

I-262 Byron Marler

- I -262-1** The comment states that the EIR is inadequate because reasonable alternatives that would mitigate impacts were not considered.

The County acknowledges the comment and notes it expresses the opinions of the commentator, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

- I -262-2** The comment states that other suitable locations were not considered and that the alternatives analysis implies that a village planning area, with retail and service centers provided in proximity to the planned residential units is a requirement for the project. The comment suggests that the project could be divided into smaller residential developments using smaller parcels of contiguous land, which could utilize existing retail and service centers. The comment states that this would spread impacts over a larger regional spatial range and significant and unavoidable impacts could be reduced or eliminated. The comment states that the EIR did not approach the alternatives with an intent to reduce impacts.

CEQA Section 15126.6(a) only requires that an EIR “describe a range of reasonable alternatives to the proposed project, or to the location of the project, that would feasibly attain most of the basic objectives but would avoid or substantially lessen any of the significant environmental effects of the project, and evaluate the comparative merits of the alternatives.” Section 15126.6(a) also provides that an EIR need not consider every conceivable alternative to a project; rather, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.

Accordingly, the Draft EIR presented nine alternatives, ranging from the No Project/No Build alternative, to the General Plan Alternative (99 du, 2.0m+ SF commercial/retail/office), CDFW Alternatives (1,333 to 1,549 DU), the Multi-Family Town Center Alternative (2,135 DU on 435 acres) and the Newland Sierra Parkway Alternatives (2,135 DU on the existing project footprint plus a new, 4-lane Circulation Element Road), and also considered and rejected an Alternate Site Location Alternative and Agricultural Alternative. Thus, the Draft EIR considered a reasonable range of Alternatives that would meet most of the project objectives, be feasible, and avoid or substantially lessen the significant impacts resulting from the project.

In addition, CEQA Guidelines 15082(b)(1)(A) states that each responsible or trustee agency should provide a response on the NOP that at a minimum identifies significant

Comment Letter Responses

environmental issues and reasonable alternatives. The County has included the CDFW and USFWS alternatives as requested.

- I -262-3** The comment states that the project would concentrate traffic, air quality, and noise impacts in one area, which would be imposed on adjacent neighborhoods. The comment states that the project would result in significant and unavoidable impacts and the project proponent does not offer solutions towards impact reduction.

The County does not agree with this comment. Mitigation measures were proposed for all impacts, except when no feasible mitigation existed. This comment is general in nature and does not raise any specific issue regarding any particular analysis in the Draft EIR. Therefore, no specific response can be provided or is required. (*Paulek v. California Dept. Water Resources* (2014) 231 Cal.App.4th 35, 47 [a general response is all that is required to a general comment]). This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

- I -262-4** The comment states that the topography of the project site would make it difficult to develop, which would increase the construction and housing costs, which would reduce the affordability of the units. The comment states that the suggested alternative provided in comment 261-1 would reduce the construction cost and increase the affordability of the units.

The County acknowledges the comment and notes it expresses the opinions of the commentator, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

- I -262-5** The comment states that project alternatives, with alternate roadways were not considered. The comment states that modifications to accommodate biological migration are not considered in any of the roadway alternatives.

CEQA Section 15126.6(a) only requires that an EIR “describe a range of reasonable alternatives to the proposed project, or to the location of the project, that would feasibly attain most of the basic objectives but would avoid or substantially lessen any of the significant environmental effects of the project, and evaluate the comparative merits of the alternatives.” Section 15126.6(a) also provides that an EIR need not consider every conceivable alternative to a project; rather, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.

Comment Letter Responses

Accordingly, the Draft EIR presented nine alternatives, ranging from the No Project/No Build alternative, to the General Plan Alternative (99 du, 2.0m+ SF commercial/retail/office), CDFW Alternatives (1,333 to 1,549 DU), the Multi-Family Town Center Alternative (2,135 DU on 435 acres) and the Newland Sierra Parkway Alternatives (2,135 DU on the existing project footprint plus a new, 4-lane Circulation Element Road), and also considered and rejected an Alternate Site Location Alternative and Agricultural Alternative. Thus, the Draft EIR considered a reasonable range of Alternatives that would meet most of the project objectives, be feasible, and avoid or substantially lessen the significant impacts resulting from the project.

In addition, CEQA Guidelines 15082(b)(1)(A) states that each responsible or trustee agency should provide a response on the NOP that at a minimum identifies significant environmental issues and reasonable alternatives. The County has included the CDFW and USFWS alternatives as requested.

- I -262-6** The comment states the project proponent must offer better environmental monitoring toward protection human health and property values of adjacent neighborhoods. The comment states that continuous air quality and noise monitoring near Champagne Village and Deer Springs Road is needed to achieve this goal.

The Draft EIR's Air Quality chapter, and particularly Section 2.3.5, Impact Analysis therein, comprehensively evaluates the project's construction-related air quality impacts. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required.

The County acknowledges the comment and notes it expresses the opinions of the commentator, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR or within the meaning of CEQA. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

- I -262-7** The comment states that the CDFW alternatives are viable to reduce impacts of the project. The comment states that incorporating CDFW alternatives along with smaller projects could achieve the project goals.

The County acknowledges the comment and notes it expresses the opinions of the commentator, and does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.

Comment Letter Responses

I -262-8 The commenter thanks the County for considering his comments.

The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.