Letter 85 – Eleanor Townsend (December 29, 2017)

Kimberly Hunter

From:	Resource Management
Sent:	Friday, December 29, 2017 2:43 PM
To:	Kimberly Hunter
Subject:	FW: Tierra Robles DEIR public comments
Attachments:	TierraRobles DEIR Public Comments 12.27.17.doc; ATT00001.htm

From: Eleanor Townsend [mailto:eftownsend50@gmail.com]
Sent: Friday, December 29, 2017 2:38 PM
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Subject: Fwd: Tierra Robles DEIR public comments

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Tierra Robles Draft EIR Public Comments 12/27/2017

Section 5.17 Utilities and Service Systems:

IMPACT 5.17-4 Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed. Significance: Potentially Significant Impact.

MOST IMPORTANT TO THE ANALYSIS OF THIS DEIR IS HOW DOES THE APPROVAL OF THE TIERRA ROBLES PLANNED DEVELOPMENT SET THE PRECEDENT FOR THE REZONING OF RURALLY ZONED PARCELS FOR FUTURE PLANNED DEVELOPMENTS, THAT RESULT IN SUBURBAN SPRAWL AND UNSUSTAINABLE WATER DEMANDS WITHIN THE BVWD SERVICE BOUNDARIES.

CURRENTLY, BELLA VISTA WATER DISTRICT HAS OUTSTANDING WILL SERVE COMMITMENTS TO SUPPLY WATER TO 707 PARCELS WITHIN THE DISTRICT. DOES BVWD KNOW HOW MUCH WATER DEMAND IS NEEDED FROM THESE ACTIVE WILL SERVE PARCELS? WHERE'S THAT WATER GOING TO COME FROM, PARTICULARLY IN THE 'NEW NORMAL' OF SINGLE AND MULTIPLE DROUGHT YEARS THAT RESULT IN SEVERE WATER ALLOCATION CUTBACKS FROM THE CENTRAL VALLEY PROJECT (CVP). 85-a

IS THE ANSWER TO ALL THESE CVP WATER ALLOCATION CUTBACKS MORE RESTRICTIONS TO EXISTING CUSTOMERS, OR DO WE STOP OR SCALE BACK SUBURBAN SPRAWL DEVELOPMENTS IN RURAL AREAS THAT HAVE FINITE WATER SUPPLY RESOURCES?

BEFORE THE PLANNING COMMISSION OR BOARD OF SUPERVISORS CAN APPROVE THIS OR ANY LARGE SUBURBAN DEVELOPMENT, THEY MUST RE-EXAMINE THE ASSUMPTIONS AND ESTIMATES THAT BVWD USED FOR DETERMINING THE AMOUNT OF WATER IT CAN EXPECT LONG TERM TO BE ALLOCATED TO THE DISTRICT BY THE CENTRAL VALLEY PROJECT IN RELATION TO THE GROWTH EXPECTED IN DEMAND FROM WITHIN THE DISTRICT FROM PLANNED DEVELOPMENT ZONES AND THE EAST REDDING INFILL AREAS. UNTIL THIS ANALYSIS IS COMPLETED THE COUNTY CANNOT RESPONSIBILY DETERMINE HOW MUCH PLANNED DEVELOPMENT WATER DEMAND CAN BE SUSTAINED INTO THE FUTURE.

Comment 1. In single and multiple drought years when the CVP cuts water allocations to the BVWD, the Developer or the Tierra Robles Community Services District *must provide water augmentation to the BVWD from the start of the project to total buildout of the project per the amended mitigation language 5.17-4b below.* Existing BVWD customers have successfully conserved and restricted water usage in response to recent and historical drought periods. The 85-b

added water demand for this planned development will only exacerbate the finite resources of the BVWD, particularly in years when the CVP cuts water allocations.

The Amended MM 5.17-4b language below was adapted from the "Potential Mitigation language" proposed in Appendix 15.10 in Tully and Young's Water Demand Evaluation April 26, 2017 on Page 29. The DREI version of MM 5.17-4b gives the Developer 'a sweet heart deal', where the Developer or Community Service District is off the hook to purchase water until "such time as BVWD has completed 3 full years of full CVP water allocation *after commencement of operations at the project site."*

The DREI language is a bad deal for BVWD and its existing customers. For example, let's say 3 full years of full CVP water allocations begins in 2020, the same year the Developer begins construction, which is slated to last two years (end 2022). Then in the third year of full CVP allocations (2023), construction continues or maybe lot sales begin. Let's say that in the 4th year a single drought year occurs or it's the start of multiple drought years. What happens? The Developer is no longer required to purchase additional water to BVWD in the fourth year or thereafter and the 166-home buildout is 10-15 years down the road, leaving BVWD and its existing customers holding an empty water bucket for the life of the buildout! 85-b Cont.

Hence prior to any approval of any project, the Planning Commission and Board of Supervisors must adopt the Amended MM5.17-4b language below:

Proposed Amend MM 5.17- 4b to read as follows: "Concurrent with the formation of the Tierra Robles Community Services District, the project applicant shall provide to the Shasta County Department of Resource Management documentation demonstrating that the applicant has secured an Agreement with the BVWD to provide BVWD with adequate water supplies on an annual basis during identified shortage conditions in a quantity that represents a minimum of 100 percent (full) of the project's prior year water usage. Shortage conditions shall be defined to exist when BVWD has been notified by the USBR that it will receive less than 100 percent (full) allocation of its CVP water supplies for the coming delivery season, as that determination has been announced by USBR as of April 15 of each year. THE AUGMENTING WATER SUPPLIES SHALL BE MADE AVAILABLE TO THE DISTRICT THROUGH THE AGREEMENT UNTIL THE DISTRICT HAS COMPLETED THREE YEARS OF FULL CVP WATER ALLOCATION *FOLLOWING BUILDOUT OF THE PROJECT*. For any shortage condition that occurs after three years of full CVP allocation, the project applicant shall no longer be required to provide BVWD with augmenting water supplies, but the project applicant shall then be fully subjected to the shortage provisions administered by BVWD to all its customers. The project applicant shall demonstrate that any water supply provided to BVWD under the Agreement satisfies all CEQA and NEPA compliance requirements, as well as any other permitting or regulatory approvals, as may be associated with a water supply identified in the Agreement."

Comment 2. The DEIR severely underestimates by nearly double the amount of water that will be taken from the finite resources of the Bella Vista Water District system. The DEIR erroneously estimates the total indoor and outdoor water demand for 166 homes at 80 Acre Feet (AF) per year, which extrapolates down to each 2.5-person home as 172 gallons per person per day (GPPD) or 430 gallons per home per day. The indoor usage alone is taken from the State's 55 gallons per person per day minimum requirements or 137.5 gallons per day per home.

Real-world water demand estimates should come from page 49 of Bella Vista Water District's Urban Water Management Plan Update 2015 (UWMPU) using actual 2015 water use data, which reflects the severe CVP water allocation cutbacks and an extreme customer conservation effort.

The UWMPU shows the actual water usage for the 2015 drought year, which excludes all agricultural water, at 335 GPPD. Each 2.5-person District home, will use 837 gallons per day. Extrapolating out, the actual yearly water demand for 166 Tierra Robles homes would be 156 AF, not the Draft EIR estimate of 80 AF. 85-c

The BVWD actual 335 GPPD is a conservative view on water demand and does not reflect UWMPU higher 5 and 10-year baseline studies showing a GPPD usage of 758 and 853 respectively and a 2020 target of 947.

Proposed Mitigation: Prior to approval by the Planning Commission and Board of Supervisor a new water demand analysis must be completed in conjunction with the Bella Vista Water District Engineer, based on actual rural residential demand data, so there is an accurate determination of water demand for this development at buildout. Based on these new projections new mitigation measures must be developed or enhanced.

Proposed Mitigation: The Developer and/or the Tierra Robles Community Services District will pay for the drilling of a new well in the south county water basin that ties into the BVWD system so the total water demand for the project is met and existing customers will not be impacted by the increased need for water in the District in Normal and single or multiple drought years.

Comment 3. While BVWD advises no problems in supplying surface water from the Central Valley Project (CVP) in Normal years, the District has had to impose drastic water restrictions during Single and Multiple Dry Years when CVP water allocations were severely cut back. Such cutbacks resulted in the District having to impose severe restrictions and conservation efforts on customers during the following 14 drought periods: 1990 to 1998, 2011 - 2012, 2012 – 2013; 2013 - 2014, 2014 --2015, and 2015 – 2016. 85-d

The DEIR references Table 5.17-4 (Single Year Droughts) and Table 5.17.5 (Multiple Year Droughts) from the District's Urban Water Management Plan Update 2015 (page 75) which show estimated water supply and demand data for future projections out to the year 2040.

All BVWD water projections for single year droughts out to the year 2040 show over a 6,000 Acre Feet shortage in water supply against demand. 85-d Cont.

Question:

If multiple drought years start as a single year drought, with a deficit in water supply against demand of over 6,000 AF, how can the second year of drought show a surplus against demand and again a surplus in the third year of a drought?

Comment 4. Bella Vista Water District acknowledges "major components of the District's water system are more than 50 years old and approaching the end of their design life." The Draft EIR fails to mention or mitigate fluctuating water pressures to existing customers throughout the Welsh pumping system that will only be exacerbated by a concentration of 166 new homes. 85-e

Proposed Mitigation: Before approving any project, the Planning Commission and Board of Supervisors must insist that BVWD (at the Developer's expense) complete a hydraulic study of the Welsh system to ensure that all pressure issues are identified and fully mitigated.

Section 5.17 Utilities and Service Systems (continued)

Impact 5.17-2 – Implementation of the proposed project would not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. Noted as Less Than Significant and No mitigation measures are required.

Comment 1. As noted above in Section 5.17-4 Comment 2, the DEIR erroneously estimates the total water demand for 166 homes at 80 Acre Feet (AF) per year for indoor and outdoor use. The indoor water usage estimates come from the State's 55 gallons per person per day data, which extrapolates to 137.5 gallons per home per day, based on a 2.5-person occupancy. The DEIR states that the Design Flow of the Wastewater treatment system is based on 200 gallons per day, per home. 85-f

As stated in Comment 2 above, actual water usage from the severe drought year of 2015 shows tremendously more water than 200 gallons coming into the home daily. If the DEIR misstates the amount of water each home will use for residential purposes, then all the design flow data used to plan for and size the onsite black and grey Wastewater Treatment and Dispersal system must also be flawed and could cause severe environmental impacts if not corrected. The DEIR system proposes five Orenco AXMax waste treatment modules to handle the black and grey

wastewater coming in for treatment. From the site schematics of the system there does not appear to be a backup electrical generator to run the pumping system for the treatment modules and to draw the untreated effluent from the homes.

Also, the DEIR calls for the installation of the AXMax treatment modules with three modules in Phase I and one each in Phase 2 and Phase 3. The 2012 EIR process proposed for the development to tie into the Palo Cedro sewer system down on Deschutes Road. This plan was rejected; however, that sewer system was not going to be phased in, but fully built out at the start.

The 2016 DEIR plan for a phased buildout of the AXMax treatment modules is unacceptable and must be completed in its entirety before any site maps are recorded by the County. The Developer and The TR Community Services District must assume full responsibility for the technical operation and sustainability of the entire system! If this Developer disappears or goes bankrupt the County and its taxpayers should not have to assume the fiscal liability to finish the system.

Questions:

If the Design Flow data is underestimated at 200 gallons per day per home, how many additional AXMax treatment modules will be necessary to meet the demands of a 166 home subdivision with significantly more water flow per home? 85-f Cont.

If the design flow data is underestimated at 200 gallons per day per home, what will be the actual amount of treated effluent that will have to be dispersed to the roadway median landscape areas?

What is the total area in square feet for all the roadway median areas to accommodate all the treated effluent that must be dispersed?

In the winter rain season, how will fully soaked medians be able to absorb all the treated effluent? How and where will treated effluent be stored if it can't be disbursed? If it can't be absorbed in the medians, will the treated effluent make its way into the storm drains and where will it flow?

Since this rural area has a history of power outages, and no backup generators are present in the site plans, what is the plan for backup generators so that flow system will continue to operate should there be power outages of any duration?

Proposed Mitigations: Prior to approval by the Planning Commission and Board of Supervisors a new Wastewater Treatment design flow study must be completed using actual residential water data that is consistent with BVWD rural residential homes. Also, based on this revised

study the entire Wastewater Treatment System will be resized as appropriate, including additional or enlarged effluent dispersal areas, or added storage facilities and a backup generator system. 85-f Cont.

DEIR Section 5.16 Traffic and Circulation

Impact 5.16-3 "Implementation of the proposed project may result in inadequate emergency access."

Comment 1. Under "Long Term Operation" this impact should read "non-existent" emergency access, not "inadequate emergency access". The Draft EIR states that No mitigation measures are required and that the impact would be less than significant. This could not be further from the truth.

The Draft EIR calls for northern terminus of Northgate Drive to intersect with the southerly terminus of Tierra Robles Lane to provide the project with a secondary emergency access road. Northgate Drive is a Private Road and only the 28 homeowners on this road have legally recorded easements which only grants them use of Northgate Drive.

In the Executive Summary, page 2-6, "Site Access and Roadways" it states, "The southerly terminus of Tierra Robles Lane is at the northerly terminus of Northgate Drive, a road used for over 40 years as access to the southeast corner of the proposed project site. The proposed connection with Northgate Road (Drive) would be gated per County fire standards and used for reciprocal emergency access only." The parcel number containing the terminus of Tierra Robles Lane is APN-061-210-001. 85-g

County deed records for parcel APN #061-210-001 indicate there is no legally recorded easement for the subject property, by the current owner, Shasta Red LLC, nor the previous owners, Landmark Investment Group, RHS NorCal Investments LLC and UJB Investments LLC nor the previous owners, Chatham Family 1991 Trust and Harryette Chatham J-TR, nor the previous owners, Harryette and Gordon Chatman.

The only legal description for APN-061-210-001 is: "North One-Half of Lots 1 and 2 of the Northwest One-Quarter, Section 30, Township 32 North, Range 3 West, M.D.B &M." There is no recorded easement for access to the adjacent parcel that includes Northgate Drive in that or any other parcel description.

While there may be a history of Northgate Drive being used to move grazing cattle on and off the subject property and to allow access for bee farming, these were limited uses for

agricultural purposes only and is not consistent with the purpose of a Planned Development. Again, no legally recorded easement exists.

85-g Cont.

Proposed Mitigation: The DEIR designation of Northgate Drive as an emergency access road must be removed from all current and future site maps and the developer must determine a new emergency access road, other than Northgate Drive.

Comment 2. The DREIR states on Page 5.16.1 "This section is based upon the *Tierra Robles Traffic Impact Study* (May 2015) and *Supplemental Traffic Impact Analysis* (August 2017) prepared by Omni-Means Engineering Solutions, **both included** as Appendix 15.9, TRAFFIC IMPACT STUDY."

Appendix 15.9 Traffic Impact Study only includes the May 2015 documents and does not include the Supplemental Traffic Impact Analysis of August 2017. The data in Section 5.16 shows some data from May 2015 and some from the inaccessible August 2017 data making it difficult, if not impossible to make complete, accurate assessments, evaluations, conclusions and mitigation proposals for this Section's Public Comments.

85-h

Proposed Mitigation: All assessments, evaluations, conclusions and mitigations contained in Section 5.16 Traffic and Circulation and Appendix 15.9 must be revised and updated to include the August 2017 Supplemental Analysis prior to any pre-approval consideration by the Planning Commission and the Board of Supervisors.

Comment 3. Traffic count errors are given for Intersection 8 Old Oregon Trail at Old Alturas Road. The AM traffic existing counts (151-113) are the same as Existing Plus (151-113). Also, the PM traffic existing counts (158-121) are the same as Existing Plus (158-121) counts.

Questions
What are the real numbers for traffic counts at Intersection 8 during all peak travel times? What are the revisions to all further analysis that are dependent on these traffic counts (Intersections 12, 18 and 13) in all of Section 5.16, e.g. change to LOS, Warrant, Safety Performance, etc?

85-i

Given this revised data, how are the proposed mitigations changed or what new mitigations are needed for Intersections 8, 12, 18 and 13?

Comment 4. The DEIR Appendix 15.9 (and presumably Section 5.16) uses older 5-year Collision data (2009-2013) from CHP's SWITRS system to generate data and assumptions about Safety Performance on studied road segments as compared with statewide averages for similar type roads, that ultimately led to DEIR mitigation proposals. The Supplemental Traffic Impact Analysis of August 2017 should have retrieved the 2014-2016 SWITRS Collision data and then created a new 5-year data set, 2012-2016, which has been available on the CHP SWITRS website (and downloaded by the undersigned upon enrollment into the CHP application).

85-j

(Recently, it was announced that nationally there has been a 10% increase in fatalities, which is likely caused by distracted driving.)

More important the DEIR traffic methodology makes NO comment or analysis of how the expected Project increase in Average Daily Traffic (ADT) will impact rates and number of accidents for all road segments and intersections at full buildout. If a roadway already has a 38% higher rate of collisions than the state average, the DREI does not address what the new rate and number of accidents would be given the increased ADT coming from the Project. There is no analysis of how this would affect proposed mitigations or new mitigations to lower the number and rates of accidents.

The DEIR fails to even mention the school zone for Foothill High School on the Deschutes Road segment from Boyle Road to SR 44.

85-j Cont.

Questions:
Using updated CHP Collision data (2012-2016), for all studied roads and intersections, what are the revised Collision rates and number of collisions projected from new ADT data at Project Plus and full buildout?

How do any proposed or new traffic mitigations prove they are effective in reducing the number and rates of collisions at full buildout of the development?

What is the Traffic Flow data for the intersection entrance at Foothill High School and how will the increased ADT on the Deschutes Road from Boyle to SR 44) affect the Safety Performance of that segment of roadway to ensure the safety of student pedestrians and bicyclists?

Proposed Mitigation: Completely revise and reassess the 5-year SWITRS Collision data using the years 2012-2016 for all studied road segments; Conduct a new Safety Performance assessment to determine which roadway segments are higher than the statewide average for similar roadways. Reconsider all the DEIR mitigations proposed or new mitigations that are needed based on the updated data. Ensure that the school zone of Foothill High School is studied and assessed for needed mitigations. This revised thorough analysis must be completed prior to any pre-approval consideration by the Planning Commission or Board of Supervisors.

Comment 5. Page 5.16-14 shows Table 5.16-6 EXISTING ROADWAY LEVEL OF SERVICE Source: Omni-Means Engineering Solutions. *Tierra Robles Traffic Impact Study*. **May 2015**.

85-k

Questions:
What is the data for this Table from the August 2017 Supplemental Analysis?
How does this data revise the analysis for all aspects of Boyle, Old Alturas and Deschutes Roads throughout Section 5.16?

How does this data revision change the proposed traffic mitigations or the need for new mitigations on all studied road segments and intersections? How are the Existing Plus conditions and 2035 Cumulative conditions changed? 85-k Cont.

Comment 6. While Section 5.16 and Appendix 15.9 provides much data for traffic counts and traffic delays at various intersections, projected trips on surrounding roads, average daily trips on various road segments, etc., NO vehicle speed data was measured for any of the listed road segments and the impact of speed on approaches to all the studied intersections is unknown.

For example, since no data exists, our personal experience of walking and driving on Boyle Road reveals two-way, peak A.M and P.M traffic speeds that mimic a racetrack as parents and students travel to and from Cow Creek Elementary and Foothill High Schools and/or drive to work in Redding.

Questions:
What are the existing average road speeds for ALL road segments in all directions that have data for Average Daily Trips?

What are the existing average road speeds in both directions on Boyle Road during A.M. and P.M peak times?

With the inclusion of a speed analysis, what are the projections for Existing Plus and 2035 Cumulative conditions for all surrounding roadways, intersections, including LOS and Warrant Analysis. How are delay times affected? 85-l
How are currently proposed traffic mitigations impacted by speed data and how would they be modified or changed? What new traffic mitigations would be proposed to reflect this additional information?

Regarding the proposed mitigation of a four way stop sign at the Intersection 13 of Deschutes and Boyle Roads:

What are the existing average road speeds for through traffic in both directions on Deschutes Road at Intersection 13?

What is the impact of speed in the effectiveness and safety of this mitigation, particularly since this is an intersection where there is large curve on Deschutes just south of the intersection and a long steep hill just north of the intersection and a school zone going east towards Cow Creek Elementary School?

Given the new speed data analysis, what new traffic mitigation options would be appropriate and effective at Intersection 13?

Proposed Mitigation: Redo the Traffic Study to consider the impact of speed, which must be measured and assessed in compliance with accepted Caltrans standards, so that any proposed and new traffic mitigations are consistent with the analysis for all local roads and intersections studied in the DEIR. This revised thorough analysis must be completed prior to any pre-approval consideration by the Planning Commission or Board of Supervisors. 85-l Cont.

Comment 7. According to DEIR data there will be 1,774 added trips per day to surrounding roads and intersections. The Project Trip Distribution Map on page 5.16-16 shows Boyle Road will have 80% of new projected trips with 61% of trips going towards Old Alturas Road and 19% going towards Deschutes Road. This indicates the Tierra Robles Entrance/Exit at Intersection 18 (Boyle Road and Project Road A) will have by far the highest volume of traffic entering and exiting the development versus the entrance/exit Intersection 3 at Old Alturas and Seven Lakes Roads.

The Boyle Road segment from Northgate Drive to October Lane is almost a straight stretch of road that passes this new Intersection 18. On this segment there are approximately 14 streets and driveways on the north side of Boyle and approximately 16 streets and driveways on the south side of Boyle. In either direction there are significant dips and rises in the sight lines on this stretch of road which can make visibility a challenge to see cars turning onto Boyle from side streets and driveways. It is not uncommon to see vehicles crossing the center line or almost driving off the edge of the road which has almost no shoulder at all.

Intersection 18 has not been evaluated to ensure safe turning into and out of the development so that Boyle through traffic is safely accommodated, particularly during peak A.M. and PM times. The DEIR only proposes a two-way stop sign mitigation for this congested, high speed intersection. 85-m

Questions:
At Intersection 18, what is the existing Boyle through traffic flow data in both directions that passes this proposed intersection during peak A.M. and P.M. timeframes?

At Intersection 18 what is the existing average speed of vehicles passing this proposed intersection during peak A.M. and P.M timeframes?

If 80% of the new added projected trips use this Intersection, how many cars will be entering or exiting the development during peak A.M. and P.M. timeframes?

What will be the delay times at this Intersection for Boyle through traffic in either direction due to traffic turning left into the development or turning left out of the Project during peak A.M. and P.M times?
How does the above data collected for traffic flow, delay and speed correlate to determine what mitigations are needed to ensure this intersection meets safety requirements for those vehicles turning into and out of the Project and those that are passing through this intersection during A.M. and P.M peak times?

How does this new data impact LOS Project Plus and 2035 Plus Project traffic conditions for this intersection and the entire road segment of Boyle Road?

Proposed Mitigation: To ensure safe, unimpeded through traffic on Boyle Road, use the Tierra Robles property frontage to adjust Boyle Road for the installation of a dedicated left turn lane into the development. For vehicles turning left out of the Project onto Boyle, install a left turn access lane that adds cars safely into the flow of Boyle through traffic. This revised thorough analysis must be completed prior to any pre-approval consideration by the Planning Commission or Board of Supervisors. 85-m Cont.

Comment 8. Under Project Trip Distribution -
According to the study, 20% of project traffic is expected to use Old Oregon Trail between Old Alturas Rd and SR 44, causing the ADT to change from 8031 to 8386. This increase leads to a recommended mitigation of installing a traffic signal/roundabout.

The study also shows that 15% of project traffic is expected to use Deschutes Rd between Boyle Rd and SR 44 causing the ADT to change from 8495 to 8761. This increase leads to a recommended mitigation of installing street name signs along Deschutes Rd. 85-n

Question:
Why does Old Oregon Trail, with an ADT of 8386 seem to have a need for a signal/roundabout at SR 44 and Deschutes Rd, with 8761 and an accident rate 38% above average (old 2009-2013 data) not need a signal/roundabout)?

Proposed Mitigation: Instead of the DEIR proposed street signs, install a signal or roundabout on Deschutes Road to handle the increased project ADT.

Additional Traffic Questions:

For all the proposed traffic mitigations, such as roundabouts, warning signs, two-way and four-way stop signs etc. what is the supporting simulation data that prove the proposed Draft EIR mitigations are effective at full buildout of the subdivision?

What increased maintenance timeframes and expenses can the County expect to incur because of the 1,774 daily added trips to surrounding roads, particularly Boyle Road, which is already being resurfaced on a year schedule a two-year schedule now? 85-o

Due to the increased rate of deterioration of local roads, caused by the Project's increase in Average Daily Traffic, what costs will be borne by the Developer or Tierra Robles residents, rather than existing tax payers, to repair and maintain these roads?

What is the analysis for a Board of Supervisor approved Mello Roos fee being considered for Tierra Robles homeowners to pay for increased maintenance costs for local road maintenance and other impacts to County services including Sheriff and Fire Services, Schools etc.?

Shasta County is already behind for already funded and approved 'on the books' roadway improvements, let alone any new traffic mitigations for this development. 85-o Cont.
What assurances and guarantees do East County residents have that the County and Developer will buildout the mitigations described in a Final Draft EIR prior to the selling of any parcels?

Proposed Mitigation: Before any site maps are recorded by the County all traffic mitigation plans and solutions must be built out and fully operational.

Regarding the Proposed Zone Amendment Z10-002, Tract Map 1996, SCH No. 2012102051

Comment 1. Page 2-6 of the Executive Summary under "Rural Residential Parcels" states "the proposed project would include 166 single family residential parcels ranging from 1.38 acres to 6.81 acres in size on approximately 471.92 Acres...for development in six phases". The DEIR proves that proposed distribution of lot sizes does not meet General Plan and Zoning requirements that development be consistent with existing parcel sizes and zoning and fitting in with the rural/agricultural character of the surrounding area. The analysis below proves Tierra Robles is an example of a suburban planned development dumped in the middle of a rural residential area!

In Sec. 5.10.12, the DEIR states, "Although the proposed project would alter current conditions on the site, the proposed project would be compatible in density with the surrounding existing uses." It goes on to say that the rezone would not change the rural character of the area but later contradicts and states it will change to "semi-rural." 85-p

A zoning amendment for a Planned Development should not be granted because the number of parcels, acreage sizes and percentages of parcels in each acreage size do not meet the standard to fit with the area's existing zoning and parcel sizes which would be against the County General Plan and Zoning Regulations.

The DEIR uses the Composite Parcel Size Map, Section 5.10-1 to show the land area parcel sizes that are 1 to 1.5 miles surrounding the proposed development. By counting the number of mapped parcels in each acreage category, a percentage in each category can be determined and then compared to the Development's percentage of homes to be built in each acreage category, which shows there is no correlation of this Development to the surrounding rural community.

The chart below combines and compares Table 3-4 "Project Acreage and Lotting Summary" on page 3-16 of the Subdivision Development Summary to the number and percentage of parcel acreages from the Composite Parcel Map Figure 5.10-1:

Acreage	Lotting Description	% Parcels	# of Surrounding Parcels**	% of Surrounding
0 - .99 ac	0	0	46	5%
1.00 – 1.99 ac	45 Homes	27%	48	5%
2.00 – 2.99ac	65 Homes	39%	155	17%
3.00 – 3.99 ac	25 Homes	15%	137	15%
4.00 – 4.99 ac	16 Homes	10%	117	13%
5.00 – 5.99 ac	10 Homes	6%	128	14%
6.0+ ac	5 Homes	3%	293	32%
Totals	166 Homes		924 Parcels	

** Non-Exempt Parcels less than 6 acres - 273 - not included in the above surrounding percent calculations since the exact acreage is unknown, other than less than 6 acres.

85-p Cont.

Proposed Mitigation: Since the above chart shows that the proposed zoning amendment change for a Planned Development is not consistent with the existing parcel zoning in the surrounding area, the following Alternative Plan shall be adopted: The Developer shall be required to convert the proposed 471.92 usable acres to a number of lot parcels that equal the exact percentages of the surrounding parcels as depicted in Composite Parcel Map Figure 5.10-1, *with the exception of parcel sizes that fall below 2 acres* since the rural residential zoning require one dwelling per 2 acre minimums.

The Formation of the Tierra Robles Community Services District (TRCSD):

Comment 1. The formation of the Tierra Robles Community Services District (TRCSD) promotes an entity that is overtasked, underfunded and lacking in ANY enforcement powers to ensure compliance by builders, homeowners, waste treatment operators, etc.

This proposed entity can be likened to an 'oversized' Home Owner's Association that lacks the technical expertise, and long term financial sustainability to deliver on the proposed Mitigations related to the Waste Treatment facilities, all the management and oversight of the RMA's, establishment and sustainability of all the required off-site biological areas in perpetuity. 85-q

Given the County's limited financial resources, it can ill afford to approve any project or CSD where the long term financial viability of the project is in question. With the project slated for buildout in 10-15 years, how will be the Developer be able to ensure that the TRCSD will collect the necessary annual fees to cover all the costs associated with all the tasks required by this CSD. What will happen to this project and CSD if there is another economic downturn and the Developer lacks the financial staying power to ride it out.
While the County's Resource Management Department and Shasta LAFCO may be willing to oversee the buildout of the project and the formation and running of the CSD, how can they

responsibly deliver on new activities when they are having challenges delivering on their current workloads and responsibilities?

The last thing this County needs, given its limited financial resources, is to get back the responsibilities for running and financing the mandated activities of the TRCSD. To that end, the DEIR present no documentation or analysis to show the financial integrity and sustainability of this Developer to meet the required budgeted costs associated with the operation of this CSD, particularly when buildout is expected to take place over 10-15 years and a budget which apparently is at the effect of home buyers to pay on a yearly basis. 85-q Cont.

Most CSD's in California do not have any powers to enforce anything. There is no mention of enforcement powers and it seems this is a toothless entity.

Proposed Mitigation Before any approval by the Planning Commission and Board of Supervisors or Shasta LAFCO, there shall be a mechanism in place to ensure that the TRCSD has enforcement powers to function in a sustainable way regarding it's programmatic and financial relationship and responsibilities to builders, and homeowners, etc.

Comment 2. Regarding the proposed mitigation for a TRCSD purchase agreement of water in single and multiple drought years, there does not appear to be a line item for this purchase in this budget, except for landscaping watering which does not appear to be related to this contingency water purchase.

Questions:
How will the TRCSD pay for the cost of the drought contingency water agreement? Will the cost of this contingency water purchase be a cost absorbed by the Developer or is the plan to bill homebuyers? Where does this accounting appear in the proposed budget?

How does the TRCSD propose to enforce any of the CC&Rs or the collection of the requisite annual fees that the TRCSD needs to finance its activities and responsibilities? 85-r

Where in the DEIR is the financial analysis of the financial condition, viability and sustainability of Shasta Red LLC? What is the mechanism for the County to ensure that all the required mitigations that will be part of the final EIR are to be delivered upon by the Developer or TRCSD, regardless of how lot sales proceed?

Proposed Mitigation: Before any approval by the Planning Commission and Board of Supervisors or Shasta LAFCO, Shasta Red LLC must submit to a financial stress test that ensures they have the financial sustainability to see this project through total buildout and the full capitalization of all final Mitigations and responsibilities for the TRCSD.

Section 5.4 Biological Resources

MM 5.4-1e Potential Impacts to the Red Bluff Dwarf Rush:

Comment 1. There is approximately a quarter acre population of Red Bluff Dwarf Rush and while the DREI states there will be no development within the RMAs of approximately 13 lots, 60-69 or 77-79 the proposed road alignment is currently not designed to maintain the minimum buffer of 100 feet. The mapped population of Red Bluff Dwarf Rush occurs in or adjacent to the roadway right of way and thus would have a significant adverse effect. 85-s

Proposed Mitigation: Looking at the Figure 3 on page 22 of the Appendices 15.4 - ALL road development must be moved outside the buffer area for the Dwarf Rush. Ensure that no run off from the road or from the parcels adjacent to the Dwarf Rush area drain into the drainage where the plant is found.

Comment 2. The rare plant surveys should be done at the proper time of year and in a year when there are proper hydrologic regimes present since most of the species we're looking at are wetland dependent. The study was completed in 2016 and was not a very good year as the that water year was dry. Spring of 2017 was quite wet and would have been the proper time to conduct the surveys. Surveys done 2015 or earlier are probably not very reliable. Also, the hydrologic conditions in the winter of 2016 to 2017 was substantially different than that of 2010 when the original work was done. 85-t

Proposed Mitigation: Repeat all the rare plant surveys at the proper time of year to identify all the species that were identified in the table of potentially significant species, pages 5.4-20 to 24.

Comment 3. An Army Corp of Engineer verification of wetlands is valid for only a five-year period. Information about the current verification is as follows: **Chatham Ranch Wetlands Delineation Addendum** May 2011 **Introduction** - On September 25, 2009 Wildland Resource Managers (WRM) submitted a wetlands delineation for Chatham Ranch (SPK-2008-00428) to the Army Corp of Engineers for verification. Subsequent to that submittal, on March 30 and 31st of 2010 a field visit was conducted my Mr. Josh Emory of the Corp and Steve Kerns of WRM for the purpose of verifying the accuracy of the delineation mapping. 85-u

Proposed Mitigation: The Developer must request a current wetland delineation and resubmittal to the Army Corps of Engineers for verification because the verification of the previous wetland delineation is more than five years old.

Comment 3. The Elderberry clusters is the habitat for the long horn bettle (VELB). This species is still Federally listed and thus has the protection of the Federal Endangered Species Act and the California Endangered Species Act. The clusters of Elderberry's that were found on the site should be given protection, not just from clearing of shrubs around them, but in permanent protection of the species in perpetuity. 85-v

Comment 4. *Oak Woodland*. Approximately 88 percent of the project site supports an oak woodland. TRCSD Oak Management Plan - The plan implementation will provide for a variety of things including the maintenance of Oak Woodlands to reduce fire hazards. 85-w

Question:
How will that be accomplished? Will that involve the removal of shrubs, trees or other vegetation? If so, where, when and what will the ultimate effect be on native vegetation?

Response to Letter 85 – Eleanor Townsend

Response 85-a: This comment is a direct copy, or copy of portions, of ***Comment 65-a***.

The commenter is referred to ***Response 65-a***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-b: This comment is a direct copy of, or copy of portions of, ***Comment 65-b***.

The commenter is referred to ***Response 65-b***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-c: This comment is a direct copy of, or copy of portions of ***Comment 65-c***.

The commenter is referred to ***Response 65-c***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-d: This comment is a direct copy of, or copy of portions of ***Comment 65-d***.

The commenter is referred to ***Response 65-d***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-e: This comment is a direct copy of, or copy of portions of ***Comment 65-e***.

The commenter is referred to ***Response 65-e***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-f: This comment is a direct copy of, or copy of portions of ***Comment 65-f***.

The commenter is referred to ***Response 65-f***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-g: This comment is a direct copy of, or copy of portions of ***Comment 65-g***.

The commenter is referred to ***Response 65-g***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for

consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-h: This comment is a direct copy of, or copy of portions of ***Comment 65-h***.

The commenter is referred to ***Response 65-h***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-i: This comment is a direct copy of, or copy of portions of ***Comment 65-i***.

The commenter is referred to ***Response 65-i***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-j: This comment is a direct copy of, or copy of portions of ***Comment 65-j***.

The commenter is referred to ***Response 65-j***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-k: This comment is a direct copy of, or copy of portions of ***Comment 65-k***.

The commenter is referred to ***Response 65-k***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-l: This comment is a direct copy of, or copy of portions of ***Comment 65-l***.

The commenter is referred to ***Response 65-l***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-m: This comment is a direct copy of, or copy of portions of ***Comment 65-m***.

The commenter is referred to ***Response 65-m***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-n: This comment is a direct copy of, or copy of portions of ***Comment 65-n***.

The commenter is referred to ***Response 65-n***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for

consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-o: This comment is a direct copy of, or copy of portions of ***Comment 65-o***.

The commenter is referred to ***Response 65-o***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-p: This comment is a direct copy of, or copy of portions of ***Comment 65-p*** and ***65-q***.

The commenter is referred to ***Response 65-p*** and ***65-q***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-q: This comment is a direct copy of, or copy of portions of ***Comment 65-r***.

The commenter is referred to ***Response 65-r***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-r: This comment is a direct copy of, or copy of portions of ***Comment 65-s***.

The commenter is referred to ***Response 65-s***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-s: This comment is a direct copy of, or copy of portions of ***Comment 65-t***.

The commenter is referred to ***Response 65-t***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-t: This comment is a direct copy of, or copy of portions of ***Comment 65-u***.

The commenter is referred to ***Response 65-u***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-u: This comment is a direct copy of, or copy of portions of ***Comment 65-v***.

The commenter is referred to ***Response 65-v***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for

consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-v: This comment is a direct copy of, or copy of portions of ***Comment 65-w***.

The commenter is referred to ***Response 65-w***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 85-w: This comment is a direct copy of, or copy of portions of ***Comment 65-x***.

The commenter is referred to ***Response 65-x***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 86 – Gina Knowles (December 29, 2017)

Kimberly Hunter

From: Gina Knowles <gknowles@frontiernet.net>
Sent: Friday, December 29, 2017 9:40 AM
To: Kimberly Hunter
Subject: tierra robles opposition letter
Attachments: tierra robles opposition letter.pdf

Good morning Kim,

Please let me know that this came through ok and that you got it stamped received today. 86-a

Thank you.

Gina

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December 27, 2017

Mr. Kent Hector, Senior Planner

Shasta County Resource Management, Planning Department

1855 Placer St., Suite 103, Redding, CA 96001

Re: Proposed Zoning Change Tierra Robles Subdivision

Dear Mr. Hector,

This letter is written in opposition to the proposed Tierra Robles Subdivision. We and our neighbors have many objections to this project and ask that the following comments be given consideration by Shasta County, the Board of Supervisors, and the Planning Commission.

To begin with, we are surprised that this issue is still being considered four years later as this Beverly Hills developer is asking for unreasonable and unrealistic zoning changes not characteristic to this kind of area. We believe that the established zoning laws and regulations have been set for a reason and should be upheld, as allowing exceptions or changes would set precedent that could negatively impact Shasta County residents now and in the future. We hope Shasta County will continue to protect it's residents and areas and the integrity of the zoning laws and not allow developers to come in and undermine them putting our community, rural life style, and environment at risk, leaving local area residents with the resulting costs and consequences. We all have, have had to, and think others (including developers) should follow the same set of established rules and conditions therefore making this proposal unacceptable to all of us. 86-a

Below is a list of only a few of the environmental factors potentially affected that could diminish existing homeowners property values and quality of life.: 86-b

Utilities/Water/Sewer Treatment Collection and Disposal/Sanitation

Public Service/Fire and Police Protection

Traffic/Hazardous Conditions/Costly Road Maintenance and Improvements

Water Quality/Drainage/Soils/Waterways/Storm Water Management

Air Quality/Pollution/Noise

Recreation/Safety/Increased Crime

Agricultural/Cultural and Historical Resources

Biological/Flora and Oaks/Fauna

We chose to spend more building here to raise our family seventeen years ago because of the quiet, safe, slower paced, simple and laid-back lifestyle this area has to offer. We were attracted to the lesser populated area with wide open spaces, larger lot size minimums and all the amenities living in the country has to offer including it's natural beauty and aesthetics. We certainly did not choose nor expect to be surrounded by a large urban sized, busy paved and lit up subdivision serviced by a foul smelling sewage plant amongst many other concerns as well that would contradict this kind of lifestyle. 86-c

Will we have less water due to supplying new homes and charged even more for our already expensive Bella Vista Water? Will we be denied water during another drought year? Will the area be able to continue to provide water for important agricultural crops? Will our law enforcement resources that are already strained be less due to increased crime and no budget to pay for more deputies putting our safety in jeopardy? Will we still have as many deer and wildlife and rare annual visits by Hooded Mergansers and Wood Ducks as they are pushed out of their 700+ acres of habitat leaving them only 192 acres? Will soils be depleted, grounds destroyed by foot and vehicle, and run-off increased impacting our precious waterways? Will the ancient Oaks that house many animal species be cut down and taken over by unsightly power poles and power lines producing dangerous cancer causing EMF's? Will we still get to enjoy the clean fresh air with increased air pollution? Will we be paying more taxes for road maintenance, improvements, traffic lights and roundabouts to accommodate the nearly 2000 more drivers per day? Will my family be safe driving on an already busy and hazardous Boyle Road? 86-d

The previous house on our property was destroyed in the 1999 Jones Valley Fire due to lack of resources, accessibility and water availability. Since then we have been denied any new insurance provider coverage, so could our existing coverage be taken away like it was for fire victims in Paradise, CA, or our premiums increased because of water shortages and reduced fire fighting response times? 86-e

I ask Geringer Capital, why here and why not in a more urban area more conducive to this kind of project? Yes, we will notice the impact once the building starts and over the more than ten years it takes to complete. This is the largest proposed development that has been submitted to the county in several years, and according to county resource management, "it's pretty unusual for the unincorporated area of the county, and it's considered a pretty good sized project anywhere." 86-f

If we wanted to be subjected to these sorts of conditions and likely issues, or had we known that lot sizes could be reduced at the request of investors, and subdivisions of this size might possibly be allowed, we would have invested less money and built a house closer to or in Redding. We are not opposed to conscientious and sound growth, but a new development should not harm the environment nor negatively impact the way of life for existing residents, burden the county to uphold proven and trusted policy, financially overwhelm local governments or leave Shasta County taxpayers to endure the burdens caused by the need to enhance infrastructure, roads, fire, schools and public safety. 86-g

Thank you for your review and consideration.

Respectfully,

Ron and Gina Knowles

Mailing address: P. O. Box 844, Palo Cedro, CA 96073

Physical address: off Leslye Lane in Palo Cedro, CA 96073

Response to Letter 86 – Gina Knowles

Response 86-a: The commenter makes an introductory statement related to comments occurring further below in the e-mail of an attachment. The commenter then states the letter is written in opposition to the proposed project and objects. The commenter states the requested zone change is unreasonable and out of character for the area, and the zoning laws, rural lifestyle, and residents of Shasta County should be protected.

The commenter is referred to ***Master Response-2*** regarding the change of the zone and existing rural community. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 86-b: Without making any specific comment of any of the issues or questioning the adequacy of the Draft EIR, the commenter lists a series of environmental issues analyzed in the Draft EIR that they state could be impacted and diminish property values and quality of life.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 86-c: The commenter states they chose the area because it is quiet, is less populated and has large lots. The commenter also is concerned about light and glare. The commenter states they didn't choose to live in an urban area with a foul-smelling sewage plant.

The commenter is referred to ***Master Response-2*** regarding the change of zone and how the project will affect the rural area. The commenter also alludes to the fact that the sewage plant will cause bad odors. The commenter is referred to page 5.3-20 and 5.3-21 in Section 5.3, AIR QUALITY, and preceding ***Response 13-d*** regarding odors from the wastewater treatment plan. The commenter is referred to ***Response 3-r*** which discusses potential issues associated with light and glare.

Response 86-d: The commenter asks a series of questions regarding impacts to resources that were discussed in the Draft EIR but does not question the analysis of the impacts. Among the questions, the commenter asks if there will be adequate water will be available for agriculture; if law enforcement resources will be reduced and jeopardize safety; will deer and wildlife be as plentiful; if soils will be depleted and ground impacted; will oaks be cut down and replaced by power poles; if air pollution will be increased; if taxes will be increased for road improvements; and the commenter questions safety on Boyle Road.

None of the questions the commenter asks questions the adequacy of the Draft EIR. The commenter is referred to the appropriate sections of the Draft EIR for a discussion of the impacts questioned. The commenter is referred to ***Master Response-3*** regarding water and groundwater; to Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, and preceding ***Response 51-b*** for impacts to law enforcement; to Section

5.4, BIOLOGICAL RESOURCES, and ***Responses 3-a*** through ***3-v*** for impacts to wildlife and oak trees, Section 5.6, GEOLOGY AND SOILS, for impacts to geology and soils; and Section 5.3, AIR QUALITY, for impacts related to air pollution.

Issues raised by the commenter have been previously discussed in addressed in the following responses: ***Response 4-b, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-o, 48-p, 48-q, 48-w, 49-b, 50-b, 54-f, 57-l, 65-l, 65-n,*** and ***65-o*** address project-related traffic impacts, safety, and mitigation. Regarding taxes, the commenter is referred to preceding ***Response 47-f.***

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 86-e: The commenter makes a statement that the previous house on their property was destroyed due to fire because a lack of resources, accessibility, and water availability. The commenter then asks what will happen to their existing coverage.

No issue or adequacy of the Draft EIR was raised by the commenter. The question of an offsite residence obtaining fire insurance is outside the scope of the CEQA analysis of this Draft EIR. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 86-f: The commenter questions the applicant and why they are using this site. The commenter then makes statements that do not question the adequacy of the Draft EIR or make comments on its validity. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 86-g: The commenter makes statements that do not question the adequacy of the Draft EIR or make comments on its validity. The commenter states no opposition to continuous and sound growth and makes a non-specific statement about new development not harming the environment or negatively impacting the way of life for existing residents or burden Shasta County tax payers with costs of enhanced infrastructure, roads, fire, school, and public safety.

As discussed, the commenter makes non-specific statements about the Draft EIR and does not question the adequacy. The commenter is referred to ***Responses 86-a*** through ***86-f***, immediately above, for a discussion of impacts to specific issue areas mentioned in the last sentence of the comment. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 87 – Michael R. Shapiro (December 29, 2017)

CORRECTED

December 29, 2017

Mr. Kent Hector
Shasta County Resource Management, Planning Dept.
1855 Placer St Suite 103
Redding, CA 96001

In re: Tierra Robles Planned Development
Public input
Statement in opposition
Mitigation suggestions

Dear Mr. Hector or agent:

I am a Palo Cedro resident and retired peace officer living within the area to be affected by the proposed Tierra Robles development project. I am in receipt of the Tierra Robles DEIR dated October 2017, with pendices, containing 2617 pages, and have made a cursory review of the document. Further review is pending. The following details some of my concerns in opposition to the project. 87-a

Traffic Concerns:

The current traffic counts and analysis moving forward is what I feel should be the focus. As a resident and retired patrol officer with nearly 30 years' experience, radar operator training and certification, with inherent expert knowledge relating to accident investigation and speed estimation, I know what I see, and experience daily on the local roadways. 87-b

Speeding, accidents, and congestion is already present at times in the areas of the proposed servicing schools. Reported and recorded events are incorporated in the DEIR and traffic impact study, but this does not consider unreported events, such as unreported accidents and near misses, right of way violations and speeding. My experience is that traffic problems are generally worse

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CORRECTED

than what is shown in reported data. There are no traffic cameras in the area nor were they utilized in the traffic impact study to provide more complete objective information. Mr. Griffith refers to an approximate increase in traffic accident rates referred to in the DEIR at about a 27% increase. Assuming the information reflects those numbers and it has been declared not significant, what does the DEIR or traffic impact study use for a threshold in determining what is considered significant? I concur with Mr. Griffith that an accident rate increase at that level should in fact be considered significant. 87-b Cont.

I believe It can be assumed that approximately ½ of the Foothill student body are of driving age, and a lot of them drive themselves and fellow students to school. I am informed and believe that the 2016 senior class at Foothill High School was 363 students. Using that class size as an average for the remaining classes results in an estimated total student body of approximately 1452 students. It is reasonable to assume at least half of those students are of driving age and likely ¼ of the student body is driving to school. Keep in mind these are new and inexperienced drivers, with higher than average accident and offense rates. I believe that increased population and resultant traffic will have a negative impact on the community. 87-c

I am informed and believe that the OMNI-MEANS Traffic Impact Study does not address any traffic counts or analysis for Swede Creek Road, which is the only route to the North Cow Creek Elementary School, the school designated as the servicing lower grade and pre-school for the proposed Tierra Robles project. Therefore, without any consideration for the traffic impact East of Boyle (Old Deschutes Road) and Deschutes Road, the report does not address a route clearly to be impacted by increased traffic, although the DEIR report states North Cow Creek Elementary School will be the servicing lower grade school, therefore, the report should be considered incomplete. There is also no mention of traffic impact or survey for Link *Lane*, a small northbound/southbound feeder road that connects Swede Creek Road to Old Deschutes Road, and ultimately can be used as an alternative to the intersection of Deschutes Rd. and Old Deschutes Road, to gain access to Deschutes Road. No true analysis can be asserted for that part of the residential area to be potentially significantly impacted by increased traffic and resultant collateral negative effects upon property and the community. Also, I have been informed and believe this is in fact one of the areas of county roadways that does not have *a* current traffic survey. Clearly, the OMNI-MEANS report does not address this area which will most certainly be affected by increased traffic. The OMNI-MEANS Traffic Impact Study should have included traffic analysis of Swede Creek Road at least to the main driveway of North Cow Creek Elementary School. Why wasn't Swede Creek Road included in the traffic impact study? 87-d

Furthermore, regarding increased traffic and safety concerns, I see no mention of potential problems due to the lack of pedestrian sidewalks and equestrian pathways in the subject area, specifically Old Deschutes and Swede Creek Road. The developer in the Tierra Robles project is planning to install these types of pedestrian and equestrian sidewalks and pathways, as detailed in the DEIR. Again, Swede Creek Road is not addressed in the DEIR or traffic impact study, and this is an area of relevant foot traffic with children walking to and from school, and equestrian use. 87-e

Some of the traffic concerns are well addressed by fellow *resident* Mr. James Griffith in his letter to you. I support and concur with Mr. Griffith's views and opinions expressed in his letter. 87-f

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12/31/17

CORRECTED

I have experienced a severe lack of patrol or proactive enforcement of traffic laws within the area of Swede Creek Road that provides the ingress/egress to the North Cow Creek Elementary School. This is no fault of the Sheriff or the California Highway Patrol as I understand the levels of service have been negatively affected by personnel and budget shortages. This is despite calls for proactive service due to personally witnessing dangerous offenses, some of which included speeding and reckless driving in the school zone, at times with and without children present. 87-g

The same is true for the Deschutes Road area, especially near the Foothill High School. Clearly, additional enrollment will increase traffic in this area and thereby affect safety and further disrupt the peaceful enjoyment of the neighboring properties. Statistical analysis does not replace real world experience. I believe, based in part on that experience that the effect of traffic could be of significant impact regardless of the numbers presented thus far in the DEIR and supplemental reports, as they don't necessarily give the reader a clear view of the potential negative effects upon traffic and the community. Of course, that is part of the purpose of public input in these matters. Personal information and knowledge needs to be considered. 87-h

Mitigation suggestion/traffic: intersection of Deschutes Road-Boyle Road- Old Deschutes Road (continuation of Boyle eastbound):

I believe that some of the core traffic problems can be better mitigated by installation of a traffic circle at Deschutes Road and Boyle Road. A 4-way stop would likely result in additional accidents as the approach to the intersection on northbound Deschutes Road to Boyle road is poorly suited for a stop sign. The average vehicle speed traveling northbound appears to me to be frequently faster than what is posted or safe for conditions. I have witnessed many near misses at that intersection due to the limited visibility for the northbound approach; which is a somewhat sweeping turn at elevation with a decline to the approach of the stops at Boyle Road, both east and west. I am aware of at least one recent vehicular accident death at the intersection of Deschutes Road and Old Deschutes Road. This is an area of heavy truck traffic, some with trailers, and is generally a heavy traffic area. There are also visual hazards that have not been abated by the county; improperly erected safety fencing and non-running vehicles that partially block the view of oncoming traffic. 87-i

I also believe some of these safety and traffic issues could be further mitigated by improvement, extension, and installation of pedestrian sidewalks, at least from North Cow Creek School, westbound to the underground pedestrian walkway already present under Deschutes Road, from Old Deschutes Road (Boyle extension). Additionally, this should require an actively lighted and delineated crosswalk at Old Deschutes Road from the south/north *fog* lines of Old Deschutes, and again at Swede Creek Road south/north *fog* lines, in front of or near North Cow Creek School. Examples of pedestrian activated lighted features in modern design crosswalks should be familiar to you. The Foothill High School bus stop picks up and drops off students at the N/E corner of Deschutes Road and Old Deschutes Road. Currently, some students must walk across a dangerous part of the roadway without a modern crosswalk or warning signs, or controls. They *are* frequently *walking* in and on the shoulder of the roadway which is very dangerous. 87-j

Mitigation suggestion/traffic: Swede Creek Road/North Cow Creek Elementary School: 87-k

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12/31/17

CORRECTED

This is an absolute speed area in a residential and school zone, currently posted with 25 MPH signs, but speeding is a frequent problem. Additional traffic will exacerbate this problem and create additional safety issues. I believe the traffic safety concerns around Deschutes Road, Boyle Road eastbound to Old Deschutes (continuation of Boyle going eastbound to Swede Creek Road) can be further mitigated by installation of lighted modern design radar based speed warning signs in approach to the North Cow Creek Elementary School zone. Additionally, the current crosswalk should be upgraded to a modern design pedestrian lighted crosswalk and signs. 87-k Cont.

Further study suggested: Additional population estimates/Accessory Dwelling Units/Schools:

What is the purpose of mentioning other schools and their enrollment or average daily attendance when clearly the DEIR defines Foothill High School and North Cow Creek Elementary School as the servicing schools for the project? Can the DEIR more clearly define the scope and purpose of the information provided? 87-l

There appears to be no reference or authority section for the information of declining school enrollment, as referenced in section 5.13 and 7.0. I believe declining enrollment should be a moot point in reference to traffic, as it only relates to what a maximum number of enrollment can be, and the information has the appearance of attempting to divert attention away from traffic issues by painting the picture of other schools that may service the development. What is currently being experienced regarding traffic is what the basis should be. Increased traffic is one of the main areas of focus related to this planned residential development, but the current DEIR has the appearance of incomplete and at best confusing the purpose and scope of the limited school enrollment and capacity issues. Isn't it possible for the DEIR *to* more clearly define the scope and purpose by perhaps obtaining and publishing contingency plans provided by the servicing school authorities, regarding maximum enrollment and ability to handle the increases, in a more clear and concise manner? 87-m

The most recent census, which is the 2010 Census, states a 2.9-person average size California household. The DEIR uses household estimates of 2.5 persons. The percentages of school age children appear low to me. What is the basis for using 2.5 persons as the estimates of total number of residents to be expected? 87-n

What is the basis for estimating the number of potential students that would impact the servicing schools? I do not see any citable data for estimating the number of school age children in the project households. Is there in fact data referenced in the DEIR to factor in appropriate estimates for school age children, as it would relate to increased school enrollments?

The DEIR report remains silent on the current enrollment number for North Cow Creek Elementary School. It's interesting that there is a lot of information regarding numbers of prior years' enrollment for other schools in the area, which aren't designated as servicing schools, perhaps to paint a picture in support of reported declining enrollment. But for the subject servicing schools it appears there is no factual reference noted for current enrollment or average daily attendance figures. Foothill High School and North Cow Creek Elementary Schools are declared the designated schools for this project. The report also remains silent on the number of inter- 87-o

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12/31/17

CORRECTED

district transfers and whether priority for the same would be given to the residents to perhaps bump out the current inter-district transferees, and how that would impact other families with established students, or how the numbers will shake out in terms of effect on enrollment. This is all relevant to level of service, impact on families, and traffic concerns. Why haven't inter-district transfers and possible modification thereof in terms of policy regarding allowing it been addressed? Why hasn't the enrollment and average daily attendance inclusive or inter-district transfers, or concise and reasonable estimates of additional student's data been included in assessment of whether or not the servicing schools in fact can handle the increased capacity? 87-o Cont.

On its face it appears that the project estimate of number of persons in population increase and with it the number of school age children, is significantly underestimated. 166 residential lots at 2.9 persons is 481 persons. This does not give any consideration for "granny flat" or additional caregiver or in-law units (ADU), as defined and allowed by Government Code § 65852.2 . I am informed and believe the change in state law took effect 1/1/2017 allowing for these types of units in support of increasing numbers of families having to care for elders, and due to the California housing shortage. With the dramatic state shortfall of housing it is more likely than not that the project household's potential assertion of rights to build an ADU would likely be greater than it appears, as the project estimates only 15 lots would utilize that resource. That suggests that only 9 percent of eligible lots would build an ADU. The percentages of housing unit shortfalls as per government research and published figures indicates a grave problem and I am concerned that the true number of household utilization of ADU's will be greater than what is currently projected in this case, especially once more people become aware of the resource. Per statute this could result in up to a 1200 square foot additional housing unit, which can be rented, too. This could result in the potential to double the number of persons per lot. I am informed and believe that the ADU's cannot be restricted if in compliance with state law. Based on 2010 census estimates of 2.9 person per household, not the 2.5-person estimate used in the report analysis, this could potentially result in a maximum increase in population to 962 persons. A more reasonable "worst case scenario," estimate would likely be ¼ of the number of lots utilizing an ADU with 2 persons residing in those units, giving a revised estimate of potential population increase of 564 persons. What is the basis for using 2.5-person average per household in the DEIR? Is that truly a reasonable average? Other estimates of some issues in the DEIR refer to utilization of "worst case scenario." Why wasn't this done in estimating potential population estimates? 87-p

Water supply/usage estimates, issues:

I am also concerned about the water usage and impact upon the Bella Vista Water District and its resources. I concur with Mr. Griffith in his letter referenced previously herein, and others as shown in published public comment letters, in which they cite potential problems with shortages and problems with the math regarding restrictions and allocation basis during periods of drought. 87-q

Upon cursory review of the information it appears that based on Mr. Griffith's analysis of the information that the new residences would somehow be afforded a 1/3 reduction in prior use basis for allocation in drought, due to lack of information on prior years use. Given the current climate and trends it appears clear that we could likely see another drought situation soon.

5

12/31/17

CORRECTED

Having livestock and other animals, and not having obtained an agricultural water use basis, I have suffered exceptionally high water bills in time of drought, as I have not and do no currently have alternative water resources, and therefore suffered the consequences of doubled and sometimes nearly tripled bills. This of course directly relates to true CCF usage, even with conservation efforts, like those utilized by Mr. Griffith. It appears to me that the basis per household on estimated water usage appears low. I am confident that the county and developer will utilize low *flow* water fixtures *initially*, but this does not negate the fact that outdoor use or modification of fixtures can and will occur. Despite everybody's best efforts I am suspicious that the CCF averages will in fact be much higher that estimated in the DEIR. Using my personal records and experience since mid-2013 as an example of a typical household with several acres, not under cultivation, with conservation practices still in effect, my current *adjusted* average *daily* use is approximately 591 gallons. This represents a period where we had rain and little outdoor water use outside of water for animals was utilized. Barring exceptional circumstances, such as leaks or line breaks, this amount can easily triple, especially during summer months. I have experienced many months of much higher use based on property and animal maintenance requirements and weather changes. The *adjusted* average I have cited in my case is very, very conservative. The DEIR water demand report shows an approximate average estimated usage for households in the project at 336 gallons per *day*. My online research found it appears that California studies in 2011 show an average *daily* household use of 350 gallons. It doesn't appear that the DEIR water report considers exceptional circumstances that can frequently occur, such as non-conforming residents that do not comply with conservation efforts and use excessive amounts, or leaks and line breaks. 87-q Cont.

I can only assume that with a further draw on the Bella Vista System resources created by 181 residences (166 + 15 ADU's as estimated in the DEIR) that the drought year basis would be further reduced, resulting in further water restrictions, and thereby negatively affect property as it pertains to personal and commercial uses. It is clear by recent past efforts by the Bella Vista Water District to review, modify and enforce the water use allocations and permits, that a further draw on the system would result in the requirement of the water system authority to make more drastic changes, not to mention increased costs. Percentage reduction demands by Bella Vista Water can also be changed, and that might just happen, especially if faced with another drought situation. We might be looking *at* far greater than 5%-15% reductions or mandatory conservation requirements when the additional burden on the system of 181 households take effect. I am also concerned about the increased costs, whether it be increased water CCF unit costs or operational cost increases that would most certainly be passed on the to the consumer. Does the DEIR present a clear picture to the layman of true effect upon future water usage, allocation, potential for future restrictions, and potential increased costs? I am not sure that is the case.

Community design/development/density/growth/urban change to rural setting:

One of the key factors in deciding to settle in Palo Cedro was the rural setting and quality of schools, safety and *increased* quality of life in general. Although I have not had time to review the Shasta County General Plan as it relates to planned developments like this, I feel that it is evident that the density and scope of the project does not fit with the surrounding residential area.

CORRECTED

On its face it appears to be too much development in a more clustered setting, with references already made to apparent amendments to zoning required for compliance. 87-r Cont

Mitigation suggestion: Design/development/density/growth/urban change to rural setting:

Reduce the size (number of homes/parcels and increase lot/parcel size). A change in the proposed development plan with a greater minimum lot size, less parcels, greater open space that is more consistent with the local community. 87-s

These are some of the concerns I have over the proposed project. I object to the project as it is currently proposed in part due to the concerns cited herein.

Respectfully,

Michael R. Shapiro

Michael R. Shapiro

PO Box 44

Palo Cedro, CA 96073-0044

Cc: Mr. James Griffith

File

*Note: Corrections to original letter shown in italics

MRS/me

Response to Letter 87 – Michael R. Shapiro

Response 87-a: The commenter makes and introductory statement in opposition to the proposed project.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-b: The commenter states he has observed speeding, accidents, and congestion in areas servicing schools. The commenter notes the Draft EIR does include some incidents but not those unreported. The commenter asks what threshold the Draft EIR uses to determine significance. The commenter states that the 27% accident rate increase should be considered significant.

Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, provide analysis of the proposed project on traffic and circulation. As discussed in Section 5.16.3, METHODOLOGY AND GUIDELINES, roadway segments and intersections are analyzed based on level of service. The focus is therefore on stop delay per vehicle (in seconds) for intersections and average daily trips (ADT) for roadway segments. Traffic impacts are based on the standards identified in Section 5.16.7, STANDARDS OF SIGNIFICANCE, of Section 5.16, TRAFFIC AND CIRCULATION, of the Draft EIR and require that the standards be evaluated based on a project's potential physical impact on the environment. This sections states:

> "In accordance with State *CEQA Guidelines*, the effects of a project are evaluated to determine whether they would result in a significant adverse impact on the environment. An EIR is required to focus on these effects and offer mitigation measures to reduce or avoid any significant impacts that are identified. The criteria used to determine the significance of impacts may vary depending on the nature of the project. According to Appendix G of the State *CEQA Guidelines*, the proposed project would have a significant impact related to traffic and circulation, if it would:
>
> - *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).*
>
> - *Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highway.*
>
> - *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*

- *Result in inadequate emergency access.*
- *Result in inadequate parking capacity.*
- *Conflict with adopted policies, plans or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks).*
- *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.*

Based on these standards, the effects of the proposed project have been categorized as either a "*less than significant"* impact or a "*potentially significant"* impact. Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a "*significant and unavoidable"* impact."

The University of California, Berkeley, Transportation Injury Mapping System, for the five-year period from January 1, 2013 to December 31, 2017 (Year 2017 being the most recent full-year data), shows all reported vehicle crashes on the public roads in Shasta County.[17] Within the five-year period, the reported crashes within signed school zones are as follows:

Junction Middle School:

- 1 reported rear-end crash on a Saturday at 10:55 AM that did not involve pedestrians or bicycles.

Foothill High School:

- 1 reported rear-end crash on a Tuesday at 3:30 PM that did not involve pedestrians or bicycles.

North Cow Creek Elementary:

- No reported crashes.

Redding Christian School & Chrysalis Charter School (there is not a signed school zone):

- 1 reported head-on crash on a Wednesday at 5:30 PM that did not involve pedestrians or bicycles.

Bella Vista Elementary School:

- No reported crashes.

[17] https://tims.berkeley.edu/

Columbia Elementary School:

- 1 reported broad-side crash on Wednesday at 1:35 PM that did not involve pedestrians or bicycles.
- 1 reported run-off-the-road crash on a Wednesday at 9:04 PM that did not involve pedestrians or bicycles.

A review of the five-year crash data indicates that there is not an unusual or unique safety risk in the school zones. Therefore potential impacts within roadway segments that consider schools were *less than significant*.

Relative to an increase in accident rates, the traffic study utilized the following threshold as required by CEQA: "Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)."

With regards to safety concerns along Boyle Road and Old Alturas Road, the commenter is referred to page 5.16-27 and page 5.16-28 of the Draft EIR (Section 5.16, TRAFFIC AND CIRCULATION). The following reflects a summary of the offsite pedestrian, bicycle, and motorized vehicle safety review completed on Old Alturas Road, Boyle Road, and Deschutes Road in the immediate project vicinity. The safety performance analysis was based on historical collision data and a field review.

For Old Alturas Road (Deschutes to Seven Lakes Road), it is estimated that 17% of the project traffic will use this section of roadway which will increase the Average Daily Traffic (ADT) by 27% in the *Existing Plus Project* conditions and by 23% in the *Year 2035 Plus Project* conditions. The increase in traffic, in combination with the overall very low traffic volumes and LOS A conditions, is not expected to significantly increase the rate of collisions. Safety mitigation was not identified along this segment of Old Alturas Road. It should be noted that the suggested 27% increase in accidents rates posed by the commenter is incorrect as the referenced 27% increase is specifically related to the increase in ADT attributable to the proposed project.

Old Alturas Road (Boyle Road to Old Oregon Trail), it is estimated that 61% to 62% of the project traffic will use this section of roadway which will increase the ADT by 24 percent in the *Existing Plus Project* conditions and by 22% in the *Year 2035 Plus Project* conditions. A collision rate 9% higher than the statewide average for similar facilities is not statistically significant and is considered to be within a normal and expected range. The increase in traffic, in combination with the LOS A conditions and the modern roadway, is not expected to significantly increase the rate of collisions. Safety mitigation was not identified along this segment of Old Alturas Road.

For Deschutes Road (Boyle Road to SR-44), approximately 85% of the collisions were reported to occur during daylight conditions and 56% were identified as rear-end collisions. South of Boyle Road, it is estimated that 15% of the project traffic will use this section of roadway which will increase the ADT by 5% in both the *Existing Plus Project* and *Year 2035 Plus Project* conditions. Immediately north of SR-44, it is estimated that 7% of the project traffic will use this section of roadway which will increase the ADT by 1% in both the *Existing Plus Project* and *Year 2035 Plus Project*

conditions. The installation of intersection warning signs at various locations along Deschutes Road between Boyle Road and SR-44 would serve to notify drivers of upcoming driveways. Mitigation Measure (MM) 5.16-2 (page 5.16-28 of the Draft EIR) requires the project applicant to install intersection warning signs at Lassen View Drive, Beryl Drive, Sunny Oaks Drive, Wesley Drive, Robledo Road, Oak Meadow Road, Oak Tree Lane, and Coloma Drive prior to issuance of a building permit that would allow construction of the first residence. No change to the Draft EIR is required.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration during deliberations on the project. No further response is necessary and no change to the Draft EIR is required.

Response 87-c: The commenter estimates the current school population of Foothill High School is 1,452 students and estimates that 25% of those students drive to school and states such drivers have higher rate of accidents and offenses. The commenter states that he believes that increased population and resultant traffic will have a negative impact on the community.

With regards to new and inexperienced drivers associated with Foothill High School it is important to note that CEQA requires a project to be evaluated based on its potential to result in a physical impact on the environment. Driving skills of the public are therefore not reviewed under CEQA. It is important to note that all drivers in California, regardless of age, must pass the California driving test and must obey all speed limits, stop signs, signals, and rules deemed necessary for any given area.

Concerns regarding traffic impacts to the community have been previously discussed and addressed in the following responses that precede this comment letter: ***Response 4-b, 5-f, 13-e, 14-b, 17-f, 17-n, 17-o, 17-p, 32-b, 35-c, 37-c, 40-a, 41-a, 43-b, 47-c, 48-i, 48-k, 48-o, 48-p, 48-q, 48-w, 49-b, 50-b, 54-f, 57-l, 65-l, 65-n,*** and ***65-o*** address project-related traffic impacts, safety, and mitigation. ***Response 65-l*** provides a discussion related to speed of traffic. ***Responses 43-b*** and ***48-k*** are specific to traffic impacts and school zones. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-d: The commenter states that he believed the traffic study does not address any traffic counts for Sweede Creek Road which is used to access North Cow Creek Elementary School and impacts were unaccounted for. The commenter states that traffic volumes on this road were not taken that it should have been included in the study.

Figure 5 in Appendix 15.9, TRAFFIC IMPACT STUDY, of the Draft EIR estimates 3 percent of the project traffic using Swede Creek Road, east of Deschutes Road, or 4 new trips in the weekday AM peak hour and 5 new trips in the weekday PM peak hour. Swede Creek Road was not analyzed due to this small increase in project traffic.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-e: The commenter states he does not see mention of pedestrian and equestrian in the subject area, specifically Deschutes Road and Swede Creek Road. The commenter states that these facilities would be installed as part of the project but states Swede Creek Road is not addressed in the Draft EIR and it should be.

The University of California, Berkeley, Transportation Injury Mapping System, for the five-year period from January 1, 2013 to December 31, 2017 (Year 2017 being the most recent full-year data), shows all reported vehicle crashes on the public roads in Shasta County.[18] Within the five-year period, the reported crashes on Swede Creek Road, between Deschutes Road and French Creek Road, are as follows:

- 1 reported broadside crash on a Monday at 1:17 PM at the intersection of Swede Creek Road and Old Deschutes Road.

As previously described above under ***Response 87-d***, the Draft EIR estimates 3 percent of the project traffic would utilize Swede Creek Road, east of Deschutes Road, or 4 new trips in the weekday AM peak hour and 5 new trips in the weekday PM peak hour. Swede Creek Road was not analyzed due to this small increase in project traffic. The impact on safety on Swede Creek Road is *less than significant*.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-f: The commenter agrees with, and supports, the letter written by James Griffith.

The commenter is referred to preceding ***Responses 48-a*** through ***48-cc*** and ***Responses 69-a*** through ***69-d***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-g: The commenter notes that there is a lack of patrol or proactive enforcement of traffic laws within the area of Swede Creek Road that access North Cow Creek Elementary.

The commenter raises no issue of adequacy of the Draft EIR. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-h: The commenter notes that there is a lack of patrol and proactive enforcement in the Deschutes area, especially near Foothill High School. The commenter states that additional enrollment will increase traffic and affect safety. The commenter states that the numbers presented in the Draft EIR and supplemental reports do not give the reader a clear view of traffic impacts.

Issues raised by the commenter have been previously discussed and addressed in ***Response 87-b***, immediately above.

[18] https://tims.berkeley.edu/

Response 87-i: The commenter states that better mitigation would be to install a traffic circle at Deschutes Road and Boyle Road instead of a four way stop and northbound Deschutes is poorly suited for a stop sign. The commenter notes that he is aware of one accident death at the of Deschutes Road and Old Deschutes Road and further notes additional observation about heavy traffic including truck traffic, visual hazards, and improper safety fencing, but it is unclear if this is in reference to Deschutes Road and Boyle Road or Deschutes Road and Old Deschutes Road.

Please refer to preceding ***Responses 4-b, 13-e,*** and ***14-b*** regarding traffic impacts on Boyle Road as well as at the Boyle Road and Deschutes Road intersection. Section 5.16, TRAFFIC AND CIRCULATION, and Appendix 15.9, TRAFFIC IMPACT STUDY, provides analysis on all study intersections and roadway segments. The Shasta County Department of Public Works operates a county-wide traffic impact fee program based on residential units or non-residential building square footage. The proposed project may contribute to this program as described in Mitigation Measure (MM) 5.16-3 and Mitigation Measure (MM) 5.16-4, should Shasta County update the fee program to include the Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13) intersections. The payment of applicable fair-share costs towards a programmed improvement would result in a cumulatively *less than significant* impact at each intersection.

Regarding safety and high speeds on Deschutes Road, page 5.16-7, 5.16-13, and 5.16-28 discuss vehicle speeds and associated safety hazards on area roadways including Deschutes Road. More specifically, page 5.16-28 includes Mitigation Measure (MM) 5.16-2 which requires the project applicant to install intersection warning signs to the satisfaction of the Shasta County Public Works Department, which meet Caltrans Standard W2 intersection warning signs with W16-8P advance street name plaques.

With regard to safety of a stop-controlled intersection, placement of STOP control at intersections is regulated in California by the *California Manual on Uniform Traffic Control Devices, 2014 Edition, Revision 3, March 9, 2018* (MUTCD). The MUTCD specifies the standards and guidelines, followed by Shasta County, for intersection control and warning. Advance warning methods that will be included in the engineering design of the STOP control to provide traffic safety.

With implementation of Mitigation Measure (MM) 5.16-2, impacts would be reduced to *less than significant* levels. No further response or change to the Draft EIR is necessary. This comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration.

Response 87-j: The commenter states that the safety and traffic issues would be further mitigated by improvement, extension, and installation of pedestrian sidewalks, at least from North Cow Creek School west to the underground pedestrian walkway at Deschutes Road. In addition, the commenter states a lighted and delineated crosswalk should be installed at Old Deschutes Road in two locations. The commenter also notes how students attending Foothill High School are walking in and on the shoulders of the roadway.

Issues raised by the commenter have been previously discussed and addressed in the following responses that precede this comment letter: ***Responses 43-b*** and ***48-k*** are specific to traffic impacts and school zones.

As previously described above under ***Response 87-e***, above, the Draft EIR estimates 3 percent of the project traffic would utilize Swede Creek Road, east of Deschutes Road, or 4 new trips in the weekday AM peak hour and 5 new trips in the weekday PM peak hour. Swede Creek Road was not analyzed due to this small increase in project traffic. The impact on safety on Swede Creek Road is *less than significant*.

The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-k: The commenter recommends that mitigation include installation of a lighted modern design radar based speed warning sign in approach to the north Cow Creek Elementary School Zone and the crosswalk should be updated with lighted crosswalk and signs.

The commenter is requested to refer to ***Response 87-j***, above. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-l: The commenter questions why other schools are mentioned in the EIR when the Draft EIR defines Foothill High School and North Cow Creek Elementary School as the schools that would service the proposed project. The commenter requests that the Draft EIR define the purpose of the school information provided.

Page 5.13-4 of the Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, of the Draft EIR explains that the proposed project is within both the Columbia Elementary School District and North Cow Creek School District. In addition, to provide a complete view of the existing school conditions in these two districts, additional schools were discussed. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-m: The commenter states that there appears to be no reference for the declining school enrollment and states they are not pertinent in reference to traffic. The commenter makes additional statements about the Draft EIR appearing incomplete and confuses school enrollment and traffic impacts. The commenter asks for a more clear and concise accounting of maximum enrollment and ability to handle increases.

Regarding the references to declining school enrollment, the commenter is referred to page 5.13-4 of Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, which has a total of six footnotes and associated numbered references in the text of the corresponding page of the Draft EIR. The references all refer to current enrollment or expansion plans and are noted as from the Education Data Partnership or as letters received from the school districts.

It is unclear what the commenter is referencing regarding school enrolment and traffic impacts. Section 5.16, TRAFFIC AND CIRCULATION, does not mention school enrollment but does highlight the school hours, notes that school were in session for traffic counts on pages 5.16-7 and 5.16-8, notes schools were accounted for in traffic signal warrants, and notes the distance to schools is approximately two miles in proximity to the proposed project.

Regarding the request for a more clear and concise accounting of ability to handle increases, the commenter is again referred to page 5.13-3 and 5.13-4 in Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, which list school enrollments and page 5.13-13 and 5.13-14 of the same section that discuss impacts to schools including use of the enrollment figures. The Draft EIR concludes that the proposed project would not result in the need to alter or construct new facilities for school, thus impacts are *less than significant*. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-n: The commenter states the most recent Census shows an average 2.9 persons per household and questions the Draft EIR's use of 2.5 persons per household, and says the percentage of school age children appears low. The commenter asks what the basis is for estimating the number of potential students, and he states that he does not see any citable data. The commenter then asks if there is in fact data referenced in the Draft EIR to factor appropriate estimates as it relates to school enrollment.

The commenter is referred to page 5.13-11 in Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, which states the 2.5 persons per household is based on the California Department of Finance (DOF) estimates. The commenter is also referred to page 5.12-1 in Section 5.12, POPULATION AND HOUSING, which states in part, the population and housing information is derived from sources including the California DOF, 2016 and U.S. Census Bureau, 2000, 2010, 2015, and 2016. The commenter is referred to page 5.12-2 under the heading "Regional and Local Housing Trends" which shows that the number of persons per household in Shasta County in 2010 was 2.48 and in 2016 was 2.5. These are sourced as Census, 2010, and DOF, 2016, respectively, immediately following their use in the Draft EIR on the listed page.

The Draft EIR used the data available for Shasta County as opposed to the State as a whole to provide a more accurate representation of likely population generation as a result of the proposed project.

Regarding the percentage of school age children being low, the commenter is again referred to page 5.13-4 of Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, which states, "According to the CESD, the current student generation rates per dwelling unit is 0.5." This source should be cited as Columbia Elementary School, March 2016.[19]

Based on the comments, no further response is necessary and no change to the Draft EIR is required.

[19] Refer to attachment to Comment Letter 5.

Response 87-o: The commenter states that the Draft EIR stays silent on the enrollment for North Cow Creek Elementary. The commenter continues stating that other schools are mentioned, and alludes to the thought this is to support reports of declining enrollment.

Regarding the enrollment of North Cow Creek Elementary, the commenter is referred to page 5.13-4 and 5.13-5 in Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, North Cow Creek Elementary is within the North Cow Creek Elementary School District and is a one school district. North Cow Creek works in partnership with Shasta County YMCA and had a 2014-2015 enrollment of 255 students.

The commenter also states that the number of inter-district transfers and priorities of transferees and the resulting potential impacts on families with existing students should be addressed to evaluate level of service, impacts on families, and traffic concerns. The commenter further asks why these things are not considered in determining if the schools can handle the additional capacity.

The commenter is correct that the Draft EIR does not analyze the number of potential inter-district transfers. Calculating inter district transfers is unnecessary to evaluate the impacts to the school. The commenter is again referred to pages 5.13-13 and 5.13-14 in Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS, which, based on information obtained from the pertinent school districts, determine that impacts to school from the projected generated 83 students, would be *less than significant*.

State *CEQA Guidelines* §15204 pertaining to the 'Focus of Review.' In part this guideline states, "At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by a commenter. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR."

In addition, CEQA does not call for speculation. State *CEQA Guidelines* §15187(d) states, "d) The environmental analysis shall take into account a reasonable range of environmental, economic, and technical factors, population and geographic areas, and specific sites. The agency may utilize numerical ranges and averages where specific data is not available, but is not required to, nor should it, engage in speculation or conjecture." Accordingly, the Draft EIR did take into account technical factors, the existing as well as project populations, as well as geographic factors including that of the proposed project and surrounding areas, and school used generation rates to determine the demand from future residents of the proposed project. However, to attempt to guess the number of inter-district transfers, as the commenter suggests, would be based on speculation and conjecture over the years of project buildout and, according to State *CEQA Guidelines*, such speculation is not appropriate.

Response 87-p: The commenter reiterates that the project number of resident of the proposed project is underestimated. The commenter cites the same census data (2.9 persons per household) twice. The commenter also states that the number of accessory dwelling units is underestimated and the overall population generated by the proposed project is underestimated because of Government Code §65852.2 that would allow "granny flats." The commenter then questions why a "worst case scenario," such as 25% was not used for the analysis.

The commenter is referred to ***Response 87-n***, above, which explains the use of 2.5 persons per household based. The 2.5 persons per household is based on California Department of Finance data for Shasta County alone, while the 2.9 persons is based on US Census data for the State of California as a whole.

The commenter is referred to page 3-16 in Section 3.0, PROJECT DESCRIPTION, which cites Government Code §65852.2 in text and discusses how it entitles approved lots to an accessory dwelling unit. On the same page the Draft EIR states that it is assumed approximately 9% or 15 lots would have secondary units based on historical County Trends. The Draft EIR states that data obtained from the Shasta County 2009-2014 Housing Element (appendix B-Residential Land Inventory) and the County's Draft Housing Element (Appendix B-Residential Land Inventory) was used to estimate accessory dwelling units. Accordingly, as states in the citation, from 2007-2009 79 accessory dwelling were constructed out of 664 total units, and from 2014-2016 (the most current data available at the time of the Draft EIR) 11 accessory dwellings were constructed out of 356 units constructed countywide. As a result, the 8.8% accessory dwelling unit assumption was reasonably made based on the available historical data.

Regarding the commenter's suggestion to use 25% or a worst-case scenario, State *CEQA Guidelines* §15144 requires some degree of forecasting to which an agency must use its best efforts to find out and disclose what it reasonably can. In the case of the proposed project, the Draft EIR used the best information available to forecast a reasonable estimate of accessory dwelling units but CEQA does not require a worst-case analysis.

Response 87-q: The commenter states that he is concerned about water usage and the impact on the Bella Vista Water District (BVWD). The commenter states that he concurs with the comments from James Griffith and others in the comments about water shortfalls, past drought and potential future drought, water rationing, and higher bills. The commenter states that he owns several acres and uses 591 gallons a month and does not think the water use estimates for the proposed project are accurate. The commenter also asks about potential cost increases to water customers and questions if the Draft EIR presents a clear picture of water issues.

The commenter is referred to Section 5.17, UTILITIES AND SERVICE SYSTEMS, for a discussion of impacts to water use, ***Master Response-3*** and ***Responses 7-a*** through ***7-p***. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-r: The commenter states that they moved to Palo Cedro was for the rural nature of the area and states that the proposed project does not fit with the surrounding residential area.

The commenter is referred to ***Master Response-2*** which discusses the proposed project zoning and development. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 87-s: The commenter suggests mitigation to include a reduced size and numbers of homes, greater minimum lot sizes, less parcels, and greater open space that is consistent with the community. The commenter concludes that he is opposed to the project as proposed in part because of the listed concerns.

The commenter is referred to ***Master Response-2*** which discusses the proposed lot sizes and also provides some discussion of Alternatives. Regarding the commenter's suggested mitigation, these are all elements of the different project alternatives discussed in Section 7.0, ALTERNATIVES TO THE PROPOSED PROJECT. The commenter also is referred to preceding ***Response 44-a*** which further discusses alternatives and CEQA requirements for a discussion of a reasonable range of alternatives, which is again discussed in Section 7.0. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Letter 88 – Brad Seiser (December 29, 2017)

Kimberly Hunter

From: Resource Management
Sent: Friday, December 29, 2017 4:59 PM
To: Kimberly Hunter
Subject: FW: Tierra Robles Public Comment Submission

From: Brad Seiser [mailto:brad.seiser@frontier.com]
Sent: Friday, December 29, 2017 4:55 PM
To: Resource Management <resourcemanagement@co.shasta.ca.us>
Subject: Tierra Robles Public Comment Submission

The proposed DEIR for the Tierra Robles Subdivision demonstrates why this urban/suburban development does not belong in this rurally zoned residential and agricultural area. The fact that the main street of this development is named "Tierra Robles Parkway" denotes how out of touch the Developer is to the true nature of this community. I believe this development has the dubious honor of being the first "Parkway" in Shasta County and reveals the true motivations of this project, namely the introduction of suburban sprawl into the County's rural residential communities. 88-a

And changing the "Parkway" name won't change what's really wrong with this irresponsible, precedent setting development. This size and scope of this project is breathtaking, but not in a good way. It will kill thousands of trees, displace wildlife, add to an already unsustainable water demand that our finite Bella Vista Water District will not be able meet in single and multiple drought years, and will put an additional 300 plus cars on our local roads for over 1700 plus added trips per day. And create a new overtasked and underfunded Community Services District that will ultimately end up on the doorstep of County government to bail out. 88-b

This project does even begin to touch on what Responsible Rural Development is and perhaps the County needs to reconsider the fox it is about to unleash in the henhouse. Approval of this project in it's current configuration would give the message that it's open season for suburban sprawl in Shasta County. 88-c

Please stop this project now so a better plan for responsible rural development can be designed and implemented.

Thank you for your consideration of these issues.

Brad and Barbee Seiser
10603 Northgate Drive
Palo Cedro, CA 96073

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Response to Letter 88 – Brad Seiser

Response 88-a: The commenter states that the proposed project is out of place for the rural community and constitutes urban sprawl. The commenter notes that the use of the street name, "Tierra Robles Parkway" demonstrates this.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.

Response 88-b: The commenter states that changing the "parkway" name will not change the irresponsible precedent setting development. The commenter states that the proposed project will kill thousands of trees, displace wildlife, and add to unsustainable water demand, add to traffic, and create a new over-tasked and underfunded community services district that will ultimate require a bailout by the county.

The commenter states previously noted disclosures in the Draft EIR. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. Although no further response is necessary and no change to the Draft EIR is necessary, the commenter is referred to the following sections for further explanation regarding the statements.

Regarding the statement about precedent setting development, the commenter is referred to preceding ***Master Response-2***, which explains the discussion in Section 6.0, GROWTH INDUCING IMPACTS, and why the proposed project is not precedent setting. Regarding impacts to trees and wildlife, the commenter is referred to Section 5.4, BIOLOGICAL RESOURCES, and preceding ***Responses 3-a*** through ***3-v*** for a discussion and explanation of and the Draft EIR's disclosure of impacts to oaks and wildlife.

Regarding impacts regarding water, the commenter is referred ***Master Respone-3*****.** Regarding the comment that the community service district is underfunded and will require a bailout, the commenter does not provide any facts or evidence to support the contention that this will occur. In addition, it is speculative to state that community services district would be underfunded and require a bailout. CEQA analysis is limited to what is known or reasonably foreseeable, therefore, this speculation is not a part of the analysis included in the Draft EIR. No changes to the Draft EIR are required.

Response 88-c: The commenter states an opinion about responsible rural development and mentions urban sprawl. The commenter requests the project be stopped so a responsible rural development can be designed and implemented.

No issue or adequacy of the Draft EIR was raised by the commenter. The comment is noted for the record and will be provided to the Planning Commission and Board of Supervisors for consideration. No further response is necessary and no change to the Draft EIR is necessary.