

# William D. Kopper

Attorney at Law  
417 E Street  
Davis, CA 95616  
(530) 758-0757  
Fax (530) 758-2844

Paralegal  
Kristin Rauh

September 25, 2008

Planning Commissioners  
Placer County Community Development Agency  
3091 County Center Drive  
Auburn, CA 95603

RE: Regional University Specific Plan  
Final Environmental Impact Report (SCH #2005032026)

Dear Planning Commissioners:

These comments on the Regional University Specific Plan FEIR ("FEIR") are submitted on behalf of **Placer Citizens Against Gridlock ("PCAG"), Robert Bell, Ricky Williams, and Steven Bonner**. These are their comments. In addition, I have attached a comment from Dr. Mark E. Grismer on the hydrology aspects of the Project. We incorporate into our comments all of the comments of other individuals and organizations on the FEIR. Furthermore, we oppose Placer County adopting the Regional University Specific Plan, the General Plan and Dry Creek Community Plan Amendments, Rezoning, and Development Agreement. In these comments we address some of the deficiencies in the FEIR.

My clients believe that the Regional University Specific Plan is premature. The Regional University area should be planned regionally to make certain that the maximum amount of quality habitat in the area is preserved. Additionally, because of the severe air pollution in Western Placer County and the complete dependency of the Regional University Specific Plan on automobile access, the Project is environmentally unsound. The Project will increase air pollution in the area, traffic will become gridlocked, and the Project will cause increased greenhouse gas emissions.

1. Water Issue.

In comment number 4.2 the Placer County Water Agency states as follows: "Page 2-28...states that PCW could rely upon groundwater until such time that the surface water infrastructure is in place. PCWA does not currently have the capability to supply groundwater to the project area and does not support development of the groundwater resources as a first and primary water source for the area." Comment 19-65 points out that "on page 6.14-1, the EIR states that if at some stage in the development of the project, infrastructure to supply surface water to project is not completed on time, water could be supplied from groundwater at the discretion of the PCWA until planned facilities are completed...therefore, the interim use of groundwater to serve a portion of the project, if necessary, would have a less-than-significant impact on the groundwater resources." The comment points out that the County's General Plan states, "the County shall approve new development based on the following guidelines for water supply: (a) urban and

1

suburban development should rely on public water systems using surface supply." The Final EIR did not respond to these comments in the manner required by law. The Final EIR did not change the Project description to exclude the language that the Project could rely on groundwater until such time that the surface water infrastructure is in place. Moreover, the Final EIR fails to explain how the Project can rely for its initial source on groundwater when PCWA states it is a violation of PCWA policy. The response to comment 19-65 is non-responsive. The response to comment states that the Project does not rely upon groundwater for its supply, but upon PCWA water. This statement is inconsistent with the inclusion of a policy in the FEIR that the Project may make "interim use of groundwater to serve a portion of the project." Additionally, as pointed out by Dr. Mark Grismer there is no evidence in the EIR that the use of groundwater will not have a negative environmental impact. The Environmental Impact Report includes no basin studies and no information on the availability of groundwater. The sole statement that the use of groundwater by the Project would be the same as or less than historical use for rice farming is not sufficient because the groundwater underneath the Project site is not necessarily in a stable condition.

(cont.)  
1

Comment 19-66 indicates that the water demand for the Regional University in the Integrated Water Resources Plan (Placer County Water Agency, August 2006) was considered less than in the Draft Environmental Impact Report. The Integrated Water Resources Plan is one of the documents that is cited as a source of information for the water assessment section of the Draft Environmental Impact Report.

In response to comment 19-66 the authors of the EIR state that this comment was intended to show that the Draft EIR overstated the water demand for the proposed Project. In fact, the obvious reason the reference was made was because the lower demand figures in the Integrated Water Resources Plan are indicative of the fact that there is not adequate supply to meet the demand. If the demand in the Integrated Water Resources Plan included the higher figures for the RSUP and the Curry Creek Planning Area, the shortfall would be even greater. The Integrated Water Resources Plan shows in Table 9.8 and other tables throughout the document that with the projected demand, there is a shortfall. Under drought conditions the PCWA, Roseville and Lincoln will all need to rely on groundwater to improve the reliability of the system. The Integrated Water Resources Plan also relies on speculative assumptions as to the amount of water the PCWA may take out of the American River. It assumes that all of the 120,000 acre feet from the Middle Fork Project will be available in all years to the Placer County Water Agency (including multi-dry years). Up to the current time, the Placer County Water Agency has been limited to the extraction of 35,000 feet from the American River. There is no evidence that the amount of water from the Middle Fork Project or the CVP can be increased in the near term or even within the build-out time frame work for the Regional University Plan. There is no evidence that the Middle Fork water is anything other than paper water, even though PCWA has water rights.

2

Instead of water from the American River, the water for the Regional University Specific Plan is planned to come from the Sacramento River. However, there is no meaningful description of how this water will be delivered to the Project site. Moreover, this water remains speculative since no project has been approved to remove water from the Sacramento River. In the event that water is not available from the Sacramento River, the Environmental Impact Report has not set forth another realistic long-term source of water for the Regional University Specific Plan.

3

The cumulative demand for water in western Placer County is not adequately addressed in the Draft Environmental Impact Report or Final Environmental Impact Report. The two tables that are borrowed from the Placer Vineyards Specific Plan EIR (Table 6.14-9 and Table 6.14-10) do not set forth the water requirements for each of the proposed new projects in Western Placer County, but simply set forth the equivalent dwelling units. Moreover, there is absolutely no support for the contention that in 2009 and 2010 there will be 35,000 acre feet from the Sacramento River diversion. The claim that there will be 70,500 acre feet from the middle fork American River system in 2011 and 2012 and 105,500 acre feet available from the Sacramento diversion in 2011 to 2012 is absolute speculation. It is not based upon any facts at all. The analysis of available water supply is untenable.

4

As noted in comment 19-67, and acknowledged in the response to 19-67, the only source of water available to the Regional University is the Sacramento River diversion because the West Roseville Specific Plan and Placer Vineyards will take the other surface supplies from PCWA. The Project EIR does not disclose a secondary source of available water that is reasonably feasible.

5

In response to comment 19-71, the FEIR is in error. The Project would require not .02% of the total diversion, but at least 2% of the total diversion from the Sacramento River. Response to comment to 19-71 is non-responsive. The comment asks for the Project EIR to disclose the impact of constructing the pipeline to the Regional University Project on vernal pools, riparian habitat and threatened and endangered species. The EIR is silent on these impacts, which must be disclosed. Response to comment 19-73 is non-responsive and is also in error. The response to comment does not address comment no. 19-73. Comment 19-73 indicates that the Project EIR is to provide the preferred source of water for the Project. An EIR that does not provide the primary or "preferred source of water" does not comply with CEQA. The fact that PCWA is the preferred water provider, does not mean that the EIR can escape its legal obligation to identify the water supply for the Project. The Project EIR is vague about the actual source of water for the Project, and in this way fails to comply with CEQA.

6

The response to comment 19-74 is non-responsive. It is relatively certain that there will not be enough water capacity that may be wheeled through Roseville to provide sufficient water to the Project. Nevertheless, the FEIR does not identify the pipeline route of an additional water supply. Because the infrastructure is not properly described, it is impossible to determine whether this infrastructure will have an environmental impact. In essence, the authors of the EIR are piecemealing the Project by not including an adequate description of the water facilities that will be needed for the Project, and an environmental analysis of these facilities.

7

In response to comment 19-95 by Dr. Mark Grismer, the authors of the EIR state that "the proposed project will construct the flood control and peak flow improvements required by mitigation measures to coincide with development impacts." Presumably, this comment means that as certain parts of the Project are constructed, the drainage improvements will be installed. The authors of the EIR state that when impacts exist relative to upstream and downstream sources of runoff, Placer County requires the analysis of the "post-project fully developed offsite unmitigated" flow rates. This comment does not respond to the authors' concern. The authors' concern is that the partial construction of the Regional University Project and the surrounding large projects in West Placer County, including Placer Vineyards may have a cumulative adverse impact on flood flows prior to

8

the completion of all of the improvements. This comment is not adequately addressed in response 19-95. The Environmental Impact Report is non-responsive to the comment that global warming will increase spring flows and possible flooding. This impact has been well documented in the scientific literature, but it is entirely ignored in response to comment 19-95. Small creeks can turn into raging flood flows as the Sacramento area has experienced in the past.

(cont.)  
8

In paragraph 12-1 the City of Rocklin comments that the Project EIR needs to address the added water requirements from the City of Roseville facilities that will be demanded by the City of Rocklin Downtown Plan. The Project FEIR provides a flippent response to this comment stating that the comment should be directed to PCWA. It is the obligation of the authors of the FEIR to make certain that water is available for the Project. If the City of Roseville wheeling facilities may not be available because of other demands, this is a problem that must be addressed in the EIR in determining whether water can be made available for the Regional University Project.

9

Response to comment 19-38 was not satisfactory. The baseline data in Curry Creek is necessary to determine if future drainage will degrade the creek.

10

In response to comment 19-42, the FEIR states that residents could be placed in the 100-year flood plain if FEMA approves alternations to the flood plain. FEMA standards have changed and it is generally required that building not be included in the 200-year flood plain. Therefore the response to comment 19-42 is not satisfactory.

11

2. The Project Is Inconsistent with the General Plan Policies that Require Agricultural Land Be Preserved.

As stated in comment 8-3, all land that is designated as important farmland is to be mitigated on a one-to-one ratio. The Project mitigation measures do not comply with Placer County Policy and also the provisions of the EIR. Until the California Department of Conservation changes the important farmland designation on the property, the property is required to mitigate on a one-to-one basis or provide 1,157 acres of farmland. The EIR is inadequate because it is internally inconsistent.

12

The Project is inconsistent with General Plan Policy 1.A.2. and the EIR does not adequately explain the inconsistency. The EIR does not discuss the environmental sensitive nature of the area and also that it is an ag area and is not included in the current General Plan as an area slated for growth. The response to section 19-4 is non-responsive and an illogical discussion.

13

With respect to General Plan Policy 1.B.1. the County is to concentrate new residential development in high density residential areas located along major transportation corridors and transit routes. The response to comment 19-5 is non-responsive. The response to comment indicates that other development is planned in the vicinity. However, none of the other planned development is as yet constructed, and the Regional University Plan will be in the middle of nowhere. Perhaps, at a future date the development would be appropriate. But the development as planned is essentially a high density leapfrog development with only one ingress and egress, from Watt Avenue. General Policy 1.B.1. was enacted to prevent this type of development. The development is clearly in violation of this important General Plan Policy. The Board of Supervisors does not have discretion to ignore the County General Plan. The response to comment saying that sometime in the future

14

there might be bus transit to the area, is non-responsive. The Project is to be adjacent to existing major transportation corridors and transit routes if it is a high-density residential development.

(cont.)  
14

Comment 9-6 points out that there will be 27 potential significant impacts of the Project on Placer County's Transportation Network and that of the surrounding counties. Commenters stated this impact would be inconsistent with General Plan Goal 3.A. which requires the County to provide for the long-range planning and development of the County's roadway system to insure the safe and efficient movement of people and goods." In the response to comments, the EIR states that Policy 3.A.7. which would allow exceptions to the level of service standards, and that essentially the level of service could be degraded under the proposed Project and its EIR. Policy 3.A.7. has not been adopted and as we have pointed out, the Project EIR which is to serve as the Environmental Impact Report for this policy change does not set forth the environmental impacts of the policy change. The environmental impacts of this policy change should include the added air pollution impacts of degrading the level of service, the impacts on greenhouse gases of degrading the level of service, and the health impacts of degrading the level of service. However, none of this has been provided with respect to Policy 3.A.7. This policy change has also been challenged in the Place Vineyards Specific Plan, where it first reared up. It has not been legally adopted because no Environmental Impact Report has withstood legal challenge that has adopted this change. The Environmental Impact Report is therefore inadequate in its analysis of traffic impacts.

15

The response to comment 19-7 is inadequate. In comment 19-7 we pointed out that General Plan Goal 3.B. would require that the Regional University Specific Plan provide mass transit to the Project site. This is particularly important since the Regional University is in an isolated area of the County and many students do not have cars. Mass transit to the Project area would reduce the Project's air pollution impacts which are significant and unavoidable, and also reduce the Project's contribution to greenhouse gases. However, the EIR rejects a feasible mitigation measure of requiring mass transit to be provided to the Project site. Instead the EIR states that the Project will "contribute its fair share of the costs to provide public transit service to the study area." Fee based mitigation is ineffective and does not comply with the requirements of CEQA if it does not actually lead to the mitigation. The requirement should be that the Project provide bus service to the RUSP, and that the County may impose fair share costs on other development in the area.

16

3. The Traffic Analysis for the Project is Inadequate.

As set forth in the letter of Sutter County (letter 10) the Project will have significant impacts in Sutter County. Almost all the very significant impacts of this Project on surrounding communities is mitigated by mitigation measure 6.12-1. Part 6 which states as follows:

17

The payment of impact fees to Placer County in amounts that constitute the project's fair share contributions to the construction of transportation facilities and/or improvements within the City of Roseville, Sacramento County, and/or Sutter County needed in whole or in part because of the project, to be made available to the City of Roseville, Sacramento County, and/or Sutter County if and when those jurisdictions in Placer County enter into an enforceable agreement consistent with Placer County General Plan Policy

3.A.15(c) at the time of issuance of building permits for individual development projects within the area, the County shall collect fair share fee payments for improvements or facilities addressed by its CIP as it exists at the time.

Sutter County requests that the negotiations begin immediately and that there be a legally enforceable agreement before the EIR is certified. This approach is reasonable because it is feasible to enter into a legally binding agreement with Sutter County prior to the certification of the EIR, which would provide for the mitigation that is necessary in Sutter County. Likewise, the County can request that the negotiations be completed with the City of Roseville and Sacramento County prior to certification of the EIR. The County's failure to require the completion of negotiations and a guarantee of the improvements is failure to implement feasible mitigations. Commenters disagree with the Final Environmental Impact Report. CEQA requires the County to implement feasible mitigation measures. Comment 10-1 responds by saying that all the County has to do is negotiate. This is not good enough. The County needs to enter into the agreements so that the mitigation actually occurs prior to certifying the EIR.

Sutter County is correct in its comment 10-5 that the mitigation measure must be adopted prior to certification of the Environmental Impact Report. The comment does not say as suggested in the FEIR that "the mitigation would not be enforceable and put into effect until the EIR for the project is certified and the project is approved." The fair share agreement must be spelled out as a mitigation measure prior to adoption of the EIR so that the mitigation actually occurs. Otherwise, it is speculative.

The Sutter County comment 10-6 that Placer County is required to include road segment analysis is absolutely correct. The authors of the FEIR argue that there was no need for road segment analysis for the area on Riego Road between Pleasant Grove Road and SR 70-99. This response is not a difference of expert opinions, but is absolutely incorrect from a standpoint of standard traffic engineering practice. In rural, semi-rural and low density suburban fringe environments where intersections are separated by long distances, intersection analysis is normally only relied on to define lane configuration need on the immediate approaches to the intersections. In such rural areas, decisions regarding whether to carry additional through lanes on the segments between intersection approaches are normally based on segment analysis. Even basic common sense would dictate that the segment analysis is necessary.

The response to comment 10-8 is non-responsive. Clearly, in the Placer Vineyards Draft and Final Environmental Impact Report the Placer Vineyards Project was found to have an impact on the Riego Road intersections and the UPRR crossing (grade separation). The University Regional Plan will add traffic to these same intersections. The intersections and mitigation should be addressed in the Final Environmental Impact Report.

Response to comment 10-9 is non-responsive because the comment asks for the County to address how the mitigation measures to the Project might have additional adverse impact in Sutter County and other jurisdictions. While 10-9 notes that such adverse impacts might occur in other jurisdictions, it does not analyze these impacts, which is required by CEQA.

(Cont.)

17

18

19

20

The County fails to adequately respond to comment 10-10. The comment requests that certification be delayed until there is an agreement as to the payment for mitigation measures in Sutter County. The authors of the FEIR's response to this comment is non-responsive. The agreement is required prior to development of the Project.

21

In comment 11-3 the City of Lincoln asked for the Project EIR to be prepared on the most recent information. Likewise in comment 10-6 Sutter County asked Placer County to use the latest available traffic data in its analysis of the Project impacts. The NOP for the Project was circulated in March of 2005, and the traffic counts were performed in May of 2005. It is now more than 3 years since the time of the NOP. The EIR was not prepared and circulated in a timely way. In the rapidly urbanizing rural environment of Placer County, traffic counts on key roads may be radically changed from 3.5 years ago. The overriding policy is that an EIR must make a good faith effort to disclose project impacts. The reliance on traffic data that is 3½ years old does not make a good faith effort to disclose project impacts. The EIR analysts should have examined the current traffic counts offered by Sutter County to determine if there was significant differences, with the counts used in the EIR.

22

The FEIR's response to 12-3 does not comply with CEQA. The City of Rocklin contends that the Project will have impacts at the Whitney interchange at State Route 65. If the Project indeed would have impacts on this intersection, the EIR is required to evaluate the intersection. The EIR authors arbitrarily took the position that if the Project would not have full funding identified, since that construction of the Project is reasonably foreseeable by the cumulative horizon of 20/25, the EIR did not have to address the Project. There is no basis for such a standard. The public and the decisionmakers need to know the traffic impacts of the Project and which intersections the Project may gridlock, regardless of whether there are funds available to make improvements. Likewise, the response to 12-4 is non-responsive because it does not analyze the impacts of the Project on the SR 65/Blue Oaks Boulevard interchange and provides no mitigation.

23

In comment 12-5 the City of Rocklin objects to the use of a 44% internal trip reduction. To base the internal trips on the UC Davis campus is absurd. The City of Davis has a compact full service downtown close to the campus. The University of California, Davis has a student population of approximately 30,000 and a faculty staff total of approximately 30,000. The City population is 64,000. The Regional University campus out in the middle of nowhere is not comparable to the City of Davis. The 44% trip internal reduction rate is completely speculative. In the response to comment 12-5 there is no information made available that would support such a high rate of internal trips.

24

Likewise, the response to comment 12-6 is inadequate. As noted in the comment the Regional University will have no public transportation and alternative modes of transportation initially and perhaps never. In contrast UC Davis prohibits most cars on campus, owns its own extensive bus transportation system, and also benefits from Yolo Transit and other alternate modes of transportation that serve the University and the City.

25

In comment 13-5 the City of Roseville indicates that should the Watt Avenue segment need to be constructed prior to the Sierra Vista Specific Plan Buildout, it is unclear how the land ownership for the Watt Avenue extension would be acquired. In response to this comment, the FEIR

26

authors refuse to address the concern. Clearly, whether the land can be acquired with or without condemnation is a CEQA issue because without acquisition of the land there may be a limited access to the University Specific Plan area, which could have traffic impacts. The availability of the land to extend Watt must be addressed in the EIR. Likewise, the response to comment 13-6 is improper. If utility lines cannot go through the W-81 preserve, and there are constraints to extending utilities through the West Roseville Specific Plan area the EIR must disclose alternative routes. If the infrastructure cannot access the Regional University Specific Plan area through the W-81 open space preserve or the Roseville Specific Plan area, then the EIR needs to identify how electricity, natural gas, water, wastewater, and recycled water will be transferred to and from the RSUP area. Where these utilities are located could have an environmental impact. The EIR is not allowed to simply ignore these issues.

(cont.)  
26

In comment 13-38 the City of Roseville states that Roseville previously requested the EIR identified up-front improvements to be constructed along Baseline Road, specifically at the intersections of Baseline Road/Fiddiment Road and Baseline Road/Watt Avenue. The City even attached recommended mitigations. In response, the County states that the Development Agreement includes the timing of the infrastructure improvements, including those upon Baseline Road. The fact that the Development Agreement includes this information does not excuse the information from being included in the Environmental Impact Report. The improvements that are to be included as part of the Project should be included in the description of the Project, and those that are implemented as mitigation measures need to be identified as mitigation measures and included in the mitigation monitoring program. The information provided by the County is particularly misleading. Page 38 of the Development Agreement states that the Baseline Road intersection improvements that the master owner shall be obligated to provide include the following: i) Baseline/Watt intersection, ii) Baseline/Locust intersection, iii) Baseline/Brewer intersection, and iv) Baseline/Pleasant Grove Road south intersection. The Development Agreement does not disclose that the Project developer will improve the intersection of Baseline Road/Fiddiment Road. This information appears to be intentionally deleted from the FEIR. Clearly, the improvement of Baseline Road/Fiddiment Road is necessary, but the information about how it is going to be improved is not included in the EIR or Development Agreement.

27

The County's response to comment 13-39 is vague and non-responsive. The City of Roseville notes that Blue Oaks Boulevard and Pleasant Grove Road must be extended into the plan area under the cumulative conditions. However, the EIR does not explain how the improvements will be funded and constructed. The EIR's response is to rely upon the vague provisions of mitigation measure 6.12-1. Likewise, the City of Roseville indicates that fair share obligations should be identified in the Development Agreement for mitigations identified in the EIR for impacts on the City of Roseville. This is not included in the Development Agreement, and once again the City improperly relies upon the vague mitigation measure 6.12-1. This mitigation measure puts off needed improvements to some pie in the sky program to be developed in the future. This does not comply with CEQA.

28



4. The Project EIR Does Not Properly Analyze the Availability of Sewer Treatment Facilities.

In comment 13-18, the City of Roseville states that the conclusion of no mitigation required for impact 6.8-4 is incorrect. Impact 6.8-4 states "The proposed project could increase the amount (volume) of treated wastewater discharged into Pleasant Grove Creek which could exceed the capacity of the creek, exacerbating on-or off-site flooding in the 100-year storm event." The City of Roseville states that the mitigation required to mitigate this impact is to obtain an NPDES permit for the additional discharge above that already permitted and to reduce flooding impacts on downstream communities should be identified. The City of Roseville states that the RSUP would require an expansion of the PGWWTP and the EIR should address the NPDES permit and downstream flooding. The response of the City is non-responsive and the EIR fails to mitigate for the expansion of flows in Pleasant Grove Creek.

29

The response to comment 13-10 is non-responsive. The comment states that the description of available wastewater treatment capacity is incorrect. The analysis must rely on technical documents (the Sewer Master Plan for this Project). This technical document is not referenced in the Draft EIR. This comment was not responded to correctly, but was avoided in the response to comments.

30

Impact 6.8-13 is "the proposed project, in combination with the buildout of urban growth areas that could be served by the Pleasant Grove Wastewater Treatment Plant, could result in degradation of water quality from increased wastewater discharge to Pleasant Grove Creek." The City stated that the finding of no impact was incorrect and that as a minimum an NPDES permit should be obtained. Likewise, there should be an analysis of flooding impacts on downstream communities. This comment was not responded to in a meaningful way.

31

In comment 13-21 the City of Roseville states that the information on page 6.8-26 is incorrect. The City states: "First the analysis implies PGWWTP with RUSP results in flows less than 12 MGDP. The analysis fails to consider future flows from projects that are already located within the service area boundary. Second the conclusion there is 'adequate capacity to serve the project' is incorrect. Capacity is not available within the 12 MGDP at the PGWWTP. This same error is repeated on page 6.11-8 (see comment 13-24). The responses of the authors of the EIR are non-responsive. In the response to comments the authors suggest that the City review pages 6.11-9 to 6.11-10 of the DEIR. These sections address the measures necessary to expand the PGWWTP to take into account cumulative projects. The reason the EIR is inadequate, is that the City of Roseville has clearly shown that there is no capacity at the PGWWTP to accommodate the wastewater from the Regional University Specific Plan area without an expansion of the PGWWTP. As a direct result of the Project an expansion of the wastewater treatment plant will be necessary. Therefore, the Environmental Impact Report is required to address the environmental impacts of expanding the PGWWTP. As part of the Environmental Impact Report it must at a minimum be shown that the 1996 Wastewater Master Plan EIR would still be applicable to an expansion of the treatment plant, and it would be feasible to expand the plant. Obtaining an NPDES permit for expansion of the plant and increasing the water flows in Pleasant Grove Creek is essential to the Project. Without the permit the RUSP cannot be built. Therefore, the Environmental Impact Report needs to address the factors necessary for the permit including the possibility of downstream

32

flooding as suggested by the City Roseville.

As pointed out in comment 13-26 the City of Roseville states: "Environmental utility staff does not concur with the 'less than significant impact' conclusion to this paragraph. This impact could be potentially significant as if there is no assimilative capacity of the receiving water for discharge and therefore no ability to obtain an NPDES permit. Please be aware that this project is outside the 2005 service area boundary and therefore not contemplated in any other environmental review. Therefore this impact is potentially significant and appropriate mitigation should be identified. The FEIR response to this is non-responsive. It is in fact a tautology. The response is "The Draft EIR requires that all necessary permits (e.g., NPDES) are in place for the PGWWTP to discharge additional treated effluent in the amounts associated with the new development. If the discharge permit could not be obtained, there will be no development approved that would generate wastewater flows beyond what is currently permitted." Under the existing case authority, an EIR must properly identify impacts and address feasible mitigation. Because it is absolutely necessary for the Project to go forward to expand the PGWWTP, the expansion has to be addressed in the Project EIR. The studies need to be completed to demonstrate that additional treated effluent can be discharged into the creek and that the permits can be obtained for expansion of the sewer treatment plant. In fact, the comments of the City of Roseville indicate that the City cannot rely upon the 1996 Master Plan EIR because the Project is not within the PGWWTP service area. The EIR needs to thoroughly study and address the impacts of expansion of the sewer treatment plant. The discussion on pages 6.8-36 to 6.8-39 is cursory and includes no scientific evidence.

33

In comment 13-27 the City of Roseville states that the mitigation measure for 6.8-10 should be the ability to expand the PGWWTP to meet currently buildout commitments and Project commitments and the ability to obtain the NPDES permit for the Project impacts. The authors' answer to this comment is non-responsive. The EIR needs to include a comprehensive study of the expansion of the PGWWTP.

34

The response to comment 19-21 is inadequate. Comment 19-21, the commentor states that the Project EIR needs to discuss the environmental impact associated with acquiring the area that is necessary to expand the PGWWTP. Additionally, the environmental impacts of the expansion need to be addressed. The authors response is non-responsive. The authors of the EIR state that there would be other projects that would contribute to the demand that could necessitate an expansion of the treatment plant. Contrary to the claim of the authors of the EIR, the City of Roseville which owns and manages the treatment plant states that the RSUP cannot go forward without an expansion. The City of Roseville states there is insufficient capacity. Therefore, the EIR is required to address the environmental impacts of the expansion as well as how the expansion shall be paid for. Otherwise, there is no mitigation for the Project impacts.

35

The response to comment 19-22 is likewise inadequate. The comments suggest that the mitigation measures for added treatment capacity should parallel those in the West Roseville Specific Plan EIR. One of the elements in the mitigation measures included in the West Roseville Specific Plan EIR was that there would be CEQA review of any proposal for development in the RSUP area and there shall be an environmental document that tiers from the Specific Plan EIR in order to provide a Project-level analysis. The mere statement in the Final EIR that commitments from the Wastewater Treatment Provider to receive anticipated flows at the PGWWTP shall be

36

secured by Placer County prior to County approval of improvement plan does not comply with the requirements of CEQA and is also non-responsive to the comment.

(Cont.)  
36

The response to comment 19-23 is inadequate. The authors state that the 2003 West Roseville Specific Plan EIR was in error when it stated that an expansion of the PGWWTP beyond 20.7 MGD would be necessary to accommodate the RUSP. The authors claim there's more recent information so this would not be necessary. However, the City of Roseville states that the RSUP cannot be accommodated within the 20.7 MGD that was anticipated in the 1996 EIR. Since it is the City of Roseville's treatment plant, and the City owns and manages the treatment plant, the City's position on this issue should be dispositive.

37

5. Piecemealing Impact of Construction of Drainage Basins.

In comment 19-75 the commentor notes that the detention/retention basin facilities were not modeled for their construction emissions impacts. The loading up of the massive amount of dirt and moving it on highways to its ultimate disposal site will include a substantial amount of extra air pollution. The impacts of creating the drainage basins were mentioned by Dr. Mark Grismer. He stated that the creation of the drainage basins was such a large project with its own air pollution and hydrological impacts that a separate EIR should be prepared. In fact, the drainage basins are part of the Project and the EIR should include a substantial discussion of the environmental impacts of creating the drainage basins. However, these impacts have not been discussed in the EIR and the response to comments is non-responsive.

38

6. Modification of Standards for the Berm and Open Space.

In comment 13-2 the City of Roseville asked for a minimum of a 50 foot buffer between the W-81 wildlife preserve area and Watt Avenue which is supposed to be a 6 lane arterial. The City points out that the preserve includes wetland and other sensitive habitat. The FEIR response is non-responsive. The response does not state why a 50 foot buffer is infeasible and it does not explain why the proposed 18 foot buffer is adequate. The only reason that there is a variation from the general plan standards, is once again the County is attempting to modify Policy I.H.6. to allow smaller buffers for projects within a Specific Plan. As pointed out in comment 19-17 the Environmental Impact Report fails to include in the proposed amendments the standards that would be applied and to provide an environmental analysis of the application of those standards. The response in the Final EIR states that there are in fact going to be no standards for reducing the proposed buffers. Likewise in comment 19-28 the commenter states that the EIR does not disclose how much agricultural land would be converted or harmed as a result of the revision of the General Plan Policies with respect to agricultural buffers. The Environmental Impact Report includes no information on how the reduction in buffers would affect agricultural operations. This very issue was raised in the lawsuit against the Placer Vineyards and has still not been resolved by the courts. The Project EIR fails to include sufficient information that justifies a reduction in the General Plan buffers of agricultural lands and sensitive open space. The proposed buffer of 18 feet between a 6 lane Watt Avenue and sensitive habitat is clearly inadequate. There is no data that shows the wildlife preserve will be protected.

39

The Environmental Impact Report is silent on how the RUSP will be changed in the event that a Regional University cannot be attracted. At the current time there are no Universities that have entered in to an agreement to locate in the RUSP. One of the reasons that there are no alternatives for the Project is that the EIR states that only in RUSP location is the developer willing to donate the land for a Regional University. If a Regional University is not built, what will become of this land. Will it be donated to the County for open space or wildlife habitat. It would appear that the County should insist upon such a donation. Otherwise, the Regional University is merely a phantom carrot for more urban development. The area of the Regional University will ultimately be a housing development out in the middle of nowhere. The EIR needs to address what will become of the Regional University site if the Project is not built.

40

Comment 19-24 states that the Project EIR does not include sufficient information to show that the requirements for development within the Future Study Area have been met. Since development in the Future Study Area is a land use issue, the land use section of the EIR was required to include information concerning whether compliance with the Future Study Area standards for development could be met. Further, the County must make findings concerning the future study area requirements before the Project is approved, and there must be a factual basis for such findings.

41

7. Air Quality.

The Draft EIR cannot rely on the recommended protocol for evaluating the location of sensitive land uses adjacent to major roadways. (SMAQMD.) The protocol is not intended to be a standard for acceptable risk. The use of a higher than 10 in 1 million threshold is not supported by the CARB or any other agency. In all health risk assessments the resulting chemical-specific environmental exposure are compared to either the AB2588 or Proposition 65 significant risk levels of 10 per million to verify warning compliance. There is absolutely no basis for the approach taken in the EIR. In response to a similar EIR approach of trying to reduce cancer risk by assuming shorter exposure periods, the SMAQMD stated as follows:

42

"The District does not agree with the protocol used in these arguments to discount the cancer risk. We embrace OEHHA's 70 year risk protocol and do not discount it. In addition, we do not compare today's risk with that which will be achieved in the distant future after the ARB risk reduction plan takes affect. In essence in this case the FEIR is inventing its own method of risk characterization, which appears to be an attempt to discount exposures and support a less than significant risk finding. The protocol in this case is not appropriate or effective. It should not be applied.

8. Energy Conservation and Greenhouse Gases.

In response to comment 19-54, the Project EIR includes additional information on energy conservation. However, the EIR does not include any information on transportation energy use related to the RUSP. This information is required by CEQA and also Appendix F. Title 24 does not

43

address transportation energy use. The Environmental Impact Report is required to provide information about transportation energy use and the means to reduce transportation energy use. One potential mitigation measure would be to provide public transit to the Project. The response to comment 19-54 is not complete.

(cont.)  
43

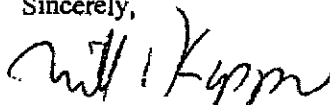
Comments 19-55 through 19-62 address means to reduce greenhouse gas emissions and proposed mitigation measures. The reason that the EIR mitigation measures are inadequate is that they are just a general basket full of different proposals, but there are no requirements to mitigate to any particular standard. The lack of standards was noted in comment 19-76 which suggested that the development require an LEEDS building efficiency standard such as LEED silver or gold. Additionally, the comments suggested that the EIR include a standard such as exceeding Title 24 energy standards by not less than 25%. The EIR did not adopt these feasible mitigation measures, nor many of the other proposed feasible mitigation measures. Even if solar electric panels were not required on each house, the Specific Plan could require solar electric panels on 50% of the houses or solar water heating systems on 50% of the houses. Instead of requiring standards that will make a real difference in reducing greenhouse gases and meeting the goals of AB32, requiring carbon emission reductions of 25% by the year 2030, the Project EIR dodges it's responsibilities. The Project EIR does not require any significant mitigation. For example, the Project EIR could require that the fixtures in the houses be fitted only with energy efficient fluorescent bulbs, or at least 90 % of the fixtures must have energy efficient fluorescent bulbs. Instead, no standard at all is adopted.

44

The EIR is inadequate because it does not include meaningful mitigation measures to reduce greenhouse gas emissions. Additionally, the Project EIR is inadequate because it does not address the means to reduce greenhouse gases from transportation sources. In fact, the Project EIR increases greenhouse gas emissions for transportation sources by reducing the Level of Service to D, which will mean more idling vehicles. The Project EIR fails to include public transportation to its isolated location in West Placer County. The lack of public transportation will increase greenhouse gas emissions.

45

Sincerely,



WILLIAM D. KOPPER

WDK:kgr

**Mark E. Grismer PhD PE**  
Vadose Zone Hydrologist  
7311 Occidental Road  
Sebastopol, CA 95472  
(707) 823-0703

---

16 September 2008

TO: Bill Kopper Esq.

RE: Review of Regional University Project FEIR Comments/Responses

In reviewing the FEIR responses related to hydrology, water supply, soils and wastewater of the RUSP DEIR, I maintain that the proposed development will require careful management and oversight such that adverse impacts to site soils, hydrology, stormwater drainage and regional water supply will not occur as the project proceeds. It will be imperative and incumbent upon Placer, Sutter and Sacramento Counties and associated water agencies (PCWA) to carefully orchestrate all of these development projects in such a fashion as to accommodate the increased water demands, aggravated drainage/flooding problems and the capacity for wastewater treatment and disposal. AS I noted before, "the devil is in the details" making it very difficult to evaluate whether proposed drainage works will in fact be implementable and successful. While the RUSP area is quite flat as noted, developing several "large" detention storage basins will likely require in excess of 50,000 cubic yds of earth removal and additional grading for berms and side-slopes. This extent of land grading alone may be affected by local conditions and require a DEIR on its own as well as a feasibility study. The proposed Project only identifies a "preferred water provider" (response 19-73/74) who has access to "possible" water sources (primarily Sacramento River in this case) that are not yet firm; is this equivalent to actually identifying a "water source" for the RUSP project or the cumulative west county developments? In a similar vein, that the project should not utilize greater than historic groundwater resources during sequential dry years seems a weak argument when the historic groundwater usage values are simply estimates; the region's cumulative groundwater demands during dry years will be the problem as I noted in my earlier comments. The labored responses to the water supply and wastewater treatment aspects of the RUSP underscore some of the difficulties the project faces prior to implementation. Finally, the net water diversion proposed by the Project is mis-stated in responses 19-70/71 as 0.02%, a trivially small number, or typo. This should read as nearly 2% (1.9%) of the anticipated diversions will go to the RUSP. When combined with other cumulative demands in the region; a more significant impact may be noted in the discussions associated with these responses.



A division of Residential & Dining Enterprises

Contact Us | SH | R&DE | Stanford

# Water Conservation

Energy Conservation | Water Conservation | Got Involved | Your Residence | Past Projects | Current Projects

- On This Page
- Stanford's Water Allocation
- How to Conserve Water
- Related Sites
- Home

While many people argue that Stanford University has one of the best climates in the country, the many months of clear skies and rain-free days make water a scarce and precious resource.

Student Housing at Stanford University is working hard to reduce water consumption through retrofit projects such as installation of advanced irrigation controls, low-flow showerheads, and low-flow toilets in many of the on-campus residences. In addition, Student Housing is encouraging water conservation through their educational outreach campaigns such as this webpage, poster campaigns, and informational meetings.

### Stanford's Water Allocation

All of Stanford's potable, or "fit to drink" water comes from San Francisco Public Utilities Commission (SFPUC). The main source of the SFPUC water is the Hetch Hetchy reservoir in Yosemite National Park. Currently, Stanford uses about 2.7 million gallons of potable water per day. Stanford has water rights to 3 million gpd (gallons per day) of potable water. Since the next 10 years will see more growth in housing and new academic facilities at Stanford, water conservation is a top concern for Student Housing and the University at large.

**Q: How do we use 2.7 million gallons of water each day?**  
**A:** Together, academic buildings, student housing, faculty housing, and athletics use 2.7 million gpd for domestic water purposes (toilets, sinks, showers), irrigation, and cooling equipment. Student Housing is the largest single user of domestic water on campus (28% of the total allocation). Sixty percent of the potable water used in residences goes to showers and toilets. Irrigation makes up the other 40% of Student Housing water consumption, and this is both potable domestic water and non-potable lakewater. Lakewater comes from a reservoir on Stanford land and is not counted in the 2.7 million gpd figure.

**Q: What are Stanford's growth plans?**  
**A:** Stanford has laid out a General Use Permit (GUP) as well as a Community Plan (CP) with Santa Clara County. The CP sets "goals and overall policy direction for physical development and use of lands" for the 4,000+ acres of Stanford land within Santa Clara County. Santa Clara County's Community Plan for Stanford was adopted on December 12, 2001. The GUP is more specific, laying out a development plan for these 4,000+ acres for the next 10+ years. Stanford also has a plan for sustainable building that was developed by the Capital Planning and Management group. The guideline "demonstrates Stanford University's commitment to building high-

2515  
 acre  
 feet  
 12,000  
 students

value, quality, long-term, cost effective facilities and landscapes that enhance the academic mission of the University, embrace our partnership with the community, and reinforce our stewardship of Stanford lands."

[Back to top](#)

**Q: How can we use less water?**

**A:** What you can do to help us use less water is download the following conservation checklist and make sure you are taking steps to conserve.

Please help us save water in the bathrooms and kitchens by alerting Student Housing to any leaks, fixtures that cannot be turned off completely, or fixtures that appear to be emitting an abnormally high volume of water per minute. Fill out an online fix-it request when you spot a problem!

You can also help us conserve irrigation water by reporting areas that appear over-watered. Sometimes pipes break or sprinkler heads get broken. If you should see excessive runoff or a muddy area, please call 723-3050. To find out more information about the irrigation systems visit the Stanford Grounds website.

Don't drive vehicles over grassy areas. A major contributor to irrigation problems is broken sprinkler heads. If a car is driven over a sprinkler head, chances are the sprinkler head will break. Help us keep vehicles off irrigated areas.

Take your car to a car wash that recycles their water. Lozano's Brushless Car Wash at El Camino & Del Medio or Palo Alto Deluxe Car Wash on El Camino and Encina Ave.

[Back to top](#)

**For More Information**

**Stanford-Related Sites:**

[Stanford Facilities Energy and Water Conservation Homepage](#)

[Stanford Facilities Water Resources and Environmental Quality Homepage](#)

[Stanford Grounds Homepage](#)

**Resources Outside of Stanford:**

[Santa Clara Valley Water District](#)

[Additional Tips for Conserving Water](#)

[Water Resources Sites](#)

**University of Minnesota Extension Services:**  
[Conserving Water](#)

[Back to top](#)

A division of





© 2003 Stanford University E-mail the web editor Last revised September 30, 2004