

LOCAL AGENCIES/TRIBAL AGENCIES

Letter 5 – Clay Ross, Superintendent – Columbia Elementary School District (October 31, 2017)

Board of Trustees
Devon Hastings, President
James Luna, Clerk
Matthew Riley
Walter Albert
Charles Van Housen



Columbia School District
Kids First

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County of Shasta
Building Department
Clay Ross
Superintendent

October 31, 2017

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

RE: EIR Tierra Robles

Dear Mr. Hector,

As superintendent of Columbia Elementary School District, I feel it is necessary to respond to the recent Draft EIR released for written and oral comment. I have taken considerable time to review the 2,600+ page Draft EIR and somewhat feel sympathetic to you for all the negative and concerned comments this process has generated. None-the-less, I have chosen to submit my comments and suggestions in writing officially. Although I can see reference to my previous letter of March 2016, I could not seem to locate a copy of it in the Draft EIR. I did note that comments from my letter were cited some 5 times so I appreciate that you read that letter and trust that you will this one as well.

5-a

As a District, we operate four schools: Lion Cubs Preschool, Columbia Elementary (CES), Mountain View Middle (MVMS) and an East Valley Community Day School. Our CBEDs enrollment is 789 students which does not include students in our preschool (48). Additionally, we host a Shasta County Office of Education preschool with 19 students currently and we run our own after school program with approximately 119 students. Both Lion Cubs preschool and our afterschool CARE remain open until 6 pm. Both MVMS and CES host a variety of athletic competitions during the year. During the 16-17 school year, 47% of our students attended via Inter District Agreements (IDA). This means that roughly 363 students attending our schools do so by choice and reside outside of our boundaries; many of whom personally drive their students to and from school. Transportation is neither offered to preschool nor afterschool families.

5-b

I feel it is vital to point this out due to the traffic concerns, regarding the potentially significant impact of the project; "Impact 5.16-5: Implementation of the proposed project could result in increased traffic volumes at study area intersections under Year 2035 cumulative plus project conditions." According to the EIR Executive Summary 2-12, the intersection currently and/or under the No Project condition the intersection operates at an unacceptable LOS F during weekday AM and PM peak hours.

5-c

The mitigation measures identified "MM5.16-3, Old Alturas Road and Old Oregon Trail (Intersection #8). Prior to recordation of a final map or issuance of a building permit (whichever comes first), the

project applicant shall pay the pro-rated cost share representing 13% of the cost of constructing a single/multi-lane roundabout. The fee shall be established based on an engineer's cost estimate of the improvements prepared by the project applicant and approved by the Shasta County Public Works Department."

5-c
Cont.

If I were the superintendent of the North Cow Creek School District, I would have a similar concern about MM 6.16-4 as they do not offer transportation to any of their parents. Each and every student attending the school is transported by parents to and from school.

5-d

"Level of Significance After Mitigation: The improvements identified for the intersections of Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13) are not currently part of any current Shasta County improvement plan or fee program. As a result, full implementation as described in MM 5.16-3 and MM 5.16-4 cannot be assured by the project applicant. This is considered to be a cumulatively considerable and significant and unavoidable impact."

"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 MM 5.16-3 and 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." 5.16-38 EIR

5-e

Mr. Hector, I do not know about you, but three words stand out to me in the above referenced material: 1) Unacceptable, 2) Unavoidable, 3) Should. After consulting with Dictionary.com, I will tell you what each of those words mean to me. 1) not worthy of being accepted, not satisfactory, not agreeable and un welcome, not meeting minimum requirements. 2) cannot be avoided. 3) would, might, if.

As I understand it, the Mitigating Measures for these intersections with unacceptable delays, and unavoidable impact, through which hundreds of cars pass during peak times daily change from potentially significant to less than significant based on an if. If the county updates the fee program to generate funding to make up the missing 87% and 89% from the cost associated with the required improvements needed in these intersections. To me, that is a big IF. Additionally, I assume the fees will be tied to actual building permits which mean that the 100% funding will only be reached when building permit #166 is applied for. Who knows how many years after the engineer's cost estimate is no longer applicable.

5-f

Running a school District is a very competitive thing to do and our primary source of funding is generated by enrollment. When unacceptable and unavoidable impacts happen beyond our control, they will have another significant impact on already tight budgets as enrollment decreases yet again due to traffic delays. What is unacceptable to me is the lack of planning and proactiveness with building solutions for the inevitable. I suggest that these roadside improvements be A) required of the County planning to change the fee structure and B) completed prior to 50% of project completion.

5-g

Thank you for your time and the opportunity to provide input. I anxiously await your responses.

Sincerely,



Clay Ross
Superintendent
Columbia Elementary School District
Cc: Kevin Kurtz- Superintendent, North Cow Creek School

Response to Letter 5 – Clay Ross, Superintendent – Columbia Elementary School District

Response 5-a: The commenter provides introductory remarks to the comment letter and references a prior letter submitted on the project in March 2016.

Information provided in the referenced March 2016 letter was in response to the public services information request submitted to the Columbia Elementary School District (District) in an effort to gain insight on existing facilities and operational characteristics of District, as well as an understanding of concerns that this proposed project would have on the District's ability to serve the community. As acknowledged by the commenter, applicable information provided in the District's March 2016 letter was utilized during preparation of the Draft EIR (refer to Draft EIR Section 5.13, PUBLIC SERVICES AND FISCAL IMPACTS), was incorporated as part of the administrative record, and is attached for reference at the conclusion of this response. No change to the Draft EIR is necessary.

Response 5-b: The commenter offers background and operational context for the school district's four schools.

The comment is appreciated and noted for the record. No further response or change to the Draft EIR is necessary.

Response 5-c: The commenter restates Impact 5.16-5 and correctly cites the Draft EIR's *Executive Summary* on page 2-12 relative to intersection operations under the *No Project* condition for the intersection of Old Alturas Road and Old Oregon Trail. The commenter further provides a verbatim summary of Mitigation Measure (MM) 5.16-3.

This comment does not raise a significant environmental issue. The commenter is referred to **Response 5-f**, below. No further response or change to the Draft EIR is necessary.

Response 5-d: The commenter expresses an opinion of an agency of which there is no affiliation.

It should be noted that North Cow Creek School District received a copy of the Draft EIR and no comment was received during the 45-day public review period. No further response or change to the Draft EIR is necessary.

Response 5-e: The commenter further provides a verbatim summary of the significance determination provided on page 5.16-38 of the Draft EIR.

This comment does not raise a significant environmental issue. The commenter is referred to **Response 5-f**, below. No further response or change to the Draft EIR is necessary.

Response 5-f: The commenter expresses concern that the intersection mitigation measures are based on if the County updates the fee program. The commenter also assumes that the fees will be tied to building permits so that the fees will not be paid in full until the 166th building permit is received.

Relative the commenter's suggestion on the timing and ultimate funding of improvements identified for the intersections of Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13), the proposed project is not responsible for assuring that the fair share contribution mitigation projects will be constructed prior to occupancy or full buildout of the proposed project. Both the project *Traffic Impact Study* (May 2015) and *Supplemental Traffic Impact Analysis* (August 2017) (refer to Appendix 15.9, TRAFFIC IMPACT STUDY) conclude that the improvements will be necessary under *Year 2035* traffic conditions and not due to initial project development. The project *Traffic Impact Analysis* concludes that the proposed project represents 13% and 11%, respectively, of *Year 2035* traffic triggering the need for improvements at these intersections; increases in overall County traffic account for the remaining 87% and 89% share of the improvement costs, respectively. The fair share cost or payment can be based upon the percentage of project traffic at the particular intersection and/or road system. Prior to each individual residential occupancy, the project applicant will be required to pay the county-wide traffic impact fee.

The Draft EIR appropriately identifies improvements for the intersections of Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13). Prior to recordation of a final map or issuance of a building permit (whichever occurs first) the project applicant will be required to pay their pro-rated cost share for mitigating significant impacts at Old Alturas Road & Old Oregon Trail (Intersection #8) and Boyle Road & Deschutes Road (Intersection #13), as described in Mitigation Measure (MM) 5.16-3 and Mitigation Measure (MM) 5.16-4. However, as stated on Draft EIR page 5.16-38, neither intersection is currently part of the County's existing road impact fee program. As a result, full implementation as described in Mitigation Measure (MM) 5.16-3 and Mitigation Measure (MM) 5.16-4 cannot be assured by the project applicant. The Draft EIR further states that proposed project may contribute to this program, 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. Shasta County programs the use of these funds for traffic improvements on a priority basis through a budgetary process as the improvements become necessary.

Per State *CEQA Guidelines* §15130(a)(3), payment of fees is an equitable and typical method for collecting the necessary funds to implement transportation improvements. The concerns raised in this comment are noted for the record will be provided to the Planning Commission and Board of Supervisors for consideration during the decision-making process for the proposed project. No change to the Draft EIR is required.

Response 5-g: The commenter re-asserts suggestions related to traffic impact fee structure and timing suggests they be completed prior to 50% of the project is built. The commenter is referred to page 5.16-20 of Section 5.16, TRAFFIC AND CIRCULATION, which discusses timing and funding for mitigation measures where it states, "the extent to which offsite roadway improvements or transportation programs are needed to mitigate the impacts of the proposed project is described below (on

subsequent portions of the section). In some cases, the project applicant is expected to provide the full improvements needed. In other cases, where the contribution of project-generated traffic is minimal, it more appropriate for the project applicant to contribute a “fair-share” payment for the cost of the improvements.” The improvements proposed as mitigation measures would be timed in accordance with projected need based on the ultimate timing of project implementation. While the commenter’s suggestion of implementation prior to 50% buildout is noted, implementation of roadway improvement under the existing mitigation would reduce impacts to *less than significant* levels. 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. No further response is necessary.

Response 5-a Attachment to Letter 5 - March 2016 Letter from Columbia School District

Board of Trustees
Charles Van Hoosen, President
Devon Hastings, Clerk
James Luna
William Bania
Walter Albert



Clay Ross
Superintendent

Columbia School District
Kids First!

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Kimley-Horn and Associates, Inc.
Attn: Bruce Grove
555 Capital Mall Su. 300
Sacramento, Ca. 95814

Re: EIR Response Tierra Robles Planned Development Project

Bruce,

On behalf of the Columbia Elementary School District, I would like to thank you for the opportunity to respond in writing to the proposed project.

- 1. Please list the names and address of all day care centers, elementary, junior high and high schools that the District is responsible for in the project area:* Columbia Elementary School District maintains two schools and a preschool. Columbia Elementary, grades Transitional Kindergarten-fourth grade, and Lion Cub Preschool are both located at 10142 Old Oregon Trail. Mountain View Middle School, grades five-eight, is located at 675 Shasta View Dr. Our District Office is located at 10140 Old Oregon Trail. The District has two school codes for schools not currently open right now; Columbia East Valley Community Day K-6 and 6-8. As of the last time those two programs were operating, they were on the elementary site. Although not our schools, there are two additional preschools located at Shasta College and because they reside in our District boundaries, we are responsible for providing special education related services to those students as well.
- 2. What is the current enrollment of each school in the vicinity of the project, and what is the distance of the school to the project area:* Columbia Elementary and Lion Cub Preschool are approximately 2.8 miles from the proposed project and has a CBEDs enrollment of 415. Mountain View Middle School is roughly 4.4 miles from the proposed project and has a CBEDs enrollment of 341.

3. *Does the District currently use portable or temporary classrooms at any of the school sites? If so, identify the school and number of portable facilities:* Columbia Elementary was built in 1956 and does have portable classrooms on site. Mountain View Middle School was built and opened in 2001 and it has portables on site that were added as well. Columbia Elementary School has a total of 38 portables, (specific information in terms of age is available upon request), two of which are used for the District Office, two are used for restrooms and staff copy room. Mountain View Middle School has a total of 22 portables, (specific information in terms of age is available upon request), three of which are used for a multi-purpose room and one of which is used for restroom/maintenance. In 2014, the District passed a bond in the general election. Currently, plans have been sent to the Department of State Architects for approval. Upon approval, demolition of 17 of the portables on the elementary site will begin in June of 2016. These outdated portables will be replaced with 16 permanent classrooms.
4. *What are the average student generation rates per dwelling unit at each school level? Will new facilities be required?* The current student generation rate per dwelling according to the annual report provided by Jack Schreder & Associates is .5 per dwelling. No new facilities will be required.
5. *Are fees assessed against new development for school-related services? If so, in which amount?* Approximately \$2.02 per square foot in Developer's Fees are assessed against new development for Elementary Schools. High school districts generate a smaller, yet additional fee. The average dwelling size in our District is 1923 sq. ft. Assuming this remains and my calculations in #7 below are correct, this development would generate approximately \$139,800.00 in Developer Fees for our District.
6. *Are there any new schools planned in the project area? As recent as 2009-2010 school years when enrollment in the District was at or above 1,000 students, a new school site had been in consideration. At this time, no plans exist due to our declining enrollment. With 166 lots generating .5 students per dwelling, our District could easily absorb the 83 potential students within existing facilities.*
7. *What issues are important to the District? If you have any particular concerns about the ability of the District to continue to provide adequate levels of day care and/or educational services, what do you recommend to alleviate these concerns?* Based on analysis of District Boundaries and the proposed maps included with this request, It appears that there will be approximately 36 lots that will be within our District Boundaries. These will be the only source of revenue from Developer Fees. While parents in Shasta County are able to receive permission from their District of Residence to attend outside of their neighborhood school, it is impossible to predict where these potential students may in fact enroll. Additionally, it appears that other Districts

affected might be North Cow Creek Elementary and Bella Vista Elementary School Districts. I cannot speculate on their responses. All three of these Districts work together to facilitate the requests of parents for their children to attend our schools.

8. *Do you anticipate that the proposed project would result in the need for physical additions to your agency (ie, construction of new school facilities)?* The planned development does not appear to create a demand for physical additions to our facilities. We recently passed a bond, so the new development would potentially help significantly increase assessed property values which would better allow us to sell bonds in the future.
9. *Is there any other relevant information regarding significant project impacts?* Phase I of our construction project should be completed for the 2017-18 school year. This construction project is located on the Elementary School campus and it will provide permanent classrooms to replace 14 portable classrooms that are in excess of 25 years old.

Letter 6 – Shasta County Local Agency Formation Commission (December 7, 2017)

Les Baugh
County Member
Larry Farr
City Member
Stan Neutze
City Member
Francie Sullivan
City Member Alternate

Irwin Fust
Special District Member
Mary Rickert
County Member Alternate
Brenda Haynes
Special District Member



VACANT
Public Member
David Kehoe
County Member
Patricia A. Clarke
Special District Alternate

Bob Richardson
Public Member Alternate
George Williamson
Executive Officer
James M. Underwood
General Counsel
Kathy Bull
Office Manager

December 7 2017

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

Subject: Tierra Robles DEIR comments

Shasta LAFCO is providing Draft EIR comments for the proposed Tierra Robles PD Project including residential Planned Development requiring a Zone Amendment (Z10-002) from RR-BA-5, RR-BA-3 and U to PD, establishing a conceptual development plan covering the entire site; and TR 1996 to divide the 715.4-acre property into 166 residential parcels ranging from 1.38 - 6.81 acres in size, and six open space parcels totaling 192.7 acres.

The project proposes Tierra Robles Community Services District (TRCSD) formation as a means to provide wastewater treatment system operation and maintenance, maintenance of improved subdivision streets, open spaces management, including preservation and fire management operations, and drainage improvements maintenance. Pursuant to GC § 56375, Shasta LAFCO must review proposals that request Community Services Districts (CSD) formation. Documentation in support of Tierra Robles PD plans and facilities oversight and implementation include the following:

- Tierra Robles Design Guidelines;
- Tierra Robles Oak Woodland Management Plan;
- Tierra Robles Wildland Fuel/Vegetation Management Plan,
- Open Space Management, and Resource Management Area Management and Oversight;
- Road and Storm Drain Maintenance; and
- Waste Water Collection, Treatment and Dispersal Facilities.

TRCSD approval is subject to separate application and Shasta LAFCO approval, which makes Shasta LAFCO a responsible agency under the California Environmental Quality Act (CEQA).

CSD's are formed and operated in accordance with California Government Code § 61000 et seq. A CSD is a government agency endowed with a range of powers, which is specifically designed to provide urban or suburban services within unincorporated areas. A CSD is also considered a special district with its own independent powers and authority and may share boundaries with other special districts providing different services.

Shasta LAFCO appreciates the early opportunity to review the range of potential services proposed for the CSD. Our comments are intended to clarify how these services would be managed by a CSD in an application filed with LAFCO.

Comments

1. **Shasta County LAFCO Consistency** (Section 5.10/Page 5.10-14 & Section 6.2 Page 6.4)
Pursuant to GC § 56375, Shasta LAFCO must review CSD formation proposals, the required formation is subject to separate application and Shasta LAFCO approval. A Plan for Services

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6-a

6-b

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must be submitted along with the CSD formation application and many of the comments below address Plan for Services content and supporting funding so that the CSD, if formed, understands the revenues needed to offset management, operations, and administrative expenses.

6-b
Cont.

2. **Tierra Robles Design Guidelines;** (Section 3.4/Page 3-12)

The DEIR states that the proposed project is planned as a unique community of custom homes and proposes Design Guidelines to direct future architecture and site layout of individual lots, construction drawings and specifications preparation (Appendix 15.2.1, Design Guidelines). Design Guidelines oversight and enforcement would be the responsibility of TRCSD Tierra Robles Architectural Review Committee (TRARC) in coordination with Shasta County. Modifications are considered on a case-by case basis.

The TRARC is proposed to have three or more members responsible for reviewing building and landscaping plans. In addition the EIR states that there will also be processing of residence designs, home-site drainage plan and easement reviews and verifying trash removal or clean-up. Deposit & processing fees to be billed to contractor and paid during design phase. Clarify how the TRARC will be appointed as (Appendix 15.2.1, p. 3) states that is appointed by the TRCSD and (page 41) states that it is a group of professionals appointed by the landowner. Also, reflect TRARC costs in Fee Schedule.

6-c

3. **Tierra Robles Oak Woodland Management Plan;** (Section 3.4/Page 3-14)

The Tierra Robles Oak Woodland Management Plan (OWMP) provides direction for preserving oak woodland habitat (Appendix 15.2.3, TR Oak Woodland Management). The TRCSD would be responsible for OWMP implementation and approving any OWMP changes. Landowners will conduct OWMP prescribed vegetation management under TRCSD oversight. The DEIR states that TRARC is responsible for reviewing all building and landscape plans to ensure oak trees outside of the established building envelope are not removed. Trees removed over the baseline basal area will be assessed based on size (Appendix 15.2.1, Design Guidelines).

The Draft EIR also describes Offsite Conservation Easements (Section 9.0/Page 9-3) MM 5.4-1a: Subject to review and approval by the Shasta County Resource Management Department Director, the applicant shall establish an offsite conservation easement covering a minimum of 137.8 acres of blue oak woodland in Shasta County. A conservation-oriented third-party entity acceptable to Shasta County shall hold the conservation easement and be responsible for ongoing site monitoring and management. Management activities shall be funded through an endowment account established by the project applicant or through TRCSD fees. Please clarify applicable fee amounts, how assessed and all TRCSD responsibilities for interacting with the proposed conservation-oriented third-party.

The TRCSD would also be responsible for identifying trees that provide bat roosting habitat and keeping bird survey reports on file. Please clarify what expertise the TRCSD would need to implement these services in the Plan for Services and include mitigation measure oversight amounts in Fee Schedule. Please incorporate all OWMP expenses that the CSD may incur into Fee Schedule/CSD Budget so there are adequate TRCSD revenues for this service. Please describe all OWMP expertise needed in the Plan for Services.

6-d

4. **Tierra Robles Wildland Fuel/Vegetation Management Plan,** (Section 3.2/Page 3-14)

The Tierra Robles Wildland Fuel/Vegetation Management Plan (TRWF/VMP) provides direction for flammable vegetation reduction of from around buildings, roadways and driveways in accordance with the California Department of Forestry and Fire Protection/Shasta County Fire Department (CAL FIRE/SCFD) requirements. The proposed project would strategically reduce

6-e

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hazardous fuels (Section 5.8, HAZARDS AND HAZARDOUS MATERIALS, and Appendix 15.2.2). TRWF/VMP management would be a TRCSD responsibility, and this would include managing grazing activities in the project area, monitoring fire prescription activities within RMAs 1-4 as each residential lot is developed, and providing annual fire fuel monitoring to the Shasta County Fire Department. Clarify what specific reporting methods for fire fuel monitoring should be used in the Plan for Services. Include RMA fire prescription monitoring costs in Fee Schedule/CSD Budget.

6-e
 Cont.

5. **Open Space Management, (Section 3.4/Page 3-21)**

The Open Space managed through an Open Space Management Plan (OSMP) covers 192.7 acres, 26.9% of the total project area. The OSMP would ensure that undeveloped areas continue as a means of fire protection and open space preservation (Appendices 15.2.1 and 15.2.2). The Shasta County Board of Supervisors will review and approve the OSMP prior to final subdivision map approval. The TRCSD would be responsible for OSMP management, including maintaining Resource Management Areas (RMA's) established as open space (Appendix 5.2.3 OWMP). Shasta County is applying mitigation credits towards onsite preserves and open space preservation and enhancement. Please clarify who holds the mitigation credits and TRCSD responsibilities for mitigation measure monitoring and reporting.

6-f

6. **Resource Management Area (RMA) Management and Oversight; (Section 3.4/Page 3-20)**

The proposed project site was subdivided into five RMA's representing distinct habitat types. Management guidelines for RMA 1 through RMA 4 cover individual residential lots while RMA-5 is specific to the Open Space parcels as described below. (Appendix 15.2.2 TRWF/VMP & 15.2.3 OWMP).

6-g

According to the EIR, TRCSD would be the enforcing agency to ensure residents implement their part of the fuel management plan, as well as managing the RMA areas outside home owner responsibility. Annual monitoring and reporting will be a TRCSD responsibility as approved by the County. Please clarify in the Plan for Services how this monitoring will be conducted by the TRCSD and any expected costs.

7. **Storm Drain and Road Maintenance; (Section 3.4/Page 3-15)**

The Preliminary Hydrology Analysis (Section 5.9, HYDROLOGY AND WATER QUALITY & Appendix 15.6), recommends onsite Best Management Practices (BMP) that would be inspected and maintained by TRCSD and distributed to each lot owner as site development planning is started on each lot. TRCSD would be required to review and approve these BMP's. Each lot owner will be required to maintain the individual BMP's, but TRCSD would be tasked with an annual inspection procedure to ensure these facilities are functioning. Clarify TRCSD storm drain inspections responsibilities and annual procedures in the Plan for Services and include in fees for these activities in the Fee Schedule/CSD Budget.

6-h

Approximately 15 roadway segments would be constructed onsite, along with an emergency access easement across Lot No. 81 and Lot No. 98 and a 5.23-acre offsite extension of the proposed new access road to Old Alturas Road (refer to Figure 3-8). A total of 46.48 acres would be dedicated for public roadway right-of-way. The roadway network would include Clough Creek bridge crossings at two locations, each designed as 40-foot span bridges to ensure bridge pier placement outside the stream channel riparian zone limits.

Other smaller crossing of natural onsite drainages will require shorter precast concrete structures. Primary project access would be from Boyle Road at the project site southern end, with a north-south oriented arterial roadway (Tierra Robles Parkway) connecting to Old Alturas

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Road at the project site north end. The internal street network would be designed and constructed to meet applicable local standards, including bridge crossings, water, sewer, electricity, telephone easements, and storm-drain improvements within the road right-of-way.

Please clarify all TRCSD transportation system responsibilities in the Plan of Services, including scheduled inspection and maintenance. Include road maintenance, repair and replacement schedule costs in the CSD Budget.

6-h
Cont.

8. **Waste Water Collection, Treatment and Dispersal Facilities** (Section 3.4/Page 3-15)

The Planned Development will be served by a waste water treatment facility designed and constructed with necessary facilities required to operate at a level of service meeting Regional Water Quality Board (RWQCB) issued Waste Discharge Permit requirements. The facility is proposed to be phased to develop additional treatment modules to facilitate increased loading as development occurs. Dispersal areas are proposed within the road way medians as they are developed with infrastructure also being installed in order to accommodate the additional phases. Proposed wastewater collection, treatment and dispersal system details are described in the Draft EIR and are proposed to be a key TRCSD management responsibility.

The individual lot owner will be responsible for installing the onsite tanks and pump, as specified by TRCSD and the pressure line up to the point of connection to the TRCSD force main. The ongoing maintenance of the facilities on each lot will be the responsibility of the lot owner.

TRCSD would have annual septic tank inspection responsibility and to require home owners to pump tanks. TRCSD would also be responsible for the force main from the connection point at the road right-of-way, operating and maintaining the collection force main to the treatment plant, treatment plant and the dispersal system operation and daily testing requirements. TRCSD would need a qualified operator on staff or contract this service. Please describe these qualifications and staffing levels in the Plan for Services. Include annual septic tank inspection fees, maintenance costs and operational expenses in Fee Schedule/CSD Budget.

6-i

9. **Project Alternative – CSA 8** (Section 7.3/Page 7-4)

The project applicant previously proposed the annexation of the entire 715.4-acre site into CSA No. 8 for sewage treatment but this alternative did not include the other services proposed as part of the PD. The broader range of services could be accomplished by the CSA reorganizing into a CSD, which would have the authority to provide a higher level of resource management and environmental stewardship and avoid the formation of an additional special district.

6-j

Thank you for considering these comments.



George Williamson AICP
Executive Officer

Response to Letter 6 – Shasta County Local Agency Formation Commission

Response 6-a: The commenter’s opening paragraph provides background information and Shasta Local Agency Formation Commission (LAFCO) understanding of the proposed project and restates facts presented in the Draft EIR. The comment also provides a list of some of the documentation presented in support of the proposed project. Shasta LAFCO notes that they are a Responsible Agency under the California Environmental Quality Act (CEQA) and outlines the Community Service District (CSD) formation and operation process. The commenter appreciates the opportunity to comment and indicates additional comments regarding clarifying how a CSD would manage services in an application filed with LAFCO.

The Lead Agency has prepared **Responses 6-b** through **6-j**, below, to specifically address the commenter’s concerns. The comment is appreciated and noted for the record. The additional comments indicated above are addressed individually below.

Response 6-b: The commenter states the LAFCO must review CSD formation proposals and that a Plan for Services must be submitted along with the CSD formation application. The commenter states that many of the remaining comments within the letter address Plan for Services content and supporting funding that the CSD, if formed, understands the revenues needed to offset management, operations, and administrative expenses.

The comment is appreciated and noted for the record. Appendix 15.2, TIERRA ROBLES COMMUNITY SERVICES DISTRICT, provides documentation of the plans and design guidelines for the project. This includes the Tierra Robles Community Services District (TRCSD) formation. The Draft EIR acknowledges that the ultimate approval of the TRCSD would be subject to separate application and approval from the LAFCO; refer to Draft EIR page 1-3. The additional comments indicated above are addressed individually below.

Response 6-c: The commenter requests clarification within the Plan for Services on how the Tierra Robles Architectural Review Committee (TRARC) will be appointed as the *Tierra Robles Design Guidelines* provides conflicting information. In addition, the commenter requests that TRARC costs be provided in a fee schedule.

This comment is specific to the TRCSD and the details within the *Tierra Robles Design Guidelines* and specific to questions regarding language and cost within the plans and guidelines associated with the TRCSD, rather than specific to the Draft EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with LAFCO to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. 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 6-d: The commenter requests clarification within the Plan for Services regarding applicable fee amounts, how the fees are assessed and all TRCSD responsibilities for interacting with the proposed conservation-oriented third-party. In addition, the commenter requests clarification on what expertise the TRCSD would need to implement the

services in the Plan for Services and include mitigation measure oversight amounts in the Fee Schedule. The commenter also asks that all OWMP expenses that the TRCSD may incur be incorporated into the Fee Schedule/TRCSD Budget so there are adequate revenues for the services.

This comment is specific to the TRCSD and the details within the *Tierra Robles Oak Woodland Management Plan*, which will be implemented by the TRCSD. The comment is also specific to questions regarding language and cost within the *Tierra Robles Oak Woodland Management Plan* associated with the TRCSD expertise and budget, rather than specific to the Draft EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with LAFCO to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. 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 6-e: The commenter requests clarification within the Plan for Services on what specific reporting methods for the fire fuel monitoring should be used in the Plan for Services and requests including RMA fire prescription monitoring costs in the Fee Schedule/CSD Budget.

This comment is specific to the TRCSD and the details within the *Tierra Robles Wildland Fuel/Vegetation Management Plan*, which will be implemented by the TRCSD. The fuel management prescriptions present in the *Tierra Robles Wildland Fuel/Vegetation Management Plan* were developed using the California Public Resources Code, Section 4291-4299 guidelines as well as the US Department of Agriculture (USDA) fire models for different vegetation communities and input from Shasta County Fire Department.

The comment is also specific to questions regarding language and cost within the *Tierra Robles Wildland Fuel/Vegetation Management Plan* associated with the reporting methods for fire fuel monitoring and the TRCSD budget, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with LAFCO to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. 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 6-f: The commenter requests clarification within the Plan for Services on who holds the mitigation credits and TRCSD responsibilities for mitigation measure monitoring and reporting.

With respect to the management and function of the RMAs, please refer to **Master Response-4** and preceding **Responses 3-b** and **3-c**, above. With respect to the project impacts and mitigation measures, please refer to **Response 3-b**, above. In addition, please refer to the revised Mitigation Measure (MM) 5.4-1a as provided in ES2, ERRATA TO THE DRAFT EIR TEXT, and in **Response 3-s**.

This comment is specific to the TRCSD and the details within the *Tierra Robles Oak Woodland Management Plan*, which will be implemented by the TRCSD. The comment is also specific to questions regarding mitigation credits and TRCSD responsibilities for mitigation measure monitoring and reporting within the *Tierra Robles Oak Woodland Management Plan*, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with LAFCO to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. 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 6-g: The commenter states that the TRCSD will be the enforcing agency to ensure residents implement their part of the fuel management plan, as well as managing the RMA areas outside home owner responsibility. The commenter requests clarification within the Plan for Services on how this monitoring will be conducted by the TRCSD and any expected costs.

With respect to the management and function of the RMAs, please refer to **Master Response-4, Response, 3-b** and preceding **Response 3-c**, above. The project applicant and the County will work with LAFCO to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. This comment is specific to the Plan for Services related to the TRCSD rather than specific to the Draft EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with 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 required.

Response 6-h: The commenter requests clarification within the Plan for Services related to the TRCSD regarding storm drain inspection responsibilities and annual procedures, transportation system responsibilities including scheduled inspection and maintenance, and cost/fees associated with these infrastructure facilities.

This comment is specific to the TRCSD and the details that need to be in the Plan for Services for the TRCSD. The comment is also specific to questions regarding language and cost associated with the TRCSD responsibilities and budgets for storm drain and transportation facilities, rather than specific to the Draft EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with LAFCO to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. 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 6-i: The commenter requests clarification within the Plan for Services related to the TRCSD staffing levels and qualifications needed for annual septic tank inspections and fees

associated with these inspections. In addition, maintenance costs and operational expenses should be provided in the Fee Schedule/ TRCSD Budget.

This comment is specific to the TRCSD and the details that need to be in the Plan for Services for the TRCSD. The comment is also specific to questions regarding language and cost associated with the TRCSD responsibilities and budgets for annual septic tank inspections and costs associated with the inspections, rather than specific to the Draft EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with LAFCO to provide the details needed for the TRCSD within all application and documentation required to form the TRCSD. 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 6-j: The commenter refers to Section 7.3, ALTERNATIVES ELIMINATED FROM FURTHER CONSIDERATION, specifically the “ANNEXATION TO COMMUNITY SERVICE AREA NO. 8” ALTERNATIVE (beginning on page 7-4 of the Draft EIR), and states that the broader range of services could be accomplished by the CSA reorganizing into a CSD, which would have the authority to provide a higher level of resource management and environmental stewardship and avoid the formation of an additional special district.

Four potential alternatives to the proposed project were initially considered but determined not to be viable and eliminated from further consideration, including the “Annexation to Community Service Area No. 8” Alternative. As discussed on page 7-5 of the Draft EIR, the project applicant previously proposed the annexation of the entire project site into CSA No.8 for sewage treatment and disposal. This alternative was part of a revised project concept in 2011 and did not include the formation of a CSD. This alternative, created in 2011, did not include the potential for CSA No. 8 to be reorganized into a CSD. In addition, the alternative was rejected because this alternative would have greater impacts to air quality (construction), offsite biological impacts, and increased wastewater delivery and treatment at CSA No. 8’s treatment facility as compared to the proposed project. In addition, this alternative was further rejected as it failed to meet several Project Objectives.

Section 15126.6(c) of the State *CEQA Guidelines* permits the elimination of an alternative from detailed consideration due to:

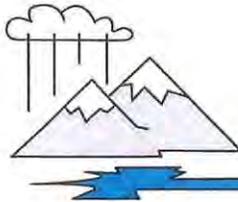
- Failure to meet most of the basic project objectives;
- Infeasibility; and
- Inability to avoid significant environmental impacts.

Section 15126(f)(1) of the State *CEQA Guidelines* states that “Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries...and whether the proponent can reasonably acquire control or otherwise have access to the alternative site. No one of these factors establishes a fixed limit on the scope of reasonable alternatives.” In addition, the California Supreme Court has stated that lead agencies,

not project opponents, have the burden to formulate alternatives for inclusion in an 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.

Letter 7 – Bella Vista Water District (December 22, 2017)



DIRECTORS
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BELLA VISTA WATER DISTRICT

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December 22, 2017

SENT VIA EMAIL: khector@co.shasta.ca.us, ORIGINAL MAILED U.S. POSTAL SERVICE
Kent Hector, Senior Planner
Shasta County Dept. of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Re: Proposed Tierra Robles Planned Development Project

Dear Mr. Hector:

The Bella Vista Water District has reviewed the Draft Environmental Impact Report (DEIR) for the proposed Tierra Robles Planned Development and offers the following comments and questions. 7-a

The proposed Tierra Robles Project lies entirely within the boundaries of the Bella Vista Water District's boundary and within the District's Welch Pressure Zone. The District has adopted a Reimbursement Policy that generally requires developers to reimburse the District for expenses related to their development project and ensures development related expenses are borne by the project proponents and not by District customers. The District will require hydraulic modeling analysis within the Welch Pressure Zone to determine necessary line sizes and improvements within the proposed development. Presently, the Welch Booster Pump Station is shut down during winter months when water demands are low and boosted water pressure is unnecessary. Generally, the Welch Pump Station and Zone has ample capacity to serve the proposed development. However, to accommodate the development the Welch Pumping Station will likely need to be reconfigured and pumping would be required year round. With the exception of improvements to reconfigure the Welch Pump Station, it is anticipated that water line extensions and looping of water mains within the planned development will generally improve the hydraulics within the Welch Zone. 7-b

Extremely high summer temperatures, low humidity and use of evaporative cooling systems are a few of the reasons the Redding Basin has some of the highest indoor and outdoor water use on a per capita basis within the entire state. Generally, water demands for similarly zoned rural residential developments within the District are substantially higher than those projected in the DEIR. Is the County aware of any similar rural residential developments within the region that can substantiate the very low water use projections reflected in the DEIR for this Development? 7-c

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The DEIR references and assumes full implementation and compliance with the state's Model Water Efficient Landscape Ordinance (MWELo). The District is concerned the County does not have the staffing, process and enforcement capabilities necessary to fully implement the provisions of MWELo. What staffing, process and enforcement mechanisms does the County currently have in place to fully implement MWELo? Does the County have any examples of MWELo enforcement within the County to date for similar rural residential developments? What actions will the County take if irrigated landscape areas expand and actual water demands significantly exceed those projected in the DEIR?

7-c
Cont.

The DEIR does not evaluate groundwater extractions or impacts to the Enterprise Sub-basin from private wells and does not identify any current groundwater wells within the planned development. The Enterprise Sub-basin has been deemed a medium priority basin by the California Department of Water Resources (CASGEM Basin Prioritization Results – June 2014). It is the District's experience that the County routinely issues permits for new private groundwater wells despite the existence of the Bella Vista Water District public water system and does not require the destruction of existing private wells when new development occurs when the public water system is extended to serve those areas. Does the County plan to limit or prohibit new private wells within the planned development or to require the proper destruction of any existing private wells that likely do not meet current groundwater well construction standards? Will the County research and identify existing groundwater wells within the planned development in order to address the potential for cross connection with the public water system?

7-d

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

7-e

As noted in the Water Supply Evaluation of the Draft EIR the projects required water supply would reduce water available to existing Bella Vista customers if a shortage year occurs prior to three unconstrained water years. The proposed mitigation to provide a water supply agreement to the District for this significant impact has several unmentioned complications. During shortage years the availability for transfers from any source is reduced and potentially nonexistent; therefore, waiting to acquire additional water until needed is not considered a reliable mitigation measure. The other option of a long-term transfer, if water is available, for the 15 years of expected build out typically requires purchasing the water in every year of a transfer agreement, not just during shortage years. There is no funding source identified for any purchase of water for the expected duration of buildout.

7-f

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

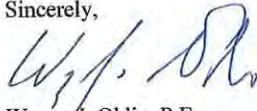
- | | |
|---|-----|
| 1. There are presently no existing Bella Vista Water District water lines inside of the boundaries of the 715.4 acre tract. | 7-g |
| 2. Plans for the water system improvements required to serve the proposed development must be submitted to Bella Vista Water District for review and the improvement plans will require the approval of the District. The District has adopted a Reimbursement Policy and accordingly will require a Reimbursement Agreement with the project proponent to recover District expenses incurred for the benefit of the project proponent. | 7-h |
| 3. The existing 16-inch line in Boyle Road and the 36-inch line in Old Alturas Road are owned by the U.S. Bureau of Reclamation, and operated and maintained by the District. At full buildout it is anticipated that water mains will be run through the project and connect between the existing water mains in Boyle and Old Alturas Roads. The connection to the 16-inch main and the crossing of the 36-inch main will require the approval of Reclamation | 7-i |
| 4. If construction of the project will be phased and the new water main between Boyle and Old Alturas Roads is not constructed as part of the initial phase of construction, new water mains may need to be looped (connected to existing water mains at two different locations) in order to be able to meet fire hydrant flow requirements. Hydraulic modeling will be necessary to determine the sizes of the connections to existing water mains as well as the sizes of the water lines within the project boundaries. | 7-j |
| 5. The required water system improvements for each phase of the project must be installed and accepted by the District prior to the District providing permanent water service to any of the parcels proposed to be developed in each phase. | 7-k |
| 6. The water supply needs for the project shall be determined based on the full potential range of development that will be allowed for the parcels. If there are no imposed and enforceable land use restrictions then parcels may potentially be utilized for agricultural purposes which would have a much larger annual water supply demand and a larger instantaneous flow (capacity) requirement than non-agricultural parcels. How will land use restrictions be enforced? How will the noted building envelopes preclude agricultural land use and how will this be enforced? | 7-l |
| 7. The 55 gallons per capita per day used to estimate "Indoor Residential Demand" was incorrectly derived from the California Water Code Section 10608.20. The quantity of 55 gpcd is only viable if the water district does not have a defined water goal within their Urban Water Management Plan. If a district has a Urban Water Management Plan then they shall determine their urban water use target by using eighty percent of the urban retail water supplier's baseline per capita daily water use (California Water Code Section | 7-m |

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- 10608.20.2.b.1) as defined in their 2015 Urban Water Management Plan Update (Section 10608.20.g). 7-m
Cont.
8. Per the 2015 Bella Vista Water District Urban Water Management Plan, the baseline per capita daily water use is 947 gpcd. Target usage to be used for water planning purposes, as defined above, is 80% of baseline usage or 758 gpcd (2015 UWMP Section 5.5). Using this water demand and residential occupancy rate of 2.5 people per home for primary residences (as stated in the Draft EIR), the per unit water demand is 2.12 AFY for the 166 single family homes. As noted in the 2015 UWMP, this baseline usage includes both indoor and outdoor usage and should be used for per lot water demand planning. 7-n
9. In Section 2.2.2 of the Water Supply Evaluation the assumption that a secondary unit will replace 1500 sq.ft. of irrigated acreage is not backed by any noted requirements. The building envelopes are significantly larger than the area needed for the primary unit and the allowed 5000 sq.ft. of landscape area. Therefore, there is no viable reason to assume landscape area will be replaced by the secondary unit. Water usage projections should be revised accordingly. 7-o
10. Water service to the parcels within the development will be subject to water service requirements, fees, and water service availability at such time as water service is requested from the District. 7-p

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

Sincerely,



Wayne J. Ohlin, P.E.
District Engineer

Response to Letter 7 – Bella Vista Water District

Response 7-a: The commenter acknowledges review of the Draft EIR.

This comment is introductory and includes an overview of the commenter’s concerns. Responses to specific comments are addressed below in **Responses 7-b** through **7-p**.

Response 7-b: The commenter states that the project site is entirely within the Bella Vista Water District (BVWD) boundaries and within the BVWD Welch Pressure Zone. BVWD has adopted reimbursement policy and will require hydraulic modeling analysis within the Welch Pressure Zone to determine appropriate waterline sizes. In addition, the commenter states that to accommodate the development, the Welch Pumping Station would need to run year-round. The commenter also states that it is anticipated that the water line extensions and looping of water mains within the project site will generally improve the hydraulics within the Welch Zone.

This comment is specific to the BVWD reimbursement policy and determining appropriate waterline sizes, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. 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 7-c: The commenter states that generally, water demands for similarly zoned rural residential developments within BVWD are substantially higher than the projected in the Draft EIR. The commenter requests examples of rural residential developments with similar water demand to that projected for this proposed project. The commenter expresses concern that the County does not have the capabilities to fully implement the provisions of the Model Water Efficient Landscape Ordinance (MWELo) and questions how the proposed project will fully implement the MWELo.

Please refer to **Master Response-3**. Furthermore, the proposed project includes the formation of the Tierra Robles Community Services District (TRCSD) after approval by the Shasta County Local Agency Formation Commission (LAFCO). The TRCSD would be used as a means to oversee, implement and enforce compliance with the State’s MWELo or County ordinance requirements (if more restrictive than the State MWELo). It will be incumbent on the TRCSD to make all property owners aware of all covenants and conditions regarding use of all properties within the Tierra Robles project area. 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.

Regarding the request to provide examples of rural residential developments with similar water demands, the commenter is referred to the BVWD web page. Although there are some areas with the BVWD service area with more suburban development, much of the residential areas within BVWD are rural in character. In August 2017, a traditionally warmer month, the average daily water consumption per residential customer in the BVWD service area was approximately 54.10 gallons per day (BVWD,

2018). This closely approximates the 55 gallons per day estimate used for the proposed project and as discussed on page 5.17-25 of Section 5.17, UTILITIES AND SERVICE SYSTEMS. It should be noted it is unknown if the existing homes within the BVWD service area fully utilizes water conserving appliances, faucets, toilets, etc., as would the proposed project. If they do not, it is likely that the water use for the proposed project may be reduced below the BVWD average.

Response 7-d: The commenter states that the Draft EIR does not evaluate groundwater extractions or impacts to the Enterprise Subbasin from private wells and does not identify any current groundwater wells within the project site. The commenter states that it is BVWD's experience that private groundwater wells are permitted despite the existence of the BVWD public water system. The commenter asks if new wells will be prohibited and existing wells will be properly destructed.

Please refer to **Master Response-3**. Please refer to Section 5.17, UTILITIES AND SERVICE SYSTEMS, and Appendix 15.10, WATER DEMAND EVALUATION, of the Draft EIR (specifically page 5.17-28), which further discuss the proposed project's water demand and the impacts on the water supply in Impact 5.17-4 (project specific impacts) and Impact 5.17-8 (cumulative impacts). As noted, Mitigation Measure (MM) 5.17-4b requires the project applicant to identify and implement an agreement with BVWD to provide BVWD with dry-year water supplies prior to commencement of project construction. This measure ensures that actual physical development does not occur until such time as there is adequate water to serve it. With the implementation of mitigation measures, the Draft EIR found impacts to be *less than significant*. The proposed project would not utilize onsite water wells. 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 7-e: The commenter states that BVWD receives nearly all of its water supply from the federal Central Valley Project (CVP) and is subject to shortage provisions pursuant to the U.S. Bureau of Reclamation's municipal and industrial shortage policy and amendments. The commenter states that with current and anticipated regulatory actions, BVWD's likelihood of receiving the full water supply allocations in "below normal" will be reduced and will result in single and consecutive year shortages.

The commenter does not raise a significant environmental concern and does not comment on the adequacy of the Draft EIR in the comment. However, Mitigation Measure (MM) 5.17-4b is intended to address shortage conditions for the project. However, as discussed in **Master Response-3**, existing shortage conditions due to a variety of conditions affecting CVP supplies will continue as noted. Once reaching full demand for a specific period (see Mitigation Measure (MM) 5.17-4b), the future homeowners at the proposed project will also be subject to the same shortages faced by existing customers. But, due to the structure of BVWD's CVP contract, the demands of the proposed project will not exacerbate the shortage conditions faced by existing users. The magnitude and frequency of CVP shortages on existing customers will be the same with or without the additional demands of 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 7-f: The commenter summarizes the Water Supply Evaluation of the Draft EIR and states that the proposed mitigation has several complications. The commenter states the availability of water transfers is reduced and thus cannot be considered a reliable water source. The commenter also states that there is no funding source identified for any purchase of water for the expected duration of buildout.

The commenter is referred to **Master Response-3**. As stated in Draft EIR Mitigation Measure (MM) 5.17-4b "...the project applicant shall provide to the Shasta County Department of Resource Management documentation demonstrating *that the applicant has secured an Agreement* with BVWD to provide BVWD with adequate water supplies on an annual basis during identified shortage conditions in a quantity that represents a minimum of 90 percent of the project's prior year water usage." [*emphasis added*]. As noted in Mitigation Measure (MM) 5.17-4b, the applicant must enter into an agreement that is acceptable to BVWD, and therefore, assumes that BVWD would require various assurances regarding availability and reliability of the temporary supply, and financing prior to approving any agreement for temporary water supplies. Mitigation Measure (MM) 5.17-4b ensures that actual physical development does not occur until such time as there is adequate water to serve it. 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 7-g: The commenter states that there are presently no existing BVWD water lines within the project site.

This comment is specific to existing BVWD infrastructure within the project site, rather than specific to the Draft EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. Beginning on page 3-22 through 3-28 of Section 3.0, PROJECT DESCRIPTION, are the infrastructure requirements for the proposed project. This includes wastewater infrastructure, water infrastructures, landscaping requirements, solid waste, storm drainage, and power. Additional detail related to the provision of infrastructures is provided in Appendix 15.2.1, TIERRA ROBLES DESIGN GUIDELINES, and Appendix 15.2.6, TIERRA ROBLES WASTEWATER MANAGEMENT PLAN. 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 7-h: The commenter states that the plans for water system improvements must be submitted to BVWD for review and approval. BVWD has adopted a Reimbursement Policy and will require a Reimbursement Agreement with the project applicant to recover expenses incurred from the proposed project.

This comment is specific to plans for the proposed water system improvements, including determining appropriate waterline sizes, and the BVWD reimbursement policy, rather than specific to the Draft EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service

requirements prior to BVWD initiating any potable water service. 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 7-i: The commenter notes that the water lines on Boyle Road and Old Alturas Road are owned by the US Bureau of Reclamation and operated and maintained by BVWD, thus any connections to these lines will require US Bureau of Reclamation approval.

This comment is specific to existing water lines outside of the project boundaries and the multiple jurisdictions that oversee the existing infrastructure, rather than specific to the Draft EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant will work with the US Bureau of Reclamation, BVWD, and the County to provide the details needed to satisfy necessary US Bureau of Reclamation and BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. 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 7-j: The commenter states that new water mains may need to be looped in order to meet fire hydrant flow requirements and that a hydraulic model will be necessary to determine the sizes of the water main connections and water lines.

This comment is specific to plans for the proposed water system improvements, including determining the need to loop new water mains in order to provide appropriate hydrant flow requirements, rather than specific to the Draft EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant will comply with all existing applicable laws and regulations, and will work with BVWD and the County to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. 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 7-k: The commenter states that required water system improvement for each phase of the project must be installed and accepted by BVWD prior to providing permanent water services to the project site.

This comment is specific to the proposed water system improvements, rather than specific to the Draft EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. 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 7-l: The commenter states that the water supply needs for the project shall be determined based on the full potential range of development of the parcels. For example, if there are no imposed and enforceable land use restrictions, then parcels may potentially be utilized for agricultural purposes which would have a larger annual water supply demand. The commenter questions how the land use restrictions will be enforced.

The commenter is referred to **Master Response-3**, regarding the water demand of the proposed project, the projected water supply, and the MWEL. With respect to enforcement of land use restrictions, the proposed project includes the formation of the Tierra Robles Community Services District (TRCSD) after approval by the Shasta County LAFCO. The TRCSD would be used as a means to oversee, implement and enforce compliance with the landscape limitations included in the project.

Response 7-m: The commenter states that the per capita per day water demand estimated for indoor residential demand was incorrectly derived from the California Water Code Section 10608.20.

Please refer to **Master Response-3**. The Urban Water Management Plan (UWMP) Act requires an urban purveyor to reduce its overall per-capita water use by some amount by 2020. BVWD has committed to reducing the overall per-capita water use by 20% from 2013 averages. This target per-capita value is derived by dividing the total “gross water” use (as defined by the California Water Code) by the total population served. Thus, the average per-capita use incorporates all customer uses within BVWD, including commercial, residential, rural, agricultural (as this customer type also receives municipally treated water), industrial, parks, and any other specific BVWD customer classification. Estimating water demands for a new customer, such as the residential indoor and limited-landscape outdoor demands associated with the proposed project, are based upon other methods as articulated in Appendix 15.10, WATER DEMAND EVALUATION, of the Draft EIR. The new customer demands, and associated population, will be included in future determinations of the overall BVWD average per-capita use. The fact that they will be lower than average may help BVWD achieve its overall 20% average per-capita use reduction target.

Furthermore, as most recently codified, the California Water Code has amended the residential indoor standard to drop below 55 gallons per-capita per day (gpcd). The new statutory requirements reduce the average value to 52.5 gpcd as of 2025, and potentially to 50 gpcd as of 2030. Each reduction in average indoor gpcd below 55 could be superseded by a greater value, if such is jointly recommended to the Legislature by the Department of Water Resources (DWR) and the State Water Resources Control Board (SWRCB). However, it is unlikely that such a joint DWR/SWRCB recommendation would exceed the 55 gpcd standard used in the Project’s demand analysis. Rather, it is possible that available residential water use fixtures and appliances will result in indoor per-capita demands that are even lower than those estimated using 55 gpcd. 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 7-n: The commenter states the 2015 BVWD UWMP has a baseline per capita daily water use of 947 gallons per capita per day. The target usage for water planning purposes is 80% of the baseline usage, therefore, the commenter estimates that the proposed project would have a water demand of 2.12 acre-feet per year for the proposed 166 residential units, which would include both indoor and outdoor usage.

The commenter is referred to **Master Response-3**. The determination of baseline and target per-capita water use in the UWMP represents an average value for all classes of existing and future BVWD customers which range from multi-family apartments to multi-acre agricultural users. The value is determined by dividing “gross water,” which reflects all of the treated water produced by BVWD, divided by the population served (baseline gpcd = gross water/population). This value does not represent the value for a particular user classification, such as new residential homes (which are required to comply with new State standards). The calculation provided in this comment implies that the actual demand for a house with limited landscaping would use the BVWD average target value. If that method was applied to BVWD’s agricultural customers, who likely have the same occupancy rate (or less), then the agricultural customers would be anticipated to only use 2.12 acre-feet per year for the entire property served by a meter. BVWD recognizes that agricultural and other customers have above-average use, while other customers have below average use. The proposed project’s water demand was estimated by separately determining indoor and outdoor use factors for each parcel, as described in detail in Appendix 15.10, WATER DEMAND EVALUATION, of the Draft EIR.

This methodology in estimating the projected baseline water use is consistent with State *CEQA Guidelines* §15125 ‘Environmental Setting.’ The water use rate of 55 gallons per capita is an appropriate and accurate estimate of the expected water demand of the proposed rural residential project. In addition, this estimate closely mirrors BVWD average 54.10 gallons per day for each residential customer from August 2017.

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 7-o: The commenter states that the assumption of a secondary unit replacing 1,500 square feet of irrigated acreage is not supported within the Water Supply Evaluation. The commenter states that there is no viable reason to assume landscape area will be replaced by a secondary unit and requests that water usage projections be revised accordingly.

If the landscaped area is not adjusted, and the secondary unit is constructed, then the parcel could potentially be developed outside of the development envelope, depending on the lot configuration and associated development envelope. However, adjusting to not reduce the maximum landscape area results in an upward adjustment of 1.2 acre-feet per year. As detailed in Appendix 15.10, WATER DEMAND EVALUATION, the 15 parcels with secondary residential units had a reduced demand factor for the outdoor water use from 0.29 acre-feet per year (for standard parcels) to 0.21 acre-feet per year. This reduction in the outdoor demand factor reflects the calculation for the landscape area that is 1,500 square feet less than the area used in the standard parcels. If this adjustment is not made, the 15 parcels with secondary

units would instead have the same outdoor demand factor as the standard parcels, which is 0.29 acre-feet per year. The resulting increase of 0.08 acre-feet per unit per year for the 15 units results in a total increase of 1.2 acre-feet per year. This would increase the estimated demand of the entire proposed project from 80 acre-feet per year to 81 acre-feet, a non-substantial change that would have no effect on the conclusions of the analysis provided in Section 5.17, UTILITIES AND SERVICE SYSTEMS, and Appendix 15.10, WATER DEMAND EVALUATION, 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 7-p: The commenter states that water service to the project site will be subject to water service requirements, needs, and availability at such time as water service is requested from BVWD.

The commenter is referred to **Master Response-3**. This comment is specific to the proposed water service to the project site being subject to BVWD requirements, needs, and availability, rather than specific to the EIR analysis of physical environmental impacts, mitigation measures, and level of significance associated with the proposed project. The project applicant and the County will work with BVWD to provide the details needed to satisfy necessary BVWD infrastructure improvements and service requirements prior to BVWD initiating any potable water service. Approval of the proposed project will be conditioned to satisfy necessary BVWD infrastructure improvements and water service requirements prior to BVWD initiating any potable water service. 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 8 – Wintu Tribes of Northern California (December 29, 2017)

 
Wintu Tribe of Northern California
PO Box 995 Shasta Lake, Ca 96019
4755 Shasta Dam Blvd. Shasta Lake, CA 96019
Department of Cultural Resources
Phone: 530-605-1726 Fax: 530-605-1727
Email: wintuculturalmanager@gmail.com Website: www.wintutribe.org CR Ltr 3b

Tierra Robles Project

Date: _____ 12/29/2017 _____

Hestum,

We have received your reports and appreciate your quick response getting back to us.

I am writing to inform you that, after reviewing the reports you sent us, the Wintu Tribe is still opposed to your project moving forward in Wintu territory.

As stated before, the described project in your proposal will have extreme negative effects which will result in destruction in sensitive historical and cultural sites. The ramifications would be detrimental and irreversible. Unfortunately, at this time, we cannot support your project and we request that no excavations or other ground disturbing activities of any kind take place in the project area especially without contracted tribal monitor from the tribe.

For further discussion or to set a mitigation meeting request please contact me at 530-840-1961 or at wintuculturalmanager@gmail.com.

I thank you for your cooperation in advance.

Under One Sky,

Greg Burgin Jr. Cultural Resources Manager

Cc Wade McMaster-Chairman-Wintu Tribe of Northern California
Veronica Grabeal – Tribal Secretary
Kelli Hayward Cultural Resource Director

CR Ltr 3b

8-a

Response to Letter 8 – Wintu Tribes of Northern California

Response 8-a: The commenter states that the Tribe is opposed to the project and would have negative effects on sensitive historical and cultural sites. The commenter requests that no excavations or other ground disturbing activities of any kind take place in the project area without a contracted tribal monitor.

The Draft EIR analyzed 18 resource topics, including impacts related to cultural resources and tribal cultural resources as provided in Section 5.5, CULTURAL RESOURCES, and Section 5.15, TRIBAL CULTURAL RESOURCES. In addition, as stated on page 5.5-1 of the Draft EIR, analysis of the potential environmental impacts was derived from the three cultural resource investigations onsite, as well as the results from the Sacred Lands File of the NAHC. The impact discussion on pages 5.5-9 through 5.5-11 recognizes that two archaeological sites were previously located within the project site, but that through test excavations, resource and data recovery, and documentation the significant sources of information and materials were retrieved. Page 5.5-10 does recognize that it is expected that the project area will have a moderate likelihood of containing both prehistoric and historic resources, although it is unlikely that any resources would retain a degree of integrity that could allow them to be eligible for the National Register of Historic Places or the California Register of Historical Resources. To reduce impacts, the analysis identified the implementation of Mitigation Measure (MM) 5.5-1a and Mitigation Measure (MM) 5.5-1b. It was found that implementation of these measures would reduce impacts to *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.