

DEPARTMENT OF TRANSPORTATION

DISTRICT 3

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Letter 1

*Serious Drought.
Serious drought.
Help save water!*

January 25, 2017

GTS# 03-PLA-2017-00040
03-PLA-80/PM 8.582
SCH# 2016122048

Robert King
Town Planner
Town of Loomis
3665 Taylor Road
Loomis, CA 95650

The Grove

Dear Robert King:

Thank you for including California Department of Transportation (Caltrans) in the Initial Study/Mitigated Negative Declaration (IS/MND) review for The Grove. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the state's mobility goals that support a vibrant economy, and build communities, not sprawl.

The Grove would subdivide a 9.98 acre parcel into 26 lots, including 22 residential lots, one park lot, one storm water detention basin lot, and two landscaping/entry corridor lots. The Grove is located southwest of the intersection of Humphrey Road and No Name Lane in the Town of Loomis. The following comments are based on the IS/MND received.

VMT

In response to the provisions of Senate Bill 743, we encourage the integration transportation and land use in a way that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions by facilitating the provision of more proximate goods and services to shorten trip lengths, as well as achieve a high level of non-motorized travel and transit use. As such, we encourage the evaluation the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. The Department also seeks to reduce serious injuries and fatalities, as well as provide equitable mobility options for people who are economically, socially, or physically

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disadvantaged. Therefore, we encourage the evaluation of the project site for access problems, VMT, and service needs that may need to be addressed.

Traffic Operations

The project was found to result in less than significant traffic impacts with the following mitigation:

- Mitigation Measure T-1 – the project applicant shall pay applicable Town of Loomis traffic and circulation fees prior to issuance of building fees
- Mitigation Measure TT-2 – project applicant shall pay for and construct a stop sign and the intersection of Grove Circle and Humphrey Road
- Mitigation Measure TT-3 – the project applicant shall incorporate a Class II lane or Class III bicycle route along the project's Humphrey Road frontage.

This mitigation appears to be adequate for potential impacts to local facilities. However, the project should also pay into a Placer County mitigation fund program to also improve State facilities as needed due to future development, such as the Highway SR65 JPA (Joint Powers Authority) Fee, the South Placer Regional Transportation Agency (SPRTA) fee, or the City/County Baseline Road Fee Program.

Hydraulics

As presented in document, the drainage plans propose to mitigate for increases in surface water (storm water) runoff that result from the development of The Grove site by collecting surface water runoff in a project site drainage system which discharges into a storm water detention/retention basin to be located in the northwest corner of the project site area. According to the MND, this basin is sufficient in size and volume to decrease the post-project runoff to less than the pre-project runoff from the site for the 10-year and 100-year design storm events.

Please provide a copy of the Meredith Engineering "Preliminary Storm Drainage Report" (2016) for review by the Caltrans District 3 Hydraulics Branch in Marysville, CA. This report was referenced several times in the MND as the basis for project site drainage design and storm water discharge mitigation. However, a copy of this report was not provided as an attachment to the MND.

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Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any question regarding these comments or require additional information, please contact David Smith, Intergovernmental Review Coordinator for Placer County, by phone (530) 634-7799 or via email to david.j.smith@dot.ca.gov.

Sincerely,



KEVIN YOUNT, North Branch Chief
Office of Transportation Planning
Regional Planning Branch—North

Letter 2

From: Calderaro, Angela@Wildlife [mailto:Angela.Calderaro@wildlife.ca.gov]
Sent: Friday, January 06, 2017 3:02 PM
To: Robert King
Cc: Wildlife R2 CEQA
Subject: Comment: The Grove - A Proposed Residential Subdivision (SCH [2016122048](#))

Dear Mr. King,

The California Department of Fish and Wildlife (Department) is providing comments on the Mitigated Negative Declaration (MND) for the Grove Residential Subdivision Project (project) as both a trustee agency and responsible agency under the California Environmental Quality Act (CEQA). As trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species (Guidelines § 15386). The Department may also be a responsible agency for a project affecting biological resources where we will exercise our discretion after the lead agency to approve or carry out a proposed project or some facet thereof (CEQA Guidelines § 15096).

The project would subdivide a 9.98-acre parcel into 26 lots, including 22 residential lots, one parking lot, one stormwater detention basin lot, and two landscaping/entry corridor lots. The project is located southwest of the intersection of Humphrey Road and No Name Lane in the Town of Loomis (APN 044-021-008).

Scoping

The process the Department recommends for identifying and analyzing impacts to sensitive species and habitats begins with scoping, followed by surveys and mitigation development. Although the California Natural Diversity Database (CNDDDB) is one tool that may identify potential sensitive resources in the area, the dataset should not be regarded as complete for the elements or areas with the potential to be impacted. Other sources for identification of species and habitats near or adjacent to the project area should include, but may not be limited to, State and federal resource agency lists, California Wildlife Habitat Relationship (CWHR) System, California Native Plant Society (CNPS) Inventory, agency contacts, environmental documents for other projects in the vicinity, academics, and professional or scientific organizations. In addition, CNDDDB is not a comprehensive database. It is a positive detection database. Records in the database exist only where species were detected and reported. This means there is a bias in the database towards locations that have had more development pressures, and thus more survey work. Places that are empty or have limited information in the database often signify that little survey work has been done there. The MND states that the database shows there are no special-status species within the project site. Of course there are no records, because someone would have to survey the site and report the sightings. A nine United States Geologic Survey (USGS) 7.5-minute quadrangle search is recommended to determine what may occur in the region (see Data Use Guidelines on the Department webpage www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data). If there is habitat for special-status

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species on the project site or special-status species could be impacted by project activities by either direct or indirect means, then we recommend additional surveys to confirm presence or you can assume presence and develop appropriate avoidance and minimization measures. Attached is the 9-quad search surrounding the Loomis quad for occurrence records of special-status species according to CNDDDB. Also please see the *Data Use Guidelines* for how to display CNDDDB data. Figure 6 does not abide by these rules.

Riparian Habitat/ Streambed Alteration Agreement

The CEQA analysis should state what, if any, Department-jurisdictional features will be removed, disturbed, or otherwise altered by the project. The Department's jurisdiction includes the bed, bank and channel and any associated habitat including areas where water has flowed and where the width of its course can be identified by physical or biological indicators. This may include the floodplain or associated contributing drainage areas. When determining jurisdiction, the Department must consider the fluvial geomorphology of the system including the following: (1) where water currently flows, or has flowed, over a given course during the historic hydrologic regime (can be subsurface flows), (2) the maximal extent of the or expression of a stream on the landscape, (3) the connectivity between the groundwater table and surrounding landscape (may include springs, swales, surface runoff source areas that are a source of water to a stream), and (4) the nexus between the stream and all life associated with the streams. Riparian can include areas adjacent to perennial, intermittent, and ephemeral streams, lakes and estuarine marine shorelines that are transitional between terrestrial and aquatic ecosystems and are distinguished by gradients in biophysical conditions, ecological processes, and biota. They are areas through which surface and subsurface hydrology connect waterbodies with their adjacent uplands. Riparian areas connect upland and aquatic environments through both surface and subsurface hydrologic flow paths.

The MND does not describe or show the location of the riparian habitat or unnamed stream nor does it describe how it would be impacted by the proposed project. Direct and indirect impacts to Department-jurisdictional features including culverts, outfalls, etc. should be analyzed. The CEQA document should address direct (temporary and permanent), indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. The Department must rely on the CEQA document as a responsible agency when issuing their 1600 permit. If it cannot rely on the CEQA document, then it either must be amended or the Department must execute its own CEQA document at the expense of the project applicant.

The CEQA document should include specific, enforceable measures to be carried out onsite or within the same stream system that will avoid, minimize and/or mitigate for project impacts to the natural resources. If CDFW-jurisdictional features will be removed as a result of the project, the Department recommends a minimum *3 acres of restored habitat for each acre removed*. The Department cannot use the Corps' In Lieu Fee program and only credits at Department-approved mitigation banks may be used to

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offset impacts to Department-jurisdictional features. Mitigation measures should also describe when the mitigation measure will be implemented, and explain why the measure is feasible. The Department recommends that the CEQA document does not defer mitigation details to some future time. The CEQA document should identify the following items: how each measure will be carried out; who will perform the measures; when the measures will be performed; the performance standards and mechanisms for achieving success, and an assured source of funding to acquire and manage identified mitigation lands. The CEQA document should describe a range of enforceable mitigation measures that will be implemented in instances where approval and cooperation with the entities identified above either does or does not occur. The CEQA document does not describe what if any temporary impacts will occur.

Deferred Mitigation

CEQA Guidelines §15126.4 (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. The MND includes mitigation measures Bio-1, Bio-3, Bio-5, and Bio-6, that relies on future approvals or agreements with USACE, an entity entrusted with carrying out the project as a means to bring identified significant environmental effects to below a level that is significant. Because there is no guarantee that this approval or cooperation with the above entity will ultimately occur, the Department believes that the above mitigation measures are unenforceable and do not bring the impacts to biological resources to below a level that is significant. As a responsible agency issuing a Streambed Alteration Agreement, the Department must rely on CEQA document to adequately address all potential impacts associated with the project and to have enforceable mitigation measures to avoid, minimize or mitigate those impacts. It is recommended that Mitigation Plans are developed prior to finalizing the MND and that any potential impacts associated with the Mitigation Plans are analyzed as well (i.e., restoration or enhancement of habitat may have impacts to sensitive resources).

Nesting Birds and Raptors

The project has the potential to disturb bird species or nests protected under the Migratory Bird Treaty Act (MBTA), FGC §3503 and 3503.5. Since project activities may occur during the nesting season (determined by region, species, and climate), construction activities could result in disturbance to nesting raptors and other migratory birds. Raptors and other migratory birds are protected under the MBTA and FGC §3503.5; therefore, potential impacts may be considered potentially significant unless adequate avoidance, minimization and/or mitigation is incorporated. If nests are identified on or adjacent to the project site, implementation of the project may adversely impact the success of the nest site and/or take a bird, their eggs and/or nest.

Mitigation Measure Bio-7 states that preconstruction surveys will be conducted within 30 days prior to the start of construction. The Department recommends that this is changes to no more than three (3) days prior to the start of construction. In addition, if there is a break in construction activity of more than 2 weeks or if there is a change in the level of

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disturbance at a site, then subsequent surveys should be conducted. All measures to protect birds should be performance-based. While some birds may tolerate disturbance within 500 feet of construction activities, other birds may have a different disturbance threshold and "take" (FGC §86) could occur if the no-work buffers are not designed to reduce stress to that individual pair. The Department recommends including performance-based protection measures for avoiding all nests protected under the Migratory Bird Treaty Act and FGC §3503.5. A 500-foot no-work buffer may be sufficient; however, that buffer may need to be increased based on the birds' tolerance level to the disturbance. Below is an example of a performance-based protection measure:

Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer will be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist. Removal of a raptor nest or rookery site may have significant impacts even if activities avoid the nesting season.

The best method is to have a qualified biologist onsite monitoring activities as birds may nest within pipes or on cleared ground. The removal of a nest tree even if it is not within the breeding season may still constitute a significant impact. FGC 3503 and 3503.5 does not state if the nest is active or not.

Thank you for considering our comments. If you could please reply and let me know you received this email, it would be greatly appreciated. Department personnel are available for consultation regarding biological resources and strategies to minimize impacts. If you have questions, please do not hesitate to contact me.

Regards,

Angela Calderaro

Senior Environmental Scientist (Specialist)
Habitat Conservation Branch
California Department of Fish and Wildlife, North Central Region
1701 Nimbus Road, Rancho Cordova CA 95670
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To report a violation please notify the Californians Turn in Poachers and Polluters (CalTIP) program by calling 1-888-DFG-Callip or texting "tip411" (numerically, 847411 – Start message with "Callip") You can even send photos via text. Also, the CalTIP App can be downloaded for free via the Google Play Store and iTunes App Store

Note: I do not work most Thursdays.



Letter 2
Selected Elements by Scientific Name
 California Department of Fish and Wildlife
 California Natural Diversity Database



Query Criteria: Quad IS (Auburn (3812181) OR Citrus Heights (3812163) OR Clarksville (3812161) OR Folsom (3812162) OR Gold Hill (3812182) OR Lincoln (3812183) OR Pilot Hill (3812171) OR Rocklin (3812172) OR Roseville (3812173))

The Grove, Residential Subdivision
 Town of Loomis
 9-quad search centered around Rocklin quad

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Accipiter cooperii</i> Cooper's hawk	ABNKC12040	None	None	G5	S4	WL
<i>Agelaius tricolor</i> tricolored blackbird	ABPBXB0020	None	Candidate Endangered	G2G3	S1S2	SSC
<i>Alkali Meadow</i> Alkali Meadow	CTT45310CA	None	None	G3	S2.1	
<i>Alkali Seep</i> Alkali Seep	CTT45320CA	None	None	G3	S2.1	
<i>Allium jepsonii</i> Jepson's onion	PMLIL022V0	None	None	G2	S2	1B.2
<i>Ammodramus savannarum</i> grasshopper sparrow	ABPBXA0020	None	None	G5	S3	SSC
<i>Ammonitella yatesii</i> tight coil (=Yates' snail)	IMGASB0010	None	None	G1	S1	
<i>Andrena biennospermatis</i> Biennosperma vernal pool andrenid bee	IHYM35030	None	None	G2	S2	
<i>Andrena subapasta</i> an andrenid bee	IHYM35210	None	None	G1G2	S1S2	
<i>Antrozous pallidus</i> pallid bat	AMACC10010	None	None	G5	S3	SSC
<i>Aquila chrysaetos</i> golden eagle	ABNKC22010	None	None	G5	S3	FP
<i>Ardea alba</i> great egret	ABNGA04040	None	None	G5	S4	
<i>Ardea herodias</i> great blue heron	ABNGA04010	None	None	G5	S4	
<i>Athene cunicularia</i> burrowing owl	ABNSB10010	None	None	G4	S3	SSC
<i>Balsamorhiza macrolepis</i> big-scale balsamroot	PDAST11061	None	None	G2	S2	1B.2
<i>Banksia californica</i> Alabaster Cave harvestman	ILARA14020	None	None	GH	SH	
<i>Banksia gilliei</i> Gillie's cave harvestman	ILARA14040	None	None	G1	S1	
<i>Bombus morrisoni</i> Morrison bumble bee	IHYM24460	None	None	G4G5	S1S2	



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Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Bombus occidentalis</i> western bumble bee	IHHYM24250	None	None	G2G3	S1	
<i>Branchinecta lynchi</i> vernal pool fairy shrimp	ICBRA03030	Threatened	None	G3	S3	
<i>Buteo swainsoni</i> Swainson's hawk	ABNKC19070	None	Threatened	G5	S3	
<i>Calystegia stebbinsi</i> Stebbins' morning-glory	PDCON040H0	Endangered	Endangered	G1	S1	1B.1
<i>Carex xerophila</i> chaparral sedge	PMCYP03M60	None	None	G2	S2	1B.2
<i>Ceanothus roderickii</i> Pine Hill ceanothus	PDRHA04190	Endangered	Rare	G1	S1	1B.1
<i>Chlorogalum grandiflorum</i> Red Hills soaproot	PMLIL0G020	None	None	G2	S2	1B.2
<i>Chloropyron molle ssp. hispidum</i> hispid salty bird's-beak	PDSCR0J0D1	None	None	G2T2	S2	1B.1
<i>Clarkia biloba ssp. brandegeeeae</i> Brandegee's clarkia	PDONA05053	None	None	G4G5T4	S4	4.2
<i>Corynorhinus townsendii</i> Townsend's big-eared bat	AMACC08010	None	None	G3G4	S2	SSC
<i>Cosumnoperla hypocrena</i> Cosumnes stripetail	IIPLE23020	None	None	G2	S2	
<i>Crocotanthemum suffrutescens</i> Bisbee Peak rush-rose	PDCIS020F0	None	None	G2Q	S2	3.2
<i>Desmocerus californicus dimorphus</i> valley elderberry longhorn beetle	IICQL48011	Threatened	None	G3T2	S2	
<i>Downingia pusilla</i> dwarf downingia	PDCAM060C0	None	None	GU	S2	2B.2
<i>Elanus leucurus</i> white-tailed kite	ABNKC06010	None	None	G5	S3S4	FP
<i>Emys marmorata</i> western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
<i>Falco columbarius</i> merlin	ABNKD06030	None	None	G5	S3S4	WL
<i>Falco peregrinus anatum</i> American peregrine falcon	ABNKD06071	Delisted	Delisted	G4T4	S3S4	FP
<i>Fremontodendron decumbens</i> Pine Hill flannelbush	PDSTE03030	Endangered	Rare	G1	S1	1B.2
<i>Fritillaria agrestis</i> slinkbells	PMLIL0V010	None	None	G3	S3	4.2
<i>Fritillaria eastwoodiae</i> Butte County fritillary	PMLIL0V060	None	None	G3Q	S3	3.2



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Selected Elements by Scientific Name
 California Department of Fish and Wildlife
 California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Gallium californicum</i> ssp. <i>sierrae</i> El Dorado bedstraw	PDRUB0N0E7	Endangered	Rare	G5T1	S1	1B.2
<i>Gratiola heterosepala</i> Boggs Lake hedge-hyssop	PDSCR0R060	None	Endangered	G2	S2	1B.2
<i>Haliaeetus leucocephalus</i> bald eagle	ABNKC10010	Delisted	Endangered	G5	S3	FP
<i>Hydrochara rickseckeri</i> Ricksecker's water scavenger beetle	IICOL5V010	None	None	G2?	S2?	
<i>Juncus leiospemus</i> var. <i>ahartii</i> Ahart's dwarf rush	PMJUN011L1	None	None	G2T1	S1	1B.2
<i>Juncus leiospemus</i> var. <i>leiospemus</i> Red Bluff dwarf rush	PMJUN011L2	None	None	G2T2	S2	1B.1
<i>Lasionycteris noctivagans</i> silver-haired bat	AMACC02010	None	None	G5	S3S4	
<i>Laterallus jamaicensis coturniculus</i> California black rail	ABNME03041	None	Threatened	G3G4T1	S1	FP
<i>Lathyrus sulphureus</i> var. <i>argillaceus</i> dubious pea	PDFAB25101	None	None	G5T1T2	S1S2	3
<i>Legenere limosa</i> legenere	PDCAM0C010	None	None	G2	S2	1B.1
<i>Lepidurus packardii</i> vernal pool tadpole shrimp	ICBRA10010	Endangered	None	G4	S3S4	
<i>Linderiella occidentalis</i> California linderiella	ICBRA06010	None	None	G2G3	S2S3	
<i>Melospiza melodia</i> song sparrow ("Modesto" population)	ABPBXA3010	None	None	G5	S3?	SSC
<i>Navarretia myersii</i> ssp. <i>myersii</i> pincushion navarretia	PDPLM0C0X1	None	None	G2T2	S2	1B.1
<i>Northern Hardpan Vernal Pool</i> Northern Hardpan Vernal Pool	CTT44110CA	None	None	G3	S3.1	
<i>Northern Volcanic Mud Flow Vernal Pool</i> Northern Volcanic Mud Flow Vernal Pool	CTT44132CA	None	None	G1	S1.1	
<i>Oncorhynchus mykiss irideus</i> steelhead - Central Valley DPS	AFCHA0209K	Threatened	None	G5T2Q	S2	
<i>Orcuttia viscida</i> Sacramento Orcutt grass	PMPOA4G070	Endangered	Endangered	G1	S1	1B.1
<i>Packera layneae</i> Layne's ragwort	PDAST8H1V0	Threatened	Rare	G2	S2	1B.2
<i>Pandion halliaetus</i> osprey	ABNKC01010	None	None	G5	S4	WL
<i>Phalacrocorax auritus</i> double-crested cormorant	ABNFD01020	None	None	G5	S4	WL



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Selected Elements by Scientific Name
California Department of Fish and Wildlife
California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Progne subis</i> purple martin	ABPAU01010	None	None	G5	S3	SSC
<i>Rana draytonii</i> California red-legged frog	AAABH01022	Threatened	None	G2G3	S2S3	SSC
<i>Riparia riparia</i> bank swallow	ABPAU08010	None	Threatened	G5	S2	
<i>Sagittaria sanfordii</i> Sanford's arrowhead	PMALI040Q0	None	None	G3	S3	1B 2
<i>Spea hammondi</i> western spadefoot	AAABF02020	None	None	G3	S3	SSC
<i>Taxidea taxus</i> American badger	AMAJF04010	None	None	G5	S3	SSC
<i>Valley Needlegrass Grassland</i> Valley Needlegrass Grassland	CTT42110CA	None	None	G3	S3.1	
<i>Viburnum ellipticum</i> oval-leaved viburnum	PDCPR07080	None	None	G4G5	S37	2B 3
<i>Wyothia reticulata</i> El Dorado County mule ears	PDAST9X0D0	None	None	G2	S2	1B 2

Record Count: 69



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JAN 17 2017 Letter 3

TOWN OF LOOMIS



EDMUND G. BRUNO JR. GOVERNOR

MATTHEW RODRIGUEZ SECRETARY FOR ENVIRONMENTAL PROTECTION

RECEIVED

JAN 17 2017 TOWN OF LOOMIS

Central Valley Regional Water Quality Control Board

13 January 2017

Robert King
Town of Loomis
P.O. Box 1330
Loomis, CA 95650

CERTIFIED MAIL
91 7199 9991 7035 8417 7938

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, THE GROVE PROJECT, SCH# 2016122048, PLACER COUNTY

Pursuant to the State Clearinghouse's 22 December 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Grove Project, located in Placer County.

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.

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 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

KARL E. LONGLEY ScD, P.E., CIAM | PAMELA G. CREEDON P.E., SCEE, EXECUTIVE OFFICER

11020 Sun Center Drive #206, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

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/.

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 Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.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.

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 Activities (Construction General Permit), Construction General Permit Order No. 2009-009-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).

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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.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

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.

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/.

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

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.

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 (USACOE). If a Section 404 permit is required by the USACOE, 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.

¹ 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.

Letter 3

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic 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.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE 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 Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

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 Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. 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.

For more information regarding the Low Risk 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

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Letter 3

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

- 1. Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
- 2. Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or 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 *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

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/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

Letter 3

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of the 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:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.

Stephanie Tadlock

Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

Letter 4



EDMUND G. BROWN JR.
GOVERNOR

January 25, 2017

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALED
DIRECTOR

Robert King
City of Loomis
PO Box 1330
Loomis, CA 95650

Subject: The Grove
SCH#: 2016122048

Dear Robert King

The enclosed comment (s) on your Mitigated Negative Declaration was (were) received by the State Clearinghouse after the end of the state review period, which closed on January 20, 2017. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2016122048) when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

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JAN 27 2017

TOWN OF LOOMIS

Letter 4

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 3
703 B STREET
MARYSVILLE, CA 95901
PHONE (530) 741-4286
FAX (530) 741-4245
TTY 711
www.dot.ca.gov/dist3



Serious Drought.
Serious drought.
Help save water!

late
1/20/17
E

Governor's Office of Planning & Research

January 25, 2017

JAN 25 2017

STATE CLEARINGHOUSE

GTS# 03-PLA-2017-00040
03-PLA-80/PM 8.582
SCH# 2016122048

Robert King
Town Planner
Town of Loomis
3665 Taylor Road
Loomis, CA 95650

The Grove

Dear Robert King:

Thank you for including California Department of Transportation (Caltrans) in the Initial Study/Mitigated Negative Declaration (IS/MND) review for The Grove. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the state's mobility goals that support a vibrant economy, and build communities, not sprawl.

The Grove would subdivide a 9.98 acre parcel into 26 lots, including 22 residential lots, one park lot, one storm water detention basin lot, and two landscaping/entry corridor lots. The Grove is located southwest of the intersection of Humphrey Road and No Name Lane in the Town of Loomis. The following comments are based on the IS/MND received.

VMT

In response to the provisions of Senate Bill 743, we encourage the integration transportation and land use in a way that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions by facilitating the provision of more proximate goods and services to shorten trip lengths, as well as achieve a high level of non-motorized travel and transit use. As such, we encourage the evaluation the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. The Department also seeks to reduce serious injuries and fatalities, as well as provide equitable mobility options for people who are economically, socially, or physically

Letter 4

Robert King
January 25, 2017
Page 2

disadvantaged. Therefore, we encourage the evaluation of the project site for access problems, VMT, and service needs that may need to be addressed.

Traffic Operations

The project was found to result in less than significant traffic impacts with the following mitigation:

- Mitigation Measure T-1 – the project applicant shall pay applicable Town of Loomis traffic and circulation fees prior to issuance of building fees
- Mitigation Measure TT-2 – project applicant shall pay for and construct a stop sign and the intersection of Grove Circle and Humphrey Road
- Mitigation Measure TT-3 – the project applicant shall incorporate a Class II lane or Class III bicycle route along the project's Humphrey Road frontage.

This mitigation appears to be adequate for potential impacts to local facilities. However, the project should also pay into a Placer County mitigation fund program to also improve State facilities as needed due to future development, such as the Highway SR65 JPA (Joint Powers Authority) Fee, the South Placer Regional Transportation Agency (SPRTA) fee, or the City/County Baseline Road Fee Program.

Hydraulics

As presented in document, the drainage plans propose to mitigate for increases in surface water (storm water) runoff that result from the development of The Grove site by collecting surface water runoff in a project site drainage system which discharges into a storm water detention/retention basin to be located in the northwest corner of the project site area. According to the MND, this basin is sufficient in size and volume to decrease the post-project runoff to less than the pre-project runoff from the site for the 10-year and 100-year design storm events.

Please provide a copy of the Meredith Engineering "Preliminary Storm Drainage Report" (2016) for review by the Caltrans District 3 Hydraulics Branch in Marysville, CA. This report was referenced several times in the MND as the basis for project site drainage design and storm water discharge mitigation. However, a copy of this report was not provided as an attachment to the MND.

Letter 4

Robert King
January 25, 2017
Page 3

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any question regarding these comments or require additional information, please contact David Smith, Intergovernmental Review Coordinator for Placer County, by phone (530) 634-7799 or via email to david.j.smith@dot.ca.gov.

Sincerely,



KEVIN YOUNT, North Branch Chief
Office of Transportation Planning
Regional Planning Branch—North

Letter 5

From: gblind7540@aol.com [mailto:gblind7540@aol.com]
Sent: Wednesday, January 04, 2017 4:00 PM
To: Robert King
Cc: mrutter@southplacerefire.org
Subject: The Grove MND

Robert: The Loomis Fire District staff have no concerns regarding the MND for The Grove.

With regard to Mitigation Measure PS-1 on page 89, I would like to clarify that there are no Fire District fees to be assessed during the Improvement Plan phase of the project. The District's new development fees are based on the covered square footage of each structure to be built and are paid at the time of issuance of each building permit.

George Blind
Loomis Fire District
[916 759-4094](tel:9167594094)



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JAN 26 2017

TOWN OF LOOMIS

Letter 6

26-Jan-17

Dear Town of Loomis

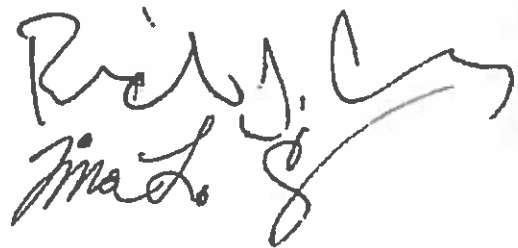
In regards to "The Grove" Project, we have some concerns.

1: We don't think the project should be able to tamper with the seasonal streams and ponds that are on that property. We have a requirement in our deed to keep the culvert under our driveway and the seasonal stream through our front yard. We live at 5435 Myrtle Drive, to the southwest of the property. Our next door neighbors to the east have a similar requirement for their backyard. One more home to the east, our neighbors are directly south of the southwest corner of the property. Just north of their fence line is a seasonal pond that is home to several species of frogs, mallard ducks, herons, and egrets. In a normal year, that pond is in place for approximately nine months. Stream bed alteration should not be allowed.

2: If there is any building done, there must be closely monitored dust control during removal of the toxic soil to prevent exposure of nearby residents, and children at the school just north of the property. Removal must conform to the Cal Osha/DOSH mandated Permissible Exposure Limit (PEL)

Thanks for your attention to our concerns.

Richard and Tina Carey, Loomis residents since Sept 1995

Handwritten signature in cursive script, appearing to read "Richard and Tina Carey".

Letter 7

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JAN 26 2017

TOWN OF LOOMIS

January 25, 2017

TO: Robert King, Town Planner
Town of Loomis Planning Department

RE: The Grove Development –
“Initial Study/Mitigated Declaration” and Special Considerations for the Town of Loomis

Dear Mr. King:

There are some valid concerns not directly addressed in the context of the Town of Loomis in the “Initial Study/Mitigated Declaration” for The Grove development. These concerns need to be addressed as some of them affect the very character of the community.

It is stated clearly that The Grove project is in a sensitive area, requiring some special considerations. In this context, some of the things I assume we as a Town are intent on preserving include:

- **Local rural character.** The Town of Loomis garners great property values from older homes existing in the preserved and precious rural landscape, especially at the edges where rural residential transitions to rural. Note: this is not “urban” to “rural” zoning as characterized in the Initial Study.
- **Wildlife habitat, not limited to protected species.** This would include maintaining the healthy abundance of amphibious and avian. I have seen owls and hawks living and preying on and near the lot, and it is an amazing and beautiful sight.
- **Existing property character and values.** This area is relatively dark, and much of the year the sounds of frogs and trains pervade. These are the sights and sounds of Loomis: stars, and natural creatures.
- **Natural flora, especially trees.** There are many different species of trees here, including Eucalyptus. A significant change to drain patterns could greatly affect surface ground water and threaten some, if not all, of the larger trees in the area.

The primary concerns that need to be properly addressed, and may have been side-stepped in the Final IS:

- The “design plan” for the Grove is essentially a “gated community” without a gate. By levelling the new neighborhood, segregating it from the rest of the community by fences (and walls), it is essentially hidden and separate in character. The Final IS does not properly characterize this aspect of the design. This effectively brings “Rocklin style” development to the heart of the most sensitive area of transition in residential zoning in Loomis. It sets a terrible precedent and threatens local property values.
- The design doesn’t just “not add additional storm drain flow to existing properties”, it completely changes the existing topography and habitat. The design blocks all storm drainage into neighboring lots – changing the drain patterns dramatically. This destroys frog habitat. Affecting this aspect of the local food chain affects all local bird and mammal populations, which also affect migrating birds and raptors. While many of these species are not “protected”, they are a critical aspect of local life in the Town of Loomis – the very things our general plan is designed to protect.
- The design increases some elevations of contour significantly, culminating in a retaining wall taller than an ordinary person with a fence on top. While on a suburban scale these impacts are “less than significant” when compared to the local neighboring lots and neighborhoods, they are “more than significant”. I have been unable to locate any local lots or developments with significant a contrast in elevations. This grading is excessive.

(D.F.)

Letter 7

- Three street lights exist in the plan. The only street lights in neighboring developments are at main intersections. The new lights would result in light pollution for what is essentially a starry sky, yielding what resembles suburban, not rural, residential development.


I am not opposed to local development. That particular 10 acre lot needs some residential development to make it healthy. However "The Grove" as the vesting plan indicates, is not what we need. We do not need what is essentially a fenced-off, gated community (without the gate) that destroys habitat, eliminates drainage, creates industrial sized (urban) retaining walls abutting the rural zone, and profits the developers at the expense of the community. The plan needs to be more creative and abide by those aspects of planning and ordinance that were side-stepped in the Final IS:

- As evidenced in the principles of the Town of Loomis general plan, "The Grove" requires a lot layout that is "open", not completely fenced and walled off. The existing plan contrasts greatly with local character. Also the density of the lot plans should stick more closely to the intent of the general plan with smaller lots to the center and larger lots to the outside. The proposed plan just creates "slightly larger" lots in general, is very homogenous, and very cookie-cutter suburban with a "mock" rural character. It is very much (exactly) like most, or all, of the recent Rocklin and Roseville suburban developments.
- In keeping with local character, "The Grove" needs to rely on residential home lighting with great consideration for light pollution and eliminate the need for "street lights" that are not controlled by residents themselves.
- The grading plan for "The Grove" needs to be more creative and considerate to existing habitat. The plan needs to preserve some degree of existing wetlands and needs to contour more closely to the natural lay of the land. Yes, this is a challenge, but it is not insurmountable. The shed for the southwest corner could be reduced somewhat without being eliminated. The plan should also include grading more to No Name Lane and Humphrey for much of the development, creating drain improvements instead of simply gathering and storing run-off in a closed system, as might be done in suburban developments.

The Town of Loomis must abide by the intent of the General Plan when reviewing these designs and hold the developers to a standard that exceeds "National" and "State" standards, which should be considered the "low bar" (as evidenced in surrounding communities of Roseville and Rocklin). There is no need to create dissent and controversy around development when some simple and creative ways to address the lot could create a beautiful and enriching development that embodies rather than contrasts with the nature of the Town of Loomis. Such an endeavor would be incontrovertibly upholding the legal requirements AND trust of the Loomis community.

Please contact me directly if any of these perspectives are not clear. I do not believe the developer has properly considered the Loomis community. However, a consensus in this matter is distinctly possible in light of the Town of Loomis General Plan.

With respect and regards,


—Steven D. Harris (916-474-1870)
5449 Myrtle Dr.
Loomis, CA 95650

Letter 8

RECEIVED

Hand Delivered 1/26/2017

JAN 26 2017

TOWN OF LOOMIS

Town of Loomis
3665 Taylor Road
Loomis, CA 95650

January 26, 2017

Attn: Robert King, Town Planner

RE: The Grove

We have reviewed the IS/MND and have some questions and comments. Please supply a copy of this letter to all Board Members and Planning Commission members for their review, prior to their next meeting. We also suggest all parties involved in this decision personally visit this area after reviewing all responses.

Questions:

1. On page 6 they indicate they will dedicate a Right of Way. Our documents indicate we have an Easement. Is there a legal difference between the two and if so what is it?
2. What gives the Developer the right to divert stormwater down private pipes, ditches and across private property?
3. If the Town of Loomis approves and accepts the plan for stormwater to be diverted down a private ditch are they responsible for the maintenance and upkeep of the ditch afterward? If not, why aren't they?
4. Who will maintain the retention pond and what entity will ensure it is properly maintained? What about the mosquito/bug control?
5. Where is the wall on No Name Ln being placed?
6. The plans say part of the water is to be discharged into the Towns Municipal stormwater system. Why can't all the stormwater be discharged into the Towns stormwater system for the surrounding housing projects?

Comments:

1. Drainage:

If there is not proper drainage the road will flood and the residents of No Name Ln will lose the only access they have to their homes. Per the report, right now only 4.17 acres drain towards No Name Ln and it is covered in weeds/grass. The Developer wants to change the slope so all 9.8 acres drain towards No Name Ln. They are also covering a lot of the weeds/grass with tile roofs, asphalt and cement. They indicate that a ½ acre retention pond will hold all the runoff. We question where they got all the run off figures. They indicate that up to 20.56 cubic feet per second will be discharged into this pond. If our computations are close that means the retention pond would fill and overflow in 53 minutes. This assumes that the pond was totally dry and maintained at its original condition. We question the design and capacity of the pond.

Letter 8

The ditch going down the Schools side of the road gets extremely shallow on the West end near their retention pond. This needs to be deepened or the road raised to accommodate the water flow. The other option is to enclose the water in a pipe all the way to the creek.

When H. Clark Powers was built, we were assured that their retaining pond was sufficient. The buildup in it has not been cleared out in the 18 years since it was built. If the pond for this development is approved, the Town should be responsible to ensure the maintenance is done properly. The Developer and the Town will receive the benefits from this Project. The residence of No Name Ln will not get any benefits. It is therefore unfair to burden the residence of No Name Ln to try to force the HOA to maintain the pond, drainage or any part of this agreement. The vegetation in the pond should be abated yearly with a non-chemical method and the debris removed from the site. The buildup of dirt and chemicals from pond should also be removed yearly.

2. Construction:

Although there were similar restrictions to time and use of No Name Ln were included when the School was built, these were not followed. We were told there was nothing the Town could do, and to contact the Project Manager. This led nowhere. If the Town approves this Project they should have a contact available on nights and weekends. The Town should use their authority to enforce the terms of the construction. This is especially critical during the removal of the contaminated soil to insure the surrounding neighborhoods and H. Clark Powers do not get contaminated.

3. Project:

The plans call for a 13 ½ foot wall/fence combo be installed on the Southwest side. This would be elevating the Project above the neighbors. This would not only be unsightly but would probably lower the value of the neighboring properties. The contour of the Project should not be changed. No retaining walls should be allowed.

The plans call for a wall along No Name Ln. but it does not say who will maintain it. In order to avoid graffiti on it we suggest that vegetation be planted along side of it and maintained by the HOA.

There is a lot of dust generated off of No Name Ln. This is especially true due to the trucks and trailers going to the nursery. To avoid future conflicts with the owners of the new houses the developer and the town should either come up with a solution to this problem or make it known as part of the sales agreement so that the new buyers understand this.

4. Summary:

We are not opposed to constructing houses on this parcel. Since the Developer and the Town receive the benefits of this Project, we feel it should be their duty and responsibility to ensure it does not create a burden or have a negative impact on the neighbors or their property values. We feel the Town should be responsible for ensuring the construction is done properly and the area

Letter 8

maintained after construction. We also feel this should be put into writing so any future leaders of the Town will clearly understand the agreement.

Robert & Fern Martin, 5296 No NAME LN
James + Alice ~~John~~ 5398 No NAME LN.



Letter 9

MIWOK United Auburn Indian Community
MAIDU of the Auburn Rancheria

Gene Whitehouse
Chairman

John L. Williams
Vice Chairman

Danny Ray
Secretary

Jason Camp
Treasurer

Calvin Moman
Council Member

January 4, 2017

Beth Thompson
De Novo Planning Group
1020 Suncastr Lane #106
El Dorado Hills, CA 95762

Subject: The Grove Project - Tribal Cultural Resources Consultation Under CEQA

Dear Beth Thompson,

Thank you for requesting information regarding the above referenced project. The United Auburn Indian Community (UAIC) of the Auburn Rancheria is comprised of Miwok and Southern Maidu (Nisenan) people whose tribal lands are within Placer County and whose service area includes El Dorado, Nevada, Placer, Sacramento, Sutter, and Yuba counties. The UAIC is concerned about development within its aboriginal territory that has potential to impact the lifeways, cultural sites, and landscapes that may be of sacred or ceremonial significance. We appreciate the opportunity to comment on this and other projects. The UAIC would like to consult on this project.

In order to ascertain whether the project could affect cultural resources that may be of importance to the UAIC, we would like to receive copies of any archaeological reports that are completed for the project. We also request copies of environmental documents for the proposed project so that we have the opportunity to comment on appropriate identification, assessment and mitigation related to cultural resources. We recommend UAIC tribal representatives observe and participate in all cultural resource surveys. If you are interested, the UAIC's preservation department offers a mapping, records and literature search services program that has been shown to assist project proponents in complying with the necessary resource laws and choosing the appropriate mitigation measures or form of environmental documentation during the planning process.

The UAIC's preservation committee would like to set up a meeting or site visit, and begin consulting on the proposed project. Based on the preservation committee's identification of cultural resources in and around your project area, UAIC recommends that a tribal monitor be present during any ground disturbing activities. Thank you again for taking these matters into consideration, and for involving the UAIC early in the planning process. We look forward to reviewing the documents requested above and consulting on your project. Please contact Marcos Guerrero, Cultural Resources Manager, at (530) 883-2364 or by email at mguerrero@auburnrancheria.com if you have any questions.

Sincerely

Gene Whitehouse,
Chairman

CC: Marcos Guerrero, CRM

Letter 10

From: Dane and Debbie Clark [mailto:daneanddeb@sbcglobal.net]
Sent: Wednesday, January 25, 2017 7:28 PM
To: Robert King
Subject: The Grove Development

Dear Mr. King:

We spoke last week when I expressed concerns about drainage from the Grove Development and the impact it might have on our home. We are located at 5220 No Name Lane. Our property is west of Antelope creek and one of the lowest spots bordering the creek. If, during a storm, more water runs off the Grove development property, than currently does, then our home could be in jeopardy of flooding. We have read the initial study, but as we are not engineers we are not sure that we understand the drainage information. We are asking that you ask the engineers to explain to us if this development will increase our flood risk. Is this the necessary format to generate a response from the engineers or do we need to write a formal letter? We really appreciate your assistance.

Dane and Debbie Clark

5220 No Name Lane

Loomis, Ca 95650

[916-204-5299](tel:916-204-5299)

Letter 11

RECEIVED

JAN 26 2017

TOWN OF LOOMIS

January 25, 2017

To: Town of Loomis / Robert King, Town Planner

From: Residents of No Name Road, Loomis

a page^{es}

Re: Concerns over Proposed Project – The Grove, Loomis

On behalf of a number of concerned residents who live on No Name Road, please review the attached questions and concerns about The Grove project being developed at the corner of Humphrey and No Name Rd.

Signed,

(name)	(signature)	(address)
Becky Lunders	Becky Lunders	5386 No Name Lane
Jacob Harris	Jacob Harris	4900 No Name Ln.
Carol Combs	Carol Combs	4880 No Name Lane
Laanna Wenzel	Laanna Wenzel	5100 No Name Ln
Bill & Cindy West	Bill & Cindy West	5154 No Name Ln.
Rick-Amy Tamagni	R Tamagni	4949 No Name Ln.
John Hector	John Hector	5040 No Name Ln
JAMES T. MACTIN	James T. Martin	5398 No Name Ln.
Alice Boyer	Alice Boyer	5398 No Name Ln.
Sarah Wood	Sarah Wood	5350 No Name Ln
Rebecca McCaslin	Rebecca McCaslin	5100 No Name Ln
Rebecca Cutts	R Cutts	5120 No Name Ln

Letter 11

Town of Loomis

January 24, 2017

3665 Taylor Road

Loomis, CA 95650

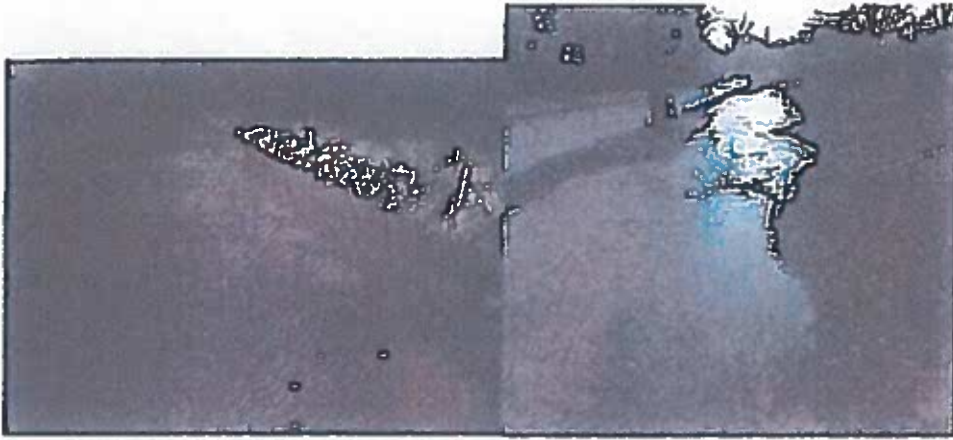
Attn: Robert King, Town Planner

RE: The Grove Subdivision Development

We have reviewed the IS/MND and have some questions and comments. ~~Please supply a copy of this letter to all Board Members and Planning Commission for their review prior to their next meeting. We also suggest all parties involved in this decision personally visit this area after reviewing all responses.~~

On behalf of a number of concerned residents who live on No Name Road, please review the attached questions and concerns about The Grove project being developed at the corner of Humphrey and No Name Rd.

1. The parcel is being graded to drain all water onto No Name and we're concerned the retention is ill equipped to handle heavy rains. Based on the math from USGS website <https://water.usgs.gov/edu/activity-howmuchrain.php> 10 acres receiving 1 inch of rain produces 36,302 cubic feet of water. Page 68 of the declaration states the retention pond is designed to hold 27,756 cubic feet of water. It also states in the event of a 10 or 100 yr. flood, the discharge from the pond would be no greater than 2 cfs. The Meredith Engineering report states approximately 20 cfs of water draining from 3 separate areas on the parcel now which will be consolidated to 1 collection area. If the pond is at capacity and it receives heavy rains, how can the pond have an inflow of 20 cfs, but limit the water to 2 cfs on the outflow? Without overflowing????
2. Who is responsible for the water once it drains from development onto the private drive of No Name? The concern is water causing flooding and erosion of the ditch/road which residents of No Name Rd. constantly have to take maintain. Why should we have to take the time and or pay for someone else's water after they develop a project? Can the water be tied into the city's existing storm drains? Below are several ideas for fixing ditch/ road issues.
 - a. We ask that the culvert be relocated to left side of road. As of now, the water from the pond passes through a 12 inch pipe buried under No Name Rd. and runs down the ditch into the creek. If developer trenches and puts in a pipe to drain the new development, it will greatly reduce the chances of the current ditch from eroding and flooding the road like it currently does. See proof in pictures below that water from field flows over road in heavy rain.



- b. We ask that the developer pay to put a culvert pipe in the current ditch and bring in proper material to cover pipe and eliminate the need to constantly maintain run off from surrounding properties.
 - c. The fall of the road is a difference of six feet beginning at Humphrey to turn – One possible solution is having the developer raise road height three feet which will increase ditch capacity to carry water.
3. Does HOA cover maintenance on pond, i.e. sediment clean out of pond and pipes, weed control..? We ask because the current retention basin coming from school has not been kept up as promised and is now a silted in eyesore of weeds and willows which gets weed eaten a couple times a year. What level of maintenance will be performed according to the HOA?
 4. No Name Rd residents are concerned about concrete wall on No Name Lane and Humphrey as we do not feel it fits into the surrounding area. There are no large walls anywhere around this development and while we understand the need for privacy for the new homes, we would ask that a more country/ rural wall be put in place. We would ask to have input on the look of wall and provide several options like the one below and have the builder agree to our preference.

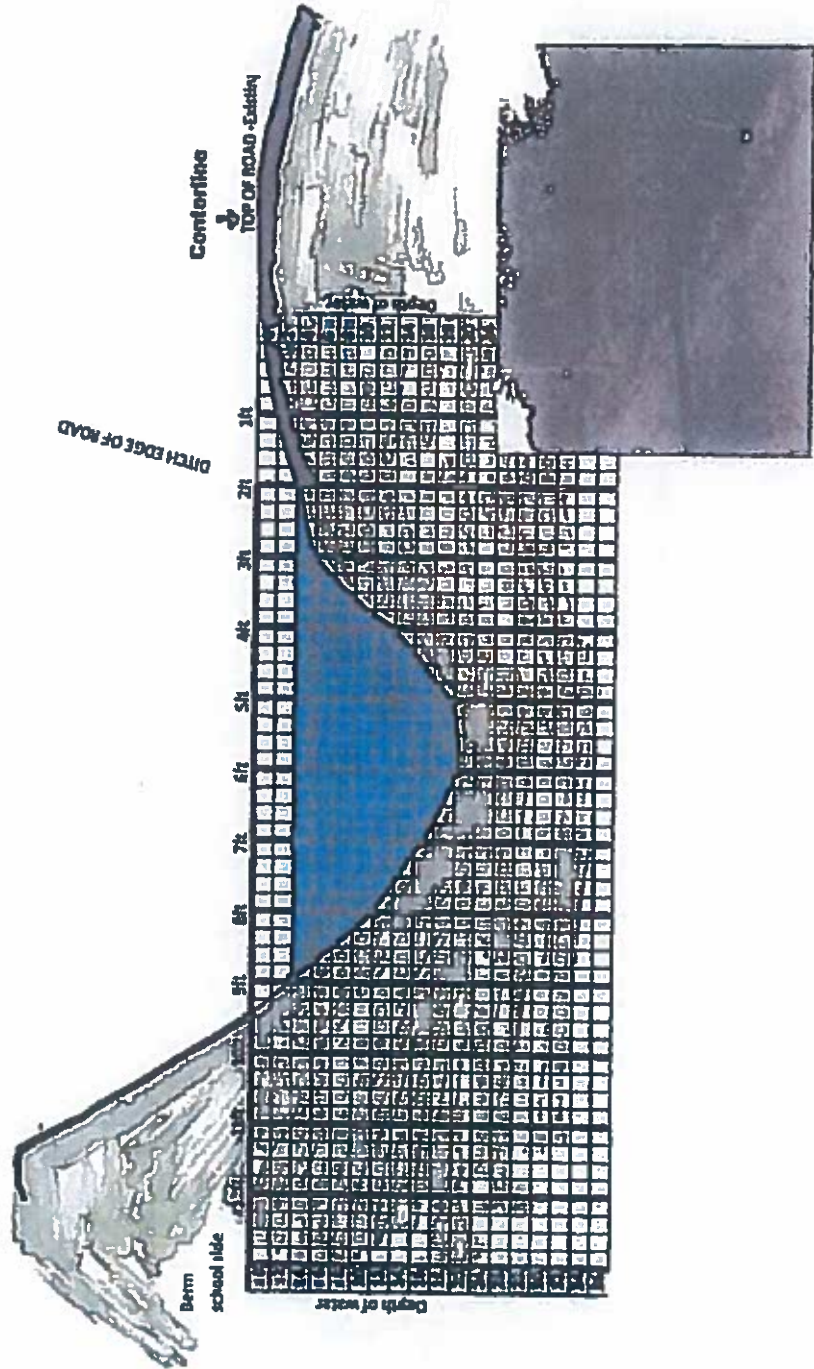


Letter 11

5. **Are development/new homeowners responsible for all maintenance costs of new wall/fences on the 3 new borders the development is creating? I.e. who covers up graffiti on the no name side, plants in place to cover wall, damage to wall...**
6. **A motion was recently put forth at a council meeting to limit walls in Loomis to 6ft, yet this development is putting walls 6-13.5 feet tall. Being a rural community we would ask that walls be kept to 6ft so it blends into the surrounding community.**
7. **How close to the center of No Name Rd. is the new wall?**
8. **How tall is the wall planned to be built down No Name?**
9. **Dust is a large problem on the beginning of No Name. We would like the developer to pave the road down to the first corner eliminating the problem to the new homeowners of dust pouring over walls into their new high end homes. If there is any doubt about the issues the dust causes, you can speak with the district offices or the 2 new homes at the beginning of the road about the constant dust battle.**
10. **There is a plan for a large "THE GROVE" sign at the entrance to the development. Again, this is a rural community largely closed in by pasture and 6ft wooden fencing and would not fit the feel of small town Loomis. We would like builder to eliminate sign to development.**
11. **Will there be visibility issues from No Name Lane onto Humphrey in regards to pedestrians? Many kids walk to school and the concern is someone coming down no name will have a very short reaction time to see kids coming from the right on the way to school as we leave for work in the morning.**
12. **Attached are volume modeling of the existing ditch along No Name Rd. based on actual measurements at the three locations shown in the pictures. There is less than half of the volume area downstream as compared to the location across from the planned detention basin from this developer. If the level of the road is not raised to overcome this problem, No Name Rd. will flood in the area of the existing School detention basin.**

No Name Lane drainage ditch profile and flow capacity area at location #1

265 sq. in. (or 1.84 sq. ft.)



Letter 11

**No Name Road Neighbors
Contact Information**

Neighbor Concern Coordinators

Bill Wenzel mrwelder2002@yahoo.com
Jacob Harris JHarris@zoll.com

Neighbors and Email Addresses

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The Grove – Response to Comments

Letter 1. California Department of Transportation (Caltrans), January 25, 2017 - Kevin Yount, North Branch Chief.

The Caltrans letter addresses three issues: vehicle miles traveled (VMT)/greenhouse gas emissions (GHG), traffic operations, and hydraulics.

The comment related to VMT/GHG notes that Caltrans recommends transportation demand management strategies and intelligent transportation solutions. The comment specifically encourages the evaluation of the project site for access problems, VMT, and service needs.

VMT

No access problems related to the project site were identified in the evaluation of the project. As described under Project Characteristics in the IS/MND, the project would provide sidewalks along the project frontage and would access Humphrey Road via a new, private road, private Grove Circle. Access and potential hazards associated with project design are discussed in the IS/MND, see XVI. Transportation/Traffic, Response d). Potential access issues associated with project-related traffic during construction and operation are discussed in the IS/MND under XVI. Transportation/Traffic, Responses a, b).

The project is consistent with applicable bicycle, pedestrian, and transit plans, as described in the IS/MND under XVI. Transportation/Traffic, Response f); consistency with these plans contributes to reduced VMT through encouraging alternative travel modes.

Traffic Operations

Caltrans notes that Mitigations Measures TT-1, TT-2, and TT-3 appear to be adequate for impacts to local facilities and recommends that the project pay into a Placer County program to improve State facilities as needed for future development. The commenter does not identify any significant impacts to State facilities associated with the project. This comment does not address the adequacy of the IS/MND and is noted for the decision-makers' consideration.

Hydraulics

Caltrans describes the project's approach to mitigating drainage and requests a copy of the Preliminary Storm Drainage Report. The Preliminary Storm Drainage Report was prepared by a licensed civil engineer and has been reviewed by the Town Engineer for adequacy to address Project runoff. The documents referenced in the IS/MND are available at Town Hall for review and are also available on the Town's website at: www.loomis.ca.gov

Letter 2. California Department of Fish and Wildlife (CDFW), January 6, 2017 - Angela Calderaro, Senior Environmental Scientist.

The comment letter provides an introduction to the commenting agency and divides the comments four topics, each with a separate header: Scoping, Riparian Habitat/Streambed Alteration Agreement, Deferred Mitigation, and Nesting Birds and Raptors. Each issue is responded to below.

The Grove – Response to Comments

Scoping

The commenter recommends using the California Natural Diversity Database (CNDDDB) as one tool that may identify potential sensitive resources in the area, but notes that the dataset should not be regarded as complete for the elements or areas with the potential to be impacted. The commenter notes that other sources such as State and federal resource agency lists, California Wildlife Habitat Relationship (CWHR) System, California Native Plant Society (CNPS) Inventory, agency contacts, environmental documents for other projects in the vicinity, academics, and professional or scientific organizations should also be used for identification of species and habitats near or adjacent to the project area. The commenter notes that the CNDDDB is not a comprehensive database, but is rather a positive detection database. The commenter notes that the records in the database exist only where species were detected and reported, meaning that there is a bias in the database towards locations that have had more development pressures, and thus more survey work. The commenter notes that places that are empty or have limited information in the database often signify that little survey work has been done there.

The Town of Loomis concurs. As noted in the Initial Study (pg 30), the analysis “is based primarily on biological technical reports that have been conducted for the 9.98-acre project site, including the Pre-Construction Notification Request for Authorization under Nationwide Permit No. 29 (Residential Development) prepared by ECORP Consulting in 2016 (404 Pre-Construction Report), The Grove Project Site Initial Arborist Report and Inventory Summary (Sierra Nevada Arborists, 2005), the Biological Evaluation Letter Report (Sycamore Consultants, 2005) for the project site, and a 2005 peer review by North Fork Associates of the Arborist Report and Biological Evaluation Letter Report.” These studies included a review of the CNDDDB, a review of a USFWS species list, and an extensive review of standard references as noted in the literature cited for these studies. In addition to the review of databases and literature, there were field surveys conducted on the project site, as is standard protocol for biological resource evaluations. The field surveys did not reveal the presence of special status species, hence no records of the special status species have been entered into the CNDDDB. Also, as noted in the Initial Study, an updated CNDDDB search was performed in November 2016. It should not be surprising that there are no records on the project site given that the previous on-site surveys did not reveal presence of special status species; however, it was important to perform an updated review to determine if there were any new records on surrounding properties that were not previously known.

The commenter notes that the following: *“The MND states that the database shows there are no special-status species within the project site. Of course there are no records, because someone would have to survey the site and report the sightings.”*

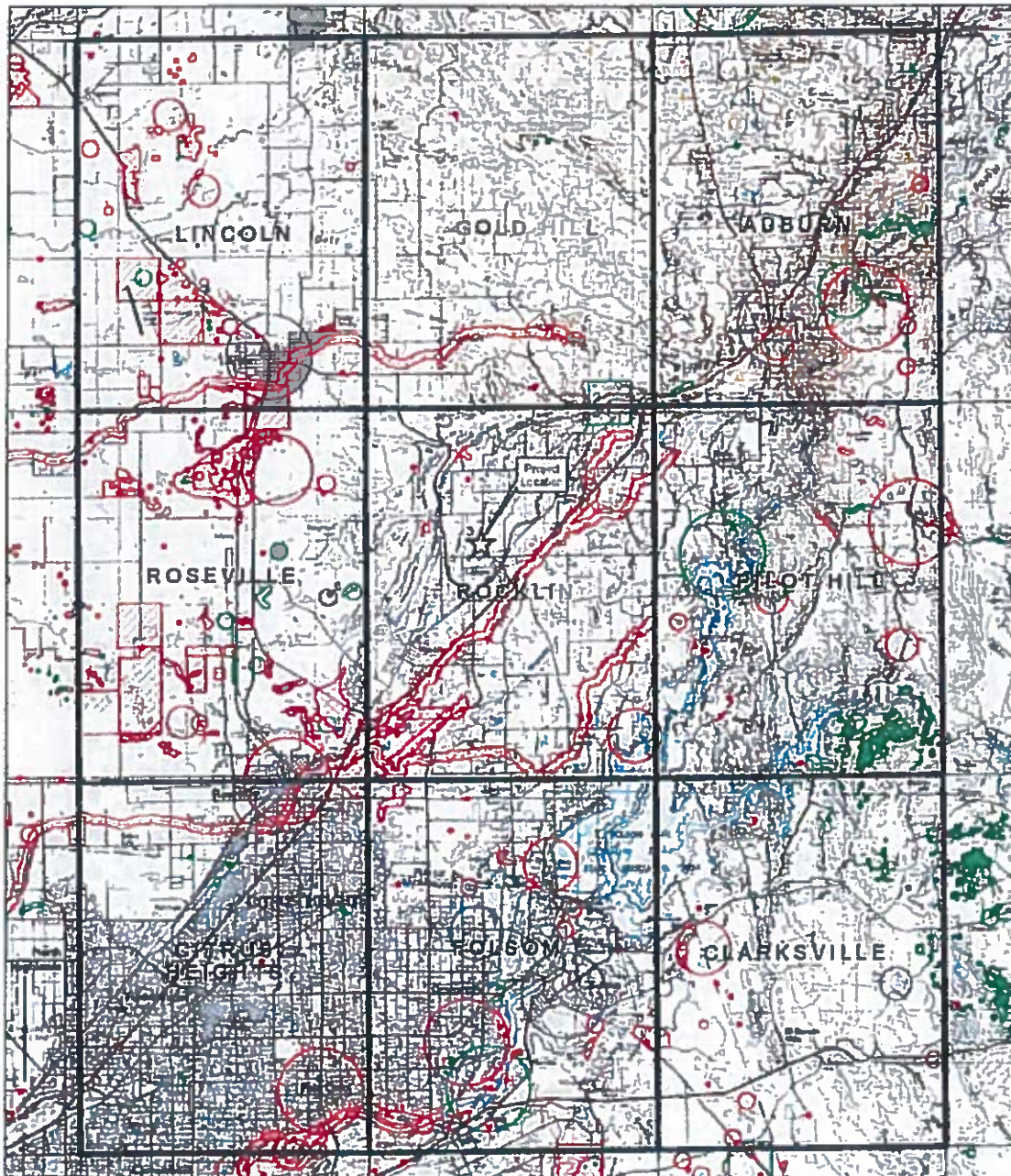
The commenter’s assumption that the project site has not been surveyed is a misunderstanding. The site has been surveyed extensively dated back over a decade, including surveys within the past year. As reflected in the biological studies, there are no special status species that have been found, hence, there have not been any records entered into the CNDDDB. The absence of a record in the CNDDDB does not mean that there is an absence of surveys.

The Grove – Response to Comments

The commenter recommends a nine United States Geologic Survey (USGS) 7.5-minute quadrangle search to determine what may occur in the region. The commenter states *"If there is habitat for special status species on the project site or special-status species could be impacted by project activities by either direct or indirect means, then we recommend additional surveys to confirm presence or you can assume presence and develop appropriate avoidance and minimization measures. Attached is the 9-quad search surrounding the Loomis quad for occurrence records of special-status species according to CNDDDB. Also please see the Data Use Guidelines for how to display CNDDDB data. Figure 6 does not abide by these rules."*

To address this comment, we have produced a nine-quad search and have prepared an updated list of special status species. Below is a figure illustrating the nine-quad search on a USGS map in addition to a species list (Figure 7. California Natural Diversity Database 9-Quad Search). The broader search of databases provides a more regional view of what could be present; however, as previously mentioned and documented in the biological studies and Initial Study, the site has been surveyed and none of these species have been observed on the project site. Additionally, there is no evidence of the presence of these species in the immediate vicinity of the project site. The Initial Study identifies mitigation measures to address the potential for certain special status species to be present on the site in the future (i.e. nesting birds).

The Grove - Response to Comments



Legend

- | | |
|----------------------------|---------------------------------|
| Plant (BIO) | Terrestrial (non-specific) |
| Plant (specific) | Aquatic (non-specific) |
| Plant (non-specific) | Aquatic (specific) |
| Plant (aquatic) | Aquatic (non-specific) |
| Animal (BIO) | Aquatic (specific) |
| Animal (specific) | Multiple (BIO) |
| Animal (non-specific) | Multiple (specific) |
| Animal (terrestrial) | Multiple (non-specific) |
| Terrestrial (BIO) | Multiple (terrestrial) |
| Terrestrial (specific) | Semi-aquatic (terrestrial only) |
| Terrestrial (non-specific) | |

THE GROVE ISLAND
Figure 7 California Natural Diversity Database
9-Quad Search



The Grove - Response to Comments

SPECIAL-STATUS WILDLIFE

Species	Status (Fed/State)	Geographic Distribution	Habitat Requirements
Amphibians/Reptiles			
Giant garter snake <i>Thamnophis couchi</i> <i>gigas</i>	FT/CT	Central Valley from the vicinity of Burrell in Fresno County north to near Chico in Butte County; has been extirpated from areas south of Fresno	Sloughs, canals, low gradient streams and freshwater marsh habitats where there is a prey base of small fish and amphibians; also found in irrigation ditches and rice fields; requires grassy banks and emergent vegetation for basking and areas of high ground protected from flooding during winter
California red-legged frog <i>Rana draytonii</i>	FT/SCS	Lowlands & foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation.	Inhabits quiet pools of streams, marshes, and occasionally ponds. Requires permanent or nearly permanent pools for larval development (Zeiner et al. 1988). Requires 11-20 weeks of permanent water for larval development. must have access to estivation habitat.
Western pond turtle <i>Clemmys</i> <i>marmorata</i>	--/SSC	Occurs from the Oregon border of Del Norte and Siskiyou Counties south along the coast to San Francisco Bay, inland through the Sacramento Valley, and on the western slope of Sierra Nevada	Occupies ponds, marshes, rivers, streams, and irrigation canals with muddy or rocky bottoms and with watercress, cattails, water lilies, or other aquatic vegetation in woodlands, grasslands, and open forests
Western spadefoot <i>Scaphiopus</i> <i>hammondi</i>	--/SSC	Sierra Nevada foothills, Central Valley, Coast Ranges, coastal counties in southern California	Shallow streams with riffles and seasonal wetlands, such as vernal pools in annual grasslands and oak woodlands.
Birds			
Bald eagle <i>Haliaeetus</i> <i>leucocephalus</i>	D/CE	Nests in Siskiyou, Modoc, Trinity, Shasta, Lassen, Plumas, Butte, Tehama, Lake, and Mendocino Counties and in the Lake Tahoe Basin. Reintroduced into central coast. Winter range includes the rest of California, except the southeastern deserts, very high altitudes in the Sierra Nevada, and east of the Sierra Nevada south of Mono County	In western North America, nests and roosts in coniferous forests within 1 mile of a lake, reservoir, stream, or the ocean
Bank swallow <i>Riparia</i> <i>riparia</i>	--/T	Occurs along the Sacramento River from Tehama County to Sacramento County, along the Feather and lower American Rivers, in the Owens Valley; and in the plains east of the Cascade Range in Modoc, Lassen, and northern Siskiyou Counties. Small populations near the coast from San Francisco County to Monterey County	Nests in bluffs or banks, usually adjacent to water, where the soil consists of sand or sandy loam
burrowing owl <i>Athene</i> <i>cunicularia</i>	--/SSC	Lowlands throughout California, including the Central Valley, northeastern plateau, southeastern deserts, and coastal areas. Rare along south coast	Level, open, dry, heavily grazed or low stature grassland or desert vegetation with available burrows
California black rail <i>Laterallus</i> <i>jamaicensis</i> <i>californicus</i>	--/T	Permanent resident in the San Francisco Bay and east-ward through the Delta into Sacramento and San Joaquin Counties; small populations in Marin, Santa Cruz, San Luis Obispo, Orange, Riverside, and Imperial Counties	Tidal salt marshes associated with heavy growth of pickleweed; also occurs in brackish marshes or freshwater marshes at low elevations
Cooper's hawk <i>Accipiter</i> <i>cooperii</i>	--/SSC	Throughout California except high altitudes in the Sierra Nevada. Winters in the Central Valley, southeastern desert regions, and plains east of the Cascade Range	Nests in a wide variety of habitat types, from riparian woodlands and digger pine-oak woodlands through mixed conifer forests
Double-crested cormorant <i>Phalacrocorax</i> <i>auritus</i>	--/SSC	Winters along the entire California coast and inland over the Coast Ranges into the Central Valley from Tehama County to Fresno County; a permanent resident along the coast from Monterey County to San Diego County, along the Colorado River, Imperial, Riverside, Kern and King Counties, and the islands off San Francisco;	open water for foraging, and nests in riparian forests or on protected islands, usually in snags.

The Grove – Response to Comments

<i>Species</i>	<i>Status (Fed/State)</i>	<i>Geographic Distribution</i>	<i>Habitat Requirements</i>
		breeds in Siskiyou, Modoc, Lassen, Shasta, Plumas, and Mono Counties; also breeds in the San Francisco Bay Area and in Yolo and Sacramento Counties	
grasshopper sparrow <i>Ammodramus</i> <i>savannarum</i>	--/SSC	Dense grasslands on rolling hills, lowland plains, in valleys & on hillsides on lower mountain slopes.	Favors native grasslands with a mix of grasses, forbs & scattered shrubs. Loosely colonial when nesting. Valley & foothill grassland
Golden eagle <i>Aquila chrysaetos</i>	--/SSC	Foothills and mountains throughout California. Uncommon non-breeding visitor to lowlands such as the Central Valley	Nest on cliffs and escarpments or in tall trees overlooking open country. Forages in annual grasslands, chaparral, and oak woodlands with plentiful medium and large-sized mammals
Great blue heron <i>Ardea herodias</i>	--/--	Found throughout much of North America and into Central and South America. Common throughout California.	Rookeries occur in tall trees near a variety of wetland habitat types. Isolated areas that discourage predation and human disturbance are preferred.
Great egret <i>Ardea alba</i>	--/SSC	Patchy distribution in North America. Fairly common throughout California except much of western California.	Rookeries occur in tall trees near a variety of wetland habitat types. Isolated areas that discourage predation and human disturbance are preferred.
Mertlin <i>Falco columbarius</i>	--/SSC	Does not nest in California. Rare but widespread winter visitor to the Central Valley and coastal areas	Forages along coastline in open grasslands, savannas, and woodlands. Often forages near lakes and other wetlands
Osprey <i>Pandion haliaetus</i>	--/SSC	Nests along the north coast from Marin County to Del Norte County, east through the Klamath and Cascade Ranges, and in the upper Sacramento Valley. Important inland breeding populations at Shasta Lake, Eagle Lake, and Lake Almanor and small numbers elsewhere south through the Sierra Nevada. Winters along the coast from San Mateo County to San Diego County	Nests in snags, trees, or utility poles near the ocean, large lakes, or rivers with abundant fish populations
song sparrow ("Modesto" population) <i>Melospiza melodi</i>	--/SSC	Occurs primarily below 200 ft (61 m) elevation in the Central Valley from Colusa County in the Sacramento Valley south through the Sacramento-San Joaquin River Delta (exclusive of Suisun Marsh) to the northern San Joaquin Valley of Stanislaus County.	Emergent freshwater marshes dominated by tules and cattails as well as riparian willow thickets. Also nest in riparian forests of Valley Oak with a sufficient understory of blackberry along vegetated irrigation canals and levees, and in recently planted Valley Oak restoration sites
Swainson's hawk <i>Buteo swainsoni</i>	--/CT	Range from the Lower Sacramento and San Joaquin Valleys, the Klamath Basin, and Butte Valley. Highest nesting densities occur near Davis and Woodland, Yolo County.	Nests in oaks or cottonwoods in or near riparian habitats. Forages in grasslands, irrigated pastures, and grain fields
Tricolored blackbird <i>Agelaius tricolor</i>	/SSC (CC)	Permanent resident in the Central Valley from Butte County to Kern County. Breeds at scattered coastal locations from Marin County south to San Diego County; and at scattered locations in Lake, Sonoma, and Solano Counties. Rare nester in Siskiyou, Modoc, and Lassen Counties.	Nests in dense colonies in emergent marsh vegetation, such as tules and cattails, or upland sites with blackberries, nettles, thistles, and grainfields. Habitat must be large enough to support 50 pairs. Probably requires water at or near the nesting colony
White-tailed kite <i>Elanus leucurus</i>	--/FP	Lowland areas west of Sierra Nevada from the head of the Sacramento Valley south, including coastal valleys and foothills to western San Diego County at the Mexico border	Low foothills or valley areas with valley or live oaks, riparian areas, and marshes near open grasslands for foraging
American peregrine falcon <i>Falco peregrinus</i> <i>anatum</i>	D/D	Near wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures.	Nest consists of a scrape or a depression or ledge in an open site.
Fish			
Delta smelt <i>Hypomesus</i> <i>transpacificus</i>	FT/CT	Primarily in the Sacramento-San Joaquin Estuary but has been found as far upstream as the mouth of the American River on the Sacramento River and Mossdale on the San Joaquin River; range extends downstream to	Occurs in estuary habitat in the Delta where fresh and brackish water mix in the salinity range of 2–7 parts per thousand.

The Grove – Response to Comments

Species	Status (Fed/State)	Geographic Distribution	Habitat Requirements
		San Pablo Bay.	
Steelhead - Central Valley DPS <i>Oncorhynchus mykiss irideus</i>	FT/--	This distinct population segment, or DPS, includes all naturally spawned populations of steelhead (and their progeny) in the Sacramento and San Joaquin Rivers and their tributaries, excluding steelhead from San Francisco Bay and San Pablo Bays and their tributaries.	Free of heavy sedimentation with adequate flow and cool, clear water. Gravel that is between 0.5 to 6.0 inches in diameter, dominated by 2 to 3 inch gravel. Escape cover such as logs, undercut banks, and deep pools for spawning adults.
Invertebrates			
California linderiella <i>Linderiella occidentalis</i>	--/--	Range from Redding in the north to Fresno County in the south, mainly east of the Sacramento and San Joaquin rivers.	Seasonal pools in unplowed grasslands with old alluvial soils underlain by hardpan or in sandstone depressions. Water in the pools has very low alkalinity, conductivity, and TDS.
Valley elderberry longhorn beetle <i>Desmocerus californicus dimorphus</i>	FT/--	Stream side habitats below 3,000 feet throughout the Central Valley	Riparian and oak savanna habitats with elderberry shrubs; elderberries are the host plant.
Vernal pool fairy shrimp <i>Branchinecta lynchi</i>	FT/--	Range from Central Valley, central and south Coast Ranges from Tehama County to Santa Barbara County. Isolated populations also in Riverside County.	Common in vernal pools; they are also found in sandstone rock outcrop pools.
Vernal pool tadpole shrimp <i>Lepidurus packardii</i>	E/--	Shasta County south to Merced County	Vernal pools and ephemeral stock ponds.
Mammals			
American badger <i>Taxidea taxus</i>	--/SSC	In California, badgers occur throughout the state except in humid coastal forests of northwestern California in Del Norte and Humboldt Counties	Badgers occur in a wide variety of open, arid habitats but are most commonly associated with grasslands, savannas, mountain meadows, and open areas of desert scrub; the principal habitat requirements for the species appear to be sufficient food (burrowing rodents), friable soils, and relatively open, uncultivated ground
Pallid bat <i>Antrozous pallidus</i>	--/SSC	Occurs throughout California except the high Sierra from Shasta to Kern County and the northwest coast, primarily at lower and mid elevations	Occurs in a variety of habitats from desert to coniferous forest. Most closely associated with oak, yellow pine, redwood, and giant sequoia habitats in northern California and oak woodland, grassland, and desert scrub in southern California. Relies heavily on trees for roosts
purple martin <i>Progne subis</i>	--/SSC	Inhabits woodlands, low elevation coniferous forest of Douglas-fir, ponderosa pine, & Monterey pine.	Nests in old woodpecker cavities mostly, also in human-made structures. Nest often located in tall, isolated tree/snag.
Townsend's big-eared bat <i>Corynorhinus townsendii</i>	--/SSC	Coastal regions from Del Norte County south to Santa Barbara County	Roosts in caves, tunnels, mines, and dark attics of abandoned buildings. Very sensitive to disturbances and may abandon a roost after one onsite visit
silver-haired bat <i>Lasionycteris noctivagans</i>	--/SSC	Primarily a coastal & montane forest dweller feeding over streams, ponds & open brushy areas.	Roosts in hollow trees, beneath exfoliating bark, abandoned woodpecker holes & rarely under rocks. Needs drinking water. Lower montane coniferous forest, Oldgrowth, Riparian forest.

FEDERAL: FE = ENDANGERED, FT = THREATENED, PFE = PROPOSED FOR ENDANGERED, PFT = PROPOSED FOR THREATENED; FC = CANDIDATE SPECIES FOR LISTING; D = DELISTED FROM FEDERAL LISTING STATUS.

STATE: CE = ENDANGERED, CT = THREATENED, CC = CANDIDATE SPECIES FOR LISTING; FP = FULLY PROTECTED UNDER THE CALIFORNIA FISH AND GAME CODE; SSC = SPECIES OF SPECIAL CONCERN IN CALIFORNIA.

SOURCE: CNDDDB, 2017.

SPECIAL-STATUS PLANTS

The Grove – Response to Comments

<i>Species</i>	<i>Status (Fed/State/CNPS)</i>	<i>Habitat</i>	<i>Potential for Occurrence</i>
Ahart's dwarf rush <i>Juncus leiospermus</i> var. <i>aharti</i>	SC/--/1B	Vernal pools	Not observed.
Big-scale balsam-root <i>Balsamorhiza macrolepis</i> var. <i>macrolepis</i>	SC/--/1B	Open woodlands and grasslands	Not observed.
Bogg's Lake hedge-hyssop <i>Gratiola heterosepala</i>	--/CE/1B	Moist margins of vernal pools and marshes	Not observed.
chaparral sedge <i>Carex xerophila</i>	--/--/1B	Chaparral, cismontane woodland, lower montane coniferous forest. Serpentine, gabbroic.	Not observed.
Dwarf downingia <i>Downingia pusilla</i>	--/--/2	Vernal pools	Not observed.
El Dorado bedstraw <i>Galium californicum</i> ssp. <i>sierrae</i>	FE/CR/1B	Cismontane woodland, chaparral, lower montane coniferous forest. In pine-oak woodland or chaparral. Restricted to gabbroic or serpentine soils	Not observed.
hispid salty bird's-beak <i>Chloropyron molle</i> ssp. <i>hispidum</i>	--/--/1B	Alkali Sink, Valley Grassland, wetland-riparian	Not observed.
Jepson's onion <i>Allium jepsonii</i>	--/--/1B	Chaparral, cismontane woodland, lower montane coniferous forest. On serpentine soils, volcanic soil.	Not observed.
Layne's ragwort <i>Packera layneae</i>	FT/CR/1B	Chaparral, cismontane woodland. Ultramafic soil (serpentine or gabbro); occasionally along streams.	Not observed.
Legenere <i>Legenere limosa</i>	SC/--/1B	Vernal pools	Not observed.
Pincushion navarretia <i>Navarretia myersii</i> ssp. <i>myersii</i>	--/--/1B	Vernal pools	Not observed.
Pine Hill ceanothus <i>Ceanothus roderickii</i>	FE/CR/1B	Chaparral, cismontane woodland. Gabbroic or serpentine soils; often in "historically disturbed" areas with an ensemble of other rare plants.	Not observed.
Pine Hill flannelbush <i>Fremontodendron decumbens</i>	FE/CR/1B	Chaparral, cismontane woodland. Rocky ridges; gabbro or serpentine endemic; often among rocks and boulders.	Not observed.
Red Bluff dwarf rush <i>Juncus leiospermus</i> var. <i>leiospermus</i>	--/--/1B	Vernal pools	Not observed.
Red Hills soaproot <i>Chlorogalum grandiflorum</i>	--/--/1B	Cismontane woodland, chaparral, lower montane coniferous forest. Occurs frequently on serpentine or gabbro, but also on non-ultramafic substrates; often on "historically disturbed" sites	Not observed.
Sacramento Orcutt grass <i>Orcuttia viscida</i>	FE/CE/1B	Vernal pools	Not observed.
Stebbins' morning-glory <i>Calystegia stebbinsii</i>	FE/CE/1B	Chaparral, cismontane woodland. On red clay soils of the Pine Hill formation; gabbro or serpentine; open areas	Not observed.
Sanford's arrowhead <i>Sagittaria sanfordii</i>	--/--/1B	Marshes and swamps. In standing or slow-moving freshwater ponds, marshes, and ditches.	Not observed.
oval-leaved viburnum <i>Viburnum ellipticum</i>	--/--/2	Chaparral, cismontane woodland, lower montane coniferous forest.	Not observed.
El Dorado County mule ears <i>Wyethia reticulata</i>	--/--/1B	Chaparral, cismontane woodland, lower montane coniferous forest. Stony red clay and gabbroic soils; often in openings in gabbro chaparral.	Not observed.

Notes: (-) = None; Federal: SC = Species of Concern; State: CE = California Endangered; California Native Plant Society (CNPS): List 1B = Rare or Endangered in California; List 2 = Rare and Endangered in California, more common elsewhere.

SOURCE: CNDDDB. 2017.

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Riparian Habitat/Streambed Alteration Agreement

The commenter states "The CEQA analysis should state what, if any, Department-jurisdictional features will be removed, disturbed, or otherwise altered by the project. The Department's jurisdiction includes the bed, bank and channel and any associated habitat including areas where water has flowed and where the width of its course can be identified by physical or biological indicators. This may include the floodplain or associated contributing drainage areas. When determining jurisdiction, the Department must consider the fluvial geomorphology of the system including the following: (1) where water currently flows, or has flowed, over a given course during the historic hydrologic regime (can be subsurface flows), (2) the maximal extent of the or expression of a stream on the landscape, (3) the connectivity between the groundwater table and surrounding landscape (may include springs, swales, surface runoff source areas that are a source of water to a stream), and (4) the nexus between the stream and all life associated with the streams. Riparian can include areas adjacent to perennial, intermittent, and ephemeral streams, lakes and estuarine marine shorelines that are transitional between terrestrial and aquatic ecosystems and are distinguished by gradients in biophysical conditions, ecological processes, and biota. They are areas through which surface and subsurface hydrology connect waterbodies with their adjacent uplands. Riparian areas connect upland and aquatic environments through both surface and subsurface hydrologic flow paths."

The commenter is directed to the Initial Study (pg 34) for the discussion of the impacts to jurisdictional features. As indicated in the Initial Study the "proposed project is anticipated to impact waters of the U.S. onsite. All waters of the United States within the project site would be directly impacted (filled) by the proposed project. A total of 0.348 acres of direct impact is anticipated (ECORP Consulting, 2016)." Mitigation Measure Bio-6 requires the applicant to obtain a Lake and Streambed Alteration Agreement from the CDFW. The amount of fill requiring compensatory mitigation by the proposed project would be 0.349 acres of seasonal wetland or other comparable wetland type. As noted in the Initial Study, "The Town of Loomis requires new development to mitigate wetland impacts for both regulated and non-regulated wetlands to achieve a "no net loss" through avoidance, minimization, compensation, and/ or replacement (Section 13.58.040 of the Municipal Code). This policy would apply to the onsite impacts as well as the offsite impacts."

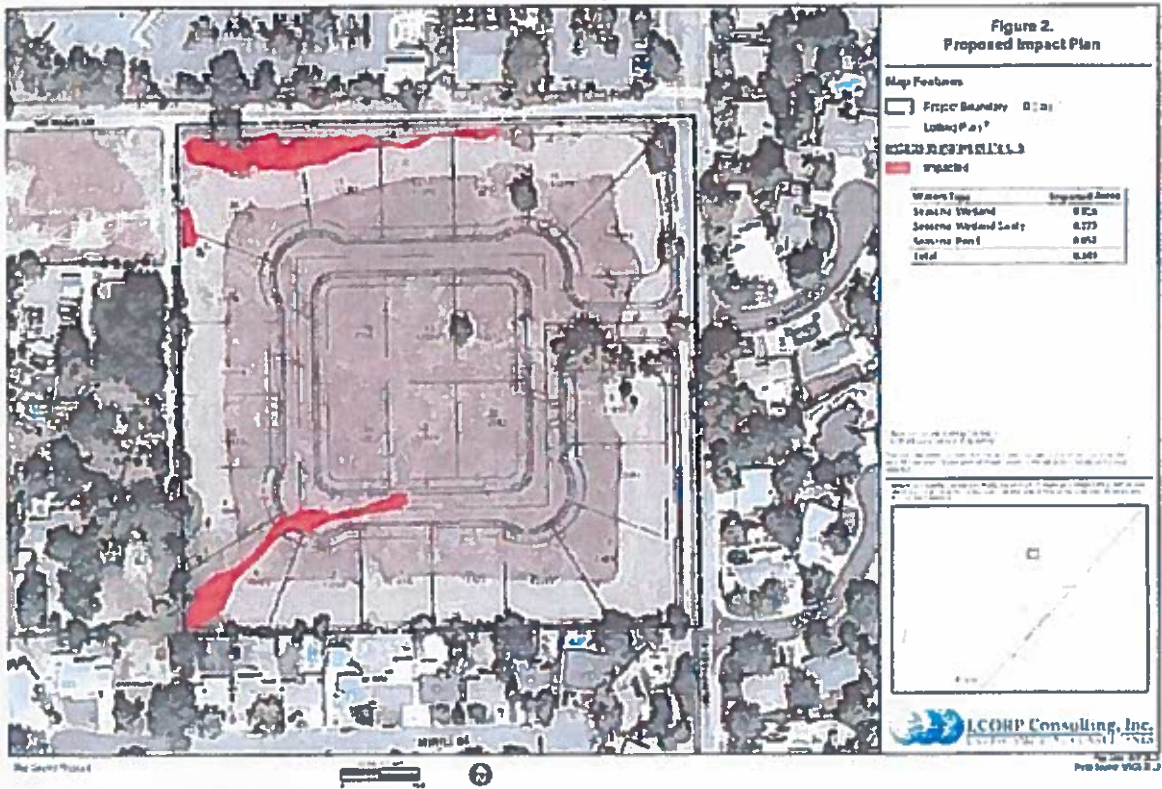
The commenter states "The MND does not describe or show the location of the riparian habitat or unnamed stream nor does it describe how it would be impacted by the proposed project. Direct and indirect impacts to Department-jurisdictional features including culverts, outfalls, etc. should be analyzed. The CEQA document should address direct (temporary and permanent), indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. The Department must rely on the CEQA document as a responsible agency when issuing their 1600 permit. If it cannot rely on the CEQA document, then it either must be amended or the Department must execute its own CEQA document at the expense of the project applicant."

To address this comment, we have extracted several figures and photographs from the wetland delineation. The first figure (Figure 2. Proposed Impact Plan) illustrates the location of the wetlands that will be impacted. The second figure (Figure 2. Wetland

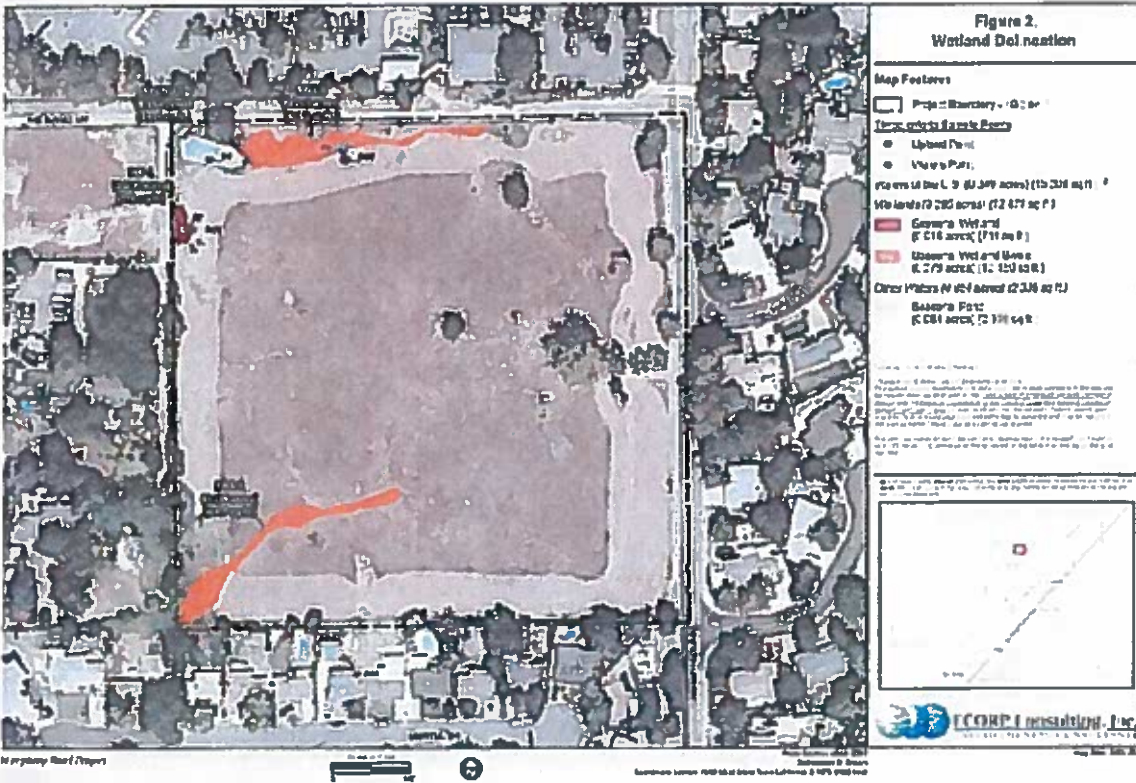
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Delineation) illustrates wetlands that were delineated. Lastly, we have included several photographs of the wetlands located on the project site (Representative Site Photographs). As noted in the Initial Study (pg. 34), the project will require fill of these wetlands. None of these wetlands have been labeled as “riparian” or “stream.” Additionally, there are no blue line streams identified on a USGS map. The fill impacts are permanent impacts and as indicated in the Initial Study “*All waters of the United States within the project site would be directly impacted (filled) by the proposed project. A total of 0.348 acres of direct impact is anticipated (ECORP Consulting, 2016).*” Mitigation Measure Bio-6 requires the applicant to obtain a Lake and Streambed Alteration Agreement from the CDFW. The amount of fill requiring compensatory mitigation by the proposed project would be 0.349 acres of seasonal wetland or other comparable wetland type. As noted in the Initial Study, “*The Town of Loomis requires new development to mitigate wetland impacts for both regulated and non-regulated wetlands to achieve a “no net loss” through avoidance, minimization, compensation, and/ or replacement (Section 13.58.040 of the Municipal Code). This policy would apply to the onsite impacts as well as the offsite impacts.*” Mitigation Measure Bio-6 notes that the applicant must obtain the CDFW approval (SBAA) prior to approval of improvement plans and any clearing, grading, or excavation work on the project site. Additionally, Mitigation Measure Bio-4 cites the Section 13.58.040 of the Town of Loomis' Wetland Protection and Restoration Ordinance as a requirement of the project. This specifically requires the applicant to provide evidence of purchase of replacement wetlands habitat of equal or better quality than the wetlands on the project site. The measure requires replacement at a ratio of 2:1 to ensure that there is no net loss of wetland functions and values unless the replacement wetlands are located within the Town or within a one-mile radius of the project site, the replacement ratio may be reduced to 1:1. It is noted that this is the Town of Loomis' requirement. If any of the regulatory agencies require something stricter after evaluating the permit applications then the applicant will be bound by the permit; however, compensatory mitigation cannot be less than the Town of Loomis's standards.

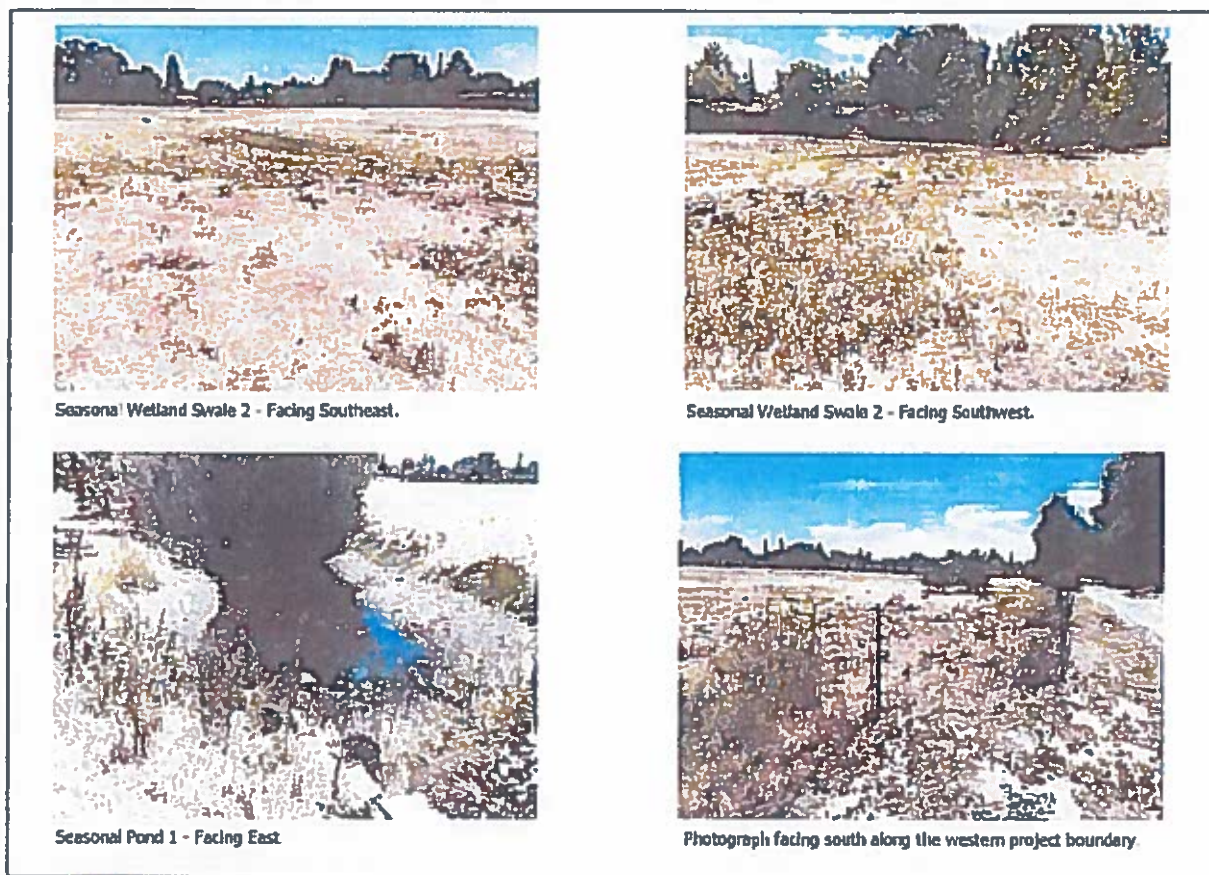
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Representative Site Photographs
2016-100 The Grove

Deferred Mitigation

The commenter states "CEQA Guidelines §15126.4 (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. The MND includes mitigation measures Bio-1, Bio-3, Bio-5, and Bio-6, that relies on future approvals or agreements with USACE, an entity entrusted with carrying out the project as a means to bring identified significant environmental effects to below a level that is significant. Because there is no guarantee that this approval or cooperation with the above entity will ultimately occur, the Department believes that the above mitigation measures are unenforceable and do not bring the impacts to biological resources to below a level that is significant. As a responsible

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agency issuing a Streambed Alteration Agreement, the Department must rely on CEQA document to adequately address all potential impacts associated with the project and to have enforceable mitigation measures to avoid, minimize or mitigate those impacts. It is recommended that Mitigation Plans are developed prior to finalizing the MND and that any potential impacts associated with the Mitigation Plans are analyzed as well (i.e., restoration or enhancement of habitat may have impacts to sensitive resources).

Mitigation Measure Bio-1, -3, -5, and -6 require the applicant to obtain authorizations for certain proposed actions (i.e. proposed fill of a wetland) from regulatory agencies prior to implementing the action (i.e. filling the wetland). The commenter's claim that this is deferred mitigation is a misunderstanding of the CEQA process and how it relates to permits issued by responsible and trustee agencies. It is not deferred mitigation to require a project to obtain a permit from a responsible or trustee agency after project approval. For example, Mitigation Measure Bio-6 specifically requires a permit (Streambed Alteration Agreement) that is issued by the CDFW. The CDFW will not issue this permit until there is an approved CEQA document. It would, therefore, be impossible to implement Mitigation Measure Bio-6 prior to approval of the CEQA document. As such, the Town's only option is to make the permit issued by your agency as a condition of project approval by developing a Mitigation Measure. As a matter of process, it would be counterintuitive to issue a permit authorizing an impact for a project that has not been approved. Each agency responsible for issuing permits under Mitigation Measure Bio-1, -3, -5, and -6 will not issue such permit unless, and until, the project is approved. Additionally, the requirement to obtain a permit under this mitigation measures, does not change the fact that Mitigation Measure Bio-4 specifically requires compensation for the actual impact. Mitigation Measure Bio-1, -3, -5, and -6 each just require, as a formality for the Town and applicant, that authorization is obtained by the responsible/trustee agency.

Nesting Birds and Raptors

The commenter notes that the project has the potential to disturb bird species or nests protected under the Migratory Bird Treaty Act (MBTA), and Fish and Game Code (FGC) §3503 and 3503.5. The commenter provides several recommendations to modify and enhance Mitigation Measure Bio-7.

This comment is addressed by the following revision to Mitigation Measure Bio-7.

Mitigation Measure Bio-7: If construction is to occur during the nesting raptor/migratory bird and nesting loggerhead shrike period (February 1 through October 31), the applicant shall have a qualified biologist conduct pre-construction nesting raptor/migratory bird and nesting loggerhead shrike surveys within ~~30~~ three (3) days prior to the commencement of site preparation activities in the development area to confirm the presence/ absence of nesting raptors/ migratory birds or nesting loggerhead shrikes. If an active nest(s) is located, the biologist in consultation with California Department of Fish and Wildlife (CDFW) shall recommend a buffer area around the nest(s). The buffer area shall be delineated with orange construction fencing and no construction should take place within the buffer zone until the biologist has determined that all young have fledged and are capable of foraging independently. Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the

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exclusionary buffer will be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist. The Town shall be notified as soon as the surveys have been completed.

Letter 3. Central Valley Regional Water Quality Control Board, January 13, 2017 - Stephanie Tadlock, Environmental Scientist.

The comment describes the regulatory setting, including the Basin Plan and the mandatory antidegradation policy contained in the Basin Plan. The comment proceeds to describe the specific permitting requirements for construction, industrial, and municipal discharges as well as permitting requirements associated with the Clean Water Act and dewatering of and/or discharge to waters of the United States.

The project would be required to comply with construction-related National Pollutant Discharge Elimination System (NPDES) requirements (see IS/MND, IX. Hydrology and Water Quality, Mitigation Measure HWQ-3), operational NPDES requirements (see IS/MND, IX. Hydrology and Water Quality, Mitigation Measure HWQ-4) and Clean Water Act requirements (see IS/MND, IV. Biological Resources, Mitigation Measures Bio-3, Bio-4, IX. Hydrology and Water Quality, Mitigation Measure HWQ-3).

Letter 4. State Clearinghouse, January 25, 2017 - Scott Morgan, Director.

The commenter forwarded a comment letter from Caltrans that was received after the close of the state review period for the IS/MND. A response to the Caltrans letter is provided under Letter 1.

Letter 5. Loomis Fire District, January 4, 2017 - George Blind.

The commenter indicates that Fire District fees are not collected as indicated by Mitigation Measure PS-1, but are based on square footage of each structure built and collected at the Building Permit phase. Mitigation Measure PS-1 is revised as follows (see Mitigation Monitoring and Reporting Program):

"Mitigation Measure PS-1: Prior to ~~Improvement Plan~~ building permit approval, the applicant shall pay the appropriate residential development impact fees to Loomis Fire Protection District (LFPD) and to submit to the Town a will serve letter from the LFPD."

Letter 6. Richard and Tina Carey, January 26, 2017.

The commenter indicates that the Project should not alter the seasonal streams and ponds on the Project site, noting that they and their neighbors have requirements to keep their culvert under their driveway and seasonal stream on their properties. The commenter notes that north of the neighbor's fenceline is a seasonal pond that is home to frogs,

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mallard ducks, herons, and egrets. This comment does not address the IS/MND. The comment is referred to the decision-makers' for consideration.

The commenter recommends that dust control be closely monitored and conform to the mandated Permissible Exposure Limit during removal of toxic soil to prevent exposure of nearby residents and school children. While this comment does not address the IS/MND, it is noted that Removal Action Work Plan (RAW), which will be administered and regulated by the Department of Toxic Substances Control requires dust control monitoring and dust control measures to ensure that airborne contaminants do not exceed acceptable levels (see IS/MND, VIII, Hazardous Materials, Responses a, b, and c). Mitigation Measure Haz-1 requires the applicant to fully implement and complete the RAW, which includes implementing human health and safety measures during removal of contaminated and potentially contaminated soils.

Letter 7. Steven D. Harris, January 25, 2017.

The commenter indicates that there are some concerns not directly addressed in the IS/MND. The commenter states that some things they assume the Town is intent on preserving include local rural character, wildlife habitat not limited to protected species, existing character and property values, and natural flora, especially trees.

The commenter identify areas of concern related to site design and lighting and that the Project needs to abide by aspects of planning and ordinance that were side-stepped in the IS/MND. This response addresses the various issues raised by topic.

Project Design, Layout, and Character

The commenter indicates that the Grove is a "gated community" that will be segregated from the rest of the community by fences and walls and that the lot layout should be open, not fenced and walled off. The commenter indicates that the density of the lot plans should stick more closely to the intent of the General Plan with smaller lots to the center and larger lots to the outside, indicating that the development is very much like recent Rocklin and Roseville suburban developments.

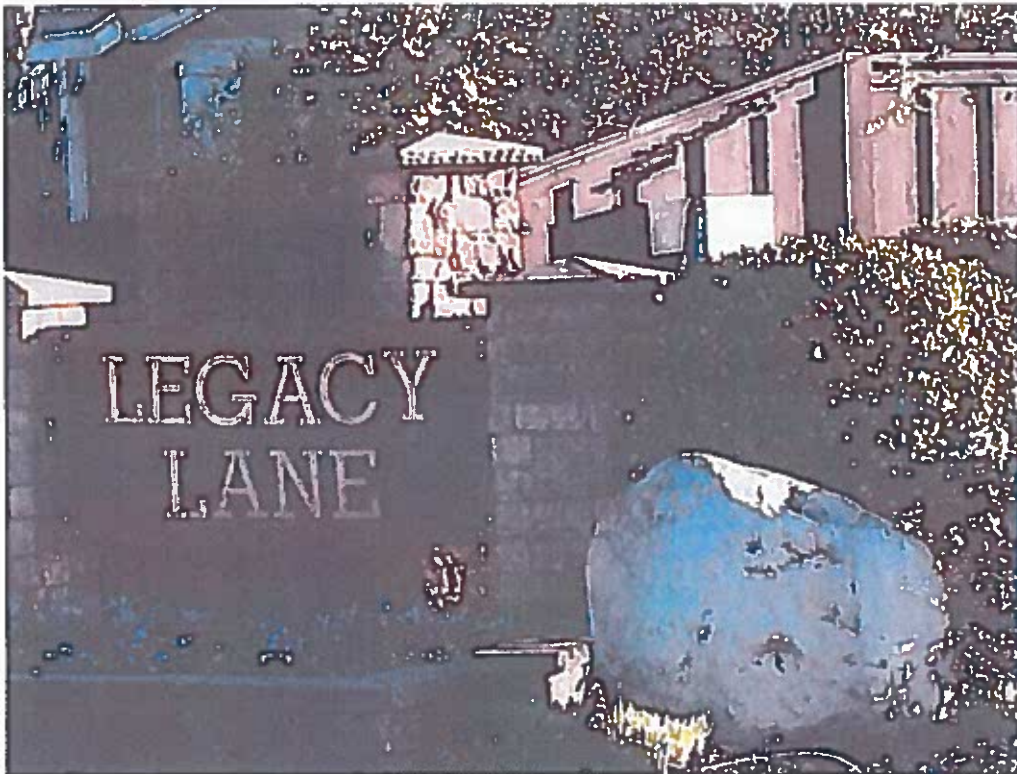
The IS/MND evaluated potential environmental impacts associated with development of the project, including the proposed project design, fencing, etc. The proposed project design, including fencing, is consistent with the type of development and visual character allowed by the Town's land use and planning regulations, including the General Plan and Zoning Code.

The commenter's opinion related to the fenced/walled nature of the Project is noted. Regarding the style of the fence, the requirement that solid walls or fences within the street side setback be three feet, with the exception for open fencing allowed up to six feet, is limited to the RA, RE, and RR zones. This requirement is not applicable to the Project site, which is zoned RS-10a. Side and rear solid walls or fences are allowed up to six feet in the RS-10a district. The character of the Project, as a small, fenced residential subdivision, is consistent with development types allowed under the RS-10a zoning district. The Project site is not designated Residential Agriculture, Estate Residential, or Rural Residential by

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the General Plan nor is the project site zoned Residential Agriculture, Estate Residential, or Rural Residential; these more rural designations would result in a more open residential development, with lower or open fences, and larger lots.

The project has been revised to replace the proposed masonry block wall along Humphrey Road and No Name Lane with a wooden fence, similar to the wooden fence used in the Legacy Lane subdivision pictured below.



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Regarding the commenter's concern that the project will have more of a suburban feel rather than a rural feel, as previously noted, the site is not designated for rural use. The project site is designated Residential Medium Density which allows two to six units per acre and is not a rural land use designation.

The commenter indicates that the lot pattern and lot sizes are not consistent with the General Plan policy that calls for smaller lots in the interior of the parcel and larger lots around the edges. The General Plan anticipated a maximum density of six units per acre for the Project site, which would allow 59 units on the Project site. Development at the maximum densities allowed under the General Plan would have resulted in smaller lot sizes of approximately 6,000 square feet. The Project would develop the site at the lower end of the densities allowed under the General Plan, 22 units, rather than requesting the necessary entitlements to develop at the maximum densities allowed under the General Plan. This results in a larger average lot size for the Project and less of a need to have significantly smaller lots in the interior of the Project.

The commenter indicates that the changes in contour combined with the retaining wall and fence are a significant change compared to the local neighboring lots and neighborhoods. The proposed fence and retaining wall would be visible behind the private residential lots, but would not be significantly visible from any public vantage points. The retaining walls proposed by the project are only proposed between the project site and parcels that are located directly west or south of the project. There are three parcels that are adjacent to the western border of the project and ten parcels adjacent the southern border of the project. The majority of parcels adjacent to the project site would have a six-foot fence with no retaining wall or a retaining wall of 1.5-feet or less. The northernmost and central parcels west of the project site would each be bordered by a 6-foot fence. The southernmost parcel adjacent the project site to the west would be bordered by a retaining wall, with the wall going from a height of zero to 7.5 feet, with the highest portion limited to the southernmost extent of the neighboring parcel. A 6-foot wooden fence would be on top of the retaining wall. Any retaining wall bordering the remaining parcels along the southern boundary would be approximately 3.5 feet or less. The three easternmost parcels along the project's southern border would have an approximately 3.5-foot retaining wall with a 6-foot fence on top. The three parcels centrally located along the project's southern border would have a retaining wall of approximately 1 to 1.5-feet high topped with a 6-foot

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wooden fence. The three easternmost parcels would have a six-foot wooden fence and no retaining wall.

Under CEQA, the threshold of significance considers whether the Project will affect the environment of persons in general, not whether the Project will affect particular persons. The wall would not characterize the visual environment of the Project site or its vicinity and would have a minimal effect on the overall environment. While development of the Project would result in visual changes to the area, the change in views and character is consistent with the densities, design, and fencing allowed under the Town's General Plan and zoning regulations would not result in a significant impact pursuant to CEQA. The change of the rural feel of this area is not a significant impact on a recognized aesthetic resource, but may result in psychological and social effects for neighboring residents. This concern is noted for the decision-makers' consideration.

Drainage and Habitat

The commenter states that the design does not just add additional storm drain flow to existing properties, it completely changes the topography and habitat, indicating that changing the drainage patterns affects habitat and species populations. The commenter recommends that the project preserve some degree of wetlands and contour more closely to existing conditions. These comments are noted. Impacts to special-status species and sensitive habitats are addressed in the IS/MND under Section IV. Biological Resources. The commenter is referred to the Response to Letter 2 which includes a list of special-status species and habitat potentially occurring on the Project site and in the Project vicinity. As discussed under the Response to Letter 2, the Project would not have a significant adverse impact on special-status species or protected habitats. While the Project would change drainage conditions to reduce off-site flooding, these changes would not result in indirect impacts to wetlands (ECORP Consulting, Inc, 2016). In regard to the potential for the Project to affect non-protected species and habitat, this comment is referred to the decision-makers for consideration.

Lighting

The commenter indicates that three street lights included in the project would result in light pollution for what is now essentially a starry sky, yielding suburban not rural residential development. As was previously noted, the project site is not designated for rural residential uses by the General Plan or Zoning Code. The project proposes five streetlights, one at the project entry from Humphrey Lane and four lights within the project that would illuminate the internal Grove Circle roadway and sidewalks. The Town requires development projects to minimize offsite light and glare, through implementation of Section 13.30.080 of the Town's Zoning Code, which requires outdoor lighting to be shielded or recessed so that the light source is not visible from off the project site and so that glare and reflections are confined to the maximum extent feasible within the boundaries of the site. The Zoning Code also requires outdoor lighting to be directed downward and away from adjoining properties and public rights-of-way. The Town's infrastructure standards establish the type of pole, pole height, light housing, and type of light to be used for all streetlights. The Grove proposes street lights that are consistent with the Town's standards, with the exception of requesting to use light-emitting diode

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(LED) rather than high pressure sodium lights for improved energy efficiency. The project would be consistent with the Town's requirements, including the requirement to shield light to reduce offsite lighting and glare, including nighttime glare, and would not have a significant effect on nighttime lighting conditions.

Standards

The commenter indicates that the Town must abide by the intent of the General Plan and hold developers to a standard that exceeds national and state standards. The project has been reviewed for consistency with the Town's standards and requirements established by the General Plan and Zoning Code. See the attached staff report for a discussion of the project's consistency with Town standards. This comment is noted for the decision-makers' consideration.

Letter 8. Robert and Tena Martin, James and Alice Martin

The commenter organized their comment into six numbered questions and four topical comments (drainage, construction, project, and summary). Each question and comment is responded to below in the same order presented in the comment letter.

1. Right of Way is generally a form of an easement held for road purposes.
2. The Placer County Stormwater Management Manual states "the downstream property owner is obligated to accept and make provision for those waters which are the natural flow from the land above and allows for the reasonable increase in drainage runoff by paving or construction of other impervious surfaces." The proposed project will result in a decrease. The volume of the proposed basin has been designed to accommodate the runoff from the 100yr storm event and reduce the flow rate of drainage discharged to No Name Road to less than existing conditions. No improvements to No Name Road are proposed with this project.
3. See response for #2
4. It is our understanding the Loomis School district is responsible for the retention pond, and mosquito control is the responsibility of the local mosquito control district.
5. The proposed wooden fence will be approximately 25 feet from the center of No Name Lane.
6. The drainage discharged is from runoff along Humphrey Road. However the most of the site is lower than Humphrey Road and slopes to the west.

Drainage

The commenter states that if there is not proper drainage, the road will flood and residents of No Name Lane will not be able to access their homes. The commenter questions the drainage plan, run-off calculations, and drainage pond for the project. The commenter indicates that the No Name Lane ditch needs to be deepened or water enclosed in a pipe.

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The storm drainage system is designed to comply with Town of Loomis Land Development and Construction Standards, the Placer County Flood Control and Water Conservation District's Storm Water Management Manual and Placer County's Land Design Manual.

The observation that the project proposes to increase the contributing volume of water from drainage shed acreage to No Name Lane and that development of the site will increase impervious areas and therefore increase runoff is correct. The project, however, is implementing a retention basin at the northwest corner that is designed to result in a decrease in flow rates to the existing No Name Lane drainage ditches. Design flows from the Placer County Flood Control Manual are derived from historical rainfall data. The peak flow rate of 20.56 cubic feet per second is the highest flow rate that is expected and cannot be extrapolated over time to generate a volume, so the commenter's calculation of 53 minutes capacity for the pond is incorrect. Flow rates peak and then taper off over the defined duration that is being studied.

The proposed detention pond has been evaluated and sized using the County's depth/duration design charts that have been created using historical rainfall data. The Placer County Stormwater Management Manual states the downstream property owner is obligated to accept and make provision for those waters which are the natural flow from the land above and allows for the reasonable increase in drainage runoff by paving or construction of other impervious surfaces. The proposed project would result in a decrease in run-off volume. The volume of the proposed basin has been designed to accommodate the runoff from the 100-year storm event and would reduce the flow rate of drainage discharged to No Name Lane to less than existing conditions.

As the project would decrease flows to No Name Lane, no improvements to the existing ditch along No Name Lane are necessary or proposed. The characterization and analysis of drainage impacts associated with the project that is provided in the MND under Section IX, Hydrology and Water Quality, does properly identify the impacts associated with implementation of the project and is consistent with the drainage analysis conducted for the project. The Preliminary Storm Drainage Report prepared for the project has been reviewed by the Town Engineer to ensure conformance to applicable Town and County standards.

The commenter indicates that the retaining pond at H. Clark Powers School has not been maintained and that it is unfair to burden the residents of No Name Lane to try and force Homeowners Association to maintain the pond, drainage, or any part of the agreement. The commenter recommends yearly non-chemical abatement and debris, dirt, and chemical build-up removal from the pond. It is noted that the school facilities referenced by the commenter are not under the jurisdiction of the Town of Loomis. Mitigation Measure HWQ-4 in the IS/MND requires the project applicant to prepare a Stormwater Management Plan (SWMP), in accordance with NPDES and West Placer Storm Water Quality Design Manual requirements. The SWMP is required to include a maintenance program for the structural storm drain system, which includes the storm drains and detention basin. All of the mitigation measures are adopted as conditions of approval for the project and the Town is responsible for the monitoring the project's compliance with

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the measures, including long-term requirements for the stormwater detention basin maintenance.

Project

The comment that the retaining/wall fence would be unsightly, elevate the project above the neighbors, and probably lower the value of neighboring properties is noted. Visual impacts associated with the project fencing are addressed under the response to Letter 7. The concern regarding potential effects on property values and the commenter's recommendation that the contour of the project site should not be changed and that no retaining walls be allowed is noted for the decision-makers' consideration.

Perimeter walls and fences will be maintained through a proposed maintenance district.

The commenter notes that dust is generated off of No Name Lane, especially due to trucks and trailers going to the nursery and recommends that the Town and developer provide a solution to the dust or disclose this to new buyers. This comment is noted for the decision-makers' consideration.

Letter 9. United Auburn Indian Community, January 4, 2017 – Gene Whitehouse, Chairman.

The United Auburn Indian Community (UAIC) was provided with a notice of the project and opportunity to request consultation consistent with Public Resources Code Section 21080.3.1.

The UAIC responded to the notice and requested consultation. The UAIC requested copies of the cultural resources reports and environmental documents prepared for the project. The UAIC did not identify any specific cultural resources, including sacred sites, on the project site or in the project vicinity, but did not. The UAIC recommended that UAIC tribal representatives be present during The UAIC also recommended that a UAIC tribal monitor be present during any ground-disturbing activities.

As part of the initial contact, the UAIC was provided with the cultural resource documentation for the project site. The UAIC did not provide any comments specific to the reports that were prepared for the project site and did not identify any specific important resources in the project vicinity. The UAIC was also mailed a copy of the Notice of Intent to Adopt the Mitigated Negative Declaration and a copy of the IS/MND when it was made available for public review and comment. The UAIC did not comment on the IS/MND.

The Town's CEQA consultant followed up on the request for consultation and left a voicemail with the indicated tribal contact, Marcos Guerrero. The message identified that the cultural resources reports had been provided to the UAIC when the initial notice of the opportunity to request consultation was sent, that the Town was responding to the consultation request, and that the request for a tribal monitor to be present on the project site during all ground-disturbing activities would be noted for the Town Council's consideration.

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The IS/MND includes Mitigation Measure Cult-1 to address potential impacts to cultural resources, including Native American resources. While no resources were identified on the project site during the cultural resources surveys, Cult-1 addresses the potential for discovery of resources during project construction. Cult-1 requires that any prehistoric or historic artifacts or other indications of archaeological resources are found during grading, that a qualified archaeologist be consulted to evaluate the finds and recommend appropriate mitigation measures. Cult-1 further requires that if any discovered cultural resources are Native American in origin, that the Lone Bank of Miwok Indians and UAIC be notified and provided with an opportunity to document and, if desired, recover the resources.

The commentor's request to have a tribal monitor present during ground-moving activities is noted for the decision-makers consideration. It is noted that the Town does not currently have a policy in place that addresses insurance, indemnification, and other requirements that may be appropriate when considering requests from interested parties to be present on a development project site during construction activities.

Letter 10 – Dane and Debbie Clark, January 25, 2017.

The commentor identifies concerns that increased water runoff due to the project may place their home in jeopardy of flooding. The commentor indicates that read the IS/MND but want to make sure they understand the drainage information.

The proposed project would reduce stormwater runoff to No Name Lane as described in Section IX, Hydrology and Water Quality, Response c), d), and e) of the IS/MND; there would be no increased flooding due to the project (Meredith Engineering, 2016; Meredith Engineering, 2017). The project includes a detention basin that has been engineered to accommodate drainage from the project site during a 10-year and 100-year flood event and release the storm water to the No Name Lane drainage ditch at a rate of no more than 2 cubic feet/second (cfs). This is a decrease from the drainage rate, 2.7 cfs for a 10-year storm and 6.87 cfs for a 100-year storm, from the project site to the No Name Lane facility under existing conditions.

Letter 11 – Residents of No Name Lane (27 signatures)

The commentor indicates they have reviewed the IS/MND and have questions and comments. The comments are numbered 1 through 12 and are responded to below in the order presented in the letter.

Item 1.

The commentor states that the parcel is being graded to drain all of the water onto No Name Lane and they are concerned the retention basin designed to hold 27,756 cubic feet of water is not equipped to handle heavy rains. The commentor provides math that 10 acres receiving 1 inch of rain produces 36,302 cubic feet of water.

As discussed in the response to Letter 8, the stormwater detention basin The proposed detention pond has been evaluated and sized using the County's depth/duration design charts that have been created using historical rainfall data. The Placer County Stormwater

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Management Manual states the downstream property owner is obligated to accept and make provision for those waters which are the natural flow from the land above and allows for the reasonable increase in drainage runoff by paving or construction of other impervious surfaces. It is noted that the commentor does not take into account that the stormwater detention basin will discharge at a rate of 2 cfs, which equates to 120 cubic per minute and 7,200 cubic feet per hour.

The proposed detention pond has been evaluated and sized using the County's depth/duration design charts that have been created using historical rainfall data as described in the Preliminary Storm Drainage Report, which has been reviewed by the Town Engineer. The Placer County Stormwater Management Manual states the downstream property owner is obligated to accept and make provision for those waters which are the natural flow from the land above and allows for the reasonable increase in drainage runoff by paving or construction of other impervious surfaces. As previously described, the proposed project would result in a decrease in run-off volume and would reduce the flow rate of drainage discharged to No Name Lane to less than existing conditions.

Item 2.

The Placer County Stormwater Management Manual states "the downstream property owner is obligated to accept and make provision for those waters which are the natural flow from the land above and allows for the reasonable increase in drainage runoff by paving or construction of other impervious surfaces." The proposed project will result in a decrease in stormwater runoff. As previously described, the volume of the proposed detention basin has been designed to accommodate the runoff from the 100-year storm event and reduce the flow rate of drainage discharged to No Name Road to less than existing conditions. No improvements to No Name Road are necessary or proposed with this project.

Item 3.

The Placer County Stormwater Management Manual states "the downstream property owner is obligated to accept and make provision for those waters which are the natural flow from the land above and allows for the reasonable increase in drainage runoff by paving or construction of other impervious surfaces." The comment is noted for the decision-makers' consideration.

Item 4.

The commenter indicates that No Name Lane residents are concerned about the proposed concrete wall on No Name Lane and Humphrey Road and requests a more country/rural wall. The commenter requests to have input on the look of the wall. The project applicant has revised the project to propose a wooden fence along Humphrey Road and No Name Lane that is similar to the Legacy Lane fence. See the response to Letter 7. The commenter's request for input on the look of the wall is noted for the decision-makers' consideration.

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Item 5.

Perimeter walls and fences will be maintained through a proposed maintenance district.

Item 6.

The commenter indicates that a motion was recently put forth at a Council meeting to limit wall heights to six feet and requests that the project's walls be kept to six feet to blend into the surrounding community. This comment is noted for the decision-makers' consideration.

Item 7.

The proposed fence along No Name Lane is approximately 25 feet from the center of No Name Lane.

Item 8.

The fencing proposed on No Name Lane and Humphrey Road will be six feet high.

Item 9.

The commenter states that dust is a large problem on the beginning of No Name Lane and requests that The Grove developer pave the road down to the first corner to eliminate dust exposure to new residents of the project. This comment is noted for the decision-makers' consideration.

Item 10.

The commenter identifies their concern that "The Grove" sign proposed at the entrance to the development does not fit with the rural community and small-town feel of Loomis and requests that the builder eliminate the sign. As previously described in the response to Letter 7, the project site is not designated for rural uses. The comment is noted for the decision-makers' consideration.

Item 11.

The commenter asks if there will be visibility issues from No Name Lane onto Humphrey Lane in regards to pedestrians. The project will include a landscaping lot along Humphrey Road that will curve along the beginning of No Name Lane. This landscaping lot will result in the project fence being set back from the Humphrey Road and No Name Lane rights-of-way at the intersection. The setback from the edge of the road and sidewalk provides adequate sight distance at the intersection. The project was reviewed by KD Anderson and Associates for potential traffic impacts, including hazards related to pedestrian circulation. No visibility issues were anticipated or identified at the No Name Lane/Humphrey Road intersection.

Item 12.

The commenter references attachments that model the volume of the existing ditch along No Name Road and state that there is less than half of the volume area downstream as compared to the location across from the project's planned detention basin. The commenter states that if No Name Lane is not raised to address this problem, No Name Lane will flood in the area of the existing school detention basin. As described previously

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under the response to Item 1 and in the response to Letter 7, the project would result in a decrease in the amount of stormwater that leaves the project site and enters the drainage facility in No Name Lane. The project would improve drainage and flooding in comparison to existing conditions.