of delivery approved by the Contracting Officer;

(aa) "Water Made Available" shall mean the estimated amount of Project Water that can be delivered to the Contractor for the upcoming Year as declared by the Contracting Officer, pursuant to subdivision (a) of Article 4 of this Contract;

(bb) "Water Scheduled" shall mean Project Water made available to the Contractor for which times and quantities for delivery have been established by the Contractor and Contracting Officer, pursuant to subdivision (b) of Article 4 of this Contract;

(cc) "Year" shall mean the period from and including March 1 of each Calendar Year through the last day of February of the following Calendar Year;

(dd) "Distribution System" shall mean the general distribution and lateral system, and related works or a portion of portions thereof, constructed by the United States pursuant to Contract No. 14-06-200-851A, and all Federal lands and Federal interests in lands held in connection therewith;

(ee) "Project Works" shall mean the Wintu Pumping Plant, the Bella Vista conduit, and all necessary federal lands and related facilities and structures located thereon; and

(ff) "Transferred Works" shall mean "Project Works" or "Distribution System" or both, as defined herein, or portions thereof which have been transferred to the Contractor for operation and maintenance, pursuant to the terms of Contract No. 14-06-200-851A.

TERM OF CONTRACT

2. (a) This Contract shall be effective March 1, 2005, through February 28, 2030, and supersedes the Existing Contract. In the event the Contractor wishes to renew this Contract beyond February 28, 2030, the Contractor shall submit a request for renewal in writing to the Contracting Officer no later than two years prior to the date this Contract expires. The renewal of this Contract insofar as it pertains to the furnishing of Irrigation Water to the Contractor shall be

215 governed by subdivision (b) of this Article, and the renewal of this Contract insofar as it pertains to
216 the furnishing of M&I Water to the Contractor shall be governed by subdivision (c) of this Article.
217 (b) (1) Under terms and conditions of a renewal contract that are mutually
218 agreeable to the parties hereto, and upon a determination by the Contracting Officer that at the time
219 of contract renewal the conditions set forth in subdivision (b)(2) of this Article are met, and subject
220 to Federal and State law, this Contract, insofar as it pertains to the furnishing of Irrigation Water to
221 the Contractor, shall be renewed for a period of 25 years.
222 (2) The conditions which must be met for this Contract to be renewed
223 are: (i) the Contractor has prepared a water conservation plan that has been determined by the
224 Contracting Officer in accordance with Article 26 of this Contract to meet the conservation and
225 efficiency criteria for evaluating such plans established under Federal law; (ii) the Contractor is
226 implementing an effective water conservation and efficiency program based on the Contractor's
227 water conservation plan as required by Article 26 of this Contract; (iii) the Contractor is maintaining
228 all water measuring devices and implementing all water measurement methods as approved by the
229 Contracting Officer pursuant to Article 6 of this Contract; (iv) the Contractor has reasonably and
230 beneficially used the Project Water supplies made available to it and, based on projected demands,
231 is reasonably anticipated and expects to fully utilize for reasonable and beneficial use the quantity
232 of Project Water to be made available to it pursuant to such renewal; (v) the Contractor is
233 complying with all terms and conditions of this Contract; and (vi) the Contractor has the physical
234 and legal ability to deliver Project Water.
235 (3) The terms and conditions of the renewal contract described in
236 subdivision (b)(1) of this Article and any subsequent renewal contracts shall be developed
237 consistent with the parties' respective legal rights and obligations, and in consideration of all
238 relevant facts and circumstances, as those circumstances exist at the time of renewal, including,
239 without limitation, the Contractor's need for continued delivery of Project Water; environmental
240 conditions affected by implementation of the Contract to be renewed, and specifically changes in
241 those conditions that occurred during the life of the Contract to be renewed; the Secretary's progress

242 toward achieving the purposes of the CVPIA as set out in Section 3402 and in implementing the
243 specific provisions of the CVPIA; and current and anticipated economic circumstances of the region
244 served by the Contractor.

245 (c) This Contract, insofar as it pertains to the furnishing of M&I Water to the
246 Contractor, shall be renewed for successive periods of up to 40 years each, which periods shall be
247 consistent with then-existing Reclamation-wide policy, under terms and conditions mutually
248 agreeable to the parties and consistent with Federal and State law. The Contractor shall be afforded
249 the opportunity to comment to the Contracting Officer on the proposed adoption and application of
250 any revised policy applicable to the delivery of M&I Water that would limit the term of any
251 subsequent renewal contract with the Contractor for the furnishing of M&I Water to less than 40
252 years.

253 (d) The Contracting Officer shall make a determination ten years after the date of
254 execution of this Contract, and every five years thereafter during the term of this Contract, of
255 whether a conversion of the relevant portion of this Contract to a contract under subsection 9(d) of
256 the Reclamation Project Act of 1939 can be accomplished pursuant to the Act of July 2, 1956 (70
257 Stat. 483). The Contracting Officer shall also make a determination ten years after the date of
258 execution of this Contract and every five years thereafter during the term of this Contract of
259 whether a conversion of the relevant portion of this Contract to a contract under subsection 9(c)(1)
260 of the Reclamation Project Act of 1939 can be accomplished. Notwithstanding any provision of
261 this Contract, the Contractor reserves and shall have all rights and benefits under the Act of July 2,
262 1956 (70 Stat. 483). The Contracting Officer anticipates that during the term of this Contract, all
263 authorized Project construction expected to occur will have occurred, and on that basis the
264 Contracting Officer agrees upon such completion to allocate all costs that are properly assignable to
265 the Contractor, and agrees further that, at any time after such allocation is made, and subject to
266 satisfaction of the condition set out in this subdivision, this Contract shall, at the request of the
267 Contractor, be converted to a contract under subsection 9(d) or 9(c)(1), whichever is applicable, of
268 the Reclamation Project Act of 1939, subject to applicable Federal law and under stated terms and

conditions mutually agreeable to the Contractor and the Contracting Officer. A condition for such conversion to occur shall be a determination by the Contracting Officer that, account being taken of the amount credited to return by the Contractor as provided for under Federal Reclamation law, the remaining amount of construction costs assignable for ultimate return by the Contractor can probably be repaid to the United States within the term of a contract under subsection 9(d) or 9(c)(1), whichever is applicable. If the remaining amount of costs that are properly assignable to the Contractor cannot be determined during the term of this Contract, the Contracting Officer shall notify the Contractor, and provide the reason(s) why such a determination could not be made. Further, the Contracting Officer shall make such a determination as soon thereafter as possible so as to permit, upon request of the Contractor and satisfaction of the condition set out above, conversion to a contract under subsection 9(d) or 9(c)(1), whichever is applicable. In the event such determination of costs has not been made at a time which allows conversion of this Contract during the term of this Contract or the Contractor has not requested conversion of this Contract within such term, the parties shall incorporate in any subsequent renewal contract as described in subdivision (b) of this Article a provision that carries forth in substantially identical terms the provisions of this subdivision.

WATER TO BE MADE AVAILABLE AND DELIVERED TO THE CONTRACTOR

3. (a) During each Year, consistent with all applicable State water rights, permits, and licenses, Federal law, and subject to the provisions set forth in Articles 11 and 12 of this Contract, the Contracting Officer shall make available for delivery to the Contractor 24,578 acre-feet of Project Water for irrigation and M&I purposes. Water Delivered to the Contractor in accordance with this subdivision shall be scheduled and paid for pursuant to the provisions of Articles 4 and 7 of this Contract.

(b) Because the capacity of the Project to deliver Project Water has been constrained in recent years and may be constrained in the future due to many factors including hydrologic conditions and implementation of Federal and State laws, the likelihood of the

295 Contractor actually receiving the amount of Project Water set out in subdivision (a) of this Article
296 in any given Year is uncertain. The Contracting Officer's modeling referenced in the PEIS
297 projected that the Contract Total set forth in this Contract will not be available to the Contractor in
298 many years. During the most recent five years, the Recent Historic Average of water made
299 available to the Contractor was 22,080 acre-feet of Irrigation and M&I Water. Nothing in
300 subdivision (b) of this Article shall affect the rights and obligations of the parties under any
301 provision of this Contract.

302 (c) The Contractor shall utilize the Project Water in accordance with all
303 applicable legal requirements.

304 (d) The Contractor shall make reasonable and beneficial use of all water
305 furnished pursuant to this Contract. Groundwater recharge programs (direct, indirect, or in lieu),
306 groundwater banking programs, surface water storage programs, and other similar programs
307 utilizing Project Water or other water furnished pursuant to this Contract conducted within the
308 Contractor's Service Area which are consistent with applicable State law and result in use
309 consistent with Federal Reclamation law will be allowed; Provided, That any direct recharge
310 program(s) is (are) described in the Contractor's water conservation plan submitted pursuant to
311 Article 26 of this Contract; Provided, further, That such water conservation plan demonstrates
312 sufficient lawful uses exist in the Contractor's Service Area so that using a long-term average, the
313 quantity of Delivered Water is demonstrated to be reasonable for such uses and in compliance with
314 Federal Reclamation law. Groundwater recharge programs, groundwater banking programs, surface
315 water storage programs, and other similar programs utilizing Project Water or other water furnished
316 pursuant to this Contract conducted outside the Contractor's Service Area may be permitted upon
317 written approval of the Contracting Officer, which approval will be based upon environmental
318 documentation, Project Water rights, and Project operational concerns. The Contracting Officer
319 will address such concerns in regulations, policies, or guidelines.

320 (e) The Contractor shall comply with requirements applicable to the Contractor
321 in biological opinion(s) prepared as a result of a consultation regarding the execution of this

322 Contract undertaken pursuant to Section 7 of the Endangered Species Act of 1973 (ESA), as
323 amended, that are within the Contractor's legal authority to implement. The Existing Contract,
324 which evidences in excess of 38 years of diversions for irrigation and/or M&I purposes of the
325 quantities of water provided in subdivision (a) of Article 3 of this Contract, will be considered in
326 developing an appropriate baseline for biological assessment(s) prepared pursuant to the ESA, and
327 any other needed environmental review. Nothing herein shall be construed to prevent the
328 Contractor from challenging or seeking judicial relief in a court of competent jurisdiction with
329 respect to any biological opinion or other environmental documentation referred to in this Article.
330 (f) As soon as possible following each declaration of Water Made Available
331 under Article 4 of this Contract, the Contracting Officer will make a determination whether Project
332 Water, or other water available to the Project, can be made available to the Contractor in addition to
333 the Contract Total under Article 3 of this Contract during the Year without adversely impacting
334 other Project Contractors. At the request of the Contractor, the Contracting Officer will consult
335 with the Contractor prior to making such a determination. If the Contracting Officer determines
336 that Project Water, or other water available to the Project, can be made available to the Contractor,
337 the Contracting Officer will announce the availability of such water and shall so notify the
338 Contractor as soon as practical. The Contracting Officer will thereafter meet with the Contractor
339 and other Project Contractors capable of taking such water to determine the most equitable and
340 efficient allocation of such water. If the Contractor requests the delivery of any quantity of such
341 water, the Contracting Officer shall make such water available to the Contractor in accordance with
342 applicable statutes, regulations, guidelines, and policies.
343 (g) The Contractor may request permission to reschedule for use during the
344 subsequent Year some or all of the Water Made Available to the Contractor during the current Year,
345 referred to as "carryover." The Contractor may request permission to use during the current Year a
346 quantity of Project Water which may be made available by the United States to the Contractor
347 during the subsequent Year, referred to as "preuse." The Contracting Officer's written approval
348 may permit such uses in accordance with applicable statutes, regulations, guidelines, and policies.

(h) The Contractor's right pursuant to Federal Reclamation law and applicable State law to the reasonable and beneficial use of Water Delivered pursuant to this Contract during the term thereof and any subsequent renewal contracts, as described in Article 2 of this Contract, during the terms thereof shall not be disturbed so long as the Contractor shall fulfill all of its obligations under this Contract and any renewals thereof. Nothing in the preceding sentence shall affect the Contracting Officer's ability to impose shortages under Article 11 or subdivision (b) of Article 12 of this Contract or applicable provisions of any subsequent renewal contracts.

(i) Project Water furnished to the Contractor pursuant to this Contract may be delivered for purposes other than those described in subdivisions (m) and (o) of Article 1 of this Contract upon written approval by the Contracting Officer in accordance with the terms and conditions of such approval.

(j) The Contracting Officer shall make reasonable efforts to protect the water rights necessary for the Project and to provide the water available under this Contract. The Contracting Officer shall not object to participation by the Contractor, in the capacity and to the extent permitted by law, in administrative proceedings related to the Project Water rights; Provided, That the Contracting Officer retains the right to object to the substance of the Contractor's position in such a proceeding; Provided further, That in such proceedings the Contracting Officer shall recognize the Contractor has a legal right under the terms of this Contract to use Project Water.

TIME FOR DELIVERY OF WATER

4. (a) On or about February 20 of each Calendar Year, the Contracting Officer shall announce the Contracting Officer's expected declaration of the Water Made Available. Such declaration will be expressed in terms of both Water Made Available and the Recent Historic Average and will be updated monthly, and more frequently if necessary, based on then-current operational and hydrologic conditions and a new declaration with changes, if any, to the Water Made Available will be made. The Contracting Officer shall provide forecasts of Project operations and the basis of the estimate, with relevant supporting information, upon the written request of the

Contractor. Concurrently with the declaration of the Water Made Available, the Contracting Officer shall provide the Contractor with the updated Recent Historic Average.

(b) On or before each March 1 and at such other times as necessary, the Contractor shall submit to the Contracting Officer a written schedule, satisfactory to the Contracting Officer, showing the monthly quantities of Project Water to be delivered by the United States to the Contractor pursuant to this Contract for the Year commencing on such March 1. The Contracting Officer shall use all reasonable means to deliver Project Water according to the approved schedule for the Year commencing on such March 1.

(c) The Contractor shall not schedule Project Water in excess of the quantity of Project Water the Contractor intends to put to reasonable and beneficial use within the Contractor's Service Area or to sell, transfer, or exchange pursuant to Article 9 of this Contract during any Year.

(d) Subject to the conditions set forth in subdivision (a) of Article 3 of this Contract, the United States shall deliver Project Water to the Contractor in accordance with the initial schedule submitted by the Contractor pursuant to subdivision (b) of this Article, or any written revision(s), satisfactory to the Contracting Officer, thereto submitted within a reasonable time prior to the date(s) on which the requested change(s) is/are to be implemented.

POINT OF DIVERSION AND RESPONSIBILITY FOR DISTRIBUTION OF WATER

5. (a) Project Water scheduled pursuant to subdivision (b) of Article 4 of this Contract shall be delivered to the Contractor at the Sacramento River at the Wintu Pumping Plant and any additional point or points of delivery either on Project facilities or another location or locations mutually agreed to in writing by the Contracting Officer and the Contractor.

(b) The Contracting Officer shall make all reasonable efforts to maintain sufficient flows and levels of water in the Sacramento River to deliver Project Water to the Contractor at the Wintu Pumping Plant established as a delivery point pursuant to subdivision (a) of this Article.

(c) The Contractor shall deliver Irrigation Water in accordance with any applicable land classification provisions of Federal Reclamation law and the associated regulations.

The Contractor shall not deliver Project Water to land outside the Contractor's Service Area unless approved in advance by the Contracting Officer.

(d) All Water Delivered to the Contractor pursuant to this Contract shall be measured and recorded with equipment originally furnished and installed by the United States, and operated, maintained, and replaced as necessary by the Contractor at the point or points of delivery established pursuant to subdivision (a) of this Article. Upon the request of either party to this Contract, the Contracting Officer shall investigate the accuracy of such measurements and shall take any necessary steps to adjust any errors appearing therein. For any period of time when accurate measurements have not been made, the Contracting Officer shall consult with the Contractor prior to making a final determination of the quantity delivered for that period of time.

(e) The Contracting Officer shall not be responsible for the control, carriage, handling, use, disposal, or distribution of Water Delivered to the Contractor pursuant to this Contract beyond the delivery points specified in subdivision (a) of this Article. The Contractor shall indemnify the United States, its officers, employees, agents, and assigns on account of damage or claim of damage of any nature whatsoever for which there is legal responsibility, including property damage, personal injury, or death arising out of or connected with the control, carriage, handling, use, disposal, or distribution of such Water Delivered beyond such delivery points, except for any damage or claim arising out of (i) acts or omissions of the Contracting Officer or any of its officers, employees, agents, or assigns, with the intent of creating the situation resulting in any damage or claim, (ii) willful misconduct of the Contracting Officer or any of its officers, employees, agents, or assigns, (iii) negligence of the Contracting Officer or any of its officers, employees, agents, or assigns, or (iv) damage or claims resulting from a malfunction of facilities owned and/or operated by the United States.

MEASUREMENT OF WATER WITHIN THE CONTRACTOR'S SERVICE AREA

6. (a) The Contractor has established a measuring program satisfactory to the Contracting Officer. The Contractor shall ensure that all surface water delivered for irrigation purposes within the Contractor's Service Area is measured at each agricultural turnout and such

429 water delivered for M&I purposes is measured at each M&I service connection. The water
430 measuring devices or water measuring methods of comparable effectiveness must be acceptable to
431 the Contracting Officer. The Contractor shall be responsible for installing, operating, and
432 maintaining and repairing all such measuring devices and implementing all such water measuring
433 methods at no cost to the United States. The Contractor shall use the information obtained from
434 such water measuring devices or water measuring methods to ensure its proper management of the
435 water, to bill water users for water delivered by the Contractor; and, if applicable, to record water
436 delivered for M&I purposes by customer class as defined in the Contractor's water conservation
437 plan provided for in Article 26 of this Contract. Nothing herein contained, however, shall preclude
438 the Contractor from establishing and collecting any charges, assessments, or other revenues
439 authorized by California law. The Contractor shall include a summary of all its annual surface
440 water deliveries in the annual report described in subdivision (c) of Article 26.

441 (b) To the extent the information has not otherwise been provided, upon
442 execution of this Contract, the Contractor shall provide to the Contracting Officer a written report
443 describing the measurement devices or water measuring methods being used or to be used to
444 implement subdivision (a) of this Article and identifying the agricultural turnouts and the M&I
445 service connections or alternative measurement programs approved by the Contracting Officer, at
446 which such measurement devices or water measuring methods are being used, and, if applicable,
447 identifying the locations at which such devices and/or methods are not yet being used including a
448 time schedule for implementation at such locations. The Contracting Officer shall advise the
449 Contractor in writing within 60 days as to the adequacy and necessary modifications, if any, of the
450 measuring devices or water measuring methods identified in the Contractor's report and if the
451 Contracting Officer does not respond in such time, they shall be deemed adequate. If the
452 Contracting Officer notifies the Contractor that the measuring devices or methods are inadequate,
453 the parties shall within 60 days following the Contracting Officer's response, negotiate in good faith
454 the earliest practicable date by which the Contractor shall modify said measuring devices and/or

455 measuring methods as required by the Contracting Officer to ensure compliance with subdivision
456 (a) of this Article.

457 (c) All new surface water delivery systems installed within the Contractor's
458 Service Area after the effective date of this Contract shall also comply with the measurement
459 provisions described in subdivision (a) of this Article.

460 (d) The Contractor shall inform the Contracting Officer and the State of
461 California in writing by April 30 of each Year of the monthly volume of surface water delivered
462 within the Contractor's Service Area during the previous Year.

463 (e) The Contractor shall inform the Contracting Officer on or before the 20th
464 calendar day of each month of the quantity of Irrigation and M&I Water taken during the preceding
465 month.

466 RATES AND METHOD OF PAYMENT FOR WATER

467 7. (a) The Contractor shall pay the United States as provided in this Article for all
468 Delivered Water at Rates, Charges, and the Tiered Pricing Component established in accordance
469 with (i) the Secretary's ratesetting policy for Irrigation Water adopted in 1988 and the Secretary's
470 then-existing ratesetting policy for M&I Water. Such ratesetting policies shall be amended,
471 modified, or superseded only through a public notice and comment procedure; (ii) applicable
472 Federal Reclamation law and associated rules and regulations, or policies; and (iii) other applicable
473 provisions of this Contract. Payments shall be made by cash transaction, electronic funds transfer,
474 or any other mechanism as may be agreed to in writing by the Contractor and the Contracting
475 Officer. The Rates, Charges, and Tiered Pricing Component applicable to the Contractor upon
476 execution of this Contract are set forth in Exhibit "B," as may be revised annually.

477 (b) The Contracting Officer shall notify the Contractor of the Rates, Charges, and
478 Tiered Pricing Component as follows:

479 (1) Prior to July 1 of each Calendar Year, the Contracting Officer shall
480 provide the Contractor an estimate of the Charges for Project Water that will be applied to the
481 period October 1, of the current Calendar Year, through September 30, of the following Calendar

Year, and the basis for such estimate. The Contractor shall be allowed not less than two months to review and comment on such estimates. On or before September 15 of each Calendar Year, the Contracting Officer shall notify the Contractor in writing of the Charges to be in effect during the period October 1 of the current Calendar Year, through September 30, of the following Calendar Year, and such notification shall revise Exhibit "B."

(2) Prior to October 1 of each Calendar Year, the Contracting Officer shall make available to the Contractor an estimate of the Rates and Tiered Pricing Component for Project Water for the following Year and the computations and cost allocations upon which those Rates are based. The Contractor shall be allowed not less than two months to review and comment on such computations and cost allocations. By December 31 of each Calendar Year, the Contracting Officer shall provide the Contractor with the final Rates and Tiered Pricing Component to be in effect for the upcoming Year, and such notification shall revise Exhibit "B."

(c) At the time the Contractor submits the initial schedule for the delivery of Project Water for each Year pursuant to subdivision (b) of Article 4 of this Contract, the Contractor shall make an advance payment to the United States equal to the total amount payable pursuant to the applicable Rate(s) set under subdivision (a) of this Article, for the Project Water scheduled to be delivered pursuant to this Contract during the first two calendar months of the Year. Before the end of the first month and before the end of each calendar month thereafter, the Contractor shall make an advance payment to the United States, at the Rate(s) set under subdivision (a) of this Article, for the Water Scheduled to be delivered pursuant to this Contract during the second month immediately following. Adjustments between advance payments for Water Scheduled and payments at Rates due for Water Delivered shall be made before the end of the following month; Provided, That any revised schedule submitted by the Contractor pursuant to Article 4 of this Contract which increases the amount of Water Delivered pursuant to this Contract during any month shall be accompanied with appropriate advance payment, at the Rates then in effect, to assure that Project Water is not delivered to the Contractor in advance of such payment. In any month in which the quantity of Water Delivered to the Contractor pursuant to this Contract equals the quantity of Water Scheduled

and paid for by the Contractor, no additional Project Water shall be delivered to the Contractor unless and until an advance payment at the Rates then in effect for such additional Project Water is made. Final adjustment between the advance payments for the Water Scheduled and payments for the quantities of Water Delivered during each Year pursuant to this Contract shall be made as soon as practicable, but no later than April 30th of the following Year, or 60 days after the delivery of Project Water carried over under subdivision (g) of Article 3 of this Contract if such water is not delivered by the last day of February.

(d) The Contractor shall also make a payment in addition to the Rate(s) in subdivision (c) of this Article to the United States for Water Delivered, at the Charges and the appropriate Tiered Pricing Component then in effect, before the end of the month following the month of delivery; Provided, That the Contractor may be granted an exception from the Tiered Pricing Component pursuant to subdivision (j)(2) of this Article. The payments shall be consistent with the quantities of Irrigation Water and M&I Water Delivered as shown in the water delivery report for the subject month prepared by the Contracting Officer. The water delivery report shall be deemed a bill for the payment of Charges and the applicable Tiered Pricing Component for Water Delivered. Adjustment for overpayment or underpayment of Charges shall be made through the adjustment of payments due to the United States for Charges for the next month. Any amount to be paid for past due payment of Charges and the Tiered Pricing Component shall be computed pursuant to Article 20 of this Contract.

(e) The Contractor shall pay for any Water Delivered under subdivision (a), (f), or (g) of Article 3 of this Contract as determined by the Contracting Officer pursuant to applicable statutes, associated regulations, any applicable provisions of guidelines or ratesetting policies; Provided, That the Rate for Water Delivered under subdivision (f) of Article 3 of this Contract shall be no more than the otherwise applicable Rate for Irrigation Water or M&I Water under subdivision (a) of this Article.

(f) Payments to be made by the Contractor to the United States under this Contract may be paid from any revenues available to the Contractor.

536 (g) All revenues received by the United States from the Contractor relating to the
537 delivery of Project Water or the delivery of non-Project water through Project facilities shall be
538 allocated and applied in accordance with Federal Reclamation law and the associated rules or
539 regulations, and the then-current Project ratesetting policies for M&I Water or Irrigation Water.
540 (h) The Contracting Officer shall keep its accounts pertaining to the
541 administration of the financial terms and conditions of its long-term contracts, in accordance with
542 applicable Federal standards, so as to reflect the application of Project costs and revenues. The
543 Contracting Officer shall, each Year upon request of the Contractor, provide to the Contractor a
544 detailed accounting of all Project and Contractor expense allocations, the disposition of all Project
545 and Contractor revenues, and a summary of all water delivery information. The Contracting Officer
546 and the Contractor shall enter into good faith negotiations to resolve any discrepancies or disputes
547 relating to accountings, reports, or information.
548 (i) The parties acknowledge and agree that the efficient administration of this
549 Contract is their mutual goal. Recognizing that experience has demonstrated that mechanisms,
550 policies, and procedures used for establishing Rates, Charges, and the Tiered Pricing Component,
551 and/or for making and allocating payments, other than those set forth in this Article may be in the
552 mutual best interest of the parties, it is expressly agreed that the parties may enter into agreements
553 to modify the mechanisms, policies, and procedures for any of those purposes while this Contract is
554 in effect without amending this Contract.

555 (j) (1) Beginning at such time as deliveries of Project Water in a Year
556 exceed 80 percent of the Contract Total, then before the end of the month following the month of
557 delivery the Contractor shall make an additional payment to the United States equal to the
558 applicable Tiered Pricing Component. The Tiered Pricing Component for the amount of Water
559 Delivered in excess of 80 percent of the Contract Total, but less than or equal to 90 percent of the
560 Contract total, shall equal one-half of the difference between the Rate established under subdivision
561 (a) of this Article and the Irrigation Full Cost Water Rate or M&I Full Cost Water Rate, whichever

is applicable. The Tiered Pricing Component for the amount of Water delivered which exceeds 90 percent of the Contract Total shall equal the difference between (i) the Rate established under subdivision (a) of this Article and (ii) the Irrigation Full Cost Water Rate or M&I Full Cost Water Rate, whichever is applicable. For all Water Delivered pursuant to subdivision (a) of Article 3 of this Contract which is in excess of 80 percent of the Contract Total, this increment shall be deemed to be divided between Irrigation Water and M&I Water in the same proportion as actual deliveries of each bear to the cumulative total Water Delivered. Solely for the purpose of calculating the Tiered Pricing Component, the Full Cost Rate shall not include the interest component of the Contractor's water distribution system constructed by the United States and covered by Repayment Contract No. 14-06-200-851A entered into pursuant to 43 USC 485h(d).

(2) Subject to the Contracting Officer's written approval, the Contractor may request and receive an exemption from such Tiered Pricing Component for Project Water delivered to produce a crop which the Contracting Officer determines will provide significant and quantifiable habitat values for waterfowl in fields where the water is used and the crops are produced; Provided, That the exemption from the Tiered Pricing Component for Irrigation Water shall apply only if such habitat values can be assured consistent with the purposes of the CVPIA through binding agreements executed with or approved by the Contracting Officer prior to use of such water.

(3) For purposes of determining the applicability of the Tiered Pricing Component pursuant to this Article, Water Delivered shall include Project Water that the Contractor transfers to others but shall not include Project Water transferred to the Contractor, nor shall it include the additional water provided to the Contractor under the provisions of subdivision (f) of Article 3 of this Contract.

(k) For the term of this Contract, Rates under the respective ratesetting policies will be established to recover only reimbursable O&M (including any deficits) and capital costs of

587 the Project, as those terms are used in the then-current Project ratesetting policies, and interest,
588 where appropriate, except in instances where a minimum Rate is applicable in accordance with the
589 relevant Project ratesetting policy. Changes of significance in practices which implement the
590 Contracting Officer's ratesetting policies will not be implemented until the Contracting Officer has
591 provided the Contractor an opportunity to discuss the nature, need, and impact of the proposed
592 change.

593 (l) Except as provided in subsections 3405(a)(1)(B) and 3405(f) of the CVPIA,
594 the Rates for Project Water transferred by the Contractor shall be the Contractor's Rates adjusted
595 upward or downward to reflect the changed costs, if any, incurred by the Contracting Officer in the
596 delivery of the transferred Project Water to the transferee's point of delivery in accordance with the
597 then applicable Project ratesetting policy . If the Contractor is receiving lower Rates and Charges
598 because of inability to pay and is transferring Project Water to another entity whose Rates and
599 Charges are not adjusted due to inability to pay, the Rates and Charges for transferred Project Water
600 shall not be adjusted to reflect the Contractor's inability to pay.

601 (m) Pursuant to the Act of October 27, 1986 (100 Stat. 3050), the Contracting
602 Officer is authorized to adjust determinations of ability to pay every five years.

603 (n) With respect to the Rates for M&I water the Contractor asserts that it is not
604 legally obligated to pay any Project deficits claimed by the United States to have accrued as of the
605 date of this Contract or deficit-related interest charges thereon. By entering into this Contract, the
606 Contractor does not waive any legal rights or remedies that it may have with respect to such
607 disputed issues. Notwithstanding the execution of this Contract and payments made hereunder, the
608 Contractor may challenge in the appropriate administrative or judicial forums: (1) the existence,
609 computation, or imposition of any deficit charges accruing during the term of the Existing Contract
610 and any preceding interim renewal contracts, if applicable; (2) interest accruing on any such
611 deficits; (3) the inclusion of any such deficit charges or interest in the Rates; (4) the application by
612 the United States of payments made by the Contractor under its Existing Contract and any
613 preceding interim renewal contracts, if applicable; and (5) the application of such payments in the

Rates. The Contracting Officer agrees that the Contractor shall be entitled to the benefit of any administrative or judicial ruling in favor of any Project M&I contractor on any of these issues, and credits for payments heretofore made, Provided, That the basis for such ruling is applicable to the Contractor.

NON-INTEREST BEARING OPERATION AND MAINTENANCE DEFICITS

8. The Contractor and the Contracting Officer concur that, as of the effective date of this Contract, the Contractor has no non-interest bearing O&M deficits and shall have no further liability therefor.

SALES, TRANSFERS, OR EXCHANGES OF WATER

9. (a) The right to receive Project Water provided for in this Contract may be sold, transferred, or exchanged to others for reasonable and beneficial uses within the State of California if such sale, transfer, or exchange is authorized by applicable Federal and State laws, and applicable guidelines or regulations then in effect. No sale, transfer, or exchange of Project Water under this Contract may take place without the prior written approval of the Contracting Officer, except as provided for in subdivision (b) of this Article, and no such sales, transfers, or exchanges shall be approved absent all appropriate environmental documentation, including but not limited to documents prepared pursuant to NEPA and ESA. Such environmental documentation should include, as appropriate, an analysis of groundwater impacts and economic and social effects, including environmental justice, of the proposed water transfers on both the transferor and transferee.

(b) In order to facilitate efficient water management by means of water transfers of the type historically carried out among Project Contractors located within the same geographical area and to allow the Contractor to participate in an accelerated water transfer program during the term of this Contract, the Contracting Officer shall prepare, as appropriate, all necessary environmental documentation including, but not limited to, documents prepared pursuant to NEPA and ESA, analyzing annual transfers within such geographical areas, and the Contracting Officer shall determine whether such transfers comply with applicable law. Following the completion of

641 the environmental documentation, such transfers addressed in such documentation shall be
642 conducted with advance notice to the Contracting Officer, but shall not require prior written
643 approval by the Contracting Officer. Such environmental documentation and the Contracting
644 Officer's compliance determination shall be reviewed every five years and updated, as necessary,
645 prior to the expiration of the then-existing five-year period. All subsequent environmental
646 documentation shall include an alternative to evaluate not less than the quantity of Project Water
647 historically transferred within the same geographical area.

648 (c) For a water transfer to qualify under subdivision (b) of this Article, such
649 water transfer must: (i) be for irrigation purposes for lands irrigated within the previous three years,
650 for M&I use, groundwater recharge, water banking, similar groundwater activities, surface water
651 storage, or fish and wildlife resources; not lead to land conversion; and be delivered to established
652 cropland, wildlife refuges, groundwater basins or M&I use; (ii) occur within a single Year; (iii)
653 occur between a willing seller and a willing buyer; (iv) convey water through existing facilities with
654 no new construction or modifications to facilities and be between existing Project Contractors
655 and/or the Contractor and the United States, Department of the Interior; and (v) comply with all
656 applicable Federal, State, and local or tribal laws and requirements imposed for protection of the
657 environment and Indian Trust Assets, as defined under Federal law.

658 (d) For the purpose of determining whether Section 3405(a)(1)(M) of the CVPIA
659 applies to the Contractor as a transferor or transferee of Project Water, the Contracting Officer
660 acknowledges that the Contractor is within a county, watershed, or other area of origin, as those
661 terms are utilized under California law, of water that constitutes the natural flow of the Sacramento
662 River and its tributaries above the confluence of the American and Sacramento Rivers.

663 APPLICATION OF PAYMENTS AND ADJUSTMENTS

664 10. (a) The amount of any overpayment by the Contractor of the Contractor's O&M,
665 capital, and deficit (if any) obligations for the Year shall be applied first to any current liabilities of
666 the Contractor arising out of this Contract then due and payable. Overpayments of more than
667 $1,000 shall be refunded at the Contractor's request. In lieu of a refund, any amount of such

overpayment, at the option of the Contractor, may be credited against amounts to become due to the United States by the Contractor. With respect to overpayment, such refund or adjustment shall constitute the sole remedy of the Contractor or anyone having or claiming to have the right to the use of any of the Project Water supply provided for herein. All credits and refunds of overpayments shall be made within 30 days of the Contracting Officer obtaining direction as to how to credit or refund such overpayment in response to the notice to the Contractor that it has finalized the accounts for the Year in which the overpayment was made.

(b) All advances for miscellaneous costs incurred for work requested by the Contractor pursuant to Article 25 of this Contract shall be adjusted to reflect the actual costs when the work has been completed. If the advances exceed the actual costs incurred, the difference will be refunded to the Contractor. If the actual costs exceed the Contractor's advances, the Contractor will be billed for the additional costs pursuant to Article 25.

TEMPORARY REDUCTIONS--RETURN FLOWS

11. (a) Subject to: (i) the authorized purposes and priorities of the Project and the requirements of Federal law; and (ii) the obligations of the United States under existing contracts, or renewals thereof, providing for water deliveries from the Project, the Contracting Officer shall make all reasonable efforts to optimize Project Water deliveries to the Contractor as provided in this Contract.

(b) The Contracting Officer may temporarily discontinue or reduce the quantity of Water Delivered to the Contractor as herein provided for the purposes of investigation, inspection, maintenance, repair, or replacement of any of the Project facilities or any part thereof necessary for the delivery of Project Water to the Contractor, but so far as feasible the Contracting Officer will give the Contractor due notice in advance of such temporary discontinuance or reduction, except in case of emergency, in which case no notice need be given; Provided, That the United States shall use its best efforts to avoid any discontinuance or reduction in such service. Upon resumption of service after such reduction or discontinuance, and if requested by the

Contractor, the United States will, if possible, deliver the quantity of Project Water which would have been delivered hereunder in the absence of such discontinuance or reduction.

(c) The United States reserves the right to all seepage and return flow water derived from Water Delivered to the Contractor hereunder which escapes or is discharged beyond the Contractor's Service Area; Provided, That this shall not be construed as claiming for the United States any right to seepage or return flow being put to reasonable and beneficial use pursuant to this Contract within the Contractor's Service Area by the Contractor or those claiming by, through, or under the Contractor.

CONSTRAINTS ON THE AVAILABILITY OF WATER

12. (a) In its operation of the Project, the Contracting Officer will use all reasonable means to guard against a Condition of Shortage in the quantity of water to be made available to the Contractor pursuant to this Contract. In the event the Contracting Officer determines that a Condition of Shortage appears probable, the Contracting Officer will notify the Contractor of said determination as soon as practicable.

(b) If there is a Condition of Shortage because of errors in physical operations of the Project, drought, other physical causes beyond the control of the Contracting Officer or actions taken by the Contracting Officer to meet legal obligations then, except as provided in subdivision (a) of Article 18 of this Contract, no liability shall accrue against the United States or any of its officers, agents, or employees for any damage, direct or indirect, arising therefrom.

(c) In any Year in which there may occur a shortage for any of the reasons specified in subdivision (b) above, the Contracting Officer shall apportion Project Water among the Contractor and others entitled, under existing contracts and future contracts (to the extent such future contracts are permitted under subsections (a) and (b) of Section 3404 of the CVPIA) and

renewals thereof, to receive Irrigation Water consistent with the contractual obligations of the United States.

(d) Project Water furnished under this Contract will be allocated in accordance with the then-existing Project M&I Water Shortage Policy. Such policy shall be amended, modified, or superseded only through a public notice and comment procedure.

(e) By entering into this Contract, the Contractor does not waive any legal rights or remedies it may have to file or participate in any administrative or judicial proceeding contesting (i) the sufficiency of the manner in which any Project M&I Water Shortage Policy adopted after the effective date of this Contract was promulgated; (ii) the substance of such a policy; or (iii) the applicability of such a policy. By agreeing to the foregoing, the Contracting Officer does not waive any legal defenses or remedies that it may then have to assert in such a proceeding.

UNAVOIDABLE GROUNDWATER PERCOLATION

13. To the extent applicable, the Contractor shall not be deemed to have delivered Irrigation Water to Excess Lands or Ineligible Lands within the meaning of this Contract if such lands are irrigated with groundwater that reaches the underground strata as an unavoidable result of the delivery of Irrigation Water by the Contractor to Eligible Lands.

RULES AND REGULATIONS

14. The parties agree that the delivery of Irrigation Water or use of Federal facilities pursuant to this Contract is subject to Federal Reclamation law, including but not limited to the Reclamation Reform Act of 1982 (43 U.S.C.390aa et seq.), as amended and supplemented, and the rules and regulations promulgated by the Secretary of the Interior under Federal Reclamation law.

WATER AND AIR POLLUTION CONTROL

15. The Contractor, in carrying out this Contract, shall comply with all applicable water and air pollution laws and regulations of the United States and the State of California, and shall obtain all required permits or licenses from the appropriate Federal, State, or local authorities.

742 QUALITY OF WATER

743 16. (a) Project facilities used to deliver Project Water to the Contractor pursuant to
744 this Contract shall be operated and maintained to enable the United States to deliver Project Water
745 to the Contractor in accordance with the water quality standards specified in subsection 2(b) of the
746 Act of August 26, 1937 (50 Stat. 865), as added by Section 101 of the Act of October 27, 1986 (100
747 Stat. 3050) or other existing Federal laws. The United States is under no obligation to construct or
748 furnish water treatment facilities to maintain or to improve the quality of Water Delivered to the
749 Contractor pursuant to this Contract. The United States does not warrant the quality of Water
750 Delivered to the Contractor pursuant to this Contract.

751 (b) The O&M of Project facilities shall be performed in such manner as is
752 practicable to maintain the quality of raw water made available through such facilities at the highest
753 level reasonably attainable as determined by the Contracting Officer. The Contractor shall be
754 responsible for compliance with all State and Federal water quality standards applicable to surface
755 and subsurface agricultural drainage discharges generated through the use of Federal or Contractor
756 facilities or Project Water provided by the Contractor within the Contractor's Service Area.

757 WATER ACQUIRED BY THE CONTRACTOR
758 OTHER THAN FROM THE UNITED STATES

759 17. (a) Water or water rights now owned or hereafter acquired by the Contractor
760 other than from the United States and Irrigation Water furnished pursuant to the terms of this
761 Contract may be simultaneously transported through the same distribution facilities of the
762 Contractor subject to the following: (i) if the facilities utilized for commingling Irrigation Water
763 and non-Project water were constructed without funds made available pursuant to Federal
764 Reclamation law, the provisions of Federal Reclamation law will be applicable only to the
765 Landholders of lands which receive Irrigation Water; (ii) the eligibility of land to receive Irrigation

766 Water must be established through the certification requirements as specified in the Acreage
767 Limitation Rules and Regulations (43 CFR Part 426); (iii) the water requirements of Eligible Lands
768 within the Contractor's Service Area can be established and the quantity of Irrigation Water to be
769 utilized is less than or equal to the quantity necessary to irrigate such Eligible Lands; and (iv) if the
770 facilities utilized for commingling Irrigation Water and non-Project water are/were constructed with
771 funds made available pursuant to Federal Reclamation law, the non-Project water will be subject to
772 the acreage limitation provisions of Federal Reclamation law, unless the Contractor pays to the
773 United States the incremental fee described in 43 CFR 426.15. In determining the incremental fee,
774 the Contracting Officer will calculate annually the cost to the Federal Government, including
775 interest, on storing or delivering non-Project water, which for purposes of this Contract shall be
776 determined as follows: The quotient shall be the unpaid Distribution System costs divided by the
777 total irrigable acreage within the Contractor's Service Area. The incremental fee per acre is the
778 mathematical result of such quotient times the interest rate determined using Section 202 (3) of the
779 Act of October 12, 1982 (96 Stat. 1263). Such incremental fee will be charged to each acre of
780 excess or full cost land within the Contractor's Service Area that receives non-Project water through
781 Federally financed or constructed facilities. The incremental fee calculation methodology will
782 continue during the term of this Contract absent the promulgation of a contrary Reclamation-wide
783 rule, regulation, or policy adopted after the Contractor has been afforded the opportunity to review
784 and comment on the proposed rule, regulation, or policy. If such rule, regulation, or policy is
785 adopted it shall supersede this provision.

786 (b) Water or water rights now owned or hereafter acquired by the Contractor,
787 other than from the United States, may be stored, conveyed, and/or diverted through Project
788 facilities, subject to the completion of appropriate environmental documentation, with the approval

of the Contracting Officer and the execution of any contract determined by the Contracting Officer to be necessary, consistent with the following provisions:

(1) The Contractor may introduce non-Project water into Project facilities and deliver said water to lands within the Contractor's Service Area, including Ineligible Lands, subject to payment to the United States of an appropriate rate as determined by the applicable Project ratesetting policy, the RRA, and the Project use power policy, if such Project use power policy is applicable, each as amended, modified, or superseded from time to time.

(2) Delivery of such non-Project water in and through Project facilities shall only be allowed to the extent such deliveries do not: (i) interfere with other Project purposes as determined by the Contracting Officer; (ii) reduce the quantity or quality of water available to other Project Contractors; (iii) interfere with the delivery of contractual water entitlements to any other Project Contractors; or (iv) interfere with the physical maintenance of the Project facilities.

(3) The United States shall not be responsible for control, care, or distribution of the non-Project water before it is introduced into or after it is delivered from the Project facilities. The Contractor hereby releases and agrees to defend and indemnify the United States and its respective officers, agents, and employees, from any claim for damage to persons or property, direct or indirect, resulting from the acts of the Contractor, its officers', employees', agents', or assigns', act(s) in (i) extracting or diverting non-Project water from any source, or (ii) diverting such non-Project water into Project facilities.

(4) Diversion of such non-Project water into Project facilities shall be consistent with all applicable laws, and if involving groundwater, consistent with any applicable groundwater management plan for the area from which it was extracted.

(5) After Project purposes are met, as determined by the Contracting Officer, the United States and the Contractor shall share priority to utilize the remaining capacity of

813 the facilities declared to be available by the Contracting Officer for conveyance and transportation
814 of non-Project water prior to any such remaining capacity being made available to non-Project
815 contractors.

816 OPINIONS AND DETERMINATIONS

817 18. (a) Where the terms of this Contract provide for actions to be based upon the
818 opinion or determination of either party to this Contract, said terms shall not be construed as
819 permitting such action to be predicated upon arbitrary, capricious, or unreasonable opinions or
820 determinations. Both parties, notwithstanding any other provisions of this Contract, expressly
821 reserve the right to seek relief from and appropriate adjustment for any such arbitrary, capricious, or
822 unreasonable opinion or determination. Each opinion or determination by either party shall be
823 provided in a timely manner. Nothing in subdivision (a) of Article 18 of this Contract is intended to
824 or shall affect or alter the standard of judicial review applicable under Federal law to any opinion or
825 determination implementing a specific provision of Federal law embodied in statute or regulation.

826 (b) The Contracting Officer shall have the right to make determinations
827 necessary to administer this Contract that are consistent with the provisions of this Contract, the
828 laws of the United States and of the State of California, and the rules and regulations promulgated
829 by the Secretary of the Interior. Such determinations shall be made in consultation with the
830 Contractor to the extent reasonably practicable.

831 COORDINATION AND COOPERATION

832 19. (a) In order to further their mutual goals and objectives, the Contracting Officer
833 and the Contractor shall communicate, coordinate, and cooperate with each other, and with other
834 affected Project Contractors, in order to improve the operation and management of the Project. The
835 communication, coordination, and cooperation regarding operations and management shall include,
836 but not be limited to, any action which will or may materially affect the quantity or quality of
837 Project Water supply, the allocation of Project Water supply, and Project financial matters
838 including, but not limited to, budget issues. The communication, coordination, and cooperation

839 provided for hereunder shall extend to all provisions of this Contract. Each party shall retain
840 exclusive decision making authority for all actions, opinions, and determinations to be made by the
841 respective party.

842 (b) Within 120 days following the effective date of this Contract, the Contractor,
843 other affected Project Contractors, and the Contracting Officer shall arrange to meet with interested
844 Project Contractors to develop a mutually agreeable, written Project-wide process, which may be
845 amended as necessary separate and apart from this Contract. The goal of this process shall be to
846 provide, to the extent practicable, the means of mutual communication and interaction regarding
847 significant decisions concerning Project operation and management on a real-time basis.

848 (c) In light of the factors referred to in subdivision (b) of Article 3 of this
849 Contract, it is the intent of the Secretary to improve water supply reliability. To carry out this
850 intent:

851 (1) The Contracting Officer will, at the request of the Contractor, assist in
852 the development of integrated resource management plans for the Contractor. Further, the
853 Contracting Officer will, as appropriate, seek authorizations for implementation of partnerships to
854 improve water supply, water quality, and reliability.

855 (2) The Secretary will, as appropriate, pursue program and project
856 implementation and authorization in coordination with Project Contractors to improve the water
857 supply, water quality, and reliability of the Project for all Project purposes.

858 (3) The Secretary will coordinate with Project Contractors and the State
859 of California to seek improved water resource management.

860 (3.1) The Secretary and the Contractor desire to work together to maximize
861 the reasonable beneficial use of water for their mutual benefit. As a consequence, the Secretary and
862 the Contractor will work in partnership and with others in the region of the Redding Groundwater
863 Basin, including other Contractors in the Shasta and Trinity Divisions of the Project, to facilitate the
864 better integration with the region of the Redding Groundwater Basin of all water supplies including,
865 but not limited to, the better management and integration of surface water and groundwater,

transfers and exchanges of water, the development and better utilization of surface water storage, the effective utilization of waste, seepage and return flow water, and other operational and management options that may be identified in the future.

(4) The Secretary will coordinate actions of agencies within the Department of the Interior that may impact the availability of water for Project purposes.

(5) The Contracting Officer shall periodically, but not less than annually, hold division level meetings to discuss Project operations, division level water management activities, and other issues as appropriate.

(d) Without limiting the contractual obligations of the Contracting Officer under the other Articles of this Contract nothing in this Article shall be construed to limit or constrain the Contracting Officer's ability to communicate, coordinate, and cooperate with the Contractor or other interested stakeholders or to make decisions in a timely fashion as needed to protect health, safety, or the physical integrity of structures or facilities.

CHARGES FOR DELINQUENT PAYMENTS

20. (a) The Contractor shall be subject to interest, administrative and penalty charges on delinquent installments or payments. When a payment is not received by the due date, the Contractor shall pay an interest charge for each day the payment is delinquent beyond the due date. When a payment becomes sixty (60) days delinquent, the Contractor shall pay an administrative charge to cover additional costs of billing and processing the delinquent payment. When a payment is delinquent ninety (90) days or more, the Contractor shall pay an additional penalty charge of six (6%) percent per year for each day the payment is delinquent beyond the due date. Further, the Contractor shall pay any fees incurred for debt collection services associated with a delinquent payment.

(b) The interest charge rate shall be the greater of the rate prescribed quarterly in the Federal Register by the Department of the Treasury for application to overdue payments, or the interest rate of one-half of one (0.5%) percent per month prescribed by Section 6 of the Reclamation Project Act of 1939 (Public Law 76-260). The interest charge rate shall be determined as of the due date and remain fixed for the duration of the delinquent period.

(c) When a partial payment on a delinquent account is received, the amount received shall be applied, first to the penalty, second to the administrative charges, third to the accrued interest, and finally to the overdue payment.

EQUAL OPPORTUNITY

21. During the performance of this Contract, the Contractor agrees as follows:

(a) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, rates of payment or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this nondiscrimination clause.

(b) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without discrimination because of race, color, religion, sex, or national origin.

(c) The Contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Contracting Officer, advising the said labor union or workers' representative of the Contractor's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(e) The Contractor will furnish all information and reports required by said amended Executive Order and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the Contracting Officer and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this Contract or with any of the said rules, regulations, or orders, this Contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in said amended Executive Order, and such other sanctions may be imposed and remedies invoked as provided in said Executive Order, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(g) The Contractor will include the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of said amended Executive Order, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action

with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, That in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

GENERAL OBLIGATION--BENEFITS CONDITIONED UPON PAYMENT

22. (a) The obligation of the Contractor to pay the United States as provided in this Contract is a general obligation of the Contractor notwithstanding the manner in which the obligation may be distributed among the Contractor's water users and notwithstanding the default of individual water users in their obligations to the Contractor.

(b) The payment of charges becoming due hereunder is a condition precedent to receiving benefits under this Contract. The United States shall not make water available to the Contractor through Project facilities during any period in which the Contractor may be in arrears in the advance payment of water rates due the United States. The Contractor shall not furnish water made available pursuant to this Contract for lands or parties which are in arrears in the advance payment of water rates levied or established by the Contractor.

(c) With respect to subdivision (b) of this Article, the Contractor shall have no obligation to require advance payment for water rates which it levies.

COMPLIANCE WITH CIVIL RIGHTS LAWS AND REGULATIONS

23. (a) The Contractor shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), Section 504 of the Rehabilitation Act of 1975 (P.L. 93-112, as amended), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.) and any other applicable civil rights laws, as well as with their respective implementing regulations and guidelines imposed by the U.S. Department of the Interior and/or Bureau of Reclamation.

(b) These statutes require that no person in the United States shall, on the grounds of race, color, national origin, handicap, or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving financial assistance from the Bureau of Reclamation. By executing this Contract, the Contractor agrees to immediately take any measures necessary to implement this obligation, including permitting officials of the United States to inspect premises, programs, and documents.

(c) The Contractor makes this agreement in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property discounts, or other Federal financial assistance extended after the date hereof to the Contractor by the Bureau of Reclamation, including installment payments after such date on account of arrangements for Federal financial assistance which were approved before such date. The Contractor recognizes and agrees that such Federal assistance will be extended in reliance on the representations and agreements made in this Article, and that the United States reserves the right to seek judicial enforcement thereof.

973 PRIVACY ACT COMPLIANCE

974 24. (a) The Contractor shall comply with the Privacy Act of 1974 (5 U.S.C. 552a)
975 (the Act) and the Department of the Interior rules and regulations under the Act (43 CFR 2.45 et
976 seq.) in maintaining Landholder acreage certification and reporting records, required to be
977 submitted to the Contractor for compliance with Sections 206 and 228 of the Reclamation Reform
978 Act of 1982 (96 Stat. 1266), and pursuant to 43 CFR 426.18.

979 (b) With respect to the application and administration of the criminal penalty
980 provisions of the Act (5 U.S.C. 552a(i)), the Contractor and the Contractor's employees responsible
981 for maintaining the certification and reporting records referenced in (a) above are considered to be
982 employees of the Department of the Interior. See 5 U.S.C. 552a(m).

983 (c) The Contracting Officer or a designated representative shall provide the
984 Contractor with current copies of the Interior Department Privacy Act regulations and the Bureau of
985 Reclamation Federal Register Privacy Act System of Records Notice (Acreage Limitation--Interior,
986 Reclamation-31) which govern the maintenance, safeguarding, and disclosure of information
987 contained in the Landholder's certification and reporting records.

988 (d) The Contracting Officer shall designate a full-time employee of the Bureau of
989 Reclamation to be the System Manager who shall be responsible for making decisions on denials
990 pursuant to 43 CFR 2.61 and 2.64 amendment requests pursuant to 43 CFR 2.72. The Contractor is
991 authorized to grant requests by individuals for access to their own records.

992 (e) The Contractor shall forward promptly to the System Manager each proposed
993 denial of access under 43 CFR 2.64; and each request for amendment of records filed under 43 CFR
994 2.71; notify the requester accordingly of such referral; and provide the System Manager with
995 information and records necessary to prepare an appropriate response to the requester. These
996 requirements do not apply to individuals seeking access to their own certification and reporting
997 forms filed with the Contractor pursuant to 43 CFR 426.18, unless the requester elects to cite the
998 Privacy Act as a basis for the request.

999 CONTRACTOR TO PAY CERTAIN MISCELLANEOUS COSTS

1000 25. In addition to all other payments to be made by the Contractor pursuant to this
1001 Contract, the Contractor shall pay to the United States, within 60 days after receipt of a bill and
1002 detailed statement submitted by the Contracting Officer to the Contractor for such specific items of
1003 direct cost incurred by the United States for work requested by the Contractor associated with this
1004 Contract plus indirect costs in accordance with applicable Bureau of Reclamation policies and
1005 procedures. All such amounts referred to in this Article shall not exceed the amount agreed to in
1006 writing in advance by the Contractor. This Article shall not apply to costs for routine contract
1007 administration.

1008 WATER CONSERVATION

1009 26. (a) Prior to the delivery of water provided from or conveyed through Federally
1010 constructed or Federally financed facilities pursuant to this Contract, the Contractor shall be
1011 implementing an effective water conservation and efficiency program based on the Contractor's
1012 water conservation plan that has been determined by the Contracting Officer to meet the
1013 conservation and efficiency criteria for evaluating water conservation plans established under
1014 Federal law. The water conservation and efficiency program shall contain definite water
1015 conservation objectives, appropriate economically feasible water conservation measures, and time
1016 schedules for meeting those objectives. Continued Project Water delivery pursuant to this Contract
1017 shall be contingent upon the Contractor's continued implementation of such water conservation
1018 program. In the event the Contractor's water conservation plan or any revised water conservation
1019 plan completed pursuant to subdivision (d) of Article 26 of this Contract have not yet been
1020 determined by the Contracting Officer to meet such criteria, due to circumstances which the
1021 Contracting Officer determines are beyond the control of the Contractor, water deliveries shall be
1022 made under this Contract so long as the Contractor diligently works with the Contracting Officer to
1023 obtain such determination at the earliest practicable date, and thereafter the Contractor immediately
1024 begins implementing its water conservation and efficiency program in accordance with the time
1025 schedules therein.

1026 (b) Should the amount of M&I Water delivered pursuant to subdivision (a) of
1027 Article 3 of this Contract equal or exceed 2,000 acre-feet per Year, the Contractor shall implement
1028 the Best Management Practices identified by the time frames issued by the California Urban Water
1029 Conservation Council for such M&I Water unless any such practice is determined by the
1030 Contracting Officer to be inappropriate for the Contractor.

1031 (c) The Contractor shall submit to the Contracting Officer a report on the status
1032 of its implementation of the water conservation plan on the reporting dates specified in the then
1033 existing conservation and efficiency criteria established under Federal law.

(d) At five-year intervals, the Contractor shall revise its water conservation plan to reflect the then-current conservation and efficiency criteria for evaluating water conservation plans established under Federal law and submit such revised water management plan to the Contracting Officer for review and evaluation. The Contracting Officer will then determine if the water conservation plan meets Reclamation's then-current conservation and efficiency criteria for evaluating water conservation plans established under Federal law.

(e) If the Contractor is engaged in direct groundwater recharge, such activity shall be described in the Contractor's water conservation plan.

EXISTING OR ACQUIRED WATER OR WATER RIGHTS

27. Except as specifically provided in Article 17 of this Contract, the provisions of this Contract shall not be applicable to or affect non-Project water or water rights now owned or hereafter acquired by the Contractor or any user of such water within the Contractor's Service Area. Any such water shall not be considered Project Water under this Contract. In addition, this Contract shall not be construed as limiting or curtailing any rights which the Contractor or any water user within the Contractor's Service Area acquires or has available under any other contract pursuant to Federal Reclamation law.

28. Omitted.

CONTINGENT ON APPROPRIATION OR ALLOTMENT OF FUNDS

29. The expenditure or advance of any money or the performance of any obligation of the United States under this Contract shall be contingent upon appropriation or allotment of funds. Absence of appropriation or allotment of funds shall not relieve the Contractor from any obligations under this Contract. No liability shall accrue to the United States in case funds are not appropriated or allotted.

BOOKS, RECORDS, AND REPORTS

30. (a) The Contractor shall establish and maintain accounts and other books and records pertaining to administration of the terms and conditions of this Contract, including: the Contractor's financial transactions, water supply data, and Project land and right-of-way agreements; the water users' land-use (crop census), land ownership, land-leasing and water use data; and other matters that the Contracting Officer may require. Reports thereon shall be furnished to the Contracting Officer in such form and on such date or dates as the Contracting Officer may

1064 require. Subject to applicable Federal laws and regulations, each party to this Contract shall
1065 have the right during office hours to examine and make copies of the other party's books and
1066 records relating to matters covered by this Contract.

1067 (b) Notwithstanding the provisions of subdivision (a) of this Article, no
1068 books, records, or other information shall be requested from the Contractor by the Contracting
1069 Officer unless such books, records, or information are reasonably related to the administration or
1070 performance of this Contract. Any such request shall allow the Contractor a reasonable period of
1071 time within which to provide the requested books, records, or information.

1072 (c) Omitted.

1073 ASSIGNMENT LIMITED--SUCCESSORS AND ASSIGNS OBLIGATED

1074 31. (a) The provisions of this Contract shall apply to and bind the successors and
1075 assigns of the parties hereto, but no assignment or transfer of this Contract or any right or interest
1076 therein shall be valid until approved in writing by the Contracting Officer.

1077 (b) The assignment of any right or interest in this Contract by either party
1078 shall not interfere with the rights or obligations of the other party to this Contract absent the
1079 written concurrence of said other party.

1080 (c) The Contracting Officer shall not unreasonably condition or withhold his approval
1081 of any proposed assignment.

1082 SEVERABILITY

1083 32. In the event that a person or entity who is neither (i) a party to a Project contract,
1084 nor (ii) a person or entity that receives Project Water from a party to a Project contract, nor (iii)
1085 an association or other form of organization whose primary function is to represent parties to
1086 Project contracts, brings an action in a court of competent jurisdiction challenging the legality or
1087 enforceability of a provision included in this Contract and said person, entity, association, or
1088 organization obtains a final court decision holding that such provision is legally invalid or
1089 unenforceable and the Contractor has not intervened in that lawsuit in support of the plaintiff(s),
1090 the parties to this Contract shall use their best efforts to (i) within 30 days of the date of such

final court decision identify by mutual agreement the provisions in this Contract which must be revised, and (ii) within three months thereafter promptly agree on the appropriate revision(s). The time periods specified above may be extended by mutual agreement of the parties. Pending the completion of the actions designated above, to the extent it can do so without violating any applicable provisions of law, the United States shall continue to make the quantities of Project Water specified in this Contract available to the Contractor pursuant to the provisions of this Contract which were not found to be legally invalid or unenforceable in the final court decision.

RESOLUTION OF DISPUTES

33. Should any dispute arise concerning any provisions of this Contract, or the parties' rights and obligations thereunder, the parties shall meet and confer in an attempt to resolve the dispute. Prior to the Contractor commencing any legal action, or the Contracting Officer referring any matter to Department of Justice, the party shall provide to the other party 30 days' written notice of the intent to take such action; Provided, That such notice shall not be required where a delay in commencing an action would prejudice the interests of the party that intends to file suit. During the 30-day notice period, the Contractor and the Contracting Officer shall meet and confer in an attempt to resolve the dispute. Except as specifically provided, nothing herein is intended to waive or abridge any right or remedy that the Contractor or the United States may have.

OFFICIALS NOT TO BENEFIT

34. No Member of or Delegate to Congress, Resident Commissioner, or official of the Contractor shall benefit from this Contract other than as a water user or landowner in the same manner as other water users or landowners.

CHANGES IN CONTRACTOR'S SERVICE AREA

35. (a) While this Contract is in effect, no change may be made in the Contractor's Service Area, by inclusion or exclusion of lands, dissolution, consolidation, merger, or otherwise, except upon the Contracting Officer's written consent.

(b) Within 30 days of receipt of a request for such a change, the Contracting Officer will notify the Contractor of any additional information required by the Contracting

Officer for processing said request, and both parties will meet to establish a mutually agreeable schedule for timely completion of the process. Such process will analyze whether the proposed change is likely to: (i) result in the use of Project Water contrary to the terms of this Contract; (ii) impair the ability of the Contractor to pay for Project Water furnished under this Contract or to pay for any Federally-constructed facilities for which the Contractor is responsible; and (iii) have an impact on any Project Water rights applications, permits, or licenses. In addition, the Contracting Officer shall comply with the NEPA and the ESA. The Contractor will be responsible for all costs incurred by the Contracting Officer in this process, and such costs will be paid in accordance with Article 25 of this Contract.

FEDERAL LAWS

36. By entering into this Contract, the Contractor does not waive its rights to contest the validity or application in connection with the performance of the terms and conditions of this Contract of any Federal law or regulation; Provided, That the Contractor agrees to comply with the terms and conditions of this Contract unless and until relief from application of such Federal law or regulation to the implementing provision of the Contract is granted by a court of competent jurisdiction.

NOTICES

37. Any notice, demand, or request authorized or required by this Contract shall be deemed to have been given, on behalf of the Contractor, when mailed, postage prepaid, or delivered to the Area Manager, Bureau of Reclamation, Northern California Area Office, 16349 Shasta Dam Boulevard, Shasta Lake, California 96019, and on behalf of the United States, when mailed, postage prepaid, or delivered to the Board of Directors of the Bella Vista Water District, 11368 East Stillwater Way, Redding, California 96003. The designation of the addressee or the address may be changed by notice given in the same manner as provided in this Article for other notices.

CONFIRMATION OF CONTRACT

38. The Contractor, after the execution of this Contract, shall promptly seek to secure a decree of a court of competent jurisdiction of the State of California, confirming the execution of this Contract. The Contractor shall furnish the United States a certified copy of the final decree, the validation proceedings, and all pertinent supporting records of the court approving

and confirming this Contract, and decreeing and adjudging it to be lawful, valid, and binding on the Contractor.

AMENDATORY CONTRACT

39. The parties hereto acknowledge and agree that Part A (i.e., Articles 2 through 10) of Contract No. 14-06-200-851A is replaced by this Contract. The respective duties, covenants, and obligations of the parties in Contract No. 14-06-200-851A which are not replaced by this Contract shall continue in full force and effect pending prompt completion of good faith negotiations between the parties to agree upon an amendatory contract.

IN WITNESS WHEREOF, the parties hereto have executed this Contract as of the day and year first above written.

THE UNITED STATES OF AMERICA

APPROVED AS TO LEGAL FORM AND SUFFICIENCY
James E. Tucker
OFFICE OF REGIONAL SOLICITOR
DEPARTMENT OF THE INTERIOR

By: _____
Regional Director, Mid-Pacific Region
Bureau of Reclamation

(SEAL)

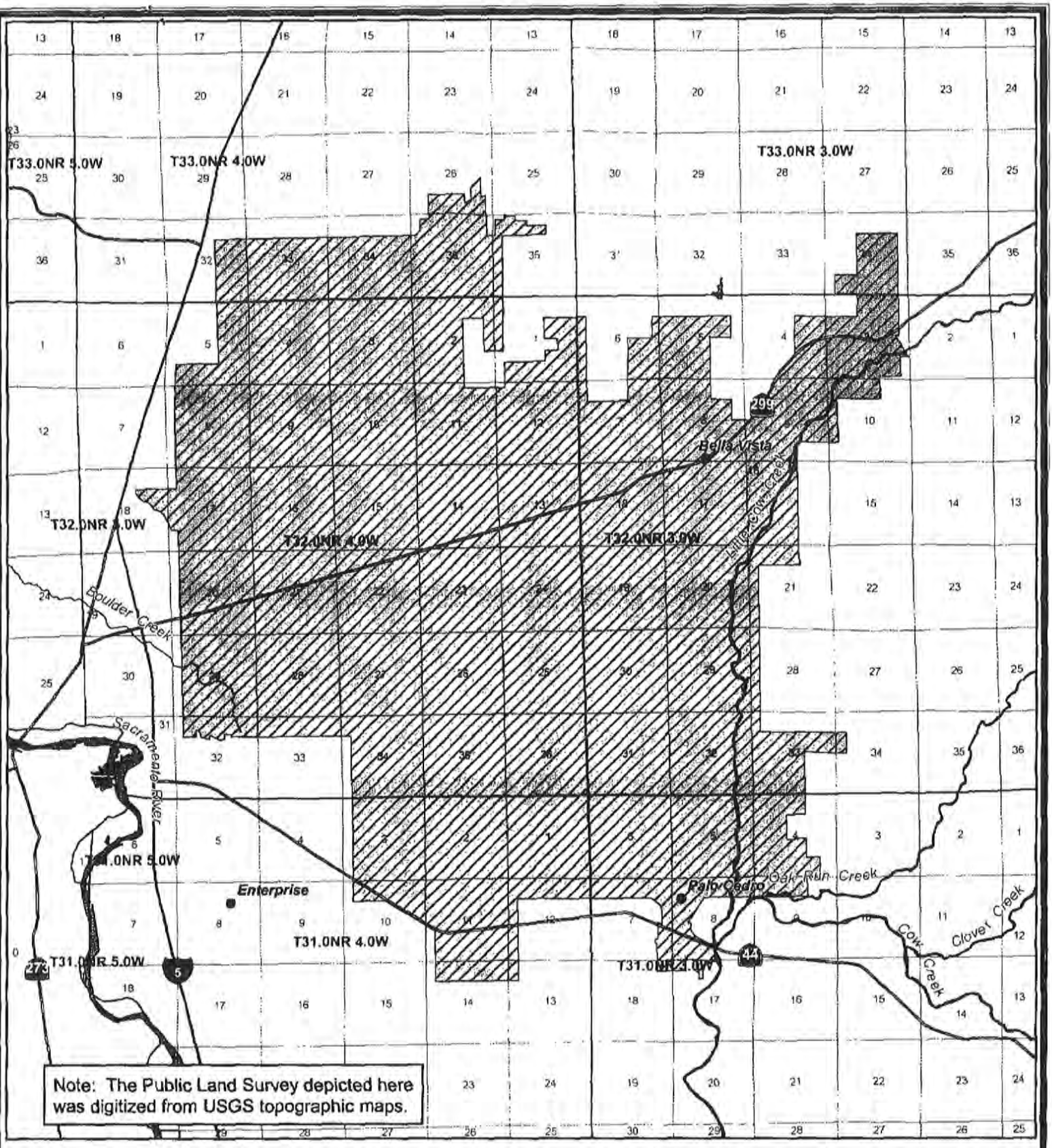
BELLA VISTA WATER DISTRICT

By: _____
President of the Board of Directors

Attest:

By: _____
Secretary of the Board of Directors

(H:\public\Willows Final LTRC's\2005-01-31 Bella Vista Final LTRC Draft.doc)



Note: The Public Land Survey depicted here was digitized from USGS topographic maps.

Bella Vista Water District

Contractor's Service Area

District Boundary

Contract No. 14-06-200-851A-LTR1
Exhibit A

0 0.5 1 2 3 4 5 Miles

Date: October 12, 2004
File Name: N:\districts\contracts\bella_vista\bella_vista.mxd

214-202-13

EXHIBIT B

BELLA VISTA WATER DISTRICT
2005 Water Rates and Charges per Acre-Foot

	Cost of Service Irrigation	Cost of Service M&I	Calculated Payment Capacity 1/ Irrigation
COST OF SERVICE RATES:			
Capital Rates	$10.21	$15.27	$ 0.00
O&M Rates:			
Water Marketing	6.61	3.89	6.61
Storage	5.93	6.67	5.93
Direct Pumping	6.67	6.67	6.67
Deficit Rates:			
Interest Bearing	0.00	13.84	0.00
CFO/PFR Adjustment Rate 2/	1.61	1.78	1.61
TOTAL	$31.03	$48.12	$20.82
IRRIGATION FULL-COST RATES:			
Section 202(3) Rate is applicable to a Qualified Recipient or to a Limited Recipient receiving irrigation water on or before October 1, 1981.	$56.46		$56.46
Section 205(a)(3) Rate is applicable to a Limited Recipient that did not receive irrigation water on or before October 1, 1981.	$72.46		$72.46
M&I FULL COST RATE:		$57.02	
TIERED PRICING COMPONENTS:			
Tiered Pricing Component >80% <=90% of Contract Total [Full Cost Rate – COS Rate / 2]	$ 7.93	$ 4.45	$13.03
Tiered Pricing Component >90% of Contract Total [Full Cost Rate – COS Rate]	$15.85	$ 8.90	$26.06
CHARGES UNDER P.L. 102-575 TO THE RESTORATION FUND 3/			
Restoration Payments (3407(d)(2)(A))	$ 7.93	$15.87	$ 0.00

1/ Established pursuant to the results of the Payment Capacity Analysis for the Clear Creek CSD and Bella Vista WD as announced by letter dated October 2, 1996.

2/ Chief Financial Officer (CFO) adjustment and Provision for Replacement (PFR) expense is being distributed over a 5-year period beginning in FY 2003 for those contractors that requested those costs be deferred.

3/ Restoration fund charges are payments in addition to the water rates and were determined pursuant to Title XXXIV of Public Law 102-575. Restoration fund charges are on a fiscal year basis (10/1 - 9/30).

Recent Historic Use, as defined in the CVP M&I Water Shortage Policy, is _____ acre-feet.

EXHIBIT C

GUIDELINES FOR DETERMINING IF PROJECT WATER IS PUT TO USE AS IRRIGATION WATER

A. Objective:

1. Achieve the proper use of Project Water irrespective of landholding size.
2. Obtain reimbursement to the Reclamation Fund for Project Water at the appropriate Rates.

B. Focus:

1. Usually, the Rates for Irrigation Water are significantly less than the Rates for M&I Water. Contractors that have both irrigation and M&I as purposes of use in their contracts have to determine the appropriate Rates to charge their customers for Project Water. That determination becomes more difficult for smaller landholdings because activities on a rural residence may appear to be similar to activities on a farm or ranch.

2. To qualify as Irrigation Water, Project Water must be used primarily in the production of crops or livestock for sale or barter beyond the quantity needed for personal use.

C. Criteria to consider:

1. Existence of a business or development plan; and

2. Crop or livestock sales or barter; and/or

3. Improvements to land, including but not limited to buildings (barns, storage facilities, workshop, livestock shed), irrigation system, leveling, corrals, fencing, fruit or nut trees, vines, etc.); and

4. Related enterprises involving the landholder. For example, Project Water diverted to irrigate pasture for horses used in a cattle operation would be at the Rates for Irrigation Water in contrast to Project Water diverted to irrigate pasture for horses used only for personal enjoyment which would be at the Rates for M&I Water.

D. Decision:

1. The Contractor shall be responsible for ascertaining whether Project Water delivered by it is put to use as Irrigation Water or M&I Water. In the past, Reclamation's focus has been on landholdings operated in units of less than two acres. More recently, that focus has been on landholdings operated in units of less than five acres.

2. The guidelines recognize that the Contractor surveyed all landholdings between two and five acres during the term of its first interim renewal contract to determine if those landholders were paying the appropriate Rates for Project Water. If the purpose of use has not changed since that survey was completed, those landholders will not be required to submit a new application to the Contractor to receive Project Water at the Rates for Irrigation Water. If the landholder but not the purpose of use has changed after the survey was completed but prior to execution of this Contract, those landholders will not be required to submit a new application requesting Project Water at the Rates for Irrigation Water. The Contractor will require a new application requesting Project Water at the Rates for Irrigation Water when there is a change in ownership of any of those landholdings after the date of execution of this Contract.

E. Review:

A decision made by the Contractor may be reviewed by Reclamation. If Reclamation does not agree with the Contractor's decision, Reclamation shall provide notification, in writing, to the Contractor explaining specifically why Reclamation believes the decision made by the Contractor to deliver Irrigation Water to the landholding was not done so in accordance with these guidelines. Within 30 days of receipt of such notification, Reclamation and the Contractor shall meet and confer to determine what corrective actions should be taken to resolve the disagreement in accordance with these guidelines. If Reclamation and the Contractor cannot resolve the disagreement within 90 days of that notification, Reclamation shall, thereafter, provide its final determination, in writing to the Contractor. The Contractor retains the right to appeal up to and including the Commissioner of Reclamation any final decision they are in disagreement with.

F. Documentation:

These guidelines presume a landholding is only eligible to receive Project Water at the Rates for M&I Water unless documentation is provided to the Contractor to show it qualifies for Irrigation Water or an application by a landholder requesting new service for Irrigation Water is approved by the Contractor. The Contractor shall retain such documentation for a period of six years after the initial determination is made that Project Water is being used for irrigation purposes or after a landholder no longer is using Project Water for irrigation purposes, whichever is longer.

BELLA VISTA WATER DISTRICT
County of Shasta
State of California

RESOLUTION NO. 2004-_08_

A RESOLUTION APPROVING LONG-TERM RENEWAL CONTRACT
FOR WATER SERVICE BETWEEN THE UNITED STATES AND
BELLA VISTA WATER DISTRICT AND
APPROVING NOTICE OF EXEMPTION
UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Recitals

A. On April 3, 1964 the Bella Vista Water District ("District") and the United States of America entered into a contract providing, among other things, for water service, designated Contract No. 14-06-200-851A ("Original Contract").

B. Water service under the Original Contract began in 1966, and has continued uninterrupted since then.

C. The water service component of the Original Contract expired on February 28, 1995.

D. In advance of the expiration of the Original Contract, the District and the United States negotiated an Interim Renewal Contract ("IRC"), in accordance with the Central Valley Project Improvement Act, pending completion of a Programmatic Environmental Impact Statement ("PEIS").

E. Upon completion of the PEIS, the United States announced its intent to negotiate a long-term renewal of the Original Contract.

F. The District and the United States engaged in a series of negotiations commencing in 1999 and completed on June 15, 2004. A copy of the proposed Long-Term Renewal Contract, designated Contract No. 14-06-200-851A-LTR1 is attached hereto and incorporated herein by this reference as Exhibit "A".

G. The form of Long-Term Renewal Contract attached hereto reflects the results of the negotiations and contains the terms and conditions that the District and the United States have tentatively agreed upon.

H. Prior to execution of the Long-Term Renewal Contract, the United States must publish the proposed contract for a 60-day public review, complete analysis of renewal of the contract under the National Environmental Policy Act and complete consultations with other federal agencies under the federal Endangered Species Act.

I. The parties intend that the Long-Term Renewal Contract will be ready for execution no later than March 1, 2005, and will be effective as of that date.

J. Prior to execution of the Long-Term Renewal Contract, the District must analyze the action under the California Environmental Quality Act ("CEQA"). The District has previously analyzed its interim renewals of the Original Contract under CEQA, and has found them to be exempt. The District believes that its execution of the Long-Term Renewal Contract is similarly exempt, for the reasons set forth in the Notice of Exemption attached hereto and incorporated herein by this reference as Exhibit "B".

NOW, THEREFORE, be it RESOLVED, ADJUDGED and ORDAINED that:

1. BELLA VISTA WATER DISTRICT approves the "*Long-Term Renewal Contract Between the United States and Bella Vista Water District Providing for Project Water Service from the Trinity River Division*", Contract No. 14-06-200-851A-LTR1.

2. Once the 60-day public review period and the United States' environmental review and ESA consultations are completed, if the United States presents the District with a Long-Term Renewal Contract that is in substantially the same form as that attached hereto as Exhibit "A", then the District's officers are authorized to execute that Long-Term Renewal Contract, without further action of this Board.

3. The Secretary shall prepare and file a Notice of Exemption under CEQA in the form attached hereto as Exhibit B with the Shasta County Clerk as soon as possible. In accordance with this finding of exemption, no fee is due under California Fish and Game Code Section 711.4.

4. The District's officers, staff and consultants are authorized and directed to do all things necessary and appropriate to carry out this Resolution and to ensure continued and uninterrupted water service to the District under its water service contract.

PASSED AND ADOPTED at a regular meeting on July 26, 2004, 2004 of the Board of Directors by the following vote:

AYES: 3
NOES: 0
ABSENT: 2

President, Board of Directors

ATTEST:

Secretary

CERTIFICATION

I Robert W Dietz, the duly and regularly appointed Secretary of the BELLA WATER DISTRICT, hereby certify that the foregoing is a true, correct and exact copy of a Resolution of the Board of Directors of BELLA VISTA WATER DISTRICT, duly and regularly passed and adopted at a meeting of the said Board of Directors at Redding, California, on July 26 2004, the original of which is on file in my office and duly and regularly entered in the official records of proceedings of the Board of Directors of BELLA VISTA WATER DISTRICT.

Dated: 7/27/2004

Robert W Dietz, Secretary

Exhibit 6

BELLA VISTA WATER DISTRICT

RESOLUTION 15-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BELLA VISTA WATER DISTRICT ADOPTING A MUNICIPAL AND INDUSTRIAL WATER SHORTAGE CONTINGENCY PLAN

****

WHEREAS, the Bella Vista Water District has contracted with the U.S. Bureau of Reclamation for a water supply from the Sacramento River in the annual amount of 24,578 acre feet; and

WHEREAS, the availability of Municipal and Industrial (M&I) water for the Bella Vista Water District may be affected by numerous factors including regulatory mandates imposed by the State Water Resources Control Board and/or reductions in surface water allocations imposed by the United States Bureau of Reclamation (USBR) under the shortage provisions of the District's Water Service Contract, reductions in surface water diversions under the District's long-term transfer agreement with the Anderson-Cottonwood Irrigation District as a result of reduced allocations under their Settlement Contract with the USBR; and

WHEREAS, water production facilities failures, water distribution infrastructure failures, contamination of supply, or other factors may result in emergency conditions that threaten the District's ability to provide for public health and safety; and

WHEREAS, the District's Water Shortage Contingency Plan currently in force does not adequately address all the factors that may limit the District's ability to respond to diminished source capacity or emergency conditions.

WHEREAS, California is experiencing drought conditions for the fourth straight year;

WHEREAS, the U.S. Bureau of Reclamation has notified the Bella Vista Water District that the District will only be supplied 25 percent of its historical M&I water use, the allocated amount being 1,828 acre feet of water from Federal facilities during the 2015-2016 water-year;

WHEREAS, the District used a total of 8,216 acre-feet of M&I water during the 2013-2014 water-year and would expect to use more during the 2015-2016 water-year due to the projections of hotter and drier weather than normal; and,

WHEREAS, the Board of Directors declared a water shortage emergency on February 27, 2014 and that the water shortage emergency is still in effect; and

WHEREAS, the District's water shortage measures currently in force do not adequately address all the factors that may limit the District's ability to respond to diminished source capacity or emergency conditions; and

WHEREAS, it is the desire of the Board of Directors to set forth its policy for water shortages; and

NOW, THEREFORE, be it resolved by the Board of Directors of the Bella Vista Water District that to manage M&I water shortages the following M&I Water Shortage Contingency Plan, shall be enacted and shall read as follows:

I. PURPOSE AND INTENT

The purpose of this Resolution is to establish a Municipal and Industrial (M&I) Water Shortage Contingency Plan (WSCP) in order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions.

Water uses regulated or prohibited under the District's Water Shortage Contingency Plan are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as set forth in the WSCP.

II. WATER SHORTAGE CONTINGENCY PLAN

Upon declaration or amendment by the Board of Directors of the specific Stage in effect, the following mandatory water conservation requirements shall be in effect.

The declaration of Short-Term Stage 4 or Stage 5 water conservation requirements may be declared by the District's General Manager or his/her designee and subject to ratification by the District's Board of Directors in a regular or special session. A short-term declaration is for water shortage conditions expected for a duration of 45 days or less.

Exceedance charges may be imposed on all water usage above the allocated amounts for each customer account at Water Conservation Stages 3 and above.

A. STAGE 1 – NORMAL WATER SUPPLY (Water Supplies = 85% to 100% of Normal)

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.

2. Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.

3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.

4. Leaking customer pipes or faulty sprinklers shall be repaired within five (5) working days or less if warranted by the severity of the problem, or shall not be utilized until repaired.

5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. Pool draining and refilling shall be allowed only for

health, maintenance, or structural considerations. Swimming pool and spa covers are encouraged to prevent evaporative water loss.

6. Washing streets, parking lots, driveways, or sidewalks, except as necessary for health, aesthetic or sanitary purposes, is prohibited.

7. Reduce water use by the following specified percentages: Residential, Rural, Multi-family and Public/ Institutional customers reduce water use by 5-15%; commercial customers by 5%; and Landscape Irrigation by 10-20%.

8. To reduce evaporation, the use of sprinkler irrigation systems for all M&I customers shall be limited to between one hour before sunset and one hour after sunrise. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 5 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.

9. Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).

B. STAGE 2 – MODERATE WATER SHORTAGE (Water Supplies = 70% to 85% of Normal)

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.

2. Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.

3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.

4. Leaking customer pipes or faulty sprinklers shall be repaired within five (5) working days or less if warranted by the severity of the problem.

5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. Pool draining and refilling shall be allowed only for health, maintenance, or structural considerations. Swimming pool and spa covers are encouraged to prevent evaporative water loss.

6. Washing streets, parking lots, driveways, or sidewalks, except as necessary for health, aesthetic or sanitary purposes, is prohibited.

7. Reduce water use by the following specified percentages: Residential and Rural 15-25%; Multi-family and Public/ Institutional customers reduce water use by 10-20%; commercial customers by 5-10%; and Landscape Irrigation by 15-30%.

8. To reduce evaporation, the use of sprinkler irrigation systems for all M&I customers shall be limited to between one hour before sunset and one hour after sunrise. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 5 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.

9. Customers with "smart" irrigation timers or controllers are asked to set their controllers to achieve 90 to 95% of the evapotranspiration (ET) rate.

10. Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).

11. Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and/or purchased, shall serve water only upon request.

12. Users of construction meters and fire hydrant meters will be monitored for efficient water use.

Penalties: Any customer in violation of Stage 2 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not timely corrected, any continued violation of mandatory Stage 2 requirements after notice and warning is provided shall be punishable by an administrative fine of $50.00 per day or per occurrence.

C. STAGE 3 – SEVERE WATER SHORTAGE (Water Supplies = 50% to 70% of Normal)

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.

2. Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.

3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.

4. Leaking customer pipes or faulty sprinklers shall be repaired within two (2) working days or less if warranted by the severity of the problem.

5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. Pool draining and refilling shall be allowed only for health, maintenance, or structural considerations.

6. Washing streets, parking lots, driveways, or sidewalks, except as necessary for health, aesthetic or sanitary purposes, is prohibited.

7. Reduce water use by the following specified percentages: Residential and Rural 25-40%; Multi-family and Public/ Institutional customers reduce water use by 20-30%; commercial customers by 20%; and Landscape Irrigation by 25-50%.

8. To reduce evaporation, the use of sprinkler irrigation systems for all M&I customers shall be limited to between one hour before sunset and one hour after sunrise. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 5 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.

9. Customers with "smart" irrigation timers or controllers are asked to set their controllers to achieve 75% of the evapotranspiration (ET) rate. Drip irrigation systems are excluded from this requirement.

10. Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).

    Outdoor irrigation of ornamental landscapes and turf with potable water shall be limited to 3 days a week. Customers whose street addresses end with an odd number may water on Wednesday, Friday and Sunday. Customers whose street addresses end with an even number may water on Tuesday, Thursday and Saturday.

    The application of potable water to outdoor landscapes during or within 48 hours after measurable rainfall is prohibited.

11. Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and/or purchased, shall serve water only upon request.

12. Users of construction meters and fire hydrant meters will be monitored for efficient water use. Flushing of water mains, sewers, or fire hydrants is prohibited except for emergencies and essential operations.

13. Water use exceedance tiered pricing will be implemented.

14. Motor vehicles and equipment shall be washed only with buckers or with hoses equipped with automatic shutoff nozzles.

15. Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.

Penalties: Any customer in violation of Stage 3 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not timely corrected, any continued violation of mandatory Stage 3 requirements after notice and warning is provided shall be punishable by an administrative fine of $200.00 per day or per occurrence.

D. STAGE 4 – EXTREME WATER SHORTAGE: SHORT-TERM (Water Supplies = 30% to 50% of Normal)

The declaration of Short-Term Stage 4 water conservation requirements may be declared by the District's General Manager or his/her designee and subject to ratification by the District's Board of Directors in a regular or special session. A short-term declaration is for water shortage conditions expected for a duration of 45 days or less.

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.

2. Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.

3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.

4. Leaking customer pipes or faulty sprinklers shall be repaired within 24 hours or less if warranted by the severity of the problem.

5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. No potable water from the District's system shall be used to fill or refill artificial lakes, ponds or streams. Water use for ornamental ponds and fountains is prohibited.

6. The application of potable water to driveways and sidewalks is prohibited.

7. Reduce water use by the following specified percentages: Residential and Rural 40-50%; Multi-family and Public/ Institutional customers reduce water use by 30-50%; commercial customers by 30%; and Landscape Irrigation by 50-100%.

8. To reduce evaporation, the use of sprinkler irrigation systems for all M&I customers shall be limited to between one hour before sunset and one hour after sunrise. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 5 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.

9. Customers with "smart" irrigation timers or controllers are asked to set their controllers to achieve 75% of the evapotranspiration (ET) rate. Drip irrigation systems are excluded from this requirement.

10. Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).

    Outdoor irrigation of ornamental landscapes and turf with potable water shall be limited to 1 day a week.

The application of potable water to outdoor landscapes during or within 48 hours after measurable rainfall is prohibited.

11. Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and purchased, shall serve water only upon request.

12. Users of construction meters and fire hydrant meters will be monitored for efficient water use. Flushing of water mains, sewers, or fire hydrants is prohibited except for emergencies and essential operations.

13. Water use exceedance tiered pricing will be implemented.

14. Motor vehicles and equipment shall be washed only with buckers or with hoses equipped with automatic shutoff nozzles.

15. Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.

16. The installation of new turf or landscaping is prohibited.

17. Water use shall be restricted so as to meet the minimum requirements for personal health and safety.

18. No new connections to the District's water distribution system will be allowed.

Penalties: Any customer in violation of Stage 4 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not timely corrected, any continued violation of mandatory Stage 4 requirements after notice and warning is provided shall be punishable by an administrative fine of $500.00 per day or per occurrence.

E. STAGE 4 – EXTREME WATER SHORTAGE: LONG-TERM (Water Supplies = 30% to 50% of Normal)

The declaration of Long-Term Stage 4 water conservation requirements will be by the

District's Board of Directors in a regular or special session. A long-term declaration is for water shortage conditions expected for a duration of more than 45 days.

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.

2. Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.

3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.

4. Leaking customer pipes or faulty sprinklers shall be repaired within 24 hours or less if warranted by the severity of the problem.

5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. No potable water from the District's system shall be used to fill or refill artificial lakes, ponds or streams. Water use for ornamental ponds and fountains is prohibited.

6. The application of potable water to driveways and sidewalks is prohibited.

7. Reduce water use by the following specified percentages: Residential and Rural 40-50%; Multi-family and Public/ Institutional customers reduce water use by 30-50%; commercial customers by 30%; and Landscape Irrigation by 50-100%.

8. To reduce evaporation, the use of sprinkler irrigation systems for all M&I customers shall be limited to between one hour before sunset and one hour after sunrise. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 5 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.

9. Customers with "smart" irrigation timers or controllers are asked to set their controllers to achieve 75% of the evapotranspiration (ET) rate. Drip irrigation systems are excluded from this requirement.

10. Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).

    Outdoor irrigation of ornamental landscapes and turf with potable water shall be limited to 1 day a week.

    The application of potable water to outdoor landscapes during or within 48 hours after measurable rainfall is prohibited.

11. Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and purchased, shall serve water only upon request.

12. Users of construction meters and fire hydrant meters will be monitored for efficient water use. Flushing of water mains, sewers, or fire hydrants is prohibited except for emergencies and essential operations.

13. Water use exceedance tiered pricing will be implemented.

14. Motor vehicles and equipment shall be washed only at commercial establishments that use recycled or reclaimed water.

15. Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.

16. The installation of new turf or landscaping is prohibited.

17. Water use shall be restricted so as to meet the minimum requirements for personal health and safety.

18. No new connections to the District's water distribution system will be allowed.

Penalties: Any customer in violation of Stage 4 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not timely corrected, any continued violation of mandatory Stage 4 requirements after notice and warning is provided shall be punishable by an administrative fine of $500.00 per day or per occurrence.

F. STAGE 5 – CRITICAL WATER SHORTAGE: SHORT-TERM (Water Supplies =less than 30% of Normal)

The declaration of Short-Term Stage 5 water conservation requirements may be declared by the District's General Manager or his/her designee and subject to ratification by the District's Board of Directors in a regular or special session. A short-term declaration is for water shortage conditions expected for a duration of 45 days or less.

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.

2. Landscape irrigation is prohibited.

3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.

4. Leaking customer pipes or faulty sprinklers shall be repaired immediately. Water service will be suspended until repairs are made.

5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. No potable water from the District's system shall be used to fill or refill artificial lakes, ponds or streams. Water use for ornamental ponds and fountains is prohibited.

6. The application of potable water to driveways and sidewalks is prohibited.

7. Reduce water use by the following specified percentages: Residential and Rural 50% or more; Multi-family and Public/ Institutional customers reduce water use by 50% or more; commercial customers by 50% or more; and Landscape Irrigation by 100%.

8. Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and purchased, shall serve water only upon request.

9. Water for flow testing and construction purposes from water agency fire hydrants and blow-offs is prohibited. No potable water from the District's system shall be used for construction purposes including but not limited to dust control, compaction, or trench jetting.

10. Flushing of sewers or fire hydrants is prohibited except in case of emergency and for essential operations.

11. Water use exceedance tiered pricing and excessive water use fines will be implemented.

12. Motor vehicles and equipment shall be washed only at commercial establishments that use recycled or reclaimed water.

13. Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.

14. The installation of new turf or landscaping is prohibited.

15. Water use shall be restricted so as to meet the minimum requirements for personal health and safety.

16. No new connections to the District's water distribution system will be allowed.

Penalties: Any customer in violation of Stage 5 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not timely corrected, any continued violation of mandatory Stage 5 requirements after notice and warning is provided shall be punishable by an administrative fine of $500.00 per day or per occurrence.

G. STAGE 5 – CRITICAL WATER SHORTAGE: LONG-TERM (Water Supplies =less than 30% of Normal)

The declaration of Long-Term Stage 5 water conservation requirements will be by the District's Board of Directors in a regular or special session. A long-term declaration is for water shortage conditions expected for a duration of more than 45 days.

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.

2. Landscape irrigation is prohibited.

3. Free-flowing hoses for all uses are prohibited. Automatic shut-off devices shall be attached on any hose or filling apparatus in use.

4. Leaking customer pipes or faulty sprinklers shall be repaired immediately. Water service will be suspended until repairs are made.

5. All pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak-proof. No potable water from the District's system shall be used to fill or refill artificial lakes, ponds or streams. Water use for ornamental ponds and fountains is prohibited.

6. The application of potable water to driveways and sidewalks is prohibited.

7. Reduce water use by the following specified percentages: Residential and Rural 50% or more; Multi-family and Public/ Institutional customers reduce water use by 50% or more; commercial customers by 50% or more; and Landscape Irrigation by 100%.

8. Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and purchased, shall serve water only upon request.

9. Water for flow testing and construction purposes from water agency fire hydrants and blow-offs is prohibited. No potable water from the District's system shall be used for construction purposes including but not limited to dust control, compaction, or trench jetting.

10. Flushing of sewers or fire hydrants is prohibited except in case of emergency and for essential operations.

11. Water Crisis/Emergency tiered pricing and excessive water use fines will be implemented.

12. Motor vehicles and equipment shall be washed only at commercial establishments that use recycled or reclaimed water.

13. Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.

14. The installation of new turf or landscaping is prohibited.

15. Water use shall be restricted so as to meet the minimum requirements for personal health and safety.

16. No new connections to the District's water distribution system will be allowed and no commitments will be made to provide service for new water service connections.

Penalties: Any customer in violation of Stage 5 requirements shall be first notified of the regulations and warned of the penalty associated with continued violation. If the violation is not timely corrected, any continued violation of mandatory Stage 5 requirements after notice and warning is provided shall be punishable by an administrative fine of $500.00 per day or per occurrence.

Passed and adopted this 23rd day of March 2015 by the following vote:

Ayes: Bambino, Nash, Smith, Waite

Noes: 0

Absent: Steppat

Abstain: 0

Ted Bambino, President of the Board of
Board of Directors of Bella Vista Water District

ATTEST:

David J. Coxey, Secretary of the Board of
Directors of Bella Vista Water District

BELLA VISTA WATER DISTRICT
11368 E. STILLWATER WAY • REDDING, CALIFORNIA 96003-9510
TELEPHONE (530) 241-1085 • FAX (530) 241-8354

Exhibit 7

ATTENTION CUSTOMERS OF THE BVWD SERVICE AREA

Current water supply condition is:
STAGE 3 – SEVERE WATER SHORTAGE

Customer Actions	Stage 1	Stage 2	Stage 3	Stage 4		Stage 5	
				ST	LT	ST	LT
1. Water shall be used for beneficial uses only; all unnecessary and wasteful uses of water are prohibited (District Policy Manual Section 143).	✓	✓	✓	✓	✓	✓	✓
2. Water shall not be applied to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. Care shall be taken not to water past the point of saturation.	✓	✓	✓	✓	✓	No outdoor watering	No outdoor watering
3. Free-flowing hoses for all uses shall be prohibited. Customers shall use automatic shutoff devices on any hose or filling apparatus in use.	✓	✓	✓	✓	✓	✓	✓
4. Faulty sprinklers, breaks, and/or leaks within the customer's plumbing system shall be repaired within specified working days or less by Stage after the customer is notified or discovers the break (Water service may be suspended until all repairs are made).	5 days or less ✓	5 days or less ✓	2 days or less ✓	24 hrs or less ✓	24 hrs or less ✓	Repair immediately ✓	Repair immediately ✓
5. All wading/portable pools, spas, and ornamental fountains/ponds shall be equipped with a recirculation pump, and be constructed to be leak-proof.	✓	✓	✓	✓	✓	✓	✓
Swimming pool/spa covers encouraged to prevent evaporative water loss.	✓	✓	✓	✓	✓	✓	✓
Potable water use for ornamental ponds and fountains is prohibited.				✓	✓	✓	✓
Pool draining and refilling shall be allowed only for health, maintenance, or structural considerations.	✓	✓	✓				
Pools, artificial lakes, ponds or stream filled prior to Stage 4 shall not be emptied and refilled.				✓	✓	✓	✓
6. Washing streets, parking lots, driveways, or sidewalks, except as necessary for health, aesthetic or sanitary purposes, is prohibited.	✓	✓	✓				
Application of potable water to driveways and sidewalks is prohibited. Washing streets, parking lots, or buildings, except as necessary for health or sanitary purposes, is prohibited.				✓	✓	✓	✓
7. Reduce water use by specified % as determined. District will provide tips to reduce water through advertising and website.	✓	✓	✓	✓	✓	✓	✓
Residential and Rural Customers Reductions.	5-15%	15-25%	25%	40-50%	40-50%	50% or more	50% or more
Public Institutional Customers Reductions.	5-15%	10-20%	25%	30-50%	30-50%	50% or more	50% or more
Commercial Customers.	5%	10%	20%	30%	30%	50% or more	50% or more
Landscape Irrigation.	10-20%	15-30%	25%	50-100%	50-100%	100%	100%
8. To reduce evaporation, the use of landscape irrigation systems for all customers, including parks and school grounds, shall be limited to the period between one (1) hour before sunset and one (1) hour after sunrise. Sprinkler irrigation systems may be run outside of these hours for testing, but not for more than 5 minutes per cycle and only long enough to verify proper operation and make sprinkler adjustments.	✓	✓	✓	✓	✓	No outdoor watering	No outdoor watering
9. Customers with "smart" irrigation systems are asked to set their controllers to achieve the specified % of the evapotranspiration rate.		90-95%	75%	50-74%	50-74%	No outdoor watering	No outdoor watering
10. Irrigated landscaped areas shall include efficient irrigation systems (e.g., drip irrigation, timed sprinklers, rain sensors, low-flow spray heads, etc.).	✓	✓	✓	✓	✓	No outdoor watering	No outdoor watering
Landscape irrigation limited to the days per week specified. Limitation does not apply to drip, bubbler, or soaker irrigation hardware or emitters, watering by hand-held bucket, or hose equipped with shutoff nozzle.			3 nights per week	1 night per week	1 night per week	No outdoor watering	No outdoor watering
Application of potable water to outdoor landscapes during or within 48 hours after measureable rainfall .			✓	✓	✓	No outdoor watering	No outdoor watering
11. Restaurant and bar customers shall receive water only upon request.		✓	✓	✓	✓	✓	✓
12. Construction meters and fire hydrant meters will be monitored for efficient water use.		✓	✓	✓	✓	No construction water	No construction water
Flushing of mains, sewer, or fire hydrants is prohibited except for emergencies and essential operations.			✓	✓	✓	✓	✓
13. District will implement excessive water use penalties or tier water rates to discourage excessive water use.			✓	✓	✓	✓	✓
14. Motor vehicles or equipment shall be washed only with buckets or hoses with shutoff nozzles.			✓	✓			
Motor vehicles or equipment shall be washed only at commercial establishments that use recycled or reclaimed water .					✓	✓	✓
15. Operators of hotels and motels offer patrons the option of not having their towels and linens washed daily.			✓	✓	✓	✓	✓
16. Installation of new turf or landscaping is prohibited.				✓	✓	✓	✓
17. Water use shall be restricted so as to meet the minimum requirements for personal health and safety.				✓	✓	✓	✓
18. No new connections to the District water distribution system will be allowed.				✓	✓	✓	✓
19. No commitments will be made to provide service for new water service connections (No new "Will Serve" letters will be issued).							✓

· DIRECTORS · Exhibit 8
BOB NASH JEFF THOMPSON
JEFF O. STEPPAT LYNETTE BLAISDELL
LEIMONE WAITE

DAVID J. COXEY
Secretary/Treasurer/General Manager

BELLA VISTA WATER DISTRICT

11368 E. STILLWATER WAY • REDDING, CALIFORNIA 96003-9510
TELEPHONE (530) 241-1085 • FAX (530) 241-8354

November 27, 2012

Kent Hector, Senior Planner
Shasta County Dept. of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Proposed Tierra Robles Planned Development Project

Dear Mr. Hector:

The Bella Vista Water District has reviewed the "Environmental Initial Study" for the proposed Tierra Robles Planned Development. As you may know, the District receives nearly all of its water supply from the federal Central Valley Project (CVP) through a water service contract with the United States that is subject to severe shortage measures pursuant to the U.S. Bureau of Reclamation's municipal and industrial (M&I) shortage policy and any amendments thereto. The total contract quantity of 24,578 acre-feet/year is adequate for the current and planned needs of the District in normal year types. However, in single and consecutive "dry" or "severe" hydrologic year types, the District has experienced and anticipates severely reduced CVP allocations that may not meet current average year demands within the District. The yield of the Central Valley Project was reduced in 1992 with the passage of the Central Valley Improvement Act (H.R. 429, Public Law 102-575). The implementation of this Act combined with subsequent regulatory actions intended to protect threatened and endangered fish species has substantially reduced the reliability of CVP supplies, especially in shortage years. Current and anticipated regulatory actions and processes will further reduce the likelihood of the District receiving full water supply allocations especially in "below normal" year types and will exacerbate single and consecutive year shortages. Therefore, with regards to the Initial Study Environmental Checklist regarding water supply, specifically section XVI. Utilities and Service Systems, we believe a finding of "less than significant" is not accurate or appropriate.

Additionally, we offer the following comments regarding the potential environmental impacts that need to be addressed regarding the water supply, treatment and distribution requirements for the project:

1. There are presently no existing Bella Vista Water District water lines inside of the boundaries of the 715.4 acre tract.

2. Plans for the water system improvements required to serve the proposed development must be submitted to Bella Vista Water District for review and the improvement plans will require the approval of the District.

3. The existing 16-inch line in Boyle Road and the 36-inch line in Old Alturas Road are owned by the U.S. Bureau of Reclamation, and operated and maintained by the District. The connection to the 16-inch main and the crossing of the 36-inch main will require the approval of Reclamation.

4. In addition to the connections to the District's existing water system shown in Figure 4 of the Notice of Preparation – "Proposed Annexation Boundary and Off-Site Utilities Improvements," connections to existing water lines in Old Alturas Road near Seven Lakes Land, in Oak Knoll Road and in Falling Oaks Road may be required. Hydraulic modeling will be necessary to determine the sizes of the connections and of the water lines within the project boundaries.

5. The required water system improvements must be installed and accepted by the District prior to the District providing permanent water service to any of the parcels proposed to be developed.

6. The proposed off-site force main will require a number of crossings of the District's water system facilities and the abandonment or relocation of the existing 8-inch water line in Boyle Road between Daystar Way and Leslye Lane. Detailed plans for each of the crossings and for the abandonment or relocation of the existing 8-inch water main must be submitted to the District for review and approval prior to the initiation of construction of the force main. Some of the water lines that the force main will cross are owned by the U.S. Bureau of Reclamation. The pipe crossings and any encroachments within Reclamation's rights-of-way will also require the approval of Reclamation.

7. The water supply needs for the project need to be determined based on the full potential range of development that will be allowed for the parcels. If there are no imposed land use restrictions then parcels may potentially be utilized for agricultural purposes which would have a larger annual water supply demand and a larger instantaneous flow (capacity) requirement than non-agricultural parcels.

8. The water supply needs for the project need to be determined based on the full range of water usage on similarly sized parcels within the District's service area not just the average water usage for similarly sized parcels. If there are no limits on meter sizes and allowable crop or landscape irrigation, then maximum water demands need to be calculated based on the irrigation of landscaping and/or crops for the entire parcel (less the building areas, driveways, walkways, etc.).

9. If the projected annual water demands for the project will exceed 250 acre-feet (the equivalent of a 500 residential dwelling unit project) then a Water Supply Assessment will be required pursuant to California Water Code 10910 et seq. The District is willing to work with the County to identify issues and develop strategies subject to reimbursement for project related expenses in accordance with the District's adopted Reimbursement Policy.

10. Possible mitigation measures to reduce the impact on the District's water supply and delivery capabilities that should be explored in the EIR include: imposition of restrictions for irrigated agricultural development, restricting landscaped areas, restricting the size of the water meters that will be permitted for the parcels, use of water efficient landscaping, use of water efficient plumbing

fixtures, and dry-year water supply augmentation to ensure the District's existing customers are not adversely impacted during single and consecutive dry years.

11. Landscaping will need to comply with the County's Landscape Irrigation ordinance (or the State's "Model Water Efficient Landscape Ordinance").

12. Water service to the parcels within the development will be subject to water service requirements, fees, and water service availability at such time as water service is requested from the District.

Please feel free to contact me if you have any questions regarding any of the above comments.

Sincerely,

Don M. Groundwater, P.E.
District Engineer

Appendix E
2012 Scoping Meeting Materials

Public Scoping Meeting

Environmental Impact Report

For

Tierra Robles Planned Development
Zone Amendment Z10-002
Tract Map 1996

Initial Study / Notice of Preparation

November 8, 2012

Tonight's Agenda

- Welcome and Introductions
- What is CEQA?
- Purpose of CEQA Scoping Meeting
- Description of Proposed Project
- Potential Environmental Impacts
- Proposed CEQA Review Schedule
- Contact Information
- Comments and Questions

Welcome and Introductions

- Shasta County Resource Management Staff
  - Kent Hector, Senior Planner
- County's EIR Consultant – RBF Consulting
  - Bruce Grove, Project Director

What is CEQA?
California Environmental Quality Act

- 1970 State of California environmental law
- Purpose of CEQA:
  - Provide information to decision makers and public about environmental consequences of actions
  - Evaluate the project's anticipated physical environmental effects
  - Provide the public with an opportunity to comment on the environmental issues
  - Obligation to avoid or reduce harm to the environment when feasible ("mitigation")

Purpose of CEQA Scoping Meeting

- Receive additional input from the public and interested agencies on the environmental issues that the Draft EIR should address.
- The County has chosen to hold this meeting to enhance public participation as part of the project's review under CEQA.
- Today's meeting is NOT intended as a forum to discuss the merits of the proposed project.
  - Merits of the project may be discussed at future public hearings with the Planning Commission and Board of Supervisors.

Project Roles and Responsibilities

- The project applicant, Shasta Red LLC, has submitted an application to Shasta County to approve the project.
- Shasta County is the "Lead Agency" for CEQA review of the project.
- Shasta County has retained RBF Consulting to prepare an EIR for the project.

Project Roles and Responsibilities

- RBF Consulting works for Shasta County, not the project applicant.
- Avoids conflict of interest.
- The applicant has provided funds to the County to prepare the EIR.
- Local taxpayer dollars are not used.

Opportunities to Comment

- You are encouraged to comment tonight at this meeting.
- Written comments will be accepted instead of or in addition to verbal comments.
- Please limit comments to environmental issues to be analyzed in the EIR.
- NOP Comment Period will end on ***November 26, 2012 at 5:00 p.m.***
- 45-day Draft EIR Comment Period and Public Hearing (May – June 2013).
- Planning Commission and Board of Supervisors Hearings (September – October 2013).

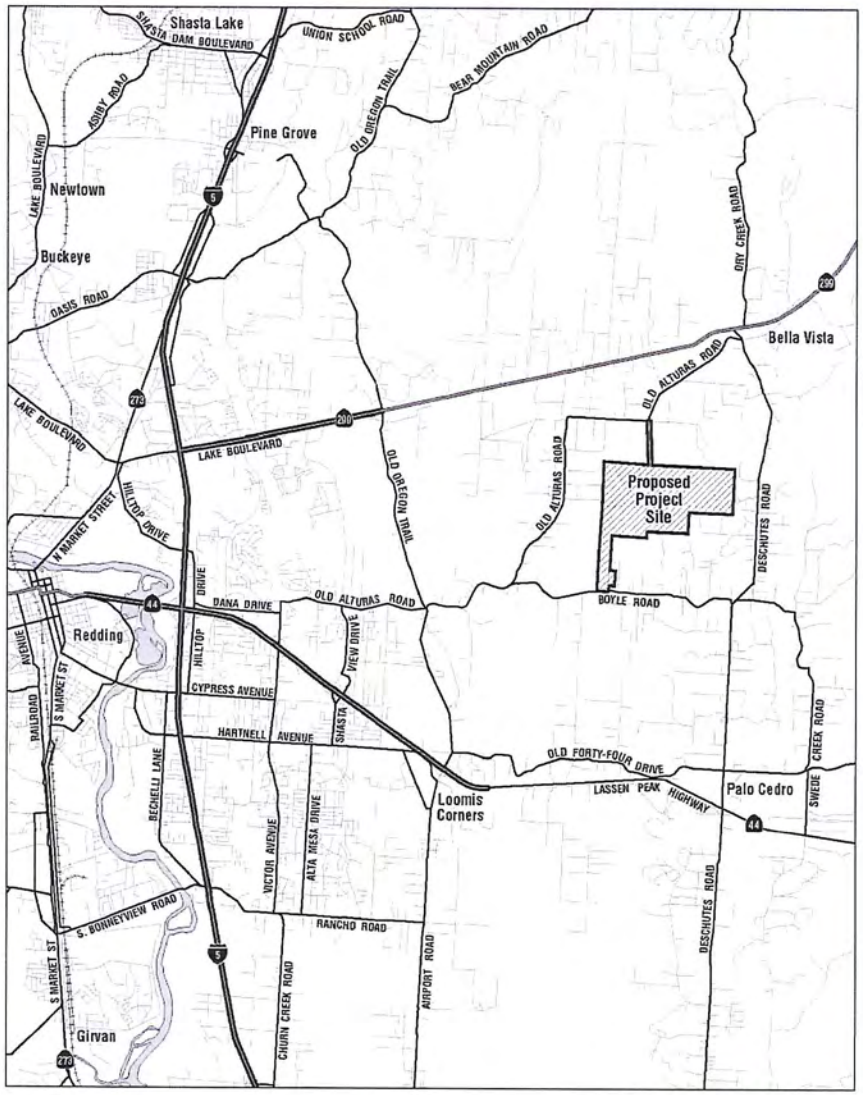
Environmental Impact Report

- Informational document based on facts, not speculation.
- Non-biased process that neither supports nor opposes the project.
- Primary Purpose: Educate decision makers to make an informed decision on the project.

Purpose of the Initial Study / Notice of Preparation (NOP)

- Section 15063 of the State CEQA Guidelines requires a Lead Agency to prepare a preliminary analysis to determine whether a Mitigated Negative Declaration (MND) or EIR is required.
- The Tierra Robles Initial Study and NOP serves as part of the scoping process to determine the appropriate environmental document for the project.
- Comments received as part of the NOP and Initial Study will be included in the Draft EIR.

Project Location



RBF
A Company

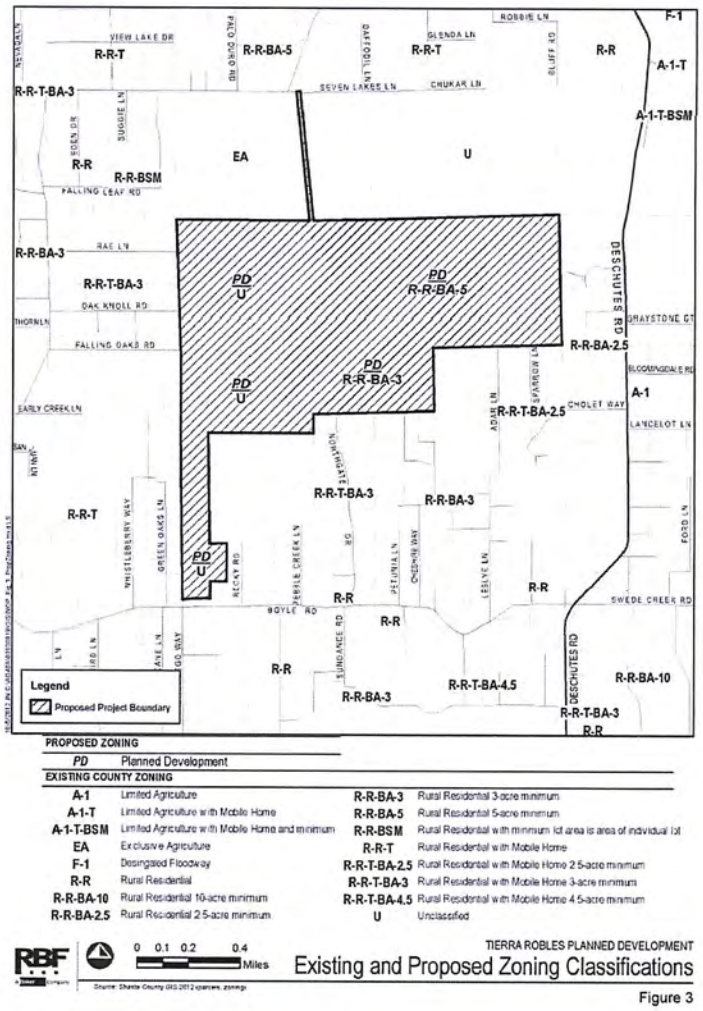
TIERRA ROBLES PLANNED DEVELOPMENT

Site Vicinity

Figure 2

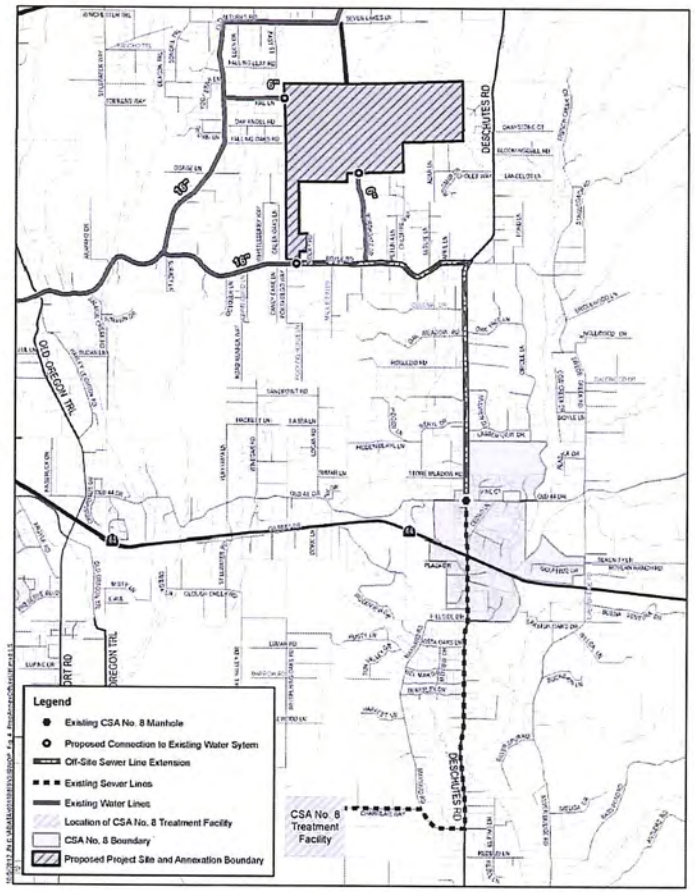
Existing Entitlement and Site Conditions

- 715.4 acre undeveloped
- General Plan Designation – Rural Residential A
- Zoning Designations – Unclassified (U), Rural Residential 3-acre minimum (RR-BA-3), Rural Residential 5-acre minimum (RR-BA-5)
- Site encumbered by >30 slopes
- Drainages: Clough Creek and other minor tributaries



Proposed Actions

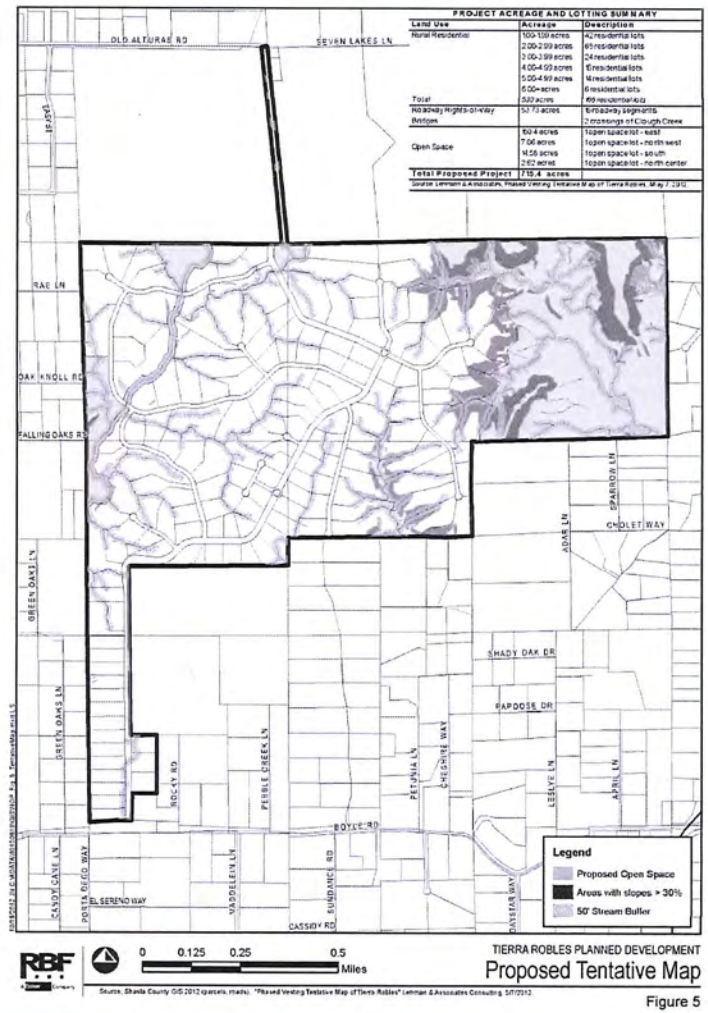
- Requested Actions by the Applicant:
  - Zone Amendment
    - RR-BA-3 / 5, Unclassified to Planned Development (PD)
  - Tract Map Approval
  - Annexation to CSA No. 8 – LAFCO Approval
- Residential Subdivision
- Open Space Use and other Amenities



TIERRA ROBLES PLANNED DEVELOPMENT
Proposed Annexation Boundary and Off-Site Utilities Improvements
Figure 4

Description of the Proposed Project

- 166 single-family residential lots on 530 acres
  - Lot sizes from 1.38 ac to 7.86 ac
- Four dedicated open space parcels
  - 2.62 ac to 150.4 ac
- Internal roadway network
  - 15 roadway segments
  - Two bridge creek crossings
- Project site access
- Full build-out anticipated by 2022



Description of the Proposed Project

- Infrastructure Improvements:
  - Sewer
    - 1.3 miles of sewer line on-site
    - 3.4 miles of new force main sewer off-site (outside of CSA No. 8) within the Boyle and Deschutes Road right-of-way
  - Water
    - Water lines connected at two locations
    - Water to be supplied by Bella Vista Water District
- Project Design Features:
  - Solar Design in New Homes
  - Class I Bikeways within Development
  - Pedestrian Paths
  - Variation of Housing Design

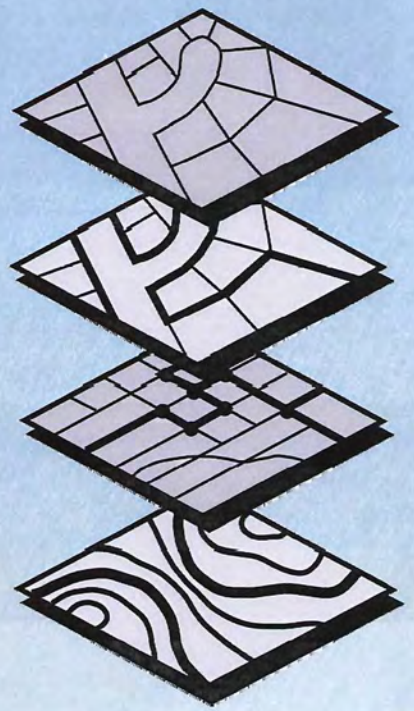
Potential Environmental Impacts

Based upon potential significant environmental effects, an EIR will be prepared to further evaluate issues identified in the Initial Study.

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Soils & Geologic Hazards
- Hazards & Hazardous Materials
- Hydrology & Water Quality
- Land Use & Planning
- Noise
- Air Quality
- Population & Housing
- Public Services & Fiscal Impacts
- Transportation & Traffic
- Utilities & Service Systems

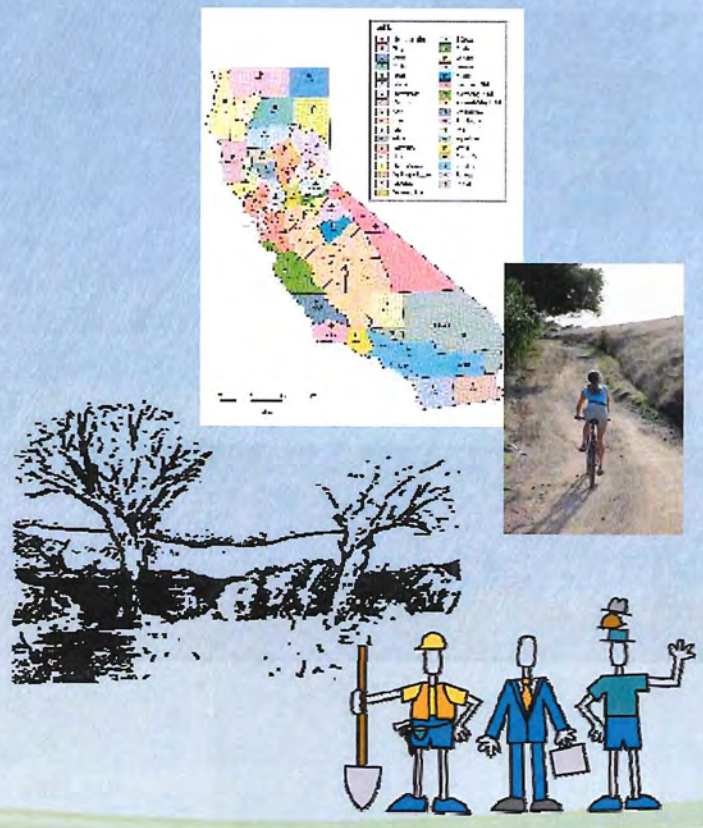
Supporting Technical Analysis

- Air Quality / GHG Assessment
- Acoustical Evaluation
- Historical / Archaeological Resources
- Biological Resources
- Visual Impact Analysis
- Traffic Study
- Geotechnical Study
- Hydrology Study
- Water Evaluation Report
- Sewer Study
- Fiscal Impact Analysis



Analysis in Draft EIR

- Thresholds-based analysis
  - CEQA significance thresholds
- Short term impacts
  - Construction
- Long term impacts
  - Operational
- Cumulative impacts
- Project alternatives



Contact Information

- Please submit written comments (or e-mails) to:

  Shasta County Department of Resource Management
  Planning Division
  Tierra Robles Planned Development Project
  NOP and Draft EIR Comments
  Attention: Mr. Kent Hector, AICP, Senior Planner
  1855 Placer Street, Suite 103
  Redding, CA 96001
  khector@co.shasta.ca.us

- Comments must include, name, address, e-mail, or contact number.

THANK YOU FOR ATTENDING!!

PUBLIC COMMENTS & QUESTIONS

B-2: Scoping Meeting Handouts

Tierra Robles Planned Development

Introduction to the
California Environmental Quality Act

California Environmental Quality Act Defined

The California Environmental Quality Act (CEQA) was enacted in 1970 requiring both state and local agencies to identify, disclose and consider environmental factors for projects requiring a discretionary action. A "discretionary project" as defined by CEQA means: *"a project which requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statues, ordinances, or regulations"* (State CEQA Guidelines §15357). The intent of CEQA is to:

- ✔ Fully disclose the description of a proposed project.
- ✔ Evaluate a project's environmental effects.
- ✔ Consider relevant information before approving a project.
- ✔ Provide the public with an opportunity to review and comment on the environmental issues.
- ✔ Avoid or reduce potential harm to the environment when feasible.

A "project" is defined as an activity, or activities, which have the potential to have a physical impact on the environment and may include the enactment of zoning ordinances, the issuance of conditional use permits and the approval of tentative subdivision maps.

Purpose of the Environmental Impact Report

After thorough review of preliminary information provided by the project applicant (Shasta Red, LLC), including existing information available to the Shasta County Department of Resource Management (County), the County, acting as Lead Agency under CEQA, made the determination that the proposed Tierra Robles Planned Development Project could potentially result in significant environmental impacts. The purpose of the Tierra Robles Planned Development Environmental Impact Report (EIR) is to provide state and local agencies, County decision-makers, and the general public with detailed information on the potentially significant environmental effects which the project is likely to have and to list ways which the significant environmental effects may be minimized and indicate alternatives to the project.

Where are we in the process?

The County has circulated a Notice of Preparation (NOP) requesting agency and public input on the anticipated environmental effects of the proposed Tierra Robles Planned Development Project. The NOP is circulated for a 30-day period to collect input based on the County's initial review of the anticipated environmental impacts. This evening's scoping meeting provides an initial opportunity for you to inform County staff of any environmental concerns or issues you believe should be evaluated in the Draft EIR.

Public Participation Process

Public participation is an essential part of CEQA. The County is formally requesting your input with regards to environmental issues important to you at this evening's meeting; however, as noted in the illustration below, there are additional opportunities to comment during the environmental review process.

Upon completion of the Draft EIR, the County will circulate the document for public comment. A noticed public hearing before the County Planning Commission will be scheduled. It is important to note that CEQA requires a minimum 45-day Draft EIR public review period and the County has elected to set a 60-day public review to allow responsible agencies and the interested public sufficient time to consider the information. At the conclusion of the 60-day Draft EIR review period, County staff will begin preparing responses to written comments received on the adequacy of the Draft EIR, including verbal testimony presented before the Planning Commission. Based on the comments received, revisions to the Draft EIR may be made.

A final public hearing will be scheduled when the Final EIR and proposed subdivision are presented before the County Board of Supervisors. The Board of Supervisors will consider the information presented in the Final EIR including responses, revisions, and findings, and ultimately decide if the environmental impacts have been fully addressed and disclosed. The Board of Supervisors may or may not decide to move forward with approving the proposed Tierra Robles Planned Development Project.

More on CEQA

To learn more about the CEQA process and requirements you can review the State CEQA Guidelines and other related information at the following web address: http://ceres.ca.gov.

County Contact Information

Shasta County
Department of Resource Management
Planning Division
Mr. Kent Hector, AICP, Senior Planner
1855 Placer Street, Suite 103
Redding, CA 96001
(530) 225-5532

Project Information Available At:
http://www.co.shasta.ca.us/index/drm_index/planning_index/eirs.aspx

PUBLIC SCOPING SUGGESTIONS/COMMENTS

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

Name:

Agency:

Mailing Address:

Phone Number:

Comments:

Send To: SHASTA COUNTY
Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
Attention: Kent Hector, Senior Planner
Fax: (530) 245-6468

TIERRA ROBLES PLANNED DEVELOPMENT PROJECT
ZONE AMENDMENT Z10-002 AND TRACT MAP 1996
ENVIRONMENTAL IMPACT REPORT

SIGN-IN SHEET

Public Scoping Meeting

North Cow Creek Elementary School
10619 Swede Creek Road
Palo Cedro, California

November 8, 2012
7:00 PM

	NAME	ADDRESS	PHONE	E-MAIL
1.	Jim SAVAGE	P.O BOX 5 PALO CEDRO CA.		
2.	Betty Schilling	21242 Boyle Rd Redding CA	530-549-3447	
3.	Bill Schilling	21242 Boyle Rd. Redding CA	530-549-3447	
4.	Jeannette Bond	21241 Boyle Road Rdg.	549-3118	
5.	GERALD HAYLER	21212 OAK KNOLL RD	549-5138	GRHAYLER@CSUPOMONA.EDU
6.	RONALD F. GIBART	11397 EDEN DR REDDING	549-3361	rsgibart@yahoo.com
7.	VERN DEATHERAGE	21668 Boyle	223 3956	VERN.DEATHERAGE@yahoo.com
8.	VICKIE WOLF	11048 Myrtlewood Dr.		
9.	Jim & Christie Smith	10613 APRIL LANE	549-4205	smithfive@FRONTIERNET.NET
10.	Doug + Pam CARNEY	10821 Green OAKS LN. RDG 96003	549-4819	Carneydoug@gmail.com
11.	Chuck + Betty HARNER	21047 Red Hawk Ln Redding, CA 96003	223-0373	
	Judy Tucker	21342 Boyle Rd. RC	549-4305	linedanceyindy@

	NAME	ADDRESS	PHONE	E-MAIL
12.	Ed & Shirley Martin	21168 Falling Leaf Rd.	549 3123	—
13.	Monda Montrea	10576 northgate Dr	549-3870	
14.	Russ Henham	2859 Green Riffle Rdg		
15.	Stoc Nelson			
16.	MARCIA RUSSELL	P.O. Box 615 Bayle Rd P.C.		
17.	Sue MacSween	10726 Northgate Dr.	549-4672	
18.	Tracy Rutherford	23491 Hwy 299 E	549-4234 Bella Vista Ca 96008	Rutherfordtracy@gmail.com
19.	Patty + John Ahlf	10620 Whistleberry Wy	549-4160	—
20.	Bobbi Joan Tornai	10576 April Lane		
21.	GARY TAYLOR	8177 Maynard Rd.	547-5792	
22.	Jim + Jodi White	10771 Cheshire Way	549-3906	potluckantiques@gmail.com
23.	TERRY & Peggy TAYLOR	10637 Pebble Creek Ln	549-3878	
24.	RAY & Carol RAMOS	10801 Northgate	549-5492	612Moretivedr@frontiernet.net
25.	RICK + TERI CHRIST	22034 OLD ALTURAS RD	549-4354	bvgps_7@frontiernet.net
26.	Nancy Mall	10697 Northgate	549 4233	nancy@shasta.com
27.	Sharyn Cornelius	2797 Deschutes Rd	549-3788	Sharyn@eastvalleytimes.com
28.	RICHARD & SUSAN RYAN	21748 OLD ALTURAS RD	549-4643	

	NAME	ADDRESS	PHONE	E-MAIL
29.	ERICK MATTSON	10738 GREEN OAKS	604-3895	EMATTSON1934@GMAIL.COM
30.	Charlie Leach	21865 Old Alturas	351 5672	
31.	STEVE DAVIS	10733 GREEN OAKS LN	549 5727	SWDAVIS@CITLINK.NET
32.	DAVID STEWART	22027 RUSTIC OAK LN.	945-9167	
33.	KAREY STEWART	8205 Maynard Rd.	510-2150	KareyStewart@gmail.com
34.	Elizabeth Taylor	10950 Acorn Ln	549-3138	betzytaylor@gmail
35.	Garrett Taylor	"	"	"
36.	Mary Colbert	10621 April Ln	549-3254	
37.	Wendy Weddle	10990 Sparrow Ln.	549-3673	housewhacky@live.com
38.	Jon Weddle	"	"	"
39.	Patte Jelavich			patte@jelavich.com
40.	Alice Montgomery	10519 Neville Dr PC	549 4786	scovern46@gmail.com
41.	BRAD SEISER	10603 NORTHGATE DR.	549-3532	bbseiser@frontiernet.net
42.	Ed Hanson	[illegible]	587 2257	
43.	Penelope Crumpton	21194 Rae Lane		
44.	ALAN SCHMIDT	10169 Rocking Horse Ln	215-0795	ALSTRL51@AOL.com
45.	Buck Simonis	21777 Shady Oak	549. 5780	

46.	Jim Visco	10396 Sundance	549-3332	
47.	Jack Ahern	21287 Boyle Rd	223-6633	
48.	Colton Schmanning	10444 Candy Cane Lane	—	—
49.	Rick Schmanning	10444 Candy Cane Ln	221-3403	—
50.	Richard + Donna Persbach	10814 French Creek Rd	547 5453	
51.	Scott & Alison Grant	10349 Maddelein Ln	549-4947	
52.	Greg + Kay Gibson	10414 Maddelein	222-6542	
52.	Michael Travis	10141 Rocking Horse Ln	222 6434	
54.	Cindy Butler	10297 Happy Hollow Ln	524 8817	cinderberri@gmail.com
55.	Pete Stone	21222 Rae Ln. Rd. CA	945-2428 549-3980	
56.	Sean Swanson	10571 Rocky Rd.	530-646-8192	
57.	Phil Scarry	10292 Northgate Dr	227-9274	
58	Allen Toney	10900 Sparrow Ln	549-3900	allen@rta-c.com
59.	Dan Zizza	10076 Roadrunner Ln		
60.	Rich & Jan Maple			
61.	BRAD HARRISON	21260 BOYLE ROAD	530-605-9038	bradharrison@frontiernet.net
62.	Jackie O'Connor	22044 Rustic Oak Ln.		
63.	FRANK Schabarum	10615 Quail Hollow LANE Redding, CA 96003		

64.	VICTORIA IBISON	10076 ROADRUNNER	222-4472	
65.	MARK MOYS	10584 PETUNIA LN	549-5409	
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