

Sent from my iPhone

Begin forwarded message:

From: Karen Irvin <karenirvin@gmail.com>  
Date: November 8, 2021 at 12:37:04 PM MST  
To: David Mohlenbrok <David.Mohlenbrok@rocklin.ca.us>  
Subject: Proposed 108-acre College Park development Draft EIR (DEIR)

RE: Proposed 108-acre College Park development Draft EIR (DEIR)

David Mohlenbrok

City of Rocklin Community Development Director

Dear Mr. Mohlenbrok:

I am writing to you because I have been concerned about the ongoing development around Sierra College Blvd. and Rocklin Road where I live. I live near Eldon Drive and Rocklin Road. I have been so concerned I have been talking to my neighbors about what is going on and why this destruction of the area was not put to a vote to the community?

39-1

The frenzy of construction near me has led me to believe the need to find action against any future development plans for this area. It is astonishing to me that this has not been put to a vote for the residents of Rocklin. The wildlife that has been showing up in my yard has doubled and the occasional skunk or fox or coyote has now been an ongoing spotting. Are there any plans to relocate these animals? But further more, the trees? For every tree that is being destroyed and bulldozed to the ground I don't see any way the area can recover. The traffic noise that was blocked by the trees on Aquillar Road are now audible in my yard and whenever I am outside. I am astonished at the sound that was held back by that small area of trees. Not to mention how the trees provided a barrier for the fumes from the traffic that are permeated throughout the neighborhood.

39-2

Can you please tell me why you have decided to put our community at risk in order to proceed with this sort of development? And what I can do to as a citizen to prevent further development? My concerns are many but directly related to the "Save East Rocklin" initiatives in particular:

39-3

(1) The Draft EIR only addresses traffic impacts on Rocklin Road and Sierra College Blvd and does not address local surface streets like El Don Drive and Southside Ranch Road that will also be impacted by thousands of new vehicles on our local streets as a direct result of the entire College Park 108-acre development.

39-4

(2) The **Table** identifies a 195-unit (not 180-unit) Senior Affordable Multi-Family Land use aka the [Sierra College Senior Apartments Project](#) having **No Significant Impact**. In addition, the table's legend states, "quantitative VMT metrics not shown because retail and affordable housing **presumed** to be less-than significant". It is inaccurate to state this 4-story, low-income, "senior" apartment complex (potential nursing home facility), especially given its right-turn-only from Rocklin Road ingress and its **right-turn only** egress onto Rocklin Road will not have "significant" impacts to traffic on Rocklin Road.

39-5

As a concerned citizen is our only option to vote out those in office to correct this horrific disaster coming to our community? Or filing lawsuits against the city? What can we do to be heard? Please help.

39-6

Your help in this matter is greatly appreciated.

Sincerely,

Karen Irvin

5629 Freeman Drive

Rocklin, CA 95677

**Response to Letter 39: Karen Irvin, Public Comment Submission**

**Response 39-1:** This comment serves as an introductory statement and does not warrant a response.

**Response 39-2:** This comment states:

The frenzy of construction near me has led me to believe the need to find action against any future development plans for this area. It is astonishing to me that this has not been put to a vote for the residents of Rocklin. The wildlife that has been showing up in my yard has doubled and the occasional skunk or fox or coyote has now been an ongoing spotting. Are there any plans to relocate these animals? But furthermore, the trees? For every tree that is being destroyed and bulldozed to the ground I don't see any way the area can recover. The traffic noise that was blocked by the trees on Aquillar Road are now audible in my yard and whenever I am outside. I am astonished at the sound that was held back by that small area of trees. Not to mention how the trees provided a barrier for the fumes from the traffic that are permeated throughout the neighborhood.

The comment reflects the commenter's concerns for wildlife and trees on the Project site. Habitat/Setbacks and trees are addressed under Master Response 4 and 5. Section 3.4 Biological Resources discusses wildlife observed, and expected to occur in the area, along with habitat conditions on the Project site. It is noted that a portion of the Project site containing the unnamed tributary of Secret Ravine Creek and its associated riparian habitat, are being preserved as open space and serve as a buffer along the creek. To the degree that the creek and riparian area currently serve as a wildlife habitat, it is expected that the Project's preservation of the creek and riparian area will also preserve the ability for wildlife to use that corridor. Most species are mobile and aren't at risk of being killed; however, some species, such as western pond turtle, are not highly mobile and have a greater risk of being killed if they are not relocated. The DEIR includes mitigation measures that require preconstruction surveys for these species, and in the event that they are found, the appropriate relocation measure would be implemented. Additionally, there are breeding periods for some species (i.e. birds) where young are not mobile and are at greater risk. For these situations, the DEIR includes mitigation measures that require preconstruction surveys for nesting birds, and in the event that they are found, the appropriate avoidance measure would be implemented until the young have fledged. This comment is also addressed in Master Response 12.

**Response 39-3:** This comment states:

Can you please tell me why you have decided to put our community at risk in order to proceed with this sort of development? And what I can do to as a citizen to prevent further development? My concerns are many but directly related to the "Save East Rocklin" initiatives in particular:

The City makes decisions to ensure the health and safety of the community. Nothing in the proposed Project puts the community at risk. The proposed Project would result in new development in an area that the City's General Plan has contemplated new development for over a decade. The City recognizes that not all citizens support growth within the community; however, the growth planned under the proposed Project is consistent with long term plans for these properties. The commenter's concerns will be provided to the appointed and elected officials for their consideration.

**Response 39-4:** This comment states:

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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(1) The Draft EIR only addresses traffic impacts on Rocklin Road and Sierra College Blvd and does not address local surface streets like El Don Drive and Southside Ranch Road that will also be impacted by thousands of new vehicles on our local streets as a direct result of the entire College Park 108-acre development.

Refer to response to comment 37-9 regarding traffic impacts on El Don Drive and Southside Ranch Road. It is further noted that the project would add 165 vehicle trips per day to El Don Drive west of Sierra College Boulevard based on the South Village's trip generation in Table 3.14-5 and trip distribution on Figures 3.14-9a and 3.14-9b. The assertion that the project would "add thousands of new vehicles to our local streets" is not accurate when viewed in the industry-standard average daily analysis period context.

**Response 39-5:** This comment states:

(2)The **Table** identifies a 195-unit (not 180-unit) Senior Affordable Multi-Family Land use aka the Sierra College Senior Apartments Project having **No Significant Impact**. In addition, the table's legend states, "quantitative VMT metrics not shown because retail and affordable housing **presumed** to be less-than significant". It is inaccurate to state this 4-story, low-income, "senior" apartment complex (potential nursing home facility), especially given its right-turn-only from Rocklin Road ingress and its **right-turn only** egress onto Rocklin Road will not have "significant" impacts to traffic on Rocklin Road.

Page 3.14-16 of the DEIR describes how the project description includes a 180-unit senior, affordable multi-family development on the South Village. It further explains that when the transportation impact study was being prepared, 195 units were planned at the time. Analyses within the transportation Section are based on the more conservative value of 195 units, and thus may slightly overstate impacts. An assisted living or congregate care type facility, which would include employees, deliveries, visitors, etc. is not proposed. As for the finding of no significant VMT impact, footnote 5 on page 3.14-22 of the DEIR describes how the Office of Planning & Research's Technical Advisory concludes that VMT impacts associated with affordable housing are presumed less-than-significant. A comparison of Tables 3.14-4 and 3.14-5 indicates that senior multi-family housing daily trip rates are 50 percent less than non-age restricted multi-family trip rates. Additionally, while the *Trip Generation Manual* did not contain senior, multi-family affordable category, it is expected that they would generate even fewer trips due to the older age of residents and likelihood for fewer persons per unit and fewer employed persons. Since VMT is the product of the number of daily trips multiplied by trip length, affordable multi-family housing would be expected to generate substantially lower VMT per unit than market-based multi-family. Refer to Response 9.5 for planned improvements along Rocklin Road to accommodate project trips. Impact Statement 3.14-7 contains a detailed discussion of the potential for the project to cause significant impacts to emergency vehicle response. That evaluation concluded that the project would not result in inadequate emergency access.

**Response 39-6:** This comment states:

As a concerned citizen is our only option to vote out those in office to correct this horrific disaster coming to our community? Or filing lawsuits against the city? What can we do to be heard? Please help.

These comments are noted. Nothing in this comment warrants revisions to the text of the DEIR. These comments will be provided to the appointed and elected officials for their consideration.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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Phone: (916) 425-0749

Via Electronic and Hand-Delivered

David Mohlenbrok  
Director of Community Development  
City of Rocklin, Community Development Department  
3970 Rocklin Road  
Rocklin, CA 95677  
Email: [David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)

November 6, 2021

Re: Comments on Draft Environmental Impact Report (DEIR) (State Clearinghouse Number (SCH No.) 2019012056) for the College Park Project and City Approval of Tentative Subdivision Maps, General Plan Amendment, Rezoning, and General Development Plan

Dear Mr. Mohlenbrok:

Please accept these comments on the Draft Environmental Impact Report ("DEIR") for Unnamed Unknown Applicant's (No Applicant Declared by City, Information Withheld) ("Applicant's Unnamed") College Park Project ("Project"). The Unnamed Applicant is seeking approval of Tentative Subdivision Maps, General Plan Amendments, Rezoning, and a General Development Plan for the Project. The Project is the development of the 108.4-acre of land owned by Sierra College over two separate sites being called (North Village and South Village), which will include: Retail Commercial (RC), Business Professional/Commercial (BP/C), Medium Density Residential (MDR), Medium-High Density Residential (MHDR), High-Density Residential (HDR), and Recreation-Conservation (R-C) land uses. Specifically, the proposed College Park Project includes the approval of the College Park GDP, General Plan Amendments, Zone Changes, and Tentative Subdivision Maps to facilitate the development of up to 342 single-family units, 558 multi-family units, 120,000 square feet of non-residential land uses, parking area and other vehicular and non-vehicular circulation improvements, park, recreational amenities, and open space facilities, and utility improvements to support such densities (Also Declared Undefined Total Buildout Numbers based on Future Applications). The City also describes the Project as an urban "In-Fill Project" within the City of Rocklin.

40-1

Comments on this DEIR are submitted in four distinct sections. These sections include:

- Introduction,
- General Comments, and
- Specific Comments relative to the Comparative Requirements with the City of Rocklin's General Plan
- Summary Conclusion

I have reviewed the DEIR and its technical appendices and prepared this response with assistance from technical consultants and local citizens.

### INTRODUCTION

The Project is located on the border of the City of Rocklin and City of Loomis, and borders extensive wetlands and a creek. Thus, both Rocklin's General Plan Amendments and Zoning Changes may cause significant impacts without proper mitigation or amendments to the proposed development plan in the following areas: traffic, health and safety, and other ecological impacts. Due to the location of the project on the Rocklin/Loomis border the City must document coordination with the City of Loomis and Placer County in accordance to Rocklin Land Use Policies to ensure land use compatibility between the two Cities' General Plans and adjoining properties. CEQA requires an EIR to disclose all

40-2

C:/Zenobia/College Park Draft EIR Impacts

1



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potential direct and indirect, significant environmental impacts of a project. (Public Resources Code Section 21100, subd. (b)(1); CEQA Guidelines Section 15126.2, subd.

This DEIR is a large document comprising 3000+ pages with unavailable (or not easily searchable Appendices) that appears to be comprised of "cut and paste" sections and inaccurate characterizations of the project, it's impacts on the community, or accurate response to most of the statutory authority and elements outlined in CEQA document. These general and detailed comments have been prepared and comprised from local interested parties and consultants in the tight timeline for this document's review. We apologize in advance for the brevity and our incomplete review of the approximate 600-page DEIR and over 2400 pages of reference documents. More time combined with at least two City-sponsored public meetings over the 45-day comment period would have allowed a more thorough review, complete understanding and comment response.

As explained below, the proposed Project has been identified to generate a multitude of significant, unmitigated impacts on Rocklin and Loomis citizens and especially children and young adults, which include the areas of Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, Tribal Cultural Resources Utilities and Service Systems, and potential Wildfire risks. The DEIR mischaracterizes, mis-analyzes, underestimates, quotes data and references that do not exist, provides references not associated with any text, lacks detailed information, underestimates and fails to identify many of these impacts which requires the DEIR be corrected and recirculated to comply with the CEQA Guidelines.

40-2 Cont.

With respect to this proposed Project, the DEIR "Fails To:

- Satisfy the basic purposes of CEQA,
- Adequately disclose, investigate, and analyze the Project's potentially significant impacts,
- Provide substantial evidence to conclude that impacts will be mitigated to a less than significant level,
- Set forth an accurate, stable, and finite project description;
- Set forth the environmental baseline that properly characterize the Project site;
- Identify, analyze, and mitigate to the extent feasible, **all the potential significant impacts** that the proposed Project will have on Public Health, Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards, Hazardous Waste, and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, Tribal Cultural Resources Utilities and Service.

The DEIR fails to include this detailed information, details, and facts on the Unnamed Applicant's proposed Project, or even the Unknown Unnamed Applicant's name and relationship with Sierra College's Mission and property ownership. Thus, CEQA requires recirculation of a DEIR for public review and comment when significant new information is added to the DEIR following public review, but before certification (*Public Resources Code Section 21092.1*). In this case, the "new" information would include disclosure of the Unnamed Applicant for the proposed Project, accurate characterization of the Project site(s) and development, accurate and detailed analyses of the proposed Projects' impacts, accurate and timely referenced information in the report, **an accurate and current discussion and analyses of the cumulative impacts from other current and planned construction projects** adjacent to and located in the immediate area, evaluation with the compatibility with the Sierra College Facilities Master Plan, City of Loomis General Plan and Agricultural Zoning, City of Loomis Right to Farm Ordinance, evidence the impacts will have no/little significant impacts, and

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mitigation methods for significant impacts as required in CEQA (See Citizens of Goleta Valley 52 Cal. 3d at 568).

The CEQA Guidelines clarify that new information is significant if the DEIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or a feasible way to mitigate or avoid such an effect (CEQA Guidelines Section 15088.5). Inclusion of the accurate, current, information described above and below supports and justifies the need for an Applicant's CEQA recirculation. The purpose of recirculation is to give the public and other agencies an opportunity to evaluate the new data and the validity of conclusions drawn from it (Save Our Peninsula Comm. V Monterey County Board of Supervisors (1981) 122 Cal App 3d, 813, 822). As explained more fully below, the DEIR does not comply with the requirements of CEQA because the DEIR:

40-2 Cont.

GENERAL COMMENTS

We have reviewed the DEIR and its technical appendices with assistance from technical consultants. Our review team have prepared these general comments on this DEIR for your use and response in an effort to re-create a more accurate response to the CEQA requirements.

- 1. The California Environmental Quality Act (CEQA) Statute and Guidelines requires that the "Unnamed" Applicant adequately disclose, investigate, and analyze the total buildout of 900 single and multi-family units and the projected new population of thousands of new residents in this immediate area where other major projects are underway or planned for the immediate future

The aerial influence and boundaries of these two new proposed construction projects are within the immediate footprint of Sierra College's Campus Facilities Master Plan (FMP) which is discussed further under number 4, below. The FMP includes major development activity underway (funded from the recently approved Bond Act) and is adjacent to or in the immediate vicinity of the North and South Villages. **This combination of concurrent active construction and that proposed in the DEIR nears \$1 Billion of activity in this relatively small area in East Rocklin that comprises approximately 3 square miles including Sierra College.** This massive construction undertaking is then combined with the College student commuter population which in total, will create undue burden on the residents and children from construction traffic, noise, air emissions, stormwater runoff, and congestion. The DEIR fails to evaluate and disclose this major college infrastructure project and the corresponding impacts and effects it will have on the area combined with this proposed Project. Due to this failure the DEIR must be revised and recirculated.

40-3

Both the North and South Village project areas are included together and define as the "Project" in the DEIR. Their impact area now interacts with and directly affects other active construction and planned projects in Rocklin and Loomis. These projects include new residential High-Density apartment complex at the southwest corner of Rocklin Road and Sierra College Blvd. (directly across the street from this larger proposed development project); the Dominican Sisters of Mary Mother of the Eucharist property located on the southeast corner of Rocklin Road and Barton Road also planned for High-Density apartment complex within the City of Loomis. The interaction and cooperation with Rocklin and Loomis are not discussed in detail nor is the total impact of these large developments and their total inclusive impacts. In addition, there are two other residential development underway on Aguilar Road within this DEIR project's proposed development area.



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These cumulative impacts need to be described and analyzed correctly and judged without bias as required by CEQA in the DEIR. The combination of these other concurrent active construction projects in the immediate vicinity nears \$1.2 - \$1.5 Billion of construction activity in this relatively small area in East Rocklin. Failure to identify all current and anticipated projects in the area of the proposed Project is a violation of CEQA and proper cumulative impact analysis. The DEIR must be detailed, complete, and "reflect a good faith effort at full disclosure." (CEQA Guidelines Section 15151; San Joaquin Raptor/Wildlife Rescue Center vs. County of Stanislaus (1994) 27 Cal.App. 4th 713, 721-722). Therefore, the DEIR must be revised to comply with CEQA cumulative impact analysis adequacy requirements and recirculated.

40-3 Cont.

These "cumulative impacts" have not been adequately disclosed nor discussed and may create significant impacts and an undue burden on the residents and children from construction traffic, noise, air emissions, stormwater runoff, and congestion from all the estimated, combined \$1.2 – 1.5 Billion worth of construction in this small area of Rocklin.

Please revise the DEIR and include these discussions on "cumulative impacts" and recirculate the DEIR.

2. The DEIR cites numerous references, web site URLs, data, and source information comprising the document, many of which are incorrect, or outdated. These references also include web site URLs with dead-end web address locations. As we attempted to comprehend this DEIR we followed the reference information and were deeply disappointed and dismayed. We counted over thirty (30) of these incorrect, outdated sources, and dead-end URL address and stopped counting!

This DEIR document and appendices comprise a source volume of 3,000+ pages. Some information and data appear to be "cut and paste" text prepared to satisfy a "check-box" with no sincere attempt to meet CEQA requirements. This fact alone, is sufficient to reject this document's information, data, and conclusions and require a resubmitted accurate volume prepared by experienced, unbiased, professional staff

Here are just a few examples for these incorrect, outdated sources, and dead-end URL address reference quoted in the DEIR:

- ✓ Section 3.3 Air Quality: Bay Area Air Quality Management District (BAAQMD). 2017. Spare the Air: Cool the Climate. April. San Francisco, CA. Available: [http://www.baaqmd.gov/~media/files/planning\\_and\\_research/plans/2017\\_cslu1-air-plan/attachment-a\\_-\\_proposed\\_final\\_cap\\_vol-1.pdf.pdf?e=en](http://www.baaqmd.gov/~media/files/planning_and_research/plans/2017_cslu1-air-plan/attachment-a_-_proposed_final_cap_vol-1.pdf.pdf?e=en)

40-4

**Result upon look-up:** URL NO GOOD – Note 404, Page Not Found, What does a 2017 San Francisco study have to do with City of Rocklin Air Quality?

- ✓ No Reference in Any Chapter: California Air Resources Board (CARB). 2020a. California Greenhouse Gas Emissions for 2000 to 2018. Available: [https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000\\_2018/ghg\\_inventory\\_frense\\_00-18.pdf](https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000_2018/ghg_inventory_frense_00-18.pdf)

**Result upon look-up:** 1) Old data...California Greenhouse Gas Emissions for 2000 to 2018. 2) Not referenced to any chapter in the DEIR. Is this standard copy and paste?

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- ✓ Section 3.9 Hydrology and Water Quality: California Department of Water Resources. 2006 Sacramento Valley Groundwater Basin, North American Sub-basin. Available at: <https://water.ca.gov/legacy/Files/groundwater/bulletin116/basindescriptions/5-21.64.pdf> (accessed May 2020).

**Result upon look-up:** 1) URL NO GOOD, 404 - File or directory not found. 2) Old data – 2006 now 15 years old.

**Please include correct, updated, accurate, references and correct URL web site address for the reader as required by CEQA. Please revise the DEIR and the document's references.**

3. As each Village project is developed, the construction activity and changes to the topography and land use will unavoidably tax limited air, biological, aesthetics, utilities, transportation, and government services, and resources to a significant cumulative extent. The lack of sufficient mitigation measures and incorrect claims of "no significant impacts" associated with each individual project are false. These cumulative impacts will inevitably encroach upon special status species habitat and the campus "Nature Area" as defined in the FMP.

A real-life example of these cumulative impacts just happened on El Don Road at the intersection of the Secret Ravine tributary stream near Monte Verde Park and Corona Circle. The recent rain event in late October washed out the upstream headwall in the El Don Road nearly washing out the road crossing. And, this event happened "without" the proposed South Village building that will result in increased rapid runoff impacting the wetland and creek water quality and hydrology. This event was caused by the new construction and impervious surfaces that have been constructed in the last two years.

**Photo # 1:**

Photo depicts the "Road Closure" located at El Don Road and the creek undercrossing at the upstream headwall for El Don Road. The creek the Secret Ravine tributary adjacent to Monte Verde Creek that is adjacent to the proposed South Village location.



The result of this road closure directly impacted the residents on Corona Circle. A family with a baby suffered the total loss of their home when it burned beyond repair. The El Don Road access road was closed due to the construction from the recent flooding. The Rocklin Fire Department needed extra time to detour and traverse the next available thoroughfare Aguilar Road, which is also under repair.

40-4 Cont.

40-5

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This recent "example" documented in pictures and text above depicts typical likely outcomes from a lot of construction activity, closed access roads, and inadequate ingress and egress routes.

The proposed construction activity of the North and South Villages in addition to the Sierra College FMP nears \$1 Billion of construction activity which results in limited access, periodic road closures or diversions, and increased traffic can result in chaos.



Photo #2:

Photo taken on November 1, 2021, with the view looking East. This picture depicts the total destruction of a resident's home. This destruction is partially due to delays from the El Dor Road closure from the recent rainfall event in October. Resident witnesses reported that the Roseville Hook and Ladder Truck arrived before Rocklin fire truck.

The final toll taken by this aggressive conversion of public lands for a college campus to intense urban land uses on Rocklin's planned low density residential and campus learning neighborhood, public health, traffic, air quality, and natural resources, are being experienced by the residents now. For example, impacts from current construction and increased traffic is evident by reviewing the Rocklin Police Departments' recent publication on traffic accident records. Sierra College Blvd and Rocklin Road interactions are listed the top 2 – 5 most accident-prone intersection in Rocklin over the last 6 months. Plus, there have been increased complaints from the local residents about noise and failure for the Contractors to comply with the requirements in their building permits for "noise" and "start and ending" work shift times. The mounting evidence of detrimental impacts from intense urban development surrounding a college campus environment shows that the current impacts are real and are significant. Together these additional cumulative impacts will be even more severe. The DEIR provides no Traffic Engineered roadway improvements to reduce traffic hazards and conflicts between vehicle traffic and pedestrian traffic within college neighborhood.

The interaction and multiple impacts of these projects are not discussed. This lack of detail conflicts with CEQA requirements and needs to be corrected. Plus, the Rocklin citizens have not been presented with an accurate and clear representation of the DEIR's proposed impact on them and the community. This total impact of these construction projects in this immediate area will include 5,000 – 10,000 new residents and thousands of daily Sierra College commuters! This new increased population represents a significant increase of approximately 9 – 15% (depending upon final buildout) in this relatively small area of southeast Rocklin.

These discussions have not been adequately addressed OR have been mis-represented with a bias viewpoint in the DEIR. Please include these discussions on cumulative impacts and revise the DEIR with more complete, correct, and, accurate details as required by CEQA. Please recirculate the DEIR as required by CEQA Guidelines.

40-5 Cont.

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4. The Sierra College FMP is being implemented now and includes constructing the new 1,500-parking garage structure, infrastructure improvements-electrical service, data service, water service, sanitary sewer service, and storm water systems. The FMP which is being carried out presently is working on infrastructure improvements-electrical service, data service, water service, sanitary sewer service, and storm water systems. Each year over the next five years the Sierra College Campus has planned demolition of buildings and reconstruction, which include: Student Union, Science Building Phase I, Student Housing, Public Training Safety Center, West Placer CSUS Transfer Center, Performing Arts Center, Vocational Instructional Building, Expanding Parking by over 2,000 parking spaces with an additional Parking Structure, and Rocklin Road improvements.

As each project is developed, the needs of each individual project will unavoidably tax limited air, biological, aesthetics, utilities, transportation, and government services resources to potentially significant cumulative extent. The final toll taken by this aggressive conversion of public lands for a college campus to intense urban land uses on Rocklin's planned low density residential and campus learning neighborhood, public health, traffic, air quality, and natural resources, may not be known for several years or longer. Mounting evidence of detrimental impacts from intense urban development surrounding a college campus environment shows that the effects will almost certainly be severe. These easily referenced facts and discussions do not appear in the DEIR.

**These discussions have not been adequately addressed OR have been misrepresented with a bias viewpoint in the DEIR. Please include these discussions on cumulative impacts especially including cumulative impacts from the Sierra College FMP. Kindly revise the DEIR with more complete, correct, and, accurate details as required by CEQA.**

5. In addition, Sierra College's FMP calls for the Nature Area of the Campus be protected. The proposed project is immediately across the street from the Nature Area and the South Village is immediately adjacent to a sensitive wetland and nature area. The FMP states: "Nature Area: The nature area is a unique biological asset to the Rocklin Campus and a rare feature for a community college campus. Many disciplines use this outdoor space for educational purposes. To preserve the uniqueness of the nature area, it is the desire of the FMP task force to minimize encroachment of new development, both in size and nature of impact, into this portion of the Campus."

The proposed intense development is directly contrary to the policies of Rocklin's General Plan elements and implementation elements of the FMP. The biological resources of the nature areas owned by the Sierra College campus surrounding the City of Rocklin Monte Verde Park and the area between the freeway and the main campus will be severely impacted.

In this case the Project is a particularly significant threat to biological resources in the ecological regional subarea. The Project will directly impact and interrupt wildlife pathways and corridors along the creeks and wetlands through Loomis and eventually to Folsom State Park and Reserve. The DEIR lacks substantial evidence to support the City's finding that the Project's cumulatively considerable impacts to biological resources will be mitigated to less than significant. We believe the DEIR sections addressing evaluations from this Projects' impacts to air quality, cultural resources, water quality and wetlands, floodplains and watersheds, impacts on existing residents/citizens, human ecology, noise, fish and wildlife, open space, parks, forests, and trees, and outdoor recreation areas have NOT been addressed by the DEIR authors and reviewers. Please include the correctly cited, accurate references and the demonstrated experience and qualifications of the staff that prepared and evaluated this portion of the DEIR to support the

40-6

40-7

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document's statements, conclusions, and recommendations claimed in these development Plans. The "analyses" should include the name of the qualified firm, the reports' authors, signatures, dates of field surveys, observations, and quality control reviewers as supporting evidence.

The Project's location is adjacent to historic agricultural land uses and open space (not infill areas) and between two sensitive creeks (Secret Ravine Creek is a salmon stream) and wetlands will significantly impact and sever east Rocklin's wildlife corridors and habitats. The Project, even more so than neighboring projects, will result in significant, cumulative, considerable impacts to special-status species and connectivity and preservation of their habitats.

40-7 Cont.

It is essential that the City adequately identify and analyze the Project's foreseeable direct, indirect, and cumulative impacts. It is also imperative that any and all feasible mitigation measures to reduce significant impacts be presented and discussed. CEQA requires these discussions, consideration, unbiased opinions, and identification of mitigation measures and nothing less.

Kindly revise the DEIR to include more complete, correct, and, accurate details as required by CEQA.

6. The DEIR for example claims the Project is an "Infill Project" which mischaracterizes the environmental setting of the Project resulting in the analysis to be misanalysed and underestimated concerning potential impacts. But rather this land does not meet the definition of "Infill Project" which is established by *California Health and Safety Code, Division 31-Housing and Home Finance, Part 12 Housing and Emergency Shelter Trust Fund Act of 2006, Chapter 2 Housing and Emergency Shelter Trust Fund of 2006 and Program, Section 53545.16, subsection (d) and € which states:*

*"Qualifying infill area" means a contiguous area located within an urbanized area (1) that has been previously developed, or where at least 75 percent of the perimeter of the area adjoins parcels that are developed with urban uses, and (2) in which at least one development application has been approved or is pending approval for a residential or mixed-use residential project that meets the definition and criteria in this section for a qualified infill project."*

40-8

€ (1) "Qualifying infill project" means a residential or mixed-use residential project located within an urbanized area on a site that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses.

(2) A property is adjoining the side of a project site if the property is separated from the project site only by an improved public right-of-way.

The statement that the Project is an "Infill Project" is false making the whole analysis flawed based on that characterization of the Project area. The first criteria that describes "Qualifying infill" requires that the land was previously developed. The evidence is that this land has never been developed, but rather was donated to Sierra College for the intent and purpose as public lands to provide space to accommodate needs of the Sierra College Campus. This definition and the resulting false characterizations are important because "*contiguous area located within an urbanized area (1) that has been previously developed...*" means IF this land had been previously developed there would be existing infrastructure to support the new proposed development that could be expanded without the dependence on City and Citizen resources or funding to support the

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Developer's Plan. This land has not been developed and provides a valuable contribution to the open space and "preservation of natural resources and health and safety" elements in Rocklin's General Plan elements. The claim this is an "infill project" and the lack of consideration and respect for Rocklin's General Plan has been ignored.

The second factor under criteria number 1 above is that at least 75% of the perimeter of the area adjoins parcels that are developed with urban uses. The adjoining parcels in the City of Loomis which make up over 50% of the perimeter, are agricultural lands and have never been developed with urban uses nor have they been planned for urban development. This criteria requires that at least one development application has been approved for a residential or mixed-use residential project that meets the definition and criteria for a "qualified infill project". Again, the Project site does not meet criteria 2 since it has never had a residential or mixed-use residential project approved. In addition, the North Village Project site is also on the very edge of the City of Rocklin city limits adjacent to rural agricultural land uses. Its previous history was of agricultural uses not a site characterized as being in the middle of urban land uses. The South Village project borders the sensitive riparian areas, a flowing creek, and wetlands again, with no previous land use.

40-8 Cont.

Wetland and sensitive riparian areas require very detailed assessment reports on Hydrology and Wetland Assessments and Environmental Species and Environmental Assessments in accordance with the United States Army Corps of Engineers (USACE) Wetland Delineation Manual and the Clean Water Act, Section 404 permit program. The South Village will encroach upon and directly impact sensitive riparian areas and wetlands and tributaries.

This DEIR has mischaracterized these North and South Village areas for proposed construction as "qualified infill projects" which is incorrect and a FATAL FLAW in this document.

Kindly revise the DEIR with more complete, correct, and, accurate details as required by CEQA.

7. The DEIR has not discussed the details of how, who, and when the infrastructure required for these ignored impacts of major increased density will be budgeted and paid for. For example, how will the expansion of clean water services from Placer County Water Agency (PCWA) be accommodated? Will there be increased rates to pay for this expansion burdened upon the existing customers or will the Developer and new residents pay for the expansion and can the Unknown Applicant guarantee that any new fees will cover all expenses for capital improvements and now, increased maintenance for PCWA? Another example includes the required expansion of the existing trunk line that parallels the tributary adjacent to the South Village creek and wetland. How will this capital improvement of the wastewater trunk line upgrade be funded? Will the South Placer Municipal Utility District (SPMUD) increase rates to pay for this SPMUD expansion be burdened upon the existing customers or will the Developer and new residents pay for the expansion? Can the Unknown Applicant guarantee that any new fees will cover all expenses for capital improvements and the increased maintenance for SPMUD?

40-9

How will the capital improvement of the PCWA water supply and the SPMUD wastewater trunk line upgrade be funded? Will PCWA and SPMUD burden the existing customers or will the Developer and new residents pay for the expansion? Can the Unknown Applicant guarantee that any new fees will cover ALL expenses for capital improvements AND the increased maintenance for PCWA and SPMUD?

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Kindly revise the DEIR with more complete, correct, and, accurate details as required by CEQA.

40-9 Cont.

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 SUMMARY of UNKNOWN APPLICANT's DEIR for the COLLEGE PARK PROJECT PLAN -  
 COMPARED to ROCKLIN's GENERAL PLAN REQUIREMENTS

The City of Rocklin's General Plan includes key elements titled "Open Space, Conservation and Recreation Elements" that provide a description of the unimproved lands and water that are to be devoted to natural uses through General Plan land use designations, and include a description of existing and planned recreation sites and facilities. These "Open Space and Conservation Elements" are mandatory elements of the General Plan (they must be included). The Rocklin General Plan Open Space and Conservation Elements are:

"The Conservation Element addresses the conservation, development, and utilization of natural resources. Conservation of water resources, heritage trees, soils and geologic features, creeks and riparian habitat, plants and wildlife, flood protection, energy, air quality, minerals and cultural resources is relevant to the Rocklin planning area and included in this Element. The goals and policies for this Element reflect an increased emphasis on protection of valued natural resources as the community continues to develop, and provide specific direction as to how that protection should occur" .....

"The Open Space Element is intended to guide the comprehensive and long-range preservation and conservation of "open space land," which is defined in State law as any parcel or area of land or water that is essentially unimproved and devoted to open space use. The Open Space Element must address the following topics to the extent that they are locally relevant:

40-10

- Open space for the preservation of natural resources,
- Open space for the managed production of resources,
- Open space for outdoor recreation
- Open space for public health and safety
- Demands for trail-oriented recreational use,
- Retention of all publicly-owned City and County trail routes with appropriate segments of the California Recreational Trails System

Planning for the preservation of the natural environment and the development and maintenance of parks and recreation facilities enhances the quality of life in a community. Providing open space area benefits the environment through the preservation of critical lands, combating air pollution, and attenuating noise. The local community also benefits from the recreational and educational opportunities that parks and open spaces provide. *Finally, natural areas and parks can help to shape urban growth in a community and bolster local economics by increasing property values."*

*Conversely, the absence of natural areas and parks while increasing development over-taxes the existing parks and open spaces in a community and will negatively impact the local economics by decreasing property values.*

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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### Summary of Unknown Applicant's Plan Compared to Requirements in Rocklin's General Plan.

These "General Plan" requirements are very detailed and clearly outline the absolute "must have" requirements in an Unknown Applicant's Development Plans and must be thoroughly presented and analyzed in the DEIR. Please review Table 1 titled, Draft Environmental Impact Report (DEIR) for the College Park Project - Summary of Unknown Applicant's Plan Compared to Requirements in Rocklin's General Plan.

Table 1 provides a summary of these General Plan elements and a detailed evaluation on how/if the Unknown Applicant's DEIR Plans meet the requirements. The various required elements of the General Plan above are summarized in the left-hand column. These elements are subjected to a technical review on whether/how each parcels' proposed development element compares to the requirements to Rocklin's General Plan - Open Space and Conservation Elements. "The Open Space and Conservation Elements are mandatory elements of the General Plan (they must be included)." This analysis explains these elements and the corresponding "reason" why a College Park element for the North and South Village "met", "partially met", or "failed" the requirements listed in the table:

1. "The Open Space, and Preservation of Natural Resources and the Open Space, Managed Production of Natural Resources elements both provide a description of the lands and water that are unimproved and are to be devoted to natural uses through General Plan land use designations. Our analysis shows that both sites in the proposed College Park development Plan "FAIL" to meet these criteria because of the lack of consideration for the details included in these two elements, the lack of open space, and disregard for the preservation of natural resources.

The Rocklin General Plan also emphasizes, "Connectivity of habitat and open space areas is another important issue that is addressed in the General Plan policies related to the preservation of open space for natural resources. This Element establishes a standard for developing 5 acres of parkland for each 1,000 residents." (P 4B-2)

**The open space for preservation of natural resources and parks and the required connectivity of habitat is specifically absent in the Unknown Applicant's Plan outlined in the DEIR. Both College Park parcel features FAILED to demonstrate this requirement.**

2. "The Open Space, Outdoor Recreation and Open Space, Public Health and Safety elements both provides a description of the lands and water that are unimproved and are to be devoted to natural uses and focus on recreation and public health and safety through General Plan land use designations. These Conservation Elements address, "Conservation of water resources, heritage trees, soils and geologic features, creeks and riparian habitat, plants and wildlife, flood protection, energy, air quality, minerals and cultural resources is relevant to the Rocklin planning area and included in this Element. The goals and policies for this Element reflect an increased emphasis on protection of valued natural resources as the community continues to develop, and provide specific direction as to how that protection should occur." (Rocklin General Plan, P 4B-1). These Open Space and Conservation Elements are mandatory elements of the General Plan (they must be included).

40-10 Cont.



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Applications for development entitlements are required to show the actual boundaries of open space, resource and conservation areas or items such as slopes, floodplains, riparian areas, wetlands, treed areas, significant habitat and other topographic features, as well as the buffer areas necessary to protect them, (City of Rocklin General Plan Page 4B-3).

There North Village area has limited detail on the Unknown Applicant's Plan and little or no attempt to provide for playing fields, or wide-open areas for recreation and for public health and safety. There is a small area but not nearly sufficient nor consistent with the population associated with 558 family units and a large residential complex. The South Village is severely lacking in this category of open space for recreation. The analysis in Table 1 shows the North Village partially meets the open space for recreation and the South Village Failed in this criterion.

Both Village areas FAIL in the criterion for public health and safety since there will be very limited emergency escape routes on the extremely narrow and congested roads in the North Village. Similarly, the south Village has extremely limited access with one way in and one way out causing concern for emergency escape routes from wildfires or flooding.

There is very limited detail on the Unknown Applicant's Plan and little or no attempt to preserve floodplains, riparian areas, wetlands, savannah areas, treed areas, significant habitat and other topographic features, as well as the buffer areas necessary to protect them. The South Village actually disrupts riparian and savannah areas, wetlands, the creek habitat, and disregards preserving open space corridors. Both College Park parcel features FAILED to accommodate for this requirement.

3. The Open Space element for Trail-Oriented Recreational Use is included the General Plan and also includes the requirement for City Retention of all Publicly-Owned City and County.

The General Plan states, "... open space goals and policies, which in turn reflect the high interest expressed by Rocklin residents in the community survey in preserving remaining areas for open space and outdoor recreation." And also states, "Linear green space along creeks and other corridors is encouraged, while recognizing that issues related to maintenance, security and access must also be addressed. Linear open space areas can also be multi-purpose, including bicycle and pedestrian paths."

Although, the City and residents have taken a leading role in preserving areas for open space and recreation including trails in developing areas, this passion is not apparent in the Unknown Applicant's Plan presented in the DEIR. The trails and pathways are partially present in the North Village Plan but again, are not nearly sufficient nor consistent with the population associated with 558 family units and a large residential complex. The South Village is severely lacking in open space for recreation and trails.

The North Village area has limited detail on the Unknown Applicant's Plan for Trail-Oriented Recreational Use but not nearly sufficient nor consistent with the

40-10 Cont.

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population associated with 558 family units and a large residential complex. The South Village is severely lacking in this trail requirement category.

The analysis in Table 1 shows the North Village partially meets the trail criterion and the South Village Failed this criterion.

4. The General Plan also includes an Element that establishes a standard for developing 5 acres of parkland for each 1,000 residents. It also establishes park location guidelines and park standards, which are intended to set forth City requirements for future park and recreational facilities.

The City and residents have a deep appreciation for open space, recreation, and especially parks. This appreciation is not apparent in the Unknown Applicant's Plan presented in the DEIR. The Unknown Applicant's Plan displays some open space but no real parks that provide space youth soccer, football, or baseball fields or park play equipment. Some open space is available in the North Village Plan but again, are not nearly sufficient nor consistent with the population associated with 558 family units and a large residential complex. The South Village is severely lacking in open space for parkland.

The North Village area has limited detail on the Unknown Applicant's Plan and attempt to provide for recreational parks. There is a small area but not designated as a "park". Again, areas for parks are not nearly sufficient nor consistent with the population associated with 558 family units and a large residential complex. The South Village is devoid of open space for recreational parks. It appears the only open space is marsh and wetlands where it is illegal or severely costly to build and mitigate for sensitive area destruction.

The analysis in Table 1 shows the North Village partially meets the open space for recreation and the South Village Failed in this criterion.

5. The General Plan also includes an Element that establishes a standard for preserving Cultural Resources (archaeological and historical) in the parkland and recreational requirements. The City of Rocklin has a proud past. Statements from the General Plan on cultural resources include, "Identifying and protecting the community's cultural and historic resources benefits those who will follow in future generations by protecting a sense of history and ensuring that an historic perspective is retained. Such activities also benefit those who live in the City today by providing a longer-term perspective that may encourage balance in making planning decisions for the type of community to be created through the ongoing development process. This Element includes policies that encourage recognition of historic structures and a stronger recognition of the City's history." **There appears no attempt to locate, identify, nor preserve cultural resources (archaeological and historical).**

The North and South Village areas do not display any indications for preservation of Cultural Resources, archaeological nor historical.

The analysis in Table 1 shows both the North and South Villages Failed in this criterion.

40-10 Cont.

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6. In addition to the "must have requirements" and "standards" in Rocklin's general Plan we have included details on Rocklin's Flood Hazard Ordinance that restricts/prohibits unsafe land use in flood prone areas, to control alteration of natural flood plains, control development activities that would increase floodplain danger as detailed in Rocklin Mun. Code Ch 15.16. The analysis whether the Unknown Applicant's Plans on the North and South Villages comply with this Code is included in Table 1.

The Unknown Applicant's Plan displays significant revisions to the North Village parcel from agricultural land to predominantly impervious coverage with building rooves and parking lots which will significantly impact the Secret Ravine Creek's hydrograph and potential downstream flooding.

The Unknown Applicant's Plan displays significant revisions to the South Village parcel from sensitive riparian, wetland, and savannah areas to predominantly impervious coverage with building rooves and parking lots which will significantly impact this Secret Ravine Creek tributary creek's hydrograph and potential downstream flooding. Specifically, earlier in this letter report we displayed a very recent photo of significant flooding damage to this road from recent October storm event. This damage was "an indicator" of the needed infrastructure upgrades and attention we need to pay toward riparian and savannah areas that act as sponges during severe storm events. As we continue to destroy and eliminate these critical habitat areas and replace them with predominantly impervious coverage with building rooves and parking lots we significantly impact the Creek's hydrograph and increase the potential for downstream flooding – which is exactly what we received and witnesses from the October storm.

40-10 Cont.

The North Village area has some detail on the Unknown Applicant's Plan to comply with Rocklin's Flood Hazard Ordinance that restricts/prohibits unsafe land use in flood prone areas, to control alteration of natural flood plains, control development activities that would increase floodplain danger. More Open Space, and Parks and stormwater containmentment features like rain gardens, stormwater capture and reuse would provide better compliance.

We rated the North Village as Partially Meeting the requirements.

The South Village area has limited detail on the Applicant's Plan to comply with Rocklin's Flood Hazard Ordinance that restricts/prohibits unsafe land use in flood prone areas, to control alteration of natural flood plains, control development activities that would increase floodplain danger. The Applicant's Plan appears to have insufficient facilities for stormwater and flood control due to its proximity to the riparian, wetland areas, and creek. Features like rain gardens, stormwater capture and reuse, more open space would provide better compliance but we don't see those details.

We rated the South Village as FAILING these requirements.

**SUMMARY CONCLUSION**

We have demonstrated there appear to be at least three "FATAL FLAWS" in the Unknown Applicant's DEIR (State Clearinghouse Number (SCH No.) 2019012056) for the College Park Project

40-11

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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and City Approval of Tentative Subdivision Maps, General Plan Amendment, Rezoning, and General Development Plan. These Fatal Flaws include:

- ✓ The DEIR cites numerous references, web site URLs, data, and source information comprising the document. A great many of these references, web site URLs, data, and source information are misleading, outdated, and include web site URLs with dead-end web address locations. We stopped counting these incorrect references after 30 frustrating attempts. Please revise the DEIR text and provide accurate document's references.
- ✓ This DEIR has mischaracterized these North and South Village areas for proposed construction as "qualified infill projects" which is incorrect and a FATAL FLAW in this document. Kindly revise the DEIR with more complete, correct, and, accurate details as required by CEQA.
- ✓ There are numerous "key elements" and "must-have requirements" cited in Rocklin's General Plan. The Unknown Applicant's DEIR "FAILS to meet numerous requirements such as:
  - little or no attempt to preserve floodplains, riparian areas, wetlands, treed areas, significant habitat and other topographic features, as well as the buffer areas necessary to protect them,
  - the connectivity of habitat is specifically absent in the Unknown Applicant's Plan.
  - Applicant's Plan for the South Village does not appear to comply with Rocklin's Flood Hazard Ordinance that restricts/prohibits unsafe land use in flood prone areas, to control alteration of natural flood plains, control development activities that would increase floodplain danger
  - Both the North and South Villages Plans display very limited detail on the Unknown Applicant's Plan and little or no attempt to preserve floodplains, riparian areas, wetlands, savannah areas, treed areas, significant habitat and other topographic features, as well as the buffer areas necessary to protect them.

The College Park Draft EIR clearly does NOT comply with Rocklin's General Plan, Chapter 3.10, Land Use and Planning Requirements Open Space, Conservation, & Recreation Elements' Absolute "Must Have" Requirements. The Draft EIR contains many pages of fluff, lacks significant details where it's really needed, and displays poor and biased comparisons to requirements. In addition, the document does not:

- ✓ consider open space for preservation of natural resources,
- ✓ nor for public health and safety,
- ✓ nor for open space for outdoor recreation,
- ✓ the pedestrian walkways and too narrow and inadequately shielded from traffic,
- ✓ there are no or plainly inadequate considerate for alternate means of transportation like bikeways or walking trails. The linear open space areas can should be multi-purpose and include bicycle and pedestrian paths.
- ✓ There is a clear disregard for connectivity of habitat and General Plan policies related to the preservation of open space for natural resources.
- ✓ The Draft EIR missed an opportunity for linear green space along creeks and corridors and disregarded the issues related to maintenance, security and access which must be addressed.

40-11 Cont.

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The College Park Draft EIR clearly does NOT comply with Rocklin's General Plan, Chapter 3.10, Land Use and Planning Requirements Open Space, Conservation, & Recreation Elements' Absolute "Must Have" Requirements

In summary, we have demonstrated the College Park Draft EIR is inadequate and does not comply with current CEQA regulations for these "Plan" developments of 1,000 new homes, consider cumulative impacts, meet the requirements in Rocklin's General Plan, and little or no attempt to preserve floodplains, riparian areas, wetlands, savannah areas, treed areas, significant habitat and other topographic features, and buffer areas necessary to protect them. We recommend this document be re-published with the fatal flaws corrected, ALL the concurrent, cumulative impacts be disclosed, discussed, and analyzed for mitigation alternatives.

Thank you for the opportunity to submit these comments on the College Park DEIR. We look forward to open discussions on improving the document, resolving these issues with the CEQA non-compliance requirements, and the local community.

Sincerely,



*Kent Zenobia*  
 11/6/2021

Kent Zenobia, PE  
 American Academy of Environmental Engineers-  
 Board Certified Environmental Engineer (BCEE)

American Society of Civil Engineers, (ASCE),  
 Outstanding Lifetime Civil Engineer Award, 2020 for  
 Community Service and Outstanding Accomplishments

40-11 Cont.

This summary information, conclusions, and recommendation have been provided based upon the data, references, and Plan information presented on the City of Rocklin's web site for the:

*Draft Environmental Impact Report (DEIR) (State Clearinghouse Number (SCH No. 2019012056) for the College Park Project and City Approval of Tentative Subdivision Maps, General Plan Amendment, Rezoning, and General Development Plan*

Other information was obtained from research, local experts, and citizens that provided valuable input into this summary report. Please recognize that this total information package on the College Park Project comprises approximately 3,000 pages including the DEIR, references, and web site references some of which are inaccessible and require correct referencing. This lack of accurate detail and referencing are a Fatal Flaw in the document because statements and conclusions are based upon incomplete, inaccurate, and/or out-of-date information.

This Summary Report analyses, conclusions, and recommendations herein have been prepared with the intent to complete an independent review and assessment of the documents related to this Proposed College Park Plan and Amendments and its potential compliance with applicable Federal, State, and local requirements, and CEQA, including the required complete detailed cumulative impact analyses for this proposed project

**Table 1 - Draft Environmental Impact Report (DEIR) for the College Park Project  
Summary of Applicant's Plan Compared to Requirements in Rocklin's General Plan**

See "KEY" to Table on P2

Reference: City of Rocklin Web Site - Rocklin General Plan, Open Space, Conservation, and Recreation Element – Absolute "Must Have" Requirements, Pages 4B-1 through 4B-34

/o City of Rocklin General Plan Elements	Sierra College Blvd / Rocklin Rd Parcel North Village			Rocklin Rd Parcel South Village		
	Meets Requirement	Fails to Meet Requirement	Reason See Summary Letter Explanation	Meets Requirement	Fails to Meet Requirement	Reason See Summary Letter Explanation
Open Space, Preservation of Natural Resources		X	1		X	1
Open Space, Managed Production of Natural Resources		X	1		X	1
Open Space, Outdoor Recreation	P		2		X	2
Open Space, Public Health and Safety		X	2		X	2
Demands for Trail- Oriented Recreational Use	P		3		X	3
Retention for all Publicly-Owned City and County Trails		X	3		X	3
P 4B-2 Establish Park Location and Park Std: City Requirements for Future Park and Recreational Facilities	P		1, 2, 3, especially 4		X	1, 2, 3, especially 4
Development Entitlements are Requirements: Show Boundaries of Open Space, Resource, and Conservation ....		X	1, 2, 3, 4	X		1, 2, 3, 4

of 2

**Table 1 - Draft Environmental Impact Report (DEIR) for the College Park Project  
Summary of Applicant's Plan Compared to Requirements in Rocklin's General Plan**

See "KEY" to Table on P2

Reference: City of Rocklin Web Site - Rocklin General Plan, Open Space, Conservation, and Recreation Element – Absolute "Must Have" Requirements, Pages 4B-1 through 4B-34

City of Rocklin General Plan Elements	Sierra College Blvd / Rocklin Rd Parcel North Village			Rocklin Rd Parcel South Village		
	Meets Requirement	Fails to Meet Requirement	Reason See Summary Letter Explanation	Meets Requirement	Fails to Meet Requirement	Reason See Summary Letter Explanation
Standard: 5 Acres of Parkland for Each 1,000 Residents	P	1, 2, 3, especially 4	1, 2, 3, 4		X	1, 2, 3, especially 4
Cultural Resources (archaeological and historical)		X	5		X	5
Rocklin Mun. Code Ch 15.16: Flood hazard ordinance restricts/prohibits unsafe land use in flood prone areas, to control alteration of natural flood plains, control development activities that would increase floodplain danger	P		6, Fails to control alteration of natural flood plains, fails to control development activities that would increase floodplain danger		X	6, Displays unsafe land use in flood prone areas, fails to control alteration of natural flood plains, fails to control development activities that would increase floodplain danger
<b>KEY</b>						
X	Fails Requirement					
✓	Meets Requirement					
P	Partially Meets Requirement					

*Zof Z*

### **Response to Letter 40: Kent Zenobia, Board Certified Environmental Engineer**

**Response 40-1:** This comment serves as an introduction, summarizing the project, and emphasizing that no Applicant is named or declared.

The Project applicants are Evergreen Sierra East, LLC, or Cresleigh Homes Corporation, and USA Properties Fund, Inc., and the owner of the Project sites is the District. Applications for entitlements are on file with the City of Rocklin. These applications name the Project applicants, whom have been actively meeting with members of Rocklin City staff, Sierra College Staff, and the Rocklin community in order to work with them to address concerns, respond to policy requirements, and ultimately provide hundreds of new housing units at a time of a statewide housing crisis.

It is noted that CEQA does not require that a DEIR disclose the identity of an applicant, as such information is not relevant to environmental impact analysis. In an analogous context, CEQA case law has held that the name of the “end user” for a project is irrelevant to the adequacy of environmental review. (See *Maintain Our Desert Environment v. Town of Apple Valley* (2004) 120 Cal.App.4th 396, 442 [an adequate project description does not “require disclosure of the end user of the project”].) Thus, an EIR can be perfectly adequate from a legal standpoint even if the Project applicants are unknown. Even so, this response represents a disclosure of the entities (Evergreen Sierra East, LLC, or Cresleigh Homes Corporation, or USA Properties Fund, Inc. as the formal Applicants).

**Response 40-2:** This comment is introductory commentary with several general comments that are discussed in more detail in subsequent comments. The comment indicates that the project would cause significant impacts without proper mitigation or amendments, and that due to the location of the project the City must coordinate with the City of Loomis and Placer County to ensure land use compatibility. The comment indicates that the document is large and difficult to search. The comment indicates that there are inaccurate characterizations of the project, its impacts, and response to statutory authority and elements of CEQA. The comment indicates that more time was needed to review the document, and two City-sponsored public meetings would have allowed a more thorough review. The comment indicates that the Project would have a multitude of significant unmitigated impacts including aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services and Recreation, Transportation and Traffic, Tribal Cultural Resources, Utilities and Service Systems, and Potential Wildlife risks. The comment provides six bullets discussing areas where the commenter feels that the DEIR fails. The commenter indicates that recirculation of the DEIR is required because there is “new” information necessary to disclose the applicant and to provide more accurate detailed analysis, including an evaluation of compatibility with the FMP, Loomis GP and Agricultural Zoning, and Loomis Right to Farm Ordinance.



It should be noted that both the County and Town of Loomis received a copy of the Notice of Preparation and the Notice of Availability for the DEIR. This included notice of the Scoping Meeting. This noticing effort by the City of Rocklin is an appropriate process by which the City seeks to consult with neighboring jurisdictions.

A DEIR was prepared for public review and there are individual chapters that specifically address each environmental topic discussed in this comment. It is noted that the commenter disagrees with the conclusions provided in the Draft EIR, although the commenter does not provide substantial evidence in support of these disagreements. It is noted that once a lead agency has prepared an EIR, the factual conclusions in the document will be upheld by a reviewing court if they are supported by substantial evidence. In this case, the DEIR provides substantial evidence in support of the conclusions, and the public process represents a good faith effort on the part of the City to disclose the impacts and the evidence that support these conclusions. It is noted that substantial evidence put forward by a project opponent does not change the judicial deference to which lead agencies are entitled. Even where project opponents support their attacks with true expert evidence, a lead agency may choose to rely on contrary substantial evidence as found in its DEIR. “Disagreement among experts does not make an EIR inadequate[.]” (CEQA Guidelines, § 15151.)

When reviewing an EIR, a court does “not exercise [its] independent judgment on the evidence, but shall only determine whether the act or decision is supported by substantial evidence in the light of the whole record.” (Pub. Resources Code § 21168; see also *id.*, § 21168.5.) (Mani Brothers Real Estate Group v. City of Los Angeles (2007) 153 Cal.App.4th 1385, 1396–1397 (Mani Brothers).) “For CEQA purposes substantial evidence is defined by statute as including ‘fact, a reasonable assumption predicated upon fact, and expert opinion supported by fact.’ ([Pub. Resources Code] § 21080, subd. (e)(1).)” (*Id.* at p. 1397.) “Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence.” (Pub. Resources Code, § 21082.2, subd. (c).)

Even where the question is whether a DEIR is sufficiently detailed to adequately and meaningfully address a particular significant environmental effect, an agency’s “underlying factual determinations—including, for example, an agency’s decision as to which methodologies to employ for analyzing an environmental effect—may warrant deference.” (Sierra Club v. County of Fresno (2018) 6 Cal.5th 502, 516 (Sierra Club).) “[T]o the extent a mixed question requires a determination whether statutory criteria were satisfied, *de novo* review is appropriate; but to the extent factual questions predominate, a more deferential standard is warranted.” (*Ibid.*)

Again, there are not any specific information errors, oversights, or information gaps presented by the commenter that are actionable and could be considered by the City for incorporation into the DEIR, instead the commenter is silent on specifics in the DEIR. As discussed elsewhere in this Final EIR (i.e. Response 8-2), the City has prepared the DEIR in good faith, and it has been the City’s policy

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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to engage the public for information that could help improve CEQA documents, including revisions to, or new and feasible, mitigation measures that reduce environmental impacts.

**Response 40-3:** This comment discusses the development of the proposed project relative to other projects in the area, including College Campus facilities identified in the FMP. The theme of this comment is that each new project places a burden on residents and children from traffic, noise, air, stormwater runoff, and congestion. The comment indicates that the DEIR fails to evaluate major college infrastructure projects. The commenter cites other projects and indicates that the cumulative impacts were not adequately addressed.

Each of the specifically listed topics have an individual Section in the DEIR whereby an environmental setting, regulatory setting, and impact analysis with mitigation requirements are presented. These topics were sufficiently analyzed, the results of which have been publicly disclosed in the Draft EIR.

The comments regarding cumulative analysis are addressed under Response 8-25.

**Response 40-4:** This comment indicates that the DEIR cited resources of data and technical information used to create the DEIR which are outdated or incorrect.

Based on this comment, updates to the references are necessary to ensure all links are accurate, and all references are available for public review either online or in print. The revisions are shown in Section 3.0 Errata, and are merely intended to provide clarification and make insignificant modifications in the DEIR.

**Response 40-5:** This comment indicates that each village will have an unavoidable tax on air, biological, aesthetics, utilities, transportation and government services and they will cause cumulative impacts. The commenter provides an example of cumulative impacts on El Don Road, where there was a road closure as a result of flooding from a rain event in late October. The commenter indicates that the road closure had impacts on fire response times. The commenter provides a second example, where a house fire was affected by the delayed response times from the road closure. The commenter also indicates that impacts extend to traffic accidents at intersections, and complaints from citizens about noise. The commenter indicates that the DEIR provides no traffic engineered roadway improvements to reduce traffic hazards and conflicts between traffic and pedestrians. The commenter indicates that the area will have 5,000 to 10,000 new residents and that this is a significant population increase.

Again, each of the specifically listed topics have an individual Section in the DEIR whereby an environmental setting, regulatory setting, and impact analysis with mitigation requirements are presented. These topics were sufficiently analyzed, the results of which have been publicly disclosed in the Draft EIR. Comments related to cumulative impacts are addressed in Response 40-3. Comments related to water quality and storm drainage are addressed under Master Response 1 and 2.

**Response 40-6:** This comment provides discusses the FMP, and improvements being implemented by the District including a parking garage structure, and other infrastructure and buildings. The theme of this comment is that each new project places a tax on air, biological, aesthetics, utilities, transportation and government services and causes cumulative impacts and that cumulative impacts associated with the Sierra College FMP were not adequately addressed, and that the DEIR is a bias viewpoint.

This comment is addressed in Response 40-3.

**Response 40-7:** This comment is related to the Sierra College's FMP "Nature Area." This comment also discusses impacts to biological resources, wildlife pathways/corridors, creeks and wetland, and cumulative impacts. The comment also discusses cultural resources, air quality, water quality, wetlands, floodplains and watersheds, impacts on existing residents/citizens, human ecology, noise, fish and wildlife, open space, parks, forests, trees, outdoor recreation, agricultural resources.

This comment is addressed, in part, under Master Responses 4 and 12, as well as under Response 8-3.

**Response 40-8:** This comment claims that DEIR mischaracterizes the project as "Infill."

This comment is addressed under Master Response 6.

**Response 40-9:** This comment indicates that the DEIR does not discuss the details of how, who, and when the infrastructure required will be budgeted for. The comment cites clean water services provided by Placer County Water Agency (PCWA) expansion as an example. The commenter asks who will be burdened with the cost for capital improvements. The comment also cites the trunk line capital improvement by SPMUD as an example. The comment requests a guarantee by the Applicant that fees will cover all expenses for capital improvements and increased maintenance for PCWA and SPMUD.

This comment is addressed, in part, under Master Responses 2 and 3, and under Response 8-29.

**Response 40-10:** The commenter provides a comparative summary of the DEIR relative to the General Plan. The summary includes six bulleted items. Much of the discussion revolves around the Open Space and Conservation Elements as it relates to natural resources, unimproved open space, parkland, public health and safety, water resources, heritage trees, soils and geologic features, creeks and riparian habitat, plants and wildlife, flood protection, energy, air quality, minerals, cultural resources, trail-oriented recreation, historic presentation, and cultural resources.

This comment is addressed, in part, under Master Responses 4, 5, and 12. Additional discussion is provided below.

In August 2012, the City of Rocklin adopted a new General Plan and certified the associated General Plan EIR (State Clearinghouse (SCH) # 2008072115) -- a Program EIR pursuant to CEQA Guidelines Section 15168. Later environmental documents (EIRs, mitigated negative declarations, or negative

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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declarations) can incorporate by reference materials from a program EIR regarding regional influences, secondary impacts, cumulative impacts, broad alternatives, and other factors (CEQA Guidelines Section 15168[d][2]). These later documents need only focus on new impacts that have not been considered before (CEQA Guidelines Section 15168[d][3]). As noted in Section 1.0, Introduction, the General Plan EIR assumed full development and buildout of the Project Area. While the components of the Project are not entirely consistent with the Public/Quasi-Public and Recreation/Conservation land uses that were in place at the time of the preparation of the General Plan EIR, the development footprint of the Project is the same; therefore, the physical impacts of developing the Project Area would be similar as under the General Plan EIR, as the area of impact is fully defined consistent with the General Plan EIR.

As a “program EIR” under CEQA Guidelines section 15168, the General Plan EIR analyzed the anticipated impacts that would occur to the Planning Area as a result of the future urban development that was contemplated by the General Plan. When previously undeveloped land becomes developed, impacts include changes to previously undeveloped areas. Mitigation measures to address these impacts are incorporated into the General Plan in the Land Use and the Open Space, Conservation, and Recreation Elements, and include policies that encourage the use of design standards for unique areas and the protection of natural resources, including open space areas, natural resource areas, hilltops, waterways and oak trees, from the encroachment of incompatible land use.

It is noted that the Project site contains open space designations in specific areas intended to be preserved for habitat, wildlife, and recreational purposes; however, the area proposed to be developed is not designated for open space. The fact that these areas to be developed are “undeveloped” at the current time, does not equate to them being designated open space land. Instead, they have been designated for development for over a decade in the General Plan EIR described above. Implementation of the proposed Project does not result in developing any land that is “designated” as open space under the General Plan. To the degree that the creek and riparian area, which are designated as open space, currently serve as open space for natural resources, outdoor recreation, trail-oriented recreation, it is expected that the Project’s preservation of the creek and riparian area will also preserve the area for open space uses described in the comment.

Each of the specifically listed topics have an individual Section in the DEIR whereby an environmental setting, regulatory setting, and impact analysis with mitigation requirements are presented. These topics were sufficiently analyzed, the results of which have been publicly disclosed in the Draft EIR. The City has prepared the DEIR in good faith.

**Response 40-11:** This commenter provides a conclusion that indicates that they have demonstrated three fatal flaws as follows:

- The DEIR cites numerous references, web site URLs, data, and source information comprising the document. A great many of these references, web site URLs, data, and source information are misleading, outdated, and

include web site URLs with dead-end web address locations. We stopped counting these incorrect references after 30 frustrating attempts. Please revise the DEIR text and provide accurate document's references.

- This DEIR has mischaracterized these North and South Village areas for proposed construction as “qualified infill projects” which is incorrect and a FATAL FLAW in this document. Kindly revise the DEIR with more complete, correct, and, accurate details as required by CEQA.
- There are numerous “key elements” and “must-have requirements” cited in Rocklin’s General Plan. The Unknown Applicant’s DEIR “FAILS to meet numerous requirements such as:
  - little or no attempt to preserve floodplains, riparian areas, wetlands, treed areas, significant habitat and other topographic features, as well as the buffer areas necessary to protect them,
  - the connectivity of habitat is specifically absent in the Unknown Applicant’s Plan.
  - Applicant’s Plan for the South Village does not appear to comply with Rocklin’s Flood Hazard Ordinance that restricts/prohibits unsafe land use in flood prone areas, to control alteration of natural flood plains, control development activities that would increase floodplain danger
  - Both the North and South Villages Plans display very limited detail on the Unknown Applicant’s Plan and little or no attempt to preserve floodplains, riparian areas, wetlands, savannah areas, treed areas, significant habitat and other topographic features, as well as the buffer areas necessary to protect them.

This commenter also concludes that the DEIR does not comply with the Rocklin General Plan. The comment suggests that the DEIR has many pages of fluff, and lacks significant details, yet the commenter has not provided any analysis or significant details in support of these claims.

This comment is addressed in part under Master Responses 1, 2, 3, 4, 5, and 12. It is noted that the DEIR addresses every CEQA topic with an environmental setting, regulatory setting, and impact analysis with mitigation requirements. These topics were sufficiently analyzed, both quantitatively and qualitatively. The results have been publicly disclosed in the Draft EIR. The commenter’s concerns about these topics are vague and general, and they lack any specificity or suggestion that could enable the City to consider text changes, additional mitigation, or other specific considerations.

The City has prepared the DEIR in good faith, and it has been the City’s policy to engage the public for information that could help improve CEQA documents, including revisions to, or new and feasible, mitigation measures that reduce environmental impacts. The public review process is a ripe opportunity for the commenter to provide measures that they deem “feasible”, and to specifically present information that supports revisions or updates to the analysis to reconcile any perceived inadequacy. The public review period serves as an opportunity to seek an administrative remedy, whereby the commenter should object to the perceived inadequacy with a level of specificity that provides the City with a reasonable understanding of how the City can remedy any perceived inadequacy in the DEIR. The failure of the commenter to provide any substantive and specific information, on what they would consider sufficient mitigation or adequate analysis, makes it difficult, if not impossible, to update mitigation or analysis. The high degree of generalities in the commenter’s letter does not demonstrate the inadequacy of an EIR at a time that is ripe to do so.

Also, the commenter's failure to raise specific objections represents a missed opportunity to seek administrative remedies requirements at the most ripe time to do so.

**Response 40-12:** This is an attachment to the comment letter. There is a series of two tables that present a summary of the proposed Project compared to the General Plan.

In several areas the commenter indicates that the Project fails to meet the requirements of the General Plan; however, the commenter does not provide any substantial evidence to support these claims. Instead, there are general statements and unsupported claims provided throughout the comment letter. These statements and claims do not demonstrate that the City Council would not reasonably find the project to be consistent with the General Plan.

The comments relative to open space preservation of natural resources and parks, and connectivity of habitat are addressed in a variety of responses including: Master Responses 4, 5, 7, and 12.



California Wildlife Foundation/California Oaks, 201 University Avenue, H-43 Berkeley, CA 94710 (510) 763-0282

November 8, 2021

David Mohlenbrok  
 City of Rocklin Community Development Director  
 Rocklin Community Development Department, Planning Division  
 3970 Rocklin Road  
 Rocklin, CA 95677

Submitted via email: [David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)

RE: Draft Environmental Impact Report for the College Park Project, State Clearinghouse Number 2019012056

Dear Mr. Mohlenbrok:

The California Oaks program of California Wildlife Foundation (CWF/CO) works to conserve oak ecosystems because of their critical role in sequestering carbon, maintaining healthy watersheds, providing plant and wildlife habitat, and sustaining cultural values. Concerned citizens reached out to California Wildlife Foundation/California Oaks requesting that we send a letter about the inadequate environmental analysis conducted for the Draft Environmental Impact Report (DEIR) for the College Park Project. This letter focuses on the proposed project’s tremendous oak impacts, the inadequate mitigation of these impacts, and briefly discusses a deficiency in the DEIR analysis of the project’s impacts on a federally threatened aquatic species.

41-1

OAK IMPACTS AND PROPOSED MITIGATION

College Park’s plan to remove an estimated 1,393 of the 1,599 native oak trees—over 87%—runs counter to many of the City of Rocklin’s policies.<sup>1</sup> For example, Land Use Element Policy 5 of the General Plan, presented on page 3.1-6 of the DEIR is: “Encourage residential, commercial, and industrial development projects to be designed in a manner that effectively protects existing oak trees designated to be retained through the development review process.”

The DEIR also (see 3.1-7) cites the General Plan’s goal for Preservation of Open Space and Natural Resources: “To designate, protect, and conserve open space land in a manner that protects natural resources and balances needs for the economic, physical and social development of the City.” Further, Policy OCR-1 is presented: “Encourage the protection of open space areas, natural resource areas, hilltops, and hillsides from encroachment or destruction through the use of conservation easements, natural resource buffers, building setbacks or other measures.”

41-2

The DEIR (3.4-43) proposes an inadequate program to offset project impacts:

Under the Oak Mitigation Plan, a 22.5-acre Mitigation Area would be set aside as mitigation for these impacts to native oak trees. This Mitigation Area is located along Secret Ravine Creek, and as a result, supports both a diverse, high quality

<sup>1</sup> The figure of 87% tree removal includes healthy as well as trees identified as unhealthy. This is because oak trees in poor health have important habitat values.



riparian corridor, and oak woodlands farther from the Creek. The Mitigation Area contains 1,014 native trees with a cumulative DBH of 9,420 inches.

Later in this section the DEIR notes that the mitigation plan "...does not achieve the 2:1 replacement tree ratio required by the Guidelines." New oak canopy is not being replicated by the mitigation plan, instead habitat elsewhere is being preserved at a rate that is below the City of Rocklin's requirement. The conclusion presented on page 3.4-44 that Mitigation 3.4-9 would result in a less than significant impact is erroneous.

Further, a curious statement is made on the prior page of the DEIR:

Both off-site tree replacement and contributing to the Rocklin Oak Tree Preservation Fund would result in substantial temporal loss of habitat; therefore, the applicant has proposed to mitigate for loss of native oak communities through protection and long-term management of existing native oak communities.

41-2 cont.

The proposed removal of an estimated 87% of the site's trees is a substantial *permanent* loss of habitat, which is inadequately mitigated by the conservation proposal. The DEIR notes on page 3.4-2: "The Sacramento Valley region is considered to have low biological diversity due to the conversion of native habitat to agricultural and urban uses." As currently proposed, this project will further degrade the region's biodiversity.

Oaks are California's primary old growth resource, vital to maintaining the state's biodiversity. Please find enclosed a report on oak-dependent and oak-associated species and subspecies that are federally and/or state designated as endangered, threatened, and candidate (listed). Thirty-three listed and fully protected vertebrates are dependent upon oak habitat for reproduction, cover, or feeding, and 134 listed plants and 26 invertebrates are associated with oaks.

Another deficiency of the DEIR is that the carbon impacts of the proposed tree removals are not included in the analysis presented in Appendix B. The California Environmental Quality Act's (CEQA) sole greenhouse gas (GHG) focus is "the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions." Net present value of GHG emissions forms the foundation of the state's greenhouse reduction objectives, as well as the California Forest Protocol preservation standards. Every ton of carbon dioxide (CO<sub>2</sub>) released into the atmosphere by oak woodland or forest conversion represents a measurable potential adverse environmental effect, which is covered by CEQA. California requires the analysis and mitigation of GHG emissions associated with proposed oak woodland or forest conversions.

41-3

Further, project mitigation that is based on the preservation ("avoided conversion") of natural lands does not adequately mitigate GHG emissions of natural lands conversion. Standing trees, understory, and soil conserved by the mitigation, do not, suddenly, upon the protections afforded by their conservation, sequester more carbon to mitigate impacted biomass GHG emission effects of the conversion.

The authors of "Ten golden rules for reforestation to optimize carbon sequestration, biodiversity recovery and livelihood benefits" address the need to keep trees standing:<sup>2</sup>

Intact, old-growth forest is a major long-term carbon sink due to its complex structure, large trees, accumulating soils and relative resilience to fire and drought

<sup>2</sup> Di Sacco A et al., "Ten golden rules for reforestation to optimize carbon sequestration, biodiversity recovery and livelihood benefits." *Glob Change Biol.* 2021;00:1–21. <https://onlinelibrary.wiley.com/doi/10.1111/gcb.15498>



(Luyssaert et al., 2008; Maxwell et al., 2019). The IPCC acknowledges that ‘most [destroyed] forest ecosystems will take longer than 100 years to return to the level of biomass, soil and litter pools [found in forest in an] undisturbed state’ (Aalde et al., 2006). Recovery of ecosystem services and biodiversity may take centuries, especially the return of rare or endemic species, which are particularly vulnerable to disturbance (Gibson et al., 2011; Rey Benayas et al., 2009)... Large areas of remnant forest, with healthy, genetically diverse populations of common plant species are essential to supporting reforestation efforts. They provide the seed rain for NR (Rule 4); a source of seeds, wildings and cuttings for the production of resilient planting stock (Rule 7); and they provide habitat for supporting biodiversity, including seed dispersers and pollinators.

41-3 Cont.

It is therefore vital to protect remaining natural forests—‘**proforestation**,’ sensu Moomaw et al. (2019). Intact, old-growth forest is of the greatest value for carbon storage (Maxwell et al., 2019) and wildlife (Deere et al., 2020) and should be prioritized for protection.

The DEIR also fails to analyze the impacts of the tree removals on air quality. *Planning for the Future of Rocklin’s Urban Forest* addresses the role of trees in improving air quality:

Regional air quality will continue to be an issue of concern. The Sacramento air basin in the vicinity of Sacramento has frequently exceeded national ambient air quality standards for ozone and, to a lesser degree, airborne particulates matter. Tree canopy intercepts and reduces both ozone and particulate pollutants.<sup>3</sup>

A further deficiency is that proposed fencing, described below, is not sufficiently protective of oaks:

The Project developer shall be required to fence the trees to be preserved during construction. The Tree Preservation Ordinance requires fencing and signage to be installed by the developer around trees which could be damaged during construction... Fencing shall be located three feet outside the dripline of the tree, shall be no less than four feet high, and shall be installed prior to any grading on the site. City staff shall verify installation of the fencing. It is the responsibility of the property owner and workers on the site to assure that the fence remains in its proper location and at its proper height during construction. (3.4-45)

41-4

Oaks should have no disturbance within the *root protection zone*, which is the area that extends beyond the dripline to a distance that is half the distance between the trunk and the dripline—an area that will require a much larger protection area than three feet beyond the dripline. Many problems for oaks are initiated by disturbing the roots within this zone. *Care of California’s Native Oaks*, which is downloadable from <http://californiaoaks.org/oak-tree-care/>, provides additional guidance.

**RIPARIAN IMPACTS**

College Park’s DEIR concludes that mitigation for the loss of .971 acres of sensitive aquatic habitat will result in a less than significant impact (3.4-38). The DEIR also states:

**Impact 3.4-3: The proposed Project would not, directly or indirectly, have a substantial adverse effect through habitat modifications or reductions, cause populations to drop below self-sustaining levels, substantially eliminate a**

41-5

<sup>3</sup> Swiecki T J and Bernhardt E, Phytosphere Research, 2006, 9.

**community, or substantially reduce the number of, or restrict the range of, an endangered, rare or threatened species, including those considered candidate, sensitive, or special-status, in local or regional plans, policies, regulations, or by the CDFW or USFWS - Fish (No Impact)**

As shown in Table 3.4-2, two special-status fish species are documented in the region. The species include: Delta smelt (*Hypomesus transpacificus*) and steelhead - Central Valley DPS (*Oncorhynchus mykiss irideus*). As shown in the table, the Project Area does not provide suitable habitat for either fish species. Although the Project Area contains seasonal drainages and wetlands, these on-site aquatic habitats are not suitable for this species. Implementation of the proposed project would have **no impact** on special-status fish species. (3.4-32)

The DEIR does not disclose that the waterway studied is a tributary to Secret Ravine Creek, which provides spawning and rearing habitat for Central Valley steelhead (*Oncorhynchus mykiss*) (federally threatened) and is designated as Critical Habitat (see: [https://www.rocklin.ca.us/sites/main/files/file-attachments/appendix\\_a\\_-\\_technical\\_memorandum\\_on\\_secret\\_ravine\\_creek.pdf](https://www.rocklin.ca.us/sites/main/files/file-attachments/appendix_a_-_technical_memorandum_on_secret_ravine_creek.pdf)). The DEIR should analyze whether and to what extent the project would have downstream impacts on steelhead (Central Valley DPS).

This project should not be advanced without modifications to lower the oak impacts and without corrections of the deficiencies noted in this letter.

Thank you for your consideration of our comments.

Sincerely,



Janet Cobb  
Executive Officer  
California Wildlife Foundation  
[jcobb@californiawildlifeoundation.org](mailto:jcobb@californiawildlifeoundation.org)



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California Oaks Coalition  
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Michele Vass, Planning Commissioner, [michele.vass@rocklin.ca.us](mailto:michele.vass@rocklin.ca.us)

Encls. Spring-Summer 2021 *Oaks* newsletter reporting on oak habitat for endangered, threatened, and candidate vertebrate, plant, and invertebrate species

41-5 Cont.



## California's oaks in the 21st century: Oak habitat for endangered, threatened, and candidate species

by Angela Moskow, California Oaks

California's oak ecosystems provide food and vital habitat for California native species, including 2,000 plants, 5,000 insects and arachnids, 80 amphibians and reptiles, 160 birds, and 80 mammals.<sup>1</sup> The *Red List of Oaks 2020* international report, described on page 8, observes that global distribution of oaks overlaps substantially with biodiversity hotspots. That report, which builds upon two other Red List publications, also documents threats confronting oaks.

California Wildlife Foundation/California Oaks (CWF/CO) requested lists of sensitive species associated with oaks from California Department of Fish and Wildlife (CDFW). This information is important for understanding what is at stake with oak ecosystems under threat. The statement from CWF/CO executive officer Janet Cobb on page 2 details the steps necessary to protect California's oak ecosystems, and the article about the Global Conservation Consortium for Oak on page 5 describes international efforts to protect imperiled oak species.

### Inside

#### Pages 2-5 and 8

Statement from Executive Officer  
Table 1: Oak-dependent state and federal endangered, threatened, and candidate (listed) vertebrates.

Table 2: Oak-associated listed plant species and subspecies.

California Oaks Coalition Reports and Resources

Global Conservation Consortium for Oak, Red List oak reports

#### Pages 6-7

Table 3: Oak-associated listed invertebrate species and subspecies

California Wildlife Foundation Partner Reports

California Land Conservation Partnership, Monitoring of rock by intertidal key-stone species



Vine Hill tarlaxia (*Clarkia imbricata*), designated as state and federally-endangered, and Vine Hill manzanita (*Arctostaphylos densiflora*), designated as state-endangered, growing amidst oaks

Tables 1-3 show federally and/or state designated endangered, threatened, and candidate plant, vertebrate, and invertebrate (cnustacean, insect, and mollusk) species associated with oak habitat. The tables were created from spreadsheets produced by the CDFW Biogeographic Data Branch.

Vertebrate data were derived from the California Wildlife Habitat Relationship (CWHR) information system (<https://wildlife.ca.gov/Data/CWHR>), which contains life history, geographic range, habitat relationships, and management information on 712 species of amphibians, reptiles, birds, and mammals known to occur in the state; a species list of California's terrestrial vertebrates; and a habitat classification scheme for California containing 59 habitats, structural stages for most habitats, and 124 special habitat elements.<sup>2</sup>

The CWHR query focused on vertebrate species that utilize oak (*Quercus* and *Notholithocarpus*) habitat for reproduction, cover, or feeding. The resulting tables include fully protected California species as well as listed and candidate species. Habitats included in the search were Blue Oak Woodland, Blue Oak-Foothill Pine, Coastal Oak Woodland,

Montane Hardwood, Montane Hardwood-Conifer, and Valley Oak Woodland. The Montane Hardwood-Conifer systems include tanoaks (*Notholithocarpus densiflorus*), which are in the oak family (*Fagaceae*) and produce acorns but are not in the *Quercus* genus. Oaks also grow in Mixed Chaparral, Montane Chaparral, and Valley Foothill Riparian systems, but oak-dominated vegetation types only represent a small percentage of those CWHR habitat types overall and thus were not included.

CWF/CO derived scientific and common names by consulting *State and federally listed endangered and threatened animals of California* (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=1094058&inline>) and *Special Animals List* (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline>). Next, we reviewed scientific and state and federal listing documentation to ensure that the subspecies were oak-dependent.

The plant and invertebrate tables were created first with a cross-reference of California Natural Diversity Database (CNDDB) occurrence records with the oak woodland

— continued on page 7

[WWW.CALIFORNIAOAKS.ORG](http://WWW.CALIFORNIAOAKS.ORG) 7

### California must protect oak ecosystems for endangered and threatened species

Photo courtesy of Santa Monica Mountains National Recreation Area



Mountain lion kitten with oak seedling. (In June of 2018, National Park Service researchers discovered a litter of four female mountain lion kittens in Simi Hills, in a small area of habitat wedged between larger Santa Monica and Santa Susana mountain ranges. The kittens are known as P-66, P-67, P-68, and P-69. Their mom is P-62.)

Oaks provide vital plant and animal habitat that supports California's biodiversity. Protecting and perpetuating California's primary old growth resource is a cost-effective way to sustain threatened, endangered, and other sensitive species so that future generations are able to reap the inherited benefits of wildlife habitat, healthy watersheds, and a livable climate.

We must stem the conversion of oak forests and woodlands to other uses by passing uniform statewide oak protection measures, upholding current laws, and expanding conservation areas.

The only statewide standard for protecting noncommercial oaks is the California Environmental Quality Act (CEQA), which calls for the mitigation of impacts but provides no protection from actions that damage essential habitat. CEQA does not apply to conversions of oaks on agricultural lands.

California must enact protections governing oak removal to prevent further habitat loss, fragmentation, and degradation. The alternative inevitably increases permanent species losses.

At the same time, it is critical that current protections for oaks be enforced. For example, California law defines oak woodlands as stands with greater than 10% canopy cover, or that formerly had such cover. This definition is frequently ignored during environmental reviews, which instead rely on land categorizations that may not identify oak woodlands present.

California State Concurrent Resolution Number 17: Oak Woodlands, enacted in September 1989, directs state agencies with responsibility for land use planning and the management of native oak woodlands to preserve and protect them to the maximum extent feasible or to provide for the replacement and long-term survival of plantings where blue, Engelmann, valley, or coast live oak are removed. Few state agencies uphold this measure.

Expanded conservation of oak woodlands and oak-forested areas is also important. Oaks should be a central part of the state's 30% by 2030 broad sustainability goal. The *Conservation Gap Analysis of Native U.S. Oaks* estimated inferred native range of oaks contained within protected areas. The report estimated that seven of nine oak species of concern have less than 50% of their habitat protected, and two of the species have less than 75%. (See pages 5 and 8.)

California's oaks provide benefits that extend beyond biodiversity. They sustain culturally-significant landscapes, protect our essential watersheds, and sequester millions of tons of carbon. California's oaks and the species they support are at risk until responsible, forward-thinking executive and legislative branches enact and enforce measures to ensure NO NET LOSS OF OAKS.

Sincerely,

Janet S. Cobb, Executive Officer California Wildlife Foundation/California Oaks

3 OAKS • SPRING-SUMMER 2021

### California Oaks Coalition

California Oaks Coalition brings together national, state, regional, and local organizations to conserve and perpetuate the state's primary old growth resource. Members of California Oaks Coalition are united by the vital role of oaks in sequestering carbon, maintaining healthy watersheds, providing habitat, and sustaining cultural values.

Amah Mutsun Land Trust; American River Conservancy; American River Watershed Institute; AquAlliance; Banning Ranch Conservancy; Butte Environmental Council; California Institute for Biodiversity; California Invasive Plant Council (Cal-IPC); California Native Plant Society (CNPS), including Dorothy King Young Chapter, San Diego Restoration Committee, and Sanhedrin Chapter; California Rangeland Trust; California Water Impact Network (C-WIN); California Wilderness Coalition (CalWild); Californians for Western Wilderness (CalUWild); Canopy; Center for Biological Diversity; Chimineas Ranch Foundation; Clover Valley Foundation; Conejo Oak Tree Advocates; Confluence West; Dumbarton Oaks Park Conservancy; Elder Creek Oak Sanctuary; Endangered Habitats Conservancy; Endangered Habitats League; Environmental Defense Center; Environmental Protection Information Center (EPIIC); Environmental Water Caucus; Foothill Conservancy; Forests Forever; Friends of the Richmond Hills; Friends of Spenceville; Global Conservation Consortium for Oak; Hills For Everyone; Laguna de Santa Rosa Foundation; Lomakatsi Restoration Project; Los Padres ForestWatch; Lower Kings River Association; Napa County Water, Forest and Oak Woodland Protection Committee; Northern California Regional Land Trust; Planning and Conservation League; Redlands Conservancy; Resource Conservation District of Santa Monica Mountains; River Partners; River Ridge Institute; Rural Communities United; Sacramento Tree Foundation; Santa Clarita Organization for Planning and the Environment (SCOPE); Save Lafayette Trees; Shasta Environmental Alliance; Sierra Club Placer Group; Sierra Foothill Conservancy; Tejon Ranch Conservancy; Templeton Heritage Tree Foundation; Tuleyome; Tuolumne River Trust; University of California Los Angeles Mildred E. Mathias Botanical Garden

#### California Oaks provides four areas of support for coalition members:

- 1) Research and advocacy updates.
- 2) Information to educate and engage the public.
- 3) Tools for participating in planning processes and educating opinion leaders.
- 4) Materials to inform local, regional, and state governmental agencies of the opportunities for and benefits of protecting oak woodlands.

For more information, please contact Oaks Network Manager Angela Moskow, amoskow@californiaoaks.org.

41-6  
Cont.

RESOURCES

INTERNET RESOURCES

**California Natural Diversity Database (CNDDB)** (<https://wildlife.ca.gov/Data/CNDDB>) is part of a nationwide network of natural heritage programs overseen by NatureServe. These programs provide location and natural history information on special status plants, animals, and natural communities for the public, agencies, and conservation organizations. A strength of the natural heritage network and associated programs is that they utilize uniform methodologies to enter and analyze data on rare species and vegetation types.

**NatureServe** ([natureserve.org](http://natureserve.org)) is the Red List authority for North American plants. The International Union for Conservation of Nature Red List of Threatened Species utilizes an objective global approach for evaluating the conservation status of plant and animal species, which draws on a network of scientists and partner organizations working in almost every country in the world. Visit [www.natureserve.org/conservation-tools/conservation-red-list-threatened-species](http://www.natureserve.org/conservation-tools/conservation-red-list-threatened-species) and see page 8 for Red List oak reports.

**Areas of Conservation Emphasis (ACE)** (<https://wildlife.ca.gov/Data/Analysis/ACE>, #523751769-overview) is a California Department of Fish and Wildlife effort to analyze large amounts of map-based data in a visual format, so that conservation of biodiversity, habitat connectivity, and climate change resiliency goals can inform decisions. ACE maps provide a coarse-level view of information on terrestrial biodiversity, connectivity, climate change resilience, and terrestrial significant habitats, the latter of which includes oak woodlands.

PUBLICATION

*The Nature of Oaks: The Rich Ecology of Our Most Essential Native Trees* by Douglas W. Tallamy, Workman Publishing/Timber Press, Portland, OR, 2021 (<https://www.workman.com/products/the-nature-of-oaks>).

Subspecies that may be oak-dependent

*Perognathus longimembris pacificus*, little pocket mouse, endangered (F), is one of the subspecies found to feed on *Quercus agrifolia* and *Q. dumosa* in a study described by Peter L. Meserve in "Food relationships of a rodent fauna in a California coastal sage scrub community," *Journal of Mammalogy*, v. 57, Issue 2, 20 May 1976, p. 300-319. <https://doi.org/10.2307/1379690>.

The April 24, 2003, proposed rules for *Polemysia californica californica*, coastal California gnatcatcher, threatened (F), published in the *Federal Register*, list *Quercus dumosa* in the description of *Polemysia californica californica* habitat in the foothills of the San Gabriel Mountains in the Etiwanda Fan and Lytle and Cajon Washes of San Bernardino County.

<sup>1</sup> This species was not listed as oak-dependent in CHWL. A research article documents 30% of nests in oak trees: Jannia X. Wu et al. "Diversity of great gray owl nest sites and nesting habitats in California." *The Journal of Wildlife Management* 79(6):937-947; 2015, DOI: 10.1002/jwmg.910.

Table 1: Endangered, threatened, and candidate vertebrate species and subspecies dependent upon oak habitat (f) and state (s) lists, including California fully protected designations

**Amphibians** *Ambystoma californiense* California tiger salamander, threatened (s), Santa Barbara County Distinct Population Segment, endangered (f), threatened (s), Sonoma County Distinct Population Segment, endangered (f), threatened (s), Central California Distinct Population Segment, threatened (f, s) • *Ambystoma macrodactylum croceum* Santa Cruz long-toed salamander, endangered (f, s) and fully protected • *Batrachoseps similis* Kern Canyon slender salamander, threatened (s) • *Batrachoseps stebbinsi* Tehachapi slender salamander, threatened (s) • *Hydromantes brevis* limestone salamander, threatened (s) and fully protected • *Hydromantes shastae* Shasta salamander, threatened (s) • *Rana boylei* Foothill yellow-legged frog, endangered (s: Southwest/South Coast, West/Central Coast, and East/Southern Sierra clades) and threatened (s: Northeast/Northern Sierra and Feather River clades) • *Rana dryopteris* California red-legged frog, threatened (f) • *Rana muscosa* southern mountain yellow-legged frog, endangered (s), mountain yellow-legged frog, Northern California and Southern California Distinct Population Segments, endangered (f, s) • *Rana sierrae* Sierra Nevada yellow-legged frog, threatened (f, s)

**Birds** *Aquila chrysaetos* golden eagle, fully protected • *Buteo swainsoni* Swainson's hawk, threatened (s) • *Elanus leucurus* white-tailed kite, fully protected • *Falco peregrinus anatum* American peregrine falcon, fully protected • *Gymnogyps californianus* California condor, endangered (f, s) and fully protected • *Haliaeetus leucocephalus* bald eagle, endangered (s) and fully protected • *Lanius borealis* meadsi San Clemente Loggerhead shrike, endangered (f) • *Strix nebulosa* great gray owl, endangered (s) • *Strix occidentalis caferina* Northern spotted owl, threatened (f, s)

**Mammals** *Aplodontia rufa nigra* Point Arena mountain beaver, endangered (f) • *Bassariscus astutus* ringtail, fully protected • *Dipodomys deserti* exilis Fresno kangaroo rat, endangered (f, s) • *Dipodomys deserti* white-throated kangaroo rat, endangered (f, s) and fully protected • *Neotoma fuscipes riparia* riparian woodrat, endangered (f) • *Pekania [=Marmota] pennanti* pop. 2 fisher, endangered (f: Southern Sierra Nevada Distinct Population Segment) and threatened (s: Southern Sierra Evolutionarily Significant Unit) • *Panthera concolor* mountain lion (Southern California and Central Coastal Evolutionarily Significant Unit), candidate (s) • *Urocyon littoralis* island gray fox, threatened (s: Listing includes all subspecies on all six Channel Islands.) • *Urocyon littoralis catalinae* Santa Catalina Island fox, threatened (f, s) • *Sylvilagus bachmani riparius* riparian brush rabbit, endangered (f, s) • *Vulpes macrotis macrotis* San Joaquin kit fox, endangered (f) and threatened (s)

**Reptiles** *Gambelia sika* blunt-nosed leopard lizard, endangered (f, s) and fully protected • *Masticophis lateralis erythraeus* Alameda whipsnake, threatened (f, s) • *Thamnophis gigas/Thamnophis cochrani gigas* giant garter snake, threatened (f, s) • *Thamnophis sirtalis tetrataenia* San Francisco garter snake, endangered (f, s) and fully protected



Ringtail (*Bassariscus astutus*) peeking from behind an oak trunk at Sutter Buttes. Ringtails are fully protected in California.

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*Typical oak woodlands and savannas, San Bernardino County, California. A California Department of Fish and Wildlife photo showing a typical oak woodland in the San Bernardino County. Habitat: oak woodland/savanna. Photo credit: California Department of Fish and Wildlife. Photo credit: California Department of Fish and Wildlife. Photo credit: California Department of Fish and Wildlife. Photo credit: California Department of Fish and Wildlife.*

Table 2: Endangered (end.), threatened (thr.), and candidate plants associated with oak-juniper (J) and oak (O) trees

*Acrotholium dentosum* San Mateo thornmint, end. (E, S) • *Acrotholium dieffenbii* San Diego thornmint, thr. (E), end. (S) • *Aconitum argophyllum* var. *niveum* Santa Cruz Island bird's-foot anemone, end. (S) • *Alpecurus aquatilis* var. *concomitans* Sonoma alpecurus, end. (E) • *Amorpha paeonifolia* San Diego umbelata, end. (E) • *Amorpha grandiflora* large-flowered fieldmark, end. (E, S) • *Arabis medionitens* McDermald's rockcress, end. (E, S) • *Arctostaphylos densiflora* Vina Hill manzanita, end. (S) • *Arctostaphylos franciscana* Franciscan manzanita, end. (E) • *Arctostaphylos hookeri* sp. *heavenshore* Heavens' manzanita, end. (S) • *Arctostaphylos montana* sp. *navarii* Prickly manzanita, end. (E, S) • *Arctostaphylos mucronata* Mareo manzanita, thr. (E) • *Arctostaphylos myrsinifolia* Loue manzanita, thr. (E) • *Arctostaphylos pallida* pallid manzanita, thr. (E), end. (S) • *Arenaria pedunculata* marsh sandwort, end. (E, S) • *Astragalus agniculus* Humboldt County milk-vetch, end. (S) • *Astragalus bransfordii* Bransford's milk-vetch, end. (E) • *Astragalus clarus* Clara Hunt's milk-vetch, end. (E), thr. (S, candidate end.) • *Astragalus pyramidalis* var. *leucostachyus* Ventura Marsh milk-vetch, end. (E, S) • *Baccharis venusta* Encinitas baccharis, thr. (E), end. (S) • *Berberis nevadensis* North's barberry, end. (E, S) • *Berberis pinnata* sp. *nevadensis* island barberry, end. (E, S) • *Blennosperma bicolor* Sonoma fumeline, end. (E, S) • *Bouteloua hoffmannii* Hoffmann's rockcress, end. (E) • *Brodiaea filifolia* thread-leaved brodiaea, thr. (E), end. (S) • *Brodiaea fragilis* Keweenaw brodiaea, end. (S) • *Brodiaea pallida* Calaveras Camp brodiaea, thr. (E), end. (S) • *Brodiaea rosea* Indian Valley brodiaea, end. (S) • *Calyptridium pulchellum* Mariposa pusypew, thr. (E) • *Calystegia sieboldii* Stubbins' morning-glory, end. (E, S) • *Carrizoia benthamii* San Benito evening-primrose, thr. (E) • *Carpenteria californica* tree-anemone, thr. (S) • *Castilleja carpenteris* var. *occidentalis* succulent owl-clover, thr. (E), end. (S) • *Castilleja siligiosa* Pitkin Marsh paintbrush, end. (S) • *Ceanothus ferrissii* coyote ceanothus, end. (E) • *Ceanothus ephedellus* Vail Lake ceanothus, thr. (E), end. (S) • *Ceanothus roderickii* Pine Hill ceanothus, end. (E) • *Chlorogalum purpureum* var. *purpureum* Santa Lucia purple anole, thr. (E) • *Chlorogalum purpureum* var. *robustum* Cametta Canyon anole, thr. (E) • *Chloropyron maritimum* sp. *maritimum* salt marsh bird's-beak, end. (E, S) • *Chorizanthe purgens* var. *harringtonii* Ben Leonard epimallow, end. (E) • *Chorizanthe purgens* var. *purgens* Mustang epimallow, thr. (E) • *Chorizanthe robusta* var. *harringtonii* Santa Valley epimallow, end. (E) • *Chorizanthe robusta* var. *robusta* rufous epimallow, end. (E) • *Cirsium ciliolatum* Ashland thistle, end. (S) • *Cirsium fontinale* var. *fontinale* fountain thistle, end. (E, S) • *Cirsium fontinale* var. *obispoense* Chuzo Creek bog thistle, end. (E, S) • *Cirsium scariosum* var. *leucobolus* La Graciosa thistle, end. (E), thr. (S) • *Clarkia franciscana* Prickly clarkia, end. (E, S) • *Clarkia imbricata* Vina Hill clarkia, end. (E, S) • *Clarkia insignis* mixed clarkia, end. (S) • *Clarkia speciosa* sp. *immaculata* Piute clarkia, end. (E) • *Clarkia springvillensis* Springville clarkia, thr. (E), end. (S) • *Coryphantha rigidus* sp. *littoralis* seaside bird's-beak, end. (S) • *Crocodylus gregalis* island rock-rose, thr. (E) • *Delonixia mohavensis* Mojave trumpet, end. (E) • *Dolichopus bakeri* Baker's larkspur, end. (E, S) • *Dipicus vanderbergensis* Vanderberg monkeyflower, end. (E) • *Dioscorea leptoceras* slender-horned epimallow, end. (E, S) • *Dudleya stramonii* sp. *setchellii* Santa Clara Valley dudleya, end. (E) • *Dudleya cynosa* sp. *agaveensis* Agaves Hills dudleya, thr. (E) • *Dudleya cynosa* sp. *marcescens* macerant dudleya, thr. (E) • *Dudleya cynosa* sp. *ovoidalis* Santa Monica dudleya, thr. (E) • *Dudleya stolonifera* Laguna Beach dudleya, thr. (E, S) • *Eriogonum parryi* sp. *karwinskii* Kern willow, end. (E) • *Eriogonum ursum* Big Bear Valley sandwort, thr. (E) • *Eriogonum abbotianum* Indian Knob mountainbalm, end. (E, S) • *Eriogonum capitatum* Lampoc yurba santa, end. (E) • *Eriogonum apricum* var. *apricum* Ince buckwheat, end. (E, S) • *Eriogonum apricum* var. *primitivum* Irish Hill buckwheat, end. (E, S) • *Eriogonum karwinskii* var. *austrorivianum* scrubby mountain buckwheat, thr. (E) • *Eriophyllum latifolium* San Mateo woolly sunflower, end. (E, S) • *Eryngium aristatum* var. *parishii* San Diego button-celery, end. (E, S) • *Eryngium constantii* Loch Leonard button-celery, end. (E, S) • *Eryngium racematum* Delta button-celery, end. (E) • *Eryngium capitatum* var. *marginatum* Contra Costa wallflower, end. (E, S) • *Eryngium tetrafolium* Santa Cruz wallflower, end. (E, S) • *Euphorbia hawaii* Hawaii's spurge, thr. (E) • *Franseria dendron* Calaveras Pine Hill sananillo, end. (E) • *Fritillaria gowdrii* Gowdrie's fritillary, end. (E) • *Fritillaria reuteri* Reuter's fritillary, end. (S) • *Fritillaria striata* striped adobe-lily, thr. (S) • *Galium bayfolium* box bedstraw, end. (E) • *Galium californicum* sp. *dierrae* El Dorado bedstraw, end. (E) • *Gilia tenuiflora* sp. *owenii* Mendocino glia, end. (E), thr. (S) • *Gutierrezia heterosepala* Boggs Lake hodge-lycop, end. (E) • *Hesperocypripis abramiana* var. *abramiana* Santa Cruz cypripis, thr. (E), end. (S) • *Hesperolimon congestum* March western flax, thr. (E, S) • *Hesperolimon didymocarpum* Lake County western flax, end. (S) • *Holocarpha macrantha* Santa Cruz trumpet, thr. (E), end. (S) • *Howellia aquatilis* water howellia, thr. (E) • *Leathesia bakeri* Baker's goldfields, end. (E, S) • *Leathesia conjugens* Contra Costa goldfields, end. (E) • *Limonanthus alba* sp. *parishii* Parish's meadowfoam, end. (E) • *Limonanthus flaccus* sp. *californicus* Butte County meadowfoam, end. (E, S) • *Limonanthus vitaceus*



Franciscan manzanita (*Arctostaphylos franciscana*), Federally-endangered, photographed with oak at Santa Barbara Botanic Garden.

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Sebastopol meadowfoam, end. (f, s) • *Lupinus citrinus* var. *deflexus* Manposia lupine, thr. (s) • *Lupinus milo-bakeri* Milo Baker's lupine, thr. (s, candidate end.) • *Lupinus tidestromii* Tidestrom's lupine, end. (f, s) • *Malacothamnus fasciculatus* var. *vesiculosus* Santa Cruz Island bush-mallow, end. (f, s) • *Malacothrix squarida* island malacothrix, end. (f) • *Monardella viminea* willow monardella, end. (f, s) • *Navaretia fossalis* spreading navaretia, thr. (f) • *Navaretia leucocephala* ssp. *paniciflora* few-flowered navaretia, end. (f), thr. (s) • *Navaretia leucocephala* ssp. *plena* many-flowered navaretia, end. (f, s) • *Neostapfia calycana* Colusa grass, thr. (f), end. (s) • *Nevadula cliffortioides* Shasta snow-wreath (s, candidate end.) • *Oenothera detourae* ssp. *howellii* Antioch Dunes evening-primrose, end. (f, s) • *Opiuntia basilaris* var. *treleasei* Bakersfield cactus, end. (f, s) • *Orcuttia californica* California Orcutt grass, end. (f, s) • *Orcuttia tenuis* slender Orcutt grass, thr. (f), end. (s) • *Packera layneae* Layne's ragwort, thr. (f) • *Panicum acuminatum* var. *thermale* Geysers panicum, end. (s) • *Pentstemon bellidiflorus* white-rayed pentstemon, end. (f, s) • *Pentstemon lyoni* Lyon's pentstemon, end. (f, s) • *Pteris yadonii* Yadon's rein orchid, end. (f) • *Plagiobothrys diffusus* San Francisco popcorn-flower, end. (s) • *Plagiobothrys strictus* Calistoga popcornflower, end. (f), thr. (s) • *Pleuronotus hooverianus* North Coast sedgegrass, thr. (s) • *Pogogyne clareana* Santa Lucia mint, end. (s) • *Polygonum hickmanii* Scotts Valley polygonum, end. (f, s) • *Potentilla hickmanii* Hickman's cinquefoil, end. (f, s) • *Pseudobahia bahifolia* Hartweg's golden sunburst, end. (f, s) • *Pseudobahia pearsonii* San Joaquin adobe sunburst, thr. (f), end. (s) • *Sidera filifolia* Santa Cruz Island winged-rockcress, end. (f) • *Sidalcea beckii* Beck's checkerbloom, end. (f) • *Sidalcea pedate* bird-foot checkerbloom, end. (f, s) • *Sidalcea stipularis* Scadden Flat checkerbloom, end. (s) • *Tanacetum californicum* California dandelion, end. (f) • *Thysanocarpus conchuliferus* Santa Cruz Island fringe-pod, end. (f) • *Trifolium amdenum* two-fork clover, end. (f) • *Tuctoria greenei* Greene's tuctoria, end. (f) • *Verbena californica* Red Hills vervain, thr. (f, s)

Special thanks to Missy Nelson, formerly with California Department of Fish and Wildlife, for generating, writing, and reviewing this document. Thank you to all the staff and volunteers who have helped.

### Global Conservation Consortium for Oak collaborates to preserve California oaks

by Amy Byrne, Global Tree Conservation Coordinator, Oak Consortium, The Morton Arboretum



Nuttall's scrub oak at San Elija Lagoon Ecological Reserve and Nature Center in northern San Diego County, CA.

The Global Conservation Consortium for Oak (GCCO) brings together oak experts and the botanic garden community to prevent extinction of the world's oak species and ensure healthy oaks for the future. Led by The Morton Arboretum (located in Lisle, Illinois), in collaboration with Botanic Gardens Conservation International, GCCO is mobilizing a network to develop and implement a comprehensive global oak-conservation strategy.

GCCO recently joined California Oaks Coalition to share resources and expertise to help conserve and protect the state's unique oak species and habitats. Established in 2019 under the leadership of Murphy Westwood, PhD, GCCO advances the following objectives:

**Ensure that threatened species are conserved in situ:** GCCO works to reinforce wild populations through restoration and land management, among other *in situ* conservation practices, to ensure long-term sustainability. Land management and protection are among GCCO priorities and recommended activities for California species of conservation concern.

**Build capacity to empower and mobilize in-country partners:** The oak consortium is establishing a strong foundation of collaborators in centers of oak diversity, including the United States, Mexico and Central America, Southeast Asia, and China. GCCO works with experts and institutions in these regions to identify at-risk species, develop strategic work plans, and create and sustain partnerships to advance the long-term conservation of oaks.

**Identify and prioritize species of greatest conservation concern:** In the United States, GCCO is focusing on priority conservation and research activities outlined in the

*Conservation Gap Analysis of Native U.S. Oaks*.<sup>1</sup> It identifies 28 priority species, including nine of concern in California: Cedros Island oak (*Quercus cedrosensis*), Nuttall's scrub oak (*Q. alienosa* Nutt.), Engelmann oak (*Q. engelmannii*), valley oak (*Q. lobata*), island scrub oak (*Q. pacifica*), Palmer oak (*Q. palmeri*), Santa Cruz Island oak (*Q. parvula*), Sadler's oak (*Q. sadleriana*), and island oak (*Q. tomentella* Engelm.). Visit <https://www.mortonarb.org/science-conservation/research-themes/oaks/conservation-gap-analysis-native-us-oaks-study> to read these species profiles.

**Increase public awareness and engagement:** Social media newsletters, and conference presentations are employed to engage oak experts and the botanic garden sector and educate the broader public. The Institute of Museum and Library Services recently

awarded GCCO a National Leadership Grant for activities in the United States, including development of interpretative panels for oak conservation groves to educate the public about the importance of conserving oak species in living collections and highlight GCCO's vital role in coordinating these efforts.

Additional objectives of the oak consortium include establishing and managing coordinated *ex situ* collections of high conservation value, undertaking and facilitating applied research (e.g., conservation biology, population genetics, taxonomy), and fundraising to scale-up conservation action.

<sup>1</sup> See Beckman et al., 2018, *Conservation Gap Analysis of Native U.S. Oaks*, table 6, <https://www.mortonarb.org/files/conservation-gap-analysis-of-native-us-oaks.pdf>

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**Partnership seeks to conserve California's exceptional biodiversity and foster healthy landscapes and communities**

by Debra Schlafmann, California Landscapes Coordinator, U.S. Fish and Wildlife Service, and Kim Tenggardjaja, PhD, Biodiversity Coordinator, California Department of Fish and Wildlife

Since 2010, California Land Conservation Partnership (CALCP) has provided a forum for partners to develop shared conservation goals, objectives, and strategies to address climate change and other environmental stressors at landscape scales. The best way to ensure progress on the many conservation needs of our uniquely biodiverse state is to reach agreement on concepts that each organization can address, and which, collectively, can lead to significant ecological benefits. CALCP uses this approach to help resource managers and scientists join together to protect California's habitats, which sustain numerous species found nowhere else on Earth.

CALCP is an alliance of public and private land managers, scientists, and interested groups committed to solving natural resource challenges that are too large or complex for any single entity to undertake alone. CALCP focuses on climate change with the vision of supporting thriving ecosystems through lasting collaborative conservation partnerships for all Californians.

Formerly known as the California Landscape Conservation Cooperative, CALCP recently generated a strategic plan for the next five years and updated our mission, vision, and charter, with California Wildlife Foundation as fiscal and administrative sponsor of the effort. The strategic planning process recognized that diversification of partnerships should be informed by an understanding that climate change and other environmental challenges can exert negative impacts on human health and well-being—with impacts often greater in under-resourced communities. The new plan seeks to make conservation in California more inclusive by incorporating voices and perspectives from diverse communities in shaping conservation outcomes.

The strategic plan also seeks to advance California's ambitious biodiversity and climate goals by building the capacity of the conservation community to respond to emerging threats, valuing and incorporating Traditional Ecological Knowledge and Indigenous community expertise in conservation practice, and incorporating innovative adaptation strategies to advance climate-informed management, restoration, and protection.

CWF's partnership with CALCP has also been in support of the creation of the website (<http://climate.calcommons.org/>). The Climate Commons, CALCP's digital library, contains links to climate change assessments and reports, climate-smart conservation, scenario planning, vulnerability assessments, and climate adaptation strategies. The website also profiles over 40

CALCP science-management projects, from threat assessments on California's rangelands, to effects of climate change on inland fishes, to building habitat connectivity for climate adaptation.

CALCP welcomes organizations to join as partners or via an ad hoc working group.



Beach lily (*Layia canotata*) astate and federally endangered plant. CALCP previously funded a project to assess and map rare plant species vulnerable to climate change.

CALCP includes steering committee members from: California Department of Fish and Wildlife, California Department of Water Resources, California Fish Passage Forum, California State Coastal Conservancy, Central Valley Joint Venture, Climate Science Alliance, Conservation Biology Institute, National Oceanic and Atmospheric Administration, National Park Service, Natural Resources Conservation Service, Palm Spine Conservation Science, San Francisco Bay Joint Venture, Sanovar Joint Venture, Binational Bird Conservation, South West Climate Adaptation Science Center, U.S. Bureau of Land Management, U.S. Bureau of Reclamation, U.S. Fish and Wildlife Service, U.S. Forest Service, and U.S. Geological Survey.

Table 3: Endangered, threatened, and candidate invertebrates associated with oaks, federal (f) and state (s) lists



Two monarch butterflies under a coast live oak tree. California's overwintering population of monarch butterflies (*Danaus plexippus* pop. 1) is a candidate for federal Endangered Species Act protection.

- Crustaceans *Branchinecta lynchi* vernal pool fairy shrimp, threatened (f) • *Lepidurus packardii* vernal pool tadpole shrimp, endangered (f) • *Pacifastacus farris* Shasta crayfish, endangered (f, s) • *Streptocephalus woodfordi* Riverside fairy shrimp, endangered (f) • *Syncaeris pacifica* California freshwater shrimp, endangered (f, s)
- Insects *Apodemia mormo langei* Lange's metalmark butterfly, endangered (f) • *Bombus crotchii* Crotch bumble bee, candidate endangered (s) • *Bombus franklini* Franklin's bumble bee, candidate endangered (s) • *Bombus occidentalis* western bumble bee, candidate endangered (s) • *Bombus suckleyi* Suckley's cuckoo bumble bee, candidate endangered (s) • *Callophrys mossii bayensis* San Bruno elfin butterfly, endangered (f) • *Cidnasta ohlone* Ohlone tiger beetle, endangered (f) • *Danaus plexippus* pop. 1 Monarch butterfly, California overwintering population, candidate (f) • *Desmocerus californicus dimorphus* valley elderberry longhorn beetle, threatened (f) • *Euphilotes enoptes smithi* Smith's blue butterfly, endangered (f) • *Euphydryas editha bayensis* Bay checkerspot butterfly, threatened (f) • *Euphydryas editha quino* quino checkerspot butterfly, endangered (f), candidate endangered (s) • *Euproserpinus eckeype* Kern primrose sphinx moth, threatened (f) • *Lycaena hermes* Hermes copper butterfly, candidate threatened (f) • *Plebejus icarioides missionensis* Mission blue butterfly, endangered (f) • *Polyphylla barbata* Mount Hermon (= barbata) June beetle, endangered (f) • *Pyrgus moralis lagunae* Laguna Mountains skipper, endangered (f) • *Speyeria callippe* callippe callippe silverspot butterfly, endangered (f) • *Thimerotropis infantilis* Zavante band-winged grasshopper, endangered (f)
- Mollusks *Helminthoglypta walkeriana* Morro shoulderband (= banded dune) snail, endangered (f) • *Monadenia infusata setosa* Trinity basket snail, threatened (s)

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dataset in CDFW's Areas of Conservation Emphasis (ACE) system.<sup>3</sup> (See Resources column on page 3 for more information on ACE.) This search generated a list of all special-status species that had at least part of an occurrence overlapping with oak ecosystems. CDFW then calculated the percentage of the CNDDDB occurrence polygon(s) that overlapped with oak woodlands to further narrow the list.

Next, a threshold was established to exclude species with a low average percentage overlap of all CNDDDB occurrences with the oak woodlands layer in ACE. Concerned that a high threshold might have eliminated species with few occurrences listed in the CNDDDB, CDFW compared the results with a list of sensitive plant species that occur on oak habitat that was published in *Guidelines for Managing California's Rangelands* 1996 by University of California. Following the recommendation of CDFW, CWF/CO excluded species with average percent overlap of all CNDDDB occurrence with the oak woodlands layer in ACE below 9%.

The CNDDDB listing includes 134 plant species that are designated as state or federally threatened or endangered, or are candidates for federal or state designations, out of 839 sensitive native plant species associated with oak habitat. It includes 26 candidate and listed invertebrate species out of 201 sensitive invertebrate species that are associated with oak habitat. The CNDDDB queries were exclusively for oak (*Quercus*), as CNDDDB does not track tan oak (*Notholithocarpus*).

<sup>1</sup> Meadows, R. 2007. "Oaks: Research and outreach to prevent oak woodland loss." *California Agriculture* 61 (1):7-10.

<sup>2</sup> CWHR is maintained by CDFW's Conservation and Analysis Unit, which conducts scientific analysis and research to address conservation questions and produce products for use in conservation decision-making, with a focus on landscape-level spatial analysis that includes habitat suitability modeling, species range and distribution modeling, climate change vulnerability assessment, habitat connectivity modeling, and the compilation and integration of other landscape datasets.

<sup>3</sup> CNDDDB staff work with partners to maintain current lists of rare species and an ever-growing database of locations mapped by geographic information system (GIS) for these species. These data inform conservation decisions, aid in environmental review of projects and analysis of land use changes, provide baseline information helpful in recovering endangered species, and inform research projects.

## Monitoring of rocky intertidal keystone species yields critical conservation insights

by Keith Lombardo, PhD, Director, Southern California Research Learning Center, National Park Service

When most people think about the National Park Service (NPS), their minds race to raging waters of the Grand Canyon, dramatic rock outcroppings in Yosemite Valley, or abundant megafauna of Yellowstone. Few people associate NPS with the rocky intertidal, a unique ecological habitat exposed only during the lowest of tides where many people first experience marine wildlife. Along the western coast of the United States, NPS protects an abundance of rocky intertidal habitat, including Channel Islands National Park (CHIS) and Cabrillo National Monument (CABR) in Southern California.

NPS is charged with protecting and preserving all species and ecological systems under our purview. Its Southern California Research Learning Center partners with California Wildlife Foundation, employing a diverse team of biologists and communicators to collect intertidal monitoring data. Long-term monitoring data provide the necessary context for scientists and land managers working to discern species population trends and the status of ecosystems. But how do land managers and scientists accomplish this goal given the breadth of natural resources under NPS protection? The monitoring schemes employed by NPS and its partner agencies often focus on keystone species, ones so critical that the ecosystem would change dramatically without them.

Intertidal monitoring at CHIS and CABR began in 1990, as biologists noticed marked changes in the intertidal habitat, driven by the loss of several keystone species. When monitoring began at CABR, for example, 7 of the 13 keystone species had been extirpated or were in significant decline. Channel Islands and Cabrillo participate in a collaboration of agencies and institutions that monitor rocky intertidal habitats and their keystone species at more than 200 sites ranging from Baja California to Alaska. The group, known as MARINE (Multi-Agency Rocky Intertidal Network), has instituted similar data collection protocols across the North American West Coast.

Each year the data are aggregated and made available for study, allowing scientists to see if observations and trends occur in just one or two locations, indicating a local issue such as poaching or pollution; or at multiple sites across larger geographic areas, indicating regional or global issues such as marine heat waves or disease outbreaks. The MARINE collaboration has produced science communications to increase public understanding of the importance of rocky intertidal ecosystems and published numerous scientific articles, which have shed light on critical issues facing rocky intertidal systems such as sea star wasting disease and ocean acidification.



Asingular bolt indicates the location of a long-term owl limpet monitoring site, where a team of biologists collect rocky intertidal data at Cabrillo National Monument in San Diego, CA.

Many important keystone species have thrived in rocky intertidal habitats. For example, the giant kelp *Macrocystis* is a critical marine food web foundation along the west coast and a pillar of Pacific shores and adjacent islands. MARINE monitoring data from the past 20 years suggest local pressures may be driving change in limpet populations at CABR, while trends in local populations may be responding to sea urchin population changes elsewhere. Click into the *CAR Story* blog to see why maps of intertidal species <https://www.nps.gov/learning-research-center> or <https://www.nps.gov/learning-research-center> for more information about the Southern California Research Learning Center. Visit <http://www.nps.gov/learning-research-center>

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Cont.

## Reports assess extinction risk and conservation needs for oak species

by *Christina Carrero, Tree Conservation Research Assistant, The Morton Arboretum*



In December 2020, The Morton Arboretum, in partnership with Botanic Gardens Conservation International, published *The Red List of Oaks 2020*, the first comprehensive report on extinction risk for the world's 430 estimated oak species. The report utilizes the International Union for Conservation of Nature (IUCN) Red List threat categories for each species and includes detailed meta-analyses of threats to oaks by region.

According to the report, the United States has one of the highest numbers of oak species (91) in the world and the fourth highest number of *Threatened* oak species (16). See: <https://www.mortonarb.org/science-conservation/global-tree-conservation/projects/iucn-red-list-threat-assessments-priority>.

*The Red List of Oaks 2020* follows two prior reports on the status of U.S. oaks. In 2017, *The Red List of US Oaks*, published assessments for the country's oaks, including 20 California species. IUCN standard methodology was used to assess the range, habitat, population size, population trends, and prevalent threats to each species, which were then assigned to one of eight Red List categories. The report identified 16 native U.S. species as *Threatened* (either Critically Endangered, Endangered, or Vulnerable, according to IUCN criteria), including 5 in California: Cedros Island Oak (*Quercus cedrosensis*), Nuttall's scrub oak (*Q. dumosa* Nutt.), Engelmann oak (*Q. engelmannii*), island scrub oak (*Q. pacifica*), and island oak (*Q. tomentella* Engelm.).<sup>1</sup> California is one of the states with the highest number of *Threatened* oak species. The report identified cli-

mate change, fire suppression, and land change for human use as the primary threats to California oaks, which mostly aligns with the overall significant threats to U.S. oaks. See: <https://globaltrees.org/wp-content/uploads/2017/09/Oaks5.pdf>.

The Arboretum subsequently collaborated to produce the *Conservation Gap Analysis of Native U.S. Oaks* in 2019, which provides in-depth analyses for oak species of conservation concern, including nine California oaks assessed as *Threatened* or *Near-Threatened*. The report evaluates the most common and significant threats and current conservation strategies by species and makes recommendations for future conservation action. See: <https://www.mortonarb.org/files/conservation-gap-analysis-of-native-US-oaks.pdf>. *The Red List of Oaks 2020* expands on these reports by analyzing all global oak species and oak threats regionally and providing context for how oaks in each region compare on a global scale.

The 2020 report identifies invasive pests and diseases as the most common threats in the United States, although these are not the most common threats to California oaks. The United States is the only major global region where invasive pests and diseases are the most reported threat. Other analyzed regions (Mexico/Central America/Caribbean, Asia, and Europe) are most threatened by habitat loss for agriculture and urban development.

The findings of these three publications point to *in situ* protections—managing invasive species, fire regimes, climate change, and human-influenced land change—as well as collaborative *ex situ* species collection as necessary strategies for conserving oaks in California and across the United States.

<sup>1</sup> The IUCN threat categories are separate from and do not align with state or federal threat designations associated with the California or federal Endangered Species Act.

*Special thanks to California Wildlife Foundation/California Oaks Advisor Janet L. Byron, who provided editorial guidance in development of the newsletter and to Amy Larson, California Wildlife Foundation, for the thorough review of articles and tables.*

### How you can help:

- Donate to California Wildlife Foundation/California Oaks. A secure donation can be made from our website: [californiaoaks.org](http://californiaoaks.org).
- Spend time in an oak woodland or forest. Click on [californiaoaks.org/resources](http://californiaoaks.org/resources) for a partial listing of oak landscapes around the state that have public access.
- Please consider including oak conservation in your financial and estate planning efforts. Information can be found at: [californiaoaks.org/donate](http://californiaoaks.org/donate).
- Be vigilant about threats to oak woodlands and oak-forested lands in your community and consult [californiaoaks.org](http://californiaoaks.org) for guidance.
- Sign up for the *Oaks* e-newsletter at [californiaoaks.org](http://californiaoaks.org).
- Support local and statewide measures to protect natural resources.
- Hold decision-makers accountable for protecting green infrastructure.

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Cont.

## Response to Letter 41: Angela Mosskow, California Wildlife Foundation/California Oaks

**Response 41-1:** This comment serves as an introductory statement and does not warrant a response.

**Response 41-2:** This comment states the following:

### OAK IMPACTS AND PROPOSED MITIGATION

College Park's plan to remove an estimated 1,393 of the 1,599 native oak trees—over 87%—runs counter to many of the City of Rocklin's policies.<sup>1</sup> For example, Land Use Element Policy 5 of the General Plan, presented on page 3.1-6 of the DEIR is: "Encourage residential, commercial, and industrial development projects to be designed in a manner that effectively protects existing oak trees designated to be retained through the development review process."

The DEIR also (see 3.1-7) cites the General Plan's goal for Preservation of Open Space and Natural Resources: "To designate, protect, and conserve open space land in a manner that protects natural resources and balances needs for the economic, physical and social development of the City." Further, Policy OCR-1 is presented: "Encourage the protection of open space areas, natural resource areas, hilltops, and hillsides from encroachment or destruction through the use of conservation easements, natural resource buffers, building setbacks or other measures."

The DEIR (3.4-43) proposes an inadequate program to offset project impacts:

Under the Oak Mitigation Plan, a 22.5-acre Mitigation Area would be set aside as mitigation for these impacts to native oak trees. This Mitigation Area is located along Secret Ravine Creek, and as a result, supports both a diverse, high quality riparian corridor, and oak woodlands farther from the Creek. The Mitigation Area contains 1,014 native trees with a cumulative DBH of 9,420 inches.

Later in this section the DEIR notes that the mitigation plan "...does not achieve the 2:1 replacement tree ratio required by the Guidelines." New oak canopy is not being replicated by the mitigation plan, instead habitat elsewhere is being preserved at a rate that is below the City of Rocklin's requirement. The conclusion presented on page 3.4-44 that Mitigation 3.4-9 would result in a less than significant impact is erroneous.

Further, a curious statement is made on the prior page of the DEIR:

Both off-site tree replacement and contributing to the Rocklin Oak Tree Preservation Fund would result in substantial temporal loss of habitat; therefore, the applicant has proposed to mitigate for loss of native oak communities through protection and long-term management of existing native oak communities.

The proposed removal of an estimated 87% of the site's trees is a substantial permanent loss of habitat, which is inadequately mitigated by the conservation proposal. The DEIR notes on page 3.4- 2: "The Sacramento Valley region is considered to have low biological diversity due to the conversion of native habitat to agricultural and urban uses." As currently proposed, this project will further degrade the region's biodiversity.

Oaks are California's primary old growth resource, vital to maintaining the state's biodiversity. Please find enclosed a report on oak-dependent and oak-associated species and subspecies that are federally and/or state designated as endangered, threatened, and candidate (listed). Thirty-three listed and fully protected vertebrates are dependent upon oak habitat for reproduction, cover, or feeding, and 134 listed plants and 26 invertebrates are associated with oaks.

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This comment is addressed, in part, under Master Response 5. Additional discussion is provided below.

City General Plan Policy OCR-1 generally provides that it is City policy to “[e]ncourage the protection of open space areas, natural resource areas, hilltops, and hillsides from encroachment or destruction through the use of conservation easements, natural resource buffers, building setbacks or other measures.” General Plan Policy LU-5 focuses specifically on oak trees, providing that it is City policy to “[e]ncourage residential, commercial, and industrial development projects to be designed in a manner that effectively protects existing oak trees designated to be retained through the development review process.”

It is important to note that, while both of these policies “encourage” certain actions, they do not mandate them. The policies also must be read in connection with, and reconciled with, other General Plan policies that contemplate development for all of the benefits that it brings. (*No Oil, Inc. v. City of Los Angeles* (1987) 196 Cal.App.3d 223, 244 [“[a]s with the interpretation of statutes in general, portions of a general plan should be reconciled if reasonably possible”].) Such other policies make it clear that the City does not intend to require the preservation or retention of each and every oak tree on property to be developed. For example, Policy OCR-2, which comes right on the heels of Policy OCR-1, provides that the City shall “[r]ecognize that balancing the need for economic, physical, and social development of the City may lead to some modification of existing open space and natural resource areas during the development process.” This policy clearly contemplates the loss of some biological resources as part of the development process.

The General Plan Open Space, Conservation, and Recreation Element, on page 4.B-6, also plainly recognizes that the City’s Oak Tree Preservation Ordinance (Oak Tree Ordinance) expressly authorizes the removal of oak trees, provided that mitigation requirements are followed:

In addition to several General Plan policies related to special status species, the City of Rocklin maintains an Oak Tree Preservation Ordinance regulating the protection and preservation of oak trees along with mitigation measures for trees allowed to be removed. The ordinance applies to oaks with a trunk diameter at breast height of six inches or more. Prior to removal of any native oak, an application must be submitted for an Oak Tree Removal Permit. A certified arborist report may be required prior to removal. Mitigation for removal may include replacement on a one-to-one basis or greater ratio based on the diameter of the tree removed, payment into the City’s Oak Tree Preservation Fund, or dedication of land. On finished single family residential lots, oak trees can be removed with mitigation measures established in the ordinance to allow the owner to build on the lot. On developed multifamily, commercial and industrial lots, oak trees can be removed without mitigation only if dead or diseased. On property proposed for development, preservation and removal of healthy oak trees is addressed during the development application review process.

*General Plan Policy:* Indeed, General Plan Policy OCR-43 requires that the City “[m]itigate for removal of oak trees and impacts to oak woodlands in accordance with the City of Rocklin’s Oak Tree Preservation Ordinance, or for projects located in zones not directly addressed by the Oak Tree Preservation Ordinance mitigation measures, on a project-by-project basis through the planning review and entitlement process.”

The City's discretion to allow for the loss of oak trees as part of the development process is also inherent in the language of Policy LU-5. Policy LU-5, which, as noted above, encourages the City to use its "development review process" to designate certain oak trees on a development site for retention. After such designation, the policy then encourages the city to ensure the protection of these retained trees through project design.

In light of the flexibility found in all of these General Plan policies, and in the Oak Tree Ordinance, the City clearly has substantial discretion to approve development projects resulting in the loss of oak trees, provided that mitigation requirements are satisfied.

Here, the Applicants have designed the Project to retain the most biologically valuable oak woodland habitat and to retain trees likely to remain healthy. The Applicants enlisted a certified arborist to conduct tree surveys of each Project site (see DEIR, pp. 3.4-6) and then had Madrone Ecological Consulting prepare an Oak Tree Mitigation Plan that outlines the onsite trees to be retained and preserved/protected (see DEIR, Appendix C: Attachment E, p. 7). It is noted that the Oak Tree Mitigation Plan has been updated as Appendix A to the Final EIR to reflect a variety of comments and suggestions that the City received during the DEIR public circulation period. Master Response 5 provides a discussion of the oak mitigation strategy as outlined in the updated Oak Tree Mitigation Plan.

The Project was then designed to avoid these trees by creating neighborhood park and open space uses on the North Village site that maintain oaks and oak woodlands and by setting aside 13.5 acres on the South Village site for the same purposes. (See DEIR, pp. 3.10-12 to 3.10-13.) Further, the DEIR includes Mitigation Measure 3.4-9, which sets forth the standard preservation and protection requirements such as the use of fencing around trees at least three feet from the tree's dripline during construction and the installation of signage denoting the costs associated with damaging the tree. The measure also ensures compliance with the City's Oak Tree Preservation Guidelines, via the Project's Oak Tree Mitigation Plan, which provides for a conservation easement over healthy matures oak trees and woodland habitat to mitigate for the commensurate removal of oak trees and woodland from the Project sites. (DEIR, p. 3.4-45.) These efforts ensure consistency with Policy LU-5. (See DEIR, pp. 3.10-12 to 3.10-13.)

Policy OCR-1 does not deal directly with oak trees but encourages the protection of natural resources. It also encourages the use of conservation easements, buffers, and setbacks, which are included as part of Project mitigation. A discussion of setbacks is also provided under Master Response 4. As discussed just above, Project development will be set back from the retained oak trees onsite and buffers will be established during construction. In addition, Mitigation Measure 3.4-9 authorizes the applicant to mitigate for the loss of oak trees by carrying out the proposed Oak Tree Mitigation Plan. It would require a conservation easement over existing healthy and mature oak trees and woodland. Thus, the Project will be consistent with Policy OCR-1.

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In summary, the Project is consistent with Policies LU-5 and OCR-1, and all other policies applicable to oak tree preservation, and therefore has a less-than-significant impact (with mitigation) regarding potential conflicts with local policies. (DEIR, pp. 3.4-41, 3.4-44.)

*Mitigation:* The Project's impacts on oak woodlands are appropriately mitigated through, among other things, the preservation of an existing high-quality oak woodland habitat located on the existing Sierra College campus. The reasons why this approach is viable and appropriate are explained below.

Oak woodlands are not a habitat type with any special protection under the federal or state Endangered Species Act, as oak trees are not endangered or threatened species. Without trivializing the aesthetic and biological significance of oak woodlands viewed holistically, federal and state environmental laws are primarily concerned with the ecological significance of particular oak woodlands in terms of (i) the special status plant and animal species that they might support and (ii) whether such woodlands serve as valuable wildlife corridors or nurseries.

Thus, there is no language in CEQA Guidelines Appendix G Checklist indicating that the loss of oak woodlands, in and of itself, per se creates a significant environmental impact. Rather, a lead agency's focus should be on whether a particular oak woodland supports special-status species or provides an important nursery or corridor for wildlife movement. (See CEQA Guidelines, Appen. G, Sample Questions, § IV, Biological Resources; see also *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018, 1040 (Environmental Council) [differentiating "taking of habitat" from taking of animals or species].) Where particular oak woodlands do not have these especially valuable ecological attributes, a proposed project's impacts to such woodlands may still be addressed under CEQA, consistent with Appendix G, where, as here, such woodlands are protected by local policies or ordinances. (CEQA Guidelines, Appen. G, Sample Questions, § IV, Biological Resources, question (f).)

Here, the DEIR appropriately addresses the loss of oak woodlands on the Project sites in light of a significance threshold by which impacts are significant where the project would "[c]onflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance[.]" (DEIR, pp. 4.3-29, 4.3-41 – 4.3-45.) The DEIR dealt separately with impacts on special status species and their habitats, as well as with impacts to riparian habitat, sensitive natural communities, wetlands, and wildlife movement corridors.

CEQA does contain specific guidance for mitigating impacts on oak woodlands, though the Legislature made these binding only on counties (and not cities). This guidance is found in Public Resources Code section 21083.4, which was created as part of the California Oak Woodlands Conservation Act of 2001. Subdivision (b) of that section contains specific guidance on mitigation for oak woodland removal.

Notably, subdivision (b)(1) explicitly allows the use of oak woodland conservation, effectuated through conservation easements, as a form of mitigation for the "conversion of oak woodlands that will have a significant effect on the environment." While section 21083.4 is only binding on counties,

there is no reason why the City should not be able to avail itself of conservation as a mitigation option. In fact, the legislative history for the California Oak Woodlands Conservation Act shows that the purpose of the bill was to address statewide conversion of oak woodlands at the “local government[.]” level. (Sen. Com. on Env. Quality on Sen. Bill No. 1334 (2003-2004 Reg. Sess.) Apr. 19, 2004.)

Here, the Applicants and the City have chosen to rely, in part, on conservation because it is allowed under the City’s Oak Ordinance and because it can be biologically superior to compensatory mitigation approaches, as explained below. The entire mitigation strategy is outlined in more detail under Master Response 5.

For many years the courts have viewed the conservation of existing habitat as a valid mitigation strategy for the loss of habitat under CEQA. (See, e.g., *Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 278 [loss of habitat mitigated by conservation of other habitat at a one-to-one ratio]; *California Native Plant Society v. City of Rancho Cordova* (2009), 172 Cal.App.4th at pp. 603, 610–611, 614–626 [mitigation for wetland losses by offsite preservation of two acres of existing habitat or the creation of one acre of new habitat for each acre of habitat impacted by the project]; *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 794 [mitigation by “off-site preservation of similar habitat”]; *Environmental Council, supra*, 142 Cal.App.4th at p. 1038 [purchase of a half-acre for habitat reserves for every acre of development].) Here, however, it is useful to note here that, while the California Oak Woodlands Conservation Act was created to preserve oaks and oak woodlands as desirable natural elements of the State, these elements are not endangered, rare, or threatened under California Endangered Species Act or the California Native Plant Protection Act. Therefore, the net loss of some oak woodlands need not be considered a significant impact under CEQA. (*Save Panoche Valley v. San Benito County* (2013), 217 Cal.App.4th at pp. 503, 529 [“[t]he goal of mitigation measures is not to net out the impact of a proposed project, but to reduce the impact to insignificant levels”].)

**Response 41-3:** This comment states the following:

Another deficiency of the DEIR is that the carbon impacts of the proposed tree removals are not included in the analysis presented in Appendix B. The California Environmental Quality Act’s (CEQA) sole greenhouse gas (GHG) focus is “the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions.” Net present value of GHG emissions forms the foundation of the state’s greenhouse reduction objectives, as well as the California Forest Protocol preservation standards. Every ton of carbon dioxide (CO<sub>2</sub>) released into the atmosphere by oak woodland or forest conversion represents a measurable potential adverse environmental effect, which is covered by CEQA. California requires the analysis and mitigation of GHG emissions associated with proposed oak woodland or forest conversions.

Further, project mitigation that is based on the preservation (“avoided conversion”) of natural lands does not adequately mitigate GHG emissions of natural lands conversion. Standing trees, understory, and soil conserved by the mitigation, do not, suddenly, upon the protections afforded by their conservation, sequester more carbon to mitigate impacted biomass GHG emission effects of the conversion.

The authors of “Ten golden rules for reforestation to optimize carbon sequestration, biodiversity recovery and livelihood benefits” address the need to keep trees standing:

Intact, old-growth forest is a major long-term carbon sink due to its complex structure, large trees, accumulating soils and relative resilience to fire and drought (Luyssaert et al., 2008; Maxwell et al., 2019). The IPCC acknowledges that ‘most [destroyed] forest ecosystems will take longer than 100 years to return to the level of biomass, soil and litter pools [found in forest in an] undisturbed state’ (Aalde et al., 2006). Recovery of ecosystem services and biodiversity may take centuries, especially the return of rare or endemic species, which are particularly vulnerable to disturbance (Gibson et al., 2011; Rey Benayas et al., 2009). Large areas of remnant forest, with healthy, genetically diverse populations of common plant species are essential to supporting reforestation efforts. They provide the seed rain for NR (Rule 4); a source of seeds, wildlings and cuttings for the production of resilient planting stock (Rule 7); and they provide habitat for supporting biodiversity, including seed dispersers and pollinators.

It is therefore vital to protect remaining natural forests—‘proforestation,’ *sensu* Moomaw et al. (2019). Intact, old-growth forest is of the greatest value for carbon storage (Maxwell et al., 2019) and wildlife (Deere et al., 2020) and should be prioritized for protection

The DEIR also fails to analyze the impacts of the tree removals on air quality. Planning for the Future of Rocklin’s Urban Forest addresses the role of trees in improving air quality:

Regional air quality will continue to be an issue of concern. The Sacramento air basin in the vicinity of Sacramento has frequently exceeded national ambient air quality standards for ozone and, to a lesser degree, airborne particulates matter. Tree canopy intercepts and reduces both ozone and particulate pollutants.

CEQA Guidelines section 15064.4 does not require that an EIR discuss the loss of carbon sequestration as a result of the removal of vegetation or trees; it only dictates that an EIR discuss GHG emissions, which the DEIR does (see Section 3.7.3). The focus on emissions, as opposed to the potential loss of sequestration, is a result of the original 2007 legislative directive by which the Governor’s Office of Planning and Research and the California Natural Resource Agency developed and promulgated the CEQA Guidelines dealing with GHG emissions. This statute, Public Resources Code section 21083.05, was amended again in 2012, but its focus on emissions is still unmistakable:

The Office of Planning and Research shall periodically update the guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption to incorporate new information or criteria established by the State Air Resources Board pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code.

Notwithstanding the Legislature’s focus on GHG emissions, the loss of existing carbon sequestration in the trees to be removed from the Project site will be partially, if not fully, offset by the planting substantially more than 1,000 new, healthy trees in residential yards, parks, along roadway corridors, etc. The landscape architects for the Project have identified a minimum of 1,085 trees that will be planted, with additional tree plantings occurring on portions of the Project where site specific plans have yet to be developed. These new trees will sequester carbon in the same manner as the many unhealthy, older oak trees to be removed.



Furthermore, more than 10 percent of the trees proposed for removal are either dead, wounded, or in varying states of decay, and a large portion of the remainder of the trees to be removed are of an inferior ecological quality, with defects and a lack of species diversity. (See DEIR, Appendix C: Attachment E, pp. 7, 14.) As is well known, dead trees eventually decay and release carbon dioxide, a GHG, into the atmosphere. Thus, under a No Project scenario in which the dead, wounded, and otherwise unhealthy trees are not removed to make room for development, the process of decay would contribute to GHG emissions.

In contrast, the oak trees proposed for conservation in the College Park Oak Tree Mitigation Plan, prescribed by Mitigation Measure 3.4-9, are more mature, have fewer defects, and include a broader species diversity than the trees present on the Project sites. (See DEIR, Appendix C: Attachment E [College Park Oak Mitigation Plan], pp. 14–15.) Thus, these protected healthy and mature trees, which could continue to thrive for many decades into the future, will provide better carbon sequestration and release far less carbon into the atmosphere than a large portion of those slated for removal as part of the Project.

**Response 41-4:** This comment suggests that there is a deficiency associated with the proposed fencing, in that it does not sufficiently protective of oaks. The commenter states that *“Oaks should have no disturbance within the root protection zone, which is the area that extends beyond the dripline to a distance that is half the distance between the trunk and the dripline—an area that will require a much larger protection area than three feet beyond the dripline. Many problems for oaks are initiated by disturbing the roots within this zone. Care of California’s Native Oaks, which is downloadable from <http://californiaoaks.org/oak-tree-care/>, provides additional guidance.”*

This comment is addressed, in part, under Response 41-2 above. It is noted that the DEIR includes Mitigation Measure 3.4-9, which sets forth the standard preservation and protection requirements such as the use of fencing around trees at least three feet from the tree’s dripline during construction and the installation of signage denoting the costs associated with damaging the tree. The three-foot distance outside the dripline is the City’s standard. The measure also ensures compliance with the City’s Oak Tree Preservation Guidelines, via the Project’s Oak Tree Mitigation Plan, which requires a conservation easement over healthy matures oak trees and woodland habitat to mitigate for the commensurate removal of oak trees and woodland from the Project sites. (DEIR, p. 3.4-45.)

**Response 41-5:** This comment references the DEIR discussion on special status fish species and suggests that the DEIR does not disclose that the waterway is a tributary to Secret Ravine Creek, which provides spawning and rearing habitat for steelhead.

The DEIR Section 3.4 accurately states that “An unnamed tributary of Secret Ravine Creek runs from east to west through the site and is bordered on both sides by a riparian wetland that occupies the creek’s floodplain.” It also, however, concludes that the unnamed tributary does not function for

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steelhead habitat due to downstream beaver dams that are barriers to salmonid migration combined with the fact that the substrate within the tributary is unsuitable for spawning.

**Response 41-6:** This is an attachment to the comment letter. The attachment is a newsletter about California Oaks. This information is noted.

RE: Draft EIR for the College Park Project, September 2021

The following are my comments on the Project in general but College Park South in particular.

Before becoming drawn into this proposed project, I really didn't have a clue as to what words like CEQA and draft EIR meant. Nor did I know or care how our local government worked. But when I learned that there were plans to forever alter the 'nature area' behind Monte Verde Park, I gasped and was so profoundly taken aback that I wanted to find out about all I could about this project. This 'nature area' is where I take my daily walk (sometimes take my dog with me), meditate, pick wild blackberries (and make the most wonderful pies with them), admire the sights and sounds of wildlife, take photographs, and generally relax and take in the splendor and beauty of what nature has provided.

What struck me most about the proposed project was the increased traffic that the built-out project would result in – and – where are all of these additional people in our area going to go grocery shopping. As for grocery shopping, the two closest grocery stores (Walmart on Crossings and Raley's on Horseshoe Bar) presently have near full parking lots most of the times. And everyone in the area knows the traffic on Rocklin Rd is heavy and especially heavy during the commute hours and super heavy when students are coming or going from classes (and this doesn't include the additional traffic the Sierra Gateway Project on Rocklin Rd and SBC or Granite Bluff will bring).

As I began learning more about CEQA, regulations, etc., and this proposed Project, I was shocked (putting it mildly) how complex and voluminous the material was. I have spent well over 200 hours in the last few months reading this Project's documents (especially the draft

42-1

EIR), attending neighborhood meetings, talking with dozens of neighbors, performing internet research, and walking and taking pictures of the South Project area. As a result of all of my research, I have realized that the ramifications of the impacts of this proposed Project go far beyond increased traffic and packed grocery stores. The following are my comments on my realizations.

it is mind-boggling to me that this project was even conceived let alone reach the point that it is currently at. In the end, only large amounts of money could bring this project along given the common sense negative impacts it will create (despite what the City's paid experts have written). Time does not permit me to comment on every single negative impact or every single error on every page of the draft EIR.

42-1 Cont.

Aguilar Tributary, located within the College Park South Project area, is a Wetland. Wetlands, creeks, and streams are protected waters and are governed by the Porter-Cologne Act in CA and, at the Federal level, the Clean Water Act. At the Federal level, Section 404 of the Clean Water Act requires a permit for any discharge of any dredge and fill material (basically dirt) into any water (in our case, a Wetland) of the US.

At the proposed College Park South site, heavy equipment digging pilings and moving dirt for the bridge over the creek and into the site would constitute discharge of dredge & fill into the wetland. No doubt the Applicant will attempt to execute the mitigations itemized in the dEIR. But the mitigations are not guaranteed, not easy to complete, and are very costly. So why not vote a NP before this madness goes any further?

42-2

In May 2020, a new regulation established a new 404 permitting program for discharge of dredge and fill into any waters of the State. It also defined a wetland as essentially any piece of land that is

inundated with water regularly.<sup>1</sup>

ENVIRONMENTAL CHANGE = HABITAT LOSS =  
PRIMARY THREAT TO WILDLIFE SURVIVAL

*Our planet is currently suffering a staggering rate of dramatic environmental change. Around the world, ecosystems are increasingly subjected to the negative effects of human population growth and its expanding ecological footprint (Jackson et al. 2001; Hughes et al. 2003). Be it in the form of habitat loss or alteration, the introduction of invasive species, pathogen spill-over, accumulation of persistent pollutants, climate change or stratospheric ozone depletion, global environmental change has altered physical and biological systems and is becoming of increasing concern for the well-being and survival of many species (Thomas et al. 2004; Hoffmann & Willi 2008).<sup>2</sup>*

42-2 Cont.

<sup>1</sup>What's in a Wetland: An Overview of Federal and State Developments in Defining Jurisdictional Wetlands, Digging Into Land Use Law Podcast, Nossaman Environment & Land Use partner Mary Lynn Coffee and associate Stephanie Clark.  
<https://podcasts.google.com/feed/aHR0cHM6Ly93d3cuc3ByZWFrZXIuY29tL3Nob3cyNDUzMDIyNC9lcGlzb2Rlc9mZWVka/episode/aHR0cHM6Ly9hcGkuc3ByZWFrZXIuY29tL2VwaXNvZGUvNDQyMjgyMDU?sa=X&ved=0CAcQkfYCAhgKEwjThouv9Tb0AhUAAAAAHQAAAAAQrwQ&hl=en>

<sup>2</sup>Effects of environmental change on wildlife health by Karina Acevedo-Whitehouse and Amanda L.J. Duffus, US National Library of Medicine, National Institutes of Health, *Philos Trans R Soc Lond B Biol Sci*, v.364(1534): 2009 Nov 27, PMC2781848 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2781848/>

Taken all together, concern over all of the Environmental Impacts represent many years of Federal, State, and Local regulations to make life better for the Earth and its inhabitants. The Applicant would have us believe that by listing mitigations to all of the regulations protecting our environment they will be 'easy peasy lemon squeezy' to comply with. The College Park project is the latest desperate attempt to increase population and housing density (and all of its' negative impacts in East and Southeast Rocklin). All one has to do is look around and take a look at what is happening around us:

- KB Homes Granite Bluff 75-home subdivision that is supposedly a MDR development. Upon first look at the site, one sees narrow streets without sidewalks, houses no further than 10 feet apart, ticky tacky 2 x 4 wood stud construction, house heights towering over the existing neighbors on unnatural elevated grade—a development that is so out of character from the surrounding neighborhood. One wonders how this development got approved? It got approved at the beginning of the Covid-19 epidemic just when all Americans were told to stay home. [https://www.rocklin.ca.us/sites/main/files/file-attachments/03.17.20\\_granite\\_bluff\\_dr\\_pc\\_posting.pdf?1583941634](https://www.rocklin.ca.us/sites/main/files/file-attachments/03.17.20_granite_bluff_dr_pc_posting.pdf?1583941634)
- Planned commercial development of 3.4 acres on Rocklin Road at



Aguilar Rd. Unbelievably this planned commercial development

42-3

shows the remainder of southeast Rocklin as "DENSE RESIDENTIAL" [https://images1.loopnet.com/d2/z\\_2rXZm-CZ-QlgPC9Jrbm6jSjFyhEGYwiFA\\_PQJ56Sg/Rocklin%20Rd%20Land%20Flyer%20624.pdf](https://images1.loopnet.com/d2/z_2rXZm-CZ-QlgPC9Jrbm6jSjFyhEGYwiFA_PQJ56Sg/Rocklin%20Rd%20Land%20Flyer%20624.pdf) .

### +3.4 AC ROCKLIN COMMERCIAL LAND



- And then there's the proposed Rocklin Meadows Subdivision in the Greenbrae Island Subdivision <https://ceqanet.opr.ca.gov/2015042041> .

The trend is clear and the future is bleak. College Park South contains the last stand of undisturbed Riparian Forest along this tributary of Secret Ravine Creek.

I invite all council members and all Planning Commissioners to spend a day with me walking the College Park South site. Together let's see:

- AND COUNT THE WILDLIFE SPECIES OURSELVES
- HOW THE PROPOSED PROJECT DOES NOT FIT THE AESTHETICS OF THE AREA;
- HOW BEAUTIFUL AND PEACEFUL THIS NATURAL RESOURCE IS;

**AND**

42-3 Cont.

- HOW WE MIGHT IMAGINE IT BECOMING A 'LIVING CLASSROOM' FOR STUDENTS (AND CITIZENS) TO LEARN ABOUT RIPARIAN FORESTS, THE WILDLIFE THEY CONTAIN, AND ECOLOGY;
- HOW IT COULD BE RE-IMAGINED AND COMBINED WITH MONTE VERDE PARK AS A PROTECTED NATURE PRESERVE WITH A RIPARIAN THEME;

The Rocklin City Council and the Planning Commission, our decision makers, can save the College Park South area for us and future generations. **Because when it's gone, IT'S GONE.** It would be awful to see East Rocklin turn into a tenement in the next 10 to 15 years.

I urge a "NP" vote on the College Park South Village proposed project and a "Reduced Footprint Alternative" on the College Park North Village with a footprint reduction of at least 50%.

Dan Wilson  
8 year Resident of Havenhurst Circle  
[rocklindan@gmail.com](mailto:rocklindan@gmail.com) and 916-475-7114

42-3 Cont.



**Response to Letter 42: Dan Wilson 1, Public Comment Submission****Response 42-1:** This comment states:

Before becoming drawn into this proposed project, I really didn't have a clue as to what words like CEQA and draft EIR meant. Nor did I know or care how our local government worked. But when I learned that there were plans to forever alter the 'nature area' behind Monte Verde Park, I gasped and was so profoundly taken aback that I wanted to find out about all I could about this project. This 'nature area' is where I take my daily walk (sometimes take my dog with me), meditate, pick wild blackberries (and make the most wonderful pies with them), admire the sights and sounds of wildlife, take photographs, and generally relax and take in the splendor and beauty of what nature has provided.

What struck me most about the proposed project was the increased traffic that the built-out project would result in – and – where are all of these additional people in our area going to go grocery shopping. As for grocery shopping, the two closest grocery stores (Walmart on Crossings and Raley's on Horseshoe Bar) presently have near full parking lots most of the times. And everyone in the area knows the traffic on Rocklin Rd is heavy and especially heavy during the commute hours and super heavy when students are coming or going from classes (and this doesn't include the additional traffic the Sierra Gateway Project on Rocklin Rd and SBC or Granite Bluff will bring).

As I began learning more about CEQA, regulations, etc., and this proposed Project, I was shocked (putting it mildly) how complex and voluminous the material was. I have spent well over 200 hours in the last few months reading this Project's documents (especially the draft EIR), attending neighborhood meetings, talking with dozens of neighbors, performing internet research, and walking and taking pictures of the South Project area. As a result of all of my research, I have realized that the ramifications of the impacts of this proposed Project go far beyond increased traffic and packed grocery stores. The following are my comments on my realizations...it is mind-boggling to me that this project was even conceived let alone reach the point that it is currently at. In the end, only large amounts of money could bring this project along given the common sense negative impacts it will create (despite what the City's paid experts have written). Time does not permit me to comment on every single negative impact or every single error on every page of the draft EIR.

This comment serves as an introductory statement. The comment expresses that they are new to local government functions, and CEQA in particular. The comment reflects the commenter's fondness for the Project site and concern for traffic generated by the Project. This comment does not warrant any revisions to the Draft EIR.

**Response 42-2:** This comment states:

Aguilar Tributary, located within the College Park South Project area, is a Wetland. Wetlands, creeks, and streams are protected waters and are governed by the Porter-Cologne Act in CA and, at the Federal level, the Clean Water Act. At the Federal level, Section 404 of the Clean Water Act requires a permit for any discharge of any dredge and fill material (basically dirt) into any water (in our case, a Wetland) of the US.

At the proposed College Park South site, heavy equipment digging pilings and moving dirt for the bridge over the creek and into the site would constitute discharge of dredge & fill into the wetland. No doubt the Applicant will attempt to execute the mitigations itemized in the dEIR. But the mitigations are not guaranteed, not easy to complete, and are very costly. So why not vote a NP before this madness goes any further?

In May 2020, a new regulation established a new 404 permitting program for discharge of dredge and fill into any waters of the State.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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It also defined a wetland as essentially any piece of land that is inundated with water regularly.

ENVIRONMENTAL CHANGE = HABITAT LOSS = PRIMARY THREAT TO WILDLIFE SURVIVAL

Our planet is currently suffering a staggering rate of dramatic environmental change. Around the world, ecosystems are increasingly subjected to the negative effects of human population growth and its expanding ecological footprint (Jackson et al. 2001 ; Hughes et al. 2003). Be it in the form of habitat loss or alteration, the introduction of invasive species, pathogen spill-over, accumulation of persistent pollutants, climate change or stratospheric ozone depletion, global environmental change has altered physical and biological systems and is becoming of increasing concern for the well-being and survival of many species ( Thomas et al. 2004; Hoffmann & Willi 2008).

This comment is addressed under Master Responses 4 and 12.

**Response 42-3:** This comment provides a concern that the environmental impacts represent years of regulations developed to make life on Earth better for its inhabitants, and that the mitigation measures will not be easy to implement. The commenter references a KB Home project, and provides a variety of concerns that they have with that project that its density. The comment indicates that there is a trend for the future that is bleak, and that it would be awful to see East Rocklin turn into a tenement in the next 10 to 15 years. The commenter recommends the “Reduced Footprint Alternative”

These comments are noted. There are no warrants for revisions to the text or mitigation in the Draft EIR. The recommendation to approve the Reduced Footprint Alternative will be provided to the appointed and elected officials for their consideration.

From: Dan Wilson <[sacramentodan@gmail.com](mailto:sacramentodan@gmail.com)>  
Date: November 8, 2021 at 3:09:18 PM MST  
To: David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>  
Subject: Another comment on the College Park draft EIR

I would also like to include my recent email to my neighbors re the El Don closure (names and email addresses not included to protect their privacy) as a comment on the College Park draft EIR.

*El Don has been closed for 2 weeks now for culvert and road reconstruction because of the damage caused by the last big storm. Does anyone have any idea when it will be fixed? Big hint as to how it happened: the storm only facilitated the damage. Poor planning, poor engineering, and poor choices were made to put the street over the creek in the first place.*

*I would like to point out that the situation here of the creek going through a culvert under El Don is eerily identical to the situation where the same creek will be going under the bridge through a culvert proposed as the only ingress/egress road for the 4-story Low Cost Senior Living facility on the College Park South property. Imagine a big storm rendering the road impassable and all those seniors would be stranded.*

*-- Dan Wilson*

Here are a few of their responses (again names and addresses withheld for privacy).

*"There is something in City Policy that discourages creek crossings, but I could not find it."*

*"It wouldn't be a problem if a bridge was there instead of a culverts. "*

*"I was at the El Don creek crossing the morning after the huge storm - it looked like whatever dirt had surrounded the culvert pipes was washed away - perhaps cement would have been a better idea.*

*It will be critical for College Park to consider and plan for the immense amount of runoff from the newly developed acres of impervious surfaces due to paving. "*

*"I pointed out the unintended consequences of lots of construction activity from the El Don road closure in my Report. My opinion that closure led to the delay for the Rocklin FD responding to the Nov 1st house fire right next door to me. House is total loss. Witnesses say Roseville Hook and Ladder beat Rocklin to fire. Likely due to closure? This Report, plus 2 Legal Opinions, plus residents' responses should form a great argument."*

Thank you,  
Dan Wilson

43-1

43-2

**Response to Letter 43: Dan Wilson 2, Public Comment Submission****Response 43-1:** This comment states:

I would also like to include my recent email to my neighbors re the El Don closure (names and email addresses not included to protect their privacy) as a comment on the College Park draft EIR.

El Don has been closed for 2 weeks now for culvert and road reconstruction because of the damage caused by the last big storm. Does anyone have any idea when it will be fixed? Big hint as to how it happened: the storm only facilitated the damage. Poor planning, poor engineering, and poor choices were made to put the street over the creek in the first place.

I would like to point out that the situation here of the creek going through a culvert under El Don is eerily identical to the situation where the same creek will be going under the bridge through a culvert proposed as the only ingress/egress road for the 4-story Low Cost Senior Living facility on the College Park South property. Imagine a big storm rendering the road impassable and all those seniors would be stranded.

This comment is addressed under Master Responses 1, 2, and 4.

**Response 43-2:** This comment identifies

Here are a few of their responses (again names and addresses withheld for privacy).

"There is something in City Policy that discourages creek crossings, but I could not find it."

"It wouldn't be a problem if a bridge was there instead of a culverts. "

"I was at the El Don creek crossing the morning after the huge storm - it looked like whatever dirt had surrounded the culvert pipes was washed away - perhaps cement would have been a better idea.

It will be critical for College Park to consider and plan for the immense amount of runoff from the newly developed acres of impervious surfaces due to paving. "

"I pointed out the unintended consequences of lots of construction activity from the El Don road closure in my Report. My opinion that closure led to the delay for the Rocklin FD responding to the Nov 1st house fire right next door to me. House is total loss. Witnesses say Roseville Hook and Ladder beat Rocklin to fire. Likely due to closure? This Report, plus 2 Legal Opinions, plus residents' responses should form a great argument."

These email communications between the commenter and his neighbors are noted. The general theme of these communications is about the creek, storm drainage, and flooding. This topic is addressed in Response 43-1 above.

Date: November 8, 2021  
 To: David Mohlenbrok, via email: [David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)  
 From: Kim Steinjann  
 Re: College Park Draft EIR comments – Public Services and Facilities, Utilities

Below are my comments on the College Park Draft EIR, dated September 2021, by De Novo Planning Group.

Section 3.13 Public Services (Recreation not reviewed here) - General:

1. The DEIR fails to provide adequate access to the Senior Housing at the South Village. Only one means of access is provided, off Rocklin Road. This is counter to the City’s General Plan policy of requiring multiple access points (2-27, PF-14)

44-1

Rocklin General Plan **Policy PF-14:** Require that projects be designed with adequate access for emergency services and general circulation. Such design should typically include the provision of **multiple points of access**. [emphasis added]

2. This lack of access also conflicts with the City’s policy of providing special services (police, fire, emergency) for higher demand special needs groups – Senior housing in this case (2-27, PF-12)

44-2

Rocklin General Plan **Policy PF-12:** Identify certain types of development, such as assisted living facilities and group homes, that may generate higher demand or special needs for emergency services and require developer participation to mitigate the needs/demands.

Just a week ago, on November 1, the Fire Department was delayed in responding to a house fire on Corona Circle. It was a total loss, and the usual access was prevented by a closure on El Don Drive. More construction in this area will result in worse response times by emergency responders.

Construction of hundreds of new dwellings at the North Village will worsen local traffic and congestion; no major road facilities are being provided such as widening Sierra College Blvd. and Rocklin Road.

### Section 3.15 Utilities

#### 3. Wastewater (3.15.1, p. 3.15-6)

The analysis to determine adequacy of existing sewer infrastructure is inadequate. The references cited are long outdated. The most recent communication from SPMUD is dated **July 2009** (Richard Stein). [emphasis added]

“SPMUD has indicated it will be able to serve the City of Rocklin’s future wastewater treatment needs during the planning period for **Rocklin General Plan (City of Rocklin, 2005)**. “ [p. 3.15-6]

The entire rationale rests on a 1986 SPMUD plan:

“SPMUD’s **1986 Sewer Master Plan** envisioned that the City of Rocklin would have 52,604 sewer equivalent dwelling units within the City at ultimate buildout “ [p. 3.15-6] [emphasis added]

“The City of Rocklin’s General Plan designates 7.9 acres of the Project Area as Recreation/Conservation and the remaining 100.5 acres as **Mixed Use, which allows for residential densities of 10 to 40<sup>1</sup> dwelling units per acre**” [emphasis added]

Please note that the increase to 40 dwelling units per acre was a fairly recent change in Rocklin’s plan. There is no explanation of what a “sewer equivalent dwelling unit” was in 1986; it is hard to imagine that the 1986 plan anticipated the proposed level of growth.

“Furthermore, the SPMUD estimates wastewater generation rates of **190 gallons per day per acre of residential uses** and 850 gallons per day per acre for commercial or industrial uses. “

I can’t comment on the commercial / industrial use, but the residential use is far from adequate. Common sense tells us that 40 dwelling units (per acre) would generate orders of magnitude greater than 190 gallons per day.

Please provide more recent references and commitments from utilities. The Appendix references a more recent SPMUD plan but it does not seem to have been used here.

Based on the foregoing, I believe the City should consider a project alternative that has less impact than the proposal. Thank you for your consideration.

Respectfully Submitted,

Kim Steinjann  
5703 Lavender Court  
Rocklin, CA. 95677  
<http://kim@steinjann.com>

David Mohlenbrok

Page 2

November 8, 2021

44-3

**Response to Letter 44: Kim Steinjann, Public Comment Submission**

**Response 44-1:** This comment states that the *“DEIR fails to provide adequate access to the Senior Housing at the South Village. Only one means of access is provided, off Rocklin Road. This is counter to the City’s General Plan policy of requiring multiple access points (2-27, PF-14).”* The commenter also references *“Rocklin General Plan **Policy PF-14:** Require that projects be designed with adequate access for emergency services and general circulation. Such design should typically include the provision of **multiple points of access.** [emphasis added]”*

Impact Statements 3.8-5 (Section 3.8 Hazards and Hazardous Materials) and 3.14-7 (Section 3.14 Transportation and Circulation) contain a detailed discussion of the potential for the project to cause significant impacts to emergency vehicle response. The evaluation concluded that the project would not result in inadequate emergency access. As discussed in the DEIR, the City’s existing street system, particularly arterial and collector streets function as emergency evacuation routes. An application for the development of the future senior housing site has been submitted to the City. Representatives of the City’s Fire Department have reviewed the preliminary plans and have deemed the single access point acceptable due to its planned design, in particular its additional width. There are multiple locations in the City today, including the Arroyo Vista Apartment Complex on Lonetree Boulevard south of West Oaks Boulevard, and the Staybridge Suites Hotel to the west of the Blue Oaks Town Center that have similar access configurations. Through the City’s development review process, the Rocklin Fire Department will continue to review the site design and circulation layout of the Senior Housing project at the South Village site as part of the City’s project referral and review process to ensure adequate emergency access is provided to the project site, and fire suppression infrastructure (e.g., fire hydrants, building sprinklers) would be incorporated into the site design in order to minimize fire hazards, consistent with City requirements. The Project will be required to comply with City of Rocklin standards for roadway widths to ensure the internal roadways provide emergency vehicles unimpeded access to the South Village site.

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not warrant any changes to the text of this section.

**Response 44-2:** This comment states that *“This lack of access also conflicts with the City’s policy of providing special services (police, fire, emergency) for higher demand special needs groups – Senior housing in this case (2-27, PF-12).”* The commenter also references *“Rocklin General Plan **Policy PF-12:** Identify certain types of development, such as assisted living facilities and group homes, that may generate higher demand or special needs for emergency services and require developer participation to mitigate the needs/demands.”* The commenter states that *“Just a week ago, on November 1, the Fire Department was delayed in responding to a house fire on Corona Circle. It was a total loss, and the usual access was prevented by a closure on El Don Drive. More construction in this area will result in worse response times by emergency responders...Construction of hundreds of new dwellings at the*

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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*North Village will worsen local traffic and congestion; no major road facilities are being provided such as widening Sierra College Blvd. and Rocklin Road.”*

As discussed in Response 44-1, Impact Statements 3.8-5 and 3.14-7 contain a detailed discussion of the potential for the project to cause significant impacts to emergency vehicle response. The evaluation concluded that the project would not result in inadequate emergency access. As discussed in the DEIR, the City’s existing street system, particularly arterial and collector streets function as emergency evacuation routes. Through the City’s development review process, the Rocklin Fire Department would review the site design and circulation layout of the North and South Village sites as part of the City’s project referral process to ensure adequate emergency access is provided, and fire suppression infrastructure (e.g., fire hydrants, building sprinklers) would be incorporated into the site design in order to minimize fire hazards, consistent with City requirements. The Project will be required to comply with City of Rocklin standards for roadway widths to ensure the internal roadways provide emergency vehicles unimpeded access to the North Village and South Village sites. It is also noted that the project will construct a third travel lane on northbound Sierra College Boulevard and a second travel lane on westbound Rocklin Road along the North Village frontage, consistent with the City of Rocklin General Plan Circulation Element.

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not warrant any changes to the text of this section.

**Response 44-3:** This comment references the Wastewater chapter of the DEIR (3.15.1, p. 3.15-6), and states *“The analysis to determine adequacy of existing sewer infrastructure is inadequate. The references cited are long outdated. The most recent communication from SPMUD is dated July 2009 (Richard Stein). [emphasis added]...SPMUD has indicated it will be able to serve the City of Rocklin’s future wastewater treatment needs during the planning period for **Rocklin General Plan (City of Rocklin, 2005)**. [p. 3.15-6]...The entire rationale rests on a 1986 SPMUD plan: **SPMUD’s 1986 Sewer Master Plan** envisioned that the City of Rocklin would have 52,604 sewer equivalent dwelling units within the City at ultimate buildout “ [p. 3.15-6] [emphasis added]...The City of Rocklin’s General Plan designates 7.9 acres of the Project Area as Recreation/Conservation and the remaining 100.5 acres as **Mixed Use, which allows for residential densities of 10 to 40<sup>1</sup> dwelling units per acre**” [emphasis added].”* The commenter states *“Please note that the increase to 40 dwelling units per acre was a fairly recent change in Rocklin’s plan. There is no explanation of what a “sewer equivalent dwelling unit” was in 1986; it is hard to imagine that the 1986 plan anticipated the proposed level of growth. Furthermore, the SPMUD estimates wastewater generation rates of **190 gallons per day per acre of residential uses** and 850 gallons per day per acre for commercial or industrial uses. I can’t comment on the commercial / industrial use, but the residential use is far from adequate. Common sense tells us that 40 dwelling units (per acre) would generate orders of magnitude greater than 190 gallons per day. Please provide more recent references and commitments from utilities. The Appendix references a more recent SPMUD plan but it does not seem to have been used here. Based on the*



*foregoing, I believe the City should consider a project alternative that has less impact than the proposal. Thank you for your consideration.”*

The DEIR Section 3.15 thoroughly addresses Wastewater generation, conveyance, and treatment. The existing wastewater conveyance and treatment is addressed on page 3.15-2, which explains that the South Placer Municipal Utility District (SPMUD) provides sanitary sewer services to the City of Rocklin, and that SPMUD is a partner in the South Placer Wastewater Authority (SPWA). SPWA provides wastewater treatment for the City of Rocklin via Regional Wastewater Treatment Facilities. Page 3.15-6 through 3.15-7 discusses the capacity and ability to serve the proposed Project. The discussion includes a reference to SPMUD Engineering Manager Richard Stein, who indicated that the full buildout of the Rocklin General Plan would not exceed capacity of the SPMUD treatment capacity and ability to serve Rocklin. It is noted that the text of the DEIR was modified based on comments provided by SPMUD. The revisions are shown in Section 3.0 Errata, and are merely intended to clarify and editorial correction in the EIR as follows. This includes an update of the most recently completed Sewer System Management Plan and System Evaluation and Capacity Assurance Plan, both of which are sources for SPMUD’s determination that they have capacity to service the proposed Project.

**Impact 3.15-1: Wastewater generated by the proposed Project would not exceed the capacity of the wastewater treatment plant in addition to the provider’s existing commitments and would not require or result in the relocation or construction of new or expanded wastewater treatment facilities (Less than Significant)**

~~SPMUD’s 1986 Sewer Master Plan envisioned that the City of Rocklin would have 52,604 sewer equivalent dwelling units within the City at ultimate buildout, and the sizing of sewer infrastructure has been based on this projection. The City of Rocklin is expected to contain 27,400 housing units, as well as industrial, commercial, and retail development of sewer infrastructure. SPMUD has planned for growth in the City and sized the city’s sewer infrastructure to meet this growth. SPMUD has indicated it will be able to serve the City of Rocklin’s future wastewater treatment needs during the planning period for Rocklin General Plan (City of Rocklin, 2005). SPMUD has indicated that no additional SPMUD staff or equipment would be required as a result of full buildout of the City’s General Plan.~~

~~Furthermore, the increase in wastewater flows resulting from full buildout of the General Plan Update would not result in SPMUD exceeding its ability to maintain an acceptable level of service (Richard Stein, Engineering Manager SPMUD, July 2009).~~

~~SPMUD has recently completed a new *Sewer System Management Plan (SSMP) (2021)* and *System Evaluation and Capacity Assurance Plan (SECAP) (2020)*, which addresses treatment and infrastructure capacity for their service area including the City of Rocklin. This SPMUD study area in the 2020 SECAP coincides with the study area identified in the 2015 SECAP and the District’s urban growth area (UGA). The UGA is also identified in the *South Placer Wastewater Authority (SPWA) 2020 Wastewater Systems Evaluation Project (2020)*, which evaluated the combined systems of the regional partners discharging to the two regional wastewater treatment plants. Information from Rocklin’s General Plan has been used to determine the trunk sewer sizes and capacity needed to serve to the City.~~

~~The DCWWTP and PGWWTP operate under a Federal NPDES permit. The DCWWTP current design capacity is 18 million gallons per day (mgd), while the PGWWTP design capacity is 12 mgd. Both plants provide tertiary level wastewater treatment using conventional secondary treatment, as well as full nitrification, filtration,~~

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

chlorination and disinfection. The ADWF at DCWWTP has decreased from 10.5 mgd in 2009 to approximately 8.6 mgd as of 2019. Current ADWF at the PGWWTP is approximately 7.6 mgd.

The City of Rocklin's General Plan designates 7.9 acres of the Project Area as Recreation/Conservation and the remaining 100.5 acres as Mixed Use, which allows for residential densities of 10 to 40<sup>4</sup> dwelling units per acre and non-residential building intensities between 25 percent to 160 percent (i.e., Floor Area Ratio between 0.25 to 1.6). Therefore, the City's General Plan anticipated the development of approximately 1,005 to 4,020 dwelling units with an associated population growth of approximately 2,814 to 11,256 new residents and between 981,189 to 6,279,610 square feet of non-residential building uses within the Project Area. As described in Chapter 2.0, Project Description, the proposed Project includes the development of 900 dwelling units, 120,000 square feet of non-residential building uses, 22.5 acres of open area, and 57.8 acres of parks. Therefore, the proposed Project would result in less development than was anticipated under the City's General Plan, and thus, would not increase demand beyond the levels assumed for the site in the SSMP and SECAP.

Furthermore, the SPMUD estimates wastewater generation rates of 190 gallons per day per acre of residential uses and 850 gallons per day per acre for commercial or industrial uses. As described in Chapter 2.0, Project Description, the proposed Project would result in 66.1 acres of residential uses (10.9 acres of Medium Density Residential, 29.4 acres of Medium-High Density Residential, and 25.8 acres of High Density Residential), 12 acres of commercial uses (3.0 acres of Retail Commercial and 9.0 acres of Business Professional/Commercial), and 30.3 acres of park/open space uses (30.3 acres of Recreation-Conservation). Using the SPMUD wastewater generation estimates, it is anticipated that the proposed Project would generate roughly 22,759 gallons per day (or 0.022759 mgd) of wastewater. Wastewater generated by the proposed Project would be treated at the Dry Creek Wastewater Treatment Plant. The Dry Creek Wastewater Treatment Plant's current design capacity is 18 mgd. The ADWF at Plant has decreased from 10.5 mgd in 2009 to approximately 8.6 mgd as of 2019. The plant's flows average 12 mgd average dry weather flow (ADWF) and 30 mgd average wet weather flows (ADWF). The proposed Project's wastewater generation would represent approximately 0.3813% of the treatment plant's total remaining dry weather estimated capacity. This increased demand would not be expected to adversely affect the wastewater treatment plant's capacity. Therefore, the additional wastewater volume produced by the proposed Project would not have a significant adverse impact on the wastewater treatment services provided by SPMUD.

The proposed Project's internal wastewater conveyance system would be constructed, as needed, and would be adequately sized to accommodate Project-related wastewater flows. The SPMUD requires all facilities to conform to the district's Standard Specifications and the Sewer Code. The City of Rocklin relies on the SPMUD Sewer Code for all sewer related facilities installed within the city limits.The city's Municipal Code Chapter 13.04, Underground Utility District, requires every person owning, operating, leasing, occupying or renting a building or structure within a district to construct and provide that portion of the service connection on his property between the facilities in accordance with applicable rules, and regulations of the respective utility. The existing SPMUD laterals and lines currently located in Sierra College Boulevard, Rocklin Road, and El Don Drive will be extended into both the North and South Villages. The proposed Project also includes development of internal 8-inch sewer lines in the North Village; and 8-inch to 24-inch sewer lines within the proposed internal streets right-of-way of the South Village. Private and public sewer lift stations will also be developed on both the North Village and South Village (it is likely that the public sewer lift station on the North Village may not be required). The lift

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<sup>4</sup> Density in this designation is typically calculated using net acreage. No individual parcel which has a Mixed-Use land use designation is required to build a specific ratio of residential to non-residential development. Mixed Use designated parcels may be all residential, all non-residential, or a mix of residential and non-residential uses. However, if residential uses are developed, they must be within the density range assigned to the Mixed-Use category as noted above.

station for Parcel C-2 east will be private. The lift station for Parcel A on the North Village, if constructed, will be public.

Wastewater generated by the proposed Project would be treated at the Dry Creek Wastewater Treatment Plant. The proposed Project's wastewater generation would represent approximately 0.~~38~~13% of the treatment plant's total remaining capacity. This increased demand would not be expected to adversely affect the wastewater treatment plant's capacity. Because the proposed Project would be served by a wastewater treatment plant that has adequate capacity to meet the proposed Project's projected demand and would not require the construction of a new wastewater treatment plant, the proposed Project's wastewater impacts would be considered *less than significant*.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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**From:** stacey darkis <[sldarkis26@yahoo.com](mailto:sldarkis26@yahoo.com)>

**Date:** November 8, 2021 at 3:43:34 PM MST

**To:** David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>

**Subject:** Opposition to the proposed 108-acre College Park development Draft EIR (DEIR)

RE: Opposition to the proposed 108-acre College Park development Draft EIR (DEIR)

Dear Mr. Mohlenbrok:

I moved to Rocklin six months ago and live close to Southside Ranch Road. The traffic has tripled since moving here. I have a T stop sign directly in front of my driveway which has increased traffic considerably because of the recent road closure on El Don Drive. When I first moved here the traffic was minimal and the neighborhood quiet. I specifically picked this neighborhood because it was quiet.

45-1

I am vehemently opposed to the proposed 108-acre College Park development Draft EIR (DEIR) specifically because of the detrimental effect it will have on this entire section of homes, and primarily because of the increased traffic not only on Sierra College Blvd., Rocklin Road, El Don Drive, and now Southside Ranch Road. Since finding out about all the approved projects under construction currently, and now the proposed new projects, I am writing to you to please consider the consequences to the residents.

45-2

In addition to all the reasons listed by the "Save East Rocklin" group of residents, I am writing to you now to try and get you to understand the effects all these developments are doing to the quality of life in this area and to do whatever we can to stop this development.

45-3

Sincerely,

Stacey Darkis

5629 Freeman Drive

Rocklin, CA 95677

**Response to Letter 45: Stacey Darkis, Public Comment Submission**

**Response 45-1:** This comment states *“I moved to Rocklin six months ago and live close to Southside Ranch Road. The traffic has tripled since moving here. I have a T stop sign directly in front of my driveway which has increased traffic considerably because of the recent road closure on El Don Drive. When I first moved here the traffic was minimal and the neighborhood quiet. I specifically picked this neighborhood because it was quiet.”*

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The commenter provides opening remarks that include concerns for traffic conditions having worsened since they moved into their house six months ago. The commenter cites the closure of El Don Drive as potentially being a source of the traffic issues. This comment does not identify any specific issue with the traffic analysis contained in the Draft EIR. Traffic is discussed in Section 3.14 Transportation and Circulation. The comment does not warrant any changes to the text of this section.

**Response 45-2:** This comment states *“I am vehemently opposed to the proposed 108-acre College Park development Draft EIR (DEIR) specifically because of the detrimental effect it will have on this entire section of homes, and primarily because of the increased traffic not only on Sierra College Blvd., Rocklin Road, El Don Drive, and now Southside Ranch Road. Since finding out about all the approved projects under construction currently, and now the proposed new projects, I am writing to you to please consider the consequences to the residents.”*

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment raises concerns for increased traffic on Sierra College Blvd., Rocklin Road, El Don Drive, and now Southside Ranch Road. This comment does not identify any specific issue with the traffic analysis contained in the Draft EIR, rather it indicates that the increased traffic is detrimental to the residents in the area. Traffic is discussed in Section 3.14 Transportation and Circulation. The analysis follows a methodology that is consistent with the professional standards for traffic engineering, and is consistent with the City’s policies and state laws. The increased traffic caused by the proposed Project is discussed in Section 3.14, and the text does not warrant changes based on this comment.

**Response 45-3:** This comment states *“In addition to all the reasons listed by the “Save East Rocklin” group of residents, I am writing to you now to try and get you to understand the effects all these developments are doing to the quality of life in this area and to do whatever we can to stop this development.”*

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR, rather it includes concerns for effects that development has on the quality of life for people in the area. The commenter is not in support of the project, and would like development to stop. The analysis of

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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each of the environmental topics in the DEIR is accurate and does not warrant any changes based on this comment.

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November 8, 2021

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 Community Development Director  
 City of Rocklin  
 3970 Rocklin Road,  
 Rocklin, CA, 95677  
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Nathan Anderson  
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Re: College Park Draft Environmental Impact Report

Dear Mr. Mohlenbrok and Mr. Anderson:

On behalf of our client Save East Rocklin, we provide the following comments on the Draft Environmental Impact Report (“DEIR”) for the proposed College Park Project (“Project”) in the City of Rocklin (“City”). The DEIR for the Project does not comply with the requirements of the California Environmental Quality Act (“CEQA”), Public Resources Code section 21000 et seq, and the CEQA Guidelines. The DEIR fails to adequately disclose, analyze, and mitigate the Project’s impacts on wildlife corridors and on riparian habitat, including the Project’s inadequate riparian setback. Moreover, the Project conflicts with the riparian setback policy in the City’s General Plan, and therefore violates the California Planning and Zoning Law, Government Code section 65000 et seq. The DEIR must be revised to remedy these deficiencies.

46-1

**I. The DEIR fails to comply with CEQA.**

An EIR must provide the public and decision-makers with detailed information about a proposed project’s potentially significant environmental effects, identify ways to minimize and mitigate significant adverse impacts, and explore less damaging alternatives. *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 511. CEQA requires that an EIR accurately disclose sufficient information to enable the public “to understand and to consider meaningfully the issues raised by the proposed project.” *Id.* at 516. An EIR that omits essential information about a Project’s environmental setting or impacts is legally inadequate. *Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918, 935. Moreover, the EIR must provide substantial evidence to support its conclusions, including determinations about the significance of project impacts and the effectiveness of proposed mitigation measures. *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 392.

46-2

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Here, the DEIR falls short of CEQA's requirements in several respects. It does not accurately disclose baseline environmental conditions on the site, and does not adequately analyze the Project's impacts on wildlife corridors or on riparian habitat. Moreover, it fails to demonstrate that these impacts would be less than significant or that the proposed mitigation measures would be effective.

46-2 Cont.

**A. The DEIR fails to adequately disclose, analyze, and mitigate the Project's impacts on wildlife corridors.**

The DEIR's analysis of Project impacts on wildlife movement is inadequate because it fails to disclose the existence of an important wildlife corridor on the site. The DEIR asserts that there are no wildlife corridors on or adjacent to the Project site. DEIR at 3.4-41. This is incorrect. As the DEIR acknowledges, a tributary of Secret Ravine Creek runs from east to west through the southern parcel of the Project site (referred to in the DEIR as the "South Village" site and in the biological resources appendix as the "Western Study Area"). *Id.* at 3.4-40. This creek is bordered on both sides by a riparian wetland in the surrounding floodplain. *Id.* The creek and riparian habitat on the South Village site is an important east-west wildlife corridor, as it directly connects Secret Ravine Creek to the west of the Project site with several smaller tributaries and wetlands to the east of the site. *See* DEIR Appendix C at 45, 47 (Figures 1, 3). Secret Ravine Creek in turn flows into Miners Ravine and Dry Creek to the south. DEIR at 3.9-3, 3.9-4. It is well known that intact and connected riparian areas provide important places for wildlife movement. *See, e.g.,* U.S. Department of Agriculture, Natural Resources Conservation Service, Corridor Benefits, available at [https://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/nrcs144p2\\_014927.pdf](https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs144p2_014927.pdf) (Page 4-3 "Riparian corridors are also important travel lanes for many species. They may be important for dispersal as well as movement within species home ranges.")

46-3

Unsurprisingly, many species have been observed using the wildlife corridor on the site, including black-tailed deer, gray and red fox, beaver, river otter, mink, bobcat, coyote, great blue heron, red-shouldered hawk, black-tailed jackrabbit, desert cottontail, and striped skunk.<sup>1</sup> *See* Wildlife photographs taken by Laurie Rindell from South Village site, available at <https://rocklinwetlands.org/photo-gallery-monte-verde-park-wetlands/>; Save East Rocklin's photo gallery of wildlife observed on South Village site; available at <https://drive.google.com/drive/folders/0B11ebQtuPdbNejBibURKUHlQdnM?resourcekey=0--1xBH-MLaSWIACRM2oe6yQ>; Comment letter from Denise Gaddis to David Mohlenbrok re: College Park DEIR (November 5, 2021) at 8, attached as Exhibit A; DEIR Appendix C, Attachment C (list of wildlife species observed by Project consultants). The Project site also provides suitable habitat for special-status wildlife species that are likely to utilize the corridor, including the Swainson's hawk (documented on site and listed as Threatened in California), California black rail, white-tailed kite (documented on site and listed as a Fully Protected

<sup>1</sup> There are many more wildlife species present on the site, including wild turkey, western pond turtle, raccoons, 4 species of woodpeckers, great egret, osprey, Cooper's hawks, red-tailed hawks, white-tailed kites, Swainson's hawks, bald eagles, Canada geese, and mallard ducks, as well as many other bird species protected by the Migratory Bird Treaty Act.

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species), northern harrier, tricolored blackbird, loggerhead shrike, hoary bat, silver-haired bat, pallid bat, western red bat, and western pond turtle. DEIR at 3.4-12, 3.4-13, 3.4-31, 3.4-33, 3.4-36. The larger trees within the North and South Village Study Areas provide suitable raptor nesting habitat. DEIR at 3.4-33. Save East Rocklin has documented nesting raptors on the South Village site, including nesting white-tailed kites. *See* Save East Rocklin’s photo gallery of wildlife observed on South Village site, *supra*. Despite ample evidence that the site contains a well-used wildlife corridor, the DEIR denies the wildlife corridor’s existence. DEIR at 3.4-41.

Omission of essential information about baseline environmental conditions, including wildlife habitat, prevents informed analysis of project impacts and is legal error. *See San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722-29; *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 952-56. Here, the DEIR’s failure to disclose the existing wildlife corridor on the South Village site prevents meaningful analysis of the Project’s impacts and makes the DEIR legally deficient.

The DEIR also lacks evidence for its conclusion that the Project’s impacts on wildlife movement would be less than significant. DEIR at 3.4-41 (Impact 3.4-9). The DEIR cannot support this conclusion when it fails to adequately disclose the existence of the wildlife corridor onsite. The DEIR’s inadequate description of baseline conditions precludes the existence of substantial evidence to support its conclusions about the significance of Project impacts. *See San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus*, 27 Cal.App.4th at 729.

Moreover, even if the DEIR’s baseline description were accurate, which it is not, the document fails to adequately analyze Project impacts on the wildlife corridor. The DEIR asserts that “[t]o the degree that the creek and riparian area currently serve as a wildlife migration corridor, it is expected that the Project’s preservation of the creek and riparian area will also preserve the ability for wildlife to use that corridor for movement.” DEIR at 3.4-41. However, as discussed below, the Project would infringe on this riparian corridor, surrounding the creek with high-density commercial and residential development without providing adequate setbacks. *See* DEIR at 2.0-35 (Fig. 2.0-10); DEIR at 3.4-61 (Figure 3.4-5b). Project development will shrink and fragment the wildlife corridor, inhibiting wildlife movement. However, the DEIR does not analyze these wildlife movement impacts, and does not identify any mitigation measures. DEIR at 3.4-41. It suggests that other measures described elsewhere in the biological resources section would mitigate wildlife movement impacts, but does not clarify which measures it is referring to or explain how they would mitigate these impacts. *Id.* The EIR must be revised to adequately disclose, analyze, and mitigate these impacts.

**B. The DEIR fails to adequately disclose, analyze, and mitigate the Project’s impacts on riparian habitat.**

The Project site contains extensive riparian areas along the creek on the South Village parcel. DEIR at 3.4-5, 3.4-17, 3.4-18, 3.4-51 (Figure 3.4-2b). These areas provide important wildlife habitat. For instance, the creek and riparian area provides suitable habitat for the special-status western pond turtle, which has been observed onsite. Exhibit A at 8; DEIR at 3.4-31.

46-3 Cont.

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## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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Nevertheless, the EIR presents incomplete and erroneous information about the riparian habitat on the Project site and fails to adequately assess and mitigate for the Project's significant impacts.

First, the DEIR does not accurately and consistently describe the location and extent of riparian habitat on the North Village site. The DEIR incorrectly claims that "[t]here is no riparian zone within the North Village Study Area." DEIR at 3.4-43; *see also* DEIR Appendix C at 33 (which refers to the North Village site as the "Eastern Study Area"). This assertion is contradicted by the DEIR itself and by its technical report on biological resources (Appendix C). On the contrary, the DEIR's own analysis shows that the North Village Study Area contains 0.082 acres of "riparian wetland." DEIR at 3.4-17, 3.4-19, 3.4-49 (Figure 3.4-2a); Appendix C at 49, 51 (Figures 5, 7). Moreover, the DEIR indicates that while the "riparian zone" at a minimum includes "mapped riparian wetlands," the "riparian zone" may exceed the extent of those wetlands where riparian vegetation occurs in the surrounding area. DEIR at 3.4-15. Thus, the "riparian zone" on the North Village site may be larger than the mapped "riparian wetland" area.

The DEIR's inaccurate, self-contradictory description of baseline riparian habitat on the North Village site prevents informed analysis of the Project's impacts on riparian areas. The DEIR's failure to accurately disclose baseline environmental conditions is legal error and precludes the existence of substantial evidence to support the DEIR's conclusions. *See San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus*, 27 Cal.App.4th at 729. The DEIR's maps reveal that the riparian wetland on the North Village site would be permanently destroyed by the Project and replaced with residential development. *See* DEIR at 2.0-33 (Fig 2.0-9); 3.4-59 (Figure 3.4-5a); Appendix C at 54 (Figure 10). However, the DEIR elsewhere denies that this riparian zone exists (DEIR at 3.4-43), preventing meaningful impact analysis. The EIR must be revised to address this inconsistency and fully disclose and analyze these impacts.

Second, the DEIR lacks support for its conclusion that the Project's impacts on riparian habitat would be less than significant after mitigation. DEIR at 3.4-39 (Impact 3.4-8). The DEIR acknowledges that the Project will permanently destroy 0.971 acres of aquatic resources and 68.7 acres of terrestrial riparian vegetation communities. DEIR at 3.4-40. As noted above, the Project will completely destroy all the riparian wetland on the North Village parcel. *See* DEIR at 2.0-33 (Figure 2.0-9); 3.4-59 (Figure 3.4-5a). Moreover, the Project will include five road, trail, and utility crossings over wetland and riparian areas. DEIR at 3.4-43. The South Village parcel would include at least two road crossings over wetlands and streams: an access road for the single-family residential subdivision south of the creek would cross a tributary that runs south of the creek, while an access road for "high density residential" development on the northeast part of the parcel would cross riparian wetland. DEIR at 2.0-35 (Fig. 2.0-10); 3.4-61 (Figure 3.4-5b).

Despite the Project's extensive encroachment on riparian areas, the DEIR asserts that riparian impacts will be mitigated to a less than significant level by a measure requiring a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers for impacts to jurisdictional waters, a Section 401 water quality certification from the Regional Water Quality Control Board, and a Section 1600 Lake or Streambed Alteration Agreement from the California

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Department of Fish and Wildlife. *Id.* at 3.4-39 to 3.4-40 (Mitigation Measure 3.4-8). However, compliance with regulatory requirements does not necessarily mean that a project’s impacts will be less than significant. *See Californians for Alternatives to Toxics v. Department of Food & Agriculture* (2005) 136 Cal.App.4th 1, 15-17. Moreover, the DEIR’s self-contradictory description of baseline riparian habitat is an “unexplained discrepancy” that “precludes the existence of substantial evidence” to support the EIR’s conclusion that mitigation would be effective. *See Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 284. Without an accurate, consistent riparian habitat baseline, the EIR cannot determine if the proposed mitigation would reduce impacts to a less than significant level.

46-4 Cont.

**C. The DEIR fails to adequately disclose, analyze, and mitigate the Project’s conflict with the City’s riparian setback policy.**

The DEIR also incorrectly asserts that the Project would not conflict with the City’s riparian setback policy. DEIR at 3.4-42 to 3.4-43 (Impact 3.4-10). Action Step OCRA-11 of the City’s General Plan requires that an open space easement be recorded over all areas within at least 50 feet of the edge of the bank of all perennial and intermittent streams and creeks providing natural drainage. *See* DEIR 3.4-27; Appendix C at 5; City of Rocklin General Plan at 2-43. Action Step OCRA-11 also requires that where riparian habitat extends further than 50 feet from the edge of the bank, the easement must be extended to include that area as well. *Id.* In addition, it provides that “the City may designate an easement greater than 50 feet for perennial streams *when it is determined such a buffer is necessary to adequately protect drainage and habitat areas.*” *Id.* (emphasis added).

The DEIR concludes that the Project would comply with Action Step OCRA-11 because “[t]he riparian zone within the South Village Study Area has largely been avoided by the proposed Project,” with the exception of “five road, trail, and utility crossings” which it asserts are allowed under the policy. DEIR at 3.4-43, 3.10-12. However, the assertion that the Project “largely” avoids the riparian zone is not enough to show compliance with the policy. The DEIR reveals that the Project lacks sufficient riparian setbacks and would in fact conflict with this policy in at least three respects, but fails to analyze or mitigate for these conflicts.

46-5

First, portions of the Project are not set back at least 50 feet from streams and creeks as required by Action Step OCRA-11. The DEIR’s maps indicate that the buffer along the south side of the perennial creek on the South Village parcel is less than 50 feet, and appears to show a buffer of 20 feet or less in places. DEIR at 3.4-61 (Figure 3.4-5b); Appendix C at 53 (Fig. 9). The Project calls for construction of a trail and a new residential subdivision along the edge of the riparian wetland on the south side of the creek. DEIR at 2.0-11, 2.0-35 (Fig. 2.0-10).<sup>2</sup> The DEIR does not analyze the Project’s failure to provide the minimum 50-foot buffer.

<sup>2</sup> The DEIR does not specify whether the trail along the south side of the creek would be paved. DEIR at 2.0-11, 2.0-13, 2.0-35 (Fig. 2.0-10). If so, this would create an impervious surface within the 50-foot buffer zone that is likely to generate runoff into the creek.

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The DEIR claims that the Project's impacts on riparian areas are limited to "road, trail, and utility crossings" and are therefore allowed under the policy. DEIR at 3.4-43, 3.10-12. But Action Step OCRA-11's limited exception merely states that "de minimis encroachments" such as roads, bridges, and utilities "may be considered acceptable" in the buffer zone under some circumstances and mandates that "those features *shall* minimize impacts to resources to the extent feasible." City of Rocklin General Plan at 2-43 (emphasis added). Here, the Project's incursion is not limited to an isolated "de minimis" encroachment: the Project footprint infringes on the creek's buffer zone for much of the creek's length across the South Village site. The DEIR does not show that impacts from this encroachment were minimized to the extent feasible as required by the policy.

Second, Action Step OCRA-11 requires that where riparian habitat extends more than 50 feet from the edge of a creek or stream, the riparian setback must be enlarged to include all of that riparian habitat. *See* DEIR 3.4-27; Appendix C at 5; City of Rocklin General Plan at 2-43. Here, the DEIR's maps show that riparian habitat areas extend much more than 50 feet from the creek on the South Village parcel. DEIR at 3.4-61 (Figure 3.4-5b); Appendix C at 53 (Figure 9). A large riparian area extends from the north side of the creek to the northeast corner of the South Village parcel. *Id.* However, not all of that riparian habitat would be included in the setback as required by the policy: substantial areas of wetland on the South Village parcel would be permanently destroyed by the Project. *Id.*; *see also* DEIR at 2.0-35 (Fig. 2.0-10). Here, it appears that some riparian habitat would be destroyed by Project buildings that do not fall within the policy's "de minimis" exception. DEIR at 2.0-35 (Fig. 2.0-10); 3.4-61 (Figure 3.4-5b); Appendix C at 53 (Figure 9). Further, the DEIR does not show that the impacts of the Project's multiple proposed road crossings over streams and riparian areas were minimized to the extent feasible as required by the policy. As noted above, the South Village parcel would include at least two road crossings over wetlands and streams: an access road for the single-family residential subdivision south of the creek would cross a tributary that runs south of the creek, while an access road for "high density residential" development on the northeast part of the parcel would cross riparian wetland. DEIR at 2.0-35 (Fig. 2.0-10); 3.4-61 (Figure 3.4-5b).

Moreover, as noted above, the Project would completely destroy all the riparian wetland on the North Village parcel. *See* DEIR at 2.0-33 (Fig 2.0-9); 3.4-59 (Figure 3.4-5a); Appendix C at 54 (Figure 10). That wetland is connected to two seasonal drainages and is therefore also covered by the City's riparian setback policy, which applies not only to perennial creeks but also to "intermittent streams . . . providing natural drainage." DEIR 3.4-27; Appendix C at 5; City of Rocklin General Plan at 2-43. That riparian wetland would be replaced with residential development, not with roads or utilities, and thus cannot fall within any of the exceptions in Action Step OCRA-11.

Third, Action Step OCRA-11 calls for the City to "designate an easement greater than 50 feet for perennial streams when it is determined such a buffer is necessary to adequately protect drainage and habitat areas." DEIR 3.4-27; Appendix C at 5; City of Rocklin General Plan at 2-43. Given the importance of the creek and its associated riparian wetlands as wildlife habitat and as a wildlife movement corridor, a 50-foot buffer is not sufficient here. A wider riparian buffer

46-5 Cont.

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zone of 100 feet is “necessary to adequately protect drainage and habitat areas” on the site and is therefore needed to comply with the policy. Because the Project will permanently destroy 0.971 acres of aquatic resources and 68.7 acres of terrestrial riparian vegetation communities (DEIR at 3.4-40), and will include five road, trail, and utility crossings over wetland/riparian areas (DEIR at 3.4-43), a 100-foot riparian buffer zone is needed to adequately mitigate the Project’s impacts. As noted above, here the Project provides a buffer of *less than* 50 feet along the south side of the perennial creek on the South Village site, but the DEIR fails to analyze the impact of this inadequate buffer. The EIR should be revised to provide a 100-foot riparian buffer zone along both sides of the creek as mitigation for the Project’s impacts on riparian habitat.

Moreover, a 100-foot riparian buffer zone is appropriate because a substantial part of the South Village parcel is located within a 100-year floodplain designated by the Federal Emergency Management Agency (“FEMA”). DEIR at 3.9-5, 3.9-32, 3.9-37 (Figure 3.9-2). In fact, the creek frequently floods and overflows its banks during the winter. See Photographs of flooding along creek on South Village parcel, attached as Exhibit B. Land adjacent to the creek on the South Village parcel is designated as a “regulatory floodway” in which development must be prohibited in order to avoid exacerbating flood conditions. DEIR at 3.9-5, 3.9-6, 3.9-32, 3.9-37 (Figure 3.9-2). The DEIR acknowledges that impervious surfaces and development must not be located in the 100-year floodplain. DEIR at 3.9-29, 3.9-32. However, as noted above, the Project would destroy wetlands and riparian areas (DEIR at 3.4-40), and would encroach on them with road crossings (DEIR at 2.0-35, 3.4-43, 3.4-61). The Project would surround the entire floodplain on the South Village site with dense development, including a new residential subdivision along the edge of the riparian wetland on the south side of the creek. DEIR at 2.0-11, 2.0-35 (Fig. 2.0-10), 3.4-61 (Figure 3.4-5b). This encroachment is likely to exacerbate flood conditions and pose safety risks to people on the Project site and surrounding area. A 100-foot riparian buffer zone would help mitigate these risks.

46-5 Cont.

**II. The Project’s conflict with the General Plan’s riparian setback policy violates state planning and zoning law.**

The California Planning and Zoning Law, Government Code section 65000 et seq., requires that local land use approvals must be consistent with a jurisdiction’s general plan, including all “fundamental, mandatory, and clear” general plan policies. *See Spring Valley Lake Assn. v. City of Victorville* (2016) 248 Cal.App.4th 91, 97, 100; *Families Unafraid to Uphold Rural El Dorado County v. El Dorado County Bd. of Supervisors* (1998) 62 Cal.App.4th 1332, 1341-1342. It is an abuse of discretion for a local agency to approve a project that “frustrate[s] the General Plan’s goals and policies.” *Napa Citizens for Honest Gov’t v. Napa County* (2001) 91 Cal.App.4th 342, 379. Here, the Project is inconsistent with the City’s General Plan because it conflicts with the riparian setback policy in Action Step OCRA-11, as discussed above in section I.C. *See* DEIR 3.4-27; Appendix C at 5; City of Rocklin General Plan at 2-43.

46-6

Action Step OCRA-11 makes clear that the riparian setback policy is mandatory. In addition to requiring that the City “[a]pply open space easements to *all* lands located within 50 feet from the edge of the bank of all perennial and intermittent streams and creeks,” it mandates

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that the buffer “*will* also extend to include associated riparian habitat” beyond the 50-foot zone. City of Rocklin General Plan at 2-43 (emphasis added). Moreover, it provides that if any “de minimis encroachments” infringe on that buffer zone, those features “*shall* minimize impacts” wherever feasible. *Id.* (emphasis added). Because OCRA-11 is a “fundamental, mandatory, and clear” general plan policy, the Project’s conflicts with that policy violate the Planning and Zoning Law. As discussed above, the Project must be revised to provide a 100-foot setback along the perennial creek on the South Village parcel and include all riparian areas within the buffer zone as required by the policy.

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### III. Conclusion

As outlined above, the DEIR fails to adequately disclose, analyze, and mitigate the Project’s impacts on wildlife corridors and on riparian habitat. These flaws make the DEIR inadequate as an informational document and prevent meaningful analysis of Project impacts, violating CEQA. Moreover, the Project conflicts with the riparian setback policy in the City’s General Plan. The Project’s riparian buffer should be expanded to a 100-foot setback on both sides of the creek on the South Village parcel. We respectfully request that the City revise the DEIR to remedy these deficiencies and recirculate the document for public review.

46-7

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Sara A. Clark

### Attachments:

Exhibit A: Comment letter from Denise Gaddis to David Mohlenbrok re: College Park DEIR (November 5, 2021).

Exhibit B: Photographs of flooding along creek on South Village parcel, October 2021.

### cc:

City of Rocklin City Councilmembers Jill Gayaldo ([jill.gavaldo@rocklin.ca.us](mailto:jill.gavaldo@rocklin.ca.us)), Bill Haldin ([bill.haldin@rocklin.ca.us](mailto:bill.haldin@rocklin.ca.us)), Joe Patterson ([joe.patterson@rocklin.ca.us](mailto:joe.patterson@rocklin.ca.us)), Ken Broadway ([ken.broadway@rocklin.ca.us](mailto:ken.broadway@rocklin.ca.us)), Greg Janda ([greg.janda@rocklin.ca.us](mailto:greg.janda@rocklin.ca.us))  
City of Rocklin Planning Commissioners Michael Barron ([michael.barron@rocklin.ca.us](mailto:michael.barron@rocklin.ca.us)), Gregg McKenzie ([gregg.mckenzie@rocklin.ca.us](mailto:gregg.mckenzie@rocklin.ca.us)), David Bass ([david.bass@rocklin.ca.us](mailto:david.bass@rocklin.ca.us)), Roberto Cortez ([roberto.cortez@rocklin.ca.us](mailto:roberto.cortez@rocklin.ca.us)), Michele Vass ([michele.vass@rocklin.ca.us](mailto:michele.vass@rocklin.ca.us))

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SHUTE, MIHALY  
& WEINBERGER LLP

**EXHIBIT A**

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Revised Copy  
November 5, 2021

**Date:** November 4, 2021

**To:** David Mohlenbrok and Nathan Anderson

**From:** Denise Gaddis

**Subject:** Response to the College Park DEIR referencing Biological Resources

- [DEIR Chapter 3.4 Biological Resources, pg. 3.4-1](#)
- [Appendix C: Technical Reports for the Biological Resources Chapter](#)

**Question:** Who chose or made the decision to hire Madrone Ecological Consulting to address Biological Resources in the College Park DEIR?

**Question:** Who is paying the bill for Madrone Ecological Consulting? Hmm, the developer.

Madrone Ecological Consulting has been working for the College Park developer(s) since its inception and is not an unbiased participant in working on the College Park DEIR. Madrone did a number of **2016** Biological Resource reports (see attached example: Madrone 2016 Aquatic Resources Delineation Report) long before the College Park NOP in 2019.

**Question:** How does the alleged "independent" City of Rocklin and De Novo Planning Group justify using a potentially biased source to prepare documents for the College Park DEIR?

**Question:** How much of "Appendix C: Technical Reports for the Biological Resources Chapter" is simply a copy and paste of Madrone's 2017 documentation?

Looking at **page 79** of pdf copy of **Appendix C** "Wildlife Species Observed within the College Park Study Areas", Madrone states Survey Dates were

- April 28, May 18, 25, & 26, and June 2 of **2016** (5 surveys done)
- February 22, October 31 and December 6 of **2017** (3 surveys done)
- May 1 & 2, June 11 & 12 and December 11 & 24 of **2019** (6 surveys done)
- January 8 & 22, and February 5 & 19 of **2020** (4 surveys done)

**Question:** How much of Madrone's data is actually from 2016 and 2017 and simply a repeat of the original report, in other words a copy and paste?

**Question:** Why was the public provided on the City's website, a **non-searchable copy** of [Appendix C: Technical Reports for the Biological Resources Chapter](#) making it impossible for me search and provide citations in my comment letter? The pdf file of the 680-page DEIR itself is a searchable document. But the 2,400-pages of pdf appendices to the DEIR are not.

**Question:** Please explain how Madrone's report fails to document over 60 wildlife species that are well-known to habitat the College Park South location along the tributary creek. How could Madrone's biologists have possibly missed so many of these species on 18 different survey dates?

Madrone's report states they observed 33 bird species yet failed to document **37 other** bird species. That's over 50% they failed to document. Almost all of the other species of birds Madrone's report failed to identify are [protected](#) under the **Migratory Bird Treaty Act**. For example:

Page 1 of 14

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Western Screech Owl, Brewer's Blackbird, Mountain Blue Bird, Western Blue Bird, Bald Eagle, Northern Flicker, Cooper's Hawk, Red-Tailed Hawk, Green Heron, Belted Kingfisher, Ruby-Crowned Kinglet, Mallard Duck, Hooded Merganser Duck, Hooded Oriole, Virginia Rail, Golden-Crowned Sparrow, White-Crowned Sparrow, Cliff Swallow, Red-Breasted Sapsucker, California Thrasher, Spotted Towhee, Yellow Warbler, Yellow-rumped Warbler, Downy Woodpecker, Nuttall's Woodpecker, Ash-throated Flycatcher, California Thrasher, Dark-Eyed Junco, Lesser Goldfinch, Snowy Egret, Western Tanager, Sandhill Cranes, and White-Breasted Nuthatch.

**Impact 3.4-4:** (DEIR pg. 3.4-33) discusses "Birds". **Mitigation Measure 3.4-4:** re: preconstruction nest survey requirements (DEIR pg. 3.4-34), does not specifically address the following documented on site birds.

- 1) Song Sparrow ([California Bird Species of Special Concern](#)) Mitigation Measure 3.4-4 vaguely references "songbirds" at 3<sup>rd</sup> bullet,
- 2) Sandhill Cranes ([California Bird Species of Special Concern](#)) cranes are not mentioned,
- 3) White-tailed kites ([CDFW Fully Protected species](#)) Mitigation Measure 3.4-4 makes a vague reference to "active raptor" at 3<sup>rd</sup> bullet,
- 4) Bald eagles ([CDFW Fully Protected Animals](#)) Mitigation Measure 3.4-4 makes a vague reference to "active raptor" at 3<sup>rd</sup> bullet.

"A pre-construction nesting bird survey shall be conducted by the Project Biologist throughout the Project area and all accessible areas within a 500-foot radius of proposed construction areas, no more than 14 days prior to the initiation of construction."

It would be inappropriate for the developer paid for biologists being the sole person doing the preconstruction nest survey(s) as Madrone's biologists weren't able to identify 60% of the wildlife species on site during 18 field trips. This mitigation measure should be changed to include an independent 3<sup>rd</sup> party biologist participation in any preconstruction nest survey(s).

46-8 Cont.

**Impact 3.4-4:** (DEIR pg. 3.4-33) discusses "Birds". **Mitigation Measure 3.4-5:** (DEIR pg. 3.4-35). "The following mitigation shall be implemented to address the loss of suitable foraging habitat for Swainson's hawks:

- 1.0 acre of suitable foraging habitat shall be protected for each acre of highly suitable foraging habitat impacted. Protection shall be via purchase of mitigation bank credits or other land protection mechanism acceptable to the City.
- 0.5 acre of suitable foraging habitat shall be protected for each acre of marginally suitable foraging habitat impacted. Protection shall be via purchase of mitigation bank credits or other land protection mechanism acceptable to the City.

The final determination of whether the foraging habitat is "highly suitable" or "marginally suitable" shall be made by the Project Biologist in consultation with the City of Rocklin. Generally, grasslands, croplands, and other low-lying vegetation is highly suitable foraging habitat. Orchard, vineyard, and woodland are generally unsuitable foraging habitat. Marginally suitable would require some level of low-lying vegetation available with an abundance of prey species. Based on these ratios and the current development plan, a total of 54.15 acres of Swainson's hawk foraging habitat shall be protected to compensate for impacts within the Study Area."

Community concerns:

- 1) Impact 3.4-4 seems to only focus on the Swainson's hawk. And Mitigation Measure 3.4-5 does only focus on the Swainson's hawks. 54.15 acres of Swainson's hawk foraging habitat shall be protected to compensate for impacts within the Study Area.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

**Question:** What about all the other raptors including the White-tailed kite, bald eagle, Cooper's hawk, Osprey, Red-tailed hawk, and Red-shouldered hawk all observed on site and compensation for their suitable foraging habitat?

2) The first two bullet points of the mitigation measure address "suitable foraging habitat shall be protected for each acre of highly suitable foraging habitat impacted." Suitable foraging habitat should remain on site. The developer should not be allowed to divert impacts by paying a mitigation fee or some other alternative **which is not explained**.

3) The mitigation measures states the determination of whether the foraging habitat is "highly suitable" or "marginally suitable" shall be made by the Project Biologist in consultation with the City of Rocklin. It would be inappropriate for the developer paid biologists who weren't able to identify 60% of the wildlife species on site during 18 field trips to do habitat determinations. This mitigation measure should be changed to include an independent 3<sup>rd</sup> party biologist participation in any habitat determinations.

- Madrone's report states they observed 3 reptile/amphibians species yet failed to document 5 other reptile species that exist in this area, most notably the **Western Pond Turtle** (a [CDFW List of California amphibian and reptile Species of Special Concern](#)). These turtles are relatively easy to observe in and around the creek. Madrone's report (Appendix C) on page 20 (pdf page 26) even states there is a "High Potential for Occurrence". Below is a photo taken of a Western Pond Turtle at the creek on **8/13/2021**.



46-8 Cont.

I've personally seen them in & around the creek on the South site on many occasions over many years. Madrone's mitigation plan to "relocate" the turtles is simply unacceptable and potentially illegal.

This is something the City of Rocklin needs to address and correct. On a number of occasions, City staff have made statements to east Rocklin residents that the wildlife on the College Park project site will simply be relocated or their eggs destroyed, etc. Quite inappropriate and illegal.

The Federal Migratory Bird Treaty Act (MBTA) prohibits the "take" of any native migratory bird, their eggs, parts, and nests. Likewise, Section 3513 of the California Fish & Game Code prohibits the "take or possession" of any migratory non-game bird. Therefore, activities that may result in the injury or mortality of native migratory birds including eggs and nesting, would be prohibited under the MBTA.

Additionally, "...taking of Western Pond Turtles has been prohibited in all U.S. states where they are found since the 1980's. It's listed as an endangered species in Washington State, and protected in Oregon and California."

"Turtles, in general, are among the most imperiled vertebrates in the world." And "In 2012, Center for Biological Diversity petitioned the U.S. Fish and Wildlife Service to list the western pond turtle under the Endangered Species Act. In 2015, the Service determined the listing may be warranted and is currently reviewing the species' status based on the best available science. The status review is on target for completion in 2023." ([US Fish & Wildlife](#))

Western Pond Turtle "Populations are declining in...most of their northern range. **Habitat destruction appears to be the major cause of its decline...**and the species is listed as a Species of Special Concern by the California Department of Fish and Wildlife." ([CA Fish & Wildlife](#))

**Allowing a 25-lot subdivision 50' southwards from the College Park South site's creek banks would clearly disrupt this species reproduction.**

The DEIR's description of the existing environmental setting as it concerns the Western Pond Turtle is inadequate on two counts:

- 1) the DEIR improperly assumes that failure to detect the species during reconnaissance-level surveys is evidence of Western Pond Turtles absence, and
- 2) the DEIR is internally inconsistent as to whether Western Pond Turtles exist on the site. Western Pond Turtles have been observed by residents on the College Park South site.

**Impact 3.4-2:** (DEIR pg. 3.4-31) references the special-status Western Pond Turtle and **Mitigation Measure 3.4-3** (on pg. 3.4-32) states, "A western pond turtle survey shall be conducted within 150 feet of creek within 48 hours prior to construction in that area...If a western pond turtle is observed within the proposed impact area, a qualified biologist shall relocate the individual to suitable habitat outside of the proposed impact area prior to construction...A qualified biologist shall monitor the nest daily during construction to ensure that hatchlings do not disperse into the construction area. Relocation of hatchlings will occur as stipulated above, if necessary."

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Western Pond Turtles are the west coast's only native freshwater turtle. The western pond turtle requires both aquatic and terrestrial habitats. Typically active from February through November, with the length of the active season depending on the temperature of the habitat. Western pond turtles hibernate (hibernate) for a short period during the winter (December and January).

Mating typically occurs in late April or early May but may occur year-round. Females move over land up to 330 feet (100 meters) from the water in the spring to make their nests, and lay their eggs between March and August in nest sites dug at least four inches (ten centimeters) deep, covering the site with soil and vegetation. Eggs can take up to 80 days (3 months) to hatch, at which point the young turtles rest in the nest, absorbing the yolk sac until they are large enough to enter the water. Hatchlings stay in the nest after hatching until spring. On average they enter the water after 48 days, taking up to a week to move from their nesting site to aquatic habitat. The Western Pond Turtle is in decline throughout 75 - 80% of its range. (References: The [Natomas Basin Conservancy](#), [CaliforniaHerps](#) and [Center for Biological Diversity](#).)

Mitigation measure 3.4-3 for Impact 3.4-2 is inadequate. The Western Pond Turtle survey should be conducted within a minimum of 330 feet of the creek's bank. The mitigation measure goes on to state that if a Western Pond Turtle or its hatchlings are discovered that a qualified biologist shall relocate the individual to suitable habitat outside of the proposed impact area prior to construction. 1) This is vague as it does not indicate where any turtles would be relocated to. 2) Turtles should not be relocated outside the South Village site. 3) Any identified Western pond turtle hatchlings should not be "relocated" until the following spring.

- Madrone's report states they observed 3 mammals yet failed to document **13 other** mammal species in the study area including American Mink, North American Beaver and North American River Otter that habitat in the creek on the College Park South site. I can't imagine how Madrone's biologist on **18 occasions** did not observe beaver. During each of the 18 survey dates noted by Madrone there existed a quite large and visible beaver den (refer to below photo) as well as a quite large and visible beaver dam (refer below photo). Also refer to this link to see 2021 video of beavers in the tributary creek <https://rocklinwetlands.org/the-beaver-of-monte-verde-park-wetlands/>. This is a great video, I hope you will click on this link and check it out since I can't attach a copy.

46-8 Cont.



beaver den in creek



Beaver Dam

46-8 Cont.

But notably not mentioned by Madrone is the **Sierra Nevada Red Fox** which may have been spotted in the Freeman Circle neighborhood coming from the College Park South site and is a **highly endangered** species. However, I believe it is more probable that the "red" fox observed was a Central Valley red fox which is not endangered. But which of the two "red" fox was observed is unknown for sure at this time. But it is not impossible that it was a Sierra Nevada red fox.

- Madrone's report doesn't even address invertebrates such as the various species of butterflies identified on the College Park South site. Most notably being the **California Dogface Butterfly**, California's state butterfly.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

The California dogface butterfly, also called "dog-head butterfly," is found only in California. This butterfly is most common from April to May and July through August. Breeding season is early spring and late summer. Averaging 100 eggs per season.

*"The butterflies' existence can become threatened by extensive forest fires and loss of habitat due to land conversion...Locally, the Placer Land Trust has been instrumental in protecting potential habitat for the California Dogface Butterfly." ([Sierra College](#))*

Kind of ironic that the College on one hand wants to protect its habitat yet now with this development will destroy this butterfly's habitat.

- Madrone's report only identifies one species of fish, the mosquito fish.

Species that habitat the creek area were previously pointed out in my 2019 response to the NOP. I provided a link to **Save East Rocklin's Photo Gallery** that documents all the wildlife species residing in this College Park South area. So **there is no disputing the existence of these species**.

Link provided was and still is:

<https://drive.google.com/drive/folders/0B1lebQtuPdbNeiBibURKUHIQdnM?resourcekey=0--1xBH-MLaSWIACRM2oe6yQ>

However in the event someone is not able to open the above link, I am attempting to copy photos in a separate document. Refer to Attachment A, wildlife photographs taken on College Park South site.

There's also another local website ([Rocklin Wetlands](#)) created by one of the El Don neighborhood neighbors with incredible videos of many species on site, please go to <https://rocklinwetlands.org/video/>

Rocklin Wetlands website also has an incredible 2021 photo gallery of many of the varies species that habitat the College Park South site, please go to <https://rocklinwetlands.org/photo-gallery-monte-verde-park-wetlands/>

Refer to **Attachment A** for wildlife photographs taken on College Park South site

**Question:** Why does the DEIR fail to mention all the documented species reported by me in my 2019 NOP comment letter?

Below is an accurate listing of all the observed and identified wildlife species identified on the College Park South project site. The list is separated by **61 wildlife species** observed by local residents that Madrone's biologists failed to identify in their 18 site surveys. The other list is **40 wildlife species** Madrone did observe on site. **Again, how could the developer's biologists miss 61 of 101 identified species on site?**

46-8 Cont.

61 SPECIES OBSERVED

By Local Residents

In the College Park South Project Site

REPTILES	MAMMALS	BIRDS
<ol style="list-style-type: none"> <li>1. Garter Snake</li> <li>2. Sharp-Tailed Snake</li> <li>3. Southern Alligator Lizard</li> <li>4. Western Fence Lizard</li> <li>5. <b>Western Pond Turtle</b> Conservation Status: <a href="#">CDFW Species of Special Concern</a></li> </ol>	<ol style="list-style-type: none"> <li>1. American Mink</li> <li>2. Bat (unidentified sp.)</li> <li>3. Black-Tailed Deer</li> <li>4. Bobcat</li> <li>5. Coyote</li> <li>6. Eastern Fox Squirrel</li> <li>7. Gray Fox</li> <li>8. North American Beaver</li> <li>9. North American River Otter</li> <li>10. North American Raccoon</li> <li>11. Opossum</li> <li>12. <b>Sierra Nevada Red Fox</b> (<i>Vulpes vulpes necator</i>) Conservation Status: <a href="#">CDFW State Threatened</a></li> </ol> <p>or <b>more likely the Sacramento Valley red fox</b> (<i>Vulpes vulpes patwin</i>) native subspecies in California's Central Valley</p> <ol style="list-style-type: none"> <li>13. Western Gray Squirrel</li> </ol>	<ol style="list-style-type: none"> <li>1. Ash-throated Flycatcher</li> <li>2. <b>Bald Eagle</b> Conservation Status: Still protected under multiple federal laws and regulations. Eagles, their feathers, as well as nest and roost sites are all protected. <a href="#">CDFW Fully Protected Animals</a></li> <li>3. Belted Kingfisher</li> <li>4. Brewer's Blackbird</li> <li>5. California Thrasher</li> <li>6. Cedar Waxwing</li> <li>7. Cliff Swallow</li> <li>8. Cooper's Hawk</li> <li>9. Dark-Eyed Junco</li> <li>10. Downy Woodpecker</li> <li>11. Golden-Crowned Sparrow</li> <li>12. Great Horned Owl</li> <li>13. Green Heron</li> <li>14. Hooded Merganser Duck</li> <li>15. Hooded Oriole</li> <li>16. Lesser Goldfinch</li> <li>17. Mallard Duck</li> <li>18. Mountain Blue Bird</li> <li>19. Northern Flicker</li> <li>20. Nuttall's Woodpecker</li> <li>21. Osprey (Fish-Hawk)</li> <li>22. Red-Breasted Sapsucker</li> <li>23. Red-Tailed Hawk</li> <li>24. Ruby-Crowned Kinglet</li> <li>25. <b>Sandhill Cranes</b> Conservation Status: <a href="#">California Bird Species of Special Concern</a></li> <li>26. Snowy Egret</li> <li>27. Spotted Towhee</li> <li>28. <b>Tricolored Black Bird</b> Conservation Status: <a href="#">State Threatened</a></li> <li>29. Virginia Rail</li> <li>30. Western Bluebird</li> <li>31. Western Screech Owl</li> <li>32. Western Tanager</li> <li>33. White-Breasted Nuthatch</li> <li>34. White-Crowned Sparrow</li> <li>35. Wood Duck</li> <li>36. Yellow-rumped Warbler</li> <li>37. <b>Yellow Warbler</b></li> </ol>
<p>INVERTEBRATES (insects etc.)</p> <ol style="list-style-type: none"> <li>(1) California Dogface Butterfly (California State butterfly) <a href="#">Sierra College documentation</a>, "The butterflies existence can become <i>threatened by</i> extensive forest fires and <i>loss of habitat due to land conversion</i>...Locally, the Placer Land Trust has been instrumental in protecting potential habitat for the California Dogface Butterfly."</li> <li>(2) Bee Species (LeafCutters, LongHorns, BumbleBees, MasonBees, &amp; more)</li> <li>(3) Cuckoo Wasp Genus Chyrsua (indicator of healthy native bee populations)</li> <li>(4) Many other species of Butterflies &amp; Moths, e.g.             <ol style="list-style-type: none"> <li>a. Pipevine Swallowtail butterfly</li> <li>b. Anise Swallowtail butterfly</li> <li>c. Gulf Fritillary butterfly</li> </ol> </li> <li>(5) Monarch Butterfly</li> <li>(6) Dragonfly</li> </ol>		

46-8 Cont.

Conservation Status:  
[California Bird Species of Special Concern](#)

40 SPECIES OBSERVED  
 By *Madrone Biologists*  
 In the College Park South Project Site

REPTILES and AMPHIBIANS	MAMMALS	BIRDS
1. American Bullfrog 2. Gopher Snake 3. Sierran chorus frog  <div style="border: 1px solid black; padding: 2px;">FISH</div> <div style="border: 1px solid black; padding: 2px;">(1) Mosquito fish</div>  <div style="border: 1px solid black; padding: 2px;">INVERTEBRATES (Insects etc.)</div> <div style="border: 1px solid black; padding: 2px;"><b>None Listed</b></div>	1. Black-tailed jackrabbit 2. Desert cottontail 3. Striped skunk	1. <b>White-tailed Kite</b> Conservation Status: <a href="#">CDFW Fully Protected species</a> 2. <b>Swainson's Hawk</b> Conservation Status: <a href="#">State Threatened</a> 3. Red-shouldered Hawk 4. <b>Song Sparrow</b> Conservation Status: <a href="#">California Bird Species of Special Concern</a> 5. Acorn Woodpecker 6. American Crow 7. American Goldfinch 8. American kestrel 9. American Robin 10. Anna's hummingbird 11. Barn owl 12. Bewick's wren 13. Black-headed Grosbeak 14. Black Phoebe 15. Bushtit 16. California Quail 17. California Scrub Jay 18. California Towhee 19. Canadian Goose 20. European Starling 21. Great Blue Heron 22. Great Egret 23. House finch 24. Killdeer 25. Mourning dove 26. Northern Mockingbird 27. Oak titmouse 28. Pygmy Nuthatch 29. Red-Winged Blackbird 30. Tree Swallow 31. Turkey Vulture 32. Western Kingbird 33. Wild Turkey

46-8 Cont.



- DEIR Chapter 3.4 Biological Resources talks about bats and pre-construction roosting bat surveys. However, Appendix C does not address any observation of bats or having done any bat surveys. There are some bat species listed by CDFW as sensitive or threatened.

**Question:** Why were no bat surveys conducted by Madrone for the DEIR? How does Madrone plan to conduct a nighttime bat survey? And how can Madrone allege they don't exist if they haven't done a nighttime survey?

I would also like to take this opportunity to address some of the species Madrone did identify in their survey. Many raptors do and others have the potential to nest in the study area as well as many other bird species protected by the **Federal Migratory Bird Treaty Act (MBTA)**. If nesting on site, as is usually the case, removal of these nests or the trees they use for nesting would impact the species. Furthermore, birds nesting in this area and adjacent to any construction could be disturbed by that construction which could result in nest abandonment. The College Park South location as well as the North location are prime foraging habitat for the White-tailed kite and the Swainson's hawk as well as other raptor species that are well known to this area. The California Department of Fish and Wildlife often requires surveys for raptor (bird of prey) nests from **January 15 to September 15**. Several species court and nest outside this time frame, such as some herons and egrets, many raptors, and most Humming birds.

**Federal Migratory Bird Treaty Act (MBTA)**  
California Fish & Game Code Section 3513

The Federal Migratory Bird Treaty Act (MBTA) prohibits the "**take**" of any native migratory bird, their eggs, parts, and nests. Likewise, Section 3513 of the California Fish & Game Code prohibits the "take or possession" of any migratory non-game bird. Therefore, **activities that may result in the injury or mortality of native migratory birds including eggs and nesting, would be prohibited under the MBTA.**

**California Environmental Quality Act**

The California Environmental Quality Act (CEQA) requires evaluations of project effects on biological resources. These evaluations must consider direct effects on a biological resource within the project site itself, indirect effects on adjacent resources and cumulative effects within a larger area or region.

Significant adverse impacts on biological resources would include the following:

- Substantial adverse effects on any species identified as candidate, sensitive, or special-status in local or regional plans, policies, or regulations or by CDFW or USFWS (these effects could be either direct or via habitat modification).
- Substantial adverse impacts to species designated by CA Dept. of Fish and Games as Species of Special Concern.
- Substantial adverse effects on riparian habitat or other sensitive habitat identified in local or regional plans, policies or regulations or by CDFW and USFWS.
- Substantial adverse effects on federally protected wetlands defined under Section 404 of the Clean Water Act. These effects include direct removal, filling, or hydrologic interruption of marshes and wetlands.
- Substantial interference with movements of native resident or migratory fish or wildlife species population, or with use of native wildlife nursery sties
- Conflicts with local policies or ordinances protecting biological resources (e.g. tree preservation policies; and

46-8 Cont.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

- Conflict with provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

### City of Rocklin Riparian Policy

The City of Rocklin General Plan's [Open Space Action Plan](#),

Action Plan: **Table A-2**

General Plan Policy Action Steps – Open Space, Conservation and Recreation Element

States under **Action Step OCRA-11** on page 2-43...

"Apply open space easements to all lands located within 50 feet from the edge of the bank of all perennial and intermittent streams and creeks providing natural drainage. The easement will also extend to include associated riparian habitat. In addition, **the City may designate an easement greater than 50 feet for perennial streams when it is determined such a buffer is necessary to adequately protect drainage and habitat areas.** In designating these areas as open space, the City is preserving natural resources and protecting these areas from development. However, features which may be considered acceptable within the 50 foot setback, buffer area and/or open space easements include, but are not limited to, de minimis encroachments of a public thoroughfare, bridges, trails, drainage facilities, utilities, and fencing intended to delineate or protect a specific resource. Installation and maintenance of those features shall minimize impacts to resources to the extent feasible. The above setbacks and buffers shall apply to residential and non-residential development unless the land owner can demonstrate that literal application of this Action Plan item would preclude all economically viable use of the land under existing zoning."

I certainly believe that this unique wildlife area requires a larger setback in order to protect this extraordinary area. This would be a sufficient "mitigation" and concession by the developer and City. Please refer to Save East Rocklin's [wildlife photo gallery](#) for pictures of the various wildlife species taken on the College Park South site. All these photographs/videos were taken on the College Park South property. And I have hundreds more. Or refer to Attachment A.

Additionally, Madrone's report states that 49-acres on the North site and over 10-acres on the South site of suitable habitat will be impacted by the College Park development.

### White-Tailed Kite

The [white-tailed kite](#) is a [CDFW Fully Protected species](#). The white-tailed kite is well-known to exist and make its nest in the trees alongside the creek on the College Park South site. I've personally seen them on the South site on many occasions over many years. And they were observed by Madrone's biologist(s).

**Question:** How does Sierra College (developer) plan to adequately avoid impacts to white-tailed kites including protecting their habitat and not disturbing their breeding/nesting season during the months of **January through August**?

Nesting bird surveys should be done within 500' of any planned construction areas within three days prior to the start of activities, should activities occur within white-tailed kite nesting season (January 1 through June 30). Suitable buffers should be established until the nests are no longer occupied and

46-8 Cont.

the juvenile birds have fledged. An alternative of behavioral baseline establishment and monitoring for changes of avian behavior is proposed as well. Preconstruction surveys of occupied white-tailed kite habitat most likely will not be sufficient to make Project impacts to this species less than significant.

Madrone's report indicates that white-tailed kites have been observed on the Project site. Breeding habitat exists on the Project site in riparian areas. The Project proposes removal of foraging habitat by white-tailed kite, which will result in direct impacts to this species. Indirect impacts to this species may occur from construction noise or increased human presence.

**Impacts to the white-tailed kite are significant:** White-tailed kite are **Fully Protected under Fish & Game Code section 3511(b)(6)**. A Fully Protected species may not be **taken** at any time and any impacts to white-tailed kite would be considered significant.

- To reduce impacts to less than significant: In addition to the mitigation proposed, CDFW generally recommends that a qualified biologist remain on site while any construction activities, particularly vegetation removal, occur within 500' of potential white-tailed kite habitat.
- Should white-tail kite be detected (which they will), no activity should occur within 500' of the observation.
- The CDFW generally recommends adding an additional white-tailed kite-specific mitigation measure that states:

Impacts to white-tailed kite shall be fully avoided. A qualified biologist shall remain on site during all vegetation clearing and construction-related activities. Should a white-tailed kite nest be detected, a buffer of 500' shall be established and no activity shall occur within the buffer zone until the biologist determines, and CDFW confirms, that all chicks have fledged and are no longer reliant on the nest site. If an individual white-tailed kite is observed, no activity shall occur within 500', until the bird has relocated on its own.

**Swainson's Hawk**

The Swainson's hawk is a raptor species that is listed as threatened by CDFW. Madrone lists the Swainson's hawk as being observed on site. Many local residents have seen them and have photographed them.

**Question:** How does Sierra College (developer) plan to adequately avoid impacts to Swainson's hawks including protecting their habitat and not disturbing their breeding/nesting season during the months of February through August?

Madrone suggests the following very standard, vague, and inadequate mitigation measures. These are not acceptable mitigation measures given the highly sensitive nature of the areas in question.

- Apply for a US Corp of Engineers Section 404 permit.
- Apply for a Regional Water Quality Control Board (RWQCB) Section 401 water quality certification.
- Apply for a CDFW Section 1600 Lake or Streambed Alteration Agreement.

Madrone's so-called mitigation measures are wholly inadequate. For example suggesting that their biologist do a "pre-construction bird nesting survey" is absurd as they weren't even able to identify 60 wildlife species on the site after **18** separate surveys.

46-8 Cont.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Chapter 3.4 Biological Resources states, as part of the Biological Resources Assessment, three Madrone biologists conducted field surveys of various portions of the Project Area. These surveys occurred between 2016 and 2020.

The same mitigation measures documented above for the white-tailed kite should also be applied to the Swainson's hawk.

### California Fish and Game Code, Section 3503.5 – Raptor Nests

Section 3503.5 makes it unlawful to take, possess, or destroy hawks or owls.

### CONCLUSION:

#### I. The DEIR fails to comply with CEQA.

An EIR must provide the public and decision-makers with detailed information about a proposed project's potentially significant environmental effects, identify ways to minimize and mitigate significant adverse impacts, and explore less damaging alternatives. *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 511. CEQA requires that an EIR accurately disclose sufficient information to enable the public "to understand and to consider meaningfully the issues raised by the proposed project." *Id.* at 516. An EIR that omits essential information about a Project's environmental setting or impacts is legally inadequate. *Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918, 935. Moreover, the EIR must provide substantial evidence to support its conclusions, including determinations about the significance of project impacts and the effectiveness of proposed mitigation measures. *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 392.

#### II. The DEIR fails to adequately disclose, analyze, and mitigate the Project's impacts on wildlife.

The Madrone Biologists even after 18 site surveys failed to identify 60% of the documented wildlife species that habitat the College Park South Project site. Biological surveys should be redone by an independent 3<sup>rd</sup> biologist.

46-8 Cont.

### APPROPRIATE MITIGATION / PROJECT ALTERNATIVE

The appropriate mitigation measure / project alternative to offset the "**significant**" biological resource impacts of the proposed College Park South development is to **implement a 100 foot development setback from the tributary creek** on the College Park South site. The City of Rocklin's General Plan addresses this issue.

Reference: General Plan's [Open Space Action Plan](#),

#### Action Plan: Table A-2

#### General Plan Policy Action Steps – Open Space, Conservation and Recreation Element

that states under **Action Step OCRA-11** on page 2-43...

"Apply open space easements to all lands located within 50 feet from the edge of the bank of all perennial and intermittent streams and creeks providing natural drainage. The easement will also extend to include associated riparian habitat. **In addition, the City may designate an**

Page 13 of 14

easement greater than 50 feet for perennial streams when it is determined such a buffer is necessary to adequately protect drainage and habitat areas. In designating these areas as open space, the City is preserving natural resources and protecting these areas from development. However, features which may be considered acceptable within the 50 foot setback, buffer area and/or open space easements include, but are not limited to, de minimis encroachments of a public thoroughfare, bridges, trails, drainage facilities, utilities, and fencing intended to delineate or protect a specific resource. Installation and maintenance of those features shall minimize impacts to resources to the extent feasible. The above setbacks and buffers shall apply to residential and non-residential development unless the land owner can demonstrate that literal application of this Action Plan item would preclude all economically viable use of the land under existing zoning."

Placer County sets a good example and has a 100 foot creek setback. Rocklin should follow suit.

Respectfully,

Denise Gaddis  
5521 Freeman Circle | Rocklin, CA 95677  
916-532-9927  
[denise@wavecable.com](mailto:denise@wavecable.com)

Attachment A – wildlife photographs taken on College Park South site

1436882.1

46-8 Cont.

**EXHIBIT B**

**Exhibit B: Photographs of flooding along creek on South Village parcel, October 2021**



46-9

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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1436900.1

46-9 Cont.



**Response to Letter 46: Sara A. Clark, Shute, Mihaly, & Weinberger LLP**

**Response 46-1:** This comment serves as an introductory statement to identify the commenter is providing comments on behalf of their client, Save East Rocklin. The commenter further states that the DEIR does not comply with the requirements of CEQA in that the “DEIR fails to adequately disclose, analyze, and mitigate the Project’s impacts on wildlife corridors and on riparian habitat, including the Project’s inadequate riparian setback. Moreover, the Project conflicts with the riparian setback policy in the City’s General Plan, and therefore violates the California Planning and Zoning Law, Government Code section 65000 et seq. The DEIR must be revised to remedy these deficiencies.”

This comment is addressed under Master Responses 4 and 12. The comment is an introduction to the letter and does not warrant a response beyond that provided in the Master Responses.

**Response 46-2:** The commenter summarizes the requirements of CEQA and case law and states the DEIR “falls short of CEQA’s requirements in several respects”. The commenter further states the DEIR does not accurately disclose baseline environmental conditions, analyze the project’s impacts on wildlife corridors and riparian habitat, and fails to demonstrate the impacts would be less than significant or that proposed mitigation would be effective.

The comment is an introduction to Comment 46-3 and does not provide any specific information errors, oversights, or gaps presented by the commenter that are actionable and could be considered by the City for incorporation into the EIR. This introductory statement is noted and does not warrant a response.

**Response 46-3:** This commenter states “The DEIR fails to adequately disclose, analyze, and mitigate the Project’s impacts on wildlife corridors” and provides pages of text in support of this statement.

*“The DEIR’s analysis of Project Impacts on wildlife movement is inadequate because it fails to disclose the existence of an important wildlife corridor on the [South Village] site.”*

This comment is addressed, in part, under Master Responses 4 and 12. The entire corridor of the unnamed tributary to Secret Ravine Creek will be preserved intact, and will continue to allow for wildlife movement to and from areas to the west and east of the two Project sites. Notably, however, some of those external areas provide for more constricted movements than the preserved onsite corridor will provide; and the surrounding areas are generally urbanized. So, the areas to which the preserved corridor will continue to connect may have limited value as habitat.

The commenter’s statements to the effect that a number of the special status species are likely to “utilize the corridor” are inaccurate or misleading. Northern harrier nest and forage in grasslands and open marshy areas – this species is unlikely to use the riparian corridor at all. This species is most likely to be found in the grasslands in the North Village. The other bird species listed certainly may utilize the riparian corridor; however, it is misleading to include them in a discussion about movement corridors, as they certainly don’t need a habitat corridor for movement; they can easily

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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fly over urban areas to access different habitat patches, and a number of them have been documented nesting in urban areas.

The riparian corridor that borders the east-west oriented drainage on-site (the tributary to Secret Ravine) could be used as a wildlife movement corridor for common species as asserted by the commenter. The two north-south oriented riparian areas would not be considered “movement corridors” as both originate in urban areas, and, as such, would not be a natural habitat from which wildlife is moving.

Importantly, the overall “corridor” is interrupted by local roadways in several locations that do not afford significant room for wildlife below-grade passage under the roadways. This includes Sierra College Boulevard, a regional roadway. The Project’s riparian avoidance area along the tributary to Secret Ravine preserves a similar or wider riparian corridor than is present in many areas upstream and downstream of the site. Downstream of the site, near Aguilar Road, the preserved riparian corridor is roughly 100 feet wide, and upstream of the site, south of Cobble Creek Circle, the corridor narrows to roughly 110 feet wide. The on-site corridor is between 180 and 300 feet in most areas, which is consistent with what is proposed within this Project site. The minimum width of the east-west riparian avoidance corridor is 165 feet, and the width is over 250 feet in most areas. The corridor is over 300 feet wide in many areas, and the maximum width is 390 feet. If this corridor is indeed serving as a movement corridor for wildlife, then that wildlife must by definition be moving between the habitat patches within the riparian habitat corridors on either side of the Project site. As the existing habitat corridors are similar to, and in many cases narrower than the proposed corridor, implementation of the Proposed project will not have a significant impact on movement of wildlife through the riparian corridor along the tributary to Secret Ravine within the Project site.

**Response 46-4:** This commenter states “The DEIR fails to adequately disclose, analyze, and mitigate the Project’s impacts on riparian habitat” and provides pages of text in support of this statement.

*“[T]he EIR presents incomplete and erroneous information about the riparian habitat on the [South Village] Project site and fails to adequately assess and mitigate for the Project’s significant impacts.”*

This comment is addressed, in part, under Response 46-3 above. The riparian corridor addressed in that response will be preserved, except for minor intrusions allowed by City General Plan policy.

The Biological Resources Report prepared for the Project states that “[t]he riparian zone within the Western Study Area has been largely avoided by the proposed development” with the exception of “five road, trail, and utility crossing,” most of which already exist. (DEIR, Appendix C, p. 33 and Figure 11.) This report, prepared by expert biologists at Madrone Ecological Consulting, presents ample substantial evidence to support this statement. (See Pub. Resources Code, §§ 21082.2, subd. (c), 21168.5; Association of Irrigated Residents v. County of Madera (2003), 107 Cal.App.4th 1383, 1396-97 [agency was entitled to rely on analysis prepared by biologist]; South of Market Community Action Network v. City and County of San Francisco (2019), 33 Cal.App.5th 321, 339 [agency was

entitled to rely on “its own experts and consultants”]; *Greenebaum v. City of Los Angeles* (1984) 153 Cal.App.3d 391, 413 [agency may rely on opinions of agency planning staff].) The commenter has not presented any evidence to the contrary, nor have they identified any expert resources upon which they have relied for their conclusions. Conversely, Madrone Ecological Consulting is an expert biological resources firm that is widely used with an excellent regional and local reputation that employs highly qualified biologists.

The commenter challenges the impact conclusions associated with riparian habitat, and cites the permanent loss of aquatic resources, but they do not explain why the “no net loss” measure for aquatic resources in Mitigation Measure 3.4-8 does not mitigate impacts to aquatic resources. (DEIR, pp. 3.4-38 to 3.4-9.) This is a common and legally upheld CEQA mitigation measure with specific performance criteria for ensuring a biological resource is not significantly impacted. (*California Native Plant Society v. City of Rancho Cordova* (2009) 172 Cal.App.4th 603, 619-25 (CNPS) [upholding “no net loss” of wetlands mitigation measure]; see also CEQA Guidelines, § 15370, subd. (e) [compensation is a valid form of mitigation].) To the extent that a “no net loss” performance standard “nets out” the impact at issue, Mitigation Measure 3.4-8 goes beyond the call of duty under CEQA. (*Save Panoche Valley v. San Benito County* (2013) 217 Cal.App.4th 503, 529 [“[t]he goal of mitigation measures is not to net out the impact of a proposed project, but to reduce the impact to insignificant levels”].)

The commenter also cites the permanent loss of terrestrial habitat as means to challenge the impact conclusions associated with riparian habitat. The commenter do not acknowledge, however, that “the terrestrial vegetation communities on the Project site are not considered sensitive habitats” (DEIR, p. 3.4-40) pursuant to “local or regional plans, policies, regulations or by the CDFW or USFWS” (DEIR, p. 3.4-39) and therefore their loss is not considered significant (DEIR, p. 3.4-40). The threshold used for riparian habitat in the DEIR was derived from questions posed in the CEQA Guidelines Appendix G checklist. That checklist, adopted by regulation, states, in item 8 under the heading, “Evaluation of Environmental Impacts,” that “lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.” The checklist asks the planners and scientists who prepared it whether a proposed project would “[h]ave a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and [Wildlife] Game or US Fish and Wildlife Service.” This focus on riparian habitats and sensitive natural communities specifically “identified in local or regional plans, policies, regulations” or by the expert state and federal wildlife agencies indicates that the focus of CEQA analysis on impacts to natural communities should be those that are considered particularly important either in the law or in the minds of expert agencies.

The commenter also does not acknowledge that the majority of the road, trail, and utility crossings, which are specifically mentioned in the comments as negatively impactful to riparian habitat,

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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already exist. Thus, the Project does not create these theoretical impacts. In fact, the Project would reduce the severity of any ongoing existing impacts to riparian areas associated with these trails and crossings, as discussed below.

Currently, these trails and crossings on the South Village site are regularly being used by nearby residents for unauthorized recreational activities. Save East Rocklin stated via another attorney representative that “existing residents residing surrounding...the proposed Project site (South Village)” have been using trails near and over the unnamed tributary “for over 30 years.” The existing use represents an ongoing and unauthorized impact to riparian habitat surrounding the tributary. The Project would bring these impactful activities to a halt and would preserve and protect the riparian habitat surrounding this tributary with a minimum 50-foot buffer in which vehicles owned and operated by nearby residents and personal recreational structures would not be allowed. In this manner, the Project will improve conditions for riparian habitat beyond what currently exists.

**Response 46-5:** This commenter states “The DEIR fails to adequately disclose, analyze, and mitigate the Project’s conflict with the City’s riparian setback policy” and provides pages of text in support of this statement.

*“The DEIR fails to adequately disclose, analyze, and mitigate the Project’s conflict with the City’s riparian setback policy [Action Step OCRA-11 of the City’s General Plan]” on the South Village site.*

This comment is addressed, in part, under Master Responses 1, 2, 4, and 12.

As noted in Table A-2 of the City’s General Plan Open Space, Conservation, and Recreation Element contains forty-two General Plan Policy Action Steps (OCRAs).<sup>5</sup> The eleventh of these steps, OCRA-11, states the following in relevant part:

Apply open space easements to all lands located within 50 feet from the edge of the bank of all perennial and intermittent streams and creeks providing natural drainage. The easement will also extend to include associated riparian habitat. In addition, the City may designate an easement greater than 50 feet for perennial streams when it is determined such a buffer is necessary to adequately protect drainage and habitat areas.... However, features which may be considered acceptable within the 50 foot setback, buffer area and/or open space easements include, but are not limited to, de-minimis encroachments of a public thoroughfare, bridges, trails, drainage facilities, utilities, and fencing intended to delineate or protect a specific resource.... The above setbacks and buffers shall demonstrate that literal application of this Action Plan item would preclude all economically viable use of the land under existing zoning.

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<sup>5</sup> City of Rocklin General Plan, Summary of Goals and Policies & Action Plans (October 2012), available at [https://www.rocklin.ca.us/sites/main/files/file-attachments/table\\_a-2\\_-\\_open\\_space\\_-\\_revised\\_2015\\_uop.pdf](https://www.rocklin.ca.us/sites/main/files/file-attachments/table_a-2_-_open_space_-_revised_2015_uop.pdf).

With the goal of ensuring compliance with OCRA-11, City staff, the District, the Applicants, and a team of biologists and engineers delineated the riparian corridor surrounding the intermittent stream on the South Village site. As detailed in the Biological Resources Assessment (BRA) (included within the DEIR as Appendix C), the boundaries of the riparian corridor as defined by the City's Riparian Policy were finalized following a field review of the boundaries with City staff. This included mapping the extent of perennial hydrophytic vegetation along the drainages within the Study Area. In some areas, the extent of the riparian zone correlated with the edge of the mapped riparian wetlands. As shown in Figure 1 in Master Response 4, there are three boundaries: 1) 50 feet minimum Buffer from Edge of Creek, 2) Preliminary Riparian Boundary (8.5 acres), and 3) Approved Riparian Boundary (9.6 acres). Based on the mapping and field verification effort, the City then defined the area to be preserved as the greater of the Approved Riparian Boundary and the 50 foot creek buffer which is represented in Figure 2 in the Master Response 4. The total area preserved in the Approved Creek and Riparian Setback is 10.9 acres. It is noted that in some places the 50 feet minimum buffer is extent of the open area, while in many areas the setback reaches approximately 175 feet from the edge of creek. It is noted that there is an existing sewer line and trail, which are considered to be acceptable in the setback areas under Open Space, Conservation and Recreation Element Action 11 (OCRA-11) given that they exist already, and will ensure long-term access to the line for maintenance. Overall, the buffer meets, and at many points substantially exceeds, the buffer requirements of OCRA-11. Qualified biologists and engineers in consultation with City staff delineated this buffer; City staff approved it as compliant with OCRA-11; and the Applicants designed the Project around these buffers. In several locations, the buffer exceeds 50 feet by up to or greater than 100 feet (see Master Response 4 for more detail).

As the CEQA lead agency in charge of creating these General Plan policies, the City receives judicial deference with respect to how it implements and interprets its own policies. (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1129-30 (*Gray*) ["[i]t is well settled that a County is entitled to considerable deference in the interpretation of its own General Plan"]; *Save our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 142 (*Save Our Peninsula*) ["the body which adopted the general plan policies in its legislative capacity has unique competence to interpret those policies when applying them in its adjudicatory capacity"; "[b]ecause policies in a general plan reflect a range of competing interests, the governmental agency must be allowed to weigh and balance the plan's policies when applying them, and it has broad discretion to construe its policies in light of the plan's purposes"]; see also *Berkeley Hills Watershed Coalition v. City of Berkeley* (2019) 31 Cal.App.5th 880, 896 (*Berkeley Hills*), quoting *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1193 ["a city's interpretation of its own ordinance "is entitled to great weight unless it is clearly erroneous or unauthorized"]; *Joshua Tree Downtown Business Alliance v. County of San Bernardino* (2016) 1 Cal.App.5th 677, 696 [a local agency's "findings that the project is consistent with its general plan can be reversed only if it is based on evidence from which no reasonable person could have reached the same conclusion"].)

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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A 2021 decision of the Third District Court of Appeal provides an example of judicial deference given to local agencies on such issues. In *Old East Davis Neighborhood Association v. City of Davis*, (2021) 73 Cal. App 5th 895, the court deferred to the determination by the City of Davis that a proposed mixed-use project with a multi-level apartment complex “would be substantially consistent with the applicable design guidelines.” The court said that “we accord great deference to the agency’s determination.” (quoting *Save our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 142.)

**Response 46-6:** This commenter states “The Project’s conflict with the General Plan’s riparian setback policy violates state planning and zoning law.

*“The Project conflicts with the General Plan’s riparian setback policy (Action Step OCRA-11) and therefore violates state planning and zoning law.”*

As discussed in Response 46-5, the Project does not conflict with the General Plan’s riparian setback policy set forth in Action Step OCRA-11. Therefore, the Project is consistent with the City’s General Plan and does not violate the State’s Planning and Zoning Law that requires such consistency.

**Response 46-7:** This comment serves as conclusionary statement referencing the previously addressed comments. The commenter states the Project’s riparian buffer should be expanded to a 100-foot setback on both sides of the creek on the South Village parcel.

This comment is addressed under Response 46-5. The comment does not warrant any changes to the EIR, but these comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 46-8:** This comment is part of a comment letter dated November 4, 2021 that was submitted directly to the City in response to the DEIR and is included as Comment Letter 28.

Responses to the comments are provided in Responses 28-1 through 28-11.

**Response 46-9:** This comment is comprised of photographs as an attachment to Comment Letter 28, described above.

**From:** sue ingle <[wescottsue@att.net](mailto:wescottsue@att.net)>  
**Date:** November 8, 2021 at 4:27:48 PM MST  
**To:** David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>  
**Cc:** Jack Sanchez <[jsanchez39@gmail.com](mailto:jsanchez39@gmail.com)>  
**Subject:** Public comment on Aguilar Creek Tributary and new Housing Development

To David Mohlenbrok,

Please consider the following for the watershed, Aguilar Creek Tributary, and the new housing development that is under review by the Rocklin City Council.

The Aguilar Tributary, a creek drainage that runs through Sierra College in Rocklin is a fish and wildlife habitat that needs to be protected.

Allow 100 feet from the creek to be designated as a fish and wildlife easement and no building on this easement. Although, The current Rocklin building standards for new construction next to an existing watershed is 50 feet. I propose extending the watershed protection to 100 feet.

Once Undeveloped land is covered with homes, asphalt or concrete, it will never be a wildlife corridor again. It also prohibits ground water sequestration. Rain water that has been soaking into the earth at this location will be channeled through storm drains. This will develop local flooding in the creek during heavy rainfall.

Please consider allowing 3 story construction on properties next to the Aguilar Creek to compensate for the additional 50 feet easement.

Provide nature walking trail through the new 100 feet easement, enhanced with added trees and native plants.

Homes south of the project are in a known 100 year flood plain. What are staff proposing to mitigate flooding on this development?

I am a recent retired Environmental Scientist from the California Environmental Protection Agency. I live in Placer County and would like to see new developments plan for future wildlife habitats and protect salmon and other native fish.

Respectfully,

Sue Ingle

160 Wescott Court

Auburn, Ca 95603

530-401-0611

47-1

### **Response to Letter 47: Sue Ingle, Public Comment Submission**

**Response 47-1:** This comment states that the Aguilar Tributary, a creek drainage that runs through Sierra College in Rocklin, is a fish and wildlife habitat that needs to be protected. The commenter requests that 100 feet from the creek be designated as a fish and wildlife easement and no building be allowed on this easement. The commenter acknowledges that the current Rocklin building standards for new construction next to an existing watershed is 50 feet, but they propose to extend that standard to protect 100 feet. The commenter notes that *“Once Undeveloped land is covered with homes, asphalt or concrete, it will never be a wildlife corridor again. It also prohibits ground water sequestration. Rain water that has been soaking into the earth at this location will be channeled through storm drains. This will develop local flooding in the creek during heavy rainfall.”* The commenter also requests consideration for three story construction on properties next to the Aguilar Creek to compensate for the additional 50 feet easement and suggest that a nature trail should be provided in the new 100-foot easement, enhanced with added trees and native plants. The commenter asks *“Homes south of the project are in a known 100 year flood plain. What are staff proposing to mitigate flooding on this development?”* The comment closes by indicating that they are a retired Environmental Scientist from the California Environmental Protection Agency, living in Placer County, and would like to see new developments plan for future wildlife habitats and protect salmon and other native fish.

This comment is addressed under Master Responses 1, 2, 4, and 12.



Kathleen Schramm  
4575 Greenbrae Road  
Rocklin, CA 95677

November 8, 2021

David Mohlenbrok  
Director of Community Development  
City of Rocklin, Community Development Department  
3970 Rocklin Road  
Rocklin, CA 95677  
Email: [David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)

**RE: Comments on Draft Environmental Impact Report (DEIR) (State Clearinghouse Number (SCH No.) 2019012056) for the College Park Project and City Approval of Tentative Subdivision Maps, General Plan Amendment, Rezoning, and General Development Plan**

Dear Mr. Mohlenbrok:

Please accept these comments submitted on the Draft Environmental Impact Report (“DEIR”) for Unnamed Applicant’s (No Applicant Declared by City, Information Withheld) (“Applicant’s Unnamed”) College Park Project (“Project”). The Unnamed Applicant is seeking approval of Tentative Subdivision Maps, General Plan Amendments, Rezoning, and a General Development Plan for the Project. The Project is the development of the 108.4-acre of land owned by Sierra College over two separate sites being called (North Village and South Village), which will include: Retail Commercial (RC), Business Professional/Commercial (BP/C), Medium Density Residential (MDR), Medium-High Density Residential (MHDR), High-Density Residential (HDR), and Recreation-Conservation (R-C) land uses. Specifically, the proposed College Park Project includes the approval of the College Park GDP, General Plan Amendments, Zone Changes, and Tentative Subdivision Maps to facilitate the development of up to 342 single-family units, 558 multi-family units, 120,000 square feet of non-residential land uses, parking area and other vehicular and non-vehicular circulation improvements, park, recreational amenities, and open space facilities, and utility improvements to support such densities (*Also Declared Undefined Total Buildout Numbers based on Future Applications*).

As explained below, the Project will generate a multitude of significant, unmitigated impacts on Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, Tribal Cultural Resources Utilities and Service Systems, and Wildfire.

The DEIR fails to fully analyze, underestimates, and fails to acknowledge the long-term negative impact on this community and the health, safety, and general welfare of the residents of the City of Rocklin. Negatively impacted are current Rocklin residents who live in the immediate area of the College Park development, residents of Southeast Rocklin, residents of the Town of Loomis which immediately borders this development to the East, and future visitors, employees, and residents of the North and South College Park Villages and the Southeast Rocklin area. In addition, the DEIR quotes data from surveys that have been superseded, outdated, or references links that are no longer active, and overall, fails to identify many of the impacts that will occur as a result of the College Park Project, as described in the DEIR.

48-1 Cont.

#### **CEQA Obligation to Balance Public Objectives**

CEQA imposes an obligation on government agencies to balance a variety of public objectives, including economic, environmental, and social factors when considering proposed development. Given the unprecedented nature of this project within the City of Rocklin, and the significant adverse environmental impacts this proposed project will have on the Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, Tribal Cultural Resources Utilities and Service Systems, this proposed development must be rejected, and alternatives which have lesser impacts on the community be considered.

48-2

#### **Zoning**

While the City of Rocklin has general police powers that authorize the zoning of the community, zoning and zoning changes must be rationally related to a legitimate government purpose.

The City is also required to legislate to protect the health, safety, and general welfare of its citizens. The College Park Project places the entire Southeast Rocklin community at risk of significant adverse health and safety risks if the College Park Development is adopted as proposed in the DEIR.

- What is the legitimate government purpose that calls for the intensity of land-usage on the College Park Development creating a level of density that is proposed?
- What legitimate government purpose enables the City of Rocklin to disregard or discount the risks to the residents of Southeast Rocklin as a result of this Project as proposed? As acknowledged in the DEIR, compromised individuals or elderly residents with pre-existing medical conditions (sensitive receptors) may find their conditions worsened by construction-related impacts of this Project.
- This project results in overwhelming significant impacts to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, Tribal Cultural Resources Utilities and Service Systems that

48-3

cannot be mitigated. As acknowledged in the DEIR, compromised individuals or elderly residents with pre-existing medical conditions (sensitive receptors) may find their conditions worsened by construction-related impacts – which in some cases, could be life-threatening.

48-3 Cont.

**The Project Conflicts with the Rocklin General Plan**

The California Planning and Zoning Law, Government Code section 65000 et seq., requires that local land use approvals must be consistent with a jurisdiction’s general plan, including all “fundamental, mandatory, and clear” general plan policies. *See Spring Valley Lake Assn. v. City of Victorville* (2016) 248 Cal.App.4th 91, 97, 100; *Families Unafraid to Uphold Rural El Dorado County v. El Dorado County Bd. of Supervisors* (1998) 62 Cal.App.4th 1332, 1341-1342. It is an abuse of discretion for a local agency to approve a project that “frustrate[s] the General Plan’s goals and policies.” *Napa Citizens for Honest Gov’t v. Napa County* (2001) 91 Cal.App.4th 342, 379.

As stated in the Rocklin General Plan, “The City of Rocklin General Plan guides physical development of the land and expresses community goals allowing growth to meet community needs, while preserving environmental and historical integrity.”  
<https://www.rocklin.ca.us/post/general-plan>

48-4

Environmental Justice

Identified as a goal in the Rocklin General Plan is the attainment or furtherance of environmental justice. Environmental Justice is defined in state planning law as the fair treatment of all races, cultures, and income with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies (Section 65040.12(e)). The City’s goal is to provide a healthy and equitable environment for all citizens.

Rocklin General Plan - Intent

Further, the Rocklin General plan goes on to state: “*It is the intent throughout the land use planning process to ensure that land uses are compatible in the community, that residential neighborhoods and schools are protected from excessive noise, harmful air emissions and hazardous materials, and that community facilities are distributed equally.*”  
[https://www.rocklin.ca.us/sites/main/files/file-attachments/chapter\\_i\\_intro\\_purpose\\_1.pdf?1484085258](https://www.rocklin.ca.us/sites/main/files/file-attachments/chapter_i_intro_purpose_1.pdf?1484085258)

48-5

The College Park Development as proposed in the DEIR, fails to attain the goal of environmental justice, as well as fails to comply with the overall intent of the General Plan. The College Park development will subject residents of the Southeast Rocklin community, including the residents of the proposed low-income housing units to excessive noise, air pollution, traffic, which is a disproportionate, unduly burdensome cost – and far from equitable - as a result of the College Park land use density and the resulting unmitigable and significant impacts this Project will have on Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and

Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, Tribal Cultural Resources Utilities and Service Systems.

48-5 Cont.

**Proposed College Park Development is contradictory to the Land Acknowledgment written by Sierra College on their website**

“With respect, we acknowledge the Rocklin Campus of Sierra College as the traditional and unceded land of the Nisenan and Miwok peoples. The Secret Ravine, known in Nisenan as Hoyok, is home to an ancestral village site protected for generations by local tribal nations and their members. Sierra College commits to an ongoing relationship with the United Auburn Indian Community and other local tribes, and to respect the legacy of the first peoples of this land and their future generations who are an integral part of the Sierra College community.”

48-6

(<https://www.sierracollege.edu/about-us>)

Massive development on land that was identified for use for public education does not seem to the way Sierra College and the City of Rocklin should respect the legacy of the Nisenan and Miwok peoples.

**Air Quality**

**The College Park Project will have a significant unmitigated impact on Air Quality**

Impact 3.3-1: Proposed Project operation would expose sensitive receptors to substantial pollutant concentrations or result in cumulatively considerable net increase of any criteria pollutant for which the Project region is in nonattainment under an applicable federal or ambient air quality standard.

Offering in mitigation to the impact of increased vehicle emissions, the DEIR states that the following operational project characteristics would reduce project operational emissions:

- Distance to downtown job center, such as the college campus, is approximately 0.4 miles

48-7

This is an inaccurate statement. The Sierra College Campus may be 0.4 miles away; however, the ‘downtown job center’ has not been specifically identified but the City of Rocklin Downtown is not located 0.4 miles away from this development, nor would I classify it as a “job center”.

Sierra College, according to the school website, has approximately 1,300 professors and instructors, of which 800 are part-time employees – across their four locations. This development will not serve Sierra College employees. Part-time employees, particularly educators, hold multiple jobs to make a reasonable living in Northern California. Part-time instructors will not be purchasing a home across the street from their part-time job when they must drive to another location to teach their other courses.

The assumption that there will be reduced VMT because Sierra College employees will live in the proposed College Park Project is unfounded and speculative. According to Data USA: Rocklin, California, employees in Rocklin, CA have a commute time of 24.3. (<https://datausa.io/profile/geo/rocklin-ca/>)

- Mitigation measures 3.3-1 and 3.3-2 include requirements to install features to reduce emissions such as vehicle charging infrastructure, and electric vehicle-ready parking spaces.

If the attraction of this housing development is to attract the employees of Sierra College to live next door to their place of employment, why would the expectation be that residents would purchase electric vehicles to reduce emissions? Residents of the proposed low-income housing will not have the economic ability to purchase electric vehicles.

Electric car owners are 18 percent likely to return to gas-powered cars, a new study shows. Researchers at the University of California Davis say that more than 4,000 households who own or previously owned electric vehicles in California went back to gas and diesel cars, [Electrek reported](https://thehill.com/changing-america/sustainability/energy/551207-new-study-explains-why-nearly-20-percent-of-electric). (<https://thehill.com/changing-america/sustainability/energy/551207-new-study-explains-why-nearly-20-percent-of-electric>)

Concluding that the College Park Project as described in the DEIR will result in an increase in the purchase and use of electric vehicles is unsubstantiated and speculative.

- Impact 3.3-2: Proposed construction would not expose sensitive receptors to substantial pollutant concentrations.

Measures that appear in the DEIR that are to keep pollutants from affecting the nearby residents and community are (Air Quality 3.3-3.0, 3.3-3.1):

- In order to control dust, an operational water truck shall be on site during construction hours.
- the contractor shall apply water or use other method to control dust impacts offsite.
- Traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour.
- the prime contractor shall suspend all grading operations when wind speeds are excessive and impacting adjacent properties.
- During construction, the contractor shall minimize idling time to a maximum of 5 minutes.

The Project DEIR concludes that these measures above would result in a “less than significant impact related to the potential to expose sensitive receptors to substantial pollutant concentrations (Air Quality 3.3-32).

These measures cannot be considered effectively reducing community pollutant impact due to construction. These are requirements imposed on the construction crew and are to be enforced by the construction crew.

- Where is the enforcement arm of these regulations?
- Who ensures compliance with these requirements?

Of course, there are compliance employees in the City of Rocklin; however, based on my experience with the Rocklin Meadows development in Rocklin, these “requirements” are meaningless and not enforceable.

Multiple complaints submitted by residents in my neighborhood regarding Rocklin Meadows construction activity which violated the requirements above, have been called into the City of Rocklin. Our neighborhood, our homes, our families, have all been impacted by uncontrolled dust, and noise from the Rocklin Meadows construction site. Violations on the construction site included diesel engines which idled for far longer than 5-minutes, violations on the weekends and weekdays regarding start times for construction activity, lack of water trucks to contain dirt within the jobsite - have all contributed to the damages we have incurred. These violations and infractions have been reported to the City Enforcement officers, and the conduct does not change, and the harm to residents of Rocklin – including adverse impacts to health and property – continues.

48-7 Cont.

**The College Park Project will have a significant unmitigated impact on Biological Resources**

The City of Rocklin General Plan contains the following goals and policies that are relevant to biological resources:

Open Space and Recreation Element:

Goal for the conservation, development, and utilization of natural resources: conserve and protect natural resources while permitting their managed use, consistent with City, State, and Federal requirements.

Policy OCR-39: Require the protection of wetlands, vernal pools, and rare, threatened and endangered species of both plants and animals through either avoidance of these resources, or implementation of *appropriate* mitigation measures where avoidance is not feasible, as determined by the City of Rocklin.

48-8

Policy OCR-42: Encourage projects to be designed in a manner that protects heritage oak trees and other botanically unique vegetation designated to be retained.

Policy OCR-43: Mitigate for removal of oak trees and impacts to oak woodlands in accordance with the City of Rocklin’s Oak tree Preservation ordinance, or for projects located in zones not

directly addressed by the Oak Tree Preservation Ordinance mitigation measures, on a project-by-project basis through the planning review and entitlement process.

In reading the impact to the oak woodlands, as well as the impact to wetlands, this Project as described in the DEIR does not appear to meet the goals and policies of the Rocklin General Plan as described above.

#### Oak Removal

The DEIR states “for those projects in which the city as required fees for oak tree removal mitigation, the fees are deposited into the City’s Oak Tree Preservation Fund. This fund is used by the City to help purchase woodland preserves, such as the 21-acre addition to Johnson Springview Park, the 184-acre South Whitney Recreation Area, and other preserve areas where new oak woodlands are being developed.

The College Project will directly impact 1,393 healthy oak trees within the study area, approximately 72 percent of the oaks located within the project borders. As summarized in Table 3.4-6, oaks with a cumulative DBH of 12,780 inches and a canopy of 16.61 acres would be impacted by the project. The City of Rocklin Oak Tree Preservation Guidelines (Guidelines) state that “on-site mitigation in the form of planting replacement trees is preferred.

However, the DEIR states that “as the majority of the avoided habitats will already be woodlands or wetlands, planting replacement trees is not a feasible alternative” (DEIR 3.4-43). The Guidelines go on to state that “off-site tree replacement, contributions to the Rocklin Oak Tree Preservation Fund, and dedication to land instead of paying mitigation fees shall also be considered”.

Under the oak mitigation plan a 22.5-acre mitigation Area would be set aside for these impacts to native oak trees. The Mitigation Area is located along Secret Ravine Creek. However, this mitigation measure does not meet the 2:1 replacement trees required by the Guidelines, nor does the DEIR identify the specific location of the 22.5-acre mitigation area. Therefore, this mitigation measure should not result in the conclusion that the removal of 72% of healthy oak trees within the project site is ‘less than significant’.

This approach clearly contravenes the goal of social justice as written in the Rocklin City Plan. To remove trees from one area of Rocklin and to fail to meet the replacement tree planting requirement – or to purchase woodlands or identify a mitigation area outside of this community as a way to “minimize” the loss of the trees violates the goal of social justice. This negative impact is experienced by the Southeast Rocklin community – and the woodlands purchased by the City with the Oak Preservation funds are located in Rocklin communities outside the boundaries of the Southeast Rocklin Community. The burden is placed on this small community within Rocklin to bear the unmitigated impact of tree removal, without an off-setting benefit. The oak mitigation fees collected by the City of Rocklin are invested in oak groves elsewhere – and that is unjust.

48-8 Cont.

The loss of these oak trees is significant and impactful to this community. Benefits of trees in urban environments have been identified as:

- Carbon storage and sequestration
- Air pollution removal
- Surface temperature reductions
- Reduced building energy use
- Absorption of ultraviolet radiation
- Improved water quality
- Reduced noise pollution
- Improved human comfort
- Increased property value
- Improved human physiological and psychological well-being
- Improved aesthetics
- Improved community cohesion

These benefits have been documented in a publication entitled *Urban and Community Forests of the Pacific Region* (2009) written by David J. Nowak and Eric J. Greenfield. ([https://www.nrs.fed.us/pubs/gtrl/gtr\\_nrs.65/pdf](https://www.nrs.fed.us/pubs/gtrl/gtr_nrs.65/pdf))

Clear-cutting is an all-too-common practice, devastating when it occurs in Brazilian rainforest but just as damaging to the local wildlife when it occurs at home. Natural woodland containing a mix of native species not only protects against the potential of disease wiping out the entire forest but also provides a much better home for native wildlife and migratory birds. [Trees In Trust - Environmental Info](http://www.treesintrust.com/environmental.shtml) (<http://www.treesintrust.com/environmental.shtml>)

**Mitigation Measure 3.4-5:** The following mitigation shall be implemented to address the loss of suitable foraging habitat for Swainson's hawks:

- 1.0 acre of suitable foraging habitat shall be protected for each acre of highly suitable foraging habitat impacted.
- 0.5 acre of suitable foraging habitat shall be protected for each acre of marginally suitable foraging habitat impacted.

Based on these ratios and the current development plan, a total of 54.15 acres of Swainson's hawk foraging habitat shall be protected to compensate for impacts within the study area.

Where is the location of the 54.15 acres of habitat to be protected?

**Mitigation Measure 3.4-7:** The proposed project would have substantial adverse effects on federally or state protected wetlands through direct removal, filling, hydrological interruption, or other means.



As shown in table 3.4-4 of the approximately 9.065 acre of aquatic resources mapped within the study area, 0.971 acre will be impacted by the proposed project. This sensitive aquatic habitat would be permanently lost.

The mitigation measure is to apply for a Section 404 permit from the U.S. Army Corps of Engineers for replacement of this habitat at a location acceptable to the USACE.

Where is this location? This mitigation appears to violate the goal of social justice, in that one area of Rocklin is required to suffer a “loss”, and another area, yet to be identified, will derive the benefit.

48-9 Cont.

**Mitigation Measure 3.4-9**

**The Project Developer shall be required to fence the trees to be preserved during construction. Fencing should be located 3-feet outside the dripline of the tree. It is the responsibility of the property owner and workers on the site to assure that the fence remains in its proper location and at its proper height during construction.**

This is not a reasonable mitigation measure to protect trees on the project site. This is not enforceable and will likely result in the loss of trees beyond the 1,393 already identified as impacted by the College Park Project.

48-10

The roots of oak trees extend 50 feet or more beyond the dripline. As such, fencing 3 feet beyond the dripline is inadequate and may result in damage to the oak trees identified to be protected from the development impacts.

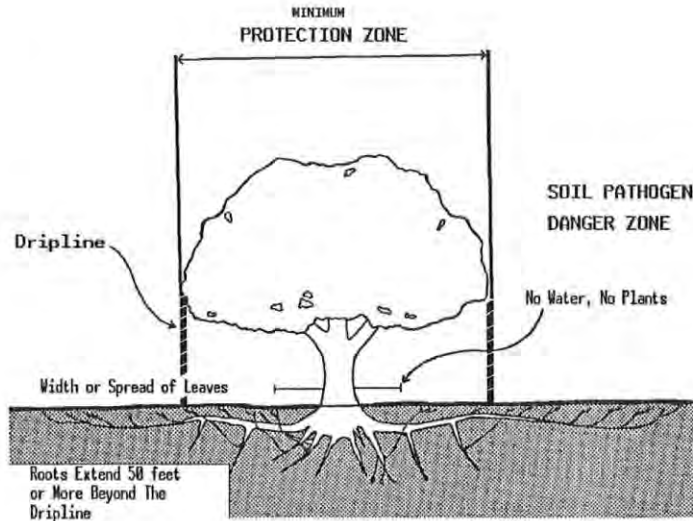


Diagram taken from Keeping Native California Oaks Healthy  
<https://ucanr.edu/sites/gsobinfo/files/5891.pdf>

Roots of oak trees are located within the upper 3-feet of soil, typically within the 18-inches below the surface. Life supporting roots of oak trees are frequently damaged by construction practices that change the existing soil environment. This typically causes die-back and decline over one to many years, an event that few associate with the construction activities, because the symptoms develop gradually. Excavation, trenching, pavement, and soil compaction are construction activities that can lead to damage or death of oak trees if the activities occur too close to the roots of the oak trees. Therefore, the placement of fencing within 3 feet of the oak dripline is too close to protect the oaks from construction-related impacts.

48-11

Below is a picture of the driveway off Greenbrae Road that was installed by Lund Construction to access the Rocklin Meadows construction site. This driveway runs along the western boundary of my property which is a property line with the Sierra Meadows Construction Site. Despite numerous requests to the Project Manager, and the Property Owner, large construction vehicles and trailers used this driveway as a means to enter and exit the development despite suitable locations elsewhere. The trees in this picture are on the shared property line and cannot be removed without the consent of both property owners. The dripline of these trees are 12-feet in distance from their trunk as documented by my arborist.

These jointly owned trees were not depicted on the maps approved by the Planning Department of the City of Rocklin, and despite many phone calls, no calls were returned. I appeared before the Planning Commission to share my experience, and a member of the Rocklin City Staff

attempted to explain why so many of my calls went unanswered and unreturned: the City had a voice mail issue during the remote deployment due to COVID-19.

My entire family was watching out for these trees and working feverishly to save them from the effects of the development as we live immediately adjacent to the Rocklin Meadows development site – but who will work to protect the trees from the developer on the College Park site?

Who is to enforce the mitigation measures above? Without enforcement, these measures offered in mitigation are meaningless.

48-11 Cont.



48-11 Cont.

Despite numerous calls to the City, the Developer, and the Property owner, it took weeks before the driveway was abandoned – but not before compaction damage to the roots had likely occurred to these trees on the shared boundary line.

**THE COLLEGE PARK PROJECT WILL HAVE A SIGNIFICANT UNMITIGATED IMPACT ON TRAFFIC**

Taken directly from the DEIR is the following goals identified by the City of Rocklin:

GOAL FOR TRANSPORTATION SYSTEM: To create a balanced and coordinated transportation system which utilizes all transportation modes efficiently and promotes sound land use.

- GOAL FOR CITY AND REGIONAL STREET SYSTEM: To provide a safe and well-maintained system of streets that meets community needs.
- Maintain a minimum traffic Level of Service “C” for all signalized intersections during the p.m. peak hour on an average weekday.

According to the College Park DEIR, project implementation would generate average VMT per dwelling that is greater than 85% of the City-wide average for that land use type – on average, the impacted sites would be approximately 22% above the VMT threshold. This impact is considered potentially significant. The proposed mitigation measures would need to result in VMT reductions in the range of 12% to 25% to meet the applicable standard. A reduction in VMT in that range is a robust target and there are no assurances that mitigation measures will fully mitigate this impact.

48-12

Proposed mitigation measure 3.14.1 in the DEIR places the responsibility for VMT reduction on residents and employers, to adopt walking, telecommuting, and biking as alternative measures to driving. This mitigation measure will not reduce the impact of traffic in this area as a result of the College Park Development.

Proposed mitigation measure 3.14.2 calls for the construction of bus stops and bus shelters on Sierra College north of Rocklin Road. To be effective, 360 people need to take the bus and not drive daily to successfully mitigate the impact of 3,000 additional VMT. Currently, the nearest bus stop is on Rocklin Road near El Don approximately ½ mile away from the North Village. This is not a realistic and feasible mitigation measure to reduce the traffic impact from the College Park Project.

**3.14-3: Project implementation would not cause the 95<sup>th</sup> percentile queue length at a freeway off-ramp.**

This is an incorrect statement. The I-80 eastbound ramp exit at Rocklin Road frequently backs up, forcing cars to stop on the 4<sup>th</sup> lane attempting to exit. This is a dangerous exit during peak traffic periods, especially when the college is in session. Further, this measure examines the impact of the College Park Development and not the cumulative impact of all development pending in the Southeast Rocklin / Loomis area. There are construction projects that have been

48-13

approved but not completed that will add impact to this off-ramp, including Rocklin Meadows, Loomis development at Brace/Sierra College Roads, residential construction off Greenbrae / I-80, Rocklin Meadows, etc. To conclude that this impact is less than significant is untrue.

In the DEIR, Section 4.0-2.2, the following statement is written: “Both interchanges have insufficient capacity to accommodate the projected levels of cumulative traffic. This causes delays and queuing, particularly on the freeway off-ramps.”

The statements in the DEIR arrive at inconsistent conclusions – less than significant and significant and unavoidable, and cumulatively considerable.

Which conclusion accurately describes the impact of the College Park Development on the I-80/Rocklin Road and I-80/Sierra College Blvd entrance and exit ramps?



On October 18, 2021 at approximately 5:50 pm, the westbound on-ramp at Rocklin Road to Interstate 80 was backed up on Rocklin Road to Granite Drive.

48-13 Cont.

**3.14-7: Project implementation would not result in inadequate emergency vehicle access (less than significant).**

This is an inaccurate statement. In current road conditions, it is sometimes impossible to make a left turn from Aguilar Road onto Rocklin Road – and this is still while COVID-19 restrictions are in place, and Sierra College student-traffic is lower than pre-COVID levels.

All lanes of Rocklin Road are full of cars – with no room to navigate through a center lane available for turning. Emergency vehicles have been impacted – and worse yet, drivers fail to observe the rules of the road, spacing and stopping with distances appropriate to keep intersections clear. Further, the lights at Rocklin Road/Aguilar are not in sync with the lights at I-80/Rocklin Road, which causes significant delays in traffic movement and significant backlogs of cars. To add an additional 10,400 daily vehicle trips (Fehr & Peers, 2021) – and almost 1,500 peak hour trips is unconscionable given the current state of the roads.

The ambulances that service our area may come from the Fire Department located on Rocklin Road or from the Roseville area, using I-80. If a resident is transported to the medical centers in Roseville, these ambulance transports will head east on Rocklin Road to the I-80/Rocklin Road westbound entrance ramp. How do they get past the queuing traffic on Rocklin Road or on the freeway exit ramps when there is a life-or-death emergency? How do the DEIR authors conclude that the impact is “less than significant?”

During the October 26, 2021 Rocklin City Council Meeting, a resident in the Greenbrae Road / Monument Springs community cited their experience in July 2021, waiting for the Rocklin Fire Department to respond to a house fire. Despite several calls to 911 requesting Fire Department response, there was a 28-minute delay before the fire trucks arrived on the scene. This is an unacceptable level of response, and one that certainly refutes the average response time provided by the City. To approve a development of this size which would add a significant amount of traffic in this community and VMT load on Rocklin Road without *first* providing for the roadway improvements and infrastructures is unacceptable to the community in SE Rocklin, and a disservice to all residents in this area. To cite future improvements that are planned five or six years in the future puts the lives of all residents of SE Rocklin in jeopardy and at imminent risk of harm.

While widening of Rocklin Road is a “planned” project that is identified in the 2020 MTP/SCS project, planned projects include those projects with no funding. However, the DEIR in section 4.0-20, states that a “key roadway network assumption within the model for this study area” is the expansion of Rocklin Road to 6-lanes between I-80 and Sierra College Blvd.”

How do the DEIR authors conclude that the impact is “less than significant?” If this conclusion is based on the “assumption” that Rocklin Road will be expanded to a 6-lane roadway, that conclusion is premature based on lack of funding and commitment for Rocklin Road expansion.

- How does the city approve development that may cost residents of Southeast Rocklin their lives as a result in delays in receiving emergency responses?



48-14 Cont.



Rocklin Road East at Aguilar. Note the lanes of traffic as well as the inconsistent traffic lights.

**Rocklin Road / Sierra College Daily Trip Numbers – April 2016 observation is outdated**

Cited by the DEIR in Section 3.14-3, in April 2016 daily trip numbers for Rocklin Road were identified as 26,900. The Sierra College daily trip numbers totaled 24,300 from an observation made in April 2016.

The City of Rocklin most recently stands at a population of 72,339, as of 2021. Our city has been growing at a rate of 2.49% per year. To take daily trip numbers from 2016 and publish them in a document dated September 2021 paints a low and unrealistic picture of the actual traffic levels on these roads. Both Sierra College and Rocklin Road will experience a significant increase in vehicular travel and VMT – and to cite numbers from an April 2016 traffic observation is irrelevant, as more than 5 ½ years have elapsed since this observation, and the population within the City of Rocklin has increased by 13.7%.

This daily trip number cited in the DEIR is invalid and outdated.

**2016-2020: Traffic Accident Data Rocklin Road and Sierra College in the Top 5 locations**

Rocklin Road is a difficult road to navigate right now with our current population and current traffic conditions.

Data obtained from the Rocklin Police Department for the years 2016-2020 consistently shows Rocklin Road and Sierra College Blvd in the top 5 locations for collisions by quarter. There are 20 quarters of data listed below – in every quarter for the 5 years listed, Rocklin Road and /or Sierra College are listed.

Adding additional VMT, pedestrians, buses, and bicyclists without meaningful, planned, and improved road improvements places all users of these roadways at heightened risk of collision and injuries. Most at risk are those residents of the Southeast Rocklin community, including those residents of low-income housing. This impact is unacceptable and violates the goal of social justice.

48-14 Cont.

**ROCKLIN POLICE DEPARTMENT  
2016 - 2021 TOP 5 COLLISION LOCATIONS BY QUARTER**

2016

Q1	Q2	Q3	Q4
5000 ROCKLIN RD 7	STANFORD RANCH RD/SUNSET BL 7	ROCKLIN RD/180 4	ROCKLIN RD/180 7
ROCKLIN RD/180 6	ROCKLIN RD/180 6	SUNSET BL/S WHITNEY BL 4	SUNSET BL/PARK DR 5
BLUE OAKS BL/LONE TREE BL 3	5000 ROCKLIN RD 3	5000 ROCKLIN RD 4	SUNSET BL/PACIFIC ST 3
WILDCAT BL/BRIDLEWOOD DR 3	PACIFIC ST/SUNSET BL 3	SUNSET BL/STANFORD RANCH RD 3	SIERRA COLLEGE BL/180 3
SUNSET BL/LONETREE BL 2	GRANITE DR/ROCKLIN RD 2	PEBBLE CREEK DR/SUNSET BLVD 2	PACIFIC ST/SUNSET BL 3
SUNSET BL/BLUE OAKS BL 2	SIERRA COLLEGE BL/BRACE RD 2	WILDCAT BL/WHITNEY RANCH PKWY 2	WHITNEY BL/SUNSET BL 3
3111 SUNSET BL 2	3111 SUNSET BL 2	PACIFIC ST/SUNSET BL 2	5000 ROCKLIN RD 3
2415 HORSESHOE CT 2	SUNSET BL/ATHERTON RD 2	ROCKLIN RD/EL DON DR 2	SIERRA COLLEGE BL/GRANITE DR 3
ROCKLIN RD/SIERRA COLLEGE BL 2	SIERRA COLLEGE BL/180 2		
GRANITE DR/ROCKLIN RD 2	SUNSET BL/PACIFIC ST 2		
STANFORD RANCH RD/SUNSET BL 2	LONETREE BL/REDWOOD DR 2		
GRANITE DR/SIERRA MEADOWS DR 2	SUNSET BL/SPRINGVIEW DR 2		
SUNSET BL/FAIRWAY DR 2	SUNSET BL/PEBBLE CREEK DR 2		
PACIFIC ST/ROCKLIN RD 2	ROCKLIN RD/EL DON DR 2		
SUNSET BL/PACIFIC ST 2	1001 SUNSET BL 2		
PACIFIC ST/SUNSET BL 2	ROCKLIN RD/GRANITE DR 2		
WILDCAT BL/W STANFORD RANCH 2			
REDWOOD DR/LONETREE BL 2			
ROCKLIN RD/AGUILAR RD 2			

**ROCKLIN POLICE DEPARTMENT  
2016 - 2021 TOP 5 COLLISION LOCATIONS BY QUARTER**

2017

Q1	Q2	Q3	Q4
SIERRA COLLEGE BL/ROCKLIN RD 4	5100 SIERRA COLLEGE BL 4	ROCKLIN RD/EL DON DR 5	5100 SIERRA COLLEGE BL 6
5454 CROSSINGS DR 4	SIERRA COLLEGE BL/GRANITE DR 4	SUNSET BL/STANFORD RANCH RD 2	PACIFIC ST/SUNSET BL 5
SUNSET BL/FAIRWAY DR 3	SIERRA COLLEGE BL/COMMONS 3	ROCKLIN RD/180 2	ROCKLIN RD/180 4
PACIFIC ST/SIERRA MEADOWS DR 3	SUNSET BL/PACIFIC ST 3	LONETREE BL/BLUE OAKS BL 2	5472 CROSSINGS DR 3
ROCKLIN RD/180 2	PACIFIC ST/MIDAS AV 2	5100 SIERRA COLLEGE BL 2	WILDCAT BL/WHITNEY RANCH PKWY 3
SUNSET BL/PARK DR 2	SIERRA COLLEGE BL/CROSSINGS DR 2		SUNSET BL/PACIFIC ST 3
STANFORD RANCH RD/SUNSET BL 2	PACIFIC ST/OAK ST 2		
BLUE OAKS BL/VAN BUREN WY 2	SPRINGVIEW DR/SUNSET BL 2		
ROCKLIN RD/GRANITE DR 2	PACIFIC ST/SUNSET BL 2		
CEDAR ST/PACIFIC ST 2	BASS PRO DR/SCHRIBER WY 2		
5000 ROCKLIN RD 2	SUNSET BL/PEBBLE CREEK DR 2		
WOODSIDE DR/PACIFIC ST 2	ROCKLIN RD/EL DON DR 2		
5301 VICTORY LN 2			
2165 SUNSET BL 2			
3021 STANFORD RANCH RD 2			
PARK DR/SUNSET BL 2			
PARK DR/STANFORD RANCH RD 2			

48-14 Cont.

**ROCKLIN POLICE DEPARTMENT  
2016 - 2021 TOP 5 COLLISION LOCATIONS BY QUARTER**

2018				
Q1	Q2	Q3	Q4	
ROCKLIN RD/EL DON DR	3 5100 SIERRA COLLEGE BL	3 ROCKLIN RD/EL DON DR	8 STANFORD RANCH RD/CREST DR	3
5100 SIERRA COLLEGE BL	3 ROCKLIN RD/EL DON DR	3 GRANITE DR/SIERRA COLLEGE BL	3 SUNSET BL/PARK DR	2
SIERRA COLLEGE BL/COMMONS	3 PACIFIC ST/SUNSET BL	3 5100 SIERRA COLLEGE BL	3 SIERRA COLLEGE BL/CROSSINGS DR	2
SUNSET BL/WEST OAKS BL	2 5194 COMMONS DR	2 STANFORD RANCH RD/VICTORY LN	2 5100 SIERRA COLLEGE BL	2
SUNSET BL/PARK DR	2 SIERRA COLLEGE BL/COMMONS	2 SIERRA COLLEGE BL/NIGHTWATCH DR	2 SUNSET BL/SPRINGVIEW DR	2
STANFORD RANCH RD/COBBLESTONE D	2 ROCKLIN RD/SIERRA COLLEGE BL	2 W STANFORD RANCH RD/SUNSET BL	2 6050 PLACER WEST DR	2
LONETREE BL/SUNSET BL	2 2600 SUNSET BL	2 6601 BLUE OAKS BL	2 SIERRA COLLEGE BL/RIDGE PARK DR	2
SUNSET BL/S WHITNEY BL	2 GRANITE DR/SIERRA COLLEGE BL	2 SIERRA COLLEGE BL/SCHRIBER WY	2 6305 PACIFIC ST	2
PACIFIC ST/SIERRA MEADOWS DR	2 PACIFIC ST/WOODSIDE DR	2 PACIFIC ST/ROCKLIN RD	2 STANFORD RANCH RD/SUNSET BL	2
PARK DR/SUNSET BL	2	2 SUNSET BL/BLUE OAKS BL	2 6355 PACIFIC ST	2
STANFORD RANCH RD/BREEN DR	2	2 5454 CROSSINGS DR	2 SUNSET BL/PEBBLE CREEK DR	2
		2 GRANITE DR/ROCKLIN RD	2 701 WILDCAT BL	2
		2 ROCKLIN RD/180	2 2220 SUNSET BL	2
			2 ROCKLIN RD/180	2

**ROCKLIN POLICE DEPARTMENT  
2016 - 2021 TOP 5 COLLISION LOCATIONS BY QUARTER**

2019				
Q1	Q2	Q3	Q4	
SIERRA COLLEGE BL/GRANITE DR	3 2165 SUNSET BL	4 PARK DR/SUNSET BL	3 SUNSET BL/PACIFIC ST	5
ROCKLIN RD/EL DON DR	3 LONETREE BL/BLUE OAKS BL	3 5100 SIERRA COLLEGE BL	2 5100 SIERRA COLLEGE BL	4
W STANFORD RANCH RD/WILDCAT BL	2 PACIFIC ST/SUNSET BL	3 BASS PRO DR/SCHRIBER WY	2 SUNSET BL/SPRINGVIEW DR	4
SUNSET BL/FAIRWAY DR	2 SUNSET BL/PEBBLE CREEK DR	2 ROCKLIN RD/GROVE ST	2 SIERRA COLLEGE BL/SCHRIBER WY	3
5100 SIERRA COLLEGE BL	2 SIERRA COLLEGE BL/CROSSINGS DR	2 ROCKLIN RD/180	2 4500 ROCKLIN RD	3
PACIFIC ST/SUNSET BL	2 PACIFIC ST/DOMINGUEZ RD	2 SIERRA COLLEGE BL/SCHRIBER WY	2 CROSSINGS DR/SIERRA COLLEGE BL	3
SUNSET BL/STANFORD RANCH RD	2 5 WHITNEY BL/SPRINGVIEW DR	2 SUNSET BL/3RD ST	2 SIERRA COLLEGE BL/CROSSINGS DR	3
5002 JEWEL ST	2	2 ROCKLIN RD/AGUILAR RD		
5609 PACIFIC ST	2	2 ROCKLIN RD/EL DON DR		
ROCKLIN RD/GRANITE DR	2			

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**ROCKLIN POLICE DEPARTMENT  
2016 - 2021 TOP 5 COLLISION LOCATIONS BY QUARTER**

2020				
Q1	Q2	Q3	Q4	
5100 SIERRA COLLEGE BL	4 STANFORD RANCH RD/SUNSET BL	2 PACIFIC ST/SUNSET BL	4 SIERRA COLLEGE BL/COMMONS	2
SUNSET BL/SPRINGVIEW DR	3 SUNSET BL/STANFORD RANCH RD	2 4451 PACIFIC ST	4 SUNSET BL/WHITNEY BL	2
ROCKLIN RD/180	3 SUNSET BL/FAIRWAY DR	2 PARK DR/SUNSET BL	3 SIERRA COLLEGE BL/ROCKLIN RD	2
SUNSET BL/PACIFIC ST	2 5454 CROSSINGS DR	2 SIERRA COLLEGE BL/SCHRIBER WY	2 GRANITE DR/SIERRA COLLEGE BL	2
LONETREE BL/GRAND CANYON DR	2 SIERRA COLLEGE BL/CROSSINGS DR	2 UNIVERSITY AV/WHITNEY RANCH PKWY	2 SCHRIBER WY/SIERRA COLLEGE BL	2
SUNSET BL/STANFORD RANCH RD	2 6001 WEST OAKS BL	2 SUNSET BL/WHITNEY BL	2 PACIFIC ST/SUNSET BL	2
PACIFIC ST/FARRON ST	2 SUNSET BL/BLUE OAKS BL	2 5454 CROSSINGS DR	2 SIERRA COLLEGE BL/GRANITE DR	2
SUNSET BL/LITTLE ROCK RD	2 CROSSINGS DR/SIERRA COLLEGE BL	2 SIERRA COLLEGE BL/GRANITE DR	2 PARK DR/ARNOLD DR	2
PARK DR/SANDY TRAIL WY	2 SUNSET BL/LONETREE BL	2 ROCKLIN RD/180	2 SIERRA COLLEGE BL/SCHRIBER WY	2
6692 LONETREE BL	2 PACIFIC ST/SUNSET BL	2	2 PARK DR/STANFORD RANCH RD	2
3555 PARK DR	2 3021 STANFORD RANCH RD	2	2 GRANITE DR/ROCKLIN RD	2
VICTORY LN/STANFORD RANCH RD	2 PARK DR/STANFORD RANCH RD	2	2 ROCKLIN RD/SIERRA COLLEGE BL	2
SIERRA COLLEGE BL/BASS PRO DR	2			
SIERRA COLLEGE BL/COMMONS	2			

**City of Rocklin Response to the Town of Loomis re: Costco DEIR – Inconsistent Response to Traffic Impact**

Below is an excerpt from the City of Rocklin’s response to the Costco DEIR proposed by the Town of Loomis:

*“The design would cause frequent gridlock in the Sierra College Blvd. and I-80 area, damage the livelihood of existing and future business in the commercial corridor, severely restrain further development on adjacent Rocklin properties, and curtail prompt access by emergency services.*

*The following concerns must be addressed before project approval:*

- *The traffic impact study continues to be fundamentally flawed, including flaws in vehicle miles traveled (VMT) estimations, which undermine the accuracy of impact analyses for air quality, greenhouse gas emissions and noise*
- *The FEIR fails to consider, let alone evaluate, reasonably foreseeable impacts on public safety that will result from the project.*

*Rocklin must ensure that projects with potentially significant and widespread local impacts are planned meticulously and include realistic projections and solutions to those impacts. Protecting the wise investments in public infrastructure made by Rocklin residents and businesses to develop current and future capacity near Sierra College Blvd/Rocklin Road and the I-80 interchanges should be the City’s top priority.”*

It is inconsistent for the City of Rocklin to object to the Costco development and impact on “prompt access by emergency services” because of the traffic gridlock that would result from this project; however, at the same time, adopt a favorable conclusion on the DEIR for the College Park Project and resulting traffic impacts. The City of Rocklin cannot maintain two perspectives on the same issue within the same development area – one that favors the City of Rocklin proposal for development which generates increased traffic on Sierra College Blvd/Granite Drive/I-80, and another perspective that disfavors the Town of Loomis proposal that results in development and increased traffic levels on Sierra College Blvd/Granite Drive/I-80.

- How does the city plan to manage traffic levels for the SE Rocklin community with all these developments, increased VMT, and no road improvements?
- How does the city approve development that may cost residents of Southeast Rocklin their lives as a result in delays in receiving emergency responses?

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**THE COLLEGE PARK PROJECT WILL HAVE A SIGNIFICANT UNMITIGATED IMPACT ON NOISE**

The City of Rocklin Noise Element Goals and Policies are stated as follows in the DEIR 3.11-9:

1. To protect City residents from the harmful and annoying effects of exposure to excessive noise.
  2. To protect the economic base of the City by discouraging noise-sensitive land uses from encroaching upon existing or planned noise-producing uses.
  3. To encourage the application of innovative land use planning methodologies in areas of potential noise conflicts.
- Policy N-1. Determine noise compatibility between land uses, and to provide a basis for developing mitigation, an acoustical analysis shall be required as part of the environmental review process for all noise-sensitive land uses which are proposed in areas exposed to existing or projected exterior noise levels exceeding the level standards contained within this Noise Element.
  - Policy N-2. Emphasize site planning and project design to achieve the standards of this Noise Element. The use of noise barriers shall be considered a means of achieving the noise standards; however, the construction of aesthetically intrusive wall heights shall be discouraged.
  - Policy N-3. Ensure that stationary noise sources do not interfere with sleep by applying an interior hourly maximum noise level design standard of 45 dBA in the enclosed sleeping areas of residences affected by stationary noise sources. This standard assumes doors and windows are closed.
  - Policy N-4. Restrict development of noise-sensitive land uses where the noise levels due to existing or planned stationary noise sources will exceed the exterior stationary noise level design standards of the Noise Element unless effective noise mitigation measures have been incorporated into the project.
  - Policy N-5. Evaluate and mitigate as appropriate, noise created by proposed stationary noise sources so that the exterior stationary noise level design standards of the Noise Element are not exceeded.
  - Policy N-6. Apply the noise level design standards contained within Table 2-1 of the Noise Element [Table 3.11-4 of this section] to Policies N-4 and N-5.

The effects of noise on people can be placed in three categories:

- Subjective effects of annoyance, nuisance, and dissatisfaction.
- Interference with activities such as speech, sleep, and learning; and
- Physiological effects such as hearing loss or sudden startling. DEIR reference.

Analysis from a nationally representative health interview and examination survey found that nearly one in four (24 percent) of U.S. adults aged 20 to 69 years has features of his or her hearing test in one or both ears that suggest noise-induced hearing loss (NIHL). One in eight

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people in the United States (13 percent, or 30 million) aged 12 years or older has hearing loss in both ears.- Hearing loss is preventable. We can help our children avoid hearing loss caused by noise – by making prudent decisions regarding development and associated environmental noise impacts (<https://www.noisyplanet.nidcd.nih.gov/hearing-loss-science>.)

The Project presents significant noise impacts that the City has failed to address and disclose in the DEIR. The DEIR also fails to include an adequate analysis of and mitigation measures for the Project’s potentially significant impacts.

- **The DEIR Fails to identify Sierra College Campus and Monte Verde Park as Existing Sensitive Receptors in the South Village description**

The DEIR defines the term “Sensitive Receptor” in the DEIR. The term sensitive receptors refer to noise-sensitive land uses where people reside or where the presence of unwanted sound could adversely affect the use of the land. Residences, schools, daycares, hospitals, guest lodging, libraries, churches, nursing homes, auditoriums, concert halls, amphitheaters, playgrounds, and parks are considered sensitive receptors. The following describes the existing sensitive receptors adjacent to the North and South Village site.

**North Village.** Existing sensitive receptors surrounding the North Village site include the equestrian facility and rural residential parcels located in the Town of Loomis to the east, the single-family residence surrounded by the North Village site to the west and the single-family residence adjacent to the project on the northwest side, and the Rocklin Manor Apartments to the south across Rocklin Road.

**South Village.** Existing sensitive receptors surrounding the South Village site include, the El Don Condominiums to the south and the single-family subdivisions to the west, east, and south.

The Sierra College Campus is immediately north of the South Village Project but has been excluded from the list of sensitive receptors identified as potentially impacted by noise from the project in the DEIR, and therefore, no mitigation measures were considered or identified to reduce noise impacts from the South Village construction and development. Monte Verde Park was also omitted from the South Village identification of sensitive receptor locations in the DEIR and therefore, no mitigation measures were considered or identified to reduce noise impacts from the South Village construction and development.

The DEIR as it pertains to Noise mitigation for the South Village Development is inadequate because of the omission of Sierra College as well as Monte Verde Park. Left unaddressed are the following questions:

1. What is the noise impact from the South Village development to users of Monte Verde Park?
2. What is the noise impact to the Sierra College Campus from the development of South Village?
3. What are the proposed mitigation measures to reduce the noise impact resulting from development?

4. What are the proposed mitigation measures to protect these sensitive receptors during the construction phase?

- **DEIR Error - Stationary Noise Sources – South Village Description references the North Village**

In the DEIR section entitled South Village – Stationary Noise, the North Village profile and characteristics are cited. DEIR, Section 3.11 / PDF page 434. However, in the actual paragraph description, the North Village is cited in the South Village summary.

**North Village.** The North Village site vicinity consists of residential, recreational, institutional, and open spaces uses. The primary sources of stationary noise in the vicinity of the North Village site are urban-related activities (e.g., heating, ventilation, and air conditioning units, parking areas, and conversations) and recreational activities associated with the Sierra College stadium (e.g., stadium speaker system, crowds cheering) and the equestrian center (e.g., direct noise from horses and onsite animals, maintenance activities, conversations). The noise associated with these sources may represent a single-event or a continuous occurrence.

**South Village.** The South Village site vicinity consists of residential and commercial/office uses. The primary sources of stationary noise in the vicinity of the North Village site are urban-related activities (e.g., lawn mowers, heating, ventilation, and air conditioning units, car doors, and conversations). The noise associated with these sources may represent a single-event or a continuous occurrence.

The primary sources of stationary noise must be identified relative to the South Village site. The DEIR as written is incorrect as it fails to identify sources of noise affecting the South Village site.

- **Village 8 and Village 5 of the North Village site exceed the City’s Noise Standards; proposed mitigation contradicts the City of Rocklin Noise Element and must be reconsidered**

Village 8 and Village 5 of the North Village site exceed the City’s exterior noise standards. To reduce the impact of the exterior traffic noise on the proposed sensitive receptors at the North Village site, the applicant will be required to incorporate barriers consistent with those shown in Table 3.11-8 into the final Project design, as required by Mitigation Measure 3.11-1.

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**TABLE 3.11-8: Cumulative + Project Transportation Noise Levels at Proposed Residential Uses**

LOCATION	APPROXIMATE RESIDENTIAL SETBACK, FEET <sup>1</sup>	ADT	REQUIRED BARRIER HEIGHTS TO ACHIEVE EXTERIOR NOISE LEVEL STANDARDS	
			65 dB LDN	60 dB LDN
<b>College Park North - Sierra College Boulevard</b>				
Village 8	75-feet	50,650	6-feet	10-feet
Pad @ +8.5-feet			6-feet	10-feet
Pad @ +5.0-feet			6-feet	10-feet
Pad @ +6.0-feet			6-feet	10-feet
Pad @ +5.5-feet			6.5-feet	10-feet
Pad @ +3.5-feet			6.5-feet	10.5-feet
Pad @ +2.0-feet			7-feet	11-feet
Pad @ +1.0-feet			6.5-feet	11-feet
Pad @ +1.5-feet			6.5-feet	10.5-feet
Pad @ +2.5-feet			6.5-feet	10.5-feet
Pad @ +3.0-feet				
Village 5	250-feet	50,650	6-feet	6-feet
Future Mixed Use (General Commercial and High Density Residential)	75-feet	50,650	Alternative Mitigation	
<b>College Park North - Rocklin Road</b>				
Villages 2, 4, and 5	650-feet	21,410	None	None
Future Mixed Use (General Commercial and High Density Residential)	75-feet	21,410	Alternative Mitigation	
<b>College Park South - Rocklin Road</b>				

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According to the chart above, the only way to bring the noise levels to an acceptable range on the North Village Project, sound walls of up of 11-feet must be constructed, creating a visual blight on the environment, and in direct conflict with the City of Rocklin Noise Element Section N2. Specifically, Section N2 of the Rocklin Noise Element reads as follows: *The use of noise barriers shall be considered a means of achieving the noise standards; however, the construction of aesthetically intrusive wall heights shall be discouraged.*

Sound barriers that are 10-feet or 11-feet tall cannot be considered anything other than aesthetically intrusive and should not be approved for this development site.

- **Environmental Justice is defeated by the mitigation measures proposed to reduce noise in second-floor locations of Village 8 and Village 5.**



TABLE 3.11-9: Cumulative + Project Interior Noise Levels at Proposed Residential Uses

LOCATION	APPROXIMATE RESIDENTIAL SETBACK, FEET <sup>1</sup>	PREDICTED EXTERIOR UNMITIGATED TRAFFIC NOISE LEVEL	PREDICTED INTERIOR NOISE LEVEL	
				REQUIRED MITIGATION
<b>College Park North – Sierra College Boulevard</b>				
Village 8	75-feet	73 dB Ldn 76 dB Ldn	48 dB Ldn	Installation of Barriers STC 32 Windows
First Floor			51 dB Ldn	
Village 5	250-feet	65 dB Ldn 68 dB Ldn	40 dB Ldn	None Required None Required
First Floor			43 dB Ldn	
Villages 1 through 4 and Villages 7 and 8	Sufficient setbacks and shielding and will comply with the City's 45 dB Ldn interior standard			
<b>College Park North – Rocklin Road</b>				
Villages 2, 4 and 5	650-feet	65 dB Ldn 68 dB Ldn	40 dB Ldn	None Required None Required
First Floor			43 dB Ldn	
<b>College Park South – Rocklin Road</b>				
Village 1	960-feet	Setbacks and will comply with the City's 45 dB Ldn interior standard		
Future Mixed Use (General Commercial and High Density Residential)	75-feet	64 dB Ldn 67 dB Ldn	39 dB Ldn	None Required None Required
First Floor Residential			42 dB Ldn	
<b>College Park South – El Don Drive</b>				
Village 1	75-feet	55 dB Ldn 58 dB Ldn	30 dB Ldn	None Required None Required
First Floor			33 dB Ldn	
Second Floor				

Source: FHWA-RD-77-108 WITH INPUTS FROM FEHR & PEERS, AND J.C. BRENNAN & ASSOCIATES, INC. 2020.

Notes:

<sup>1</sup>Setback distances are measured in feet from the centerlines of the roadways to the center of residential backyards.

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Environmental Justice is defined in state planning law as the fair treatment of all races, cultures, and income with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies (Section 65040.12(e)). The City’s goal is to provide a healthy and equitable environment for all citizens. Further, the plan goes on to state: “It is the intent throughout the land use planning process to ensure that land uses are compatible in the community, that residential neighborhoods and schools are protected from excessive noise, harmful air emissions and hazardous materials, and that community facilities are distributed equally.” ([https://www.rocklin.ca.us/sites/main/files/file-attachments/chapter\\_i\\_intro\\_purpose\\_1.pdf?1484085258](https://www.rocklin.ca.us/sites/main/files/file-attachments/chapter_i_intro_purpose_1.pdf?1484085258))

The exterior noise levels from this project are 2-3 dB higher at second floor locations. Additionally, the physical noise barriers do not reduce exterior noise levels at second floor locations. At the North Village site, the proposed residential uses are predicted to be exposed to unmitigated first floor exterior transportation noise levels ranging between 65 to 73 dB Ldn.

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## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Therefore, second floor facades are predicted to be exposed to exterior noise levels of up to 68 to 76 dB Ldn.

At the South Village site, the proposed residential uses within the southern portion of the site are predicted to be exposed to unmitigated first floor exterior transportation noise levels ranging between 55 to 64 dB Ldn. Therefore, second floor facades are predicted to be exposed to exterior noise levels of up to 58 to 67 dB Ldn.

A 1974 U.S. Environmental Protection Agency report [EPA 1974] recommended a 70 dB(A) over 24-hour (75 dB(A) over 8-hour) average exposure limit for environmental noise (note that the 1974 report was explicit to state that it should not be constituted as a standard, specification, or regulation). The EPA document also specified two other limits for speech interference and annoyance (55 dBA for outdoors activities and 45 dBA for indoor activities) \*. The EPA limits were chosen to protect 96% of the general population from developing hearing loss as well as to protect “public health and welfare” (defined as personal comfort and well-being and absence of mental anguish and annoyance). (<https://blogs.cdc.gov/niosh-science-blog/2016/02/08/noise/>)

It should be noted that even with mitigation measures as proposed by the applicant for the second floor of Village 8 – indoor dBA levels are higher than EPA recommendations noted above. The U.S. Environmental Protection Agency (EPA) and the World Health Organization (WHO) recommend maintaining environmental noises below 70 dBA over 24-hours (75 dBA over 8-hours) to prevent noise-induced hearing loss. The EPA also specified limits for speech interference and annoyance at 55 dBA for outdoors activities and 45 dBA for indoor activities. (More details about this topic can be found on the NIOSH Science Blog — [Understanding Noise Exposure Limits: Occupational vs. General Environmental Noise.](#))

Additionally, the mitigation measure of keeping windows and sliding glass doors closed to keep the noise levels at an acceptable level is not realistic and should be considered as unacceptable to the City of Rocklin. Residents keeping doors and windows closed and relying on mechanical air conditioning and HVAC systems is not feasible and puts low income, senior citizens, children, and indeed, all residents of the Villages 5 and 8 at risk of long-term hearing loss. A recent SMUD study identified the monthly utility cost of an average user of PG&E at \$214.00 per month. It makes no sense to assume that on a 70-degree day in Northern California, residents of Rocklin, California will not open their doors and windows to enjoy outside air as well as to reduce their utility bill (<https://www.smud.org/en/Rate-Information/Compare-rates>).

Who will be adversely impacted? Lower income residents including senior citizens who cannot afford the PG&E utility rates for 12 months out of the year, as well as children who may not have control over the HVAC systems in the residence in which they live may be subjected to dB levels which may cause permanent hearing loss, as with open windows and doors, the applicant acknowledges that the noise level for the second story rooms of Villages 5 and 8 do not meet the City of Rocklin Noise Element requirements. Even with the installation of the proposed mitigation measures, the indoor dB levels exceed the requirements of the City of Rocklin Noise Element.

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This mitigation measure fails to protect future Rocklin residents of Village 5 and Village 8 – and for reasons identified above, contradicts the environmental justice which the City of Rocklin has identified as a goal.

- **Construction Noise – failure to identify impacts to nearby sensitive receptors and fails to identify any mitigation measures to reduce that impact**

**TABLE 3.11-10: CONSTRUCTION EQUIPMENT NOISE**

TYPE OF EQUIPMENT	MAXIMUM LEVEL, dB	
	25 FEET	50 FEET
Backhoe	84	78
Compactor	89	83
Compressor (air)	84	78
Concrete Saw	96	90
Dozer	88	82
Dump Truck	82	76
Excavator	87	81
Generator	87	81
Jackhammer	94	89
Pneumatic Tools	91	85

SOURCE: ROADWAY CONSTRUCTION NOISE MODEL USER'S GUIDE. FEDERAL HIGHWAY ADMINISTRATION. FHWA-HEP-05-054. JANUARY 2006.

48-16 Cont.

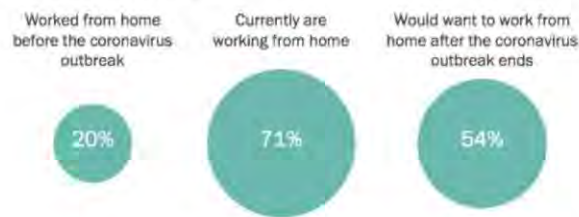
Although construction activities are temporary in nature and would likely occur during normal daytime working hours, construction-related noise could result in sleep interference at existing noise-sensitive land uses in the vicinity of the construction if construction activities were to occur outside the normal daytime hours. Therefore, impacts resulting from noise levels temporarily exceeding the threshold of significance due to construction would be considered potentially significant.

- **The DEIR fails to account for the impact on COVID-19 and the effect of construction noise on nearby residents during working hours.**

Rocklin residents are a diverse group, with many professions and careers. Since the COVID-19 pandemic in March 2020, 70% of the U.S. Workforce became telecommuters overnight (HR Magazine, *SHRM*, Winter 2020, p.6). While schools have begun the process of reopening, many families have opted to select remote learning options as the virus variants continue to cause COVID infections in children and young adults. Our homes have become our offices and our schoolrooms.

**Many workers would like to telework after the pandemic is over; transition to working from home has been relatively easy for many**

*Among employed adults who say that, for the most part, the responsibilities of their job can be done from home, % saying they \_\_\_ all or most of the time*



Additionally, no longer is the work week a standard Monday-Friday, 8:00 am – 5:00 pm week. Approximately two in every five workers in the United States work mostly during nonstandard times—evenings, nights, rotating shifts, or weekends (<https://www.prb.org/resources/a-demographic-profile-of-u-s-workers-around-the-clock/>).

There are socioeconomic variations in the workforce as well. The poor (those with family incomes below the poverty level) are more likely than the non-poor to enter work at nonstandard times—between 10 a.m. and 2 a.m. Given their numbers, the poor are at least twice as likely to report to work during the 3 p.m. to 7 p.m. period, when many American workers are already home (<https://www.prb.org/resources/a-demographic-profile-of-u-s-workers-around-the-clock/>).

There are large regional employers who run 24 x 7 operations: Sutter Roseville Medical Center, Kaiser Hospital, utility companies, and 911 centers just to mention a few nearby employers. Some Rocklin residents work non-traditional shifts and will be sleeping during the construction phase. Other nearby residents will be working at home during this construction phase. Children learning remotely from home will be affected by the noise levels coming from the construction sites.

Requiring that construction trucks have mufflers is not a viable mitigation measure. The beeping alarms are quite loud, as is drilling, and other activity typically found on a construction site – and presenting dB levels that are high enough to cause permanent hearing loss of those residents within 50-feet of construction activity. Long or repeated exposure to sounds at or above 85 dBA can cause hearing loss. The louder the sound, the shorter the amount of time it takes for noise-induced hearing loss to happen (<https://www.nidcd.nih.gov/health/noise-induced-hearing-loss>.) Other studies conclude that Any sound at or above 85 dBA is more likely to damage your hearing over time (<https://www.noisyplanet.nidcd.nih.gov/parents/too-loud-too-long>.)

The mitigation measures proposed by the applicant are inadequate and will not prevent harm to Rocklin residents residing near the construction site boundaries and will disproportionately impact low-income residents who are more likely to work non-traditional schedules than other residents.

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What effective mitigation measures to reduce the construction noise will be employed during the construction phase of this project?

- **City of Rocklin Construction Noise Guidelines for construction projects are inadequate, not enforced, and will not protect residents from noise intrusions during “no noise hours”.**

The City of Rocklin has established a noise policy on all construction projects within or near residential areas:

- No Noise on Weekdays before 7 a.m. or after 7 p.m.
- No Noise on Weekends before 8 a.m. or after 7 p.m.

The home my husband and I own and reside in is located immediately east to the Rocklin Meadows subdivision (New Home Company) off Aguilar and Greenbrae Roads. This construction project has violated the standards listed above multiple times. I have reported the violations to the developer, the contractor, the City of Rocklin Planning and Engineering Departments, Rocklin Code Enforcement, and most recently I have called the City of Rocklin Police to report the repeated violations. I have not received acknowledgments of my complaints from the City of Rocklin Code Enforcement Team, despite leaving messages and reporting violations online. I have video evidence and text message acknowledgments from Lund Construction and New Home Company regarding Noise violations – but the prohibited conduct does not stop.

The only conclusion I can arrive at is that the City of Rocklin does not have an ordinance that can be adequately enforced to protect residents from the impact of noise outside the permitted hours of operation. The lack of enforcement and construction project oversight requires each Rocklin citizen or resident affected by the construction to navigate the legal system to seek an injunction and court enforcement of city ordinances which are not being enforced by city officials.

**THE COLLEGE PARK PROJECT WILL HAVE A SIGNIFICANT AND UNMITIGATED IMPACT ON AESTHETICS AND VISUAL RESOURCES**

Significant aesthetic impacts will occur as a result of development, and these impacts cannot be reduced to less than significant level. The existing visual character of these sites will be changed and degraded.

Development of the North Village will result in 14.07 acres of tree canopy destroyed

Development of South Village requires removal of 2.54 acres of tree canopy.

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**THE COLLEGE PARK PROJECT WILL HAVE A SIGNIFICANT UNMITIGATED IMPACT ON GREENHOUSE GASSES**

The North Village is comprised of 72.6 acres. To develop this site, approximately 19% of the development, or 14.07 acres of tree canopy would be cleared. The visual loss of the tree canopy is significant. The South Village will experience a reduction in tree canopy of 7%.

Each acre of land covered in trees removes 2.5 tons of carbon annually, lessening the impact of greenhouse gasses on our environment. The removal of the tree canopy is a significant, lasting impact.

“An approximate value for a 50-year-old oak forest would be 30,000 pounds of carbon dioxide sequestered per acre,” said Timothy J. Fahey, professor of ecology in the department of natural resources at Cornell University. “The forest would be emitting about 22,000 pounds of oxygen.” “Every little bit matters,” he said. “In the grand scheme of things, forests in the northeastern United States are counteracting a considerable amount of fossil fuel burning by cars, slowing down the rate at which the greenhouse gas carbon dioxide is accumulating in the atmosphere.” [How Many Pounds of Carbon Dioxide Does Our Forest Absorb? - The New York Times \(nytimes.com\)](https://www.nytimes.com/2015/05/08/science/how-many-pounds-of-carbon-dioxide-does-our-forest-absorb.html)

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The Environmental Protection Agency [has calculated](https://www.epa.gov/air-pollution/average-car-emissions) the amount of carbon dioxide emitted by the average car as of 2007 at about five metric tons, more than 11,000 pounds, so a single acre of woodlot would be countering the emissions of about 2.7 cars. For 40 acres, that would be about 109 cars. [How Many Pounds of Carbon Dioxide Does Our Forest Absorb? - The New York Times \(nytimes.com\)](https://www.nytimes.com/2015/05/08/science/how-many-pounds-of-carbon-dioxide-does-our-forest-absorb.html)

During one year, a mature tree will absorb the amount of CO<sub>2</sub> produced by a car driven 26,000 miles. In one year, a mature tree will absorb more than 48 pounds of carbon dioxide from the atmosphere and release oxygen in exchange. [Tree Facts at arborday.org](http://arborday.org)

**THE COLLEGE PARK PROJECT WILL HAVE A SIGNIFICANT UNMITIGATED IMPACT ON GEOLOGY AND SOILS, HYDROLOGY AND WATER QUALITY**

The Rocklin General Plan Community Safety Goal: To minimize danger from hazards and to protect residents and visitors from earthquake, flood, fire, and other natural disasters.

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Regarding flooding and the proposed South Village development: the rains in October 2021, caused erosion of the supporting soils under the sidewalk on El Don and a portion of the roadway to be unsupported. The City closed the roadway, Monte Verde Park, and the sidewalks because of the erosion. Adding homes and the addition of impervious surfaces will only add to the flooding experienced in this area. On the day these photos were taken, there was a strong sewer odor present in the area.

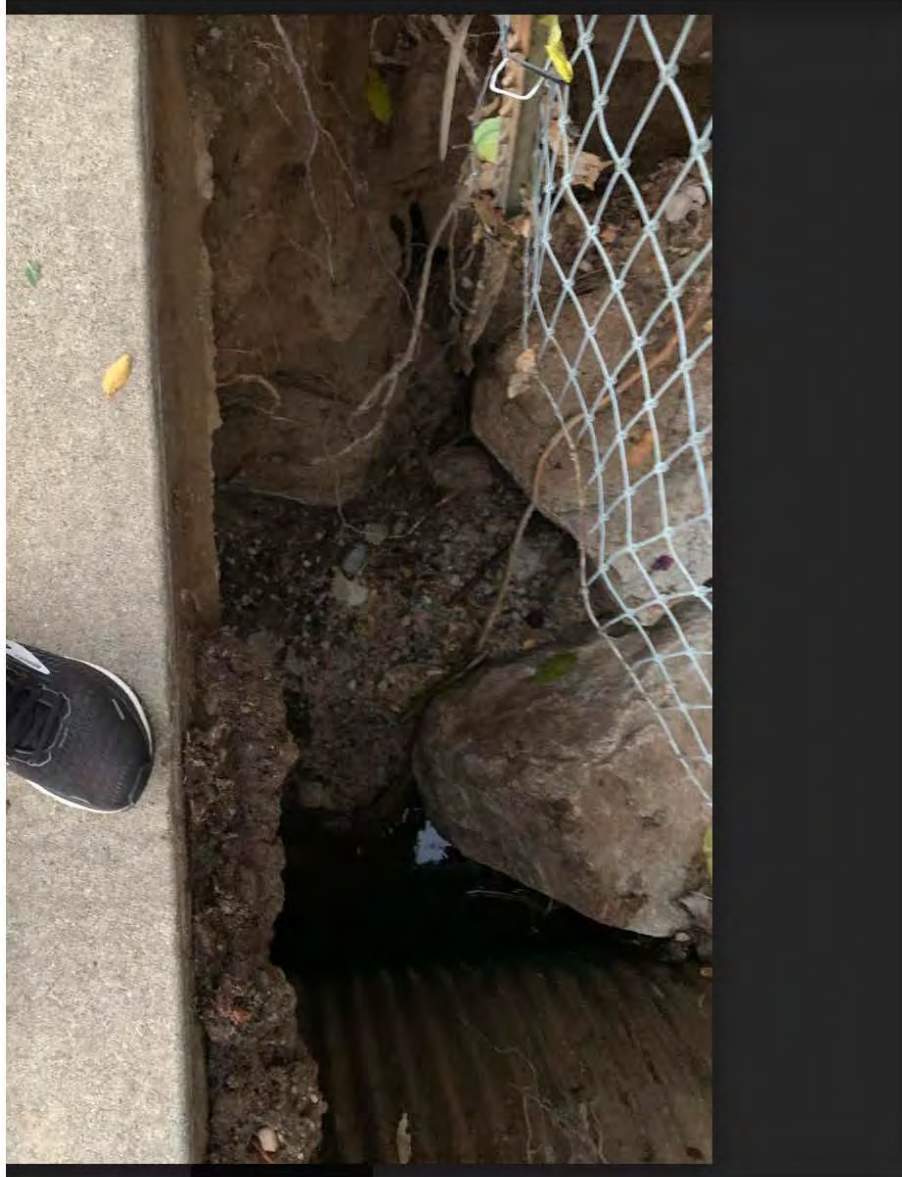


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48-19 Cont.





48-19 Cont.



48-19 Cont.

### **Wildfire Risk**

The College Park DEIR fails to identify any wildfire risk as a result of this proposed development, despite the fact that the Sacramento region, including the counties of Placer and El Dorado, were ranked fourth in the country when it comes to the high density of homes located in areas susceptible to wildfires. The Sacramento region has among the highest number of homes at risk of damage from wildfires in the United States, according to an annual analysis.

Real estate research and data firm CoreLogic's "Wildfire Risk Report" ranks Sacramento fourth in the country when it comes to the high density of homes located in areas susceptible to wildfires. The Sacramento metro area includes El Dorado and Placer counties, which are tied economically to Sacramento. [Sacramento Metro Area Ranks No. 4 On National Wildfire Risk Report - capradio.org](http://www.capradio.org)

48-20

**THE COLLEGE PARK PROJECT WILL HAVE A SIGNIFICANT UNMITIGATED IMPACT ON WATER**

Traveling eastbound on I80 on Saturday, November 6, the signs controlled by the State of California were broadcasting a message which read as follows: “Severe Drought. Conserve Water.”



48-21

I’m not sure how the City and Placer County Water Agency plans to deliver water at sufficient levels to a proposed development when the State of California is broadcasting the ‘severe drought – conserve water’ message to all drivers on the freeway.

**PUBLIC SERVICES IMPACT**

Referenced in the traffic portion of my letter was a City Council Meeting during which a Rocklin resident in the Greenbrae Road / Monument Springs neighborhood spoke of a 28-minute response to a house fire call from the Rocklin Fire Department. A response time of 28-minutes to a house fire call is an unacceptable response time within the City limits.

48-22

Adding additional residents and traffic will have an impact on current levels of Police and Fire Response – particularly to the residents of the Southeast Rocklin community.

**Conclusion**

The City of Rocklin General Plan “guides physical development of the land and expresses community goals allowing growth to meet community needs while preserving environmental and historical integrity”. In addition, the city identifies the attainment of “social justice” as a goal in the General Plan. The College Park Development as described in this DEIR fails to meet both goals expressed in the General Plan as described above.

There are also significant unmitigated impacts to Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, Population and Housing, Public Services, Transportation and Traffic, and Wildfire to this SE Rocklin / Loomis community that have not been considered and/or identified for mitigation that must be considered in a revised DEIR prior to Project approval. Additionally, certain sections of this DEIR have been based on assumptions, outdated surveys, and conclusions which are not based on fact.

The city must also consider implementation of processes within their mitigation measures offered in the DEIR to assure residents of the guarantee of substantive due process and procedural due process as guaranteed by the 5<sup>th</sup> amendments and 14<sup>th</sup> amendments of the U.S. Constitution.

For these reasons, this DEIR must be revised and recirculated.

Sincerely,

Kathleen Schramm

48-23

**Response to Letter 48: Kathleen Schramm, Public Comment Submission**

**Response 48-1:** This comment is an opening statement by the commenter, providing a summary of the Project and identifying several environmental topical areas of which the commenter notes the Project will “generate a multitude of significant, unmitigated impacts”, which are further described in the comment letter. The comment states that the “DEIR fails to fully analyze, underestimates, and fails to acknowledge the long-term negative impact on this community and the health, safety, and general welfare of the residents of the City of Rocklin....In addition, the DEIR quotes data from surveys that have been superseded, outdated, or references links that are no longer active, and overall, fails to identify many of the impacts that will occur as a result of the College Park Project, as described in the DEIR.”

This introductory statement is noted. The comment does not raise specific issues with the EIR, rather it introduces the commenters concerns for specific environmental topics that are discussed further within the comment letter and makes a general statement regarding the DEIR analysis and information used within the DEIR; however, specific references in the DEIR are not provided for comment. No further response is warranted.

**Response 48-2:** This comment notes CEQA’s obligation on government agencies to balance a variety of public objectives, including economic, environmental, and social factors when considering proposed development; references environmental topical areas as having a significant adverse impact; and states the “proposed development must be rejected, and alternatives which have lesser impacts on the community be considered”.

This comment is addressed, in part, under Master Response 7, and Response 8-32. These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. It should be noted that the commenter identifies several environmental topical areas as having a significant adverse impact; however, as demonstrated in the DEIR, potential project impacts would be less than significant or reduced to a less than significant level for all environmental topic areas with the exception of project and cumulative air quality, public services (schools), and transportation and circulation impacts.

**Response 48-3:** This comment states that “While the City of Rocklin has general police powers that authorize the zoning of the community, zoning and zoning changes must be rationally related to a legitimate government purpose” and “The City is also required to legislate to protect the health, safety, and general welfare of its citizens.” The comment further states that the project would put the Rocklin community at risk and references project construction activities worsening conditions of compromised individuals or elderly residents with pre-existing medical conditions. The commenter lists several environmental topical areas as resulting in significant impacts and states they “cannot be mitigated”. The commenter also asks “What is the legitimate government purpose that calls for the intensity of land-usage on the College Park Development creating a level of density that is proposed?”

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This comment is addressed, in part, under Master Responses 7, 8, and 9. These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. As noted the DEIR, potential project impacts would be less than significant or reduced to a less than significant level for all environmental topic areas with the exception of project-level and cumulative-level air quality, public services (schools), and transportation and circulation impacts.

With respect to construction-related air quality emissions, DEIR Section 3.3, Air Quality, provides an analysis of potential air quality impacts associated with project construction activities. This topic is also discussed in Master Response 11.

**Response 48-4:** This comment references California Planning and Zoning Law and that local land use approvals must be consistent with a jurisdiction’s general plan and makes references to case law. The commenter further references the City of Rocklin General Plan: “The City of Rocklin General Plan guides physical development of the land and expresses community goals allowing growth to meet community needs, while preserving environmental and historical integrity” and provides a link to the Rocklin General Plan on the City’s website. The commenter also references environmental justice and “The City’s goal is to provide a healthy and equitable environment for all citizens.”

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the DEIR and does not warrant any changes based on this comment. It is noted that environmental justice is not an issue that must be addressed pursuant to CEQA.

**Response 48-5:** This comment references the General Plan and states that “The College Park Development as proposed in the DEIR, fails to attain the goal of environmental justice, as well as fails to comply with the overall intent of the General Plan.” The comment further notes that the proposed development will subject residents to “excessive noise, air pollution, traffic, which is a disproportionate, unduly burdensome cost – and far from equitable – as a result of the College Park land use density...” and restates that the project will result in unmitigable and significant impacts to the environmental topic areas addressed in the DEIR.

These comments are noted and will be provided to the Rocklin elected officials for their consideration. The comment does not provide specific information on how the project would fail to attain the goal of environmental justice or the overall intent of the General Plan. As demonstrated in the DEIR, potential project impacts would be less than significant or reduced to a less than significant level for all environmental topic areas with the exception of air quality, public services (schools), and transportation and circulation impacts, discussed further below. It is noted that environmental justice is not an issue that must be addressed pursuant to CEQA.

Master Response 11 provides a response to air quality related comments.

DEIR Impact 3.13-3 addresses whether the project might result in any substantial adverse physical impacts associated with the construction of new or physically altered school facilities needed to

handle the student population associated with the Project. A key point to note here is that Impact 3.13-3 is focused on environmental impacts that could result from new or expanded school facility construction. The “impact” at issue is not the generation of students by itself or whatever financial burdens school districts might face in trying to accommodate an increased student population. Rather, the analysis is concerned with the kinds of environmental impacts associated with any new or expanded school development.

After stating that “[t]he Project would not directly include development of any school facilities,” the DEIR notes that the Loomis Unified School District (LUSD) “is currently in the process of acquiring a site for a new school and associated facilities.” (Id., at p. 3.13-23.) The text goes on to state that “[a]t this stage, the environmental effects of this future school facility are undetermined. Depending on the ultimate location, it is possible that development of the future Loomis school site would result in environmental effects. The proposed project would indirectly contribute to any impacts associated with that school because of the new students that are added from the proposed Project.” (Ibid.) Faced with this uncertainty, the DEIR called the potential “environmental effects of the future LUSD school facility” significant and unavoidable, but noted that “once an exact location and design is developed by the School District, it is possible that this impact would be reduced to an insignificant level[.]” (Ibid.; see also CEQA Guidelines, § 15145 “[i]f, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact”].)

DEIR Impact 3.14-1 identifies a significant and unavoidable impact associated with the average vehicle miles traveled (VMT) per dwelling unit that would be generated and the additional roadway capacity that would lead to induced travel and increased VMT as a result of the project. To reduce the potentially significant impact associated with VMT, the applicant is required to implement feasible transportation demand management (TDM) strategies, as required by Mitigation 3.14-1, which would reduce the VMT generated by the proposed Project’s land uses. However, the precise effectiveness of a given TDM strategy can be difficult to accurately measure due to a number of factors such as types of tenants, employee responses to strategies, and other factors. Additionally, it is noted that the VMT reductions would need to be in range of 12 to 25 percent (depending on the land use type and location) in order to meet the applicable performance standard. Those are considered robust targets to achieve given the site’s suburban setting and lack of viable alternative modes. Because there are no assurances that Mitigation Measure 3.14-1 would fully mitigate this impact, this impact was conservatively identified as significant and unavoidable.

The project would construct a third travel lane on northbound Sierra College Boulevard and a second travel lane on westbound Rocklin Road along the North Village frontage, consistent with the City of Rocklin General Plan Circulation Element. Using the City’s travel demand model, these improvements were shown to generate approximately 3,000 net additional system-wide VMT,

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which is considered a significant impact based on the Technical Advisory guidance that any increase in VMT caused by a roadway capacity project would be considered significant.

As discussed in the DEIR, to reduce impacts, the applicant would be required to construct a bus turnout and shelter in the northbound direction of Sierra College Boulevard directly north of Rocklin Road, as required by Mitigation Measure 3.14-2. This mitigation measure would provide opportunities for project residents, employees, and customers to use public transit to access each site instead of driving a passenger vehicle. However, because it cannot be assured that this shift away from driving to transit would occur, the DEIR conservatively identified this impact as significant and unavoidable.

**Response 48-6:** This comment states the “Proposed College Park Development is contradictory to the Land Acknowledgment written by Sierra College on their website” and provides the following from the website: “With respect, we acknowledge the Rocklin Campus of Sierra College as the traditional and unceded land of the Nisenan and Miwok peoples. The Secret Ravine, known in Nisenan as Hoyok, is home to an ancestral village site protected for generations by local tribal nations and their members. Sierra College commits to an ongoing relationship with the United Auburn Indian Community and other local tribes, and to respect the legacy of the first peoples of this land and their future generations who are an integral part of the Sierra College community.” (<https://www.sierracollege.edu/about-us>). The commenter states: “Massive development on land that was identified for use for public education does not seem to the way Sierra College and the City of Rocklin should respect the legacy of the Nisenan and Miwok peoples.”

The City of Rocklin has performed tribal consultation and the United Auburn Indian Community (UAIC), which is made up of Maidu (including Nisenan) and Miwok people, have not expressed opposition to the project. These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR, and does not warrant any changes based on this comment.

**Response 48-7:** This comment references the DEIR air quality analysis and make several statements regarding the accuracy of information and statements in the DEIR.

This comment is addressed, in part, under Master Response 11. Regarding DEIR Impact 3.3-1, the comment references the “distance to downtown job center, such as the college campus, is approximately 0.4 miles” and states this is an inaccurate statement. The commenter misconstrues “downtown job center” to mean the job center of the City of Rocklin Downtown. The use of “job center” is referring to the college campus and the distance from the college campus and the proposed development.

The commenter further states that Sierra College is not a job center and the college employees will not be served by the proposed development and references employee commute time. However, the comment does not provide any specific information that the proposed development could not



serve employees of the college. Further, the comment references the DEIR mitigation measures, which include the infrastructure to support electric vehicles (EV). The commenter questions the ability for people to purchase EV and states that the DEIR concludes the project will result in an increase in the purchase of EVs.

It should be noted that the CalEEMod model allows for operational project characteristics to be included as parameters within the model. These operational characteristics reduce project operational emissions. However, the DEIR concludes that daily emissions of ROG resulting from project buildout would still exceed the PCAPCD threshold of significance. Thus, the DEIR identifies mitigation measures to further reduce emissions, which includes but are not limited to vehicle charging infrastructure and EV-ready parking spaces, as noted in the comment. The DEIR recognizes “that quantification of the reduction of emissions associated with most of the measures included in Mitigation Measure 3.3-1 are difficult if not impossible to quantify with a high degree of accuracy. The DEIR states: “Although Mitigation Measure 3.3-2 requires that operational emissions of ROG to be reduced below the applicable threshold of significance, there is no guarantee that implementation of Mitigation Measure 3.3-2 would reduce such emissions to below the applicable PCAPCD threshold of 55 pounds per day. Therefore, even with the implementation of identified mitigation, for the sake of a conservative approach to this analysis, Project-related emissions are assumed to result in operational ROG emissions that would still exceed the PCAPCD daily significance threshold, even after implementation of mitigation. This results in a cumulatively considerable net increase of ROG, for which the Project region is in nonattainment (for ozone) under the applicable federal and state ambient air quality standard.”

A large proportion of the Project’s ROG emissions are from mobile sources. Under California law, the local and regional air districts are primarily responsible for controlling air pollution from all sources except motor vehicles. CARB is primarily responsible for controlling pollution from motor vehicles. The air districts must adopt rules to achieve and maintain the CAAQS and NAAQS within their jurisdictions.

The comment also addresses DEIR Impact 3.3-2, which discusses construction air quality. The commenter states that measures to reduce construction-related air quality impacts cannot be considered effective in reducing impacts due to construction and that in the commenter’s experience these measures have not been enforced for the Rocklin Meadows development.

As discussed in DEIR Impact 3-2, the project would be required to comply with applicable PCAPCD rules and standard conditions of approval, which have been considered within the construction emission modeling and mitigated emissions generated during Project construction would not exceed the PCAPCD’s regional thresholds of significance. DEIR mitigation measures will ultimately be incorporated into a Mitigation Monitoring and Reporting Program intended to ensure compliance during Project implementation.

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This comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration. The analysis of the topic is accurate and does not warrant any changes based on this comment.

**Response 48-8:** This comment references General Plan goals and policies specific to biological resources and states that the “impact to the oak woodlands, as well as the impacts to wetlands...as described in the DEIR does not appear to meet the goals and policies of the Rocklin General Plan...” The comment also notes the removal of trees and payment of fees to place trees in other locations of the City does not benefit the Southeast Rocklin community and provides a list of benefits of trees in urban environments.

This comment is addressed, in part, under Master Responses 4, 5, and 12, and under Response 41-2, and 41-4.

**Response 48-9:** This comment identifies DEIR Mitigation Measures 3.4-5 and 3.4-7 and asks for the location of the 54.15 acres of Swainson’s hawk foraging habitat and wetland habitat that would be protected.

This comment is addressed under Master Response 12.

**Response 48-10:** This comment identifies DEIR Mitigation Measure 3.4-9 regarding protection of trees during construction and states the mitigation measure is not enforceable and will result in damage to the trees.

This comment is addressed, in part, under Master Response 5, and under Responses 41-2, and 41-4.

**Response 48-11:** This comment references the existing oak trees and concern regarding their potential damage associated with construction-related impacts. The commenter states placement of fencing within 3 feet of the oak dripline is too close to the roots to protect oak trees from construction-related impacts and details their experience associated with construction within the Sierra Meadows site and their attempts to save trees located along their respective property line. The commenter questions how the mitigation measures will be enforced.

This comment is addressed, in part, under Master Response 5, and under Responses 41-2, and 41-4.

**Response 48-12:** This comment references the VMT impacts associated with the project and states the DEIR Mitigation Measures to reduce VMT impacts will not reduce traffic in this area. The comment states DEIR Mitigation Measure 3.14-2, regarding the bus turnout and shelter will not reduce the impact of traffic.

DEIR Mitigation Measure 3.14-2 is in response to the project generating additional system-wide VMT associated with construction of a third travel lane on northbound Sierra College Boulevard and a second travel lane on westbound Rocklin Road along the North Village frontage, consistent with the

City of Rocklin General Plan Circulation Element, which is considered a significant impact based on the Technical Advisory guidance from the Governor's Office of Planning and Research that any increase in VMT caused by a roadway capacity project would be considered significant. As discussed in the DEIR, to reduce impacts, the applicant would be required to construct a bus turnout and shelter in the northbound direction of Sierra College Boulevard directly north of Rocklin Road, as required by Mitigation Measure 3.14-2. This mitigation measure would provide opportunities for project residents, employees, and customers to use public transit to access each site instead of driving a passenger vehicle. However, because it cannot be assured that this shift away from driving to transit would occur, the DEIR conservatively identified this impact as significant and unavoidable.

**Response 48-13:** This comment states the DEIR conclusion regarding the project's less than significant queuing impact is incorrect and further states there is an inconsistency in conclusions since DEIR Section 4.0 (Impact 4.21) states the project would have a significant and unavoidable impact.

DEIR Section 3.14, Impact 3.14-3 addresses potential project queuing impacts at freeway ramps. Specifically, the DEIR states that only the I-80/Sierra College Boulevard westbound loop on-ramp currently operates with ramp metering. During the AM peak hour, the ramp meter was operational. Based on the amount of time between successive green lights (which varied), the ramp meter flow rate was in the range of 400 to 600 vehicles per hour. This on-ramp can store up to 18 vehicles without vehicular queuing onto Sierra College Boulevard. A maximum of four vehicles were observed to be simultaneously queued at this ramp meter during the AM peak hour. The proposed Project would add 40 AM peak hour vehicles and 32 PM peak hour vehicles to this movement. This level of traffic represents fewer than one vehicle per minute. Thus, the proposed Project would not cause the on-ramp queue to spill back to Sierra College Boulevard. Thus, no modifications to the on-ramp ramp meter are warranted. The proposed Project would not cause any freeway off-ramp 95th percentile queue lengths to exceed their available storage and impacts related to freeway ramp queuing are less than significant under Existing Plus Project conditions.

DEIR Section 4.0 includes an analysis of cumulative effects of the project. As stated in the DEIR (page 4.0-3), *although the environmental effects of an individual project may not be significant when that project is considered separately, the combined effects of several projects may be significant when considered collectively.* In the case of the queuing at the I-80 eastbound off-ramp at Rocklin Road and I-80 eastbound and westbound off-ramps at Sierra College Boulevard, under cumulative project conditions (without the proposed project), expected vehicular queues at the I-80 eastbound off-ramp at Rocklin Road (PM peak hour), at the I-80 eastbound off-ramp at Sierra College Boulevard (AM peak hour), and at the I-80 westbound off-ramp at Sierra College Boulevard (both AM and PM peak hours) would reach or exceed the available storage in each off-ramp. Adding the project to these conditions would exacerbate this queuing issue, which is considered a significant impact. The City's CIP/Traffic Impact Fee program currently collects fees to help fund the reconstruction of

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the I-80/Rocklin Road interchange. The City intends on updating this fee program in the near future to also include funding for improvements at the I-80/Sierra College Boulevard interchange. Both improvements would increase the capacity at the interchange, which would help alleviate queue spillbacks onto the freeway. However, because it cannot be assured that adequate funds will be available to fund both interchange improvements and it is not a certainty that identified improvements will reduce vehicle queues from spilling back onto the freeway, this is considered as a cumulatively considerable contribution and significant and unavoidable impact.

**Response 48-14:** This comment states the DEIR's conclusion that project implementation would not result in inadequate emergency vehicle access is not accurate and provides their experience with traffic conditions on Rocklin Road, including photographs, as well as noting a house fire that occurred within the City and the response time due to traffic. The comment also states the trip numbers are outdated and provides traffic accident data for Rocklin Road and Sierra College Boulevard and notes the increased risk for collisions and injuries.

The DEIR and responses to comments contained in this FEIR describe planned improvements at the I-80/Rocklin Road interchange, improvements to the Rocklin Road/El Don Drive, Sierra College Boulevard/Stadium Way, and Sierra College Boulevard/Rocklin Road intersections, and required widening of Rocklin Road and Sierra College Boulevard along the project frontages. These improvements will help alleviate congestion and queuing that is present along these corridors. Ongoing traffic analysis for the Project Approval & Environmental Document (PA&ED) process to upgrade the Rocklin Road/I-80 interchange has shown that the proposed Diverging Diamond Interchange would substantially benefit traffic on Rocklin Road east of I-80. The interchange is being designed to operate at Caltrans's standard of LOS D or better and adjacent intersections are being designed to comply with the City's LOS C policy.

As discussed in the DEIR, while additional project trips would contribute to existing congestion along Sierra College Boulevard and Rocklin Road, the additional trips would not impede the ability of the emergency vehicles to access the sites in a timely manner. Pursuant to California Vehicle Code (CVC) 21806, upon the immediate approach of an authorized emergency vehicle which is sounding a siren and which has at least one lighted lamp exhibiting red light that is visible, the surrounding traffic shall yield the right-of-way and immediately drive to the right-hand edge or curb, clear any intersection, and stop until the authorized vehicle has passed. CVC 21806 ensures that emergency vehicles have the right-of-way removing potential traffic hazards and delays due to increased congestion. Additionally, emergency vehicle pre-emption devices are present at traffic signals along Sierra College Boulevard and Rocklin Road to ensure traffic signals provide a green light in the direction of the responding emergency vehicle removing additional delays.

The DEIR identifies observed daily trips on segments of Rocklin Road and Sierra College in the vicinity of the project; however, the traffic analysis utilizes peak hour traffic volumes, which were obtained

at the study intersections in Fall 2018; therefore, schools were in session at the time of the counts and typical traffic conditions were observed.

This comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 48-15:** This comment references the City of Rocklin’s comments provided on a Costco DEIR by the Town of Loomis and states: “It is inconsistent for the City of Rocklin to object to the Costco development and impact on ‘prompt access by emergency services’ because of the traffic gridlock that would result from this project; however, at the same time, adopt a favorable conclusion on the DEIR for the College Park Project and resulting traffic impacts. The City of Rocklin cannot maintain two perspectives on the same issue within the same development area – one that favors the City of Rocklin proposal for development which generates increased traffic on Sierra College Blvd/Granite Drive/I-80, and another perspective that disfavors the Town of Loomis proposal that results in development and increased traffic levels on Sierra College Blvd/Granite Drive/I-80”. The comment proceeds to ask “How does the city plan to manage traffic levels for the SE Rocklin community with all these developments, increased VMT, and no road improvements? How does the city approve development that may cost residents of Southeast Rocklin their lives as a result in delays in receiving emergency responses?”

The comments regarding traffic and emergency response have been addressed in Responses 48-12, 48-13, and 48-14, above. This comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 48-16:** This comment is addressed below in several parts. The first part of the comment states the project will have a significant unmitigated impact on noise and provides several areas where the commenter believes this will occur.

*The DEIR Fails to identify Sierra College Campus and Monte Verde Park as Existing Sensitive Receptors in the South Village description.*

A technical noise study was prepared for the project. The noise study assesses traffic noise levels at 75-feet from the roadway centerline for several roadways, including Rocklin Road, Sierra College Boulevard, and El Don Road. Therefore, while not explicitly listed in the description of the types of sensitive receptors in the area, both Sierra College and Monte Verde Park were considered in the analysis. However, it should be noted that classrooms and residence halls within the campus are located greater than 300 feet from the adjacent roadways and even further from the proposed development. Regarding construction, the noise analysis addresses construction noise impacts to uses within the immediate area of each site. As stated in the DEIR, activities involved in construction would generate maximum noise levels ranging from 76 to 90 dB at a distance of 50 feet. DEIR Mitigation Measure 3.11-5 contains actions and measures intended to ensure that construction noise will result in a less-than-significant impact. Included in that mitigation are the limitations on

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hours that construction activities can occur, pursuant to the City’s construction noise guidelines. Construction noise is treated separately from operational noise as it is temporary and can only occur during daylight hours, with rare exceptions. The Measure will ultimately be incorporated into a Mitigation Monitoring and Reporting Program intended to ensure compliance during Project implementation.

This commenter presents the following comment:

*DEIR Error - Stationary Noise Sources – South Village Description references the North Village*

The comment references a typographical error in the DEIR in that under the “South Village” sub-heading the text inadvertently references the “North Village”. However, the sub-heading and description of land uses and stationary noise sources accurately reflect the South Village and does not alter the analysis or conclusions of the DEIR. Page 3.11-8 of the DEIR is revised as follows, which is also reflected in the Errata.

**South Village.** The South Village site vicinity consists of residential and commercial/office uses. The primary sources of stationary noise in the vicinity of the ~~North-South~~ Village site are urban-related activities (e.g., lawn mowers, heating, ventilation, and air conditioning units, car doors, and conversations). The noise associated with these sources may represent a single-event or a continuous occurrence.

This commenter presents the following comment:

*Village 8 and Village 5 of the North Village site exceed the City’s Noise Standards; proposed mitigation contradicts the City of Rocklin Noise Element and must be reconsidered*

It is noted that with mitigation, Project residents, including those inhabiting the upper floors in three- and four-story structures, will enjoy interior noise levels considered to be acceptable under Rocklin standards (45 dB Ldn). Reductions in traffic-related noise will be achieved through construction techniques and materials that include, among other things, special windows and sliding glass doors designed to greatly reduce interior noise. Mitigation Measure 3.11-3 requires that, “[p]rior to issuance of building permits, the North Village residences within Village 8, which are 100-feet from the Sierra College Boulevard centerline, will be required to incorporate STC 32 or higher windows and sliding glass doors into the final building design for second floor rooms. This applies to windows and sliding glass doors parallel and perpendicular to Sierra College Boulevard.” In addition, with mitigation, the Project will also achieve acceptable exterior noise levels within the Project sites due to features such as noise barriers, setbacks, and the shielding of outdoor activity areas with building facades.

The commenter references the aesthetics of sound barriers; however, evidence is not provided as to how the sound barrier would be “aesthetically intrusive”. This comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration.

This commenter presents the following comment:

*Environmental Justice is defeated by the mitigation measures proposed to reduce noise in second-floor locations of Village 8 and Village 5.*

City General Plan Noise Element Policy N-1 directs the City to “[d]etermine noise compatibility between land uses, and to provide a basis for developing mitigation, an acoustical analysis shall be required as part of the environmental review process for all noise-sensitive land uses which are proposed in areas exposed to existing or projected exterior noise levels exceeding the level standards contained within this Noise Element.” (DEIR, p. 3.11-9.) A noise assessment was prepared for the Project by acoustical experts J.C. Brennan & Associates and is included in the DEIR in Appendix H. This noise assessment took into account the proposed development (DEIR, pp. 3.11-14 to 3.11-20) and the exterior land uses and commensurate noise levels surrounding the Project site (DEIR, pp. 3.11-4 to 3.11-8.) This noise assessment served as the basis for developing noise mitigation measures to ensure the Project will have a less-than-significant noise impacts on either existing off-site receptors or future onsite receptors. (See DEIR, pp. 3.11-14 to 3.11-23.)

Although noise impacts on project residents are technically outside the scope of CEQA, except to the extent that the Project will slightly exacerbate existing noise levels (see California Building Industry Assn. v. Bay Area Air Quality Management Dist. (2015) 62 Cal.4th 36g, 377-378), we note that, with mitigation, Project residents, including those inhabiting the upper floors in three- and four-story structures, will enjoy interior noise levels considered to be acceptable under Rocklin standards (45 dB Ldn). Reductions in traffic-related noise will be achieved through construction techniques and materials that include, among other things, special windows and sliding glass doors designed to greatly reduce exterior noise. (See DEIR, pp. 3.11-18 - 3.11-21.) It is noted that environmental justice is not an issue that must be addressed pursuant to CEQA.

This comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration.

This commenter presents the following comment:

*Construction Noise – failure to identify impacts to nearby sensitive receptors and fails to identify any mitigation measures to reduce that impact.*

*The DEIR fails to account for the impact on COVID-19 and the effect of construction noise on nearby residents during working hours.*

*City of Rocklin Construction Noise Guidelines for construction projects are inadequate, not enforced, and will not protect residents from noise intrusions during “no noise hours”.*

Construction related noise is a common concern for neighbors, and as such, the City of Rocklin has established a noise policy on all construction projects within or near residential areas as follows: No Noise on Weekdays before 7 a.m. or after 7 p.m.; and No Noise on Weekends before 8 a.m. or after

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7 p.m. Construction noise is considered temporary in the sense that it occurs during the construction period and once the project is built, construction noise ceases. DEIR Mitigation Measures 3.11-5 provides a variety of measures that are intended to minimize construction related noise impacts to the extent possible. This includes construction activities adhering to the requirements of the City of Rocklin Construction Noise Guidelines and all construction equipment must be fitted with factory equipped mufflers and be in good working order. The Mitigation Measures will ultimately be incorporated into a Mitigation Monitoring and Reporting Program intended to ensure compliance during Project implementation.

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 48-17:** This comment states the project will have a significant and unmitigated impact on aesthetics and visual resources and specifically references the removal of tree canopy.

The tree canopy is addressed, in part, under Master Responses 5, and 12, and under Response 41-2, and 41-4. As noted on page 3.1-14 through 3.1-16 of the Draft EIR, implementation of the proposed Project would change the existing visual character of the Project Area through the conversion of undeveloped land to urban uses. The DEIR notes that the proposed Project would not result in substantial adverse effects on a designated scenic vista because no part of the Project Area is designated as a scenic vista. The DEIR discloses that development of both the North and South Village sites have been anticipated by the General Plan, as the current land use designations allow for urban development of the sites.

In order to reduce visual impacts, development within the Project Area is required to be consistent with design standards in order to ensure quality and cohesive design. Additionally, the Project would be required to be consistent with the proposed College Park General Development Plan (GDP), which would establish the relationship between land uses within the Project Area and other surrounding land uses, establish the permitted and conditionally permitted land uses for all zoning districts within the Project Area, and establish the unique development standards for the Project Area. These standards include specifications for density, setbacks, lot areas and lot widths, and building height. Implementation of the development standards from the College Park GDP and application of the City's General Plan goals and policies and the City's Design Review Guidelines would ensure quality design throughout the Project Area, and result in a Project that would be internally cohesive while maintaining aesthetics similar to surrounding uses.

The City of Rocklin General Plan includes goals and policies designed to protect visual resources and promote quality design in urban areas. The proposed Project would be subject to the policies and goals of the Rocklin General Plan, Design Review Guidelines for the "College District" (where applicable based on location) as well as the City's design review process. These design guidelines include standards that encourage originality in building and landscaping design in a manner that will enhance the physical appearance of the community; encourage harmonious and compatible development; reduce potential visual conflicts with adjacent development (both existing and



proposed); and involve area residents, owners and merchants in the review process. Specifically, these design guidelines address locating or siting of the proposed structure and/or addition to an existing structure; site planning; building elevations / architecture; signage; parking lots, landscaping and pedestrian access; walls and fencing; special features; and design guidelines for small lot single family residential subdivisions. The design guidelines encourage compatible height, scale, and aesthetic character of each structure with its site improvements and buildings in the surrounding area. As described in the City's Design Review Guidelines, these guidelines are meant to inspire and provide designers with basic direction in preparing review documents that focus on high quality design and use of materials but also allow for flexibility of design in response to market forces while allowing for a more predictable review process.

While the proposed Project would result in a substantial alteration to the existing urban form and character of the North Village and South Village sites, the Project sites are located in a developed and urbanized area of the City (see Master Response 6). The proposed Project would be subject to Chapter 17.72, Design Review, of the City's Zoning Code which contains standards and provisions related to site design and visual requirements; and the City's Design Guidelines which includes architectural design principles and a provides criteria for evaluation of plans. The purpose of the site plan and design review ordinance is to ensure that proposed development in the city is in conformity with the intent and provisions of the ordinance. Compliance with the ordinance would ensure the proposed development is compatible with surrounding development in terms of scale, style and construction materials, is of the highest quality of land planning and design, reflects the design themes of the community, and is consistent with the City's General Plan and land use and planning. Accordingly, consistency with these regulations would ensure that future development under the proposed Project would not conflict with applicable zoning or other regulation governing scenic quality and reduce visual impacts of scenic resources to the greatest extent possible.

This comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 48-18:** This comment states the project will have a significant unmitigated impact on greenhouse gases and references the reduction in the tree canopy and its impact on carbon reduction.

This comment is addressed, in part, under Master Responses 5 and 13, and Response 41-3.

**Response 48-19:** This comment states the project will have a significant unmitigated impact on geology and soils and hydrology and water quality and references erosion associated with rains in October 2021.

This comment is addressed, in part, under Master Responses 1, 2, and 3. These topical areas are addressed in DEIR Section 3.6, Geology and Soils and Section 3.9, Hydrology and Water Quality. Information in these sections is based on several resources including a Geotechnical Engineering Report and Preliminary Drainage Studies prepared for the project. The analysis concludes that

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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impacts associated with geology and soils and hydrology and drainage are less than significant or less than significant with the implementation of mitigation measures.

The comment does not provide any additional information or evidence as to how the project will result in significant unmitigated impacts. This comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration. The analysis of these topics is accurate and does not warrant any changes based on this comment.

**Response 48-20:** This comment states the DEIR fails to identify wildfire risk.

This comment is addressed under Response 38-29.

**Response 48-21:** This comment states the project will have a significant unmitigated impact on water and references drought conditions.

This comment is addressed under Master Response 3. This comment does not identify any specific issue with the analysis contained in the Draft EIR. Water supply is discussed in Section 3.15 Utilities and the conclusion of the analysis was that the impact would be less than significant.

**Response 48-22:** This comment references a house fire and associated response time and that the project will have an impact on current levels of police and fire response.

This comment does not identify any specific issue with the analysis contained in the Draft EIR. DEIR Section 3.13 evaluates whether the proposed Project *would result in substantial adverse physical impacts associated with the provision of new or physically altered police or fire facilities or the need for new or physically altered facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives*. While the proposed Project may increase the need for police and fire services, as discussed in the DEIR, the Project would not result in the need to provide new or physically altered police or fire facilities; thus, substantial adverse physical impacts would not occur. The DEIR further notes that although implementation of the Project would result in increased population at the Project sites, the increased population would be less than what was envisioned under the General Plan and the impact fees from new development are collected to fund costs associated with the provision of police and fire protection services. The comment does not warrant any changes to the EIR.

**Response 48-23:** This comment is a conclusionary statement summarizing the comments that have been addressed in the responses above. These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**From:** Denise O'Neill <[deniseeldonhoa@gmail.com](mailto:deniseeldonhoa@gmail.com)>

**Date:** November 8, 2021 at 5:29:17 PM MST

**To:** David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>

**Cc:** Denise O'Neill <[deniseeldonhoa@gmail.com](mailto:deniseeldonhoa@gmail.com)>

**Subject:** Draft EIR - Written comments from El Don Estates Homeowners Association

Good afternoon,

The El Don Homeowners Association (HOA) is currently hiring a civil engineer to review the Draft EIR for deficiencies related to water runoff from our ponds and a culvert recently discovered on our parcel. The El Don HOA is also hiring legal representation to submit a formal letter to the Rocklin City Council noting any draft EIR deficiencies found that will need resolution.

49-1

Our biggest concern is drainage for our historic ponds that are landmarks for the Community. The ponds attract families that like to sight see native flora and fauna along El Don drive. The ponds are an amenity to our Owners who purchased property to enjoy tranquil wildlife like deer, fox, quail, rabbits, beavers, geese, ducks, cranes, minks, turtles and more. All of these wildlife use our pond water and travel a stream (mentioned below) on our parcel daily.

49-2

To maintain our ponds we have an emergency spillway that drains into our empty parcel when water levels reach or exceed capacity. This parcel connects to the land being developed with 25 homes. We are seeking professional assessment to ensure proper planning has been performed and is documented in the Draft EIR. We must ensure this drainage is not blocked and can accommodate rare, 100 year rain events such as occurred on October 15, 2021.

Also recently discovered in this drainage parcel is a 24" diameter culvert pipe coming off El Don Drive, underground. This pipe dumps a massive amount of water into our parcel, and water travels on a wildlife path to a stream, eventually connecting to the creek near Monte Vista Park. This too needs to remain unblocked and be adequately accommodated should Development occur.

49-3

We recently had onsite visits from PCWA and the Rocklin City planning department to obtain information about this culvert. Both parties stated they have no idea who has responsibility to maintain this pipe or where the water drains from. The water source is clearly not from our ponds or parcels.

El Don Estates has additional concerns with property lines that appear to mutually share historic boulders and trees. The City nor the Developer have approached El Don to reconcile iconic landscape and landmarks and El Don plans to formally request setbacks be farther than 10' to preserve the historic landscape.

49-4

Again, El Don Estates will submit a formal report from a civil engineer, and letter by means of a Land Use law firm, as soon as feasibly possible. In the meantime, should there be any interest in communicating with El Don Estates directly on any of the matters noted above, I can be reached using the contact information below.

49-5

Regards,

Denise L. O'Neill, PMP

President

El Don Estates HOA

916-880-0716



49-6



49-6



49-6



49-6



49-6



**Response to Letter 49: Denise O’Neill, Public Comment Submission**

**Response 49-1:** This comment notes that the El Don Homeowners Association (HOA) is hiring a civil engineer to review the DEIR for deficiencies related to water runoff from their ponds and a culvert recently discovered on their parcel. The comment also notes that the HOA is hiring legal representation to submit a formal letter to the Rocklin City Council noting any DEIR deficiencies found that will need resolution.

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment is an introduction to the comment letter, noting that the HOA has retained a civil engineer and legal representation to assist them. The comment does not raise any specific issues with the DEIR and does not warrant any changes based on this comment.

**Response 49-2:** This comment indicates that the HOA’s biggest concern is drainage for their historic ponds that are landmarks for the Community. The comment indicates that the ponds attract families that like to sight-see native flora and fauna along El Don Drive and are an amenity to the HOA members who enjoy tranquil wildlife like deer, fox, quail, rabbits, beavers, geese, ducks, cranes, minks, turtles and more. The commenter notes that wildlife uses the pond water and travel on the parcel daily.

This comment is addressed under Master Response 1, 2, 4, and 12.

**Response 49-3:** This comment states the following:

*To maintain our ponds we have an emergency spillway that drains into our empty parcel when water levels reach or exceed capacity. This parcel connects to the land being developed with 25 homes. We are seeking professional assessment to ensure proper planning has been performed and is documented in the Draft EIR. We must ensure this drainage is not blocked and can accommodate rare, 100 year rain events such as occurred on October 15, 2021.*

*Also recently discovered in this drainage parcel is a 24” diameter culvert pipe coming off El Don Drive, underground. This pipe dumps a massive amount of water into our parcel, and water travels on a wildlife path to a stream, eventually connecting to the creek near Monte Vista Park. This too needs to remain unblocked and be adequately accommodated should Development occur.*

*We recently had onsite visits from PCWA and the Rocklin City planning department to obtain information about this culvert. Both parties stated they have no idea who has responsibility to maintain this pipe or where the water drains from. The water source is clearly not from our ponds or parcels.*

This comment is addressed under Master Responses 1 and 2. It is noted that there is an obligation to accept historical runoff from off-site properties, and the proposed Project cannot “block” those historical flows.

**Response 49-4:** This comment states the following:

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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*El Don Estates has additional concerns with property lines that appear to mutually share historic boulders and trees. The City nor the Developer have approached El Don to reconcile iconic landscape and landmarks and El Don plans to formally request setbacks be farther than 10' to preserve the historic landscape.*

This comment relating to “trees” is addressed, in part, under Master Responses 5 and 12.

Regarding the comment on “boulders”, it is acknowledged that the “boulders”, and for that matter all rocks and geologic materials located on the project site, while old, do not meet the definition of historical resources under CEQA.

As the comment relates to “historic” resources, this environmental topic is addressed in Section 3.4 Cultural Resources. Specifically, the DEIR noted that the Project Area is located in an area known to have historical resources and the following four resources were identified in the North Village property:

- mining features (previously identified and recorded)
- irrigation features and refuse (newly identified)
- water storage features and refuse (newly identified)
- single-family residence (newly identified)

All four resources within the North Village property were identified and subsequently evaluated using a combination of archaeological testing and archival research. All four were found to be not eligible for the National Register of Historic Places (NRHP) and California Register of Historic Resources (CRHR), and as such, they are not historic properties as defined by regulations implementing Section 106 of the NHPA (36 CFR Part 800) and are not historical resources as defined by CEQA regulations (CCR Title 14, Section 15064.5(a)).

No cultural resources were identified within the South Village property as a result of the records search and field survey. Based on this information, no historic properties on the South Village property will be affected by the proposed Project.

Given that the four resources within the North Village property were found to be not eligible for the NRHP and the CRHR, and not historical properties, and no cultural resources were identified within the South Village property, the DEIR concluded that implementation of the proposed project would have a less than significant impact relative to historical resources. It is not uncommon during construction to encounter landscape or rock features that straddle property lines. While not an issue under CEQA, where such circumstances occur, the developer will reach out to and coordinate with the affected property owner. Moreover, the developer must comply with City development standards, including building setback requirements.

While the comment suggests that there are historic resources on the Project site (i.e. boulders/trees/landscaping), none were identified by the professional historian that evaluated the Project site. Again, these comments are noted and will be provided to the Rocklin appointed and

elected officials for their consideration; however, they do not raise any specific issues that warrant any changes to the EIR.

**Response 49-5:** This comment reiterates that the HOA will submit a formal report from a civil engineer and letter from a law firm, as soon as feasibly possible. The commenter closes by indicating that they are available for communication.

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment is a closing statement to the comment letter, noting that the HOA has retained a civil engineer and legal representation to assist them. The comment does not raise any specific issues with the DEIR and does not warrant any changes based on this comment.

**Response 49-6:** This comment provides five images that are attachments in support of their letter. The first four images show the drainage/water flow, and the last image shows their pond.

These images are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The images do not raise any specific issues with the DEIR and does not warrant any changes based on the images provided.



## SOUTH PLACER MUNICIPAL UTILITY DISTRICT

November 8, 2021

City of Rocklin  
Community Development Department  
3970 Rocklin Road  
Rocklin, CA 95677

Attention: David Mohlenbrok, Community Development Director

Subject: College Park Draft Environmental Impact Report  
North Village (APNs 045-150-023, -048, and -052)  
South Village (APNs 045-131-001 and -003)

Dear Mr. Mohlenbrok,

Thank you for the opportunity to comment on the College Park DEIR which includes the 71.4-acre North Village site comprised of 317 single-family dwelling units, 378 multi-family dwelling units, 45,000 square feet of non-residential building uses, and the 35.8-acre South Village site comprised of 25 single-family dwelling units, 180 multi-family dwelling units, 75,000 square feet of non-residential building uses.

The design and construction of all on-site and off-site facilities which may be required as a result of this project, including the acquisition and granting of sewer easements, will be the responsibility of the developer/owner. All work shall conform to the Standard Specifications of the District. Improvement plans shall be submitted to the District for review and approval. Please refer to the District's Sewer Code for information regarding participation fees.

The District has reviewed the College Park DEIR and has the following comments:

- a. Revise the College Park DEIR to reference the District's System Evaluation and Capacity Assurance Plan (SECAP) dated 2020, not the District's 1986 Sewer Master Plan. References to the Sewer System Management Plan (SSMP) shall be revised as well.
- b. 2.0-13: The DEIR references City utility infrastructure; however, sewer and water infrastructure are not owned or operated by the City of Rocklin.
- c. 3.15-1: Add reference to the District's System Evaluation and Capacity Assurance Plan (SECAP).
- d. 3.15-2: Revise the reference from SSMP to the SECAP. Revise reference from the City of Rocklin to the District's Wastewater Collection Main.
- e. 3.15-3: Revise reference from the Strategic Plan to the SECAP.

50-1

50-2

5807 SPRINGVIEW DRIVE • ROCKLIN, CALIFORNIA 95677 • PHONE (916) 786-8555 • FAX (916) 785-8553

- f. 3.15-4: Revise references from SSMP to the SECAP and references to the Five-Year Financial Plan to the Sewer Participation Fee Nexus Study. Remove references to the City of Rocklin’s sewer facilities.
- g. 3.15-6: Remove references to the 1986 Sewer Master Plan and Richard Stein, Engineering Manager. The System Evaluation and Capacity Assurance Plan (SECAP) should be referenced instead.
- h. 3.15-7: Reference the District’s Sewer Code. Lift stations shall be public.
- i. 4.0-28: Revise reference from SSMP to the SECAP. Eliminate reference attributed to Richard Stein that no additional staff or equipment will be required.
- j. 7.0-8: Add reference to the District’s System Evaluation and Capacity Assurance Plan (SECAP).

50-2 Cont.

In addition, the District has the following comments in relation to the proposed design:

- a. A sewer study is required to determine mainline and lift station size.
- b. Minimum separation between utilities is required. The minimum separation between water and sewer is 10-feet from outside of pipe/structure to outside of pipe/structure. The minimum separation between sewer and all other utilities is 5-feet from outside of pipe/structure to outside of pipe/structure. Street widths may need to be increased to meet minimum separation standards.
- c. Additional sewer easement is required adjacent to District’s existing sewer easements to meet the District’s Standards and Specifications.
- d. Encroachment into the District’s sewer easement is not allowed. Encroachments include, but are not limited to, structures, fencing, landscaping, parking or other limiting improvements.
- e. The existing sewer line shall be rerouted through the College Park South Subdivision. A portion of the improvements may be eligible for a credit reimbursement agreement.
- f. All weather drivable access to and over District facilities is required and is not to be obstructed by permanent structures, fencing, landscaping, parking or other limiting improvements. The District Standards and Specifications define all-weather access as 3-inches of AC over 8-inches of AB.
- g. Gates or bollards are required to restrict access over District facilities.
- h. Reinforced curb, gutter and sidewalk will be required in locations where District access crosses concrete improvements.
- i. Sewer infrastructure shall be located a minimum of 8-feet off the concrete improvements (valley gutters, curb and/or gutter).
- j. The public sewer lift station shall be located on a parcel dedicated in fee to the District.
- k. The footprint of the sewer lift station does not appear large enough to accommodate the District minimum design requirements for lift stations. The minimum size of the parcel shall be 20,000 square feet, with a minimum width of 75-feet and shall accommodate District’s maintenance vehicles. Actual site dimensions and layout shall be determined based on final site configuration. The sewer lift station shall meet DISTRICT minimum standards.
- l. Force main specific comments

50-3

- i. Force mains shall be laid in a straight alignment and with a constant uphill grade.
- ii. Force mains may be curved by deflecting joints to eliminate the necessity for fittings.
- iii. In no case shall the deflection exceed the maximum as set forth by the manufacturer for the type of pipe used.
- iv. Fittings shall be used when alignment or grade changes cannot be accomplished by joint deflection.
- v. Fittings shall be long sweep as approved by the District.
- m. A minimum 20-foot sewer easement is required over all public sewer facilities where they do not reside within public right-of-way. Note that the 20-feet includes vertical clearance (no building overhangs shall encroach into the easement). The District requires that trees, large shrubs, fences, and permanent structures not be located within sewer easements.
- n. Sewer mains shall not reside within a residential lot(s).

50-3 Cont.

Additional requirements may be included as design information is provided.

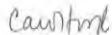
**Prior to issuing a will-serve letter for sewer service, the owner and/or owner's representative will need to schedule a meeting with District staff in order to discuss the project and to determine specific requirements.**

Please note that the District Standard Specifications and Improvement Standards for Sanitary Sewers can be viewed at the District's website: <https://spmud.ca.gov/specifications-and-ordinances>.

50-4

Please do not hesitate to contact me at (916) 786-8555 extension 321 or [chuff@spmud.ca.gov](mailto:chuff@spmud.ca.gov) if you have any questions or need additional information.

Sincerely,



Carie Huff, P.E.  
District Engineer

**Response to Letter 50: Carie Huff, South Placer Municipal Utility District**

**Response 50-1:** This comment is an opening statement by the commenter, articulating their understanding of the project, and noting that design and construction of all on-site and off-site facilities which may be required as a result of this project, including the acquisition and granting of sewer easements, will be the responsibility of the developer/owner. The commenter notes that all work shall conform to the Standard Specifications of the District and improvement plans shall be submitted to the District for review and approval. The commenter references the District's Sewer Code for information regarding participation fees.

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The City will require the design and construction of all on-site and off-site facilities which may be required as a result of this project, including the acquisition and granting of sewer easements, to be the responsibility of the developer/owner. The City will also require that all work conform to the Standard Specifications of the District, and that all improvement plans be submitted to the District for review and approval. The City will require all fees be paid by the developer/owner. The comment does not raise any specific issues with the EIR, and does not warrant any changes based on this comment.

**Response 50-2:** This commenter provides the following specific comments on the Draft EIR:

*The District has reviewed the College Park DEIR and has the following comments:*

- a. *Revise the College Park DEIR to reference the District's System Evaluation and Capacity Assurance Plan (SECAP) dated 2020, not the District's 1986 Sewer Master Plan. References to the Sewer System Management Plan (SSMP) shall be revised as well.*
- b. *2.0-13: The DEIR references City utility infrastructure; however, sewer and water infrastructure are not owned or operated by the City of Rocklin.*
- c. *3.15-1: Add reference to the District's System Evaluation and Capacity Assurance Plan (SECAP).*
- d. *3.15-2: Revise the reference from SSMP to the SECAP. Revise reference from the City of Rocklin to the District's Wastewater Collection Main.*
- e. *3.15-3: Revise reference from the Strategic Plan to the SECAP.*
- f. *3.15-4: Revise references from SSMP to the SECAP and references to the Five-Year Financial Plan to the Sewer Participation Fee Nexus Study. Remove references to the City of Rocklin's sewer facilities.*
- g. *3.15-6: Remove references to the 1986 Sewer Master Plan and Richard Stein, Engineering Manager. The System Evaluation and Capacity Assurance Plan (SECAP) should be referenced instead.*
- h. *3.15-7: Reference the District's Sewer Code. Lift stations shall be public.*
- i. *4.0-28: Revise reference from SSMP to the SECAP. Eliminate reference attributed to Richard Stein that no additional staff or equipment will be required.*
- j. *7.0-8: Add reference to the District's System Evaluation and Capacity Assurance Plan (SECAP).*

Each of the recommended text changes has been incorporated into the EIR. The changes are reflected in the errata. The errata changes occur in Section 2.0 Project Description, Section 3.15 Utilities, Section 4.0 Other CEQA Sections, and Section 7.0 References. See Section 3.0 Errata in this Final EIR for each text change.

**Response 50-3:** This commenter provides the following comments on the proposed Project sewer infrastructure:

- a. *A sewer study is required to determine mainline and lift station size.*
- b. *Minimum separation between utilities is required. The minimum separation between water and sewer is 10-feet from outside of pipe/structure to outside of pipe/structure. The minimum separation between sewer and all other utilities is 5-feet from outside of pipe/structure to outside of pipe/structure. Street widths may need to be increased to meet minimum separation standards.*
- c. *Additional sewer easement is required adjacent to District's existing sewer easements to meet the District's Standards and Specifications.*
- d. *Encroachment into the District's sewer easement is not allowed. Encroachments include, but are not limited to, structures, fencing, landscaping, parking or other limiting improvements.*
- e. *The existing sewer line shall be rerouted through the College Park South Subdivision. A portion of the improvements may be eligible for a credit reimbursement agreement.*
- f. *All weather drivable access to and over District facilities is required and is not to be obstructed by permanent structures, fencing, landscaping, parking or other limiting improvements. The District Standards and Specifications define all-weather access as 3-inches of AC over 8-inches of AB.*
- g. *Gates or bollards are required to restrict access over District facilities.*
- h. *Reinforced curb, gutter and sidewalk will be required in locations where District access crosses concrete improvements.*
- i. *Sewer infrastructure shall be located a minimum of 8-feet off the concrete improvements (valley gutters, curb and/or gutter).*
- j. *The public sewer lift station shall be located on a parcel dedicated in fee to the District.*
- k. *The footprint of the sewer lift station does not appear large enough to accommodate the District minimum design requirements for lift stations. The minimum size of the parcel shall be 20,000 square feet, with a minimum width of 75-feet and shall accommodate District's maintenance vehicles. Actual site dimensions and layout shall be determined based on final site configuration. The sewer lift station shall meet DISTRICT minimum standards.*
- l. *Force main specific comments i. Force mains shall be laid in a straight alignment and with a constant uphill grade.*
  - i. *ii. Force mains may be curved by deflecting joints to eliminate the necessity for fittings.*
  - ii. *iii. In no case shall the deflection exceed the maximum as set forth by the manufacturer for the type of pipe used.*
  - iii. *iv. Fittings shall be used when alignment or grade changes cannot be accomplished by joint deflection.*



- iv. v. Fittings shall be long sweep as approved by the District.*
- m. A minimum 20-foot sewer easement is required over all public sewer facilities where they do not reside within public right-of-way. Note that the 20-feet includes vertical clearance (no building overhangs shall encroach into the easement). The District requires that trees, large shrubs, fences, and permanent structures not be located within sewer easements.*
- n. Sewer mains shall not reside within a residential lot(s).*

The above list of comments relate to the sewer infrastructure design. Most of these are from the SPMUD Standard Specifications and/or the SPMUD Sewer Code. The City ensures that all infrastructure design meet the requirements of the SPMUD. Additionally, improvement plans for sewer infrastructure will be routed to SPMUD for review and approval before any installation. None of the comments above are directed at the text of the EIR, and none of the comments warrant text changes.

**Response 50-4:** This comment closes the comment letter with the following statement:

*Prior to issuing a will-serve letter for sewer service, the owner and/or owner's representative will need to schedule a meeting with District staff in order to discuss the project and to determine specific requirements.*

*Please note that the District Standard Specifications and Improvement Standards for Sanitary Sewers can be viewed at the District's website: <https://spmud.ca.gov/specifications-andordinances>*

This comment is noted. The owner and/or owner's representative will meet with the District staff in order to obtain will-serve letter for sewer service, and to discuss specific requirements for the project. As stated in comment response 50-3, the City ensures that all infrastructure design meet the requirements of the SPMUD, and that improvement plans be routed to SPMUD for review and approval before any installation. None of the comments above are directed at the text of the EIR, and none of the comments warrant text changes.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

Date: November 8, 2021 at 4:51:14 PM PST

To: David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>

Cc: [Nathan.Anderson@rocklin.ca.us](mailto:Nathan.Anderson@rocklin.ca.us), Jill Gayaldo <[Jill.Gayaldo@rocklin.ca.us](mailto:Jill.Gayaldo@rocklin.ca.us)>, Michael Barron <[Michael.Barron@rocklin.ca.us](mailto:Michael.Barron@rocklin.ca.us)>

Subject: College Park Draft EIR Comments and Concerns

We are writing this email in regards to the Draft EIR for the College Park development on the East side of the city of Rocklin. As residents of this area we have the following concerns.

### 1. Flooding on College Park South project site

Reference DEIR Chapter 3.9 Hydrology and Water Quality: Section called "**Flooding**" on pg. 3.9-4 of the DEIR.

**Comment 1:** The "creek" that runs east-west through the center of the College Park South project site is a tributary creek of Secret Ravine Creek. Monte Verde Park is located on the north side of the tributary creek. The park was purposely built in this location to address flooding from the creek. The creek and the park sit in a FEMA designated 100-year flood plain.

51-1

The DEIR barely mentions that this year-round creek sits within a FEMA 100-year floodplain and fails to address the yearly flooding that occurs on the College Park South site. Most notably, many times during the rainy season and most recently on Sunday, October 24, 2021, the creek easily overflows it banks and covers the SPMUD easement road that runs parallel to the creek on the south side. Under the **Flooding** section on pg. 3.9-4, it simply states "*a portion of the South Village site is shown on the FEMA Flood Insurance Rate Map.*" When in fact the **entire** creek area and the Monte Verde Park on the College Park South site sit within a FEMA 100-year flood plain. The DEIR fails to adequately disclose, analyze, and mitigate the project's impacts on Flooding.

**Comment 2:** The tributary creek that runs through the middle of the College Park South project site is a flood hazard area. Chapter 15.16 of the City of Rocklin Municipal Code (**Flood Hazard Areas**) specifically states, "Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which results in damaging increases in erosion or flood heights or velocities." and "Control filling, grading, dredging, and other development which may increase flood damage." These statements seems to conflict with General Plan language that sets only a 50 foot development setback from a creeks bank. Should the Rocklin City Council approve development only 50 feet from a flood hazard area? Shouldn't the City of Rocklin consider an increased development setback from this known-to-flood creek? A more appropriate "Mitigation Measure" for this area would be to increase the creek setback to 100 feet.

51-2

**Comment 3:** This is of grave concern to us and the impact flooding of this area could cause to our property which backs up to the creek. We spoke with one neighbor that said that flooding from the creek came within two feet from entering his home with one year of excessive rain and his home is set back at least 100 feet from the creek. Drought is not a permanent condition of this area.

51-3

2. **Riparian Area**

Protect the wildlife corridor/creek that runs through the College Park South site by the City increasing the 50 foot creek setback to 100 feet. Do not allow the developer to pave over the SPMUD easement

road that runs alongside the creek on the south side at College Park South site. This would create an impervious surface for storm water runoff into the creek as well as impede wildlife.

Rocklin City policies state "Consider acquisition and development of small areas along creeks at convenient and safe locations for use by the general public," and "Encourage the protection of open space areas...from encroachment or destruction through the use of conservation easements, natural resource buffers, building setbacks or other measures." The City should follow these policies by protecting the area around the Secret Ravine tributary creek that runs through the center of the College Park South site and should acquire this land for use by the general public as is already the case today.

51-4

3. **Traffic**

According to Rocklin Police Dept. statistics, Rocklin Road is the #1 collision location in the City.

The City should not approve this massive development without making improvements to Rocklin Road that will be even more impacted with 900 new residences, retail and "other" uses.

To help alleviate impacts to an already impacted Rocklin Road between I-80 and Sierra College Blvd., right hand turn lanes should be added at the 4 signaled intersections on this stretch of road.

The City's proposed [I-80/Rocklin Road interchange project](#) will not alleviate traffic impacts on Rocklin Road or Sierra College Blvd.

The College Park Project Draft EIR (DEIR) does not address traffic impacts to local surface street like El Don Drive, Southside Ranch Road and Aguilar Rd that will be further impacted by increased traffic use of these streets as cut through streets for drivers avoiding Rocklin Road/Sierra College Blvd. congestion. Also the lack of roads to exit these neighborhoods in case of fire, flooding or any type of emergency.

51-5

**Project Alternatives, Please support and recommend this.....**

The Draft EIR (DEIR) provides alternatives to the current project plan. Support the "Reduced Footprint Alternative". Under this alternative, the project footprint would be reduced by 17%. The DEIR states "The decreased footprint under this alternative would allow for further setbacks from the FEMA designated 100 year floodplain and creek on the South Village site." A far better use of the South Village site would be to enlarge Monte Verde Park as a nature area with some walking and bike trails for the east side of Rocklin. This area does not have adequate areas such as this for the size of the community on the east side. With the proposed "small lot" homes being built in this area of Rocklin people need a place to walk, bike and play in a safe environment.

51-6

Thank you for your consideration to what we have said in this email.  
 John and Sherri Pratt  
 5517 Freeman Cir, Rocklin CA

### **Response to Letter 51: John and Sherri Pratt, Public Comment Submission**

**Response 51-1:** This comment relates to a concern for Flooding on College Park South project site. The commenter references DEIR Chapter 3.9 Hydrology and Water Quality in the section titled Flooding on pg. 3.9-4 of the DEIR. The commenter states:

*Comment 1: The "creek" that runs east-west through the center of the College Park South project site is a tributary creek of Secret Ravine Creek. Monte Verde Park is located on the north side of the tributary creek. The park was purposely built in this location to address flooding from the creek. The creek and the park sit in a FEMA designated 100-year flood plain.*

*The DEIR barely mentions that this year-round creek sits within a FEMA 100-year floodplain and fails to address the yearly flooding that occurs on the College Park South site. Most notably, many times during the rainy season and most recently on Sunday, October 24, 2021, the creek easily overflows its banks and covers the SPMUD easement road that runs parallel to the creek on the south side. Under the Flooding section on pg. 3.9-4, it simply states "a portion of the South Village site is shown on the FEMA Flood Insurance Rate Map." When in fact the entire creek area and the Monte Verde Park on the College Park South site sit within a FEMA 100-year flood plain. The DEIR fails to adequately disclose, analyze, and mitigate the project's impacts on Flooding.*

This comment is addressed under Master Responses 1 and 2.

**Response 51-2:** This comment identifies the creek within the College Park South project site as a flood hazard area and is asking an increased setback from 50 feet to 100 feet because of the known flooding to occur. The commenter states *"Should the Rocklin City Council approve development only 50 feet from a flood hazard area? Shouldn't the City of Rocklin consider an increased development setback from this known-to-flood creek? A more appropriate "Mitigation Measure" for this area would be to increase the creek setback to 100 feet."*

This comment is addressed under Master Responses 1, 2, and 4.

**Response 51-3:** This comment expresses grave concern relative to potential flooding and that flooding from the creek, as a result of excessive rain, has come within two feet of entering a neighbor's home that is setback at least 100 feet from the creek.

This comment is addressed under Master Responses 1, 2, and 4. This comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR, rather it includes concerns for a specific environmental topic that is addressed in the EIR. The analysis of the topic is accurate and does not warrant any changes based on this comment.

**Response 51-4:** This comment recommends an increased setback of 100 feet to protect the wildlife corridor/creek that runs through the College Park South site and that the SPMUD easement not be paved as it will increase impervious surface for storm water runoff into the creek and impede

wildlife. The comment quotes Rocklin City policies *“Consider acquisition and development of small areas along creeks at convenient and safe locations for use by the general public,”* and *“Encourage the protection of open space areas...from encroachment or destruction through the use of conservation easements, natural resource buffers, building setbacks or other measures”* and requests the City protect the area around the Secret Ravine tributary creek by acquiring the land for use by the general public.

This comment is addressed under Master Responses 1, 2, and 4.

**Response 51-5:** This comment states the following in regards to Traffic:

*“According to Rocklin Police Dept. statistics, Rocklin Road is the #1 collision location in the City. The City should not approve this massive development without making improvements to Rocklin Road that will be even more impacted with 900 new residences, retail and "other" uses. To help alleviate impacts to an already impacted Rocklin Road between I-80 and Sierra College Blvd., right hand turn lanes should be added at the 4 signaled intersections on this stretch of road. The City's proposed I-80/Rocklin Road interchange project will not alleviate traffic impacts on Rocklin Road or Sierra College Blvd.*

*The College Park Project Draft EIR (DEIR) does not address traffic impacts to local surface street like El Don Drive, Southside Ranch Road and Aguilar Rd that will be further impacted by increased traffic use of these streets as cut through streets for drivers avoiding Rocklin Road/Sierra College Blvd. congestion. Also the lack of roads to exit these neighborhoods in case of fire, flooding or any type of emergency.”*

A full traffic analysis is included the Draft EIR Appendix I of the Draft EIR. The traffic analysis is included in Section 3.14 Traffic and Circulation. It is noted that there are planned improvements at the I-80/Rocklin Road interchange, improvements to the Rocklin Road/El Don Drive, Sierra College Boulevard/Stadium Way, and Sierra College Boulevard/Rocklin Road intersections, and required widening of Rocklin Road and Sierra College Boulevard along the project frontages. These improvements will reduce congestion and queuing that is present along these corridors. It is noted that congestion and traffic operations related issues, as well as geometric design issues, are the primary causes of traffic accidents. It is expected that traffic safety along Rocklin Road will improve as a result of these planned improvements and the City has no geometric design concerns associated with the proposed Project.

As it relates to comments about local surface streets, it is noted that construction of a right-turn lane at Aguilar Road is complicated by lack of available right-of-way, proximity of Secret Ravine, and presence of trees. Construction of a right-turn lane at El Don Drive is complicated by lack of available right-of-way given that the land adjacent to the intersection has been developed. Provision of right-turn lanes at both of these intersections may be considered in conjunction with future planning efforts to widen Rocklin Road to six lanes. The right-turn volumes of 7 AM peak hour vehicles and

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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16 PM peak hour vehicles at Havenhurst Circle do not warrant a right-turn lane. A right-turn lane already exists at Sierra College Boulevard. Ongoing traffic analysis for the Project Approval & Environmental Document (PA&ED) process to upgrade the Rocklin Road/I-80 interchange has shown that the proposed Diverging Diamond Interchange would substantially benefit traffic on Rocklin Road east of I-80. The interchange is being designed to operate at LOS D or better and adjacent intersections are being designed to comply with the City's LOS C policy.

Chapter III of the TIS in Appendix I describes the expected level of usage of El Don Drive (southeasterly toward Sierra College Boulevard) by South Village trips. Ten percent of inbound trips and five percent of outbound trips are expected to use this segment of El Don Drive. Based on the South Village's daily trip generation, this would represent 165 daily trips being added. Some of these trips may also choose to use Southside Ranch Road via Buxton Way or Freeman Drive to reach Sierra College Boulevard, though it is noted that remaining on El Don Drive is shorter and faster (at least during off-peak hours). Capacity improvements would be made by the project applicant at all four legs of the Sierra College Boulevard/Rocklin Road intersection. This may further act to discourage use of El Don Drive to travel between Sierra College Boulevard and Rocklin Road.

**Response 51-6:** This comment pertains to the Project Alternatives discussed in the DEIR and requests support of the Reduced Footprint Alternative. The comment states *"Under this alternative, the project footprint would be reduced by 17%. The DEIR states "The decreased footprint under this alternative would allow for further setbacks from the FEMA designated 100 year floodplain and creek on the South Village site." A far better use of the South Village site would be to enlarge Monte Verde Park as a nature area with some walking and bike trails for the east side of Rocklin. This area does not have adequate areas such as this for the size of the community on the east side. With the proposed "small lot" homes being built in this area of Rocklin people need a place to walk, bike and play in a safe environment."*

This comment is addressed, in part, under Master Response 2. The commenter's preference for the Reduced Footprint Alternative will be provided to the Rocklin appointed and elected officials for their consideration.

**From:** "cameron.noel" <[cameron.noel@gmail.com](mailto:cameron.noel@gmail.com)>  
**Date:** November 8, 2021 at 4:53:13 PM PST  
**To:** David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>  
**Subject:** College Park DEIR/Written comments

Mr. David Mohlenbrok  
Rocklin City Council  
Rocklin Planning Commission

Dear Representatives of the city of Rocklin,

I am responding to your invitation to comment on the College Park Development under proposal. As a representative of Save Auburn Ravine Salmon and Steelhead (SARSAS), I had the pleasure of attending our last SARSAS meeting in October and heard a presentation provided by Denise Gaddis, of the Save East Rocklin Group. I also toured the proposed area for development in-person, and would like to make comment specifically toward the proposed 'South Site' that encompasses Aguilar tributary creek and flows west/southwest into Secret Ravine Creek.

52-1

Your current building setback guidance of 50 feet is not enough of a buffer to adequately support a healthy and flourishing population of cold water dependant species of salmon and steelhead. We are requesting that you increase your building setbacks to a minimum of 100-200 feet to lessen building impacts ie; impervious structures of asphalt/concrete roads/ driveways, landscaping/retaining walls/fences that create an imbalance of proper filtration, with substantial risk of increased runoff(s), making it less hospitable for cold water fish to survive. Parts of the 'South Site' are also recorded and listed as an official '100 Year Floodzone', and this should be addressed before moving forward with building/development of this site.

52-2

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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Both the North and South sites are host to as many 50 known species of animals which use the creek as a wildlife corridor and open-space. It would be ashamed to see this area filled in with the high density housing, which exists already on every side of this pristine native landscape. I support the Save East Rocklin group and am working along with Governor Newsoms '30 by 30' proposal and pledge to conserve 30 percent of the states high impact land from further mass development(s), as we are losing up to two football fields worth of forests, meadows, grasslands, deserts, and waterways every minute to human development.

52-3

We are also in the midst of the 'Sixth Mass Extinction', and as many as one- million species are currently at risk of die-offs in the near term coming decade(s) due to accelerated global warming.

52-4

This year (2021) we witnessed the lowest historical salmon returns to our salmon/steelhead spawning rivers, due to very high water temperatures and disease. The largest west coast salmon run on the Columbia River and Snake River recorded water temperatures of 71.8 degrees fahrenheit, which is well above the maximum threshold for survivability of all salmon and steelhead species. The Cold Water Act of 1972 originally set maximum guidelines of 68 degrees fahrenheit as a limit. As a result, U.S. District Judge, Michael Simon has ordered sweeping changes towards protection of all salmon and all waterways. We applaud his decision and look forward to hearing more on these changing directives in 2022. We appreciate anything you can do to support wildlife and our children of the future.

52-5

Sincerely,  
Noel Cameron  
SARSAS member



**Response to Letter 52: Noel Cameron, Public Comment Submission**

**Response 52-1:** This comment serves as an introduction and indicates the commenter is a representative of Save Auburn Ravine Salmon and Steelhead (SARSAS) and would like to make comments specifically regarding the *“South Site’ that encompasses Aguilar tributary creek and flows west/southwest in Secret Ravine Creek”*.

This comment is an opening statement by the commenter. The commenter’s specific comments pertaining to the South Site are more fully discussed in the comments that follow. This comment is an introductory statement and does not warrant a response.

**Response 52-2:** This comment states that the 50-foot building setback is not enough to adequately support a healthy and flourishing population of cold water dependent species of salmon and steelhead and requests the building setbacks be increased to a minimum of 100-200 feet. The comment also states that part of the South Site is recorded and listed as an official 100 Year Flood zone and this should be addressed before moving forward with building/development of the site.

This comment is addressed under Master Responses 1, 2, and 4.

**Response 52-3:** This comment states *“Both the North and South sites are host to as many 50 known species of animals which use the creek as a wildlife corridor and open-space. It would be ashamed to see this area filled in with the high density housing, which exists already on every side of this pristine native landscape. I support the Save East Rocklin group and am working along with Governor Newsoms’ 30 by 30’ proposal and pledge to conserve 30 percent of the states high impact land from further mass development(s), as we are losing up to two football fields worth of forests, meadows, grasslands, deserts, and waterways every minute to human development.”*

This comment is addressed, in part, under Master Responses 4 and 12. The commenter expresses their support of the Save East Rocklin Group and conservation of lands from human development. These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR, rather it includes concerns for a specific environmental topic that is addressed in the EIR. The analysis of this topic is accurate and does not warrant any changes based on this comment.

**Response 52-4:** The commenter states *“We are also in the midst of the ‘Sixth Mass Extinction’, and as many as one-million species are currently at risk of die-offs in the near term coming decade(s) due to accelerated global warming.”*

The comment does not raise any specific issues with the EIR, rather it provides a statement regarding the status of species associated with global warming. The comment does not warrant any changes to the EIR, but these comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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**Response 52-5:** This comment references low salmon returns to salmon/steelhead spawning rivers due to very high water temperatures and disease and that the largest west coast salmon run on the Columbia River and Snake River recorded water temperatures well above the maximum threshold for survivability of all salmon and steelhead species. The commenter also references the Cold Water Act of 1972 and support of changing directives in 2022 toward protection of all salmon and all waterways.

The comment does not raise any specific issues with the EIR, rather it provides a statement regarding salmon/steelhead spawning associated with water temperatures and supports and encourages protection of wildlife. As already stated in Master Response 4, the unnamed tributary does not function for steelhead habitat due to downstream beaver dams that are barriers to salmonid migration; also, the substrate within the tributary is unsuitable for spawning. The comment does not warrant any changes to the EIR, but these comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**From:** Kathy Twisselmann <[kawt@att.net](mailto:kawt@att.net)>  
**Date:** November 8, 2021 at 4:57:47 PM PST  
**To:** David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>  
**Subject:** DEIR

To City of Rocklin

Council and planning commission

RESPONSE TO DEIR RE BOTH COLLEGE PARK NORTH AND SOUTH, WHATEVER THEY ARE PRESENTLY CALLED.

Questions

1 RE Request Letter , page 11 or 12? (within Appendix J Water Supply Assessments) from Deanna Ellis, VP of Land Resources for Cresleigh Homes to PCWA requesting a Water Supply Assessment for the College Park North and College Park South Project.

53-1

When was the date that letter sent to PCWA?

### 2. RE Potable Water

See Page 2 of the 26 page Appendix J

According to Footnote 2 of Table 1 – Project’s Potable Water Consumption,

**17.9 ACRES** of Recreation/Conservation. An additional 1.2 acres was for Parks and was not considered “part of the development” or “captured in existing demands”.

Rocklin has always been very proud of its parks.

Why wasn’t it included in the “existing demands”?

What will be the water necessities of this “Parks” area?

I urge Council Members and Planning Commission Members to make sure water demand for the (ostensibly planned/promised?) Parks’ included in the project list will be adequately covered?  
? Remember, this is a time of ongoing drought, not a classroom “project design” wish list for a developer

Had that amount been added in, would the PCWA have still signed off on the project, given the continued drought since the drought and all the other projects being jammed into this city? Has anyone asked them?

53-2

3.

RE Page 13 & 14 of 26 as noted on the black page topper for Appendix J. Quote:

"PROJECT OVERVIEW The 107.2-acre College Park Project **includes** the 71.4-acre North Village and **the 35.8-acre South Village site, as shown in Figure 1**. The North Village (Figure 2) site would include approximately 425 dwelling units, and **the South Village (Figure 3) site would include approximately 25 dwelling units**. The North Village site would primarily be composed of single-family residential land uses. The North Village site would also contain high-density residential uses in the central portion of the site, while the southern portion of the site would contain commercial and mixed use uses (along Rocklin Road). In contrast, **the majority of the South Village site would be dedicated to recreation/conservation land uses. Community college land uses (mixed uses) would make up the bulk of the remaining portion of the South Village site.**"

**The carefully crafted statements above include NO MENTION of any High Density housing in the South Campus, let alone the 180 DU which are listed in Table 1 – Project's Potable Water Consumption on page 3 of 26 of Appendix J.**

**Page 12 of 26 of Appendix J** has "High Density Res." obviously added in, and Office/Commercial added in for the South Campus. **None of this is included in the suavely constructed assurances above.**

53-3

**Emphasis added to this information below, as it shows**

**South Campus**

**Single Family Res. 4.9 Acres with 25 dwelling units on 50' x 100' lots.**

**High Density Res. (C-2 East) 5.2 Acres with 180 Dwelling Units**

NOTE also that the AF/DU Demand Factor is smaller for the High Density Res. Will residents need 41% less water because they will be packed more tightly? IF the units don't have their own washer/dryer space, won't the building have laundry facilities in which laundry-sized portions of water will be used by all residents?

Yes, the South Site Plan on page 8 of 26 of Appendix J is labeled **DRAFT** - in a font which does not match the rest of the page.

Space held back by the college? Depends on which page or draft you are reading. Who put this together and what are they trying to do? If they can't get the story straight are they incompetent or are they hoping no one will notice the inconsistencies so they can later say "but it was in the paperwork!"

I urge you to be totally skeptical and come down on the side of the neighboring owners who have objected to this set of monstrosities from the beginning.

**TRANSPORTATION effects**

If all this wish list for North and South is actually approved and constructed, it will have a perpetual traffic jam. Before COVID/Zoom classes it took me 15 minutes to drive the one mile to the freeway when classes changed. Adding High Density housing on both North and South Campuses in addition to the 3 3- story apt. buildings already under construction at Sierra College and Rocklin Rd. will make this area a nightmare. Oh, and then throw in the towering homes building out off Rocklin Rd at Aguilar and the huge complex of homes for which the grading is well underway farther down Aguilar almost to Greenbrae. NIGHTMARE. As a cowboy I know says, you cannot put a 3 inch chicken thru a 2 inch stovepipe.

53-4

**APPENDIX G on HYDROLOGY AND WATER QUALITY**

Specific concern :**RUNOFF and consequences to homes/roads/infrastructure and possibly even life itself both in the immediate area of the North and South Campus projects if you do not get this right. See quote below from page 11 of 68 for Appendix G and my concerns.**

**I urge you to get this right.**

**“The 10-year storm event was contained below gutter elevation and the 100-year storm event was contained below manhole rim elevation without including overland flow in streets. See the XPSWMM modeling files in Appendix 4 for the water surface elevation results. The drainage system fully mitigates downstream impacts from the project site and complies SWMM design standards “**

53-5

**“...without including overland flow in the streets” ?? Where else would the water be/flow if the storm sewers cannot contain it all? It has been known to happen. El Don Drive has been closed between Wildflower and Corona Circle since our recent storm of simply 6 or so inches. Due to collapse of .....oh you know...**

**We are aware of large, costly, successful suit(s) against the City of Roseville for what I will call drainage management malfeasance, deceit and damages. A number of years ago now. I will save the the name of the prevailing attorney in case this project causes similar harm.**

**As I said- let’s everyone involved get it right.**

**K. Twisselmann**

Foothill Rd

Rocklin, CA

95677

[kawt@att.net](mailto:kawt@att.net)

**Response to Letter 53: Kathy Twisselman, Public Comment Submission**

**Response 53-1:** This comment references DEIR Appendix J (Water Supply Assessment) and requests the date the letter requesting a Water Supply Assessment (WSA) was sent to Placer County Water Authority (PCWA).

The letter requesting preparation of a WSA from Cresleigh Homes to PCWA is included within Appendix J. Although the letter is not dated, correspondence from PCWA within Appendix J indicates the original request for preparation of the WSA was made on January 23, 2020. PCWA issued a response on May 12, 2020. A subsequent request from the City of Rocklin was made on May 19, 2021. PCWA issued a response on June 28, 2021.

**Response 53-2:** This comment is in reference to the PCWA letter dated June 28, 2021. Specifically, the comment references Table 1 and a footnote stating an additional 1.2 acres for Parks was not considered “part of the development” or “captured in existing demands”. The comment further asks why it was not included in the “existing demands” and what will be the water necessities of this “Parks” area. The comment also requests the Council Members and Planning Commission Members make sure water demand for the Parks included in the project list will be adequately covered and to remember the ongoing drought. The commenter asks if the amount had been added in, would the PCWA have signed off on the project given the drought and other project in the City.

The footnote referenced by the commenter is specific to the “Parks” land use designation within the South Campus. The footnote states “Area is not part of the development and captured in existing demands, therefore this area is not included in the analysis.” To clarify, the existing park (Monte Verde Park) and the water demand associated with the park is already captured in existing water demands. The Project does not propose any changes to the existing park that would create a new or increased water demand specific to the Park. The water consumption identified in Table 1 represents new water demand associated with the proposed development, including the new parks proposed for the North Village. These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The analysis of this topic is accurate and does not warrant any changes based on this comment.

**Response 53-3:** This comment restates the Project Overview as provided in the PCWA letter dated May 12, 2020 (included in DEIR Appendix J) and indicates there is no mention of any high density housing in the South Campus or the 180 dwelling units listed in Table 1 of DEIR Appendix J. The comment references other pages of DEIR Appendix J noting “High Density Res” was added in and Office/Commercial for the South Campus. The comment questions how the water demand factor for High Density Res is smaller and the word “Draft” on the South Site Plan in a font that does not match the rest of the page. Additionally, the comment states: *“Space held back by the college? Depends on which page or draft you are reading. Who put this together and what are they trying to do? If they can’t get the story straight are they incompetent or are they hoping no one will notice the inconsistencies so they can later say ‘but it was in the paperwork!’. I urge you to be totally skeptical*



*and come down on the side of the neighboring owners who have objected to this set of monstrosities from the beginning”.*

EIR Appendix J is comprised of the WSA (including appendices) dated May 12, 2020, prepared by PCWA and an updated WSA (including appendices) dated June 28, 2021, prepared by PCWA. After preparation of the May 12, 2020 WSA, the proposed Project became more defined with areas previously designated as “Mixed Use” and “Retained by College” identified with discrete land uses with definitive development assumptions. An additional 1.2 acres of property was also included. The June 28, 2021 updated WSA was prepared by PCWA to account for these changes and determined the revised Project’s water demand was within the budget demands previously identified in the May 12, 2020 WSA. The June 28, 2021 WSA concluded the 2020 Urban Water Management Plan (UWMP) demonstrated adequate supply in normal, single dry, and multiple dry years and existing and planned future supplies will be sufficient to meet the demands of the Project, in addition to existing and planned future uses, including agricultural and manufacturing uses. These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The analysis of this topic is accurate and does not warrant any changes based on this comment.

**Response 53-4:** This comment expresses concern over the transportation effects that will result with the proposed Project and other developments in the area.

This comment does not identify any specific issue with the traffic analysis contained in the DEIR. Traffic is discussed in Section 3.14 Transportation and Circulation. The comment does not warrant any changes to the EIR, but these comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 53-5:** This comment expresses concern over runoff and the consequences to life and property and quotes text from DEIR Appendix G regarding the 10-year storm event and the 100-year storm event. The comment further notes that water associated with storm events has overflowed into the streets and specifically references El Don Drive being closed between Wildflower and Corona Circle since a recent storm. Reference is also made to a lawsuit against the City of Roseville.

This comment is addressed, in part, under Master Response 2. This comment does not identify any specific issue with the hydrology and drainage analysis contained in the DEIR. Hydrology and drainage are discussed in Section 3.9 Hydrology and Water Quality and the technical studies are provided in DEIR Appendix G. The Project would provide the drainage infrastructure to attenuate runoff from the Project site. The on-site drainage systems were designed to meet the requirements of the Placer County Stormwater Management Manual (SWMM) for flood control, which mandate that post-project peak stormwater flow volumes coming off the Project sites can be no more than 90 percent of pre-project peak flow volumes. In other words, ten percent less water will flow off the Project sites during and after storm events than currently flows off the undeveloped sites. Additionally, the recently installed drainage pipes under El Don, just south of Monte Verde Park, replaced the deteriorated corrugated metal pipes (CMP) which failed during the October 2021 rain

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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event. The comment does not warrant any changes to the EIR, but these comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**From:** Cheryl Berkema <[cheryl.berkema@gmail.com](mailto:cheryl.berkema@gmail.com)>

**Date:** November 8, 2021 at 4:59:28 PM PST

**To:** David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>

**Subject:** Draft Environmental Impact Report for the College Park Project Public Comment

November 8, 2021

Draft Environmental Impact Report for the College Park Project Public Comment

Dear David Mohlenbrok,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the College Park Project in Rocklin.

54-1

This regional project has the opportunity to provide benefit to Rocklin, Sierra College, and Placer County residents. Please consider the regional impacts that this project coupled with others in the region will have on the traffic, air quality, wildlife, trees, open space, and economy of the area. The location of this project near an educational facility should be a showcase for smart growth, respect for the environment, and housing that meets the needs of the larger community.

Housing Challenge in Rocklin

In reviewing Rocklin's Housing element, Rocklin has stated the challenge of available sites for affordable Housing. The time has come to stop kicking the can down the road and ensure that every development meets or exceeds the affordable housing for Rocklin. The availability of sewer, water, services and transit make these prime sites to meet or exceed affordable housing needs. This can be accomplished by building up and retaining open space and trees making it a place where people actually want to live. Please respond with the actual market rate and affordability for students, seniors and special needs populations for Rocklin and how this development will accomplish the RHNA needs for the 2 sites. The Rocklin Housing Element shows Rocklin with a higher than Placer County market rate for housing. Please identify how these populations will be able to afford to live in what has been identified by the State as meeting the requirements for ideal affordable housing. Voters approved a measure to fund Sierra college students' education. Rocklin needs to deliver on housing needs for students.

54-2

Traffic Mitigation and Corresponding Air Quality Impacts

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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The Sunset Area Plan/Placer Ranch Specific Plan was approved by Placer County in December 2020 despite the 55 significant impacts reported by the program. The Air Quality for this program is projected to be so poor that out of state credits needed to be purchased for mitigation. Placer County will not be meeting the 2030 Governor mandates for air quality. The American Cancer Society has rated Sacramento and the greater Roseville area in the top 10 worst area quality in the United States! Rocklin will feel the impacts of the Sunset Area Plan/Placer Ranch. When considering the air quality impacts for this project, please consider protecting as many trees as possible to preserve air quality, sufficient electric charging stations to enable sustainability, higher density buildings to lessen the footprint, and working with the city to provide mass transportation alternatives for the development as part of the mitigation for this project.

54-3

Placer County has failed to provide actual onsite mitigation for the “cumulative impacts” to the Sunset Area Plan/Placer Ranch Specific Plan when approving projects within such as Carvana (the Amazon of used cars) which will be putting an additional 70,000 vehicles on the roads impacting Rocklin. If every project latches onto a flawed environmental impact report and cheats by not stating the cumulative impacts the project actually adds, the roads, air quality, water availability, services availability and cumulative impacts for Rocklin will inevitably suffer. Please consider incorporating the cumulative impacts for the Sunset area into your analysis of the traffic and air quality for this project.

### Tree, Wildlife, and Open Space Impacts

Trees are being purchased by different cities in California (including Sacramento region) to offset the ill effects of heat due to lack of trees in impoverished areas. It has been show how poor neighborhoods suffer with poor health from high temperatures due to lack of trees. Rocklin has above average income levels and projects such as College park seek to remove almost every tree on the project site. Rocklin can do better by redesigning the project to preserve open space, preserve the trees, and protect the wildlife in the area. A recent development on a project site directly to the south east of Sierra College clear cut the entire site. Rocklin has tree preservation policies. Please ensure that these policies are promoted and require the developer to show that the project really cannot redesign to meet the objectives and build up rather than remove un-replaceable resource and environment. Rocklin has an obligation to protect and preserve wildlife corridors, trees, and promote open space. The next generation at Sierra college will surely be watching how Rocklin leadership manages projects such as College Park. Please do due diligence in this effort and consider increasing the easements in protected areas to extend to 100 feet. Taking this step now will be a real benefit to the community.

54-4

### Alternatives Analysis

The alternatives analysis, "Increased Density/Residential Emphasis Alternative", it states:

- North Village and South Village sites would be developed with the same components as described in the Project Description, but the density of the residential uses would be increased. The same number of residential units as the proposed Project would be constructed on each site under this alternative; however, the residential areas would be clustered throughout the Project Area at increased densities to allow for an increase in park/open space areas.
- The increased density under this alternative would allow for further avoidance of riparian wetlands, seasonal wetlands, seasonal wetland swale, seeps, and ephemeral drainage areas, as well as allow for further setbacks from the 100-year floodplain and creek on the South Village site.
- The proposed amenities, the amount of non-residential uses, bicycle and pedestrian improvements, and landscaping would be the same as the proposed Project.
- The Increased Density Alternative would result in development of the entire Project Area; however, under this alternative, there would be approximately 29.1 more acres of park/open space land that may provide habitat for a variety of species than the proposed Project.
- This addition of park and open space land would provide biological benefits even though the remainder of the Project Area would be developed. Additionally, it is anticipated that the increased density under this alternative would allow for further avoidance of the sensitive aquatic habitat that is being removed under the proposed Project, as well as seasonal wetlands, seasonal wetland swale, seeps, and ephemeral drainage areas. The Increased Density Alternative would also allow for further setbacks from the 100-year floodplain and creek on the South Village site. As such, the Increased Density Alternative would result in slightly less impact to biological resources when compared to the proposed Project.

54-5

Please utilize smart design principles to provide a superior project for the community by selecting the “Increased Density/Residential Emphasis Alternative” instead of the current project proposal.

Thank you for your consideration of my comments,

Cheryl Berkema

**Response to Letter 54: Cheryl Berkema, Public Comment Submission**

**Response 54-1:** This comment is an opening statement by the commenter, articulating that the project has the opportunity to provide benefit to Rocklin, Sierra College, and Placer County Residents. It also requests consideration of the regional impacts that the project coupled with other projects will have on several environmental topical areas and the economy of the area. The comment further notes the location of the project should be a showcase for smart growth, respect for the environment, and housing that meets the needs of the larger community.

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR, rather it identifies specific environmental topics that should be considered and that are addressed in the EIR. The specific comments pertaining to these topical areas are addressed in the following responses.

**Response 54-2:** This comment references the City of Rocklin Housing Element and states that the time has come to ensure that every development meets or exceeds the affordable housing for Rocklin. The comment further notes the availability of utilities, services, and transit make the project sites prime sites to meet or exceed affordable housing needs and this can be accomplished by building and retaining open space and trees. The comment requests information on the affordability of the project for students, seniors and the special needs population and how the development will accomplish the RHNA (Regional Housing Needs Allocation) for the two sites. The comment states *“Voters approved a measure to fund Sierra college students’ education. Rocklin needs to deliver on housing needs for students.”*

The comment does not warrant any changes to the EIR, but these comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The City of Rocklin has prepared a Housing Element, which functions as a comprehensive statement of its current and future housing needs at all income levels. The Housing Element functions in coordination with the Land Use Element to achieve a mix of housing choices throughout the community and to make adequate housing sites available for people of all income levels. The proposed Project includes medium density, medium-high density, and high density residential housing, which generally speaking, will be more affordable than housing built on larger lots typical of rural residential, and low density residential. The lower cost for these housing types is a function of less land needed for the housing unit, and less building material and labor needed to build each housing unit. Overall, the proposed Project is in alignment with the City’s goals of providing adequate housing sites available for people of all income levels. The City will continue to identify sites for smaller lots and structures in their long range planning documents to ensure that adequate housing is available for all income levels. It should be noted that the City currently does not have an inclusionary requirement for affordable housing. However, the project has proposed 180 senior affordable units, equal to 20% of the total proposed units.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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**Response 54-3:** This comment references the Sunset Area/Placer Ranch Specific Plan and associated significant air quality impacts noting that Rocklin will feel the air quality impacts of that Specific Plan that was approved by Placer County. The commenter states *“When considering the air quality impacts for this project, please consider protecting as many trees as possible to preserve air quality, sufficient electric charging stations to enable sustainability, higher density buildings to lessen the footprint, and working with the city to provide mass transportation alternatives for the development as part of the mitigation for this project.”*

This comment is addressed, in part, under Master Responses 11 and 13. These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the DEIR or warrant any changes to the EIR, rather it indicates the commenter’s request to the decision-makers when considering the air quality impacts of the Project identified in the EIR.

**Response 54-4:** This comment discusses the benefits of trees and that projects, such as the proposed Project, seek to remove almost every tree on the site. The comment states *“Rocklin can do better by redesigning the project to preserve open space, preserve the trees, and protect the wildlife in the area.”* The comment also references that the City has tree preservation policies and requests that the *“policies are promoted and require the developer to show that the project really cannot redesign to meet the objectives and build up rather than remove un-replaceable resource and environment. Rocklin has an obligation to protect and preserve wildlife corridors, trees, and promote open space.”* The commenter requests consideration of increasing the easements in protected areas to extend to 100 feet and notes this step will be a benefit to the community.

This comment is addressed, in part, under Master Response 5. These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the DEIR or warrant any changes to the EIR, rather it indicates the commenter’s request to the decision-makers when considering the Project identified in the EIR.

**Response 54-5:** This comment restates information from the DEIR specific to the *“Increased Density/Residential Emphasis Alternative”* and states *“Please utilize smart design principles to provide a superior project for the community by selecting the ‘Increased Density/Residential Emphasis Alternative’ instead of the current project proposal.”*

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the DEIR or warrant any changes to the EIR, rather it indicates the commenter’s preference and request for the *“Increased Density/Residential Emphasis Alternative”* identified in the DEIR to be selected over the proposed Project.



Page 1

NOV 7, 2021

## COLLEGE PARK - DRAFT EIR

Comments by MARGO RABIN  
TO: David Mohlenbrock

Community Development Director  
CC: Nathan Anderson, City Planner  
CC: City Council members  
CC: Planning Commissioners

I AM handwriting many of my comments because "all the proposed components (9 in total) consisting of the "COLLEGE PARK" project is very very personal to me.

My late husband & I built our house 36 years ago. We picked "East Rocklin" for many reasons: the small community feel, rural beauty and tranquility. We have a front row to glorious "NATURE". Our house is across the street from a "pristine wildlife habitat" which includes a year round creek that feeds the Secret Ravine Creek. It is part of a much larger wildlife and riparian corridor that runs east into Loomis and west into Secret Ravine Creek.

We have seen turtles crossing

55-1

Page 2

College Park - Draft EIR  
Comments by Margo Rabin - continued

The street as the wetlands is on both sides of El Don Drive. There are deer, bobcat, jackrabbits, bald eagle, beaver, geese, ducks, a myriad variety and species of birds etc.

55-1 Cont.

\* And this leads me to my first outrage.

It begins with the "Notice of Availability" Under the "Significant Environmental Effects" It states that there are unavoidable environmental impacts from implementation of the project. Air quality, public services, transportation and circulation, cumulative air quality, cumulative public services and cumulative transportation and circulation

55-2

What is missing, I believe by intent, is "Bio Diversity" or "Biological Resources" This omission is ghastly. There is no acknowledgment of the negative and deadly impact to all the wildlife that ~~is~~ here.

Page 3

College Park - Draft EIR  
Comments by Margy Rubin - continued

The wild life that cannot speak  
And defend their right to have  
A home... the right to exist...  
The right to thrive.

One of the glaring mistakes  
in this draft is the notion  
that where we live is "URBAN"  
I can assure you, it is NOT.  
I had a "beaver hut" a  
door down from me. You see,  
I am honored and humbled  
to live on a wetlands.

I opened the door to my  
house this spring to see a  
turkey walking down the street  
This is NOT Urban.

I grew up in Urban. I  
did not like it.

Now we come to the glaring  
contradiction surrounding our  
beautiful nature areas (and NOT  
Urban)

On Page 55-15, Impact 3.4-7.  
It states: The Proposed Project would  
have substantial adverse effects  
on Federally or State Protected

55-2 Cont.

Pg 4

College Park - Draft EIR  
Comments by Marga Rubin - continued

Wetlands (including, but not limited to marsh, vernal pool, coastal etc) through direct removal, felling, hydrological interruption, or other means

On ES-16 Impact 3.4-8, The Project has the potential to have substantial adverse effect on riparian habitat or other sensitive natural community, identified in local or regional plans, policies, regulations or by the CDFW or USFWS.

HOWEVER, the glaring contradiction comes under ES-16, Impact 3.4-9. It states the proposed project would not interfere substantially with the movement of native fish or wildlife species or with established wildlife corridors or impede the use of native wildlife nursery sites. WHAT A LIE!!!  
NONSENSE -

55-2 Cont.

Page 5

College Park - Draft EIR  
Comments by Margo Rubin - continued

Let's talk about TRAFFIC.

The lack of current "traffic analysis and accurate" projections ~~is~~ is frightening.

Current traffic counts should be made in light of the avalanche of new construction.

The "College Park Project" has a lot of "high density" construction. This is not compatible with our neighborhoods of east Rockville.

Currently, our traffic is manageable with the exception of College students peak periods throughout the day.

The cumulative traffic gridlock, stress and driver anxiety that would be created I would call a DEATH BLOW to the area I call home. It would be a disaster.

55-3

Page 6

College Park - Draft EIR  
Comments by Margo Raboin

I have attachments for you to read.

In closing, I would like to remind everyone that "citizens" not developers and not Sierra College ARE at the top of the City of Rockland organizational chart. This is how it should be, must be.

Thank you.

With Warmest  
Regards,

Margo Raboin  
4703 Wild Flower Lane  
ROCKLAND

55-3 Cont.

**Example #1**, when making a comment regarding Traffic...

Reference DEIR Chapter 3.14 Transportation and Circulation, and for example; Section PROJECT AREA ROADWAYS on page 3.14-3. Comment: The DEIR only addresses Rocklin Road and Sierra College Blvd and does not address area surface streets like El Don Drive and Southside Ranch Road that will also be impacted by the increased number of vehicles on our local streets as a direct result of the entire College Park 108-acre development, and the cumulative effects on traffic circulation with additional development in the area, e.g. Sierra Gateway 195-unit apartment complex directly across the street from the College Park North site. El Don Drive as well as Southside Ranch Road are used by students and others to bypass traffic congestion on Rocklin Road and Sierra College Blvd. This is a significant impact to local neighborhoods in the vicinity of

55-4

**Example #2**, when making a comment regarding Traffic...  
Reference DEIR Chapter 3.14 Transportation and Circulation; and for example; IMPACTS AND MITIGATION MEASURES, Impact 3.14-1, Table 3.14-9: North and South Village Average VMT by Land Use Type, page 3.14-22. Comment: The table identifies a 195-unit Senior Affordable Multi-Family Land use having "No" Significant Impact. In fact, the table's legend states, "quantitative VMT metrics not shown because retail and affordable housing presumed to be less-than significant". It is inaccurate to state this 4-story, low-income, "senior" apartment complex, especially given its ingress and egress onto Rocklin Road with a right-turn only will not have "significant" impacts to traffic on Rocklin Road. Additionally, it is a well-known fact that senior facilities actually have increased traffic and public services impacts due to high volumes of emergency calls. How does the City plan to address the "significant" impacts of this 4-story, 195-unit apartment complex?

55-5



**TRAFFIC IMPACTS**

Reference: DEIR Chapter 3.14 Transportation and Circulation  
 Reference: DEIR Appendix I: Transportation Impact Study

The College Park development that consists of **900 residential dwelling units** and other uses will generate thousands of new cars on our local streets. The impacts of traffic on our local streets is consider a "**Significant Impact**" and must be "**mitigated**" before this project is allowed to proceed. The City must stop kicking the can down the road by saying that at some point in the future they will address our congested roads and the traffic jam at the I-80/Rocklin Road interchange.

- El Dor Drive will continue to be used as a cut through street but with the increased traffic generated by the College Park development
- Rocklin Road (east of I-80) is the **#1 traffic collision location** in all of Rocklin over the past 6 years based on Rocklin Police Dept. statistics.
- Also based on Rocklin PD statistics, over the past 6 years straight, east Rocklin roads, mainly Rocklin Rd & SC Blvd. have been in the top 5 collision locations in the city.
- And of course we all know about the increasing traffic congestion along Rocklin Road & Sierra College Blvd. The vehicles that will be generated by this 108-acre, High-density development will exacerbate those conditions.
- And if you add in traffic from other projects in our area that are currently under construction (e.g. the **Sierra Gateway** 195-unit apartment complex at the SE corner of Rocklin Rd/SC Blvd., **Granite Bluffs** 75-small lot subdivision off Aguilar currently under construction, **Rocklin Meadows** 27-lot Subdivision off Aguilar Rd currently under construction, **Costco**, approved, pending construction at SC Blvd/Brace Rd. and many more) you have the "Cumulative Effects" of additional cars on our local streets.
- Public Safety concerns with increased traffic. Police and fire response times delayed due

55-5

**CREEK SETBACKS / TREE REMOVAL / RETAINING WALLS**

Reference: DEIR Chapter 3.4 Biological Resources  
 Reference: DEIR Appendix C: Technical Reports for the Biological Resources Chapter  
 Refer to College Park South Preliminary Grading and Drainage Plan (zoom in to see important details)

The City of Rocklin only requires a 50 foot setback from creeks/streams. The Secret Ravine tributary creek that runs through the middle of the College Park South project site is part of a larger wildlife corridor that runs east/west into Secret Ravine Creek that runs north/south. **We want to increase the setback distance based on the below Rocklin General Plan language to 100 feet.** Please include the below General Plan Open Space Action Plan reference.

Reference: City of Rocklin General Plan's Open Space Action Plan. **Action Plan: Table A-2 General Plan Policy Action Steps – Open Space, Conservation and Recreation Element** states under **Action Step OCRA-11** on page 2-43...

"Apply open space easements to all lands located within 50 feet from the edge of the bank of all perennial and intermittent streams and creeks providing natural drainage. The easement will also extend to include associated riparian habitat. In addition, the City may designate an easement greater than 50 feet for perennial streams when it is determined such a buffer is necessary to adequately protect drainage and habitat areas. In designating these areas as open space, the City is preserving natural resources and protecting these areas from development. However, features which may be considered acceptable within the 50 foot setback, buffer area and/or open space easements include, but are not limited to, de minimis

55-6

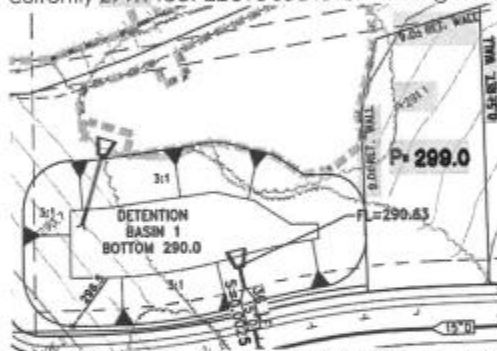
## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

encroachments of a public thoroughfare, bridges, trails, drainage facilities, utilities, and fencing intended to delineate or protect a specific resource. Installation and maintenance of those features shall minimize impacts to resources to the extent feasible. The above setbacks and buffers shall apply to residential and non-residential development unless the land owner can demonstrate that literal application of this Action Plan item would preclude all economically viable use of the land under existing zoning."

This unique wildlife area requires a larger than normal setback in order to protect this incredible area. Please refer to Save East Rocklin's [wildlife photo gallery](#) for pictures of the various wildlife species taken on the College Park South site. All these photographs were taken on the College property.

Additionally:

- Refer to College Park South [Preliminary Grading and Drainage Plan](#) (zoom way in to see fine print & important details)
  - 9 foot to 7 ½ foot retaining walls along southern border of creek and development
  - Shows the "current" height of land vs. proposed height of land after grading, e.g. currently 291.1 feet above sea level – after grading P=299.0 feet above sea level.



- Streams need to be shaded to keep water temperature cool. Trees need to be kept.
- According to the DEIR, there are a total of 1,599 trees located on the College Park's two properties. Of those, 1,393 will be removed, leaving only 206 trees.
- The city of Rocklin simply allows developers to cut down oak trees in exchange for them paying fees into an Oak Tree Mitigation Fund. Unfortunately, the city uses that fund money to build and maintain parks not in our area. For example, several years ago there was approximately \$1.5 million in the fund. The City used all of that money to finance turning the old golf course off Midas into a park. And that was after Save East Rocklin asked that those funds be used to purchase part of the college property and turn it into a park in our area.
- The College Park North site aka the North Village will lose over 14-acres of tree canopy in the Northern section of the project site. Only 5-acres will be preserved as open space and that is probably only because there are drainage issues in that area.
- The College Park South aka South Village will lose 3-acres of free and 4- acres of tree canopy are alleged to be preserved. This is due to the wetlands that exist around the creek.
- The creek on the South project site sits in a 100 year flood plain.

### GRADING

Reference: [DEIR Chapter 3.1 Aesthetics and Visual Resources](#)

Reference: City of Rocklin Municipal Code, [Title 15 - BUILDINGS AND CONSTRUCTION](#), Sections [15.28.070 - Grading approval—Scope—Liability](#), and [15.28.080 - Conditions of grading approval](#).

Reference: [City of Rocklin General Plan, Chapter II - Summary of Goals](#)

55-6 Cont.

55-7

Reference: City of Rocklin's General Plan, Chapter IV A - Land Use Element

- Refer to College Park South Preliminary Grading and Drainage Plan (zoom way in to see fine print & important details)
  - 9 foot to 7 ½ foot retaining walls along southern border of creek and development
  - Shows the "current" height of land vs. proposed height of land after grading, e.g. currently 291.1 feet above sea level – after grading P=299.0 feet above sea level.



- The City should not allow any developer(s) to increase the height of the existing ground levels more than 1-5 feet (depending on location, e.g. no more than 2 feet on the South Project site) when grading for future buildings.
- No grading permits should be issued for grading higher 1-5 feet. Basis for this argument, see below references.
  - Reference: Municipal Code Sections 15.28.070 - Grading approval—Scope—Liability, and Section 15.28.080 - Conditions of grading approval.
  - Reference: City of Rocklin's General Plan, Chapter II – Summary Of Goals & Policies & Action Plans.
    - Open Space, Conservation And Recreation Element Goals And Policies Goal For The Preservation Of Open Space Land For Natural Resources (pg. 2-9):
      - **Goal** – "To designate, protect, and conserve open space land in a manner that protects natural resources and balances needs for the economic, physical and social development of the City." Page 2-9.
      - **Policies** for the Conservation, Development and Utilization of Natural Resources, Policy **OCR-50** - "Maintain a grading ordinance that minimizes erosion and siltation of creeks and other watercourses". Page 2-13.
  - Reference: City of Rocklin's General Plan, Chapter IV A - Land Use Element - Design Review (pg. 4A-4)
 

"...The Design Review Board reviews site plans, parking, lighting, signs, fencing, building elevations, materials, color scheme, landscape plans, and preliminary grading plans. The criteria considered by the Design Review Board include:

    - Compatibility of height and scale of structures, including signs, with the surrounding area;
    - Preservation of natural topographic patterns and their incorporation into site plans;
    - Preservation of oak trees;
    - Orientation of structures to conserve energy;
    - Compatibility of different architectural styles;
    - Orientation and intensity of lighting;
    - Variable siting of individual structures;

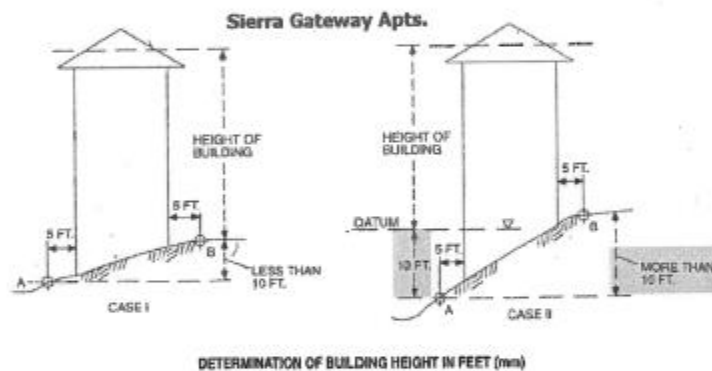
55-7 Cont.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

- Avoidance of monotony of texture, building lines or mass;
  - Avoidance of blank walls;
  - Variation in roof planes and exterior building walls;
  - Screening of roof flashing, rain gutters, vents, and roof-mounted mechanical equipment;
  - Signage guidelines;
  - Parking and landscaping guidelines."
- Refer to the below photos/diagrams of the following east Rocklin developments to see how important it is to pay attention to "grading" when reviewing project information.

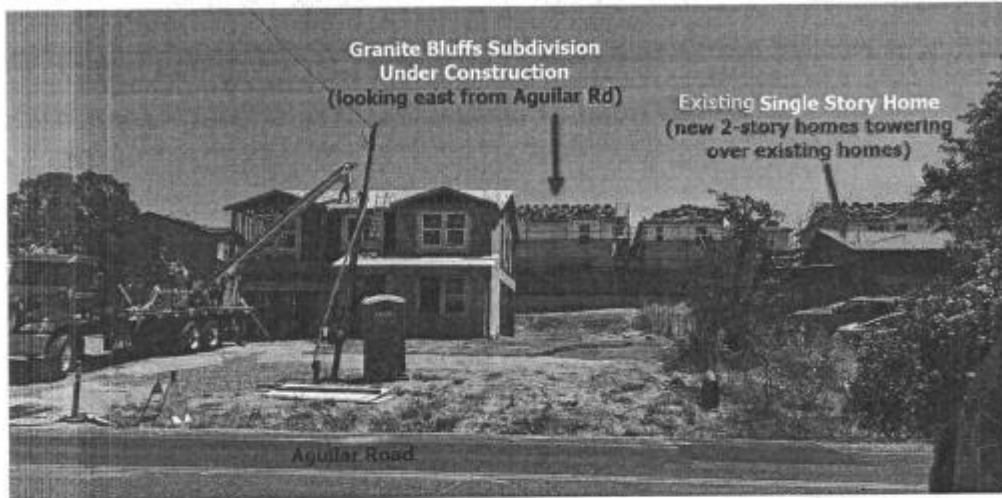
Examples:

- o **Sierra Gateway Apartment complex.** Look at the grading currently going on at the SE corner of Rocklin Road and Sierra College Blvd. The grading is so high (at minimum 10 feet) that the already approved 3-story apartment complex will now feel like a 4-5 story apartment complex. And tower over the 2-story apartments across the street. Not to mention towering over the existing single-family homes south of the Sierra Gateway project site.

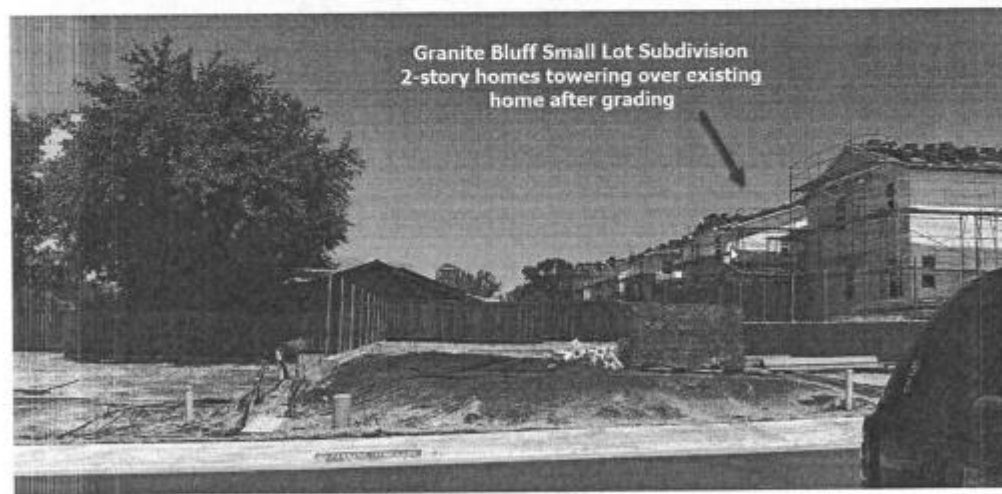


55-7 Cont.

- o **Granite Bluff Subdivision** which is under construction right now off Aguilar Road and which you can see from Rocklin road is a good example of where the developer graded the previously undeveloped land 10-20 feet higher than the existing homes surrounding the project site. Please feel free to use any diagrams or photos from this hand out. For example, click on the above photo, then select "copy".



55-7 Cont.



**PUBLIC SERVICES**

Reference: DEIR Chapter 3.13 Public Services and Recreation

This very large development which includes 900 new homes will have significant impacts on Public Services.

- There will be an increased need for police and fire services.

55-8

- **Traffic**
- According to Rocklin Police Dept. statistics, Rocklin Road is the #1 collision location in the City.
- The City should not approve this massive development without making improvements to Rocklin Road that will be even more impacted with 900 new residences, retail and "other" uses.

55-9

- To help alleviate impacts to an already impacted Rocklin Road between I-80 and Sierra College Blvd., right hand turn lanes should be added at the 4 signaled intersections on this stretch of road.
- The City's proposed I-80/Rocklin Road interchange project will not alleviate traffic impacts on Rocklin Road or Sierra College Blvd.
- The College Park Project Draft EIR (DEIR) does not address traffic impacts to local surface street like El Don Drive and Southside Ranch Road that will be further impacted by increased traffic use of these streets as cut through streets for drivers avoiding Rocklin Road/Sierra College Blvd. congestion.
- **Riparian Area**
- Protect the wildlife corridor/creek that runs through the College Park South site by the City increasing the 50 foot creek setback to 100 feet.
- Do not allow the developer to pave over the SPMUD easement road that runs alongside the creek on the south side at College Park South site. This would create an impervious surface for storm water runoff into the creek as well as impede wildlife.
- Rocklin City policies state "Consider acquisition and development of small areas along creeks at convenient and safe locations for use by the general public," and "Encourage the protection of open space areas...from encroachment or destruction through the use of conservation easements, natural resource buffers, building setbacks or other measures." The City should follow these policies by protecting the area around the Secret Ravine tributary creek that runs through the center of the College Park South site and should acquire this land for use by the general public as is already the case today.
- **Oak Trees**
- The project as it stands reports the removal of an estimated 1,393 of the 1,599 native oak trees (over 87%) on the College Park project sites.
- **Trees**
- The DEIR states the 72-acre College Park North development site would lose 14.07 acres of tree canopy while 4.54 acres would be preserved. On the 36-acre College Park South site 2.54 acres of tree canopy would be removed and 3.53 acres of tree canopy would be preserved. The DEIR claims the loss of existing landscaping and trees would only be a temporary impact until new landscaping matures. It could take 10 years before new landscaping and 5-gallon replacement trees mature.
- **Flooding**
- The creek that runs east-west through the center of the College Park South site sits in a FEMA 100-year floodplain and floods every year during

55-9 Cont.

55-10

55-11

55-12

55-13

the rainy season. The creek has already flooded over its banks onto the SPMUD easement road with the 10/24/21 October rain event. The City should not allow development within at least 100 feet from the creek to avoid future "flooding hazards" to new homes designated for the area south of the creek.

• **Project Alternatives**

- The Draft EIR (DEIR) provides alternatives to the current project plan. Support the "Reduced Footprint Alternative". Under this alternative, the project footprint would be reduced by 17%.
- The DEIR states "The decreased footprint under this alternative would allow for further setbacks from the FEMA designated 100 year floodplain and creek on the South Village site..."

• **Mitigation Fees**

- The City should not allow the developer to simply pay money or "mitigation fees" like Park & Rec fees that go into a general Park fund and could end up being spent somewhere across town. Collection of mitigation fees for Parks, Public Services, Traffic, etc. should be avoided, rather actual mitigation measures should be imposed.

• **Public Services**

- The College Park project calls for a 4-story and 3-story apartment complex as well as a 4-story condominium complex and a row of 3-story triplexes running along the western edge of the North project site and parallel to Sierra College Blvd. The Fire Station on this side of town off Rocklin Road does not have a ladder truck to fight fires for these tall structures. The nearest ladder truck is across town near Rocklin High School.

55-13 Cont.

55-14

55-15

55-16



- Local schools will be "Significantly Impacted" with new students.
- Given there are several proposed 3 and 4 story residential buildings there is a need for a Fire Dept. Ladder Truck. Currently Rocklin Fire Dept.'s only Ladder Truck is located across town near Rocklin High School.
- There will be increased demand on existing water and sewer lines that could potentially affect existing homes in the area.

55-16 Cont.

**SIERRA COLLEGE CAMPUS IMPACTS**

Reference: [DEIR](#) Executive Summary

Sierra College is developing and selling off their 108-acres of "Surplus" property to make money. Considering a couple years ago voters approved Measure E, Sierra College's \$350M Bond with State matching funds giving the College a total of \$700 Million, why do they now still need to develop and sell this publicly paid for 108-acres of "surplus" property that was meant for campus expansion.

We believe this surplus property needs to remain available for future College expansion. Here's some reasons why.

55-17

1. With increased housing development throughout Placer and surrounding counties, and especially within just east Rocklin with the "cumulative" number of 1,200 plus housing units pending or under construction now (e.g. **College Park** 900 residential units, **Sierra Gateway** 195 residential units, **Granite Bluffs** 75 residential units, **Rocklin Meadows** 27 residential units and others) we're going to see more students attending Sierra College.
2. **Now with free community college in the State of California, student numbers will rise exponentially.** The State of California implemented the [California College Promise Program](#) which provides free tuition to students who attend a community college for the first two years of their education. The State also implemented the [California College Promise Grant](#) which pays community college fees for low-income California residents attending community college in the state.

**Example #1 - Traffic congestion on Rocklin Road**

Reference DEIR Chapter 3.14 Transportation and Circulation, **Section** "Project Area Roadways" on page 3.14-3.

**Comment:** The Draft EIR only addresses traffic impacts on Rocklin Road and Sierra College Blvd and does not address local surface streets like El Don Drive and Southside Ranch Road that will also be impacted by thousands of new vehicles on our local streets as a direct result of the entire College Park 108-acre development.

**Comment:** The Draft EIR does not address the "cumulative effects" on traffic circulation with additional development in the area, e.g. Sierra Gateway 195-unit apartment complex directly across the street from the College Park North site, the Granite Bluff 75 single family lot subdivision off Aguilar Road or the Quick Quack Car Wash at Sierra College Blvd. & Dominquez Road all under construction now.

**Comment:** The Draft EIR does not address the traffic impacts to El Don Drive as well as Southside Ranch Road that are used by students and others to bypass traffic congestion on Rocklin Road and Sierra College Blvd. This is a significant impact to local neighborhoods. How does the City plan to address the significant impacts to increased traffic on El Don Drive as well as Southside Ranch Road?

55-18

**Example #2 - Traffic**

Reference DEIR Chapter 3.14 Transportation and Circulation; Section on "Impacts and Mitigation Measures": reference **Impact 3.14-1, Table 3.14-9:** on DEIR page 3.14-22.

**Comment:** The **Table** identifies a 195-unit (not 180-unit) Senior Affordable Multi-Family Land use aka the Sierra College Senior Apartments Project having **No Significant Impact**. In addition, the table's legend states, "quantitative VMT metrics not shown because retail and affordable housing **presumed** to be less-than significant". It is inaccurate to state this 4-story, low-income, "senior" apartment complex (potential nursing home facility), especially given its right-turn-only from Rocklin Road ingress and its **right-turn only** egress onto Rocklin Road will not have "significant" impacts to traffic on Rocklin Road. Additionally, it is a well-known fact that senior care facilities actually have increased traffic and **public services** impacts due to high volumes of emergency calls. How does the City plan to address the "significant" impacts of this 4-story, 195-unit (or 180-unit) apartment complex on Rocklin Road traffic

55-19

as well as the impacts to the city's public services (police and fire)?

**Example #3 - Aesthetics - increased light and glare**

Reference DEIR Chapter 3.1 Aesthetics and Visual Resources (pg. 3.1-1).

**Comment:** The College Park Project site consists of approximately 108.4-acres including the 72.6-acre North Village site (NE corner Rocklin Rd. & SC Blvd.) and the 35.8-acre South Village site (SE corner Rocklin Rd. & El Don Dr.). The North Village which is slated for a minimum of 695 new residential dwelling units in a highly congested setting is bounded on the west by Sierra College Boulevard and the Sierra College Campus. Within the proposed 695 units is a 4-story condominium complex, another 3-story apartment complex (not shown on their Tentative Subdivision Map), and a long row of 3-story high triplexes running parallel to Sierra College Blvd along the project's western border. The college campus is already a great source of light and glare. Every night the campus lights up the night sky. Directly south of the North Village (aka College Park North) is the already approved 3-story Sierra Gateway 195-unit apartment complex currently under construction.

The cumulative effects on light and glare produced by Sierra College Blvd. traffic, the Sierra College Campus, the pending Sierra Gateway apartments and now an additional jam packed 695 residential units on the College Park North site, will significantly impact the aesthetics of our east Rocklin community. How can the City of Rocklin reduce this light and glare to an "insignificant" level? (Note: the College Park South site is slated for an additional 205 residential units making a total of 900 new residential units created by this development. Note the College Park South Tentative Subdivision map does not show the proposed 4-story, 180-unit apartment complex on the NE section of the South project site.)

55-20

**Example #4 - Flooding on College Park South project site**

Reference DEIR Chapter 3.9 Hydrology and Water Quality; Section called "**Flooding**" on pg. 3.9-4 of the DEIR.

**Comment:** The "creek" that runs east-west through the center of the College Park South project site is a tributary creek of Secret Ravine Creek. Monte Verde Park is located on the north side of the tributary creek. The park was purposely built in this location to address flooding from the creek. The creek and the park sit in a FEMA designated 100-year flood plain.

The DEIR barely mentions that this year-round creek sits within a FEMA 100-year floodplain and fails to address the yearly flooding that occurs on the College Park South site. Most notably, many times during the rainy season and most recently on Sunday, October 24, 2021, the creek easily overflows it banks

55-21

and covers the SPMUD easement road that runs parallel to the creek on the south side. Under the **Flooding** section on pg. 3.9-4, it simply states "a **portion** of the South Village site is shown on the FEMA Flood Insurance Rate Map." When in fact the **entire** creek area and the Monte Verde Park on the College Park South site sit within a FEMA 100-year flood plain. The DEIR fails to adequately disclose, analyze, and mitigate the project's impacts on Flooding. **Comment:** The tributary creek that runs through the middle of the College Park South project site is a flood hazard area. Chapter 15.16 of the City of Rocklin Municipal Code (**Flood Hazard Areas**) specifically states, "Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which results in damaging increases in erosion or flood heights or velocities." and "Control filling, grading, dredging, and other development which may increase flood damage." These statements seems to conflict with General Plan language that sets only a 50 foot development setback from a creeks bank. Should the Rocklin City Council approve development only 50 feet from a flood hazard area? Shouldn't the City of Rocklin consider an increased development setback from this known-to-flood creek? A more appropriate "Mitigation Measure" for this area would be to increase the creek setback to 100 feet.

55-21 Cont.

**Response to Letter 55: Margo Rabin, Public Comment Submission**

**Response 55-1:** This comment is an opening statement by the commenter, noting they built their home 30 years ago and summarizing the reasons they chose to live in Rocklin, including the small community feel, rural beauty and tranquility. The commenter notes their home is across from pristine wildlife habitat that includes a year round creek that is part of a larger wildlife and riparian corridor. The commenter also identifies the wildlife they have seen as the wetlands occur on both sides of El Don Drive.

The comment does not raise any specific issues with the EIR, rather it identifies the commenter's experience of living in the area specific to nature and wildlife. These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 55-2:** This comment references the Notice of Availability and lists the environmental issue areas identified as having significant and unavoidable impacts from implementation of the project. The comment further notes that they believe "*Bio Diversity*" or "*Biological Resources*" have been omitted and that there is "*no acknowledgement of the negative and deadly impact to all the wildlife that is here*". The comment states "*One of the glaring mistakes in the draft is the notion that we live in 'urban'*" and identifies wildlife within the area, including a beaver hut and turkey. The comment further references the DEIR Executive Summary and restates the environmental impact statements related to wetlands, riparian habitat, and wildlife corridors and wildlife nursery sites and notes a "*glaring contradiction*" that the proposed project would not interfere substantially with the movement of native fish or wildlife species or with established wildlife corridors or impede the use of native wildlife nursery sites and states "*What a Lie!!!, Nonsense*".

This comment is addressed, in part, under Master Responses 2 and 12. The environmental topic discussed in this comment is addressed in Section 3.4 Biological Resources. The DEIR did conclude that the proposed Project is not anticipated to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or wildlife nursery sites. Specifically, the DEIR noted that a portion of the Project site is transected by an unnamed tributary of Secret Ravine Creek and the application of City policies has resulted in a riparian buffer along the creek. To the degree that the creek and riparian area currently serve as a wildlife migration corridor, it is expected that the Project's preservation of the creek and riparian area will also preserve the ability for wildlife to use that corridor for movement. These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 55-3:** The comment states "*the lack of current traffic analysis and accurate projections is frightening*", that "*current traffic counts should be made*" in reference to new construction, and that the project has a lot of "*high density*" that is not compatible with the neighborhood. The commenter further notes that traffic is manageable with the exception of college students during the peak period and that cumulative traffic gridlock, stress and driver anxiety that could be created would be

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a disaster. The comment references attachments for review. These attachments are addressed in Responses 55-4 through 55-22, below. The commenter closes with *“I would like to remind everyone that ‘citizens’ not developers and not Sierra College are at the top of the City of Rocklin organizational chart. This is how it should be, must be.”*

This comment is addressed, in part, under Response 8-31. Pursuant to Senate Bill (SB) 743, Public Resources Code (PRC) Section 21099, and California Code of Regulations (CCR) Section 15064.3, VMT has replaced congestion as the metric for determining transportation impacts under CEQA. Section 15064.3 of the CEQA Guidelines provides that VMT is the “most appropriate measure of transportation impacts” and mandates analysis of VMT impacts effective July 1, 2020. A project’s effect on automobile delay is no longer a consideration when identifying a significant impact; hence, studying potential congestion at additional intersections is not necessary pursuant to CEQA.

This comment does not identify any specific issue with the traffic analysis contained in the Draft EIR. Specific comments on the DEIR related to traffic and other environmental topical areas are included within the commenter’s referenced attachments and are addressed in Responses 55-4 through 55-22, below. The comment does not warrant any changes to the EIR, but the comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 55-4:** This comment states “the DEIR only addresses Rocklin Road and Sierra College Blvd and does not address area surface streets like El Don Drive and Southside Ranch Road that will also be impacted by the increased number of vehicles on our local streets as a direct result of the entire College Park 108-acre development, and the cumulative effects on traffic circulation with additional development in the area, e.g. Sierra Gateway 195-unit apartment complex directly across the street from the College Park North site. El Don Drive as well as Southside Ranch Road are used by students and others to bypass traffic congestion on Rocklin Road and Sierra College Blvd.”

The DEIR and responses to comments contained in this FEIR describe planned improvements at the I-80/Rocklin Road interchange, improvements to the Rocklin Road/El Don Drive, Sierra College Boulevard/Stadium Way, and Sierra College Boulevard/Rocklin Road intersections, and required widening of Rocklin Road and Sierra College Boulevard along the project frontages. These improvements will help alleviate congestion and queuing that is present along these corridors. Chapter III of the Traffic Impact Study (TIS) in Appendix I describes the expected level of usage of El Don Drive (southeasterly toward Sierra College Boulevard) by South Village trips. Ten percent of inbound trips and five percent of outbound trips are expected to use this segment of El Don Drive. Based on the South Village’s daily trip generation, this would represent 165 daily trips being added. Some of these trips may also choose to use Southside Ranch Road via Buxton Way or Freeman Drive to reach Sierra College Boulevard, though it is noted that remaining on El Don Drive is shorter and faster (at least during off-peak hours). Capacity improvements would be made by the project applicant at all four legs of the Sierra College Boulevard/Rocklin Road intersection. This may further act to discourage use of El Don Drive to travel between Sierra College Boulevard and Rocklin Road.

**Response 55-5:** This comment states the following: *“The Table identifies a 195-unit Senior Affordable Multi-Family Land Use having **No Significant Impact**. In fact, the table’s legend states, “quantitative VMT metrics not shown because retail and affordable housing presumed to be less-than ‘significant’”. It is inaccurate to state this 4-story, low-income, “senior” apartment complex, especially given its ingress and egress onto Rocklin Road with a right-turn only will not have “significant” impacts to traffic on Rocklin Road. Additionally, it is a well-known fact that senior care facilities actually have increased traffic and public services impacts due to high volumes of emergency calls. How does the City plan to address the “significant” impacts of this 4-story, 195-unit (or 180-unit) apartment complex?”*

Traffic is discussed in DEIR Section 3.14 Transportation and Circulation. Footnote 5 on page 3.14-22 of the DEIR describes how the Office of Planning & Research’s Technical Advisory concludes that VMT impacts associated with affordable housing are presumed less-than-significant. A comparison of Tables 3.14-4 and 3.14-5 indicates that senior multi-family housing daily trip rates are 50 percent less than non-age restricted multi-family trip rates. For clarification it is noted that the proposed development is not for a “senior care facility”, but rather a senior multi-family housing project. Additionally, while the Trip Generation Manual did not contain senior, multi-family affordable category, it is expected that senior multi-family housing would generate even fewer trips due to the older age of residents and likelihood for fewer persons per unit and fewer employed persons. Since VMT is the product of the number of daily trips multiplied by trip length, affordable multi-family housing would be expected to generate substantially lower VMT per unit than market-based multi-family. Refer to Response 9-5 for planned improvements along Rocklin Road to accommodate project trips. Impact Statement 3.14-7 contains a detailed discussion of the potential for the project to cause significant impacts to emergency vehicle response. That evaluation concluded that the project would not result in inadequate emergency access.

**Response 55-6:** This comment references the 50-foot setback and requests the setback be increased to 100 feet and also references removal of trees.

This comment is addressed, in part, under Master Responses 4, 5, and 12.

**Response 55-7:** This comment references DEIR Section 3.1, Aesthetics and Visual Resources and states the developer should not be allowed to increase the height of the existing ground levels. References are made to Design Review Board criteria. The comment includes examples of grading associated with construction projects, including Sierra Gateway Apartment complex and the Granite Bluff Subdivision.

This comment does not identify any specific issue with the analysis contained in the Draft EIR. The comment does not warrant any changes to the EIR, but these comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 55-8:** This comment states the following:

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### *Public Services*

- *There will be an increased need for police and fire services.*

This comment does not identify any specific issue with the analysis contained in the Draft EIR. DEIR Section 3.13 evaluates whether the proposed Project *would result in substantial adverse physical impacts associated with the provision of new or physically altered police or fire facilities or the need for new or physically altered facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.*

While the proposed Project may increase the need for police and fire services, as discussed in the DEIR, the Project would not result in the need to provide new or physically altered police or fire facilities; thus, substantial adverse physical impacts would not occur. The DEIR further notes that although implementation of the Project would result in increased population at the Project sites, the increased population would be less than what was envisioned under the General Plan and that impact fees from new development are collected to fund costs associated with the provision of police and fire protection services. The comment does not warrant any changes to the EIR.

**Response 55-9:** This comment states the following:

### *Traffic*

- *According to Rocklin Police Dept. statistics, Rocklin Road is the #1 collision location in the City.*
- *The City should not approve this massive development without making improvements to Rocklin Road that will be even more impacted with 900 new residences, retail and "other" uses.*
- *To help alleviate impacts to an already impacted Rocklin Road between I-80 and Sierra College Blvd., right hand turn lanes should be added at the 4 signaled intersections on this stretch of road.*
- *The City's proposed I-80/Rocklin Road interchange project will not alleviate traffic impacts on Rocklin Road or Sierra College Blvd.*
- *The College Park Project Draft EIR (DEIR) does not address traffic impacts to local surface street like El Don Drive and Southside Ranch Road that will be further impacted by increased traffic use of these streets as cut through streets for drivers avoiding Rocklin Road/Sierra College Blvd. congestion.*

This comment is addressed, in part, under Response 8-31. A full traffic analysis is included the Draft EIR Appendix I of the Draft EIR. The traffic analysis is included Section 3.14 Traffic and Circulation. Pursuant to Senate Bill (SB) 743, Public Resources Code (PRC) Section 21099, and California Code of Regulations (CCR) Section 15064.3, VMT has replaced congestion as the metric for determining transportation impacts under CEQA. Section 15064.3 of the CEQA Guidelines provides that VMT is the “most appropriate measure of transportation impacts” and mandates analysis of VMT impacts effective July 1, 2020. A project’s effect on automobile delay is no longer a consideration when identifying a significant impact; hence, studying potential congestion at additional intersections is not necessary pursuant to CEQA.



It is noted that there are planned improvements at the I-80/Rocklin Road interchange, improvements to the Rocklin Road/El Don Drive, Sierra College Boulevard/Stadium Way, and Sierra College Boulevard/Rocklin Road intersections, and required widening of Rocklin Road and Sierra College Boulevard along the project frontages. These improvements will reduce congestion and queuing that is present along these corridors. It is noted that congestion and traffic operations related issues, as well as geometric design issues, are the primary causes of traffic accidents. It is expected that traffic safety along Rocklin Road will improve as a result of these planned improvements and the City has no geometric design concerns associated with the proposed Project.

Bullet three is presumably referring to the need for right-turn lanes in the eastbound direction of Rocklin Road at Aguilar Road, El Don Drive, Havenhurst Circle, and Sierra College Boulevard. Construction of a right-turn lane at Aguilar Road would be complicated by lack of available right-of-way, proximity of Secret Ravine, and presence of trees. Construction of a right-turn lane at El Don Drive is complicated by lack of available right-of-way given that the land adjacent to the intersection has been developed. Provision of right-turn lanes at both of these intersections may be considered in conjunction with future planning efforts to widen Rocklin Road to six lanes. The right-turn volumes of 7 AM peak hour vehicles and 16 PM peak hour vehicles at Havenhurst Circle do not warrant a right-turn lane. A right-turn lane already exists at Sierra College Boulevard. Ongoing traffic analysis for the Project Approval & Environmental Document (PA&ED) process to upgrade the Rocklin Road/I-80 interchange has shown that the proposed Diverging Diamond Interchange would substantially benefit traffic on Rocklin Road east of I-80. The interchange is being designed to operate at LOS D or better and adjacent intersections are being designed to comply with the City's LOS C policy. Chapter III of the TIS in Appendix I describes the expected level of usage of El Don Drive (southeasterly toward Sierra College Boulevard) by South Village trips. Ten percent of inbound trips and five percent of outbound trips are expected to use this segment of El Don Drive. Based on the South Village's daily trip generation, this would represent 165 daily trips being added. Some of these trips may also choose to use Southside Ranch Road via Buxton Way or Freeman Drive to reach Sierra College Boulevard, though it is noted that remaining on El Don Drive is shorter and faster (at least during off-peak hours). Capacity improvements would be made by the Project applicant at all four legs of the Sierra College Boulevard/Rocklin Road intersection. This may further act to discourage use of El Don Drive to travel between Sierra College Boulevard and Rocklin Road.

**Response 55-10:** This comment states the following:

*Riparian Area*

- *Protect the wildlife corridor/creek that runs through the College Park South site by the City increasing the 50 foot creek setback to 100 feet.*
- *Do not allow the developer to pave over the SPMUD easement road that runs alongside the creek on the south side at College Park South site. This would create an impervious surface for storm water runoff into the creek as well as impede wildlife.*

- *Rocklin City policies state “Consider acquisition and development of small areas along creeks at convenient and safe locations for use by the general public,” and “Encourage the protection of open space areas...from encroachment or destruction through the use of conservation easements, natural resource buffers, building setbacks or other measures.” The City should follow these policies by protecting the area around the Secret Ravine tributary creek that runs through the center of the College Park South site and should acquire this land for use by the general public as is already the case today.*

This comment is addressed under Master Responses 2 and 4.

**Response 55-11:** This comment states the following:

*Oak Trees*

- *The project as it stands reports the removal of an estimated 1,393 of the 1,599 native oak trees (over 87%) on the College Park project sites.*

This comment is addressed under Master Response 5.

**Response 55-12:** This comment states the following:

*Trees*

- *The DEIR states the 72-acre College Park North development site would lose 14.07 acres of tree canopy while 4.54 acres would be preserved. On the 36-acre College Park South site 2.54 acres of tree canopy would be removed and 3.53 acres of tree canopy would be preserved. The DEIR claims the loss of existing landscaping and trees would only be a temporary impact until new landscaping matures. It could take 10 years before new landscaping and 5-gallon replacement trees mature.*

This comment is addressed under Master Response 5.

**Response 55-13:** This comment states the following:

*Flooding*

- *The creek that runs east-west through the center of the College Park South site sits in a FEMA 100-year floodplain and floods every year during the rainy season. The creek has already flooded over its banks onto the SPMUD easement road with the 10/24/21 October rain event. The City should not allow development within at least 100 feet from the creek to avoid future "flooding hazards" to new homes designated for the area south of the creek.*

This comment is addressed, in part, under Master Responses 1, 2, and 4.

**Response 55-14:** This comment states the following:

*Project Alternatives*

- *The Draft EIR (DEIR) provides alternatives to the current project plan. Support the "Reduced Footprint Alternative". Under this alternative, the project footprint would be reduced by 17%.*

- *The DEIR states "The decreased footprint under this alternative would allow for further setbacks from the FEMA designated 100 year floodplain and creek on the South Village site..."*

This comment is addressed under Master Response 2. It is also noted that the commenter has an apparent preference for the Reduced Footprint Alternative.

**Response 55-15:** This comment states the following:

*Mitigation Fees*

- *The City should not allow the developer to simply pay money or "mitigation fees" like Park & Rec fees that go into a general Park fund and could end up being spent somewhere across town. Collection of mitigation fees for Parks, Public Services, Traffic, etc. should be avoided, rather actual mitigation measures should be imposed.*

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR, rather it includes a recommendation for an alternative to paying mitigation measures. It is noted that there are established laws, regulations, and ordinances regarding the provision of parks, public services, and traffic improvements. The proposed Project is required to comply with those rules and regulations. In some cases, thresholds are reached that require a facility or improvement to be made for a project, while in other cases a threshold is not reached and a fee is deemed sufficient to pay for the pro rata fair share of the project's financial impact on such services. The City of Rocklin intends to maintain operating under the current rules and regulations relating to this subject. The analysis of each of those topics is accurate and does not warrant any changes based on this comment.

**Response 55-16:** This comment states the following:

*Public Services*

- *The College Park project calls for a 4-story and 3-story apartment complex as well as a 4-story condominium complex and a row of 3-story triplexes running along the western edge of the North project site and parallel to Sierra College Blvd. The Fire Station on this side of town off Rocklin Road does not have a ladder truck to fight fires for these tall structures. The nearest ladder truck is across town near Rocklin High School.*
- *Local schools will be "Significantly Impacted" with new students.*
- *Given there are several proposed 3 and 4 story residential buildings there is a need for a Fire Dept. Ladder Truck. Currently, Rocklin Fire Dept's only Ladder Truck is located across town near Rocklin High School.*
- *There will be increased demand on existing water and sewer lines that could potentially affect existing homes in the area.*

Fire services are discussed in DEIR Section 3.13, Public Services. A ladder truck is just one element of many that provide safety and fire protection for taller buildings. The proposed buildings will incorporate multiple overlapping protection systems in their construction and design, via Building and Fire Code requirements and conditions of approval, including but not limited to the inclusion of

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“standpipe” water distribution systems in structures four stories and greater in height, stairwell access to the roofs of structures four stories and greater in height, 13-R Fire suppression systems in attic areas, Fire Alarm systems, and potential additional systems that may be required on a case by case basis during the detailed Building Permit review for a given structure. It is the stated opinion of the Rocklin Fire Chief that these systems, in concert, will provide a more than adequate level of resident safety and fire protection in these structures.

The comment correctly states that the DEIR concluded a significant and unavoidable impact related to potential environmental effects associated with future school facilities. See Response 18-27. The comment does not raise any specific issues that warrant any changes to the EIR.

The comment states there will be increased demand on existing water and sewer lines that could potentially affect existing homes in the area. The comment does not raise any specific issues with the EIR. Water and sewer are discussed in DEIR Section 3.15 Utilities. The analysis of each of those topics is accurate and does not warrant any changes based on this comment.

**Response 55-17:** This comment references Sierra College developing and selling 108-acres of surplus property and outlines reasons why the commenter believes the surplus property needs to remain available for the future College expansion. The comment does not raise an “environmental” concern. The comment will be provided to the appointed and elected officials for their consideration.

**Response 55-18:** This comment states the following:

### *Traffic*

- *The College Park Project Draft EIR (DEIR) does not address traffic impacts to local surface street like El Don Drive and Southside Ranch Road that will be further impacted by increased traffic use of these streets as cut through streets for drivers avoiding Rocklin Road/Sierra College Blvd. congestion.*
- *The Draft EIR does not address the “cumulative effects” on traffic circulation with additional development in the area, e.g., Sierra Gateway 195-unit apartment complex directly across the street from the College Park North site, the Granite Bluff 75 single family lot subdivision off Aguilar Road or the Quick Quack Car Wash at Sierra College Blvd. & Dominguez Road all under construction now.*
- *The Draft EIR does not address the traffic impacts to El Don Drive as well as Southside Ranch Road that are used by students and others to bypass traffic congestion on Rocklin Road and Sierra College Blvd. This is a significant impact to local neighborhoods. How does the City plan to address the significant impacts to increased traffic on El Don Drive as well as Southside Ranch Road?*

This comment is addressed under Response 55-3, 55-4, and 55-9. A full traffic analysis is included the Draft EIR Appendix I of the Draft EIR. The traffic analysis is included Section 3.14 Traffic and Circulation. Pursuant to Senate Bill (SB) 743, Public Resources Code (PRC) Section 21099, and California Code of Regulations (CCR) Section 15064.3, VMT has replaced congestion as the metric

for determining transportation impacts under CEQA. Section 15064.3 of the CEQA Guidelines provides that VMT is the “most appropriate measure of transportation impacts” and mandates analysis of VMT impacts effective July 1, 2020. A project’s effect on automobile delay is no longer a consideration when identifying a significant impact; hence, studying potential congestion at additional intersections is not necessary pursuant to CEQA.

**Response 55-19:** This comment states the following: *“The **Table** identifies a 195-unit (not 180-unit) Senior Affordable Multi-Family Land use aka the Sierra College Senior Apartments Project having **No Significant Impact**. In addition, the table’s legend states, “quantitative VMT metrics not shown because retail and affordable housing **presumed** to be less-than significant”. It is inaccurate to state this 4-story, low-income, “senior” apartment complex (potential nursing home facility), especially given its right-turn-only from Rocklin Road ingress and its **right-turn only** egress onto Rocklin Road will not have “significant” impacts to traffic on Rocklin Road. Additionally, it is a well-known fact that senior care facilities actually have increased traffic and **public services** impacts due to high volumes of emergency calls. How does the City plan to address the “significant” impacts of this 4-story, 195-unit (or 180-unit) apartment complex on Rocklin Road traffic as well as the impacts to the city’s public services (police and fire)?”*

Page 3.14-16 of the DEIR describes how the project description includes a 180-unit senior, affordable multi-family development on the South Village. It further explains that when the transportation impact study was being prepared, 195 units were planned at the time. Analyses within the transportation chapter are based on the more conservative value of 195 units. An assisted living or congregate care type facility, which would include employees, deliveries, visitors, etc. is not proposed.

As previously stated, pursuant to Senate Bill (SB) 743, Public Resources Code (PRC) Section 21099, and California Code of Regulations (CCR) Section 15064.3, VMT has replaced congestion as the metric for determining transportation impacts under CEQA. Section 15064.3 of the CEQA Guidelines provides that VMT is the “most appropriate measure of transportation impacts” and mandates analysis of VMT impacts effective July 1, 2020. A project’s effect on automobile delay is no longer a consideration when identifying a significant impact; hence, studying potential congestion at additional intersections is not necessary pursuant to CEQA. As for the finding of no significant VMT impact, footnote 5 on page 3.14-22 of the DEIR describes how the Office of Planning & Research’s Technical Advisory concludes that VMT impacts associated with affordable housing are presumed less-than-significant. A comparison of Tables 3.14-4 and 3.14-5 indicates that senior multi-family housing daily trip rates are 50 percent less than non-age restricted multi-family trip rates. Additionally, while the Trip Generation Manual did not contain senior, multi-family affordable category, it is expected that senior multi-family housing would generate even fewer trips due to the older age of residents and likelihood for fewer persons per unit and fewer employed persons. Since VMT is the product of the number of daily trips multiplied by trip length, affordable multi-family

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housing would be expected to generate substantially lower VMT per unit than market-based multi-family. Response 55-4 discusses planned improvements along Rocklin Road that will accommodate project trips. Impact Statement 3.14-7 contains a detailed discussion of the potential for the project to cause significant impacts to emergency vehicle response. That evaluation concluded that the project would not result in inadequate emergency access.

**Response 55-20:** This comment references light and glare and that the campus is already a great source of light and glare and that the project will result in cumulative effects on light and glare.

The topics of aesthetics, light and glare, and nighttime lighting are addressed in the DEIR in Section 3.1 Aesthetics. Overall, implementation of the proposed Project would introduce new sources of light and glare into the Project Area; however, application of the City's design review process and implementation of City goals and policies would minimize potential impacts associated with light and glare in the Project Area. The site would be developed with typical urban uses that are consistent and compatible with surrounding existing and anticipated future developments. As noted above, there are no specific features within the proposed Project that would create unusual light and glare inconsistent with the surrounding uses. Therefore, implementation of existing City Design Review Guidelines and the General Plan policies addressing light and glare would reduce potential impacts associated with light and glare to a less than significant impact."

It is noted that the existing City policy ordinances, and standards (existing regulations), by their very nature, reduce impacts. Where regulations exist to address a potential impact (i.e. City Design Review Guidelines), the City relies on the mitigating effects of such measures by virtue of the compliance with the regulation. To that effect, the City reviews designs in light Policy LU 4, which requires the incorporation of dark sky concepts into designs, and the City Design Review Guidelines, which can be found at the following link - [https://www.rocklin.ca.us/sites/main/files/file-attachments/design\\_review\\_criteria\\_update\\_-\\_citywide\\_doc\\_12-16.pdf?1622575285](https://www.rocklin.ca.us/sites/main/files/file-attachments/design_review_criteria_update_-_citywide_doc_12-16.pdf?1622575285). These Guidelines were developed to address light and glare issues, among other things, that can result from new improvements and buildings. During the design process, specific design considerations are incorporated into those designs based on guidance in the guidelines. Item D (Design Review Criteria), subsection 2 (Site Planning) and item b. of the Design Review Guidelines includes encouraging fixtures to be of a design and size compatible with the building and with adjacent areas; and prohibiting adverse light and glare onto adjacent properties. Moreover, these guidelines include standards that encourage smaller scale parking lot lights instead of fewer, overly tall and large parking lot lights which have the potential to cause greater adverse light onto adjacent properties. The use of bollard lighting, decorative poles and fixtures is strongly encouraged within the city's design guidelines. Outdoor light fixtures mounted on building walls should relate to the height of pedestrians and not exceed 8 to 10 feet. Lastly, signage facing adjacent residential areas should be non-illuminated unless it can be demonstrated that due to physical distances between the uses or the method of lighting and the proposed placement will not create compatibility concerns. The

design guidelines also state that the light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness shall not cause adverse glare to surrounding areas. The intent of these measures is to ensure that light and glare are minimized by following the City's existing standards.

**Response 55-21:** This comment references concern for Flooding on the College Park South project site. The commenter references DEIR Chapter 3.9 Hydrology and Water Quality in the section titled Flooding on pg. 3.9-4 of the DEIR. In the first portion of the comment, the commenter states:

*The "creek" that runs east-west through the center of the College Park South project site is a tributary creek of Secret Ravine Creek. Monte Verde Park is located on the north side of the tributary creek. The park was purposely built in this location to address flooding from the creek. The creek and the park sit in a FEMA designated 100-year flood plain.*

*The DEIR barely mentions that this year-round creek sits within a FEMA 100-year floodplain and fails to address the yearly flooding that occurs on the College Park South site. Most notably, many times during the rainy season and most recently on Sunday, October 24, 2021, the creek easily overflows its banks and covers the SPMUD easement road that runs parallel to the creek on the south side. Under the Flooding section on pg. 3.9-4, it simply states "a portion of the South Village site is shown on the FEMA Flood Insurance Rate Map." When in fact the entire creek area and the Monte Verde Park on the College Park South site sit within a FEMA 100-year flood plain. The DEIR fails to adequately disclose, analyze, and mitigate the project's impacts on Flooding.*

This comment is addressed under Master Responses 1 and 2. The environmental topic discussed in this comment is addressed in Section 3.9 Hydrology and Water Quality.

The second portion of the comment identifies the creek within the College Park South project site as a flood hazard area and is asking an increased setback from 50 feet to 100 feet because of the known flooding to occur. The commenter states *"Should the Rocklin City Council approve development only 50 feet from a flood hazard area? Shouldn't the City of Rocklin consider an increased development setback from this known-to-flood creek? A more appropriate "Mitigation Measure" for this area would be to increase the creek setback to 100 feet."*

This portion of the comment is addressed under Master Response 4, in addition to the Master Responses that addressed the first portion of the comment.

**From:** David McKenna <[df\\_mckenna@hotmail.com](mailto:df_mckenna@hotmail.com)>  
**Sent:** Monday, November 8, 2021 3:47 PM  
**To:** David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>  
**Cc:** Nathan Anderson <[Nathan.Anderson@rocklin.ca.us](mailto:Nathan.Anderson@rocklin.ca.us)>; Jill Gayaldo <[Jill.Gayaldo@rocklin.ca.us](mailto:Jill.Gayaldo@rocklin.ca.us)>; Michael Barron <[Michael.Barron@rocklin.ca.us](mailto:Michael.Barron@rocklin.ca.us)>  
**Subject:** College Park South

Hi all,

I'm sure you have gotten several emails with all sorts of reasons for change, but I'd like to share a bit more since my Kitchen window opens up this micro-eco-system, that should be protected.

We first moved to Rocklin from Loomis in 2005 since we found the use of free space very pleasing. A few years back we downsized and settled into the El Don area and thoroughly enjoy the open space right outside our window.

As stated above our kitchen window opens up to this wonderful micro-eco-system that is designated as Collage Park South (South of creek). This micro-eco-system has been wonderful to have and to share with our children and grandchildren. It is so amazing that wildlife can co-exists within a wonderful neighborhood. Over the years we have see a bevy of wildlife, from Otters, Bobcat, Coyote, large coveys of Quails, families of Bunnies, the annual Bucks, Does and Fawns to the ever-present Hawks and Owls that hunt the area. This micro-eco-system, that thrives in area between the park and the El Don Estates, is always a buzz with wildlife and needs to be protected, much like the old golf course across town and many others.

56-1

Please consider these Original residents of Rocklin in your decisions, please enjoy the pictures below, as we have.

Thanks Kindly,  
David and Beth McKenna  
4701 El Cid Court

Let me share a few pictures



56-2





56-3



56-4



56-5

**Response to Letter 56: David McKenna, Public Comment Submission**

**Response 56-1:** This comment is statement by the commenter, articulating that they moved to Rocklin in 2005 and have enjoyed the open space outside their window. The comment states *“As stated above our kitchen window opens up to this wonderful micro-eco system that is designated as Collage Park South (South of the creek). This micro-eco system has been wonderful to have and to share with our children and grandchildren. It is so amazing that wildlife can co-exists within a wonderful neighborhood. Over the years we have seen a bevy of wildlife, from Otters, Bobcat, Coyote, large conveys of Quails, families of Bunnies, the annual Bucks, Does, and Fawns to the ever-present Hawks and Owls that hunt the area. This micro-eco-system, that thrives in area between the park and the El Don Estates, is always a buzz with wildlife and needs to be protected, much like the old golf course across town and many others. Please consider these Original residents of Rocklin in your decisions, please enjoy the pictures below, as we have.”*

This comment is addressed, in part, under Master Response 4, and 12. The comment does not raise any specific issues with the EIR, rather it provides a statement regarding the wildlife that the commenter has experienced in the area and consideration of this in the decision regarding the Project. The comment does not warrant any changes to the EIR, but these comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 56-2:** The commenter has included photographs of wildlife referenced in the comment letter.

This comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR.

**Response 56-3:** The commenter has included photographs of wildlife referenced in the comment letter.

This comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR.

**Response 56-4:** The commenter has included photographs of wildlife referenced in the comment letter.

This comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR.

**Response 56-5:** The commenter has included photographs of wildlife referenced in the comment letter.

This comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR.



**From:** "Sandra H. Harris" <[sandyhar@surewest.net](mailto:sandyhar@surewest.net)>  
**Date:** November 8, 2021 at 1:39:42 PM MST  
**To:** David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>  
**Subject:** College Park Project

Re: College Park Project DEIR

David Mohlenbrok:

It has come to the Granite Bay Community's attention that an DEIR is underway to evaluate regional impacts of the project. Please consider the regional traffic impacts to Barton Road, Douglas Blvd., and Auburn-Folsom Road as this is a main route taken by vehicles from that area to access Highway 50 and Folsom.

57-1

Sincerely,

Sandra H. Harris, Secretary  
Granite Bay Community Association  
P.O. Box 2704  
Granite Bay, CA 95745

### **Response to Letter 57: Sandra Harris, Public Comment Submission**

**Response 57-1:** The comment requests the DEIR consider the regional impacts to Barton Road, Douglas Boulevard and Auburn-Folsom Road and notes this is the main route taken by vehicles in that area to access Highway 50 and Folsom.

This comment does not identify any specific issue with the traffic analysis contained in the Draft EIR. Traffic is discussed in Section 3.14 Transportation and Circulation. It is noted the DEIR does not include any peak hour intersection level of service (LOS) results. This is due to the Senate Bill (SB) 743 and the implementing CEQA Guidelines. The legislation associated with this landmark law specified that “automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the guidelines, if any.”

On December 28, 2018, the CEQA Guidelines were amended to add Section 15064.3, Determining the Significance of Transportation Impacts, which states that generally, vehicle miles traveled is the most appropriate measure of transportation impacts. According to 15064.3(a), “*Except as provided in subdivision (b)(2) (regarding roadway capacity), a project’s effect on automobile delay shall not constitute a significant environmental impact.*” Under that guideline, VMT was chosen as the primary metric used to identify transportation impacts. On July 1, 2020, the provisions of 15064.3 became applicable statewide. The DEIR includes an extensive review of the proposed Project’s VMT, as well as other important transportation-related areas of concern including pedestrian/bicycle facilities, transit facilities and services, emergency vehicle response, hazardous conditions, and temporary construction-related conditions.

A Transportation Impact Study (included within DEIR Appendix I) has been prepared to evaluate the operations of intersections in the Project vicinity. Both LOS and VMT are reported in the Transportation Impact Study. The LOS results are reported in the Transportation Impact Study for informational purposes to provide decision-makers and the general public a better understanding of the effects the proposed Project may have on the surrounding roadway network and the types of operational enhancements that could be considered to improve operations.

The transportation study area includes 23 existing intersections and driveways in the Project vicinity. These intersections, which are located within the jurisdictions of Rocklin, Loomis, and Caltrans, were selected in consultation with City of Rocklin staff and consider the Project’s size, location, and generation and spatial distribution of vehicle trips. They were also informed by comments made on the Notice of Preparation (NOP).

The comment does not warrant any changes to the EIR, but the comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**From:** Kathleen Minderler <[ka\\_minderler@yahoo.com](mailto:ka_minderler@yahoo.com)>  
**Date:** November 8, 2021 at 3:32:55 PM MST  
**To:** David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>  
**Subject:** College Park Project

Mr. Mohlenbrok,

We would like to contribute a few comments, in agreement with our neighbors, on the proposed massive and very poorly planned College Park Project that will directly impact our East Rocklin neighborhood in a very negative way. The proposal includes building a low income apartment complex, 4 story condominiums, another large apartment complex, 3 story triplexes, and a apartments for the elderly.

58-1

**1. Increased traffic congestion on Greenbrae, Aguilar, El Don, Freeman, and Buxton roads for those seeking a way to either access Rocklin Road, Freeway 80, or Sierra College Blvd.**

Our neighborhood is currently experiencing the impact of increased through traffic from the homes already built and others being built on Aguilar Road. Our neighborhood also deals with drivers bypassing Rocklin Road to get to Sierra College Blvd via El Don, Freeman, or Buxton Drives. Sierra College students use these residential streets for parking to avoid paying parking fees on campus. These are residential streets with a 25 MPH speed limit. I have clocked 6 out of 10 drivers speeding at 40MPH. El Don has a series of stop signs, of which multiple drivers roll right through, ignoring crossing pedestrians and other drivers stopped awaiting their turn to proceed at the intersection. Many of the drivers are texting. I have yet to see any of these drivers receiving tickets for blatantly disobeying traffic laws, no less the driving habits are extremely dangerous and self serving. A residential street filled with families should not be a bypass road for speeding vehicles. Additional traffic arising from a more densely populated area of people and business on Sierra College Blvd., Rocklin and El Don Road is an assured problem of increased lawless driving and accidents.

58-2

**2. Increased Need and Use of Resources:**

**On July 8, 2021,** Governor Newsom declared a DROUGHT EMERGENCY throughout California, of which we know Placer County is one of the counties under this emergency directive. A. Hartman from the State Drought Monitor validated on **November 2, 2021** that California drought conditions are deemed extreme or worse over 90% of the state. How can such a large number of new residents of the College Park project possibly help mitigate a drought of which there are no assured predictions of water this year? Where will this needed water come from? People use water; they don't replace water. PCWA currently charges fees based on water usage and a resident pays more due to the California drought, being charged by PCWA on a "tier" scale as well as, a monthly "Renewal/Replace Charge" of \$38.08 per month. A person only needs to drive by the American River and Folsom Lake (A major California State reservoir) to see the great impact of this prolonged drought. The boat docks at Ravine Cove have been completely dry since May 2021. Again, where will the water resource come from? And if no water, then no hydroelectric power resource. PGE already has issues supplying to our power grid under normal circumstances, recommending residents to conserve energy between 4:00-9:00PM and to purchase a gas powered generator for emergency power shut offs controlled solely at their discretion. We currently have water restrictions in this area and no guarantee of power from PGE. This is before thousands of new residents in the College Park project come to live in East Rocklin. Again, who is planning for the water and power resources?

58-3

**3. Green House Gas Emmissions:**

Destroying the natural landscape and habitat creek beds and Increasing traffic congestion will cause an increased release of noxious fumes and an increase in temperature. A NASA study shows cities with stone, asphalt, and concrete versus rural areas with trees, grasses, creeks increase surface temperatures . Areas with hardscape only as proposed by the College Park project will increase summertime surface temperatures to 120-150 degrees F. This heat continues to be released at night. We have spent two consecutive summers with temperatures 10+ degrees higher than normal and witnessed extremely poor air quality per the US Air Quality Index. We have been surrounded by wildfires each summer and the fire season continues to get longer and longer over the past 5 years. This College Park project will remove landscape along our creeks impacting wildlife habitats and creek water that serves this wildlife and helps provide a vegetation canopy to cool our immediate environment. If the surrounding creek landscape area is destroyed for the building of new homes and apartments,

58-4

If this project is approved, which we believe it definitely should not, East Rocklin will face increased traffic congestion, increased environmental temperature, less available resources, and loss of beauty from loss of the natural landscape and wildlife.

Please consider these points of disagreement to this poorly planned project.

Kathleen Minderler

Elaine Minderler



**Response to Letter 58: Kathleen Minderler, Public Comment Submission**

**Response 58-1:** This comment is an opening statement by the commenter identifying their intent to contribute comments in agreement with their neighbors *“on the proposed massive and very poorly planned College Park Project that will directly impact our East Rocklin neighborhood in a negative way”*. The commenter’s specific comments pertaining to the Project are more fully discussed in the comments that follow.

This comment is an introductory statement and does not warrant a response.

**Response 58-2:** This comment provides their experience with increased through traffic from homes already built and others being built as well as from drivers bypassing Rocklin Road to get to Sierra College Boulevard. The commenter notes students use the residential streets to park to avoid paying parking fees on campus and their experience with drivers speeding, rolling through stop signs, ignoring crossing pedestrians and other drivers stopped waiting their turn to proceed into the intersection, as well as drivers texting. The commenter states drivers are not receiving tickets for blatantly disobeying traffic laws and that a residential street with families should not be a bypass road for speeding vehicles. The commenter further notes that additional traffic from a more densely populated area in an assured problem of increased lawless driving and accidents.

This comment does not identify any specific issue with the traffic analysis contained in the Draft EIR. Traffic is discussed in Section 3.14 Transportation and Circulation. In addition to the proposed Project’s Vehicle Miles Traveled (VMT), the DEIR includes a review of other important transportation-related areas of concern including pedestrian/bicycle facilities, transit facilities and services, emergency vehicle response, hazardous conditions, and temporary construction-related conditions. It is noted that there are planned improvements at the I-80/Rocklin Road interchange, improvements to the Rocklin Road/El Don Drive, Sierra College Boulevard/Stadium Way, and Sierra College Boulevard/Rocklin Road intersections, and required widening of Rocklin Road and Sierra College Boulevard along the project frontages. These improvements will reduce congestion and queuing that is present along these corridors. It is noted that congestion and traffic operations related issues, as well as geometric design issues, are the primary causes of traffic accidents. It is expected that traffic safety along Rocklin Road will improve as a result of these planned improvements and the City has no geometric design concerns associated with the proposed Project. The comment does not warrant any changes to the EIR, but the comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 58-3:** This comment addresses the increased need and use of resources and references the current drought emergency and questions how a larger number of new residents of the Project will possibly help mitigate a drought and where will the needed water come from. The comment notes that PCWA charges fees based on water usage and residents are paying a higher fee due to the drought. The commenter references the American River, Folsom Lake, and boat docks at Ravine Cove as an example of the drought conditions. The commenter also questions the availability of

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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power if no water and notes the issues already experienced by PGE to provide power and conservation recommendations.

This comment does not identify any specific issue with the analysis contained in the Draft EIR. The comment regarding water is addressed under Master Responses 1, 2, and 3. Water supply/usage is discussed in Section 3.15 Utilities, and electricity and energy are discussed in Section 3.7 Greenhouse Gases, Climate Change, and Energy.

The analysis of these topics is accurate and does not warrant any changes based on this comment. These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 58-4:** This comment identifies several concerns including the increase in temperature associated with *“destroying the natural landscape and habitat creek beds and increasing traffic congestion”* as well as increased hardscape and the area’s experience with consecutive summers of higher than normal temperatures, poor air quality, and wildfires each summer and the longer fire season. The commenter asserts the Project will remove landscape along the creeks impacting wildlife habitats and creek water that serves the wildlife and provides a vegetation canopy to cool the environment. The commenter states *“If this project is approved, which we believe it definitely should not, East Rocklin will face increased traffic congestion, increased environmental temperature, less available resources, and loss of beauty from loss of the natural landscape and wildlife. Please consider these points of disagreement to this poorly planned project.”*

These comments are addressed, in part, under Master Responses 11, 12, and 13 and Responses 37-8 and 38-29. The topic of “increased environmental temperature” is discussed within the context of “Climate Changes” in Section 3.7 Greenhouse Gases, Climate Change, and Energy. Pages 3.7-2 through 3.7-5 specifically discusses increasing global temperatures as follows:

### EFFECTS OF GLOBAL CLIMATE CHANGE

The effects of increasing global temperature are far-reaching and extremely difficult to quantify. The scientific community continues to study the effects of global climate change. In general, increases in the ambient global temperature as a result of increased GHGs are anticipated to result in rising sea levels, which could threaten coastal areas through accelerated coastal erosion, threats to levees and inland water systems and disruption to coastal wetlands and habitat.

If the temperature of the ocean warms, it is anticipated that the winter snow season would be shortened. Snowpack in the Sierra Nevada provides both water supply (runoff) and storage (within the snowpack before melting), which is a major source of supply for the State. The snowpack portion of the supply could potentially decline by 50% to 75% by the end of the 21<sup>st</sup> century (National Resources Defense Council, 2014). This phenomenon could lead to significant challenges in securing an adequate water supply for a growing state population. Further, the increased ocean temperature could result in increased moisture flux into the State; however, since this would likely increasingly come in the form of rain rather than snow in the high elevations, increased precipitation could lead to increased potential and severity of flood events, placing more pressure on California’s levee/flood control system.

Sea level has risen approximately seven inches during the last century and it is predicted to rise an additional 22 to 35 inches by 2100, depending on the future GHG emissions levels (California Environmental Protection Agency, 2010). If this occurs, resultant effects could include increased coastal flooding, saltwater intrusion and disruption of wetlands. As the existing climate throughout California changes over time, mass migration of species, or failure of species to migrate in time to adapt to the perturbations in climate, could also result. Under the emissions scenarios of the Climate Scenarios report (California Environmental Protection Agency, 2010), the impacts of global warming in California are anticipated to include, but are not limited to, the following:

### **Public Health**

Higher temperatures are expected to increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation are projected to increase from 25% to 35% under the lower warming range and from 75% to 85% under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances depending on wind conditions. The Climate Scenarios report indicates that large wildfires could become up to 55% more frequent if GHG emissions are not significantly reduced.

In addition, under the higher warming scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a large increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures will increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

### **Water Resources**

A vast network of man-made reservoirs and aqueducts capture and transport water throughout the State from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snow pack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snow pack, increasing the risk of summer water shortages.

The State's water supplies are also at risk from rising sea levels. An influx of saltwater would degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta, a major State fresh water supply. Global warming is also projected to seriously affect agricultural areas, with California farmers projected to lose as much as 25% of the water supply they need; decrease the potential for hydropower production within the State (although the effects on hydropower are uncertain); and seriously harm winter tourism. Under the lower warming range, the snow dependent winter recreational season at lower elevations could be reduced by as much as one month. If temperatures reach the higher warming range and precipitation declines, there might be many years with insufficient snow for skiing, snowboarding, and other snow dependent recreational activities.

If GHG emissions continue unabated, more precipitation will fall as rain instead of snow, and the snow that does fall will melt earlier, reducing the Sierra Nevada spring snow pack by as much as 70% to 90%. Under the lower warming scenario, snow pack losses are expected to be only half as large as those expected if temperatures were to rise to the higher warming range. How much snow pack will be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snow pack would pose challenges to water managers, hamper hydropower generation, and nearly eliminate all skiing and other snow-related recreational activities.

### **Agriculture**

Increased GHG emissions are expected to cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. Although higher carbon dioxide levels can stimulate plant production and increase plant water-use efficiency, California's farmers will face greater water demand for crops and a less reliable water supply as temperatures rise.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures are likely to worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits and nuts, and milk.

Crop growth and development will be affected, as will the intensity and frequency of pest and disease outbreaks. Rising temperatures will likely aggravate ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

In addition, continued global warming will likely shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion is expected in many species while range contractions are less likely in rapidly evolving species with significant populations already established. Should range contractions occur, it is likely that new or different weed species will fill the emerging gaps. Continued global warming is also likely to alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

#### **Forests and Landscapes**

Global warming is expected to alter the distribution and character of natural vegetation thereby resulting in a possible increased risk of large wildfires. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55%, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including precipitation, winds, temperature, and landscape and vegetation conditions, future risks will not be uniform throughout the State. For example, if precipitation increases as temperatures rise, wildfires in southern California are expected to increase by approximately 30% toward the end of the century. In contrast, precipitation decreases could increase wildfires in northern California by up to 90%.

Moreover, continued global warming will alter natural ecosystems and biological diversity within the State. For example, alpine and sub-alpine ecosystems are expected to decline by as much as 60% to 80% by the end of the century as a result of increasing temperatures. The productivity of the State's forests is also expected to decrease as a result of global warming.

#### **Rising Sea Levels**

Rising sea levels, more intense coastal storms, and warmer water temperatures will increasingly threaten the State's coastal regions. Under the higher warming scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Elevations of this magnitude would inundate coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats.

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR, rather it includes concerns associated with new development occurring in the area, and their concerns for increased traffic congestion, increased environmental temperature, less available resources, and loss of beauty from loss of the natural landscape and wildlife. These environmental topics are addressed in the EIR. The analysis of each of those topics is accurate and does not warrant any changes based on this comment.

Hello David,

Attached is corrected spreadsheet for comments submitted ref: Chapter 7 REFERENCES

Sorry, been pretty sick with a bad head cold.

Denise Gaddis

From: Denise Gaddis [mailto:denise@wavecable.com]

Sent: Monday, November 8, 2021 5:54 PM

To: 'David Mohlenbrok' <David.Mohlenbrok@rocklin.ca.us>

Cc: 'jill.gayaldo@rocklin.ca.us' <jill.gayaldo@rocklin.ca.us>; 'bill.halldin@rocklin.ca.us' <bill.halldin@rocklin.ca.us>; 'joe.patterson@rocklin.ca.us' <joe.patterson@rocklin.ca.us>; 'ken.broadway@rocklin.ca.us' <ken.broadway@rocklin.ca.us>; 'greg.janda@rocklin.ca.us' <greg.janda@rocklin.ca.us>; 'david.bass@rocklin.ca.us' <david.bass@rocklin.ca.us>; 'michele.vass@rocklin.ca.us' <michele.vass@rocklin.ca.us>; 'roberto.cortez@rocklin.ca.us' <roberto.cortez@rocklin.ca.us>; 'michael.barron@rocklin.ca.us' <michael.barron@rocklin.ca.us>; 'gregg.mckenzie@rocklin.ca.us' <gregg.mckenzie@rocklin.ca.us>

Subject: College Park DEIR - Chapter 7 References

Hello David,

I am submitted comments regarding College Park DEIR, Chapter 7 REFERENCES (pg. 7.0-1). Please refer to attached Excel spreadsheet entitled "Chapter 7 References".

In reviewing the 126 references listed in Chapter 7, I identified 96 (76%) of the references mentioned were problematic as outlined below. How can one effectively evaluate a DEIR with erroneous references. Perhaps the DEIR should be recirculated with the appropriate corrections as noted below.

32 (25%) Did not provide a url to the referenced documentation, e.g.

- Placer County Local Hazard Mitigation Plan
- California Department of Water Resources. 2003. Bulletin 118: California's Groundwater.

29 (23%) References included outdated data materials, e.g.

- Dry Creek Conservancy. 2001 [20 years old]. Secret Ravine Adaptive management Plan.
- California Department of Water Resources. 2003. Bulletin 118: California's Groundwater.
- California Air Resources Board (CARB). 2005. Air Quality and Land Use Handbook: A Community Health Perspective.

17 (13%) Of the reference urls were no good, e.g. link to

- California Environmental Protection Agency. 2010. Climate Action Team Report to Governor Schwarzenegger and the Legislature. December 2010. At [http://www.climatechange.ca.gov/climate\\_action\\_team/reports/](http://www.climatechange.ca.gov/climate_action_team/reports/)
- Placer County Air Pollution Control District. 2016. California Environmental Quality Act Thresholds of Significance.

11 (9%) References that either had no reference or no direct reference in the DEIR, e.g.

- California Air Resources Board (CARB). 2021. State and Federal Area Designations.
- California Air Resources Board (CARB). 2019a. California Ambient Air Quality Standards.

10 (8%) References had links to generic websites and no direct link to reference mentioned, e.g.

- Reference to California Air Resources Board (CARB). 2021. EMFAC2021
- AP Architects. 2014. Sierra College Facilities Master Plan.

Apologize for 50 minute delay. I sorted data on Column C and then was unable to revert spreadsheet to original state where all the materials line up in each column. I'm still working on it and will provide updated copy as soon as I can resort the columns so they match up.

Respectfully,

Denise Gaddis

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# 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

REFERENCE	ASSOCIATED DEIR CHAPTER	COMMENT(S)
Adrian Aho – Address Consultant (Sacramento) Certified Address Consultant (COCAC) (01/19/2014)	1.8 HAZARDOUS AND HAZARDOUS MATERIALS	Adrian Aho – Address Consultant
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Rocklin Unified School District 2018-2021 School Accountability Report Card Reported Using Data from the 2019-2020 School Year. Rocklin Education Center. Available at: <a href="https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_EC_2019-2020_School_20200108.pdf">https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_EC_2019-2020_School_20200108.pdf</a>	5.11 PUBLIC SERVICES AND RECREATION	Rocklin Unified School District
Rocklin Unified School District 2018-2021 School Accountability Report Card Reported Using Data from the 2019-2020 School Year. Rocklin Elementary School. Available at: <a href="https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_El_2019-2020_School_20200108.pdf">https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_El_2019-2020_School_20200108.pdf</a>	5.11 PUBLIC SERVICES AND RECREATION	Rocklin Unified School District
Rocklin Unified School District 2018-2021 School Accountability Report Card Reported Using Data from the 2019-2020 School Year. Rocklin High School. Available at: <a href="https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_Hi_2019-2020_School_20200108.pdf">https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_Hi_2019-2020_School_20200108.pdf</a>	5.11 PUBLIC SERVICES AND RECREATION	Rocklin Unified School District
Rocklin Unified School District 2018-2021 School Accountability Report Card Reported Using Data from the 2019-2020 School Year. Rocklin Elementary School. Available at: <a href="https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_El_2019-2020_School_20200108.pdf">https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_El_2019-2020_School_20200108.pdf</a>	5.11 PUBLIC SERVICES AND RECREATION	Rocklin Unified School District
Rocklin Unified School District 2018-2021 School Accountability Report Card Reported Using Data from the 2019-2020 School Year. Spang Elementary School. Available at: <a href="https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_SP_2019-2020_School_20200108.pdf">https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_SP_2019-2020_School_20200108.pdf</a>	5.11 PUBLIC SERVICES AND RECREATION	Rocklin Unified School District
Rocklin Unified School District 2018-2021 School Accountability Report Card Reported Using Data from the 2019-2020 School Year. Valley Elementary School. Available at: <a href="https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_Va_2019-2020_School_20200108.pdf">https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_Va_2019-2020_School_20200108.pdf</a>	5.11 PUBLIC SERVICES AND RECREATION	Rocklin Unified School District
Rocklin Unified School District 2018-2021 School Accountability Report Card Reported Using Data from the 2019-2020 School Year. Valley High School. Available at: <a href="https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_Vh_2019-2020_School_20200108.pdf">https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_Vh_2019-2020_School_20200108.pdf</a>	5.11 PUBLIC SERVICES AND RECREATION	Rocklin Unified School District
Rocklin Unified School District 2018-2021 School Accountability Report Card Reported Using Data from the 2019-2020 School Year. Willow High School. Available at: <a href="https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_Wi_2019-2020_School_20200108.pdf">https://www.cslhsd.net/documents/20202001_School_Accountability_Report_Card_Wi_2019-2020_School_20200108.pdf</a>	5.11 PUBLIC SERVICES AND RECREATION	Rocklin Unified School District
San Joaquin County Department of Water Resources. 2019. Watershed Management Plan. Available at: <a href="https://water.sanjocounty.ca.gov/Portals/0/2019WatershedManagementPlan.pdf">https://water.sanjocounty.ca.gov/Portals/0/2019WatershedManagementPlan.pdf</a>	5.9 HYDROLOGY AND WATER QUALITY	5.9 CHANGES TO WATER QUALITY MANAGEMENT PLAN FOR
South Placer Municipal Utility District 2019 Sewer System Master Plan	5.13 UTILITIES	5.13-104 provided
South Placer Municipal Utility District 2019 Sewer System Master Plan	5.13 UTILITIES	5.13-104 provided
State of California, Governor's Office of Planning and Research. 2018. Technical Advisory on Identifying Transportation Impacts in CEQA. December 2018.	5.14 TRANSPORTATION AND CIRCULATION	5.14-104 provided
Town of Los Banos. 2019. Town of Los Banos Master Plan	5.10 LAND USE & PLANNING	5.10-104 provided
United States Department of Agriculture (USDA), Rural Services Center Section Service (RSCS). 2017. 1800 Self-Survey. Accessed March 27, 2019. Available at: <a href="https://www.usda.gov/eo/pnw/1800">https://www.usda.gov/eo/pnw/1800</a>	5.1 AGRICULTURE AND FORESTRY RESOURCES	5.1A-104 provided
United States Department of the Interior, Bureau of Reclamation. 2016. Southern River Basin Cumulative Report.	5.13 UTILITIES	5.13-104 provided 5.13-104-1041 (see 5.13-104-1042)
United States Energy Information Administration (EIA). 2018. Analysis and Projections: Short-Term Energy Outlook. Release Date: September 26, 2018. Available at: <a href="https://www.eia.gov/outlooks/steo/pdf.php?id=1041">https://www.eia.gov/outlooks/steo/pdf.php?id=1041</a>	5.7 GREENHOUSE GASES, CLIMATE CHANGE, AND ENERGY	5.7-104 provided to any extent possible in the CEQA report.
United States Energy Information Administration (EIA). 2018. California State Energy Profile. Last updated January 16, 2019. Available at: <a href="https://www.eia.gov/outlooks/steo/pdf.php?id=1042">https://www.eia.gov/outlooks/steo/pdf.php?id=1042</a>	5.7 GREENHOUSE GASES, CLIMATE CHANGE, AND ENERGY	California State Energy Profile
United States Energy Information Administration (EIA). 2018. Independent Statistics and Analysis (ISA). Quarterly Energy Review. September 4, 2018. Available at: <a href="https://www.eia.gov/outlooks/quarterly/quarterly.php">https://www.eia.gov/outlooks/quarterly/quarterly.php</a>	5.7 GREENHOUSE GASES, CLIMATE CHANGE, AND ENERGY	5.7-104 provided
United States Environmental Protection Agency (USEPA). 2018. Good Information About Carbon Monoxide (CO) Pollution. Available at: <a href="https://www.epa.gov/carbon-monoxide-pollution">https://www.epa.gov/carbon-monoxide-pollution</a>	5.1 AIR QUALITY (number to page): reference to CEQA health effects of Carbon Monoxide	5.1-104 provided - with page 104-1041 5.1-104-1041 (see 5.1-104-1042)
United States Environmental Protection Agency (USEPA). 2018. Health Effects of Ozone Pollution. Available at: <a href="https://www.epa.gov/ozone/health-effects-ozone-pollution">https://www.epa.gov/ozone/health-effects-ozone-pollution</a>	5.1 AIR QUALITY (number to page): reference to CEQA health effects of Ozone Pollution	Health Effects of Ozone Pollution
United States Environmental Protection Agency (USEPA). 2018. Health Effects of Noise in the General Population. Available at: <a href="https://www.epa.gov/noise/health-effects-noise-general-population">https://www.epa.gov/noise/health-effects-noise-general-population</a>	5.1 AIR QUALITY (number to page): reference to CEQA health effects of Noise in the General Population	5.1-104 provided - with page 104-1041
United States Environmental Protection Agency (USEPA). 2018. Health and Environmental Effects of Particulate Matter (PM). Available at: <a href="https://www.epa.gov/pm/health-and-environmental-effects-particulate-matter">https://www.epa.gov/pm/health-and-environmental-effects-particulate-matter</a>	5.1 AIR QUALITY (number to page): reference to CEQA health effects of Particulate Matter	5.1-104 provided - with page 104-1041
United States Environmental Protection Agency (USEPA). 2018. Basic Information About Lead Pollution. Available at: <a href="https://www.epa.gov/lead/basic-information-about-lead-pollution">https://www.epa.gov/lead/basic-information-about-lead-pollution</a>	5.1 AIR QUALITY (number to page): reference to CEQA health effects of Lead Pollution	5.1-104 provided - with page 104-1041
Veritas Agency. 2007. Western Placer County Groundwater Management Plan	5.9 HYDROLOGY AND WATER QUALITY	5.9-104 provided
Westcoast & Associates. 2018. Geotechnical Engineering Report - Rocklin College Square	Appendix	Appendix

59-1 Cont.



Whitaker-Kury & Associates 2016, Phase I Environmental Site Assessment - Rockville College Square	Appendix C	Appendix A
Whitaker-Kury & Associates 2016, Phase I Environmental Site Assessment - Rockville College Square	Appendix C	Appendix A
Wood Rogers 2019 Preliminary Design Review	2.1 ALPHATICS AND QUALITY RESOURCE	APPENDIX B
Wood Rogers 2021 College Park Site "C1" Preliminary Drainage Study	2.9 FERTILITY AND WATER QUALITY	Appendix G
Wood Rogers 2021 College Park Site "C1" Preliminary Drainage Study	2.9 FERTILITY AND WATER QUALITY	Appendix G

59-1 Cont

**Response to Letter 59: Denise Gaddis 5, Public Comment Submission**

**Response 59-1:** This commenter indicates that the DEIR cited references which are outdated or incorrect. The commenter provided an excel spreadsheet with a list of those references.

Based on this comment, updates to the references are necessary to ensure all URL links are accurate, and all references are available for public review either online or in print. The revisions are shown in Section 3.0 Errata, and are merely intended to clarify and makes insignificant modifications in the EIR.

From: Jeannie Lin Walsh <[jinwalsh@gmail.com](mailto:jinwalsh@gmail.com)>  
 Sent: Monday, November 8, 2021 5:00 PM  
 To: David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>  
 Cc: Nathan Anderson <[Nathan.Anderson@rocklin.ca.us](mailto:Nathan.Anderson@rocklin.ca.us)>; Jill Gayaldo <[Jill.Gayaldo@rocklin.ca.us](mailto:Jill.Gayaldo@rocklin.ca.us)>; Michael Barron <[Michael.Barron@rocklin.ca.us](mailto:Michael.Barron@rocklin.ca.us)>  
 Subject: College Park DEIR

Hi David,

I'm submitting comments on the new College Park Development. I am asking that the City not approve this development. I'm am worried that this major development would highly impact traffic, our roads and infrastructure, and the safety of our families. We already have multiple other new developments in this area so adding another 900 residences will translate into that many more cars. This would increase the amount of time anyone going through our area would need to get through traffic. Please consider the traffic time that other developments in progress will have on traffic. One development can cause 8 minutes increase, another 5 minutes, and another 6 minutes. When looked at individually it would be under 10 minutes but together can equate to 19 minutes.

60-1

Also, in order for these buildings to be developed, our roads are being affected, multiple cracks all over due to heavy machinery. There has been fixes however sierra college is starting to look like the roads on Hazel, cracked and needing repair constantly. Next up would be potholes that will cause accidents if not addressed properly. Let's take the time to fix our roads first.

60-2

These new homes would need to tap into electricity, sewer lines and other needs. This would cause an already taxed infrastructure to fail, note our electricity went down 3 times last July due to a faulty switch that was installed by PG&E contractor. They had to install a switch due to the many additional retail stores added. Roads like El Don are closed with no notice of when construction will end.

60-3

Many cars cut through our residential streets often running stop signs on El Don and speeding through streets like southside ranch road and Greenbrae rd. This is extremely reckless driving that affects families living in this neighborhood for the convenience of drivers avoiding Rocklin Road/Sierra College Blvd. Just this morning I was trying to save a dog that ran off onto southside ranch road praying no car would come speeding through southside ranch road and hurt or worse kill the animal. I can't imagine if it was a young child walking home from getting dropped off on the bus.

60-4

Please reconsider another area to alleviate the traffic, road and infrastructure, family safety concerns in this area of town.

Thank you,

-Jeannie Lin Walsh

### **Response to Letter 60: Jeannie Lin Walsh, Public Comment Submission**

**Response 60-1:** This commenter asks the City not to approve the development and expresses their worry that the development would highly impact traffic, roads and infrastructure, and the safety of families. The comment further notes that the increase in development will increase the number of cars, which along with the other developments in progress will cause an increase in traffic delays.

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. This comment does not identify any specific issue with the traffic analysis contained in the Draft EIR. Traffic is discussed in Section 3.14 Transportation and Circulation. The comment does not warrant any changes to the text of this section.

**Response 60-2:** This comment references roadway conditions within the area and that the roads would be affected by *“multiple cracks all over due to heavy machinery”*. The comment states *“Next up would be potholes that will cause accidents if not addressed properly. Let’s take the time to fix our roads first.”*

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. It is also noted that any potential damage to roadways associated with Project construction activities would be required to be repaired by the Project Developer, in accordance with City requirements. The comment does not raise any specific issues with the DEIR or warrant any changes to the EIR.

**Response 60-3:** This comment notes that the new homes would need to *“tap into electricity, sewer lines and other needs. This would cause an already taxed infrastructure to fail, note our electricity went down 3 times last July due to a faulty switch that was installed by PG&E contractor.”* The comment also references the closure of roads like El Don with no notice of when construction will end.

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR, rather it includes concerns associated with new development occurring in the area. Environmental topical areas discussed in the comment, including electricity and sewer are addressed in the EIR. The analysis of each of those topics is accurate and does not warrant any changes based on this comment.

**Response 60-4:** This comment provides their experience with cut through traffic on residential streets and cars running stops signs and speeding, along with reckless driving for the *“convenience of drivers avoiding Rocklin Road/Sierra College Blvd.”* The commenter expresses their recent experience with trying to save a dog and states *“I can’t imagine if it was a young child walking home from getting dropped off on the bus. Please reconsider another area to alleviate the traffic, road and infrastructure, family safety concerns in this area of town.”*

These comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration. The comment does not raise any specific issues with the EIR, rather it includes concerns associated with new development occurring in the area.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

**From:** Defend Granite Bay - A Community Association <[defendgb@gmail.com](mailto:defendgb@gmail.com)>  
**Date:** November 8, 2021 at 4:47:32 PM PST  
**To:** David Mohlenbrok <[David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)>  
**Cc:** Denise Gaddis <[denise@wavecable.com](mailto:denise@wavecable.com)>, Alliance For Environmental Leadership <[Allianceforenviroleadership@gmail.com](mailto:Allianceforenviroleadership@gmail.com)>, GBCA <[gbca@granitebay.com](mailto:gbca@granitebay.com)>  
**Subject:** College Park Project DEIR Public Comment 11/8/2021

Thank you for the opportunity to comment on the College Park Project.

1) Based on the project's location approximately at the corner of Rocklin Rd and Sierra College, it can logically be concluded that VMT and daily car trips will result in significant impacts at the corner of Sierra College and Douglas Blvd. This intersection is already operating beyond capacity. Have the City of Roseville and Granite Bay been approached regarding mitigation measures since this intersection would connect the projects to employment centers in Roseville, El Dorado Hills and Folsom? 61-1

2) Under the California Environmental Quality Act, a project's economic feasibility is not to be considered when approving a project. Since the only benefits to Rocklin can be perceived to be closing RHNA shortfalls of affordable and low-income units since Rocklin has exceeded its number of moderate-income units and nearly fulfilled its above moderate allocation, will the projects be conditioned to meet low, very low and extremely low-income levels? 61-2

3) Placer County as a whole has destroyed a significant number of native and heritage oaks in conflict with its own and Rocklin's General Plan Policy to protect existing oak trees. Can the projects be more clustered to preserve a greater number of trees and increase open space for less significant impacts and greater quality of life issues? Can staff explain why continued urban sprawl of single-family housing presumably in excess or required RHNA allocations within the city limits cannot be clustered as multi-family or duplexes currently missing from the housing inventory? 61-3

4) It appears that the natural diverse habitat along a riparian habitat and existing wildlife corridor in the College Park South proposal is being evaluated as a singular unit. The current 50 ft setback required under city ordinances can be fairly argued to be inadequate. Have cumulative impacts to Aguilar Tributary Creek and Secret Ravine Creek been considered beyond the project boundaries? 61-4

With consideration of the wildlife corridors and reconfiguration and concentration of proposed units, the city and residents could benefit from a project which is more respectful of existing wildlife, residents and create more balanced projects at these locations. The "Increased Density/Residential Emphasis Alternative" would appear to satisfy the project applicant, enhance benefits to the community and reduce significant and unavoidable impacts with less mitigation. 61-5

Respectfully,

The Defend Granite Bay Board and members

**Response to Letter 61: Defend Granite Bay- A Community Association**

**Response 61-1:** This comment references the intersection of Sierra College and Douglas Boulevard and asserts it can be logically concluded that VMT and daily car trips will result in a significant impact at this intersection that is already operating beyond capacity. The commenter asks *“Have the City of Roseville and Granite Bay been approached regarding mitigation measures since this intersection would connect the projects to employment centers in Roseville, El Dorado Hills, and Folsom?”*

This comment is addressed under Response 57-1.

**Response 61-2:** This comment states *“Since the only benefits to Rocklin can be perceived to be closing RHNA shortfalls of affordable and low-income units since Rocklin has exceeded its number of moderate-income units and nearly fulfilled its above moderate allocation, will the projects be conditions to meet low, very low and extremely low-income levels?”*

This comment is addressed, in part, under Response 35-2. Under CEQA, lead agencies are afforded the presumption that the Project will be implemented as proposed (see, e.g., Berkeley Hillside Preservation v. City of Berkeley (2015) 60 Cal.4th 1086, 1119-20). The DEIR proposes “senior affordable multi-family dwelling units,” and there is no evidence the units would not be “affordable”. (DEIR, p. 2.0-11.) The commenter appears to imply that this supposed lack of assurance may result in an inconsistency with the Government Code statutes listed on page 3.10-10 under Impact 3.10-2. However, in addition to the presumption just articulated, Government Code section 66300, cited on page 3.10-10, does not apply only to “affordable” units—it seeks to preserve land zoned for all types of housing. CEQA does permit agency decision-makers to account for economic feasibility when approving a project. Project alternatives can be rejected as infeasible for economic or policy reasons.

**Response 61-3:** This comment asserts that a significant number of native and heritage oaks have been destroyed in the County as asks *“Can the projects be more clustered to preserve a greater number of trees and increase open space for less significant impacts and greater quality of life issues? Can staff explain why continued urban sprawl of single-family housing presumably in excess or required RHNA allocations within the city limits cannot be clustered as multi-family or duplexes currently missing from the housing inventory?”*

This comment is addressed, in part, under Master Response 5 and Responses 41-2 and 61-2.

**Response 61-4:** This comment asserts the current 50 foot setback from riparian habitat is inadequate and questions if cumulative impacts to Aguilar Tributary Creek and Secret Ravine Creek have been considered beyond the Project boundaries.

This comment is addressed under Master Responses 1, 2, 4, and 12.

**Response 61-5:** The comment does not raise any specific issues with the DEIR or warrant any changes to the EIR, rather it states support for the “Increased Density/Residential Emphasis

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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Alternative”. Specifically, the comment states: *“The ‘Increased Density/Residential Emphasis Alternative’ would appear to satisfy the project applicant, enhance benefits to the community and reduce significant and unavoidable impacts with less mitigation.”*

The comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration.



**Members of the city and planning commission;**

My concerns are directed at my particular situation as I live on Havenhurst (South Park plan) Circle location and back up to the Senior Apartment location. My family has lived in this location for almost 20 years now and continue to see impacts around us based on the increase of apartments, homes and businesses that have been added to the area. These impacts will only increase as more housing is added without the proper planning ahead of the projects.

62-1

**TRAFFIC IMPACTS**

DEIR Chapter 3.14 Transportation and Circulation

The College Park development that consists of 900 residential dwelling units and other uses will generate thousands of new cars on our local streets. The impacts of traffic on our local streets is considered a **“Significant Impact”** and needs to be “mitigated” before this project is approved to proceed. The City cannot keep “kicking the can down the road” by saying that at some point in the future they will address our congested roads and the traffic jam at the I-80/Rocklin Road interchange.

- The El Don Drive area will be used as a cut through street with the increased traffic generated by the College Park development
- Rocklin Road (east of I-80) is the **#1 traffic collision location** in all of Rocklin.
- Based on Rocklin PD statistics, over the past 6 years straight, east Rocklin roads have been in the top 5 collision locations in the city.
- A recent traffic study just conducted on Rocklin Rd. does not reflect the true traffic patterns at the college due to the ongoing reduction of students currently attending the campus due to the pandemic.
- The Table identifies a 195-unit (not 180-unit) Senior Affordable Multi-Family Land use aka the Sierra College Senior Apartments Project having No Significant Impact. In addition, the table’s legend states, “quantitative VMT metrics not shown because retail and affordable housing presumed to be less-than significant”. It is inaccurate to state this 4-story, low-income, “senior” apartment complex (potential nursing home facility), especially given its right-turn-only from Rocklin Road ingress and its right-turn only egress onto Rocklin Road will not have “significant” impacts to traffic on Rocklin Road. Additionally, it is a well-known fact that senior care facilities actually have increased traffic and public services impacts due to high volumes of emergency calls. How does the City plan to address the “significant” impacts of this 4-story, 195-unit (or 180-unit) apartment complex on Rocklin Road traffic as well as the impacts to the city’s public services (police and fire)? (Reference: DEIR Chapter 3.14 Transportation and Circulation; Section on “Impacts and Mitigation Measures”: **Impact 3.14-1, Table 3.14-9**; on DEIR page 3.14-22.)

62-2

### CREEK SETBACKS / TREE REMOVAL

Ref. DEIR Chapter 3.4 Biological Resources

I have requested, several times, a copy of the recent arborists report provided to the developer with the response that the report was being corrected and still not available at this time. All of the trees on my property line are currently tagged and designated on the developers plan as to be replaced. We are requesting mitigation to the developer on the removal or replacement of non-seasonal/evergreen type trees to replace our current canopy.

The City of Rocklin only requires a 50 foot setback from creeks/streams. The Secret Ravine tributary creek that runs through the middle of the College Park South project site is part of a larger wildlife corridor that runs east/west into Secret Ravine Creek that runs north/south. We would like to see an increase of the setback distance based on the below Rocklin General Plan language.

- Streams need to be shaded to keep water temperature cool. Trees need to be kept.
- According to the DEIR, there are a total of 1,599 trees located on the College Park's two properties. Of those, 1,393 will be removed, leaving only 206 trees.
- The city of Rocklin simply allows developers to cut down oak trees in exchange for them paying fees into an Oak Tree Mitigation Fund. Unfortunately, the city uses that fund money to build and maintain parks not in our area. For example, several years ago there was approximately \$1.5 million in the fund. The City used all of that money to finance turning the old golf course off Midas into a park. And that was after Save East Rocklin asked that those funds be used to purchase part of the college property and turn it into a park in our area.
- The College Park North site aka the North Village will lose over 14-acres of tree canopy in the Northern section of the project site. Only 5-acres will be preserved as open space and that is probably only because there are drainage issues in that area.
- The College Park South aka South Village will lose 3-acres of tree and 4- acres of tree canopy are alleged to be preserved. This is due to the wetlands that exist around the creek.
- The creek on the South project site sits in a 100 year flood plain. When will this plan be updated?

The "creek" that runs east-west through the center of the College Park South project site is a tributary creek of Secret Ravine Creek. Monte Verde Park is located on the north side of the tributary creek. The park was purposely built in this location to address flooding from the creek. The creek and the park sit in a FEMA designated 100-year flood plain.

The DEIR barely mentions that this year-round creek sits within a FEMA 100-year floodplain and fails to address the yearly flooding that occurs on the College Park South site. Most

62-3

notably, many times during the rainy season and most recently on Sunday, October 24, 2021, the creek easily overflows its banks and covers the SPMUD easement road that runs parallel to the creek on the south side. Under the Flooding section on pg. 3.9-4, it simply states "a portion of the South Village site is shown on the FEMA Flood Insurance Rate Map." When in fact the entire creek area and the Monte Verde Park on the College Park South site sit within a FEMA 100-year flood plain. The DEIR fails to adequately disclose, analyze, and mitigate the project's impacts on Flooding.

City of Rocklin General Plan's [Open Space Action Plan](#), Action Plan: Table A-2 General Plan Policy Action Steps – Open Space, Conservation and Recreation Element states under Action Step OCRA-11 on page 2-43...

"Apply open space easements to all lands located within 50 feet from the edge of the bank of all perennial and intermittent streams and creeks providing natural drainage. The easement will also extend to include associated riparian habitat. **In addition, the City may designate an easement greater than 50 feet for perennial streams when it is determined such a buffer is necessary to adequately protect drainage and habitat areas.** In designating these areas as open space, the City is preserving natural resources and protecting these areas from development. However, features which may be considered acceptable within the 50 foot setback, buffer area and/or open space easements include, but are not limited to, de minimis encroachments of a public thoroughfare, bridges, trails, drainage facilities, utilities, and fencing intended to delineate or protect a specific resource. Installation and maintenance of those features shall minimize impacts to resources to the extent feasible. The above setbacks and buffers shall apply to residential and non-residential development unless the land owner can demonstrate that literal application of this Action Plan item would preclude all economically viable use of the land under existing zoning."

62-4

This unique wildlife area requires a larger than normal setback in order to protect this incredible area. Please refer to Save East Rocklin's [wildlife photo gallery](#) for pictures of the various wildlife species taken on the College Park South site. All these photographs were taken on the College property.

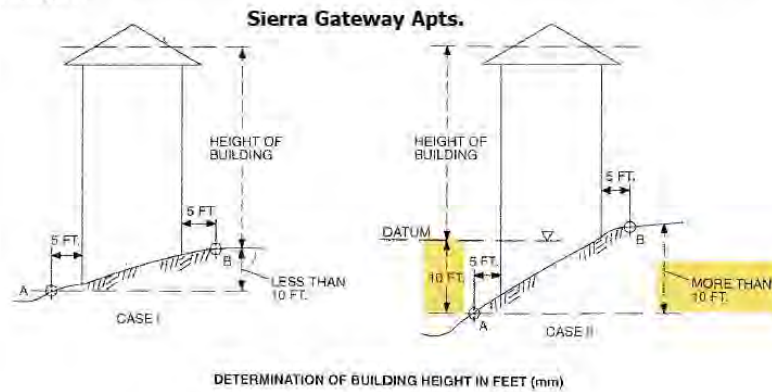
**GRADING**

DEIR Chapter 3.1 Aesthetics and Visual Resources

- The city should not allow any developer(s) to increase height of existing ground more than 4-5 feet when grading for future building.
- ***This will directly affect myself and my neighbors on Havenhurst with the 3 & 4 story apartments planned for this site. Just in the last month, surveyors were back out to re-survey the site due to errors...***

62-5

- Refer to attached diagrams of one east Rocklin development to see how important it is to pay attention to “grading” when review project information.
  - **Sierra Gateway Apartment complex** grading currently going on at the SE corner of Rocklin Road and Sierra College Blvd. The grading is so high (at minimum 10 feet) that the 3-story apartment complex will now feel like a 4-5 story apartment complex.



62-5 cont.

**PUBLIC SERVICES**

DEIR Chapter 3.13 Public Services and Recreation

This very large development which includes 900 new homes/apartments will have significant impacts on Public Services.

- There will be an increased need for police and fire services.
- Given there are several proposed 3 and 4 story residential buildings there is a need for a Fire Dept. Ladder Truck. Currently Rocklin Fire Dept.'s two Ladder Trucks is located across town near Rocklin High School.
- There will be increased demand on existing water and sewer lines that could potentially affect existing homes in the area. Will the electrical grid support the increase demand?
- Local schools will be “Significantly Impacted” with new students. I do not see any plan for a new school(s)...

62-6

Finally:

**Aesthetics** - increased light and glare

DEIR Chapter 3.1 Aesthetics and Visual Resources (pg. 3.1-1).

The College Park Project site consists of approximately 108.4-acres including the 72.6-acre North Village site (NE corner Rocklin Rd. & SC Blvd.) and the 35.8-acre South Village site (SE corner Rocklin Rd. & El Don Dr.). The North Village which is slated for a minimum of 695 new residential dwelling units in a highly congested setting is bounded on the west by Sierra College Boulevard and the Sierra College Campus. Within the proposed 695 units is a 4-story condominium complex, another 3-story apartment complex (not shown on their Tentative Subdivision Map), and a long row of 3-story high triplexes running parallel to Sierra College Blvd along the project's western border. The college campus is already a great source of light and glare. Every night the campus lights up the night sky. Directly south of the North Village (aka College Park North) is the already approved 3-story Sierra Gateway 195-unit apartment complex currently under construction.

The cumulative effects on light and glare produced by Sierra College Blvd. traffic, the Sierra College Campus, the pending Sierra Gateway apartments and now an additional jam packed 695 residential units on the College Park North site, will significantly impact the aesthetics of our east Rocklin community. How can the City of Rocklin reduce this light and glare to an "insignificant" level?

(Note: the College Park South site is slated for an additional 205 residential units making a total of 900 new residential units created by this development.)

The College Park South Tentative Subdivision map does not show the proposed 4-story, 180-unit apartment complex on the NE section of the South project site. This will directly impact myself and my neighbors of 20+ years!

Thanks you for your consideration for this review!

Very Respectfully,

Kevin Shaw

5412 Havenhurst Circle

Rocklin

(916)276-4140

62-7

### **Response to Letter 62: Kevin Shaw, Public Comment Submission**

**Response 62-1:** This comment states that the commenter lives on Havenhurst Circle which would back up to the Senior Apartment location. The commenter notes they have lived here for 20 years and experienced impacts based on the *“increase of apartments, homes, and businesses that have been added to the area. These impacts will only increase as more housing is added without the proper planning ahead of the projects.”*

The comment does not raise any specific issues with the DEIR or warrant any changes to the EIR. The comment is noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 62-2:** This comment states the following:

#### *Traffic*

- *The El Don Drive area will be used as a cut through street with increased traffic generated by the College Park development.*
- *Rocklin Road (east of I-80) is the #1 collision location in all of Rocklin.*
- *Based on Rocklin PD statistics, over the past 6 years straight, east Rocklin roads have been in the top 5 collision locations in the City.*
- *A recent traffic study just conducted on Rocklin Rd. does not reflect the true traffic patterns at the college due to the ongoing reduction of students currently attending the campus due to pandemic.*
- *The Table identifies a 195-unit (not 180-unit) Senior Affordable Multi-Family Land use aka the Sierra College Senior Apartments Project having No Significant Impact. In addition, the table’s legend states, “quantitative VMT metrics not shown because retail and affordable housing presumed to be less-than significant”. It is inaccurate to state this 4-story, low-income, “senior” apartment complex (potential nursing home facility), especially given its right-turn-only from Rocklin Road ingress and its right-turn only egress onto Rocklin Road will not have “significant” impacts to traffic on Rocklin Road. Additionally, it is a well-known fact that senior care facilities actually have increased traffic and public services impacts due to high volumes of emergency calls. How does the City plan to address the “significant” impacts of this 4-story, 195-unit (or 180-unit) apartment complex on Rocklin Road traffic as well as the impacts to the city’s public services (police and fire)?*

The DEIR and responses to comments contained in this FEIR describe planned improvements at the I-80/Rocklin Road interchange, improvements to the Rocklin Road/El Don Drive, Sierra College Boulevard/Stadium Way, and Sierra College Boulevard/Rocklin Road intersections, and required widening of Rocklin Road and Sierra College Boulevard along the project frontages. These improvements will help alleviate congestion and queuing that is present along these corridors.

Chapter III of the TIS in Appendix I describes the expected level of usage of El Don Drive (southeasterly toward Sierra College Boulevard) by South Village trips. Ten percent of inbound trips and five percent of outbound trips are expected to use this segment of El Don Drive. Based on the South Village's daily trip generation, this would represent 165 daily trips being added. Some of these trips may also choose to use Southside Ranch Road via Buxton Way or Freeman Drive to reach Sierra College Boulevard, though it is noted that remaining on El Don Drive is shorter and faster (at least during off-peak hours). Capacity improvements would be made by the project applicant at all four legs of the Sierra College Boulevard/Rocklin Road intersection. This may further act to discourage use of El Don Drive to travel between Sierra College Boulevard and Rocklin Road.

Traffic counts were obtained at the study intersections in Fall 2018; therefore, schools were in session at the time of the counts and typical traffic conditions were observed.

Footnote 5 on page 3.14-22 of the DEIR describes how the Office of Planning & Research's Technical Advisory concludes that VMT impacts associated with affordable housing are presumed less-than-significant. A comparison of Tables 3.14-4 and 3.14-5 indicates that senior multi-family housing daily trip rates are 50 percent less than non-age restricted multi-family trip rates. Additionally, while the Trip Generation Manual did not contain senior, multi-family affordable category, it is expected that senior multi-family housing would generate even fewer trips due to the older age of residents and likelihood for fewer persons per unit and fewer employed persons. Since VMT is the product of the number of daily trips multiplied by trip length, affordable multi-family housing would be expected to generate substantially lower VMT per unit than market-based multi-family. Refer to Response 9-5 for planned improvements along Rocklin Road to accommodate project trips. Impact Statement 3.14-7 contains a detailed discussion of the potential for the project to cause significant impacts to emergency vehicle response. That evaluation concluded that the project would not result in inadequate emergency access.

**Response 62-3:** This first part of this comment states a copy of the arborist report has been requested, but not provided.

The DEIR does not include a "standalone" Arborist Report, instead, the results of the Arborist's survey/assessment is included in the Biological Resources Assessment (BRA) on Pages 33, 37-39, and in the Oak Tree Mitigation Plan, which is an appendix to the BRA. It is noted that the BRA has been updated in the Final EIR, which is presented in Appendix A to the Final EIR. This comment is addressed in more detail under Master Response 5 and Response 41-2.

The commenter further notes that all the trees on their property line are currently tagged and designated to be replaced and they request mitigation to the developer on the removal or replacement of the non-seasonal/evergreen type trees to replace their current canopy.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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This portion of the comment does not raise any specific issues with the DEIR and does not warrant any changes to the EIR, but these comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

The second part of the comment references the 50-foot setback and requests an increase of the setback distance based on identified language from the Rocklin General Plan.

This portion of the comment is addressed under Master Response 4.

The comment further states:

- *Streams need to be shaded to keep water temperature cool. Trees need to be kept.*
- *According to the DEIR, there are a total of 1,599 trees located on the College Park's two properties. Of those, 1,393 will be removed, leaving only 206 trees.*
- *The City of Rocklin simply allows developers to cut down oak trees in exchange for them paying fees into an Oak Tree Mitigation Fund. Unfortunately, the city uses that fund money to build and maintain parks not in our area. For example, several years ago there was approximately \$1.5 million in the fund. The City used all of that money to finance turning the old golf course of Midas into a park. And that was after Save East Rocklin asked that those funds be used to purchase part of the college property and turn it into a park in our area.*
- *The College Park North site aka the North Village will lose over 14-acres of tree canopy in the Northern section of the project site. Only 5-acres will be preserved as open space and that is probably only because there are drainage issues in that area.*
- *The College Park South aka South Village will lose 3-acres of tree and 4-acres of tree canopy are alleged to be preserved. This is due to the wetlands that exist around the creek.*
- *The creek on the South project sites sits in a 100 year flood plain. When will this plan be updated?*

This portion of the comment is addressed under Master Response 5 and Response 41-2.

The final portion of this comment states:

*The "creek" that runs east-west through the center of the College Park South project site is a tributary creek of Secret Ravine Creek. Monte Verde Park is located on the north side of the tributary creek. The park was purposely built in this location to address flooding from the creek. The creek and the park sit in a FEMA designated 100-year flood plain.*

*The DEIR barely mentions that this year-round creek sits within a FEMA 100-year floodplain and fails to address the yearly flooding that occurs on the College Park South site. Most notably, many times during the rainy season and most recently on Sunday, October 24, 2021, the creek easily overflows its banks and covers the SPMUD easement road that runs parallel to the creek on the south side. Under the Flooding section on pg. 3.9-4, it simply states "a portion of the South Village site is shown on the*



*FEMA Flood Insurance Rate Map." When in fact the entire creek area and the Monte Verde Park on the College Park South site sit within a FEMA 100-year flood plain. The DEIR fails to adequately disclose, analyze, and mitigate the project's impacts on Flooding.*

This portion of the comment is addressed under Master Responses 1, 2, and 3.

**Response 62-4:** This comment references the City of Rocklin General Plan's Open Space Action Plan and specifically Action Step OCRA-11 regarding application of open space easements to lands located within 50 feet from the edge of the bank of streams and creeks to adequately protect drainage and habitat areas. The comment further notes the unique wildlife area requires a larger than normal setback to protect the area and provides photos of wildlife within the College Park South site.

This comment is addressed, in part, under Master Responses 4 and 12.

**Response 62-5:** This comment references DEIR Section 3.1, Aesthetics and Visual Resources and states the developer should not be allowed to increase the height of the existing ground levels more than 4-5 feet when grading for future building and that it will directly affect residents on Havenhurst. The comment includes an example of grading associated with the Sierra Gateway Apartment complex.

This comment is addressed, in part, under Responses 36-6 and 37-10. This comment does not identify any specific issue with the analysis contained in the Draft EIR. The comment does not warrant any changes to the EIR, but these comments are noted and will be provided to the Rocklin appointed and elected officials for their consideration.

**Response 62-6:** This comment states the following:

*Public Services*

- *There will be an increased need for police and fire services.*
- *Given there are several proposed 3 and 4 story residential buildings there is a need for a Fire Dept. Ladder Truck. Currently, Rocklin Fire Dept's only Ladder Truck is located across town near Rocklin High School.*
- *There will be increased demand on existing water and sewer lines that could potentially affect existing homes in the area. Will the electrical grid support the increase demand?*
- *Local schools will be "Significantly Impacted" with new students. I do not see any plan for a new school(s)...*

The comment states there will be increased need for police and fire services, including the need for a ladder truck, as well as increased demand on existing water and sewer lines that could potentially affect existing homes in the area.

This comment is addressed, in part, under Responses 33-2 and 37-10. The comment does not raise any specific issues with the EIR. Fire and police services are discussed in DEIR Section 3.13, Public Services. The analysis of each of those topics is accurate and does not warrant any changes based

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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on this comment. A ladder truck is just one element of many that provide safety and fire protection for taller buildings. The proposed buildings will incorporate multiple overlapping protection systems in their construction and design, via Building and Fire Code requirements and conditions of approval, including but not limited to the inclusion of “standpipe” water distribution systems in structures four stories and greater in height, stairwell access to the roofs of structures four stories and greater in height, 13-R Fire suppression systems in attic areas, Fire Alarm systems, and potential additional systems that may be required on a case by case basis during the detailed Building Permit review for a given structure. It is the stated opinion of the Rocklin Fire Chief that these systems, in concert, will provide a more than adequate level of resident safety and fire protection in these structures.

Water, sewer, and electricity are discussed in DEIR Section 3.15 Utilities. The analysis of each of those topics is accurate and does not warrant any changes based on this comment.

The comment correctly states that the DEIR concluded a significant and unavoidable impact related to potential environmental effects associated with future school facilities. The comment does not raise any specific issues that warrant any changes to the EIR.

**Response 62-7:** This comment references light and glare and states that the project will result in cumulative effects on light and glare.

The topics of aesthetics, light and glare, and nighttime lighting are addressed in the DEIR in Section 3.1 Aesthetics. Overall, implementation of the proposed Project would introduce new sources of light and glare into the Project Area; however, application of the City’s design review process and implementation of City goals and policies would minimize potential impacts associated with light and glare in the Project Area. The site would be developed with typical urban uses that are consistent and compatible with surrounding existing and anticipated future developments. As noted above, there are no specific features within the proposed Project that would create unusual light and glare inconsistent with the surrounding uses. Therefore, implementation of existing City Design Review Guidelines and the General Plan policies addressing light and glare would reduce potential impacts associated with light and glare to a less than significant impact.”

It is noted that the existing City policy ordinances, and standards (existing regulations), by their very nature, reduce impacts. Where regulations exist to address a potential impact (i.e. City Design Review Guidelines), the City relies on the mitigating effects of such measures by virtue of the compliance with the regulation. To that effect, the City reviews designs in light Policy LU 4, which requires the incorporation of dark sky concepts into designs, and the City Design Review Guidelines. These Guidelines were developed to address light and glare issues, among other things, that can result from new improvements and buildings. During the design process, specific design considerations are incorporated into those designs based on guidance in the guidelines. This includes encouraging fixtures to be of a design and size compatible with the building and with adjacent areas; and prohibiting adverse light and glare onto adjacent properties. Moreover, these guidelines include standards that encourage smaller scale parking lot lights instead of fewer, overly

tall and large parking lot lights which have the potential to cause greater adverse light onto adjacent properties. The use of bollard lighting, decorative poles and fixtures is strongly encouraged within the city's design guidelines. Outdoor light fixtures mounted on building walls should relate to the height of pedestrians and not exceed 8 to 10 feet. Lastly, signage facing adjacent residential areas should be non-illuminated unless it can be demonstrated that due to physical distances between the uses or the method of lighting and the proposed placement will not create compatibility concerns. The design guidelines also state that the light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness shall not cause adverse glare to surrounding areas. The intent of these measures is to ensure that light and glare are minimized by following the City's existing standards.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES



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Erik C. White, Air Pollution Control Officer

November 9, 2021

David Mohlenbrok [David.Mohlenbrok@rocklin.ca.us](mailto:David.Mohlenbrok@rocklin.ca.us)  
Rocklin Community Development Dept., Planning Division  
3970 Rocklin Road  
Rocklin, CA 95677

RE: College Park Draft Environmental Impact Report

The Placer County Air Pollution Control District (District) has the following comments on the College Park Draft Environmental Impact Report.

On page 3.3-16 Under the topic Air Quality Management District (AQMD), it should be mentioned that the county air district is the Placer County Air Pollution Control District an Air Pollution Control District. The Air District is the agency for the "County's" compliance with federal and state standards.

On the same page under Placer County Air Pollution Control District, the 2015 Triennial update is mentioned. It should be noted that the 2018 Triennial update, a newer document is available on the District's website.

It should be noted that many of the District's rules have been approved into the State Implementation Plan (SIP), including some of those listed on page 3.3-17.

On page 3.3-32, under the first paragraph under Impact 3.3-3, the last sentence the Air District Rule for Nuisance is Rule 204.

On page 159, under Mitigation Measure 3.3-2, the Draft EIR needs to identify the required emission reduction from the special mitigation measures based on our District Board approved CEQA policy. In addition, the District Board approved the CEQA cost-effectiveness which can be applied to determine the fee payment if the applicant choses to participate in the District's Off-Site Mitigation Fund. The Fee is not determined by CARB guidelines. The lasted version of the District's current CEQA Review Policy and Cost-Effectiveness can be found here. <https://placerair.org/1800/Land-Use-California-Environmental-Qualit> Therefore the District recommends that Draft EIR identify the actual required emission reduction number, and the fee calculation based on the District's current cost effectiveness.

On page 328 under Mitigation Measure 3.7-1 the District recommends that the Draft EIR should quantify the GHG emission reduction for each proposed measure listed to demonstrate after implementation of those measures that they reduce the total project GHG emission from 11,763.7 metric tons/year to below 10,000 metric tons/year threshold.

Furthermore, the District recommends that the Draft EIR should identify the required GHG

63-1

63-2

63-3

emission reduction if the applicant chooses an alternative as proposed under this mitigation measure. The alternative needs to generate the equivalent of the GHG emission reduction to demonstrate that Mitigation Measure 3.7-1 can mitigate the total project GHG emissions to below the 10,000 metric tons/year threshold.

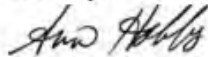
63-3 Cont.

On page 332, under Table 3.7-4, is the On-road Mobile Fuel to be Consumed not Generated.

Thank you again for the opportunity to review and comment on the Draft EIR. If you have any questions, please feel free to contact me at 530-745-2327 or [ahobbs@placer.ca.gov](mailto:ahobbs@placer.ca.gov).

63-4

Sincerely,



Ann Hobbs  
Associate Planner  
Placer County Air Pollution Control District

### **Response to Letter 63: Ann Hobbs, Placer County Air Pollution Control District**

**Response 63-1:** This comment provides an introduction and several specific recommended edits/modifications that are intended to correct and amplify the Draft EIR.

Each of these recommended edits/modifications warrant changes to the text, which is reflected in Section 3.0 Errata.

**Response 63-2:** This comment provides several specific recommended edits/modifications to Mitigation Measure 3.3-2.

This comment is noted. Mitigation Measure 3.3-2 has been updated to clearly define the overall obligation of the Project with regards to the ROG reduction, and to clarify what is required for each individual development. This includes the percentage contribution toward ROG reduction for each individual development. The updated mitigation measure also provides strategies for achieving the mandatory reductions, while providing flexibility toward considering new and improving technology at the time of development. This mitigation measure is not specifically a ROG emission reduction plan, and one has not yet been prepared, but this measure clearly provides the performance measures for achieving the mandatory reductions in ROG emission through the development of an emission reduction plan(s). The updated mitigation measure is reflected in Section 3.0 Errata.

**Response 63-3:** This comment provides recommendation to quantify the GHG emission reduction for each proposed measure listed to demonstrate after implementation of those measures that they reduce the total project GHG emission from 11,763.7 metric tons/year to below the 10,000 metric tons/year threshold.

This comment is noted. Mitigation Measure 3.7-1 has been updated to clearly define the overall obligation of the Project with regards to the GHG reduction, and to clarify what is required for each individual development within the overall Project. This includes the percentage contribution toward GHG reduction for each individual development. The updated mitigation measure also provides strategies for achieving the mandatory reductions, while providing flexibility toward considering new and improving technology at the time of development. This mitigation measure is not specifically a greenhouse gas reduction plan, and one has not yet been prepared, but this measure clearly provides the performance measures for achieving the mandatory reductions in GHG emission through the development of individual greenhouse gas emission reduction plans. The updated mitigation measure is reflected in Section 3.0 Errata.

**Response 63-4:** This comment identifies a correction of text on page 3.7-36 of the Draft EIR.

This correction warrants changes to the text, which is reflected in Section 3.0 Errata.



Central Valley Regional Water Quality Control Board

19 November 2021

David Mohlenbrok  
 City of Rocklin  
 3970 Rocklin Road  
 Rocklin, CA 95677  
 David.Mohlenbrok@rocklin.ca.us

**COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, COLLEGE PARK PROJECT, SCH#2019012056, PLACER COUNTY**

Pursuant to the State Clearinghouse's 23 September 2021 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environmental Impact Report* for the College Park Project, located in Placer County.

64-1

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

**I. Regulatory Setting**

**Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

64-2

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

64-2 Cont.

#### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

64-3

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

64-4



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**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

64-5

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/)

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml)

64-6

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

64-7

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic

64-8

<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

64-8 Cont.

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

64-9

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:  
[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

64-10

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

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For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

64-10 Cont.

**Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

64-11

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

64-12

If you have questions regarding these comments, please contact me at (916) 464-4709 or [Greg.Hendricks@waterboards.ca.gov](mailto:Greg.Hendricks@waterboards.ca.gov).

64-13



Greg Hendricks  
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento

### **Response to Letter 64: Greg Hendricks, Central Valley RWQCB**

**Response 64-1:** This comment is noted. This comment serves as an introduction to the letter and does not warrant a response. The letter raises no issues specific to the project, but rather lays out various regulatory requirements that could apply depending on circumstances. No further response is necessary.

**Response 64-2:** The comment provides background information regarding the responsibilities of the Central Valley Regional Water Quality Control Board (RWQCB). This information further elaborates on regulatory setting information provided in Section 3.9, Hydrology and Water Quality, of the Draft EIR. The Water Quality Control Plan for the Sacramento and San Joaquin River Basins (Basin Plan) is the guiding document for water quality and sustainable groundwater management in the Plan Area.

This comment is noted. No further response is necessary.

**Response 64-3:** The comment provides information regarding “Antidegradation Considerations,” including the Basin Plan’s policy and analysis requirements for National Pollutant Discharge Elimination System (NPDES) and Waste Discharge Requirement (WDR) permitting.

Project impacts to groundwater and surface water quality are addressed in Section 3.9, Hydrology and Water Quality, of the Draft EIR. Impacts were determined to be less than significant or less than significant with mitigation. The DEIR adequately analyzes the potential impacts to groundwater and surface water quality.

**Response 64-4:** The comment identifies construction storm water permit requirements for projects that disturb one or more acres of soil or are part of a larger plan that in total disturbs one or more acres of soil.

As described on pages 3.9-12 through 3.9-13 of Section 3.9, Hydrology and Water Quality, of the Draft EIR, applicant(s) for future development in accordance with the proposed Project would be required obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. To do so, the applicant(s) must prepare a Project-specific Stormwater Pollution Prevention Plan (SWPPP), which would incorporate BMPs in order to prevent or reduce to the greatest extent feasible adverse impacts to water quality from erosion and sedimentation. Therefore, the Project would comply with the General Construction Stormwater Permit from the RWQCB. The DEIR adequately reflects the information provided in the comment.

**Response 64-5:** The comment discusses Best Management Practices and MS4 requirements for storm drainage systems.

As described in Section 3.9, Hydrology and Water Quality, of the Draft EIR, the overall design of the proposed Project’s drainage infrastructure will be required to comply with the *City of Rocklin Post-Construction Manual* (City of Rocklin, June 2015), which ensures that stormwater runoff from the

Project Area is treated per the standards in the California Stormwater Best Management Practice New Development and Redevelopment Handbook and Section E.12 of the Phase II Small MS4 General Permit. In addition, the manual facilitates review of applications and promotes integrated Low Impact Development (LID) design. The term low impact development (LID) means a storm water management and land development strategy that emphasizes conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely reflect predevelopment hydrologic functions. The proposed Project intends to integrate LID measures throughout the proposed Project Area to provide stormwater quality treatment. These LID measures would likely include both volume-based best management practices (BMPs) (i.e., bioretention, infiltration features, pervious pavement, etc.) and flow-based BMPs (i.e., vegetated swales, stormwater planter, etc.). The use of these features would be dependent upon the location and setting within the Project Area. This comment does not warrant any modifications to the Draft EIR. No further response is necessary.

**Response 64-6:** The comment discusses Industrial Storm Water General Permit requirements.

The proposed Project does not include industrial uses.

**Response 64-7:** The comment indicates that a Section 404 permit from the U.S. Army Corps of Engineers would be required for activities involving a discharge to waters of the U.S.

As shown in DEIR Table 3.4-4 in Section 3.4 Biological Resources, approximately 9.065 acres of aquatic resources are mapped within the Study Areas, and 0.971 acre will be impacted by the proposed Project, and 8.094 acres will be avoided (Figures 3.4-5a and 3.4-5b from the Draft EIR). Mitigation Measure 3.4-8 requires the applicant to obtain the proper regulatory permits, including adherence to the “no-net-loss” requirements. All feasible mitigation has been incorporated into the Project by design, through regulatory permit compliance (i.e., Section 404/401/1600 permits), adherence to the “no-net-loss” requirements (minimum 1:1 replacement), and through other mitigation measures presented in this chapter.

**Response 64-8:** The comment indicates that a Section 401 Water Quality Certification from the State Board would be required for activities that require a Section 404 permit or other federal permits.

As noted in Response 64-7 above, a 404 permit may be required, although it will be determined by the regulatory agencies at the time that a detailed plan is available.

**Response 64-9:** The comment indicates that a WDR if there are State waters that require discharge or dredging.

As noted in Responses 6-7 and 64-8, a permit may be warranted. As noted on page 3.9-20 through 3.9-25 of Section 3.9, Hydrology and Water Quality, if the site-specific development involves the discharge into surface waters, the project proponent would need to acquire a Dewatering permit, NPDES permit, and Waste Discharge permit from the CVRWQCB.

## 2.0 COMMENTS ON DRAFT EIR AND RESPONSES

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**Response 64-10:** The comment indicates that if the proposed Project includes construction dewatering to be discharged to land, the proposed Project will require coverage under a NPDES permit.

Dewatering is not anticipated to be required during construction of the proposed Project; however, if the site-specific development involves the discharge into surface waters, the project proponent would need to acquire a Dewatering permit, NPDES permit, and Waste Discharge permit from the CVRWQCB. This requirement is discussed in Section 3.7, Hydrology and Water Quality, of the Draft EIR.

**Response 64-11:** The comment indicates that if the proposed Project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed Project will require coverage under a NPDES permit.

See Response 64-10.

**Response 64-12:** The comment identifies the need for coverage under the NPDES permit for discharges of waste that could affect the quality of surface waters of the State.

As noted above, if the site-specific development involves the discharge into surface waters, the project proponent would need to acquire a Dewatering permit, NPDES permit, and Waste Discharge permit from the CVRWQCB. This requirement is discussed on page 3.9-12 through 3.9-13, and 3.9-21 through 3.9-25 of Section 3.9, Hydrology and Water Quality, of the Draft EIR.

**Response 64-13:** This comment is noted.

This comment serves as a conclusion to the letter and does not warrant a response. No further response is necessary