Attachment 1

RESOLUTION NUMBER CC 15-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHASTA LAKE CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH# 2012-042010); ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM; AND ADOPTING THE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE MOUNTAIN GATE AT SHASTA AREA PLAN PROJECT

WHEREAS, the City of Shasta Lake (City) received an application for General Plan Amendment GPA 11-01 (land use map designation change, Area Plan and Design Guidelines, and Plan Line Amendment); Rezone Z 11-02 (Zone Map amendment and Planned Development Zone); Tentative Subdivision Map SD 11-01; and a Development Agreement, filed by Mountain Gate Meadows, LLC, for the Mountain Gate at Shasta Area Plan project (Project); and

WHEREAS, the subject property is identified as Assessor's Parcel Numbers 007-400-037, -052, -053, -054; 307-210-028, -031, -032, -033, -034, -035, -036, -037; 307-220-001, -002, -003, -004; 307-240-001; 307-380-001, -002, -003, located generally in the northeast section of the City of Shasta Lake, generally south of the Mountain Gate/I-5 interchange and north of the Shasta Dam Boulevard/I-5 interchange on the west side of I-5; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code §§21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000 *et seq.*), the City, as Lead Agency, determined an Environmental Impact Report would be prepared for the Project; and

WHEREAS, scoping meetings were held on November 9, 2005, and April 16, 2012, to receive comments from the public regarding issues to be addressed in the EIR; and

WHEREAS, a Notice of Preparation (NOP) was prepared on April 3, 2013, and distributed through the State Clearinghouse for public agency review; and

WHEREAS, a Notice of Availability of the DEIR and Notice of the June 5, 2014, Planning Commission public hearing was published in the Redding Record Searchlight, made available at City Hall and the Shasta Lake Gateway Library, posted at designated locations throughout the City, posted on the City's website, and mailed to surrounding property owners; and

WHEREAS, the public comment period was held from April 18, 2015 through June 18, 2015 (60 days), and comments on the adequacy of the DEIR were received from 18 individuals and agencies during the public review period; and

WHEREAS, a Final Environmental Impact Report (EIR) was prepared by the City in conformance with CEQA and is comprised of the DEIR (April 2014) and all appendices thereto, the comments and responses to comments on the DEIR (FEIR Section 2.0), and minor textual changes and amendments (FEIR Section 3.0); and

WHEREAS, a Findings of Fact, Statement of Overriding Consideration and a Mitigation Monitoring and Reporting Program were prepared pursuant to CEQA and were considered by the Planning Commission in their deliberations; and

WHEREAS, a duly noticed Planning Commission public hearing was conducted on October 15, 2015, to obtain public comments, and action was continued to the November 19, 2015, meeting, at which time the Planning Commission adopted Resolution PC 15-09 recommending that City Council Certify the EIR; adopt the Mitigation Monitoring and Reporting Program; and adopt the Findings of Fact and Statement of Overriding Considerations; and

WHEREAS, prior to making a recommendation, the Planning Commission reviewed all environmental documentation comprising the EIR and found the EIR considers all environmental effects of the Project; is complete and adequate and fully complies with all requirements of CEQA; and reflects the City's independent judgment and analysis; and

WHEREAS, on December 15, 2015, City Council conducted a duly noticed public hearing and considered the Planning Commission's recommendation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Shasta Lake hereby finds and determines the above recitals are true and correct and have served as the basis, in part, for the actions set forth herein.

BE IT FURTHER RESOLVED, after hearing testimony, considering all evidence submitted into the administrative record, and engaging in due deliberation of the matters presented, City Council:

1. Hereby certifies that the Environmental Impact Report (EIR) (SCH 2012-042010) was completed in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code, State of California, §§21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000 *et seq.*); and

2. The information contained in the FEIR, together with all comments received during the public review process, have been reviewed and considered by City Council prior to approval of the Project; and

3. The EIR reflects the independent judgment and analysis of the City of Shasta Lake as Lead Agency.

BE IT FURTHER RESOLVED that pursuant to CEQA §21081.6, City Council hereby adopts the Mitigation Monitoring and Reporting Program in order to mitigate or avoid significant effects on the environment, a copy of which is attached as **Exhibit A** to this Resolution and incorporated herein by reference; and

BE IT FURTHER RESOLVED that pursuant to CEQA §21081 and CEQA Guidelines §15091 and 15093, City Council hereby adopts Findings of Fact and a Statement of Overriding Considerations with respect to the Project, a copy of which is attached hereto as **Exhibit B** and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the EIR and other documents constituting the record of proceedings upon which the approval is based are available for review at the office of the City Clerk, 1650 Stanton Drive, Shasta Lake, CA 96019, and on the City's website: **www.cityofshastalake.org**

DULY PASSED AND ADOPTED this 15th day of December 2015 by the following vote:

AYES:
NOES:
ABSENT:

_____
LORI CHAPMAN-SIFERS, Mayor

ATTEST:

_____
TONI M. COATES, CMC, City Clerk

CITY OF SHASTA LAKE

MOUNTAIN GATE AT SHASTA AREA PLAN

FINAL ENVIRONMENTAL IMPACT REPORT



Prepared by:

City of Shasta Lake
1650 Stanton Drive
Shasta Lake, CA 96019

PMC®
140 Independence Cir,
Suite C
Chico, CA 95973

November 2015

CITY OF SHASTA LAKE

MOUNTAIN GATE AT SHASTA AREA PLAN

FINAL ENVIRONMENTAL IMPACT REPORT

SCH No. 2012-042010

Prepared by:

CITY OF SHASTA LAKE
1650 STANTON DRIVE
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140 INDEPENDENCE CIR, SUITE C
CHICO, CA 95973

NOVEMBER 2015

FINAL ENVIRONMENTAL IMPACT REPORT

1.0 INTRODUCTION

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This Final Environmental Impact Report (FEIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132). The City of Shasta Lake (City) is the lead agency for the environmental review of the proposed Mountain Gate at Shasta Area Plan project. The City has the principal responsibility for approving the project. This FEIR assesses the expected environmental impacts resulting from approval and implementation of the proposed project, as well as responds to comments received on the Draft EIR.

1.1 BACKGROUND AND PURPOSE OF THE EIR

OVERVIEW OF CEQA REQUIREMENTS FOR PREPARATION OF AN EIR

The City, serving as the lead agency, has prepared this EIR to provide the public and responsible and trustee agencies with information about the potential environmental effects of the proposed project. As set forth in the provisions of CEQA and implementing regulations, public agencies are charged with the duty to consider the environmental impacts of proposed development and to minimize these impacts where feasible while carrying out an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

State CEQA Guidelines Section 15121(a) states that an EIR is an informational document for decision-makers and the general public that analyzes the significant environmental effects of a project, identifies possible ways to minimize significant effects, and describes reasonable alternatives to the project that could reduce or avoid its adverse environmental impacts. Public agencies with discretionary authority are required to consider the information in the EIR, along with any other relevant information, in making decisions on the project.

CEQA requires the preparation of an environmental impact report prior to approving any project, which may have a significant effect on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]). With respect to the proposed project, the City has determined that the proposed Mountain Gate at Shasta Area Plan is a "project" within the definition of CEQA.

BACKGROUND OF ENVIRONMENTAL REVIEW PROCESS OF THE PROJECT

The following is an overview of the environmental review process for the proposed Mountain Gate at Shasta Area Plan project that has led to the preparation of this FEIR.

Background

The City of Shasta Lake has received applications for a project that consists of the following elements: (1) General Plan Amendment, (2) rezone of the entire project site, (3) approval of a Tentative Subdivision Map, (4) Area Plan adoption, and (5) Development Agreement. A detailed project description is included in Section 3.0 of the DEIR.

Approval of the proposed project by the City of Shasta lake City Council is a discretionary project, as defined by CEQA Section 15357, and therefore requires environmental review. As a result, an Initial Study was prepared and circulated during the Notice of Preparation (NOP) review period. Analysis presented in the Initial Study determined that project would have potentially significant impacts on the physical environment and therefore, completion of an Environmental Impact Report was necessary.

Notice of Preparation

The NOP was submitted for public review on April 3, 2012. As of the close of the public review period (May 4, 2012), 14 comment letters were received by the City of Shasta Lake, the lead agency for the proposed project. The major topics of the received letters that are relevant to the Draft EIR were from a variety of area such as traffic, fire hazards, pedestrian and bicycle facilities, hydrology, environmental hazards, planning and utilities. The Notice of Preparation and the comments received are included in Appendix 1.0-1 and 1.0-2 of the Draft EIR.

Draft EIR

The Draft EIR (Draft EIR) was released for public and agency review on April 18, 2014, with the review period set to end on June 18, 2014. The DEIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. The Draft EIR was provided to interested public agencies and the public and was made available for review at the City offices and on the City's website.

Final EIR

The City received 18 comment letters from interest groups, government agencies, and the public regarding the Draft EIR. This document responds to the written comments received as required by CEQA. This document also contains minor edits to the Draft EIR, which are included in Section 3.0, Minor Revisions to the Draft EIR. This document constitutes the FEIR.

Certification of the Final EIR/Project Consideration

The City will review and consider the FEIR. If the City finds that the FEIR is "adequate and complete," the City may certify the EIR. The rule of adequacy generally holds that the EIR can be certified if: (1) it shows a good faith effort at full disclosure of environmental information; and (2) it provides sufficient analysis to allow decisions to be made regarding the project in contemplation of its environmental consequences.

Upon review and consideration of the Final EIR, the City may take action to adopt, revise, or reject the proposed project. A decision to approve the proposed project would be accompanied by written findings in accordance with State CEQA Guidelines Section 15091 and Section 15093. Public Resources Code Section 21081.6 also requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.

1.2 INTENDED USES OF THE EIR

The EIR is intended to evaluate the environmental impacts of the proposed project. This EIR, in accordance with CEQA Guidelines Section 15126, should be used as the primary environmental document to evaluate all planning and permitting actions associated with the proposed project. Please refer to Section 3.0, Project Description, of the Draft EIR for a detailed discussion of the proposed project.

CITY OF SHASTA LAKE

The EIR is intended to be used by the City as a tool in evaluating the proposed project's environmental impacts and can be further used to modify, approve, or deny approval of the proposed project based on the analysis provided in the EIR. A description of any requested entitlements and subsequent approvals associated with approval and implementation of the proposed project are described in Section 3.0, Project Description, of the Draft EIR.

KNOWN TRUSTEE AND RESPONSIBLE AGENCIES

For the purpose of CEQA, the term "trustee agency" means a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. Specifically, the following trustee agencies may have an interest in the proposed Mountain Gate at Shasta Area Plan project:

- California Department of Fish and Wildlife
- California Department of Forestry and Fire Protection (Cal Fire)

In CEQA, the term "responsible agency" includes all public agencies other than the lead agency that may have discretionary actions associated with the implementation of the proposed Mountain Gate at Shasta Area Plan project. The following agencies have been identified as responsible agencies for the proposed project:

- Regional Water Quality Control Board
- California Department of Fish and Wildlife
- US Fish and Wildlife Service (USFWS)
- National Marine Fisheries Service
- US Army Corps of Engineers
- Shasta County Air Quality Management District
- Shasta County Public Works Department
- California Department of Transportation

1.3 ORGANIZATION AND SCOPE OF THE FINAL EIR

This document is organized in the following manner:

SECTION 1.0 – INTRODUCTION

Section 1.0 provides an overview of the EIR process to date and what the FEIR is required to contain.

SECTION 2.0 – COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT EIR

Section 2.0 provides a list of commenters, copies of written comments (coded for reference), and the responses to those written comments made on the Draft EIR.

SECTION 3.0 – MINOR REVISIONS TO THE DRAFT EIR

Section 3.0 provides a list of minor edits made to the Draft EIR as a result of comments received and other staff initiated changes. Section 3.0 also includes an updated DEIR Table 2.0-1, Summary of Impacts and Mitigation Measures.

SECTION 4.0 – REFERENCES

Section 4.0 provides a list of resources used in response to comments made in Section 2.0.

2.1 INTRODUCTION

This Final Environmental Impact Report (FEIR) was prepared in accordance with the California Environmental Quality Act (CEQA) (Cal. Pub. Res. Code Section 21000, *et seq*.) and State CEQA Guidelines (Cal. Code Regs. Section 15000, *et seq*.). The City is the lead agency for the environmental review of the proposed project and has the principal responsibility for approving the project. This FEIR assesses the expected environmental impacts resulting from the approval and implementation of the proposed project and responds to comments received on the Draft EIR (referred to as Draft EIR or DEIR).

2.2 LIST OF COMMENTERS

The following individuals and representatives of organizations and agencies submitted written comments on the DEIR.

Letter	Agency, Organization or Individual	Date
A	James M. Harrell, Gateway Unified School District	June 5, 2014
B	Eric Wedermeyer, Shasta County Department of Public Works	June 11, 2014
C	Bryan J. Smith, Central Valley Regional Water Quality Control Board	June 17, 2014
D	Marcelino Gonzalez, California Department of Transportation	June 18, 2014
E	John C. Abshier, City of Redding Public Works Department	June 18, 2014
F	Curt Babcock, California Department of Fish and Wildlife	June 18, 2014
G	Richard W. Simon, Shasta County Department of Resource Management	June 18, 2014
1	Tony G. Juncal, Resident	May 10, 2014
2	Robert Nelson, Resident	June 14, 2014
3	Scott Webber, Resident	June 16, 2014
4	Robert L. Alger, Resident	June 17, 2014
5	Toni Mayo, Resident	June 14, 2014
6	Pat Chase, Resident	June 18,2014
7	No name given	June 17, 2014
8	Heidi Strand, Citizens for Clean Air	June 18, 2014
9	Celeste Draisner, Citizens for Clean Air	June 18, 2014
10	Lianne Bowman, Resident	June 18, 2014
11	John Livingston, Shasta Group of the Sierra Club	No date

2.3 COMMENTS AND RESPONSES

REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

State CEQA Guidelines Section 15088 requires that lead agencies evaluate all comments on environmental issues received on the Draft EIR and prepare a written response. The written response must address the significant environmental issue raised and must be detailed, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, there must be a good faith and reasoned analysis in the written response. However, lead agencies need only respond to significant environmental issues associated with the project and do not need to provide all the information requested by commenters, as long as a good faith effort at full disclosure is made in the EIR (State CEQA Guidelines 15204).

State CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the DEIR in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. State CEQA Guidelines Section 15204 also notes that commenters should provide an explanation and evidence supporting their comments. Pursuant to State CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence supporting such a conclusion.

State CEQA Guidelines Section 15088 also recommends that where a response to comments results in revisions to the DEIR, that those revisions be incorporated as a revision to the DEIR or as a separate section of the Final EIR.

RESPONSES TO COMMENT LETTERS

Written comments on the DEIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- Agency and service provider comment letters are coded by letters and each issue raised in the comment letter is assigned a number (e.g., Comment Letter A, comment 1 is referred to as A-1).

- Individual and interest group comment letters are coded by numbers and each issue raised in the comment letter is assigned a number (e.g., Comment Letter 1, comment 1 is referred to as 1-1).

Where changes to the DEIR text result from responding to comments, those changes are included in the response and demarcated with revision marks (**<u>underline</u>** for new text, ~~**strike-out**~~ for deleted text).

LETTER A

JAMES M. HARRELL
GATEWAY UNIFIED SCHOOL DISTRICT

Letter A

JAMES M. HARRELL
Superintendent

MEMBERS- BOARD OF TRUSTEES
Debbie Bourne
Samantha Cassingham
Karl Janulewicz
Phil Lewis
Kenneth G. Matias

Gateway Unified School District
Providing Excellence in Learning: Every Student, Every Day
4411 Mountain Lakes Blvd. • Redding, CA 96003 • (530) 245-7900 • (530) 245-7920
www.gateway-schools.org

June 5, 2014

Carla L. Thompson, AICP
Development Services Director
City of Shasta Lake
P.O. Box 777
Shasta Lake, CA 96019

RE: Mountain Gate at Shasta Area Plan, Draft Environmental Impact Report

Dear Ms. Thompson:

Please consider this correspondence as comments regarding the Mountain Gate at Shasta Area Plan, Draft Environmental Impact Report. We have reviewed the report and provide the following with regard to the adequacy of the findings as related to direct and indirect impacts on the Gateway Unified School District. We understand that the passage of SB50 limits the levying of developer fees for direct impacts on school districts. However, nothing precludes the city, developer and school district from entering into a mitigation agreement to address those direct and indirect impacts on the school district.

Indirect impacts on school facilities

In the Chawanakee Unified School District v. County of Madera, (--- Cal.Rptr.3d ----, Cal.App. 5 Dist., June 21, 2011), a court of appeal considered whether impacts to the physical environment that do not directly impact school facilities must be considered in an environmental impact report ("EIR") and mitigated under the California Environmental Quality Act ("CEQA"). The court held that although the Government Code provisions that capped school facilities fee are the sole measure of mitigating impact on school facilities, a project's indirect impacts "on parts of the physical environment that are not school facilities are not excused from being considered and mitigated."

RECEIVED
JUN 12 2014
CITY OF SHASTA LAKE
PLANNING

BUCKEYE SCHOOL OF THE ARTS
3407 Hiatt Drive
Redding, CA
96003
(530) 225-0420

CENTRAL VALLEY HIGH SCHOOL
4066 La Mesa Avenue
Shasta Lake, CA
96019
(530) 275-7075

GATEWAY EDUCATIONAL OPTIONS
3500 Tamarack Drive
Redding, CA
96003
(530) 245-7960

GRAND OAKS ELEMENTARY SCHOOL
5309 Grand Avenue
Shasta Lake, CA
96019
(530) 275-7040

MOUNTAIN LAKES HIGH SCHOOL
17752 Shasta Dam Blvd.
Shasta Lake, CA
96003
(530) 275-7000

SHASTA LAKE SCHOOL
4620 Vallecito Street
Shasta Lake, CA
96019
(530) 275-7020

> The court directly concluded that Government Code section 65996(a), as amended by SB 50, only excuses direct impacts (beyond those required by SB 50) on school facilities and buildings from being considered and mitigated in the EIR. However, indirect impacts on traffic, air quality, and noise levels related to school attendance or construction of school facilities must be considered and mitigated in the EIR. School districts need to be aware that this case impacts how the effects of development on schools may be mitigated.

What that means to Gateway Unified School District (GUSD)

The proposed project will create significant indirect impacts on school facilities and the mitigation measures proposed do not reduce those indirect impacts to "less than significant". Specifically, the areas near to and neighboring to Grand Oaks Elementary School will be subject to indirect traffic, noise, and air quality impacts. The D.E.I.R. generally addresses traffic, noise, and air quality but not as it relates to the most sensitive indirect impacts on specific schools.

A-1

The Executive Summary 2.0 indicates the level of significance without mitigation is not "less than significant". With a mitigation measure, the result is "less than significant". The construction of 1604 dwelling units which will produce 1123 students without a school site is not "less than significant". Adding mitigation measures that "set aside" a school site requiring the District purchase the site with restrictive timelines does not reduce impact to "less than significant".

Student Yield/Affordable Housing

The student yield provided by the school district for inclusion in the D.E.I.R. is a reasonable estimation. However, our review of the D.E.I.R. determined that no affordable housing component is included in this project. That observation was confirmed by a discussion with the city and their consultant. According to the California Department of Housing and Community Development,

A-2

> "State law recognizes the vital role local governments play in the supply and affordability of housing. Each governing body (City Council or Board of Supervisors) of a local government in California is required to adopt a comprehensive, long-term general plan for the physical development of the city, city and county, or county. The housing element is one of the seven mandated elements of the local general plan. Housing element law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that, in order for the private market to adequately address

housing needs and demand, local governments must adopt land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development. As a result, housing policy in the State rests largely upon the effective implementation of local general plans and, in particular, local housing elements. Housing element law also requires the Department of Housing and Community Development (HCD) review local housing elements for compliance with State law and to report its written findings to the local government.

Pursuant to Government Code (GC) 65584 applicable to the Regional Housing Need Allocation (RHNA) process, HCD is required to determine the RHNA, by income category, for Council of Governments (COGs). RHNA is based on Department of Finance population projections and regional population forecasts used in preparing regional transportation plans. COGs are required to allocate to each locality a share of housing need totaling the RHNA for each income category. Pursuant to GC 65583, localities are required to update their housing element to plan to accommodate its entire RHNA share by income category."

A-2 cont.

Affordable housing requirements are common in large developments in California. If the city does not include an affordable housing component in this large project and affordable housing is located elsewhere in the city, this creates an indirect impact on the school district. Affordable housing has a higher student yield/dwelling unit than market rate housing. The indirect impacts require a mitigation agreement with the developer.

Traffic and Student Transportation

The proximity of the proposed development to existing schools will create indirect impacts to the school district. An elementary school site located within the project will help partially mitigate those impacts, however, transporting middle school and high school students, either with buses or individually will create indirect traffic impacts not considered in the D.E.I.R.

A-3

Interim Housing

The projected timeline for this project (10 – 20 years) will result in dwelling units being constructed at an absorption rate estimated to be on the average of 107 dwelling units/year. That absorption rate will produce 43 elementary students, 11 middle school, and 21 high school students. Based on these assumptions, interim housing will be required until a permanent facility can be constructed. The requirement for interim housing is an indirect impact that should be addressed in the D.E.I.R.

A-4

State Funding

Section 4.11 Public Services section of the D.E.I.R. is interesting but not meaningful to the funding possibilities. All of those funds have allocated.

Existing Capacity in School District

There is currently existing school capacity at certain school sites in the District. While the capacity exists at this time, the cumulative effect of approved development projects will fill a portion, if not all, of the existing school capacities. Other pending or approved projects include, Brookfield subdivision (220 S.F. units), Mountain Properties Subdivision (164 S.F. units), Woolery Subdivision (21 S.F. unites), Kingston Estate Subdivision (10 S.F. units), Deer Creek Manor (16 S.F. units), five additional tentative maps (19 lots), Heritage Grove pending (291 units). The total number of approved or pending projects is 741 dwelling units that may or may not precede the Mountain Gate at Shasta project. Students from these projects may utilize current capacity.

A-5

School Site

While the D.E.I.R. states that as a mitigation measure to reduce impact; "the applicant shall set aside 10 acres within the area plan for potential development of a new school by the Gateway Unified School District (GUSD). The 10 acres shall be made available for purchase by the GUSD for a period of three years from the date of the approval of the first small lot tentative map. In the event the GUSD elects not to purchase the site, the applicant shall be permitted to subdivide the site for future development consistent with the area plan."

A-6

While the intent is to mitigate school impacts created by the development, the "set aside" when the first small lot tentative map is approved is unreasonably restrictive and inadequate. What happens if tentative maps other than "small lot" maps are approved and students are generated from those portions of the project that do not include "small lot" maps. In addition, a 10 acre site is not adequate to house the projected 802 K-8 students. The proposed land use for this project identifies 221 acres of open space and 27.9 acres for parks. Twenty acres is necessary for a K-8 school.

Proposed Mitigation Language

We propose that the GUSD, the City of Shasta Lake, and the developer cooperate to provide a State Department of Education and GUSD approved 20 acre school site, without cost to the school district at a time necessary to construct a K-8 school within a specific area plan of the Mountain Gate at Shasta Development Project. As a mitigation measure in the D.E.I.R. and as condition of approval for the project, we suggest the following language: "a construction ready

A-7

20 acre elementary school site shall be deeded to the GUSD upon approval of the third tentative map within the development project at no cost to the school district." "Construction ready" means that streets in accordance with the City of Shasta Lake standards are installed and all utilities are stubbed to the property. This site requirement is necessary to accommodate elementary students generated from dwelling units within the multiple area plans.

A-7 cont

Recommendation

Without the proposed mitigation language included in the D.E.I.R., we recommend that the City deem the D.E.I.R. as not complete and final and therefore not certifiable.

A-8

Sincerely,

James M. Harrell
Superintendent

cc: GUSD Board of Trustees

LETTER A JAMES M. HARRELL, GATEWAY UNIFIED SCHOOL DISTRICT

Response A-1: **The commenter suggests that the project will create significant indirect impacts on school facilities and that the DEIR did not address traffic, noise, and air quality impacts on Grand Oaks Elementary School. The commenter also suggests that the DEIR does not include adequate mitigation measures for the impact that 1,123 new students will create.**

With respect to the DEIR addressing traffic impacts on school facilities, the commenter is directed to Section 4.3 of the DEIR, which addresses the project's impacts at intersections near the school, including intersections Shasta Way/Front Street, State Route (SR) 151 (Shasta Dam Boulevard)/Shasta Street/Shasta Way, and Mussel Shoals Avenue/Main Street. These three intersections surround Grand Oaks Elementary School and provide access points through which the school is reached. **Impacts 4.3.1**, **4.3.8**, and **4.3.13** address the project's impacts to these three intersections under the following conditions: (1) near-term plus project conditions (three years); (2) Year 2020 plus project conditions; and (3) Year 2030 plus project conditions.

City policy requires that all new commercial development in the City must complete a Traffic Impact Analysis, and the School District is consulted as part of the City's project review for all discretionary projects.

Regarding air quality impacts to Grand Oaks Elementary School, the commenter is directed to Section 4.4 of the DEIR. **Impacts 4.4.2** and **4.4.3** address short term construction generated pollutant emissions and long-term operation emission of air pollutants. Additionally, **Impact 4.4.4** addresses exposure of sensitive receptors to near-term local mobile-source carbon monoxide (CO) pollutant concentrations. Additionally, DEIR Section 4.4 identifies Grand Oaks Elementary School as an existing sensitive land use and that the project will be within 200 feet of the school site.

Impact 4.4.4 states, "Implementation of the project would not contribute to localized concentrations of mobile-source CO that would exceed applicable ambient air quality standards. This is considered a less than significant impact." **Impact 4.4.4** addresses the CO produced at the intersections that are projected to operate at below LOS thresholds, which includes the intersection at SR 151 (Shasta Dam Boulevard)/Shasta Street. However, the intersections would not exceed the most stringent California ambient air quality standards.

Regarding the noise impacts to Grand Oaks Elementary School, the commenter is directed to DEIR Section 4.5. In particular, **Impact 4.5.1** discusses exposure of persons to or generation of temporary or periodic construction noise, and specifically addresses disturbance to noise-sensitive land uses (DEIR p 4.5-13). Furthermore, the Noise section of the DEIR explicitly states Grand Oaks Elementary School is an existing noise sensitive receptor (DEIR p 4.5-4).

Impact 4.5.1 states that noise-sensitive land uses may be subject to increased levels of annoyance during evening and nighttime hours. Therefore, mitigation measure **MM 4.5.1** seeks to limit the hours of operation for construction activities, and ensure proper maintenance of construction equipment in order to minimize noise. Additionally, **Impacts 4.5.2** and **4.5.3** address operational traffic and stationary-source noise impacts, respectively, and find the resulting impact will be less than significant.

As demonstrated, the DEIR does address the specific impacts associated with traffic, noise, and air quality on Grand Oaks Elementary School and, where appropriate, imposes mitigation measures to ensure that those impacts are reduced.

The commenter's second assertion states that the DEIR does not properly mitigate the indirect impact of an additional 1,123 students.

The increase of 1,123 students to the Gateway Unified School District is considered a direct impact from implementation of the proposed project, not indirect and is discussed in Section 4.11. **Impact 4.11.3.1** addresses the project's direct impact due to increase in number of school-aged children and attendance at Grand Oaks Elementary School. The DEIR, page 4.11-17, states:

> "California Government Code Section 65995(h) states that "the payment or satisfaction of a fee, charge or other requirement levied or imposed…[is] deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities." As discussed under the Funding subsection above, the Gateway Unified School District currently levies fees for new development."

Additionally, Government Code section 65996, subdivision (a), states that levies against development projects by school districts "shall be the exclusive methods of considering and mitigating [direct] impacts on school facilities that occur or might occur as a result of any legislative or adjudicative act, or both, by any state or local agency involving, but not limited to, the planning, use, or development of real property." Section 65996 continues, payment of school impact fees shall be deemed full and complete school facilities mitigation, and a local agency may not deny approval of a development project "on the basis that school facilities are inadequate." (Cal. Gov. Code § 65996, subd. (b).)

The Court in *Chawanakee Unified School Dist. V. County of Madera* (2011) 196 Cal.App.4th 1016, 1027-1028 (*Chawanakee*), also cited in the commenter's letter, affirmed that Government Code section 65996 limits the EIR's discussion of direct impacts to schools to the school impact fees. That is, school impact fees are the extent of the discussion required due to potential direct impacts created by new students. (*Chawanakee*, *supra*, 196 Cal.App.4th at pp. 1027-1028.)

Therefore, the DEIR was not required to discuss or include additional mitigation measures to address the direct impact on existing school facilities due to the additional students that must be accommodated at the existing schools.

Response A-2: **The commenter raises the issue of affordable housing by asserting that because no affordable housing component is included in the project, affordable housing will be required to be located elsewhere in the City. The commenter continues that because affordable housing results in a larger ratio of students per dwelling than market rate housing, the future affordable housing developments will create indirect impacts through additional students that require a mitigation measure.**

The commenter is incorrect that such an impact is indirect and requires mitigation. As stated in *Chawanakee*, direct impacts are impacts to school facilities "'relating to a school district's ability to accommodate enrollment,'" and the only analysis required is one that addresses the school impact fees (*Chawanakee*, *supra*, 196 Cal.App.4th at pp. 1027-1028). "[T]he project's indirect impacts on parts of the physical environment that are not school facilities are not excused from being considered and mitigated [,]" i.e., traffic near a school facility (*Id*. at pp. 1028-1029). Since the issue of affordable housing and associated larger ratio of students per dwelling unit relates to the school's ability to accommodate student enrollment, it is a direct impact and the DEIR adequately addresses direct impacts in that it provides a discussion of the school impact fees (Cal. Gov. Code 65996; *Chawanakee*, *supra*, 196 Cal.App.4th at p. 1028).

Additionally, if and when such affordable housing projects are implemented, such projects will also require CEQA review that will address student impacts.

Therefore, the DEIR was not required to include a mitigation measure addressing the potential addition of new students from potential future affordable housing projects.

Response A-3: **The commenter asserts that transporting middle school and high school students to the existing school district will create indirect impacts that are not addressed in the EIR.**

As a part of the DEIR, traffic surveys were competed when school was in session specifically to account for students traveling to and from school. Transporting students to school is considered to be a part of the AM peak hour traffic analysis which also included persons commuting to work and other vehicle trips. The trips are all based on the Institute of Transportation Engineers publication *Trip Generation*. The commenter is directed to Section 4.3 of the DEIR. Central Valley High School, the existing high school, is located on Ashby Road, and lies between the intersections of SR 151 (Shasta Dam Boulevard)/Ashby Road and Pine Grove Avenue/Ashby Road.

Impacts 4.3.1, **4.3.8**, and **4.3.13** address the project's impacts to these three intersections under the following conditions: (1) near-term plus

project conditions (three years); (2) Year 2020 plus project conditions; and (3) Year 2030 plus project conditions. Additionally, mitigation measure **MM 4.3.1c** requires payment of a fee to cover costs associated with improving the intersection of Pine Grove Avenue/Ashby Road and widening Pine Grove Avenue to a four-lane arterial standard between Ashby Road and Cascade Boulevard. Therefore, contrary to the commenter's suggestion, the DEIR does address the traffic impacts on the existing high school and middle school and, where appropriate, imposes mitigation measures to reduce impacts.

Response A-4: **The commenter states that because the project will be built over 10-20 years, it will result in an average of 43 elementary students, 11 middle school students, and 21 high school students per year. The commenter continues that these students will require interim school facilities while the permanent facilities are being constructed and that this is an indirect impact that must be addressed in the DEIR.**

The commenter is incorrect that the additional students and the existing school facilities' ability to house the students is an indirect impact that must be addressed in the EIR. Rather, this is a direct impact that is adequately addressed through compliance with California Government Code Section 65995, 65996 (*Chawanakee*, *supra*, 196 Cal.App.4th at pp. 1027-1028). As stated in *Chawanakee*, direct impacts are impacts to school facilities "'relating to a schools district's ability to accommodate enrollment,'" and the DEIR is excused from discussing such impacts (*Chawanakee*, *supra*, 196 Cal.App.4th at p. 1028). "[T]he project's indirect impacts on parts of the physical environment that are not school facilities are not excused from being considered and mitigated [,]" i.e., traffic near a school facility (*Id*. at pp. 1028-1029).

Because the impact the commenter raises in this comment relates to the school's ability to accommodate and house students, it is a direct impact. The DEIR adequately addresses direct impacts in that it provides a discussion of the school impact fees (Cal. Gov. Code 65996; *Chawanakee*, *supra*, 196 Cal.App.4th at p. 1028).

Response A-5: **The commenter asserts that there are other pending development projects in the area that will fill a portion, if not all, of the existing school capacity, and that this other development may precede buildout of the project.**

The commenter is directed to Responses A-1, A-2, and A-4, which demonstrate that the DEIR adequately addressed the project's direct impacts on existing schools' ability to accommodate students.

Response A-6: **The commenter states that the mitigation measure that sets aside 10 acres for a school site is unreasonably restrictive and inadequate as it proves GUSD the opportunity to purchase property for a school site only within three years from the date of approval of the first small-lot tentative map. Further, GUSD states 10 acres is not adequate and 20 acres is required for a K-8 school.**

Mitigation Measure **MM 4.11.3.1** has been amended to address GUSD's concerns with the three-year timeline, as follows:

MM 4.11.3.1 The applicant shall set aside 10 acres within the Area Plan for potential future development of a new school by the Gateway Unified School District (GUSD). ~~**The 10 acres shall be made available for purchase by the GUSD for a period of three years from the date of the approval of the first small-lot tentative map.**~~

The City shall consult with GUSD at the time of submittal of an application for subsequent small-lot tentative maps to determine if a school site is warranted.

Prior to approval of the 500th residential unit by subsequent tentative maps, the 10 acres shall be identified by GUSD and reserved for a period of three years from the date of approval of the applicable small-lot tentative map.

In the event the GUSD elects not to purchase the **ten acres within the three-year reservation period,** the applicant shall be permitted to subdivide the site for future development consistent with the Area Plan.

Timing/Implementation:
Reviewed prior to approval of ~~**any subsequent**~~ **the applicable** tentative subdivision maps.

Enforcement/Monitoring:
City of Shasta Lake Development Services Department

This mitigation measure is in excess of Government Code requirements. However, the City believes the GUSD should be consulted at the time of submittal of subsequent small-lot tentative maps to provide a full opportunity to determine potential needs for a school site within the project boundary.

The commenter is also directed to Responses A-1, A-2, and A-4, which demonstrate that the DEIR adequately addressed the Project's direct impacts on schools facilities resulting from the potential addition of new students.

Response A-7: **The commenter proposes that the City of Shasta Lake and the Gateway Unified School District cooperate to provide a 20 acre school site, without cost to the school district, and that such a site is necessary to accommodate students from the project.**

The commenter does not discuss any inadequacies with the DEIR with this comment. However, the commenter is directed to Responses A-1, A-2, and A-6, which demonstrate that the DEIR adequately addressed the project's direct impacts on schools facilities due to the potential addition of new students. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.
In addition, the City understands the School District is in the process of updating its School Facilities Master Plan in accordance with California Education Code Section 35160 *et seq.* and the Governing Board's Policy

BP 7000. The Plan will include an assessment of the District's short- and long-term facility needs and identify required additions or major alterations to existing buildings/schools; the location and timing for the construction of new buildings/schools; and the selection and purchase of school sites for future expansion. The School's Master Plan will also be provided to City Council when available.

Response A-8: **The commenter suggests that unless the proposed mitigation measures are added, the City should find the DEIR incomplete and not certify the DEIR.**

Comment is noted. The commenter is directed to Responses A-1 through A-7, which demonstrate that the DEIR adequately addressed the commenter's comments. As stated in comment A-6, prior to approval of any subsequent small-lot tentative map, the City will consult with the School District. Each sub-area will be master planned at the time a subsequent tentative subdivision map is submitted to ensure a school is properly sited.

LETTER B

ERIC WEDERMEYER
SHASTA COUNTY DEPARTMENT OF PUBLIC WORKS

Letter B

Carla Thompson

From: Eric Wedemeyer <ewedemeyer@co.shasta.ca.us>
Sent: Wednesday, June 11, 2014 2:30 PM
To: Carla Thompson
Subject: (Due 6-17) Review of EIR for Mountain Gate at Shasta Area Plan Draft EIR

Ms. Thompson –

The Shasta County Department of Public Works has reviewed the subject draft Environmental Impact Report and makes the following comment:

- Figure 4.3-2 does not reflect the "new" clover leaf leg of the I-5 interchange. This may alter the level-of-service modeling if not included.

B-1

Eric Wedemeyer, PE
Supervising Engineer
Shasta County Department of Public Works
(530) 225-5181

LETTER B ERIC WEDERMEYER, SHASTA COUNTY DEPARTMENT OF PUBLIC WORKS

Response B-1: **The commenter notes that Figure 4.3-2 of the DEIR does not show the new cloverleaf leg of the I-5 Interchange.**

This commenter refers to the Oasis Road/I-5 southbound intersection. At the time of writing Section 4.3, Transportation and Circulation, it was not determined that the clover leaf interchange configuration would be in place for the "near term" conditions at the Oasis Road/I-5 southbound off-ramp intersection. This improvement was assumed to be in place for Year 2020 and Year 2030 conditions. As noted in **Tables 4.3-21**, **4.3-25**, **4.3-29** and **4.3-33**, the Oasis Road/I-5 southbound off-ramp intersection with the clover leaf interchange configuration is projected to operate at level of service (LOS) B or better conditions with and without the project.

A re-evaluation of this intersection was completed by Omni-Means, the EIR traffic consultants, in order to determine the LOS with the new clover leaf leg. As shown below, the LOS with the clover leaf interchange design will result in acceptable operations for "near term" conditions with and without the project.

Oasis Road/I-5 SB Ramp

- Existing conditions AM Peak Hour – Delay – 4.9 seconds, LOS A
- Existing conditions PM Peak Hour – Delay – 5.7 seconds, LOS A
- Near Term conditions AM Peak Hour – Delay – 7.5 seconds, LOS A
- Near Term conditions PM Peak Hour – Delay – 8.0 seconds, LOS A
- Near Term Plus Project conditions AM Peak Hour – 7.6 seconds, LOS A
- Near Term Plus Project conditions PM Peak Hour – 8.2 seconds, LOS A

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LETTER C

BRYAN J. SMITH
CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

Letter C





Central Valley Regional Water Quality Control Board

17 June 2014

Carla L. Thompson, AICP
Development Services Director
City of Shasta Lake
P.O. Box 777
Shasta Lake, CA 96019

WDID 5A450105001

COMMENTS REGARDING THE DRAFT ENVIRONMENTAL IMPACT REPORT, MOUNTAIN GATE AT SHASTA AREA PLAN, CITY OF SHASTA LAKE, SHASTA COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff has reviewed the April 2014 Draft Environmental Impact Report (DEIR) for the proposed *Mountain Gate at Shasta Area Plan* (Project) situated on approximately 590 acres located in the northeastern corner of the City of Shasta Lake due west of Interstate 5 (I-5) between the Shasta Dam Boulevard interchange (Exit #685) and the Mountain Gate interchange (Exit #687), in Shasta County. Based on information provided in the DEIR, the Central Valley Water Board is submitting the following comments.

Project Background

The existing Project site is vacant with few improvements which include dirt roads, trails and perimeter fencing. Vegetation on the site includes valley oak, blue oak, interior live oak, gray pine, manzanita, and native and introduced grasses. The existing, undeveloped site contains ephemeral and intermittent streams, wetland swales and seasonal wetlands, annual grassland, and oak woodland throughout. The site contains two named creeks, Moody Creek and Rancheria Creek, which flow north to south as well as other unnamed tributaries. Preliminary delineation results indicate a total of 57.82 acres of waters of the United States on the site.

The Project entails dividing 590 acres into 21 large parcels for later re-division to provide up to 1604 residential housing units, 195,584 square feet of nonresidential land uses, and 249 acres of open spaces, parks and trails. Nonresidential land uses are intended to include traditional commercial development, neighborhood parks, a mixed-use urban center, and public services. Wonderland Boulevard will be expanded from the north end of the Project to the south and west of I-5 to Cascade Boulevard to provide roadway access to the Project. In addition, gated access to Black Canyon

KARL E. LONGLEY SCD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER
364 Knollcrest Drive, Suite 205, Redding, CA 96002 | www.waterboards.ca.gov/centralvalley
RECYCLED PAPER

Road will be provided for emergency and pedestrian access. Areas and all uses within the Project will be accessible via linking roadways and trails.

Wastewater Treatment Facility

As described in the DEIR, the Project would produce an average influent flow increase of 0.42 million gallons per day (MGD) to the City of Shasta Lake Wastewater Treatment Facility (WWTF) generated from new residential, commercial, and public services. The WWTF is currently permitted under state Waste Discharge Requirements (WDRs) and the National Pollutant Discharge Elimination System (NPDES) permit programs which regulate, amongst other things, the discharge volume and quality of treated wastewater from the facility. Please be advised that the applicant should receive confirmation of available capacity at the WWTF and a formal approval to connect to the City's sewage collection system prior to discharging untreated wastewater from any areas within the Project.

C-1

Storm Water

Table 4.7-1, W-(7) of the DEIR states, "Several detention basins are planned in the existing drainage courses. The basins are created using planned road crossings and allow the storm water to stay in the channel."

Central Valley Water Board staff does not support the proposed in-stream flow control basins (on-line detention basins) to mitigate for project-related increases in peak flows and volumes. In-stream flow control basins can affect the downstream beneficial uses of the surface water, and modifying the stream may affect the ecology of the stream and the beneficial uses it provides to aquatic species. In addition, the proposed in-stream flow control design does not take into account the trapping of coarse sediment. On-line detention basins are very efficient at trapping coarse sediment, creating a "hungry water" situation where water discharged from the basin seeks to replenish the coarse sediment lost to the basin through accelerated channel bed and bank erosion. Moody Creek appears to be in an area where sediment transport is the dominant process, with sediment supply and deposition being secondary processes. Disrupting the transport of coarse sediment through the project area could cause accelerated channel bed and bank erosion downstream and headcutting upstream The basins would cause the entire reach to readjust to a new equilibrium flow and sediment transport regime. Depending on geology and natural and manmade grade controls, these adjustments (and resulting accelerated erosion) could last decades. In order to replicate existing conditions and preserve the existing flow and sediment supply equilibrium, the designer would need to calculate the sediment trapping efficiency of the basins and reduce the peak flows and volumes by a proportional amount. For example, if the basins trap 80% of the coarse sediment, flows would need to be reduced by approximately 80% below existing conditions. The local and regional impacts from reducing the flows this much are unknown and will have to be disclosed. A better solution is to identify areas where coarse sediment is naturally supplied to the stream channels from the watershed, not building there, and using Low Impact Development

C-2

techniques (e.g. bioretention, infiltration, buffer areas) in these areas to manage the increased flows and volumes resulting from the project.

Storm water and surface water flows must be managed to maintain the natural flow and sediment transport regime and maintain water quality. This includes not altering baseline flows in receiving waters, not allowing untreated discharges to occur into existing aquatic resources, and not placing detention basins within aquatic resources. All storm water generated on-site during and after construction and entering surface waters must be pre-treated to reduce oil, sediment, and other urban pollutants. The design and construction of outfalls (e.g. culverts) must minimize impacts to riparian habitat and must avoid impacts to surface waters. Setbacks and buffers must be implemented to achieve the interests listed above and should be sized to protect both water quality and wildlife habitat needs. They must also be sized to take into account the tendency for the Moody Creek system planform to naturally shift over time.

C-2 cont.

Reclamation

Impact 4.7.3 of the DEIR states, "The proposed project could potentially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volumes or a lowering of the local groundwater table level." Impact 4.10.1.3 of the DEIR states, "Implementation of the proposed project, in combination with cumulative development, would increase the current demand for water supply service. This impact is considered to be cumulatively considerable." In accordance with State Water Resources Control Board Resolution 2009-0011, *Policy for Water Quality Control for Recycled Water*, Central Valley Water Board Resolution No. R5-2009-0028, *Resolution in Support of Regionalization, Reclamation, Recycling and Conservation for Wastewater Treatment Plants*, and recent 2014 State of Emergency drought declarations by Governor Edmund G. Brown, the Central Valley Water Board is in support of maximize recycling opportunities for treated wastewater from the WWTF, to the extent practicable. It is anticipated that proposed facility upgrades at the WWTF will substantially improve treatment reliability and overall effluent quality which may enable the applicant to take advantage of new recycling opportunities within the Project.

C-3

If you have any questions regarding the above comments, please contact the undersigned at (530) 226-3425 or at the footer address.

Bryan J. Smith, P.E.
Supervising Water Resource Control Engineer

SMG:lmw

cc list see next page

Letter C Continued

cc: Matt Kelley, U.S. Army Corps of Engineers, Redding
California Department of Fish and Wildlife, Region 1, Redding
State Clearinghouse, Sacramento
Mountain Gate Meadows LLC., McClellan

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LETTER C BRYAN J. SMITH, CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

Response C-1: **The commenter discusses the City's Wastewater Treatment Facility (WWTF) and the project applicant's responsibility in obtaining confirmation of available capacity at the WWTF and approval to connect to the City's collection system prior to discharging untreated wastewater from any area within the project.**

Section 4.10.2.1 of the DEIR discusses the City's requirement to complete upgrades to the City's Wastewater Treatment Plant (WWTP) to come into compliance with the Central Valley Regional Water Quality Control Board's (CVRWQCB) Time Schedule Order. Environmental review for the upgrades has been completed, and the anticipated year of construction is 2017. Completion of the upgrades would restore the WWTP to its original design capacity of 1.3 MGD, enough to accommodate a total of approximately 6,436 household equivalents. The WWTP currently accommodates a total of approximately 3,786 HEs; therefore, there are approximately 2,650 HEs remaining. The City will continue to monitor development and track additional connections to the City's wastewater facilities to ensure the City remains in compliance with the RWQCB order.

The following mitigation measure has been added to address this concern:

MM 4.10.2.1c Prior to approval of subsequent development (i.e., further division of the property, conditional use permit, etc.), the project applicant must demonstrate that the City's wastewater treatment plant is able to accommodate the development. The City may delay or deny subsequent projects based on conditions in effect at the time of project consideration.

Timing/Implementation:
Prior to approval of subsequent tentative subdivision maps or other discretionary approvals.

Enforcement/Monitoring:
City of Shasta Lake Development Services Department

Response C-2: **The commenter states that the CVRWQCB does not support the proposed in-stream flow control basins to mitigate increases in project related stormwater flows.**

In-stream detention as a method to mitigate storm water runoff increases has been eliminated. The development will replace in-stream detention with detention basins in the upland areas at strategic locations in order to mitigate the post development rate of flow to pre-development levels. In addition, Sub-Area J of the Area Plan has been re-designated from residential use to a community park with joint use detention facilities.

A new **Figure 4.7-2** is provided in Section 3.0 of this FEIR showing the relocated facilities. The proposed revised stormwater detention areas shown on the Figure are based on the volumes from the in-stream detention model and typical volumes per unit from similar development types in the North State.

The detention basins will be specifically designed concurrently with future small lot tentative maps as necessary to accomplish the goal of this project, which is to limit the post-developed runoff during the 100-year event to a level that will mitigate the existing surcharging of the existing culvert crossing of I-5 just downstream of the project. The actual basin locations are subject to change depending on specific site development.

Response C-3: **The commenter states that the CVRWQCB is in support of maximizing recycled water opportunities at the WWTP.**

Comment noted. The commenter does not discuss any inadequacies with the DEIR with this comment. However, the comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

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LETTER D

MARCELINO GONZALEZ
CALIFORNIA DEPARTMENT OF TRANSPORTATION

Letter D

STATE OF CALIFORNIA - CALIFORNIA STATE TRANSPORTATION AGENCY Edmund G. Brown Jr. Governor

DEPARTMENT OF TRANSPORTATION
OFFICE OF COMMUNITY PLANNING
1657 RIVERSIDE DRIVE
REDDING, CA 96001
PHONE (530) 229-0517
FAX (530) 225-3020

Serious drought.
Help save water!

June 18, 2014

IGR/CEQA Review
Sha-5-24.08/22.14
Mountain Gate Meadows LLC
DEIR
SCH# 2012042010

Ms. Carla Thompson
Shasta Lake Planning Department
P.O. Box 777
Shasta Lake, CA 96019

Dear Ms. Thompson:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) submitted on behalf of Mountain Gate Meadows LLC, for a mixed use development on 600 acres with 1,604 dwelling units and 195,584 square feet of retail and mixed use commercial uses. The project which is of regional significance (pursuant to California Code of Regulations, Title 14, Chapter 3, Section 15206), is located along the west side of Interstate 5 (I-5) between the Mountain Gate (Wonderland/Old Oregon Trail/I-5) and Shasta Dam Boulevard (State Route (SR) 151) freeway interchanges.

Caltrans is satisfied that the City acknowledges the importance of maintaining the regional transportation system. However, we are concerned with the repeated statement that the City cannot be certain that improvements will be made for impacted transportation facilities outside the City's jurisdiction. Caltrans must respond that many local agencies (cities and counties) and private developers fund and build state highway improvements projects outside their jurisdiction, either through the encroachment permit process, or if the project is more complex, through the Caltrans Planning Division's Oversight Project Manager. Local examples include the loop onramp at Oasis Road constructed by the City of Redding, the City of Anderson's Roundabout and new northbound I-5 offramp, ramp signals constructed by Shasta County at Gas Point Road, and the City of Anderson's traffic signal on State Route (SR) 273 at Alexander Avenue. Regardless of who funds and builds a state highway project, Caltrans is the owner-operator of the state highway system and maintains strict oversight and administration of those projects.

D-1

The statement in the DEIR that the City cannot build the improvements or be certain that the improvements will be built because it is not in their jurisdiction should be reconsidered. The forefront issue should be whether there is an obligation to mitigate the project's impacts, which the document recognizes, and to correctly identify that there are methods to insure and monitor their construction through conditions of approval, development agreements, traffic mitigation agreements, and cooperative agreements. The recommended mitigation measures that include the requirements of other agencies, such as Caltrans, the California Department of Fish and Game, the Regional Water Quality Control Board, the US Army Corps of Engineers, or involvement by Shasta County or the City of Redding, are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City consistent with Section 15126.4 of the CEQA Guidelines.

D-2

Letter D Continued

Mitigation Measure 4.5.4 adequately addresses concerns relating to traffic noise. Mitigation Measure 4.7.2e adequately addresses concerns relating to drainage.

D-3

Caltrans will continue to work diligently with the City of Shasta Lake and the Shasta Regional Transportation Agency in a positive manner to maintain the regional transportation system. If you have any questions, please call me at (530) 225-3369.

Sincerely,

MARCELINO GONZALEZ
Local Development Review
Office of Community Planning
District 2

LETTER D MARCELINO GONZALEZ, CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

Response D-1: **The commenter states that Caltrans is concerned with the repeated statement that the City cannot be certain improvements will be made for impacted transportation facilities outside of the City's jurisdiction. Caltrans continues and states that many local agencies and private developers fund and build state highway improvement projects outside of their jurisdiction, either through the encroachment permit process or through the Caltrans Planning Division's Oversight Project Manager.**

Comment noted. However, highway encroachment permits and the Caltrans Planning Division's Oversight Project Manager process are under the authority of Caltrans, and the City has little to no authority over roadway improvements outside of its jurisdiction. As such, the DEIR must assume significant and unavoidable impacts for impacted roadways outside of the City's jurisdiction as the actual necessary improvements to these roadways cannot be assured by the City. This is noted on page 4.3-24 of the DEIR as quoted below:

> *"Because of the size and scope of the project, the impacts are discussed in the context of the City of Shasta Lake as well as areas that may partially or wholly be outside the City's jurisdiction. As noted above, different agencies have different levels of service. The EIR identifies improvements regardless of agency jurisdiction; however, because the City does not have complete authority over the improvement(s), the DEIR must assume that another agency might not authorize the requisite improvement, thereby resulting in a significant and unavoidable impact as a result of the project.*
>
> *This is not to suggest that the City is ignoring the responsibility for the improvement, only that it lacks authority in constructing the improvement and must assume the worst possible case wherein the agency with jurisdiction either does not authorize the improvement or takes longer to make the improvement than assumed in the Draft EIR."*

Response D-2: **The commenter states that the DEIR statement that the City cannot build the improvements or be certain that the improvements will be built because it is not in their jurisdiction should be reconsidered. The commenter continues and states that the forefront issue should be whether there is an obligation to mitigate the project's impacts and to correctly identify that there are methods to insure and monitor their construction through conditions of approval, development agreements, traffic mitigation agreements and cooperative agreements.**

The DEIR provides numerous mitigation measures to lessen the proposed project's traffic-related impacts. For example, mitigation measure MM 4.3.1 requires either the improvement of roadway facilities or the payment of a fair-share cost to improvement roadway facilities, including those that are not within the City's jurisdiction. Mitigation measure **MM 4.3.3**, as

amended (see Section 3.0 of the FEIR), requires the project applicant to participate in a Regional Transportation Fee Program to fund improvements to Interstate 5 as determined by an approved nexus study prepared in compliance with the Mitigation Fee Act. The amount of the fee will be based on the Regional Transportation Fee adopted by the City and the jurisdiction in which the impact is being mitigated.

This requirement will also be included in the Development Agreement between the Applicant and the City, which will ensure that the collected mitigation funds are allocated to the improvements identified in the nexus study. However, because the Developer is paying only a fair-share amount toward I-5 improvements, there is no guarantee that adequate funding for the improvements will be secured from other sources, and the City cannot be certain that the improvements will be completed.

Response D-3: **The commenter states that mitigation measures MM 4.5.4 and MM 4.7.2e adequately address traffic noise and drainage.**

Comment noted. The commenter does not discuss any inadequacies with the DEIR with this comment.

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LETTER E

JOHN C. ABSHIER
CITY OF REDDING PUBLIC WORKS DEPARTMENT

Letter E

Carla Thompson

From: Abshier, John <jabshier@ci.redding.ca.us>
Sent: Wednesday, June 18, 2014 3:28 PM
To: Carla Thompson
Cc: Aukland, Chuck; Manuel, Kent
Subject: SCH# 2012-042010 Mountain Gate at Shasta Area Plan DEIR comments

Carla,

Thank you for the opportunity to review the Draft EIR, dated April 2014, for the Mountain Gate at Shasta Area Plan. I offer the following comments:

1. In Table 2.0-1, MM 4.3.1c, the lane configuration described in the mitigation for Oasis Rd/Twin View Blvd is not consistent with the City of Redding's Oasis Road Specific Plan. **E-1**

2. In Table 2.0-1, MM 4.3.1c, the intersection of Oasis Rd/I-5 NB Ramps has an existing signal. The project's proportionate share percentage applies to the ultimate signal for this intersection identified in the Oasis Road Specific Plan. **E-2**

3. In Table 2.0-1, MM 4.3.1c, the intersection of Oasis Rd/I-5 SB Ramps has an existing SB loop on ramp and there will be no westbound left turn lane. The listed mitigation needs to be adjusted. **E-3**

4. The DEIR needs to identify the project's proportionate share of the cost for widening the Oasis/I-5 overcrossing. **E-4**

5. In Table 2.0-1, MM 4.3.13, the mitigation measure lists several intersections that are outside of the City of Shasta Lake as being within the City's jurisdiction. The same statement is made on page 4.3-73. **E-5**

6. In Table 4.3-4, intersections 23 and 24 (Oasis/I-5 SB Ramps and Oasis/I-5 NB ramps) are listed as Two Way Stop Controlled. Both intersections have existing signals. Please revise the analysis. **E-6**

7. Under near-term plus project conditions, the DEIR identifies a proportionate share fee for significant impacts to facilities outside the City of Shasta Lake. The DEIR should do the same for the significant impacts it identifies under cumulative plus project conditions. **E-7**

Sincerely,

John C. Abshier, PE, TE
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LETTER E JOHN C. ABSHIER, CITY OF REDDING PUBLIC WORKS DEPARTMENT

Response E-1: **The commenter states that in Table 2.0-1, mitigation measure MM 4.3.1c, the lane configuration described in the mitigation for Oasis Rd/Twin View Blvd is not consistent with the City of Redding's Oasis Road Specific Plan.**

The lane configuration described in **MM 4.3.1c** is in error. The traffic analysis and the associated traffic study are consistent with the lane configuration described in the Oasis Road Specific Plan. As such, no new analysis is required. Mitigation measure **MM 4.3.1c** has been revised to correct this error (see Section 3.0 of the FEIR). The revised mitigation for the intersection of Oasis Rd/Twin View Blvd is consistent with the Oasis Road Specific Plan and is described below:

Oasis Road/Twin View Boulevard (Intersection #25) – Pay a fee equal to 4 percent of the cost to **construct the following:** ~~relocate the intersection east of its current location~~ ~~The intersection shall include two left turn lanes on west and eastbound Oasis Road at Twin View Boulevard and a right turn lane on southbound Twin View Boulevard at Oasis Road.~~

- **Dual left turn lanes and two through lanes and a shared through-right lane for the eastbound approach.**
- **Dual right turn lanes, exclusive through and right turn lane for the southbound approach.**
- **A single left turn lane, three through lanes and one right turn lane for the westbound approach.**
- **A single left, through and right turn lane for the northbound approach.**
- **Realignment of the intersection east of its current location.**
- **Signalization of the intersection.**

Response E-2: **The commenter states that in Table 2.0-1, MM 4.3.1c, the intersection of Oasis Rd/1-5 NB Ramps has an existing signal. The project's proportionate share percentage applies to the ultimate signal for this intersection identified in the Oasis Road Specific Plan.**

The lane configuration described in **MM 4.3.1c** is in error. The traffic analysis and the associated traffic study are consistent with the lane configuration described in the Oasis Road Specific Plan. As such, no new analysis is required. Mitigation measure **MM 4.3.1c** has been revised to correct this error (see Section 3.0 of the FEIR). The revised mitigation for the intersection of Oasis Rd/I-5 NB Ramps is consistent with the Oasis Road Specific Plan and is described below:

Oasis Road/I-5 NB Ramps (Intersection #24) – Pay a fee equal to 5 percent of the **cost to construct the following:**

~~project's proportionate share of the traffic signal and north and~~

- **Widening of the eastbound approach to include dual left turn lanes and three through lanes.**

- **Widening of the westbound approach to include an exclusive westbound right turn lane and three through lanes.**
- **Widening of the northbound approach to include a left turn lane, a shared through-left lane and dual right turn lanes.**
- **Signalization of the intersection.**

Response E-3: **The commenter states that in Table 2.0-1, MM 4.3.1c, the intersection of Oasis Rd/1-5 SB Ramps has an existing SB loop on-ramp and there will be no westbound left turn lane. The listed mitigation needs to be adjusted.**

At the time of writing Section 4.3 Transportation and Circulation, it was not determined that the clover leaf interchange configuration would be in place for the "near term" conditions at the Oasis Road/I-5 southbound off-ramp intersection. This improvement was assumed to be in place for Year 2020 and Year 2030 conditions. The reader is referred to Response B-1 for further information regarding this comment.

Mitigation measure **MM 4.3.1c** has been revised to correct this error (see Section 3.0 of the FEIR). The revised mitigation for the intersection of Oasis Rd/I-5 SB Ramps is described below:

Oasis Road/I-5 SB Ramps (Intersection #23) – Pay a fee equal to 4 percent of the cost to construct **the following:** ~~a westbound left turn lane and to modify the traffic signal~~

- **Westbound to southbound loop on-ramp.**
- **Provision of an eastbound right turn lane.**
- **Provision of a westbound left turn lane.**
- **Signalization of the intersection.**

Response E-4: **The commenter states that the DEIR needs to identify the project's proportionate share of the cost for widening the Oasis/I-5 overcrossing.**

The Traffic Impact Analysis (TIA) identified the Applicant's proportionate fair share of improvements to the Oasis Road/I-5 NB Ramps; Oasis Road/I-5 SB Ramps; Oasis Road/Twin View Boulevard intersection; and Oasis Road/Cascade Boulevard intersection (see **MM 4.3.1c** and Responses E-1, E-2 and E-3). The TIA did not identify the requirement for additional contributions toward the ultimate widening of the overcrossing.

Response E-5: **The commenter states that in Table 2.0-1, MM 4.3.13, the mitigation measure lists several intersections that are outside of the City of Shasta Lake as being within the City's jurisdiction. The same statement is made on page 4.3-73.**

The description of **Impact 4.3.13** is in error. The traffic analysis and the associated traffic study are consistent with the lane configuration described in the Oasis Road Specific Plan. As such, no new analysis is required. The revised **Impact 4.3.13** is included in Section 3.0 of the FEIR.

Response E-6: **The commenter states that in Table 4.3-4, intersections 23 and 24 (Oasis/I-S SB Ramps and Oasis/I-S NB ramps) are listed as Two Way Stop Controlled. Both intersections have existing signals. Please revise the analysis.**

At the time of the writing of Section 4.3 Transportation and Circulation, the intersections of Oasis/I-S SB Ramps and Oasis/I-S NB ramps were stop controlled. Furthermore, it was not determined that the clover leaf interchange configuration will be in place for the "near term" conditions at the Oasis Road/I-5 southbound off-ramp intersection. This improvement was assumed to be in place for Year 2020 and Year 2030 conditions. As noted in **Tables 4.3-21**, **4.3-25**, **4.3-29** and **4.3-33**, the Oasis Road/I-5 southbound off-ramp intersection with the clover leaf interchange configuration is projected to operate at LOS B or better conditions with and without the project. Also see mitigation measure **MM 4.3.1c.**

Oasis Road/I-5 SB Ramp

- Existing conditions AM Peak Hour – Delay – 4.9 seconds, LOS A
- Existing conditions PM Peak Hour – Delay – 5.7 seconds, LOS A

Oasis Road/I-5 NB Ramp

- Existing conditions AM Peak Hour Delay – 14.2 seconds, LOS B
- Existing conditions PM Peak Hour – Delay – 16.1 seconds, LOS B

Response E-7: **The commenter states under near-term plus project conditions, the DEIR identifies a proportionate share fee for significant impacts to facilities outside the City of Shasta Lake. The DEIR should do the same for the significant impacts it identifies under cumulative plus project conditions.**

The fair share fee percentages identified in mitigation measure **MM 4.3.1c** represent all scenarios analyzed in the study, including cumulative plus project conditions. The fair share percentage was calculated using the method outlined in the Caltrans Guide for the Preparation of Traffic Impact Studies (State of California, DOT, December 2002), which is shown below:

$P = T/(T_B - T_E)$ where:

- P = The equitable share for the project's traffic impact
- T = The vehicle trips generated by the project during the peak hour of adjacent State highway facility in vehicles per hour (vph).
- T_B = The forecasted traffic volume on an impacted State highway facility at the time of general plan build-out (e.g. 20 year model or the furthest future model date feasible), vph.
- T_E = The traffic volume existing on the impacted State highway facility plus other approved projects that will generate traffic that has yet to be constructed/opened, vph.

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Two-Sided Photocopying

LETTER F

CURT BABCOCK
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Letter F

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

June 18, 2014

Ms. Carla L. Thompson, AICP
Development Services Director
City of Shasta Lake
P.O. Box 777
Shasta Lake, CA 96019

Subject: Draft Environmental Impact Report for Mountain Gate at Shasta Area Plan (General Plan Amendment 11-01, Rezone 11-02, and Tentative Map SD 11-01), SCH# 2012042010, City of Shasta Lake, Shasta County

Dear Ms. Thompson:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Draft Environmental Impact Report (DEIR), State Clearinghouse Number 2012042010 (Project). The Project is located in the northeastern section of the City of Shasta Lake west of Interstate 5 between the Shasta Dam Boulevard and Mountain Gate interchanges. The Department offers the following comments as the State's trustee for fish and wildlife resources, and as a responsible agency under the California Environmental Quality Act (CEQA), California Public Resources Codes §21000 *et seq*.

The Project as described in the DEIR is an Area Plan "for a mixed-use development on the 590-acre property that would allow for up to 1,604 housing units, 195,584 square feet of commercial uses/professional offices, and 249 acres of open space, parks and trails." The Project includes a General Plan Amendment to re-designate approximately 141 acres of the project area to Mixed Use consistent with the remaining 449 acres of the site; A General Plan Circulation Element Amendment for the southerly roadway connection to Cascade Boulevard; Rezone to change the zoning of the entire site from Planned Development-Specific Plan to Planned Development consistent with the Area Plan; and Tentative Map for the creation of 21 parcels. Future development of the site will require additional tentative subdivision maps and/or discretionary permits.

General Comments on Biological Resources Assessment Report

The wildlife surveys methods described in the Biological Resources Assessment Report are of concern to the Department. Only three days of wildlife surveys were conducted with one of those days being in January when some species are either seasonally absent or not detectible. The Department recommends that both general and focused species-specific surveys should be conducted at the appropriate time of year and time of day when species are active or otherwise identifiable. In addition, time spent on biological field work should be proportional to the size of the site to

F-1

ensure adequate coverage. The Department requests more information regarding sampling effort including the number of biologists, person-hours spent covering the site, weather conditions during the surveys, and how much of the site was surveyed via ATV. While an ATV survey can provide some information about general habitats, it could reduce the ability to detect wildlife for several reasons. Noise will scare away some wildlife and there is no way for the surveyor to hear bird calls, and speed of travel could impact the ability of the biologist to visually detect some species.

F-1 cont.

Cumulative Impacts

The Project has the potential to directly and indirectly substantially degrade biological resources and has possible environmental effects that are individually adverse but are also cumulatively considerable. The Department is concerned with the lack of cumulative impact analysis prepared for the DEIR. Major projects have been proposed in the vicinity of this area such as Moody Flats Quarry, Shasta Dam Raise, and the Oasis Costco Project. All of these projects have significant impacts to biological resources. The Department recommends revisiting this section and expanding upon the cumulative impacts to wildlife, plants, and habitats.

F-2

Phased Development

Page 3.0-14 of the DEIR states that phasing of the Project is expected to start in the north end of the Project site rather than the south end where utilities and roads exist. The DEIR also states that full build-out of the Project will take approximately 15 to 25 years. The Department recommends that phasing of the Project start in the southern end where utilities exist to maintain the high quality oak woodland habitat for as long as possible. Starting in the northern end would cause fragmentation with no set time for future build-out. Impacts to wildlife (vehicle collisions, etc.) will be higher if future residents access their homes through undisturbed habitat. Orderly expansion and connection to existing urban areas without "leapfrogging" over the southern portion of the site would have a reduced impact to wildlife.

F-3

Trail System

The Project Description section of the DEIR vaguely describes the proposed trail plan for the Project and includes a schematic drawing of the plan. The Department is concerned that all of the proposed trails are near drainages, wetlands, or other biologically important areas. The trails need to be designed with the biological resources in mind including proper grading, drainage, and erosion control. The Department recommends the inclusion of a trails plan in the final EIR (FEIR) complete with construction level drawings. Also, if herbicide spraying of "weeds" would be done along the trails, this needs to be described in the trail plan and needs to be addressed under impacts in the EIR.

F-4

Wetland and Riparian Habitats

California's wetland and riparian habitats are essential for a wide variety of important resident and migratory fish and wildlife species (California Department of Fish and Game 2001, Riparian Habitat Joint Venture 2004, California Department of Fish and Game 2007). Because of their seasonal or year-round water supply, cool microclimate, productivity, nutrient cycling and food availability, wetlands and riparian habitats are vital to the majority of California's wildlife species (California Department of Fish and Game 2007). Wetlands and riparian corridors also serve as important wildlife migration and dispersal routes for both aquatic and terrestrial wildlife. Oak riparian habitat is found along the intermittent and ephemeral stream channels within the Project and is characterized by dense tree cover. Wetland habitat is found in the northeastern portion of the Project area.

The following special status species that utilize wetland and riparian habitat were either not discussed in the DEIR or the Department did not agree with the conclusion in the DEIR: The Department believes these species may be present with the Project footprint and further investigation is warranted.

Western Pond Turtle (*Actinemys marmorata*)

Western pond turtle (*Actinemys marmorata*), a California Species of Special Concern (CSSC), was found within Moody Flats Quarry project footprint in 2011. The Moody Flats Quarry Biological Resources Assessment, dated August 10, 2012, states:

> *"Present. Found in the study area in 2011 during aquatic resource assessments. Potentially occurring in the pond located in southern portion of study area. Known from adjacent properties."*

F-5

According to the DEIR, western pond turtle are unlikely to occur onsite. The Department believes this species may be present on site; development of suitable avoidance and mitigation measures for wetland and riparian habitat may address potential impacts to this species.

California Red-Legged Frog (*Rana draytonii*)

California red-legged frogs (*Rana draytonii)* (CRLF) are Federally Threatened and a SSC. CRLF have historically occurred from Redding, CA south towards Baja California, Mexico. CRLF are still quite common in the San Francisco Bay area but less common in Shasta County. Recent research by Bishop et al (2014) has shown that CRLF are more terrestrial than previous thought with radio-tracking studies indicating that CRLF forage several meters into dense riparian areas and that terrestrial prey species are important to the diet of CRLF. The study, like other studies, also made the point that CRLF spend a very short time at the actual breeding site. Because the CRLF have evolved with the Mediterranean climate of California, they will move between breeding habitat and foraging habitat depending upon the

F-6

amount of rainfall received. They will take cover under blackberry thickets, logs, duff, and other moist microclimates. The conclusion of this report stated that conservation efforts for this species must include terrestrial habitats in addition to buffers around the aquatic breeding sites. The Project is within the Recovery Unit Boundaries of the U.S. Fish & Wildlife Service's *Recovery Plan for the California Red-Legged Frog* (2002). The Department recommends further investigation with this species including the incorporation of mitigation measures in the event this species is found onsite, or assume presence and provide adequate buffers around the wetlands and the drainages. These buffers will need to contain breeding, foraging, and migration corridors.

F-6 cont.

Central Valley Steelhead (*Oncorhynchus mykiss irideus*) and Fall/Late Fall Run Chinook Salmon (*Oncorhynchus tshawytscha*)

Central Valley Steelhead (federally threatened) and Fall/Late Fall Run Chinook (CSSC) have the potential to occur onsite. The Department disagrees with the assumption that the Project will not result in any direct impacts to Central Valley Steelhead or Fall/Late Fall Run Chinook salmon based on the lack of adequate surveys. It should be emphasized that absence of a species from a stream cannot conclusively be determined from any single sample of that stream. Ongoing assessments that span numerous years may be necessary to conclusively determine presence/absence of salmonids. In many cases, avoidance, minimization and/or mitigation of potential project impacts on salmonids may be warranted due to the complexity of conclusively determining whether salmonids occur in a given reach of stream.

The flow regimes of intermittent/ephemeral streams in northern California present unique challenges when surveying for the presence of salmonids. Typically, perennial streams are more likely to have salmonids present; however, both intermittent and ephemeral streams can provide seasonal habitat and the same sampling techniques may be warranted for all three stream types. Differing water year types dictate stream flows and temperatures that result in the presence or absence of salmonids in any given year. Many local streams are generally limited in water volume and seasonal availability due to the differing water years (i.e. wet, dry, extremely dry, etc.). Therefore, the associated salmonid runs are correspondingly limited by the timing and duration of the rainy season.

F-7

Within the Sacramento River Watershed, Fall, Late-fall, Winter and Spring-run Chinook salmon and Steelhead trout utilize intermittent streams for spawning and/or rearing. The Department assumes presence of these salmonid species within the Project and recommends a 150 foot buffer along the drainages, and that all drainage crossings be open bottomed arch culverts or free spanning bridges.

Long-eared Owl (*Asio otus*)

The long-eared owl is a CSSC due primarily to loss and degradation of breeding and foraging habitat, corvid nest predation, and pesticide exposure. It occurs year round, with seasonal abundance varying regionally. The breeding season in California extends from February through July. (Shuford and Gardali, 2008). Long-eared owls have been documented to roost and nest communally (Craig et al. 1985). Nesting habitat includes conifer, oak and riparian woodlands with open canopies or adjacent meadow, grassland or shrubland habitat. Nests mainly occur in abandoned corvid or raptor nests, but also occur in abandoned nests of other species, mistletoe brooms, tree cavities, man-made structures, or on the ground (Voous 1988, Bloom 1994, Marks et al. 1994). Requirements for nest site selection include dense cover for predator and thermal protection. Long-eared owls forage over open ground, including grasslands, meadows and agricultural fields, feeding on small mammals and birds. The Project site contains suitable habitat for the long-eared owl. The Department believes the development of suitable avoidance and mitigation measures for wetland and riparian habitat may address potential impacts to this species.

F-8

Western Red Bat (*Lasiurus blossevillii*)

The western red bat is a CSCC due primarily to loss of riparian roosting and foraging habitat. The western red bat roosts among tree foliage and is closely associated with riparian habitat, with preferred roosting sites protected from above and open below (Zeiner et al., 1988-1990). Roosting habitat ranges from sea level up through mixed coniferous forests to an elevation of 8,150 feet (2,484 meters), but maternity roosts occur primarily in lower elevation cottonwood/sycamore and oak dominated riparian habitats (Zeiner et al., 1988-1990, Pierson et al. 2006. Habitats used for foraging include grasslands, shrublands, agricultural fields, and open woodlands and forests. Western red bats prefer edges or habitat mosaics with roosting trees and open foraging areas, feeding primarily on moths, crickets, and beetles. The Project site contains suitable roosting and foraging habitat. The Department believes the development of suitable avoidance and mitigation measures for wetland and riparian habitat may address potential impacts to this species.

F-9

Shasta Snow-Wreath (*Neviusia cliftonii*)

According to Calflora (2014), the Project site is located roughly between two known populations of Shasta snow-wreath, including a population mapped near the City of Shasta Lake. Shasta snow-wreath is listed as Rare Plant Rank 1B.2 (rare, threatened, or endangered in California and elsewhere). Shasta snow-wreath is a Shasta County endemic, known only from near Shasta Lake. This perennial shrub often occurs near streamsides or on the lower portion of upland slopes on a variety of soils derived from carbonate, volcanic, or metavolcanic parent material. According to Calflora, the species occurs approximately one mile west of the Project site (just north of City of Shasta Lake city limits), and approximately 2.7 miles northeast of the Project site. Shasta snow-wreath is threatened by the proposed Shasta Dam raise project, which

F-10

could eliminate approximately 43 percent of all known occurrences. The Department believes Shasta snow-wreath meets the criteria pursuant to CEQA Guidelines Section 15380. Therefore impacts to this species would be considered significant under CEQA.

Because this species was not addressed in the DEIR, the DEIR's determination of a less than significant effect to special status plant species cannot be supported. The Department recommends a detailed assessment of the Project's potential to support Shasta snow-wreath along with an evaluation of potential impacts, and if necessary, development of specific mitigation measures. If the Project would impact Shasta snow-wreath, the Department recommends modifying the Project plans in order to avoid impacts.

F-10 cont.

Sanford's Arrowhead (*Sagittaria sanfordii*)

According to Calflora (2014), the Project site is located approximately three miles northwest of two known populations of Sanford's arrowhead in the floodplain of Stillwater Creek. Sanford's arrowhead is listed as Rare Plant Rank 1B.2. This rhizomatous perennial herb has a high potential to occur in wetlands on the Project site. The species has been extirpated from southern California, and mostly extirpated from the Central Valley (CNPS Inventory, 8th Edition). The Department believes Sanford's arrowhead meets the criteria pursuant to CEQA Guidelines Section 15380. Sanford's arrowhead is threatened by grazing, development, recreational activities, non-native plants, road widening, and channel alteration and maintenance.

F-11

Because this species was not addressed in the DEIR, the DEIR's determination of a less than significant effect to special status plant species cannot be supported. The Department recommends a detailed assessment of the Project's potential to support Sanford's arrowhead along with an evaluation of potential impacts, and if necessary, development of specific mitigation measures. If the Project would impact Sanford's arrowhead, the Department recommends modifying the Project plans in order to avoid impacts.

Wetland Delineation

The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. Project mitigation should assure there will be "no net loss" of either wetland habitat values or acreage. The DEIR should demonstrate that the Project will not result in a net loss of wetland habitat values or acreage.

F-12

The Project supports approximately 46.16 acres of federally defined aquatic, riparian, and wetland habitats. The wetland delineation provided included U.S. Army Corps of Engineers (USACE) jurisdictional acreages and locations. For the purposes of the Department, the delineation should also include wetlands identified pursuant to the U.S. Fish and Wildlife Service wetland definition as adopted by the Department and the limits of streams and riparian habitats subject to the Department's jurisdiction.

F-13

Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the USACE, so the project impacts could be higher than described in Table 4.6-1. In addition to "federally protected wetlands" (see CEQA Appendix G), the Department considers impacts to any wetlands (as defined by the Department) as potentially significant. The Department requests that the jurisdictional delineation be updated to reflect Department defined wetland acreage amounts as well as a clear description of impacts to Rancheria and Moody Creeks (linear feet and acres of impacts including impacts to riparian vegetation). The updated jurisdictional delineation will provide necessary information to allow the Department to assess the project during the Lake or Streambed Alteration Agreement (LSAA) permitting process.

F-14

Impacts to Wetlands and Waters

According to the DIER, approximately 11.66 acres of wetlands, streams, and other waterways would be impacted by the proposed Project (Impact 4.6.3). The Department agrees that this impact is potentially significant. However, we do not agree that the mitigation measures as written would reduce the impacts below a level of significance. For example Mitigation Measure (MM) 4.6.3a (submittal of a delineation report) does not to reduce the impact to aquatic resources, and it depends on an action by USACE rather than the Lead Agency. The action described in MM 4.6.3a could fit into a more comprehensive mitigation measure, but on its own does not reduce impacts, and is therefore not a mitigation measure. Likewise MM 4.6.3b (compliance with state and federal laws) simply restates existing legal requirements. Furthermore, the LSAA permitting does not ensure impacts will be mitigated, nor does it provide adequate disclosure required in the CEQA document. Fish and Game Code Section 1602(a)(4)(D) or 1603(b), when and if applicable, could either prevent execution of a LSAA while allowing aquatic impacts to occur, or reduce the effectiveness of LSAA measures to reduce impacts below a level of significance. The LSAA process is not designed to supplant the CEQA review process to identify and mitigate potentially significant impacts to aquatic resources. Therefore, this mitigation measure as currently written is inadequate. Instead the Lead Agency should utilize its legal authority (CEQA Guidelines 15041) to develop and require appropriate mitigation measures that would complement existing state and federal permitting requirements.

F-15

The Department does not support the proposed use of in-channel detention basins, especially in potential fish-bearing streams. Impacts associated with in-channel detention basins include precluding fish passage; increasing water temperature; providing habitat for non-native aquatic predators including bullfrogs (*Lithobates catesbeianus*); impacts to stream morphology; and impacts associated with vegetation and sediment maintenance over the long term. The Department considers in-channel detention basins to constitute impact areas for each stream where they are proposed.

F-16

More appropriate solutions to stormwater treatment should be developed for this project. The Department recommends the use of Low Impact Development (LID) stormwater management practices. In general, water should be retained and

pollutants removed prior to discharge into state waters, and as close to the source as possible. Green spaces, swales, infiltration basins, playfields, and other landscape features should be proposed throughout the development to treat stormwater without negatively impacting stream function.

F-16 cont.

Oak Woodland

Oak woodland provide many important ecosystem functions, including providing habitat for over 330 species of wildlife, moderating temperature extremes, reducing soil erosion and sustaining water quality. Because of the rapid and extensive land conversions in oak woodlands, oak savannahs, and oak riparian areas within Shasta County, coupled with an apparent lack of regeneration of several oak species, the Department is concerned about the long-term survival of native oaks and oak woodlands. Fragmentation of oak habitats reduces their ability to provide the full range of ecological benefits, including maintenance of species diversity as well as soil and watershed protection.

Blue oak (*Quercus douglasii*) and old-growth trees are of particular importance due to increased biological values and increased temporal loss. Blue oaks are very slow growing a small diameter tree might actually be quite old as compared to a valley oak (*Quercus lobata*) that grows at a more rapid rate. Research by Stahle (2013) showed that many of the remaining blue oak woodland stands contain individuals that are 150 to over 500-years old. The author further stated that the remaining blue oak woodlands may be one of the most extensive old-growth forest types left in California but the majority of stands are on private land and are subject to development pressures. The Project site contains over 355 acres of oak woodland. The mitigation for impacts to oak woodland is to plant three fifteen-gallon trees for each protected tree removed that exceeds ten inches diameter at breast height (DBH), in compliance with the City's Tree Preservation Ordinance. However, supplemental information attached to the DEIR states that:

F-17

> *"it is unlikely that enough trees can be planted to fully replace those lost. Because it is unlikely that the tree replacement program implemented as part of the ordinance will result in sufficient trees to completely offset the loss, and development of a replacement program for off-site planting and maintenance of trees is speculative, this impact remains cumulatively considerable and significant and unavoidable."*

The Department disagrees that the mitigation for the loss of oak woodland is not feasible. Mitigation for the loss of oak woodlands is feasible and mitigation measures should first emphasize avoidance and reduction of Project impacts. For unavoidable impacts, the feasibility of on-site habitat restoration or enhancement should be discussed. If on-site mitigation is not adequate, as is stated in the supplemental information provided, then off-site mitigation through habitat creation, enhancement, acquisition and preservation in perpetuity should be addressed. The Department recommends redesigning and possibly reducing the size of the Project or developing

feasible off-site mitigation opportunities such as obtaining a large parcel of land and protecting it in perpetuity with a conservation easement.
Further, the oak woodland that will not be removed, and will instead be designated as open space park areas, will be subject to indirect and edge effects because they are too small and would not be connected to larger open space areas. Dedication of these open spaces is a valuable asset for the community, and they may provide some limited habitat value. However, the Department does not consider these areas fully avoided. While some habitat will likely remain, these small open space areas will still be adversely impacted. These isolated islands of habitat may be subjected to fuel modification, pesticide/herbicide spraying, possible overuse by the public, soil compaction, and possible overwatering, changing community structure or harm to individual oak trees. Unless specifically prohibited with ongoing enforcement, wildlife trying to use these areas could be negatively impacted by domestic animals such as dogs and cats.

F-17 cont.

Oak woodland preservation and mitigation for impacts should be more than preserving and accounting for individual trees. We believe that a feasible mitigation measure would include several strategies, and likely would include protection and management of high quality offsite oak woodland habitat. In developing a sustainable and feasible oak woodland mitigation program, habitat functions and values need to be considered: connectivity; protection from human impacts; appropriate fire management, conservation easements or transfer in fee to an appropriate land management entity, and long term funding for management. The State of California Legislature recognized the value of oak woodlands via passage of the Oak Woodlands Conservation Act (CEQA Statute Section 21083.4). Although this legal requirement pertains to County lead agencies, we strongly urge the City to consider some or all of the following strategies for developing viable oak woodland mitigation plans rather than trying to fit too many replacement oak trees in too small an area. These strategies include: conserving oak woodlands through the use of purchase and/or conservation easements; planting an appropriate number of trees and maintaining plantings for at least seven years; replacing dead or diseased trees; and restoring former oak woodlands. We are available to assist with the development of a feasible mitigation strategy for inclusion in the FEIR.

The following special status species were either not discussed in the DEIR or the Department did not agree with the conclusion in the DEIR: The Department believes these species to be present with the Project footprint and further investigation is warranted.

Shasta Salamander (*Hydromantes shastae*)

Shasta salamander was found on the Moody Flats Quarry project adjacent to this Project in 2011. Further, research conducted by Linstrand, et al. (2012) found Shasta salamander in various non-limestone habitats including coniferous forests and mixed woodlands. This research extended the known distribution of Shasta salamander considerable distances to the south and west. As a result of extensive surveys in

F-18

Letter F Continued

limestone and non-limestone habitat, the nearby Shasta Lake Water Resources Investigation EIS concludes that within the impoundment area "presence of Shasta salamander is presumed in all (CWHR) habitats except "non-habitat" barren areas." Given this relatively new information, the Department recommends further investigation and potential protocol-level surveys for this species in their newly described habitat, if warranted.

F-18 cont.

White-tailed kite (*Elanus leucurus*)

The white-tailed kite is a California Fully Protected (FP) species pursuant to Fish and Game Code Section 3511. Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for necessary scientific research and relocation of the bird species for the protection of livestock. Nesting by white-tailed kites in California has been reported for the months February through August with peak activity seen in March, April, and May. Nesting habitats are best described as oak woodlands or trees along marsh edges. White-tailed kites have been reported to use any suitable tree that is of moderate height, such as eucalyptus, cottonwoods, toyons, and even coyote bush with the nests placed near the tops of these shrubs or trees. Nests are generally located near open foraging areas. White-tailed kites prey mostly on voles and other small, diurnal mammals, occasionally on birds, insects, reptiles, and amphibians and forages in undisturbed open grasslands, meadows, farmlands and emergent wetlands. The white-tailed kite soars, glides, and hovers less than 30 m (100 ft) above ground in search of prey. The Project site contains suitable nesting and foraging habitat. The Department recommends that the environmental analysis for this project include an assessment of potential impacts to white-tailed kites and incorporate avoidance measures, if present, to avoid potential take of the species.

F-19

Pallid bat (*Antrozous pallidus*)

Pallid bats are a CSSC due to their continuing population decline throughout the state. Threats to pallid bats include conversion of roosting habitat, deconstruction of buildings, timber harvest practices of selective hardwood and ponderosa pine (*Pinus ponderosa*) snag removal, and suburban expansion.

Pallid bats roost in colonies and are assumed to hibernate near their summer roosts. Pallid bats occupy a variety of structures for roosting sites including caves, mines, rock crevices, live trees and snags, and human-made structures. Studies of pallid bats in northern California have documented this species in association with oak habitat, particularly lower elevation oak savannah (Pierson and Rainey, 1998). Other studies have shown Pallid bats to use incense cedar (*Calocedrus decurrens*), ponderosa pine and sugar pine (*P. lambertiana*) as roost sites for reproductive females (Baker et al., 2008). Pallid bats forage in a variety of habitats including shrub-steppe grasslands, coniferous forests, oak-savannah woodland, rock outcrops, lava flows, and agricultural systems. Pallid bats forage primarily on large arthropods. (Pierson and Rainey, 1998). The Project site contains suitable roosting and foraging

F-20

Letter F Continued

habitat. The Department believes the development of suitable avoidance and mitigation measures for oak woodland habitat may address potential impacts to this species.

F-20 cont.

Townsend's Big-eared Bat (*Corynorhinus townsendii*)

Townsend's big-eared bat is a state candidate for threatened or endangered species. During the Status Review period, Fish and Game Code Section 2085 confers the full legal protection of an endangered or threatened species on a candidate species. Townsend's big-eared bats require a range of habitats for various parts of their life history, including summer roosts (maternity roosts), hibernacula, and foraging habitat. Summer (maternity) roosts can include caves, abandoned mines, hollow trees, and human-made structures. Hibernacula are predominantly caves but can also include buildings and possibly hollow trees. "The largest hibernating aggregations (200-600 animals) occur in the northern portion of the state, many in Siskiyou County (Greenwald et al., 2012). Townsend's big-eared bats forage primarily in riparian corridors, closely following creeks or streams through forest or shrub habitat. The Project site contains suitable roosting and foraging habitat. The Department recommends the project applicant conduct acoustic bat surveys by a qualified biologist, and incorporate avoidance or mitigation measures, if present, to avoid take and impacts.

F-21

Western Mastiff Bat (*Eumops perotis*) – foraging

The western mastiff bat is a CSSC primarily due to loss of open foraging habitat and loss of roost sites from mining and quarry operations, highway projects and water basin development. Occupying a variety of habitats, including chaparral, coniferous forests and oak woodlands, the western mastiff bat forms small colonies in crevices. The largest bat species found in California, it is capable of strong, fast flight and is expected to have an extensive foraging range, documented at least 15 miles from any possible roosting habitat. Foraging habitat in California is most often broad open areas, including oak woodlands, open ponderosa pine forests, grasslands, meadows and chaparral (Pierson & Rainey, 1998). The Project site contains suitable foraging habitat. The Department believes the development of suitable avoidance and mitigation measures for oak woodland habitat may address potential impacts to this species.

F-22

Pacific Fisher (*Martes pennanti*)

Pacific fisher is a state candidate for listing due to habitat loss and fragmentation. The Pacific fisher is a forest carnivore that inhabits conifer, mixed-conifer, and hardwood tree habitats which are interspersed by herbaceous plant communities, riparian area and shrubs. The Pacific fisher needs large, old trees, snags or down logs with cavities for denning and resting. It also prefers stands with high canopy closure and preys on small mammals in the understory or in adjacent openings. Studies conducted by

F-23

North State Resources in 2003, 2004 and 2005 provided additional information on habitat use. Linstrand 2006 states:

> *"Most descriptions of habitat associations for Pacific fishers in the western U.S. state that they occur predominately in mature or late-successional conifer forests. Using the Mayer and Laudenslayer (1988) habitat classification system, habitats at Pacific fisher detection sites at Shasta Lake were classified as predominately montane hardwood-conifer stands juxtaposed among ponderosa pine, montane hardwood, blue oak-foothill pine, and mixed chaparral."*

F-23 cont.

The Department recommends evaluating the potential for fisher presence and if warranted incorporating avoidance or mitigation measures to avoid take or impacts to the species.

American badger (*Taxidea taxus*)

The American badger is a CSSC and is an uncommon, permanent resident found throughout most of the state, with the exception of the northern North coast area. The American badger is known to use blue oak woodland and feeds mainly on small mammals, especially ground squirrels, pocket gophers, rats, mice, and chipmunks. Badgers capture their prey by digging out the animal's burrows. They also forage on birds, eggs, reptiles, invertebrates, and carrion. The American badger is somewhat tolerant of human activities. Predator control with the usage of indiscriminate trapping and poisons have caused extensive losses to this species. Additionally, habitat loss, vehicular accidents, farming operations, and indiscriminate shootings are also a cause of mortality. According to the DEIR, badgers were not observed during any field surveys; however, suitable habitat exists on the Project site. The Department believes the development of suitable avoidance and mitigation measures for oak woodland habitat may address potential impacts to this species.

F-24

Oregon Shoulderband (*Helminthoglypta hertleini*)

The Oregon shoulderband is a Global Rank G1 and State Rank S1 species documented within one mile of the Project site. It is endemic to southwestern Oregon and Siskiyou, Shasta, and Tehama Counties in northern California and inhabits areas more xeric than most other land snails in this range. According to Weasma and Duncan, it is associated with "rocks and woody debris in rocky areas within forest habitats, often adjacent to areas with substantial grass or seasonal herbaceous vegetation". The species seeks seasonal depth refugia in rocky substrate with sufficient interstitial spaces for protection from extreme environmental conditions and predation. Woody debris and deciduous leaf litter are inhabited in mixed conifer/hardwood forest and oak woodlands.

F-25

Threats to this species include habitat alteration and fragmentation leading to isolated populations. Additional threats include any activity which increases temperature,

decreases moisture, or decreases foraging resources, such as removal of vegetation or alteration of local hydrology. The Department believes the development of suitable avoidance and mitigation measures for oak woodland habitat may address potential impacts to this species.

F-25 cont.

Grassland

California has lost over 90 percent of its native grasslands. Threats to grasslands include the spread of invasive species, fragmentation, wildfire, changes in hydrology and groundwater tables, and urban expansion. Over the last 200 years grassland communities have changed from being dominated by native perennial grasses to being dominated by nonnative annual grasses. By this measure, remnant native grassland is the major habitat type most reduced in California. Nevertheless, annual grasslands provide habitat for many wildlife species, particularly raptors. Now, much of California's annual grassland has been lost to agriculture and urban development. Therefore, the preservation of grassland communities is essential to provide continued valuable habitat for the region's grassland dependent species.

Grasslands are well-developed on deep, fine textured soils, but are not restricted to such conditions (Keeley 1990). This community is principally characterized by nonnative annual grasses of exotic origin, but native species including wildflowers often mix with the dominant exotic grasses. These grasslands were created by disturbances such as farming, grazing, fire, or grading for firebreaks.

F-26

Common native and nonnative grasses and forbs are found on the Project site. Several small patches of the native purple needlegrass (*Stipa pulchra*), and blue wildrye (*Elymus glaucus*) were identified during a site visit conducted by Department staff on June 9, 2014. Purple needlegrass is significant because it is a key component of California's few remaining native grasslands.

Many wildlife species use this habitat, including numerous special status species. Raptors are commonly associated with grasslands, where they primarily feed on rodents, birds, reptiles, insects, and other invertebrates. Passerine birds are generally less common during the nesting season, but otherwise may be very common. Grasslands are the preferred habitat for several sensitive bird species: Swainson's hawk (*Buteo swainsoni*, state Endangered), golden eagle (*Aquila* chrysaetos, FP), white-tailed kite (*Elanus leucurus*, FP), northern harrier (*Circus cyaneus*, CSSC]), burrowing owl (*Athene cunicularia*, CSSC), loggerhead shrike (*Lanius ludovicianus*, SSC), tricolored blackbird (*Agelaius tricolor,* CSSC) and grasshopper sparrow (*Ammodramus savannarum*, CSSC).

Grasslands provide foraging habitat and cover for many mammal, reptile and amphibian species. Terrestrial special status-species dependent on local grasslands include the western mastiff bat (*Eumops perotis californicus*, CSSC), pallid bat (*Antrozous pallidus*, CSSC), western red bat (*Lasiurus blossevillii*, CSSC), American

Letter F Continued

badger (*Taxidea taxus*, CSSC), western spadefoot (*Spea hammondii*, SSC) and the California red-legged frog (*Rana draytonii*, federally Threatened).

The Department recommends incorporating avoidance or mitigation measures to avoid impacts to grassland habitat. The following special status species that utilize grassland habitat were either not discussed in the DEIR or the Department did not agree with the conclusion in the DEIR:

F-26 cont.

Northern harrier (*Circus cyaneus)* (foraging)

Northern Harrier (*Circus cyaneus*) is a priority 3 CSCC. The Northern Harrier typically frequents meadows, grasslands, open rangelands, desert sinks, fresh and saltwater emergent wetlands. Although most of its original habitat has been destroyed or degraded, the central valley region still supports the majority of nesting harriers in California. Destruction of wetland habitat, native grassland, and moist meadows, and burning and plowing of nesting areas during early stages of breeding cycle, are major reasons for the decline (Remsen 1978). Northern Harriers in the Central Valley breed mainly at wetlands or other reserves, as well as in some types of agricultural fields and pasturelands. Northern Harriers breed and forage in a variety of open (treeless) habitats that provide adequate vegetative cover, an abundance of suitable prey, and scattered hunting, plucking, and lookout perches such as shrubs or fence posts. Northern Harrier feed predominantly on voles and other small mammals, birds, frogs, small reptiles, crustaceans, insects, and, rarely on fish. Northern Harriers nest on the ground, mostly within patches of dense, often tall, vegetation in undisturbed areas (MacWhirter and Bildstein 1996). The primary threats to breeding harriers are loss and degradation of nesting and foraging habitat and nest failure from human disturbance, predator-control projects, agricultural practices, and unnatural predation pressure. This species has been documented foraging within 0.5 miles of the proposed project site and should be considered present. The Department believes the development of suitable avoidance and mitigation measures for grassland habitat may address potential impacts to this species.

F-27

Grasshopper Sparrow (*Ammodramus savannarum*)

The grasshopper sparrow is currently considered a priority 2 CSSC. The grasshopper sparrow occurs in California primarily as a uncommon and local, summer resident and breeder from mid-March to September (Garrett and Dunn 1981, McCaskie et al. 1979, Collier 1994). The year-round diet of the grasshopper sparrow primarily consists of insects, especially Orthoptera (grasshoppers) and other invertebrates, grass and forb seeds. Grasshopper sparrows forage primarily on the ground or from low vegetation. In general grasshopper sparrows in California prefer short to middle-height, dense, dry or well-drained grasslands, especially native grassland with a mix of grasses and forbs for foraging and nesting and uses scattered shrubs for singing perches. Grasshopper Sparrows build nests domed with grasses and with a side entrance, typically well concealed in depressions at the base of grass clumps with the rim approximately level to the ground (Vickery 1996). Pairs can raise two broods and will re-nest following

F-28

nest failure. The breeding period is from early April to mid-July, with a peak in May and June. Pair apparently nests solitarily. Urbanization is the primary current threat to the grasshopper sparrow. Much of its California habitat lies in the path of expanding cities, especially in southern California and the foothills surrounding the Central Valley. Agriculture and urbanization have greatly reduced numbers of grasshopper sparrows in the Central Valley, but anecdotal evidence indicates they still breed very locally, primarily at the edges and in low foothills but also very sparingly on the valley floor. In Shasta County, these sparrows have been recorded breeding in the Igo/Ono and Parkville Road/Millville Plains areas of southern Shasta County. The Project site contains suitable habitat for this species. The Department believes the development of suitable avoidance and mitigation measures for grassland habitat may address potential impacts to this species.

F-28 cont.

Fuel Modification

It is unclear in the DEIR if fuel modification is included in the impacts to wildlife, plants, and habitats. A table with all of the impacts including direct and indirect would be helpful.

F-29

California Natural Diversity Data Base (CNDDB)

If any special-status species are found during subsequent surveys and/or pre-construction surveys, the Department requests that CNDDB forms be filled out and sent to Sacramento and a copy of the form be sent to the Department's Regional office at: California Department of Fish and Wildlife, ATTN: CEQA, 601 Locust Street, Redding, CA, 96001. Instructions for providing data to the CNDDB can be found at: http://www.dfg.ca.gov/biogeodata/cnddb/.

F-30

The Department appreciates the opportunity to comment on this DEIR. If you have any questions, please contact Amy Henderson, Environmental Scientist, at 530-225-2779 or by email at Amy.Henderson@wildlife.ca.gov, or Michael R. Harris, Interior Conservation Planning Supervisor, at 530-225-2306 or by email at Michael.R.Harris@wildlife.ca.gov.

Sincerely,

Curt Babcock
Habitat Conservation Program Manager

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LETTER F CURT BABCOCK, CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Response F-1: **The commenter expresses concern over the timing of the wildlife surveys done for the proposed project.**

Information used to evaluate potential wildlife-related impacts is based on a biological study conducted and prepared by North Fork Associates in 2006. The surveys conducted were reconnaissance-level and targeted at identifying potential habitat for special-status species. The initial field surveys were conducted by Jeff Glazner and Pat Britton in April 2004, November 2004, and January 2005. These surveys were conducted primarily for the wetland delineation. Additional botanical surveys were conducted by Barry Anderson on April 19 and 20, May 19, and June 29, 2006. The primary purpose of these surveys was to locate special status species that might be present.

Biologist Erinn Birmingham conducted an initial wildlife survey on May 19, 2006, and Gaylene Tupen conducted an additional wildlife survey on August 14, 2006. North Fork Associates conducted subsequent wetland surveys on foot and by ATV on November 30, 2006, December 19-20, 2006, February 15, 2007, April 10, 2007 and October 2, 2007.

The entire site was evaluated on foot (or by ATV) and all areas of the site were evaluated. Plants and animals observed were recorded, habitat types were determined and the potential for the site to support special status species were also assessed.

Date Visit	Purpose	Person-hours	Survey Method
April 2004	Initial Site Assessment,	16	Partial walking, partial ATV
November 2004	Wetland Delineation, Biological Resources Assessment	32	Partial walking, partial ATV
January 2005	Wetland Delineation, Biological Resources Assessment	16	Partial walking, partial ATV
April19-20, 2006	Rare Plant Survey	16	On foot
May 19, 2006	Rare Plant Survey	8	On foot
May 19, 2006	Wildlife Survey	8	On foot
June 29, 2006	Rare Plant Survey	8	On foot
August 14, 2006	Wildlife Survey	8	On foot
November 30, 2006	Wetland Delineation	8	Partial walking, partial ATV
December 19-20, 2006	Wetland Delineation/Soil Sampling	32	Partial walking, partial ATV
February 15, 2007	Wetland Delineation	8	Partial walking, partial ATV
April 10, 2007	Wetland Delineation	8	Partial walking, partial ATV

October 2, 2007	Wetland Delineation	16	Partial walking, partial ATV
January 2012	Site Reassessment (Bio Resources)	16	Partial walking, partial ATV
September 16, 2014	Site Reconnaissance	4	On-foot

Although as the commenter noted, some of the field survey days were in January, some species, such as Central Valley steel head *(Oncorhynchus mykiss)* and Chinook salmon *(Oncorhynchus tshawytscha)* may be present at that time, but not in the middle of summer, when other species are present/ identifiable. Surveys should be conducted throughout the year to document the full range of biological resources present on a site.

Furthermore, the flora and fauna surveys were conducted during the spring and summer months, when most of the special-status species with potential to occur on the site would be most identifiable.

In January 2012, Salix conducted an additional biological resources site reassessment to verify the conclusions of prior surveys. The conclusions of these surveys were updated in February 2012 in order to review recent California Natural Diversity Database (CNDDB) information and to determine if site conditions remain the same. On September 16, 2014, Salix and ECORP Consulting conducted a site reconnaissance on foot.

To determine which special-status species could occur on or near the project site and update previous information, Salix Consulting, Inc. queried the CNBBD (CDFG 2012) and the California Native Plant Society Inventory (CNPS 2012) for reported occurrences of special status fish, wildlife, and plant species in the region surrounding the project site. The nine-quadrangle search included Shasta Lake City, Enterprise, Redding, Shasta Dam, Minnesota Mountain, Palo Cedro, Bella Vista, O'Brien, and Bohemotash Mountain quadrangles quadrangles. Salix Consulting biologists also reviewed the following special status species lists for the project vicinity:

- U.S. Fish and Wildlife Service (USFWS) list of Federal Endangered and Threatened Species for the Project City USGS quadrangle;
- USFWS list of Federal Endangered and Threatened Species for Shasta County; and
- California Department of Fish and Game list of Species of Special Concern.

As stated in a Technical Memo prepared by CDFW, Northern Region, *Development, Land Use, and Climate Change Impacts on Wetland and Riparian Habitats, a Summary of Scientifically Supported Conservation Strategies, Mitigation Measures and Best Management Practices,* dated May 21, 2014, "*Over the current century, climate change will alter the fundamental character, production and distribution of the ecosystems… the Department affirms that project-specific circumstances always necessitate project-specific analysis of impacts and mitigation measure efficacy.*"

Due to drought conditions and impacts from climate change, biological resource assessments completed today will likely not have the same result as studies conducted at the time future land development applications are submitted by the developer. Build-out of the Area Plan is expected to occur over a 20-year period and it is guaranteed that environmental conditions will fluctuate during that 20-year period. In addition, Special Status Species lists for plants and wildlife as well as surveying methods and guidelines from regulatory agencies over this 20-year period will change.

For these reasons, the following Mitigation Measure has been incorporated into the EIR (see Section 3.0 of the FEIR) to require an assessment of biological resources to be completed and submitted with future applications for small lot subdivision maps or other discretionary permits as determined by the Development Services Director in consultation with CDFW and/or the U.S. Fish and Wildlife Service (USFWS). If the Assessment identifies the presence of special status plant and wildlife species, or a likelihood that a special-status species exists, a focused survey may be required on a species-by-species basis as determined by the Development Services Director in consultation with the applicable regulatory agency.

MM 4.6.1d **Unless previously completed pursuant to the requirements of this mitigation measure, and/or mitigation has been satisfied as required by project-specific state and/or federal agency regulatory permit(s), a Biological Analysis shall be completed to determine the presence and extent of special-status plant and wildlife species and shall be submitted concurrently with each application for a subsequent tentative subdivision map or other discretionary project.**

All previously completed biological studies, issued state and/or federal agency permits, and written verification of satisfactory completion of required mitigation shall be submitted to the City concurrently with each subsequent discretionary project application.

The Biological Analysis shall be conducted by a qualified biologist pursuant to applicable regulatory agency protocols and guidelines. Field surveys shall be conducted on foot and shall be undertaken at times when the subject species are most likely to be identified. Time in the field shall be proportional to the size of the project site, biological characteristics of the site, and the significance of sensitive habitats present. The Assessment shall include, at a minimum:

- **Date, time of day, person hours, weather conditions, and temperature;**
- **A biological characterization of the subject property;**
- **A discussion of the existence or absence of waterways, including wetlands;**

- **A listing of special-status plants and wildlife and their associated habitat that could occur within the project boundaries;**

- **A listing of special-status plants and wildlife observed on site; and**

- **Recommended means of avoiding or mitigating impacts.**

Based on the field surveys and research, the presence and/or potential for special-status species shall be determined in consultation with the applicable regulatory agency. When special status species are observed on site, or if there is a reasonable likelihood that one of these species exists based on the presence of suitable habitat and adopted species range maps, a focused survey may be required on a species-by-species basis as determined by regulatory agency methodology for the focused survey(s). Reports documenting focused survey results shall be submitted to the appropriate regulatory agencies for review and approval. A copy shall be provided to the Development Services Director.

Where the Assessment establishes that mitigation is required to avoid direct and indirect adverse effects on special-status plant and wildlife species, a detailed mitigation plan shall be developed and approved by the Development Services Director in consultation with the applicable regulatory agency. Mitigation measures that shall be considered based on project- and site-specific considerations include, but are not limited to:

- **Project designs shall be reconfigured (e.g., reduced street widths, clustered development, etc.), to avoid special-status species and sensitive habitats. Specific measures shall be identified to minimize ground disturbances and construction footprints near sensitive areas.**

- **Pre-construction surveys shall be conducted at least two weeks prior to the onset of construction activities within suitable habitat and a minimum 150-foot buffer, or as recommended by the applicable regulatory agency. If vegetation removal activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed.**
- **Where habitat avoidance is infeasible, mitigation shall be implemented through preservation, enhancement, or creation of special-status habitat.**

- **Loss of habitat may be mitigated at an agency-approved mitigation bank or through individual mitigation sites as approved by the applicable regulatory agency. Compensatory mitigation ratios shall be negotiated with the permitting agencies.**

- **Mitigation sites shall be monitored as determined by the Development Services Director in consultation with the applicable regulatory agency until the mitigation is considered to be successful.**

- **All mitigation areas shall be preserved in perpetuity through either fee ownership or a conservation easement held by a qualified conservation organization or agency. A long-term funding source for site preservation shall be secured.**

- **Construction activities in the vicinity of sensitive resources shall be completed during the period that best avoids disturbance to plant and wildlife species present (e.g., May 15 to October 15 near salmonid habitat; February 1 through August 31 for migratory birds and other birds of prey; April 1 – August 31 for maternity bat roosts, etc.) as determined by the Development Services Director in consultation with CDFW.**

- **No-disturbance buffer zones deemed appropriate to the species shall be established. The no-disturbance buffer will be determined by the biologist in consultation with the applicable regulatory agency.**

- **A qualified biologist shall locate and fence off no-disturbance buffer zones before construction activities begin and shall inspect areas hourly, daily or weekly, depending on the species, to ensure that barrier fencing, stakes, and setback buffers are maintained during construction.**

- **A Worker's Awareness Training shall be conducted prior to construction and include training materials and a briefing covering all sensitive species and habitats to further educate construction personnel regarding potential adverse effects to these resources. These training materials and briefings shall include the laws and regulations that protect these resources and the consequences of noncompliance with those laws and regulations. A contact person shall be provided to the Development Services Director in the event that protected biological resources are discovered at the project site.**

- **Individual projects shall minimize the use of in-water construction methods in areas that support sensitive aquatic species, especially when listed species could be present.**

- **In the event equipment needs to operate in any watercourse with flowing or standing water, a qualified biological resource monitor shall be present at all times to alert construction crews to the possible presence of Western pond turtles, California red-legged frogs, Central**

Valley steelhead, salmonids, Sanford's Arrowhead, or other special status species at risk during construction operations.

- **Biological monitoring shall be particularly targeted for areas near identified habitat for special status plant and wildlife species.**
- **A "no take" approach shall be taken whenever feasible during construction near special-status plant and wildlife species.**
- **Projects shall obtain incidental take authorization from the permitting agencies as required prior to commencement of grading or construction.**
- **Specific measures shall be identified to minimize the negative effects of night lighting and noise on listed and sensitive wildlife.**

Timing/Implementation:
Prior to submitting applications for subsequent small-lot tentative maps or other discretionary projects; or prior to issuance of a grading permit for each subsequent development allowed under the Area Plan, and throughout construction activities.

Enforcement/Monitoring:
City of Shasta Lake Development Services Department in consultation with applicable regulatory agencies.

Because Mitigation Measure **MM 4.6.1d** will include an analysis of the presence of elderberry shrubs and potential impacts to valley elderberry longhorn beetle (VELB) at the time a subsequent discretionary project application is submitted to the City, this Mitigation Measure has been deleted. (See FEIR Section 3.0).

For clarification purposes, mitigation measures **MM 4.6.1a** and **MM 4.6.1b** on page 4.6-27 of the DEIR have been revised as discussed under Response F-8. Also, for clarification, mitigation measure **MM 4.6.1c** on page 4.6-27 of the DEIR has been revised as follows:

MM 4.6.1c In areas where suitable nesting habitat for migratory birds, such as purple martins, will be removed during the nesting season (~~approximately March to September~~ February 1 through August 31), a qualified biologist shall conduct pre-construction surveys for active nest sites. At least one survey shall be conducted no more than two weeks prior to the anticipated onset of construction activity. **Unless otherwise recommended by CDFW, ~~S~~s**urveys shall cover all areas where suitable nesting habitat will be removed, as well as the surrounding 250 foot buffer area.

If vegetation removal activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed. If no active nests are identified, no further measures are necessary.

If an active nest is found during the pre-construction survey, **a no-disturbance buffer zone deemed appropriate to the species will be established around the nests to avoid disturbance or destruction of the nest. The no-disturbance buffer will be determined by the biologist in consultation with the City. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist shall delineate the buffer zone with construction tape or pin flags until the young have fledged.**

~~a 250 foot buffer shall be established around the nesting site to avoid inadvertent disturbance of the nest and potential abandonment. The nesting site and buffer shall remain undisturbed until after the young have fledged. The width of the buffer should be determined by the biologist in coordination with CDFW and would be dependent on the types of activities planned within the vicinity of the nest.~~

Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed. The monitoring biologist shall have the authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active nests to the CDFW. A report shall be prepared and submitted to the City and CDFW following the fledging of the nestlings to document the results.

Timing/Implementation:
Prior to issuance of a grading permit for each subsequent development allowed under the Area Plan and throughout construction activities.

Enforcement/Monitoring:
City of Shasta Lake Development Services Department **in consultation with CDFW.**

Impact 4.6.1 on DEIR Page 4.6-26 is amended as follows (See Section 3.0 of the FEIR):

Development of the proposed project could result in adverse impacts to nesting special status birds, raptors, ~~**and**~~ migratory birds, **and other candidate, sensitive, or special status species.** Impacts to these species are considered to be potentially significant.

Response F-2: **The commenter states the project has the potential to directly and indirectly substantially degrade biological resources and the California Department of Fish and Wildlife (CDFW) is concerned with the lack of cumulative impact analysis.**

Development associated with implementation of the City of Shasta Lake and Shasta County General Plans could contribute to the ongoing loss of natural lands and sensitive habitat in the area, which currently provide habitat for a variety of species. The cumulative scenario also includes two separate development projects.

The proposed Moody Flats Quarry project, which is proposed in an unincorporated area of Shasta County directly north / northwest of the Project site, is currently being processed by Shasta County. The project includes a hard rock quarry, aggregate processing facility, ancillary aggregate product facilities (e.g., ready-mix concrete plant, asphalt concrete batch plant and recycled construction materials plant), and aggregate truck and railcar load-out facility. The quarry site is approximately 1,850-acre.

As stated in the City's comment letter on the DEIR for the Moody Flats Quarry, The proposed Quarry site is located within the Moody Creek, Rancheria Creek and Salt Creek watersheds and includes other tributaries that flow to Stillwater Creek, Churn Creek and the Sacramento River. The majority of creeks and streams on the Quarry site flow into the City of Shasta Lake. Runoff from the Quarry site has the potential to impact biological resources within the City of Shasta Lake.

However, the Quarry project will be required to include mitigation measures addressing these potential impacts, including impacts to downstream properties and biological resources.

The Shasta Wine Village, a highway commercial project located east of the Project site on the southeast corner of Old Oregon Trail and Holiday Road, also in an unincorporated area of Shasta County, was approved by the Shasta County Planning Commission on August 9, 2012. The Wine Village will consist of approximately 36,000 square feet of commercial buildings. Proposed uses include wine tasting rooms, restaurant, café/bakery and warehouse/storage.

According to Flood Insurance Rate Map 06089C1229G, Effective March 17, 2011, none of the mapped creeks or streams located on the Mountain Gate at Shasta property flow to the Wine Village property. In addition, because the Wine Village site is on the other side of Interstate 5, it is not likely the Mountain Gate at Shasta site will disrupt a major wildlife migration or travel corridor.

Cumulative development would result in the conversion of existing biological habitat to urban and resource extraction uses. However, the City of Shasta Lake General Plan, in addition to regional, state and federal regulations, includes policies and measures that would mitigate impacts to biological resources associated with General Plan buildout (see pages 4.6-21 through 4.6-23 of the DEIR).

As described in Section 4.6 of the DEIR, implementation of the proposed project has the potential to result in impacts to a wide range of special-status species and sensitive natural habitat. Section 4.6 includes a wide range of comprehensive mitigation measures that must be implemented by future development in the Area Plan in order to reduce impacts to special-status species and sensitive natural habitat.

The commenter is also directed to Response F-1. Mitigation measure **MM 4.6.1d** requires that unless previously completed and/or mitigated pursuant to the requirements of **MM 4.6.1d**, a Biological Analysis shall be completed to determine the presence and extent of special-status plant and wildlife species and shall be submitted concurrently with each application for a subsequent tentative subdivision map or other discretionary project.

The mitigation requires consultation with applicable regulatory agencies and identifying appropriate mitigation measures to be developed to reduce any potential impacts to a less than significant level. As such, this is considered a less than cumulatively considerable impact.

Response F-3: **The commenter recommends the phasing of the proposed project should start at the southern end of the site instead of the northern as shown in the DEIR to maintain high quality oak woodlands for as long as possible.**

As stated on page 3.0-14 of the DEIR, phasing of the project is expected to start at the north end of the project site and proceed south. The utilities, and at least a portion of the roadway that will form the primary access through the site, would be constructed as part of the first phase. Moreover, the DEIR addressed the question of phasing and stated that although vehicular access to the city will be provided prior to full build out, the main access to the first phase of the development will be from the Mountain Gate and I-5 interchange. The DEIR addressed the environmental impacts of the project at full build out.

Furthermore, the phase boundaries are intended to be conceptual and may be amended, revised or combined as development progresses. The project design does not currently include the division of land for single development purposes. The project applicant would be required to submit tentative subdivision maps for future development of residential areas in all phases of the development for City consideration and would be subject to future environmental review for project-level details in addition to the analysis provided in this DEIR.

Response F-4: **The commenter recommends the inclusion of a trails plan in the Final EIR complete with construction level drawings. Also if herbicide is to be used along the trails, this needs to be described in the trails plan and addressed in the EIR.**

This is a Programmatic EIR and as such, the trails plan for the project is currently conceptual in nature. Construction-level drawings are not yet available. However, construction-level drawings will be developed and submitted to the CDFW during the future environmental review of project-level development proposals. Although construction-level drawings are not available at this level of entitlements, the applicant has identified design guidelines for the trails, including:

- Any trails that are located within the 100 year floodplain will be decomposed granite and will be installed at-grade. No associated trail amenities (drinking fountains, benches, etc) will be located within the 100-year floodplain.

- Trails outside of the 100-year floodplain will be graded so that the topography slopes away from the flood plain where appropriate, based on existing topography. Where this is not appropriate, bio swales or other surface water attenuation techniques will be implemented.

- Any locations where trails cross the creeks will be culvert crossings, free-spanning bridges, or box culverts.

- Trail alignments within the preserve will be finalized in consultation with the U.S. Army Corps of Engineers (USACE) and National Marine Fisheries Service (NMFS), as appropriate, during the CWA Section 404 wetland permitting process.

- All Preserve areas will be placed under a Conservation Easement, a component of which is an Operations and Management Plan (O&M Plan). The O&M Plan will be submitted to the USACE and NMFS for review and approval prior to finalization. The O&M Plan will include measures to ensure that trail maintenance activities do not adversely affect any biological resources.

  The commenter is also referred to Response 10-10 and the City requirements under the National Pollutant Discharge Elimination System (NPDES) *General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)*. Best Management Practices (BMPs) incorporated into the City's Construction Standards include measures to reduce the need for water, pesticides and fertilizers in order to minimize the potential for stormwater pollution that could impact special-species habitat.

Response F-5: **The commenter states that CDFW believes that the Western Pond Turtle may be present on site and suitable mitigation measures should be included in the EIR to address potential impacts.**

The commenter is referred to Response F-1. Mitigation measure **MM4.6.1d** has been incorporated into the EIR (see Response F-1 and Section 3.0 of the FEIR for this inclusion) to minimize impacts to the western pond turtle in the event that western pond turtle is present on-site.

Response F-6: **The commenter states that the project site is within the Recovery Unit Boundaries of the Recovery Plan for the California Red-Legged Frog and CDFW recommends further investigation of the species.**

The commenter is referred to Response F-1. Mitigation measure **MM4.6.1d** has been incorporated into the EIR (see Section 3.0 of the FEIR for this inclusion) to minimize impacts to the Californian red-legged frog in the event red-legged frogs are present on-site.

Response F-7: **The commenter states that CDFW disagrees with the assumption that the project will not result in any direct impacts to Central Valley Steelhead or Fall/ Late Fall Run Chinook salmon based on the lack of adequate surveys. The commenter further states that "Within the Sacramento River Watershed, Fall, Late-Fall, Winter and Spring Run Chinook salmon and Steelhead trout utilize intermittent streams for spawning and/or rearing. CDFW assumes presence of these salmonid species within the Project."**

The commenter is also directed to Response F-1. Mitigation measure **MM 4.6.1d** requires that unless previously completed and/or mitigated pursuant to the requirements of **MM 4.6.1d**, a Biological Analysis shall be completed to determine the presence and extent of special-status plant and wildlife species and shall be submitted concurrently with each application for a subsequent tentative subdivision map or other discretionary project.

The condition requires consultation with applicable regulatory agencies, and identifying appropriate mitigation measures to be developed to reduce any potential impacts to a less than significant level.

For clarification, the DEIR does not assume absence of Central Valley steelhead or Fall/ Late Fall Run Chinook salmon. On the contrary, in **Table 4.6-2**, the DEIR states that it is possible for these species to occur, and that "Seasonal streams may provide some seasonal aquatic habitat". Furthermore, in the discussion of these species on pages 4.6-15 and 4.6-16, the DEIR states that "there is some limited potential for individual fish to occur on-site throughout the rainy season when flow is present and substantial in the larger onsite drainages." The DEIR furthermore did not state that there will be no direct impacts to these species, but rather that there would be no direct impacts to Essential Fish Habitat for these species based on current NMFS mapping.

Of the drainages on-site, only Moody Creek and Rancheria Creek currently appear to provide suitable spawning habitat for salmonids, but it is possible that the other drainages may provide rearing habitat for juvenile steelhead. As noted in the DEIR, both Central Valley steelhead and Fall/Late Fall Run Chinook salmon have been documented within Stillwater Creek downstream of the project site. Presence of these species is assumed in these two features.

During the USACE permitting process, it is anticipated that the USACE will initiate consultation with the NMFS pursuant to the Federal Endangered Species Act regarding impacts to listed salmonid species. During that consultation process, buffers around Moody Creek and Rancheria Creek will be negotiated. At a minimum, the 100-year floodplain of each of these creeks will be preserved. In addition, all drainage crossings will consist of culvert crossings, free spanning bridges, natural bottom culverts, or box culverts.

Furthermore, mitigation measure **MM 4.7.2a** requires the development of a Water Quality Control Plan including best management practices (BMPs) to minimize and control pollutants in stormwater runoff. Additionally, the SWRCB is responsible for implementing the Clean Water Act and has issued a Statewide General Permit (Water Quality Order 2009-0009-DWQ as amended by Order No. 2010-0014-DWQ) for construction activities within the state. In the project area, the Construction General Permit (CGP) is implemented and enforced by the Central Valley Regional Water Quality Control Board (RWQCB).

In accordance with the requirements of the CGP, prior to construction of the proposed project, a risk assessment must be prepared and submitted to the Central Valley RWQCB to determine the project's risk level and associated water quality control requirements. These requirements will, at a minimum, include the preparation and implementation of a stormwater pollution prevention plan (SWPPP), described in detail above, identifying specific best management practices to be implemented and maintained on the site in order to comply with the applicable narrative effluent standards.

These requirements would reduce any potential impacts to the Central Valley steelhead and Fall/ Late Fall Run Chinook salmon.

Response F-8: **The commenter believes that development of suitable avoidance and mitigation measures for wetland and riparian habitat may address potential impacts to the long-eared owl.**

Suitable nesting habitat for long-eared owl is present within the project site. Removal of trees containing active long-eared owl nests would constitute a significant impact. However, implementation of mitigation measures **MM 4.6.1a** and **MM 4.6.1b** of the DEIR would reduce potential impacts to long-eared owl to a less than significant level. For clarification purposes, mitigation measures **MM 4.6.1a** and **MM 4.6.1b** on page 4.6-27 of the DEIR have been revised as follows:

MM 4.6.1a To the extent practicable, removal of vegetation, **initial site** grading, and ~~other~~ **initiation** of construction activities shall **occur** ~~be initiated~~ outside of the nesting season (i.e., ~~initiated from October through February~~ **between September 1 and February 28).**

Timing/Implementation:
Prior to initiating construction of each subsequent development allowed under the Area Plan

Enforcement/Monitoring:
City of Shasta Lake Development Services Department

MM 4.6.1b In areas where suitable raptor nesting habitat (e.g., large trees) will be removed during the nesting season (approximately ~~September~~ **February 1** through **August 31** ~~February~~) or where construction activities will occur within 500 feet of suitable raptor nesting habitat or within 660 feet of suitable bald eagle nesting habitat during the nesting season, a qualified biologist shall conduct pre-construction surveys for nesting raptors and bald eagles. **Unless otherwise recommended by CDFW**, ~~A~~**a**t least one survey shall be conducted no more than two weeks prior to the anticipated onset of construction activity at each phase of development, and all surveys shall cover a minimum 660-foot buffer around the proposed construction zones.

If vegetation removal or other construction activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed.

If no active raptor or bald eagle nests are identified, no further measures are necessary. If active raptor nests are identified within the 500-foot buffer, or active bald eagle nests are identified within the 660-foot buffer,

~~**the following measures shall be implemented:**~~

~~**1. If feasible, avoid construction activities within 500 feet of active raptor nests and 660 feet of active bald eagle nests until nesting activity has ceased, as determined by a qualified biologist.**~~

~~**2. If avoidance of all construction activities within 500 feet of active raptor nests and/or 660 feet of active bald eagle nests is not feasible, a qualified biologist, in consultation with the CDFW, shall identify measures necessary to avoid "take" of active nests. These measures shall include, but are not limited to, maintaining a minimum distance from active nesting sites and monitoring by a qualified biologist. The monitoring biologist shall have authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active raptor nests to the CDFW.**~~

a no-disturbance buffer zone deemed appropriate to the species will be established around the nests to avoid disturbance or destruction of the nest. The no-disturbance buffer will be determined by the biologist in consultation with the City. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities.

The biologist shall delineate the buffer zone with construction tape or pin flags until the young have fledged. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed. The monitoring biologist shall have the authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active raptor nests to the CDFW.

A report shall be prepared and submitted to the City and CDFW following the fledging of the nestlings to document the results.

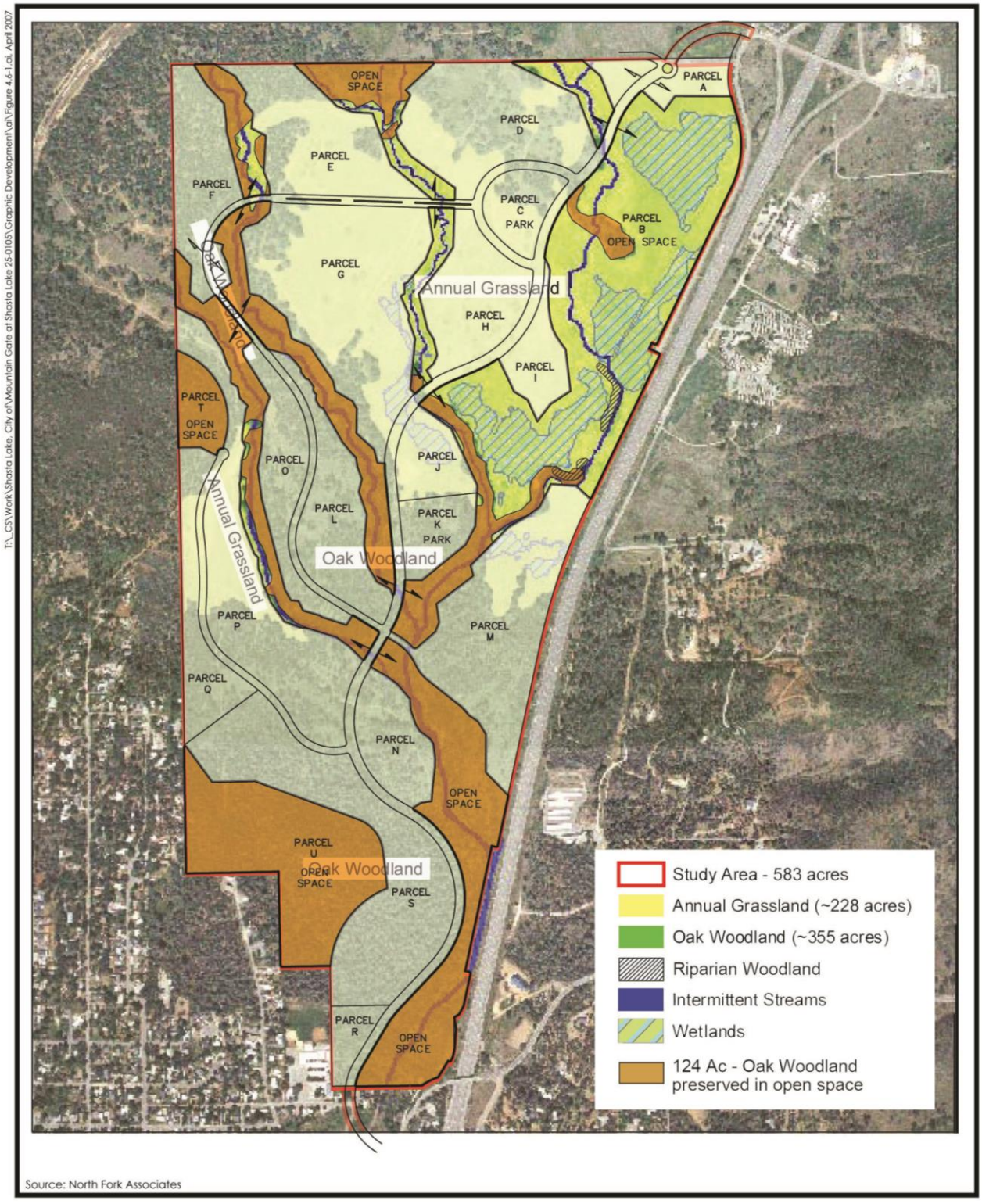
Timing/Implementation: Prior to issuance of a grading permit for each subsequent development allowed under the Area Plan.

Enforcement/Monitoring: City of Shasta Lake Development Services Department **in consultation with CDFW.**

Response F-9: **The commenter believes that development of suitable avoidance and mitigation measures for wetland and riparian habitat may address potential impacts to the western red bat.**

There is potential for western red bat to roost within isolated patches of Valley oak riparian woodland within the project site. These patches of riparian woodland are located within the open space preserves on-site as shown on the ***Preserved Habitats Map*** below, and are not proposed for direct impacts. Grasslands, wetlands, and oak woodlands will also be incorporated into open space preserves. See Responses F-12, F-15, F-17, and F-26 below for details regarding impacts and proposed mitigation for wetland, oak woodland, and grassland habitats. Also see Response F-1 and Mitigation Measure **MM 4.6.1d**.

Preserved Habitats Map



Response F-10: **The commenter recommends that a detailed assessment of the project site's potential to support Shasta snow-wreath and associated impacts be prepared.**

The commenter is referred to Response F-1 and mitigation measure **MM 4.6.1d**.

Response F-11: **The commenter recommends a detailed assessment of the project's potential to support Sanford's arrowhead along with an evaluation of potential impacts, and if necessary, development of specific mitigation measures.**

The commenter is referred to Response F-1 and Mitigation measure **MM 4.6.1d**.

Response F-12: **The commenter states that the DEIR should demonstrate that the project will not result in a net loss of wetland habitat values or acreage.**

Mitigation measure **MM 4.6.3b** on page 4.6-30 of the DEIR requires all future projects in the Area Plan to mitigate impacts to wetlands in compliance with the USACE's "no net loss" policy. This mitigation measure assures that there will be "no net loss" of either wetland habitat values or acreage. In addition, mitigation measure **MM 4.6.3b** requires that prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks, notification of streambed alteration has to be submitted to the CDFW; and, if required, a streambed alteration agreement shall be obtained.

Response F-13: **The commenter states that for the purposes of the CDFW, the wetlands delineation should also include wetlands identified pursuant to the U.S. Fish and Wildlife Service wetland definition as adopted by CDFW and the limits of streams and riparian habitats subject to the CDFW's jurisdiction.**

In 1979, the U.S. Fish and Wildlife Service published its *Classification of Wetlands and Deepwater Habitats of the United States* (Cowardin, *et a/.* 1979). This document describes the Service's official wetland definition and classification system. The Service defines wetlands as follows: "Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominately hydrophytes; (2) the substrate is predominately undrained hydric soil; and (3) the substrate is nonsolid and is saturated with water or covered by shallow water at some time during the growing season of each year" (Cowardin, *eta/.* 1979).

In "A Clarification of the U.S. Fish and Wildlife Service's Wetland Definition", the author (a representative of the USFWS) notes that many readers "have mistakenly concluded that the Service's definition requires that only one of the three attributes- wetland vegetation, undrained hydric soils, or hydrology- must be present in order to classify an area as wetland. Hence, they consider the Service's wetland definition to be extremely broad; that is, a one-parameter definition" (Tiner 1989). The author goes on to

conclude that "It should be emphasized that in order for any area to be classified as wetland by the Service, the area must be periodically saturated or covered by shallow water, whether wetland vegetation and/or hydric soils are present or not...After all, hydrophytes and hydric soils develop as a direct result of a wetland hydrologic regime, that is, wetland hydrology" (Tiner 1989).

This definition is, in essence, the same as the USACE wetland definition, "Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." The USACE wetland delineation included in the DEIR has been verified by the USACE to represent the extent of the area within the project site that satisfies this definition. As the USACE wetland definition and the USFWS wetland definition are essentially the same (as clarified above), there are no areas within the project site.

Response F-14: **The commenter requests that the jurisdictional delineation be updated to reflect CDFW defined wetland acreage amounts as well as a clear description of impacts to Rancheria and Moody Creeks (linear feet and acres of impacts including impacts to riparian vegetation).**

Mitigation measure **MM 4.6.3b** of the DEIR requires that authorization under Section 404 of the Clean Water Act will be obtained from the USACE prior to any wetland impacts. Compliance with this Section 404 permit will ensure that the project will not result in a net loss of wetland habitat values or acreage. Two small areas of Valley oak riparian woodland are present within the project site along the unnamed drainage (shown in Attachment A). Both of these patches of riparian vegetation are located within the proposed Open Space Preserves, and as such, no impacts to riparian communities are proposed. Some riparian trees and shrubs occur within the creek channels on-site. Any proposed impacts to individual riparian trees or shrubs will be identified during the future environmental review of project-level development proposals.

Response F-15: **The commenter states that mitigation measure MM 4.6.3a is inadequate as it depends on an action by USACE rather than the Lead Agency. Additionally, the commenter states that MM 4.6.3b simply restates existing legal requirements and the Lake or Streambed Alteration Agreement (LSAA) permitting does not ensure impacts will be mitigated, nor does it provide adequate disclosure required in the CEQA document.**

Mitigation Measure **MM 4.6.3a** has already been satisfied. The USACE verified the wetland delineation most recently on May 14, 2013.

Although mitigation measure **MM 4.6.3b** does restate existing legal requirements, it is included to define how the project proponent should mitigate for impacts to wetlands, streams, and other waterways stating that:

> "All mitigation required by USACE shall be satisfied, including any replacement requirement at a ratio intended to fulfill the no net loss policy."

Neither of these mitigation measures circumvents the City's authority to apply discretion in considering future land use approvals and/or grading permit applications.

This language on page 4.6-30 of the DEIR has been revised (see Section 3.0 of the FEIR) to include the requirements by the RWCQB and CDFW as follows:

MM 4.6.3b Authorization under a Nationwide Permit or Individual Permit shall be obtained from the USACE. For fill requiring a USACE permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material. All mitigation required by USACE **and RWQCB,** shall be satisfied, including any replacement requirement at a ratio intended to fulfill the no net loss policy.

Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks, notification of streambed alteration shall be submitted to the CDFW; and, if required, a streambed alteration agreement shall be obtained.

Response F-16: **The commenter states that the CDFW does not support the proposed use of in-channel detention basins, especially in potential fish bearing streams.**

The storm drainage system has been revised to remove in-channel detention basins. The commenter is referred to Response C-2 for this change.

Response F-17: **The commenter states that CDFW disagrees with the DEIR determination of cumulatively considerable and significant and unavoidable for oak woodland loss and discusses steps to reduce this loss to a less than significant level. In making this assertion, the commenter specifically references the statement in the DEIR that "it is unlikely that enough trees can be planted to fully replace those lost" (DEIR, p. 4.6-35).**

It should first be noted that the statement in the DEIR that insufficient trees can be planted to replace those lost is an error and reflects an earlier version of the DEIR prepared for internal review. This paragraph on page 4.6-35 of the DEIR has been revised (see Section 3.0 of the FEIR) as follows:

> Implementation of the City's Tree Conservation Ordinance will result in new trees being planted to replace some of those lost during development.~~,~~ ~~**but it is unlikely that enough trees can be planted to fully replace those lost.**~~ The City does not have a tree replacement fund or other mechanism to require planting in kind off-site, but could develop one in the future and apply the fee or program to subsequent projects. ~~**Because it is unlikely that the tree replacement program implemented as part of the ordinance will result in sufficient trees to completely offset the loss, and development of a replacement program for off-site planting and maintenance of trees is speculative, this impact is considered cumulatively considerable**~~ and ~~**significant and unavoidable.**~~ **A**

pre-development meeting is required to ensure tree preservation is considered early in the planning process with respect to placement of buildings, roads, driveways, parking, utilities and other site improvements. Implementation of mitigation measures MM 4.6.4a-c, 4.6.9 and 4.6.10 would reduce this impact to a less than significant level.

In addition, Mitigation Measure **MM 4.6.4,** page 4.6-32 of the DEIR (see Section 3.0) has been amended, and two additional measures (MM **4.6.4b** and **4.6.4c**) have been added as follows:

MM 4.6.4a Three 15-gallon trees shall be planted for each protected tree removed. ~~**that exceeds 10 inches DBH, in compliance with the City's Tree Conservation Ordinance.**~~ **Heritage oak trees 35 inches DBH or greater shall be replaced at a ratio of 4:1 with 24-inch box trees. A tree replacement plan shall be submitted showing the timing, number, location and type of trees to be planted. The tree replacement plan shall be reviewed and approved by a City-approved arborist. The replacement trees shall be native trees unless the Development Services Director determines that another species would be more suitable for the location.**

Timing/Implementation: Prior to final completion of the large-lot circulation plan improvements**; or prior to issuance of a Certificate of Occupancy for any structure unless otherwise specified in the Tree Replacement Plan.**

Enforcement/Monitoring: *City of Shasta Lake Development Services Department.*

MM 4.6.4b **In the event the project site does not have sufficient area on-site to accommodate the required tree mitigation, one or more of the following measures shall be implemented:**

- **The size of a 15-gallon replacement tree can be increased to 24-inch box and count as two replacement trees; and/or**
- **An alternative site(s) shall be identified for additional tree planting. Alternative sites may include, but are not limited to, local parks, schools, public rights-of-way, or on adjacent properties for screening purposes; and/or**
- **Payment of an in-lieu fee to the City to purchase trees that will be planted on public property, such as parks, schools, public rights-of-way or on other public facilities. The in-lieu fee shall be based on the fair market value of the number of trees required as replacement trees that cannot be accommodated on-site.**

Timing/Implementation:
Prior to final completion of the large-lot circulation plan improvements; or prior to issuance of a Certificate of Occupancy for any structure, unless otherwise specified in the Tree Replacement Plan.

Enforcement/Monitoring:
City of Shasta Lake Development Services Department.

MM 4.6.4c **A pre-development meeting with the Development Services Director shall be conducted to ensure tree conservation is considered early in the planning process with respect to placement of buildings, roads, driveways, parking, utilities and other site improvements. The following shall be prepared prior to the pre-development meeting:**

- **Tree delineation map showing existing grades, location and size of groups of protected trees (stands); heritage trees (36-inch and above diameter at breast height) shall be specifically identified.**
- **Conceptual development plan showing that one or more methods of ensuring tree conservation, with particular attention given to the preservation of heritage trees and stands of trees, have been considered in project design (e.g., reduced street sections, cluster development, avoidance, etc.).**
- **Tree Removal and Replacement Plan, including identification of set-aside areas for replacement tree planting and alternative tree replacement methods proposed.**
- **Additional information as may be required by the City's Tree Conservation Ordinance.**

Timing/Implementation:
Prior to submittal of any application for subsequent tentative subdivision maps and/or other discretionary projects.

Enforcement/Monitoring:
City of Shasta Lake Development Services Department.

In addition, Mitigation Measure **MM 4.6.9** has been amended for consistency with **MM 4.6.1a** and to allow flexibility in identifying additional areas for tree replacement:

MM 4.6.9 In addition to the minimum planting standards in the City's Tree Conservation Ordinance, future development shall be required to comply with the requirements in the Area Plan, **pursuant to a landscape plan reviewed and approved by a City-approved arborist,** which include the following tree replacement planting and preservation requirements:

- All future roadways within parcels A-U shall incorporate street trees and a setback sidewalk design. Street trees shall be planted 30' on-center (O.C.) ~~**where feasible**~~ within the landscaped parkways, taking into account necessary setbacks from fire hydrants, intersections, driveways, etc., **unless a modified standard is approved by the Development Services Director.**

- All protected trees shall remain within parcels B, T & U (open space) except where those trees interfere with utility extensions or other improvements required as part of the Mountain Gate **at Shasta** development.

- Protected trees shall remain within parcels C & K (park areas) and additional ~~**15-gallon**~~ trees shall be planted as part of the park improvements **as identified in the required tree replacement plan.**

- ~~**Single family parcels within Parcel F, Q & S (very low density residential) shall have two additional 15-gallon trees planted per parcel in addition to the required three 15-gallon oak trees to be planted for each proposed single-family unit/lot and any required replacement trees.**~~

- Pavement and base shall be removed from the southern terminus of the existing Wonderland Boulevard (south of proposed parcel A); a tree mitigation planting area shall be created and vegetated with small rooted stock.

- 15-gallon trees, approximately 50' O.C., shall be planted adjacent to the pedestrian trails (in non-forested areas) within the open space corridors **unless a modified standard is approved by the Development Services Director.**

Timing/Implementation:
Prior to improvement plan approval or ~~**occupancy of any residential or commercial use as applicable**~~**. issuance of a Certificate of Occupancy for any structure, unless otherwise specified in the Tree Replacement Plan.**

Enforcement/Monitoring:
City of Shasta Lake Development Services Department

These mitigation measures mandate requirements in excess of the City's Tree Conservation Ordinance and are intended to ensure that the project's oak woodland impacts would be mitigated to a less than significant level on both a project level and cumulative basis.

Turning to the balance of the commenter's comments, the City respectfully disagrees with the claim that the on-site preservation associated with the project's open space areas is of limited habitat value. In total, the project is proposing to preserve a total of approximately 220 acres, or roughly thirty-seven (37) percent, of the total project site as open space. The vast majority of that open space, approximately 181 acres, is associated with the site's existing creek corridors, which preserves a continuous, uninterrupted habitat corridor along the project's entire north-south axis. In addition, the project preserves approximately 39.5 acres of open space along the project's western boundary (DEIR, Table 3.0-1).

Comparing these open space areas against the existing oak woodland habitat identified on the project site, it is noted that the project will result in the preservation of 124 acres of oak woodland (see Response 9, *Preserved Habitats Map*).

Finally, with respect to Public Resources Code section 21083.4, the City appreciates the commenter's acknowledgment that its oak woodland preservation provisions are inapplicable to this project. Notwithstanding the legal inapplicability of these mitigation standards, the City nonetheless agrees with the commenter's general recommendation. To that end, it is noted that the project has endeavored to follow the spirit of 21083.4's statutory provisions by balancing the project's oak woodland mitigation between both replacement planting and oak woodland set aside as outlined in the express terms of the statute.

As noted above, in addition to requiring the replanting of oaks at a ratio of more than 3:1 for each oak removed, the project is also preserving approximately 124 acres of oak woodland. This is precisely what is required by the statute and is fully consistent with CDFW's recommendation.

In summary, implementation of mitigation beyond what is required by the City's Tree Conservation Ordinance, as well as the preservation of 124 acres of existing on-site oak woodlands, the project level and cumulative impacts to oak woodlands can be reduced to a less than significant level.

Response F-18: **The commenter states that as a result of extensive surveys in limestone and non-limestone habitat, the nearby Shasta Lake Water Resources Investigation EIS concludes that within the impoundment area "presence of Shasta salamander is presumed in all (CWHR) habitats except "non-habitat" barren areas." Given this relatively new information, and the fact that Shasta salamander was found on the Moody Flats Quarry project site adjacent to the Area Plan, the commenter recommends further investigation and potential protocol-level surveys for this species in their newly described habitat, if warranted.**

The commenter is referred to Response F-1 and Mitigation measure **MM 4.6.1d.** The mitigation requires consultation with applicable regulatory agencies and identifying appropriate mitigation measures to be developed to reduce any potential impacts to a less than significant level.

Response F-19: **The commenter states that suitable habitat is present for the white-tailed kite and environmental analysis include an assessment of potential impacts to white-tailed kites and incorporate avoidance measures.**

Suitable nesting and foraging habitat for white-tailed kite is present within the project site. Implementation of mitigation measures **MM 4.6.1a** and **MM 4.6.1b** of the DEIR will reduce any impacts to this species to a less than significant level. In addition, the project is also preserving approximately 124 acres of oak woodland, which includes foraging habitat and possibly nesting habitat.

Response F-20: **The commenter states that suitable habitat is present for pallid bats and suitable avoidance and mitigation measures for oak woodland habitat may address potential impacts to this species.**

The commenter is referred to Response F-1 and Section 3.0 of this FEIR. Suitable roosting habitat for pallid bat is present within the project site. Mitigation measure **MM 4.6.1d** has been incorporated into the EIR to reduce impacts to special-status species, including bats, to a less than significant level.

In addition, a detailed mitigation plan must be developed in consultation with CDFW. Mitigation measures that may be considered, include, but are not limited to, requiring construction activities in the vicinity of sensitive resources to be completed during the period that best avoids disturbance to plant and wildlife species present (e.g., April 1 – August 31 for maternity bat roosts); establish and flag in the field no-disturbance buffer areas; requiring Worker Awareness Training; and minimizing the negative effects of light and noise on listed and sensitive wildlife.

Response F-21: **The commenter states that the project site contains suitable roosting and foraging habitat for Townsend's big-eared bat. The commenter recommends the project applicant conduct acoustic bat surveys by a qualified biologist, and incorporate avoidance or mitigation measures.**

As noted by the commenter, roosting habitat for Townsend's big-eared bat includes caves, abandoned mines, hollow trees, and human-made structures. Hollow trees that Townsend's big-eared bat have been observed roosting in are the large basal hollows of coastal redwoods *(Sequoia sempervirens),* which can serve as cave analogues where suitable cave or mine roosts are limited (Mazurek 2004 in Greenwald et al. 2012). No caves, abandoned mines, coastal redwood trees, or human-made structures are present on the project site. Therefore, roosting habitat for Townsend's big-eared bat is absent from the site.

It is possible that Townsend's big-eared bats that roost in adjacent areas could forage along the creeks within the project site. However, as all of the creeks are proposed to be preserved by the project, no significant

impacts to the species are anticipated to occur as a result of the project. In addition, mitigation measure **MM 4.6.1d** has been incorporated into the EIR to reduce impacts to special-status bats to a less than significant level (see Response F-1 and Section 3.0 for the inclusion of this mitigation).

Response F-22: **The commenter states that suitable habitat is present for the western mastiff bats and suitable avoidance and mitigation measures for oak woodland habitat may address potential impacts to this species.**

Oak woodlands throughout the project site represent suitable foraging habitat for western mastiff bat. As the commenter noted, avoidance and mitigation measures for oak woodlands (detailed in Response F-17 above) should address any impacts to this species. In addition, **MM 4.6.1d** states a focused survey may be required on a species-by-species basis as determined by the Development Services Director in consultation with CDFW and/or USFWS. The methodology for the focused survey(s) and report(s) shall be obtained from the appropriate regulating agencies. Specific mitigation will be included in a Mitigation Plan to reduce impacts to a less than significant level (see Response F-1 and Section 3.0 for the inclusion of this mitigation).

Response F-23: **The commenter recommends evaluating the potential for Pacific fisher presence and if warranted incorporating avoidance or mitigation measures to avoid take or impacts to the species.**

The document that the commenter references in their comment, *Detections of Pacific Fisher Around Shasta Lake in Northern California* (Lindstrand 2006), goes on to provide more detail about the habitats that Pacific fisher were found in:

> Tree habitats were generally open- to moderate-canopied hardwood-conifer stands dominated by California black oak (*Q. kelloggit),* canyon live oak *(Q. chrysolepis),* ponderosa pine, and occasional Douglas-fir *(Pseudotsuga menziesli)* .... Blue oak-foothill pine habitats occurred as small inclusions of blue oak, interior live oak *(Q. wislizenli),* and foothill pine.

Montane hardwood-conifer stands are not present within the project site. Although black oak and Ponderosa pine have been observed on the project site, they are not dominant anywhere on-site. Blue oak-foothill pine woodlands are prevalent in the western and southern portions of the site, but as Lindstrand notes (2006), Pacific fisher utilize this vegetation community only where it is an inclusion within larger areas of more suitable montane hardwood-conifer habitat. The blue oak-foothill pine community on-site occurs intermixed with annual grasslands and more open blue oak and Valley oak woodlands, neither of which represent suitable Pacific fisher habitat.

Furthermore, the blue oak-foothill pine woodland is located in the southern portion of the site, adjacent to residential areas. It is isolated from any undeveloped areas that are adjacent to the site to the north, and might have fisher habitat. In conclusion, suitable habitat for Pacific fisher is not currently located within the project site, and Pacific fisher is not expected to occur on-site.

However, as stated in Response F-1, mitigation measure **MM 4.6.1d** requires that unless previously completed and/or mitigated pursuant to the requirements of **MM 4.6.1d**, a Biological Analysis shall be completed to determine the presence and extent of special-status plant and wildlife species and shall be submitted concurrently with each application for a subsequent tentative subdivision map or other discretionary project.

Response F-24: **The commenter states that suitable habitat is present for the American badger and suitable avoidance and mitigation measures for oak woodland habitat may address potential impacts to this species.**

Habitats throughout the project site represent suitable foraging habitat for the American badger. As the commenter noted, avoidance and mitigation measures for oak woodlands (detailed in Response F-17 above) should address any impacts to this species.

In addition, as detailed in Response F-1, mitigation measure **MM 4.6.1d** requires that unless previously completed and/or mitigated pursuant to the requirements of **MM 4.6.1d**, a Biological Analysis shall be completed to determine the presence and extent of special-status plant and wildlife species and shall be submitted concurrently with each application for a subsequent tentative subdivision map or other discretionary project.

Response F-25: **The commenter states that suitable habitat is present for the Oregon shoulderband and suitable avoidance and mitigation measures for oak woodland habitat may address potential impacts to this species.**

Oak woodlands throughout the project site represent suitable foraging habitat for Oregon shoulderband. As the commenter noted, avoidance and mitigation measures for oak woodlands (detailed in Response F-17 above) should address any impacts to this species.

In addition, as detailed in Response F-1, mitigation measure **MM 4.6.1d** requires that unless previously completed and/or mitigated pursuant to the requirements of **MM 4.6.1d**, a Biological Analysis shall be completed to determine the presence and extent of special-status plant and wildlife species and shall be submitted concurrently with each application for a subsequent tentative subdivision map or other discretionary project.

Response F-26: **The commenter recommends incorporating avoidance or mitigation measures into the project to avoid impacts to grassland habitat.**

It is acknowledged that all grasslands provide habitat for a wide variety of native plant and animal species. Although occasional purple needlegrass plants are present on the project site, they are not present in sufficient numbers or density to be characterized as a needlegrass grassland. According to the *Manual of California Vegetation, Second Edition* (Sawyer et al. 2009), needlegrass grasslands support a minimum of 10 percent cover of needlegrass. No areas with 10 percent or greater cover of needlegrass or wildrye have been found on-site.

As stated on page 4.6-2 of the DEIR, native grassland species observed included western buttercup, white brodiaea, blue wildrye, and Fitch's

spikeweed. As stated on page 4.6-31 of the DEIR, due to the predominance of non-native, invasive species associated with the existing grassland community and the commonality of this plant community in the project vicinity and throughout Shasta County, loss of non-native annual grassland habitat is considered less than significant. Furthermore, almost all of the Preserve areas contain some component of grassland habitat. In particular, the floodplains of Moody and Rancheria Creeks are almost entirely comprised of grassland habitat. Within the Preserve, impacts to grassland habitat will be avoided.

Response F-27: **The commenter believes that the project site is suitable habitat for the northern harrier and that suitable avoidance and mitigation measures for grassland habitat may address potential impacts to this species.**

Suitable nesting and foraging habitat for northern harrier is present within the project site. Implementation of **MM 4.6.1a** and **MM 4.6.1b** of the DEIR (detailed above in Response F-8) will reduce any impacts to this species to a less than significant level. Furthermore, in total the project is proposing to preserve a total of approximately 220 acres, or roughly thirty-seven (37) percent, of the total project site as open space. The vast majority of that open space, approximately 181 acres, is associated with the site's existing creek corridors, which preserves a continuous, uninterrupted habitat corridor along the project's entire north-south axis. In addition, the project preserves approximately 39.5 acres of open space along the project's western boundary (DEIR, Table 3.0-1.).

Comparing these open space areas against the existing oak woodland habitat identified on the project site, it is noted that the project will result in the preservation of 124 acres of oak woodland (see **Figure 2.0-2** Preserved Habitats Map), which includes foraging habitat and possibly nesting habitat.

Response F-28: **The commenter believes that the project site is suitable habitat for the grasshopper sparrow and that suitable avoidance and mitigation measures for grassland habitat may address potential impacts to this species.**

The commenter is referred to Response F-26. The grasshopper sparrow is more likely to occupy large tracts of grassland habitat than small fragments (Samson 1983, Herkert 1994, and Vickery et al. in Vickery 1996). Almost all of the Preserve areas contain some component of grassland habitat. In particular, the floodplains of Moody and Rancheria Creeks are almost entirely comprised of grassland habitat. Within the Preserve, impacts to grassland habitat, and thus grasshopper sparrow, will be avoided.

Response F-29: **The commenter states that it is unclear in the DEIR if fuel modification is included in the impacts to wildlife, plants and habitats, and a table with all of the impacts including direct and indirect would be helpful.**

The DEIR does not address fuel modification for open space or non-developed areas. As no development is occurring in these areas, no fuels modification is expected. A table summarizing all of the impacts and mitigation measures is included in the DEIR as **Table 2.0-1** (Summary of Impacts and Mitigation Measures).

Response F-30: **The commenter states that if any special-status species are found during subsequent surveys and/or pre-construction surveys, CDFW requests that CNDDB forms be filled out and sent to Sacramento and a copy of the form be sent to the CDFW's Regional office in Redding.**

Comment noted.

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LETTER G

RICHARD W. SIMON
SHASTA COUNTY DEPARTMENT OF RESOURCE MANAGEMENT

Letter G

Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Richard W. Simon, AICP
Director

June 18, 2014

Carla L. Thompson, AICP
Development Services Director
City of Shasta Lake
P.O. Box 777
Shasta Lake, CA 96019

Dear Ms. Thompson:

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE PROPOSED MOUNTAIN GATE AT SHASTA AREA PLAN (GPA 11-01, Z 11-02, AND SD 11-01)

Thank you for the opportunity to comment on the Draft EIR for this project. The following are our comments:

1. Section 3.0 Project Description, Table 3.0-4: This table shows the roadway cross sections, however, the map that showed the locations of these cross sections, which appeared in the original project description circulated with the Notice of Preparation, is missing. It is not clear where the various cross-sections would be used. **G-1**

2. Section 3.0 Project Description: The project proposes to re-align the current General Plan alignment for Wonderland Boulevard/Shasta Way roadway connection. Reasons offered for the realignment include: potential safety issues at the Shasta Way/Shasta Dam Boulevard intersection, negligible traffic circulation improvements and a lesser impact to privately owned parcels when compared to the proposed Cascade Boulevard connection.

   The EIR does not describe the potential safety issues of concern or the effect of the two alternative connection scenarios on traffic circulation and intersections in the vicinity. Any positive traffic circulation impacts at the 1-5 interchange should be welcomed. The current alignment may slightly improve connectivity between the development and the city center. The EIR indicates that utilities will nonetheless be located within the existing alignment. Consequently, impacts to private property will be increased as construction and maintenance of the infrastructure will occur within both areas as opposed to a single alignment with co-located infrastructure. **G-2**

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Letter G Continued

3. Section 4.1 Land Use, Table 4.1-1 Policy LU-8, and Impact 4.1-1: The project design lacks connectivity to exiting streets in the City of Shasta Lake. This makes the project a separate enclave within the City, and an isolated portion of the City, which is inconsistent with Policy LU-8, and a significant impact under Impact 4.1-1. **G-3**

4. Section 4.1 Land Use, Impact 4.1.1 analyzes whether the project does or will create an isolated portion of the City. The initial phase of the project will be implemented at the northern end of the site and include a connection to Cascade Boulevard and possible walking/biking connection to the city center via Black Canyon Road. It is speculated that over time, development within the proposed area plan will become more connected to the existing City. Phasing North to South and a focus on moving vehicles onto the interstate may work against a feeling of connectivity and foster isolation for the life of the project. **G-4**

   The first phase subdivides the entire parcel into parcels that are consistent with development areas described in the schematic land plan. These parcels are intended for future subdivision, but the EIR does not indicate whether any development restrictions will be placed on these parcels to ensure they are not developed prior to future subdivision or other planned development.

5. Section 4.2 Population/Housing/Employment, Table 4.2-10 Policy H-P-6: The area planned for high density development contains the least amount of land area when compared to the areas dedicated to variable density single-family residential use. Provision of 4.5 acres of high-density housing does not necessarily mean the housing will be affordable. The EIR does not discuss the direct provision of affordable housing or other means to support a share of the regions affordable housing needs. What guarantee will there be that the units will remain below market rate? **G-5**

6. Section 4.2 Population/Housing/Employment, Table 4.2-10 Policy H-P-19: The proposed trail system is somewhat discontinuous, with some sections isolated from the rest of the system and other sections which require jogs and travel along streets to get to another section of the trail. A more coherent and continuous system would encourage more use. It is not clear whether the trail system would be maintained by the City or by a private entity. **G-6**

7. Section 4.2 Population/Housing/Employment, Table 4.2-10 Goal HE-4: The expected jobs/housing ratio of 0.28 to 0.32 does not appear to be a desirable ratio for this project. The 1,604 residential units, at a rate of 2.58 residents per unit, would result in a residential population of 4,138 people. The project is expected to provide for 450 jobs. That is approximately only one job per 9 residents. It appears that many of the residents of the project would have to get in their cars to travel to jobs in some other part of the City Shasta Lake, or to the Cities of Redding or Anderson, or some other part of Shasta County. This would likely increase the total County vehicle miles traveled and result in significant and unavoidable traffic and air quality impacts. It is impractical for projects significantly smaller than Mountain Gate at Shasta to provide a good jobs/housing balance. But a project of this size should be expected to provide jobs/housing balance closer to 1.0. **G-7**

Letter G Continued

8. Section 4.3 Transportation and Circulation: The analysis in this section appears to focus almost exclusively on cars, and lacks a multi-modal transportation analysis. It should have a more comprehensive discussion of baseline conditions, potential impacts, and mitigation measures for multi-modal transportation, including pedestrians, bicyclists, users of public transportation, persons with disabilities, children, seniors, etc. A multi-modal analysis should be used to show how the project is consistent with the complete streets policies in California Government Code Sections 65040.2 and 65302.

   The internal circulation plan appears to be focused on providing multi-modal linkages between all uses within the area plan, but with the exception of a potential bike and pedestrian connection to the city center via Black Canyon Road, external circulation appears to be focused on providing vehicular access to Interstate 5. The multi-modal Black Canyon Road linkage is not presented as firm commitment. The project does not analyze, describe, or provide for multi-modal infrastructure and/or linkages between the development and existing Redding Area Bus Authority bus routes. **G-8**

   A multi-modal linkage, including vehicular access and/or bus routes, to the City center could potentially improve external circulation patterns and conditions, reduce vehicle miles traveled, and provide greater connectedness and a greater sense of community "village" quality and character throughout and within the City.

   The section entitled *Pedestrian, Bicycle, and Transit Analysis* states the project was reviewed for consistency with several adopted plans yet no results were discussed. Please provide the results of the analysis.

9. Section 4.3 Transportation and Circulation: There are only two entrance/exit points for the entire project, one at the northeast end and the other at the south end of the project site (not including an emergency access road that would connect to Black Canyon Road) with a single arterial through the project. The project would include traffic from 1,604 residential units (= ~16,040 vehicle trips per day) as well as additional traffic from the nearly 200,000 square feet of "non-residential" development.

   A. This traffic design could result in serious traffic bottlenecks in the event of a wildfire or other type of emergency in the area. Emergency access would be limited and easily blocked. **G-9**
   B. It seems that there should be some integration of the road system of this project with the existing road system of the City of Shasta Lake, e.g. some connection(s) to Eugene Avenue, Mussel Shoals Avenue, Black Canyon Road, the north end of Shasta Way, as well as the other small streets which connect to Eugene Avenue. This may require some improvement to existing off-site streets. This would help with access as well as integrate the development with the City as a whole. Otherwise the development becomes a separate enclave, or a small sub-city in itself.
   C. It seems that there should be at least one additional exit to a new arterial road along on the north site of the project.
   D. The above concerns may affect the unincorporated areas to the north and west of the project site.
   E. The cul-de-sac on the west side of the project is a dead-end road over 3,000 feet long. This may exceed City and State standards for the maximum length of a dead-end road.

Letter G Continued

10. Section 4.4 Air Quality: The 2012 Air Quality Attainment Plan is the most current plan adopted. The 2012 Air Quality Attainment Plan did not substantially change from the 2009 version. Please change the document to reflect the new plan **G-10**

11. Section 4.6 Biological Resources, Impact 4.6.4: The Oak Woodlands Conservation Act defines oak trees to be those non-commercial trees of the Quercus genus that are five or more inches in diameter. The oak woodlands impact analysis identifies the loss of oak trees that are equal to, or greater than, ten inches in diameter as significant. This approach does not account for impacts on oak trees less than ten inches in diameter and equal to or greater than five inches in diameter. Therefore, the recommended mitigation measures for loss of oak woodlands may not adequately mitigate the project loss of oak trees within the oak woodlands present within the project area. **G-11**

    Oak woodlands mitigation measure 4.6.4 does not indicate what species will be planted to replace lost oak trees or where they will be planted. In addition, the measure does not define any criteria for determining that replanting is successful, or a monitoring plan to ensure that successful replacement is achieved.

12. Section 4.11 Public Services, Impact 4.11.2.1: The current ratio of public safety officers to population in our community is below the national average. The Area Plan proposes a public safety officer to population ratio (1.5 officers to 1,000 residents) which is an improvement when compared to the existing ratio for the City of Shasta Lake as a whole and exceeds the ratio established by City of Redding policy. **G-12**

    The public safety impact analysis does not describe the costs associated with achieving the public safety to population ratio proposed by the Area Plan. In addition, the analysis does not indicate whether funding mechanisms to achieve the prescribed ratio currently exist or would have to be adopted and implemented at a future date and/or on a project by project basis.

13. Section 4.11 Public Services, Impact 4.11.3.1: The project will increase the number of school-aged children in the area and attendance to the Grand Oaks Elementary School. School districts are increasingly faced with tight budgets. The timing and availability of funds for capital improvements may be unpredictable or require approval of local bond measures. The EIR does not fully analyze the potential need to expand or develop a new school site, including potential triggers, timing, or spatial and economic considerations. **G-13**

    Mitigation measure 4.11.3.1 holds out a 10-acre area for the potential future construction of a school site, but only for three years after the first small-lot subdivision is approved. As a matter of timing, the measure may require the school district to make a premature decision on whether to purchase the ten acres as the actual need to expand existing or develop a new school site may not occur until the project is closer to build out. If the school district elects to take advantage of the option presented by the mitigation measure, the debt service on the land could potentially burden the district until such time as conditions are ripe enough to develop the site.

Letter G Continued

If the land were held out for a longer period or triggered by the number of housing units developed within the Area Plan or other needs based trigger, the district may be able to make a more financially sound decision to purchase the site for a neighborhood or "village" school. This would create greater consistency between the Area Plan and the City's General Plan goals and policies regarding the establishment of a sense of community "village" quality and character throughout the City, and potentially provide an opportunity to make the school site a multi-use/multi-purpose facility and amenity for residents of the area.

G-13 cont.

14. Section 4.13 Greenhouse Gas and Climate Change: In a letter to the City of Shasta Lake dated May 2, 2012, the Air Quality Management District recommended the analysis use consistency with Assembly Bill 32 as a guide for significance. The District continues to recommend this approach, however no formal threshold has been adopted. In Table 4.13-7, please rephrase *"District Percentage Reduction Threshold"* to reflect consistency with Assembly Bill 32 reductions.

G-14

Thank you for the opportunity to comment on the proposed project. If you have any questions, please contact me at (530) 225-5789.

Sincerely,

Richard W. Simon, AICP
Director of Resource Management

RWS/dd

LETTER G RICHARD W. SIMON, SHASTA COUNTY DEPARTMENT OF RESOURCE MANAGEMENT

Response G-1: **The commenter states that the Notice of Preparation (NOP) included a map showing roadway cross sections. However, the DEIR does not have this map; therefore, it is not clear where the location of the project's various roadway cross sections would be used.**

This map has been included in the Area Plan (revised DEIR Appendix 3.0-1). The location of the various roadway cross sections is conceptual in nature and may be modified at the discretion of the Planning Commission during review of subsequent tentative subdivision maps.

Mitigation Measure **MM 4.6.1d** requires "*Project designs shall be reconfigured (e.g., reduced street widths, clustered development, etc.), to avoid special-status species and sensitive habitats. Specific measures shall be identified to minimize ground disturbances and construction footprints near sensitive areas.*"

Mitigation Measure **MM 4.6.4c** requires a pre-development meeting to ensure tree conservation is considered early in the planning process with respect to placement of buildings, roads, driveways, parking, utilities and other site improvements. The applicant is required to submit a conceptual development plan showing that one or more methods of ensuring tree conservation, with particular attention given to the preservation of heritage trees and stands of trees, have been considered in project design; this could include street sections that differ from those identified conceptually in the Area Plan.

The location of the project's various roadway cross sections would not result in additional environmental impacts not already discussed in the DEIR. The commenter does not discuss any inadequacies with the DEIR with this comment. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

Response G-2: **The commenter acknowledges the proposal to realign the current General Plan road for the extension of Wonderland Boulevard at the project's southerly boundary. The current alignment connects to Shasta Way; the proposed alignment would connect to Cascade Boulevard. The commenter states the DEIR does not consider potential safety issues or impacts to private property owners due to constructing and maintaining infrastructure in both the existing and proposed alignments.**

As stated in the DEIR, it is possible water infrastructure would be extended to connect to the existing 10-inch main in Shasta Way; however, any new water infrastructure would be located within the existing right-of-way of Grand Avenue rather than following the exact route of the existing General Plan alignment. Grand Avenue currently includes water and sewer lines commencing from the southerly boundary of the site to Shasta Way, and other than temporary construction impacts, no additional impact would occur due to ongoing maintenance. It is likely sewer would connect to Cascade Boulevard.

Response G-3: **The commenter states that the project is inconsistent with the City's General Plan Policy LU-8 as the project lacks connectivity to the existing streets and therefore is an enclave. As such it should result in a significant impact under Impact 4.1.1.**

LU-8 is not a policy but an objective as shown on page 29 of the City's General Plan. Objective LU-8 states:

> "To establish a sense of community "village" quality and character throughout the City."

Nowhere in this "objective" does it require connection to existing city streets. The Area Plan Design Guidelines include provisions to guide and influence the development and will take into consideration the site setting (location in the community), the climate that affects the daily life of the residents, and the history of this area.
Therefore, the project is considered consistent with this objective and would not result in a significant impact.

Response G-4: **The commenter states phasing the project from north to south with a focus of moving vehicles onto the interstate may work against a feeling of connectivity and foster isolation for the life of the project. The commenter also states the DEIR does not indicate whether any development restrictions will be placed on the future parcels to ensure they are not developed prior to future subdivision or other planned development.**

There are several factors that will determine phasing of the project, including financial considerations of the property owners and regulatory agency constraints. The proposed phase boundaries are conceptual in nature and may be amended, revised or combined as development progresses. Mitigation measure **MM 4.3.1d** requires the extension of Wonderland Boulevard to Cascade Boulevard to be constructed prior to occupancy of the 50th housing unit, or earlier if directed by the City in consultation with the Shasta Lake Fire Protection District. The requirement for the road extension applies regardless of the phasing plan.
Placing restrictions on land development is a planning issue not an environmental issue and therefore not addressed in the DEIR. The City may consider imposing development restrictions as a part of the approval process.

Response G-5: **The commenter states that the DEIR does not discuss the direct provision of affordable housing or other means to support a share of the region's affordable housing needs.**

The affordability of housing or the region's affordable housing need is not an environmental issue but a housing and planning issue. The affordability of housing in no way affects the environment. Therefore, housing affordability is not addressed in the DEIR.

Response G-6: **The commenter states that the trail system is somewhat discontinuous and a more coherent and continuous system would encourage more use. The commenter also remarks that it is not clear who will maintain the trail system.**

One of the objectives of the Area Plan is to establish a pedestrian-friendly community that provides a continuous system of trails to link neighborhoods together and provide safe routes to parks and community-serving areas. The Area Plan also includes specific policies for trails.

As stated in the Area Plan, trail design may be flexible to account for topography, wetland features, native trees, sensitive biological habitat, etc. The specific trails plan will be designed during review of subsequent small lot tentative maps, parks plans, or commercial projects. Connectivity may occur along public and private roadways, within easements and in open space areas. The trails will provide access to both residential and non-residential uses.

The Area Plan (Financing and Maintenance of Public Improvements and Services) discusses special assessment districts/community facilities districts that could be formed to provide funding for long-term maintenance of landscaping, open space areas, drainage facilities and trails. The requirement to ensure long-term financing for maintenance will be made a condition of approval for subsequent tentative subdivision maps or other discretionary approvals.

The commenter does not discuss any inadequacies with the DEIR with this comment. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

Response G-7: **The commenter suggests that the expected jobs/housing ratio of 0.28 to 0.32 does not appear to be a desirable ratio for this project and a ratio closer to 1.0 should be expected of a project of this size.**

The commenter does not discuss any inadequacies with the DEIR with this comment. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

Response G-8: **The commenter states that the Transportation and Circulation analysis appears to focus almost exclusively on cars and lack a multi-modal transportation analysis. The commenter states that a multi-modal analysis should be used to show how the project is consistent with the complete streets policies in California Government Code Section 65040.2 and 65302.**

The commenter states that the external circulation, with the exception of Black Canyon Road, appears to be focused on providing access to Interstate 5. The commenter continues and states that the project does not analyze, describe, or provide for multi-modal infrastructure and/or linkages between the development and the existing Redding Area Bus

Authority bus routes. The commenter further states that the project was reviewed for consistency with several adopted plans yet no results were discussed.

Government Code (GC) Section 65040.2 discusses the responsibilities of the Governor's Office of Planning and Research (OPR) to prepare guidelines "*to accommodate the safe and convenient travel of users of streets, roads, and highways in a manner that is suitable to the rural, suburban, or urban context of the general plan, pursuant to subdivision (b) of Section 65302.*"

Government Code Section 65302(b) requires "*upon any substantive revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.*

For purposes of this paragraph, "*users of streets, roads, and highways*" *mean bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.*"

The City is in the process of updating our Circulation Element, which will include policies for ensuring a balanced, multimodal transportation network. Future small-lot tentative maps will be reviewed for compliance with the City's updated Circulation Element.

The EIR is required to analyze whether the project would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. As discussed under **Impact 4.3.7**, Shasta Lake General Plan Policy C-c requires that new neighborhoods provide pedestrian-dedicated facilities, and Policy C-f requires the provision of bicycle facilities. As stated in Section 3.0, Project Description, an internal circulation system, in the form of roads and trails, would link all of the uses in the Area Plan. The system has been designed to encourage walking, biking, and other non-motorized uses.

In addition, the Area Plan includes several policies, objectives and Design in support of multi-modal transportation systems:

- Establish a circulation system that meets local and regional transportation needs and accommodates a variety of transportation modes, including off-street trail systems and on-street bicycle lanes.
- Establish a pedestrian-friendly community that provides a continuous system of trails to link neighborhoods together and provide safe routes to parks and community-serving areas.

The Area Plan provides a description of street sections for roadways within the area plan. All street sections include separated sidewalk, trail easements, street trees and bicycle lanes. This section recognizes the street section may need to be widened in the vicinity of each fire hydrant

or public transit/school bus stops, or at intersections to allow for efficient traffic flow. Streetlights are required with sufficient illumination for pedestrian safety.

Area Plan streets, walks, drainage facilities, water facilities, sewer facilities, and underground utilities shall be based on plans approved by the City staff or utility provider, shall be inspected during construction to assure compliance with City or utility provider requirements, and shall be conveyed to the City staff or utility provider upon completion for operation and maintenance.

Provisions for public transit and school bus stops will be identified during review of subsequent small lot tentative maps in consultation with the Redding Area Bus Authority and Gateway Unified School District. Therefore, **no impact** would occur in terms of alternative transportation.

Response G-9: **The commenter states that there are only two entrance/exit points resulting in serious traffic bottlenecks in the event of an emergency. Emergency access would be easily blocked. Additionally, there should be some integration with the existing roadway system and one additional exit. Finally, the commenter states that a 3,000 foot long cul-de-sac may exceed City and state standards.**

The commenter does not raise any issues regarding the adequacy of the EIR with these comments. As stated previously, an EIR is required to analyze a project as proposed. Re-designing of the roadway system to connect with existing streets is not under the purview of a CEQA analysis. The EIR analyzed the project roadway system as proposed, including emergency access. **Impact 4.3.6** of the DEIR discusses adequate emergency access to the project site. This impact analysis determined that mitigation was necessary to decrease the potential for inadequate emergency access to the site. Implementation of mitigation measure **MM 4.3.6** would decrease potential emergency access impacts to less than significant. The Shasta Lake Fire Protection District (SLFPD) will review all future small-lot tentative maps to determine development-specific SLFPD requirements for emergency access.

Response G-10: **The commenter requests that text referring to the 2009 Air Quality Attainment Plan be revised to reflect the 2012 plan.**

References to the 2009 Air Quality Attainment Plan have been revised to the 2012 plan as requested. The commenter is referred to Section 3.0 of this FEIR for the revisions.

Response G-11: **The commenter states that the Oak Woodlands Conservation Act defines oak trees to be those non-commercial trees of the Quercus genus that are five or more inches in diameter and declares that the project's analysis of trees with a diameter of 10 inches or greater does not account for those trees between five and ten inches. Additionally, the commenter states that mitigation measure MM 4.6.4 does not indicate what species and where the replacement trees will be planted.**

The commenter is referred to Response F-17 for further information on oak tree mitigation (Section 3.0 of the FEIR).

Mitigation measure **MM 4.6.4** has been revised to specify the replacement trees shall be native trees unless otherwise approved by the Development Services Director. Additionally, mitigation measure **MM 4.6.4** requires a tree replacement plan be submitted showing the number, location and type of trees to be planted.

As noted, the City is not subject to the Oak Woodlands Conservation Act. Notwithstanding the legal inapplicability of these mitigation standards, the project has endeavored to follow the spirit of 21083.4's statutory provisions by balancing the project's oak woodland mitigation between both replacement planting and oak woodland set-aside as outlined in the express terms of the statute.

Response G-12: **The commenter states that the DEIR does not identify the costs associated with achieving the safety to population ratio proposed in the Area Plan.**

CEQA does not require the identification of costs associated with achieving mitigation. An EIR is an analysis of a project's impact on the physical environment. Fiscal analysis is not required. CEQA Guidelines Section 15362 defines an EIR as:

> "EIR" or "Environmental Impact Report" means a detailed statement prepared under CEQA describing and analyzing the significant environmental effects of a project and discussing ways to mitigate or avoid the effects."

CEQA Guidelines Section 15358(b) defines effects as:

> "Effects analyzed under CEQA must be related to a physical change."

Therefore, the cost of providing future public safety officers has not been included in the DEIR.

As stated in the Area Plan, a Fiscal Impact Analysis (FIA) for the project was prepared to determine the estimated fiscal impacts on the City in connection with the proposed development and will be included in information provided to the Planning Commission and City Council.

Response G-13: **The commenter states that the DEIR does not fully analyze the need to expand or develop a new school site. The commenter continues and states that holding an area of land for a school for only three years after the small-lot subdivision is approved is not an adequate amount of time and this period should be longer.**

Regarding the need for expanded or additional school facilities, DEIR **Impact 4.11.3.1** identifies a potential of 1,123 new students and the potential need for school facilities as well as California Government Code Section 65995(h) which states that:

> *"the payment or satisfaction of a fee, charge or other requirement levied or imposed…[is] deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities."*

In addition, the School District is in the process of updating its School Facilities Master Plan which will include an assessment of the District's short- and long-term facility needs and identify required additions or major alterations to existing buildings/schools; the location and timing for the construction of new buildings/schools; and the selection and purchase of school sites for future expansion.

It is anticipated the Master Plan will be adopted prior to submittal of a small-lot tentative map for the Mountain Gate at Shasta project, at which time the School District will have a better idea of the timing and location for a new school within the project boundaries.

Regarding the commenter's statement about a longer time period for a land set-aside for school facilities, the commenter is referred to Response A-6 and revised mitigation measure **MM 4.11.3.1.**

The analysis under **Impact 4.11.3.1** is considered adequate for determining future school need.

Response G-14: **The commenter states that the Shasta County Air Quality Management District (SCAQMD) recommended the greenhouse gas analysis use consistency with Assembly Bill 32 (AB 32) as a guide for significance. In addition, the commenter requests a rephrasing of "District Percentage Reduction Threshold" in Table 4.13-7 to reflect consistency with AB 32 reductions.**

The resultant GHG emissions of the proposed project were calculated using the California Emissions Estimator Model (CalEEMod), version 2013.2.1, computer program which is an industry acceptable approach used on a regular basis. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for the use of government agencies, land use planners, and environmental professionals.

"District Percentage Reduction Threshold" in **Table 4.13-7** has been rephrased to reflect consistency with AB 32 reductions. The commenter is referred to Section 3.0 of this FEIR for this revision.

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LETTER 1

TONY G. JUNCAL

Letter 1

Carla Thompson

From: Tony Juncal <tony_juncale@sbcglobal.net>
Sent: Saturday, May 10, 2014 2:54 PM
To: Carla Thompson
Subject: Mountain Gate Project

Carla Thompson:
Although some people may worry about environmental impacts, I think this project is a wonderful idea. Let's bring more people to enjoy beautiful Shasta County and everything it has to offer. I do own a property in Mountain Gate (parcel # 306-230-020-000) and two others in Shasta Lake City (parcels # 005-230-012-000 and 007-110-013-000). **1-1**
I would be willing to sacrifice a little space and time on the roads, if necessary in order to share this wonderful area of Northern California with others. You have my definite "Yes" vote for this project and thanks for sharing.

Respectfully,
Tony G. Juncal

Letter 1 Tony G. Juncal, Resident

Response 1-1: The commenter states his approval of the project.

No issue relating to the adequacy of the EIR has been raised. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

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LETTER 2

ROBERT NELSON

Letter 2

Carla Thompson

From: bobleann@charter.net
Sent: Saturday, June 14, 2014 4:00 PM
To: Carla Thompson
Subject: Mt Gate project

This plan seems very poorly thought out and I ask for reconsideration before carrying forward. The Deer Creek housing development has a total of 2 houses after years of investment and expenditure. On the the Shasta Lake front page it asks residents to save water and this project would add 1600 hookups to the 3,500 that exist. **2-1**

The displacement of wildlife and destruction of open space certainly will not be justified by yet another round of expenditures for this likely stillborn project. **2-2**

Sincerely,

Robert Nelson
18251 Ranchera Road

LETTER 2 ROBERT NELSON, RESIDENT

Response 2-1: **The commenter states that the plan seems very poorly thought out and asks for reconsideration of the project before carrying it forward. The commenter then provides an example of a similar housing project that has not met expectations. The commenter also provides a comment regarding the Shasta Lake front page requesting water savings and states that the proposed project will add 1,600 hookups to the 3,500 hookups that currently exist.**

No issue relating to the adequacy of the EIR has been raised. Regarding water shortages, as is indicated under **Impact 4.10.1.1**, a water supply assessment was completed for the proposed project. This assessment determined that the city has adequate water supply under long-term contracts to serve the project.

During drought years the project would be required to comply with the City's Water Conservation and Drought Contingency Plan, which imposes water use restrictions based on the City's available water supply. Under the worst-case scenario, City Council would declare a Stage 5 Critical Water Shortage Emergency during which time no new residential development would be allowed. The proposed project also would be subject to the City's Water Efficient Landscape Ordinance which would reduce water use.

In addition, the Area Plan includes water conservation requirements and states the Project will be limited to a community-wide annual average of 400 gallons per household per day. Developers will be required to implement all reasonable and sustainable water conservation measures in place at the time of building permit approval. The intent of this requirement is to ensure that water conservation is considered and incorporated into each new home constructed within the Area Plan.

Mitigation measure **MM 4.10.1.1** requires that prior to approval of subsequent development (e.g., further subdivision of the property, conditional use permit, etc.), the project applicant must demonstrate water supply availability.

The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

Response 2-2: **The commenter states the displacement of wildlife and destruction of open space is not justified by another round of expenditures for this likely stillborn project.**

No issue relating to the adequacy of the EIR has been raised. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

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LETTER 3

SCOTT WEBBER

Letter 3

Carla Thompson

From: Scott Webber <swebber1969@gmail.com>
Sent: Monday, June 16, 2014 6:04 PM
To: Carla Thompson
Subject: opinion of new development off Wonderland Blvd.

I wouldn't be bothered by good development of that land except to even consider ANY new building during this drought is purely crazy and unfair to the present residents who are already struggling to get enough water! 3-1
Webber Family

LETTER 3 SCOTT WEBBER, RESIDENT

Response 3-1: **The commenter states that to consider building during this drought is unfair to the existing residents already struggling to get enough water.**

No issue relating to the adequacy of the EIR has been raised. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project. The commenter is referred to Response 2-1 and 8-2 regarding water supply.

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LETTER 4

ROBERT L. ALGER

Letter 4

City of Shasta Lake
Mountain Gate at Shasta
Draft Environmental Impact Report

Public Comment Period: April 18, 2014 – June 14, 2014

Comment Deadline: June 18, 2014, 4:00 PM

NOTE: **Name, address and phone number are not required in order to provide a comment**

This form is provided only as a guide. Completion of the form is not required, and comments may be submitted in any written manner.

NAME: ROBERT L. ALGER

ADDRESS: 5369 GRAND AVE.

CITY: SHASTA LAKE **STATE:** CA **ZIP:** 96019-9707

PHONE: 530-275-1740 **EMAIL:** —

Submit completed forms or other written comments and supporting evidence to:

Carla L. Thompson, AICP
Development Services Director
City of Shasta Lake
P.O. Box 777 • 1650 Stanton Drive
Shasta Lake, CA 96019

530.275.7460 cthompson@cityofshastalake.org

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Letter 4 Continued

MOUNTAIN GATE AT SHASTA DRAFT ENVIRONMENTAL IMPACT REPORT

COMMENT 1:

DEIR Section Name PROJECT DESCRIPTION **Page #** 3.0-23

I believe the analysis included in this Section is inadequate because:

THE PROPOSED ALIGNMENT CHANGE DOES NOT APPEAR TO TAKE INTO ACCOUNT THE SIGNIFICANT AND UNAVOIDABLE ECONOMIC AND QUALITY OF LIFE LOSSES WHICH WILL OCCURE TO MY HOME AND PROPERTY, APN 007-380-003-000.

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

SEE ATTACHMENT "A"

The following data or references are offered in support of this comment:

SEE ATTACHMENT "A"

COMMENT 2:

DEIR Section Name _____ **Page #** _____

I believe the analysis included in this Section is inadequate because:

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

Letter 4 Continued

ATTACHMENT "A"

1) The current 2014, proposed alignment of the southernmost access road, labeled Road A in the EIR, would adversely affect my home and property located at: 5369 Grand Avenue, in Shasta Lake, by creating the following:
   a) Considerable potential economic losses
      i) Loss of property value
      ii) Loss of potential property buyers
         (1) My home and land becomes an "island" between the school and the new road.

4-1

2) Substantial overall quality of life losses
   a) The loss of my neighbor, Christine Rocha at 5373 Grand Avenue.
      i) Neighboring friendship and protection
      ii) Joint neighboring property improvements projects are placed on hold
      iii) Just having a neighbor

4-2

3) The loss of enjoyment of the native flora and fauna and their habitat.
   a) Deer trails and their sleeping areas
   b) 24 species of birds have been identified on my personal bird list

4-3

4) My loss of privacy and peace of mind.
   a) My property will be transformed into a corner lot.
      i) Decreases my resale value and chance of selling it.
      ii) I have lived on a corner lot once and vowed never to do it again.
   b) A corner lot will be subjected to an onslaught of nuisances.
      i) Sleeping disruptions
      ii) Privacy losses
      iii) Increased stress level

4-4

5) My property will experience a growth of disruptions that are currently not found here.
   a) Populace
   b) Road traffic at all times of the day and night
      i) Autos, bikes and pedestrians
      ii) Service and delivery trucks
      iii) Construction traffic of all types
      iv) Emergency response vehicles of sheriffs, fire trucks and ambulances with flashing lights and sirens
      v) Noise level increases and air quality decreases due to the new road
      vi) Loss of the night-time sky

4-5

6) Grand Oaks Elementary School (4.11-13 through 4.11-19)
   a) The effects of the increased enrollment this project will generate upon my neighboring school will only enhance the problems I currently experience with school activities.
      i) Blocked driveways by parents dropping off and picking up their children daily
      ii) Due to the inadequate parking the school offers, the overflow parking extends into the neighborhood, and will increase substantially
      iii) Litter and noise increases

4-6

Letter 4 Continued

ATTACHMENT "A"

7) Unknown issues
   a) Due to the project phased 1 – 3 development plan there is considerable information concerning the road "build-out" conditions that appear to be missing in this draft EIR.
      i) RE: Pages 3.0-5,3.0-7,3.0-11,3.0-14,3.0-15 and 3.0-23
      ii) When detailed plans and specifications for this road are submitted for public review, any design issues that could affect my property in any manor will be addressed during the public comment period.

4-7

8) Current general plan alignment of 1999
   a) I was recently informed by David Temblador and Carla Thompson that this plan was approved in 1999.
   b) In September of 2002 I was in the process of buying the property located at 5369 Grand Avenue.
      i) At that time neither the seller, Karon Delvalley of Shasta Lake, or the realtor Blue Ribbon Properties of Shasta Lake, or the realtor's associate, Korene Springer of Shasta Lake informed me of the 1999 Shasta Lake general plan alignment.
      ii) Had there been full disclosure by the seller and the realtor concerning the 1999 general plan, I NEVER would have purchased the property.

4-8

9) These significant impacts the proposed road alignment would have on my property were discussed at a meeting I had with Carla Thompson on June 12, 2014.
   a) Ms. Thompson agreed that I have legitimate and significant concerns about the location of the new road alignment.
      i) One possible solution to my problem would be to sell my property to the developers, SBM, or to the school district.
      ii) Ms. Thompson said that she would contact both parties and communicate to them that I was open to discussions to purchase my property.

4-9

In conclusion, I would appreciate your consideration of my situation and my hope is that we could reach an amicable agreement so that we can avoid litigation.

Sincerely,

Robert L. Alger

Robert L. Alger
5369 Grand Avenue
Shasta Lake, CA 96019

LETTER 4 ROBERT L. ALGER, RESIDENT

Response 4-1: **The commenter states that the proposed alignment of Road A would adversely affect his home and property by creating a considerable potential economic loss.**

An EIR is required to analyze impacts on the physical environment. Economic loss is not considered an impact to physical environment under CEQA. CEQA Guidelines Section 15131 addresses economic and social effects of a project stating that:

> "(a) Economic or social effects of a project shall not be treated as significant effects on the environment."

While an EIR can consider the economic impact a project may have, this analysis can only consider those impacts to the physical environment. For example, an EIR can determine that the construction of a large multipurpose wholesale store would indirectly cause the closure of many smaller single purpose stores. The closure of these stores may result in bringing about blight to the city which would then in turn cause impacts to the physical environment such as the deterioration of the buildings resulting in the release of hazardous materials to the environment.

No issue relating to the adequacy of the EIR has been raised. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

Response 4-2: **The commenter states that he will have substantial loss to overall quality of life including the loss of neighboring friendships and joint neighboring property improvements.**

The commenter does not discuss any inadequacies with the DEIR with this comment. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

Response 4-3: **The commenter discusses the loss of the enjoyment of the native flora and fauna and their habitat.**

The commenter does not discuss any inadequacies with the DEIR with this comment. However, while the commenter does not specifically refer to inadequacies in the biological resources section of the DEIR, as a point of clarification, Section 4.6 of the DEIR discusses the biological resources in and around the project area and identifies a number of special status species that may be affected with development of the project. A site-specific biological study conducted and prepared by North Fork Associates was completed for the proposed project, which is included as **Appendix 4.6** of the DEIR. The Standards of Significance of Section 4.6 lists the thresholds used to determine if a project will have an impact to biological resources. The commenter is also referred to Response F-1.

Response 4-4: **The commenter states that the project will decrease the resale value and the ability to sell his property, turn his property into a corner lot, result in sleeping disruptions and privacy losses, and increase levels of stress.**

The commenter does not discuss any inadequacies with the DEIR with this comment. The commenter is referred to Response 4-1 for economic losses. Additionally, the commenter is referred to Section 4.5, Noise, which discusses the potential noise levels of the proposed project. **Table 4.5-8** illustrates the anticipated noise levels without and with the proposed project. As is shown, none of the project-resultant noise levels would increase enough to surpass significance thresholds with the project.

Response 4-5: **The commenter discusses how his property will be affected by the proposed project through the increase of population and the increase of road traffic.**

No issue relating to the adequacy of the EIR has been raised. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

Response 4-6: **The commenter states that the project will exacerbate problems already experienced by the neighborhood from the Grand Oaks Elementary School including: blocked driveways, overflow parking onto neighborhood street, and litter and noise increase.**

No issue relating to the adequacy of the EIR has been raised. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

Response 4-7: **The commenter states that there appears to be considerable information concerning the road build-out conditions missing in the DEIR. The commenter continues and lists a number of pages in Section 3.0, Project Description, where this information is missing.**

The commenter does not provide any specificity as to what this missing information would include. However, as a point of clarification, the proposed project is an Area Plan. Area Plans by definition are large overviews of an area showing proposed land uses and main circulation routes. Thus, by design, Area Plans are not specific in internal roadway configurations. Specific street layout and connectivity, identification of individual developable parcels, public utility infrastructure, etc., will be identified with future small-lot tentative maps and/or other discretionary permit applications.

Response 4-8: **The commenter discusses his experience with the non-disclosure of the 1999 Shasta Lake General Plan alignment for the proposed Road "A" when he was in the process of buying his property.**

The commenter does not discuss any inadequacies with the DEIR with this comment. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

Response 4-9: **The commenter discusses his meetings regarding the project and his property with the City Development Services Director and his openness to discuss selling his property to the applicant.**

No issue relating to the adequacy of the EIR has been raised. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

LETTER 5

TONI MAYO

Letter 5

Carla Thompson

From: Toni Mayo <tonimayo@sbcglobal.net>
Sent: Saturday, June 14, 2014 8:37 AM
To: Carla Thompson
Subject: Mountain Gate at Shasta Area Plan

I am a resident of Shasta Lake, I am wondering why in the world the city would even think about this project. Look around this city we have many empty houses, houses that need repair and up keep. What about helping these people out. We have an industrial area which is not even full of business, but yet the city is proposing to build more houses and commercial spaces that will be empty. We are having one of the worst drought years in history, residents are asked to cut back, but you are proposing more buildings to take more water. This is an outrageous plan I am opposed to this project. Take care of our city as it is before you allow more building. **5-1**

Toni Mayo
1903 Locust Ave
Shasta Lake, CA
275-6902

LETTER 5 TONI MAYO, RESIDENT

Response 5-1: **The commenter states her opposition to the project and lists a number of reasons.**

The commenter does not discuss any inadequacies with the DEIR with this comment. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

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LETTER 6

PAT CHASE

Letter 6

Carla Thompson

From: vball@c-zone.net
Sent: Wednesday, June 18, 2014 9:55 AM
To: Carla Thompson
Subject: DEIR for Mountain Gate at Shasta Project

Carla Thompson:

I have some concerns about the proposed development of the area commonly known as the "Peri Property" and referred to as the Mountain Gate at Shasta Project in a recently published DEIR.

Obviously, water will be a major issue for this proposed project, especially in light of California's long term drought. In the Project Description, Section 3.0, the DEIR mentions the possible use of a one million gallon water storage tank. However, the report does not discuss the potential location or elevation needed to make such a tank efficient and functional. Is there an elevation high enough on this property to facilitate water flow from a tank? If not properly placed, such a tank would be almost useless. **6-1**

In Section 4.8 of the Hydrology and Water Quality portion of the DEIR, the report acknowledges potential problems with changes in water runoff patterns and drainage due to this development. Add in the fact that part of this project sits on a 100 year flood plain area and the potential for problems increases. For years, the flood plain and wetlands areas have been an attractive nuisance for local mud boggers during the rainy season. Who would knowingly want a home in an area with those sort of drainage issues? **6-2**

The City of Shasta Lake needs to take a hard, critical look at this new project, especially in light of the fiasco at Deer Creek Manor, a much smaller project that continues to be virtually vacant.

Sincerely,

Pat Chase
Box 5592
Shasta Lake, CA 96089
530-275-1309

LETTER 6 PAT CHASE, RESIDENT

Response 6-1: **The commenter states water will be a major issue for the project, especially in light of the drought. The commenter also states the DEIR does not discuss the location or elevation needed for the project's one million gallon water storage tank.**

The location and elevation of the tank, including an alternative site, is described on pages 3.0-21, 4.10-15 and 4.10-16 of the DEIR. **Figure 4.10-1** shows the water tank site and alternative site. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project. The commenter is also referred to Response 10-25 for additional information on the potential water tank sites. The commenter is referred to Response 2-1 and 8-2 for more information on water supply.

Response 6-2: **The commenter discusses runoff, drainage and 100-year floodplain issues with the property and acknowledges that the DEIR analyzed potential impacts to drainage from storm water runoff. The commenter continues and asks who would knowingly want a home in an area with these drainage issues.**

The commenter does not discuss any inadequacies with the DEIR with this comment. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

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LETTER 7

ANONYMOUS

Letter 7

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Development Disservice
Carla Thompson
p.o. Box 777
Shasta Lake
Calif

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This is a comment on the proposed Development of the Old Endicott Property (Mt Meadows Inc.) who is L.L.C. what foreign country

7-1

1st Where is all the water coming from for this huge development - We are already at a crisis here -

2nd Do we want more of L.A.'s problems brought to our beautiful country?

7-2

Congestion — 2 or 3 cars per house plus - 1 car per Hotel room plus commercial use - 4000 — 5000 ??

More drugs - alcohol -

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CITY OF SHASTA LAKE
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Just because L-h.c.'s investers are pushing for more development to get more money in their pockets — while they live else where — why do we have to support their greed

Please say no—

Electricity takes more water
Sewage takes more water
Landscaping takes water
Pools take water

How many business building are already empty-
Law enforcement is already over whelmed

Please no new problems.

Sorry just had hand surgery & can't write at all well—

7-3

LETTER 7 NO NAME GIVEN

Response 7-1: **The commenter asks where all the water to serve the project would come from.**

The commenter is referred to Responses 2-1 and 8-2, which discuss water supply.

Response 7-2: **The commenter asks if the City wants more of L.A.'s problems brought to our area such as traffic congestion, and more drugs and alcohol.**

The commenter does not discuss any inadequacies with the DEIR with this comment. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

Response 7-3: **The commenter states his/her objection to the proposed project for a number of reasons such as electricity use, sewage, water shortages, empty businesses, and law enforcement shortages.**

The commenter does not discuss any inadequacies with the DEIR with this comment. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

LETTER 8

HEIDI STRAND

Letter 8

Carla Thompson

From: hswriter@frontiernet.net
Sent: Wednesday, June 18, 2014 11:38 AM
To: Carla Thompson; mysecretfires@yahoo.com
Subject: Official comment, Mountain Gate at Shasta Housing/business development.

Dear Carla,

In case the comment deadline is not extended on this project, I would like to officially submit the following comments:

The Corp of Engineers previously submitted a scathing letter regarding the project's initial 'study' of the site's wetlands. In reviewing the EIR on this project, I see the proponents of the project have once again failed to reach the requirements set forth by the Corp of Engineers.The wetlands analysis is inadequate to protect the recognized wetlands in any meaningful way and must be redone. **8-1**

The critical issue of where the 1,604 homes and a large, full service shopping center would get their water was not adequately addressed. In a quick reading of the project, the only references to water I found was several references to a major pipeline coming from Shasta Lake City to the project via the projects new main road. **8-2**

Has a new contract been negotiated with the Bureau of Reclamation? It is my understanding that the City of Shasta Lake is currently lacking in water and petitioning the Bureau for an inch more water in their allotment. California is facing ongoing drought conditions. Water is a critical issue that has not been adequately addressed in the EIR and must be redone. **8-3**

An increase to Shasta Lake City's water allotment from the Bureau of Reclamation, a federal agency is a critical requirement for the project. Without this increase of water, the project is dead. This means a federal action is not only important, it is critical to the project. Whenever a project's viability is dependent on a federal action, it is legally and morally a federal project requiring the federal agency critical to the project to take a lead role. **8-4**

The issue of water is critical to this project. The Bureau of Reclamation must be the lead agency and start this project over so that citizens may meaningfully participate in the process. **8-5**

Respectfully submitted: 11:40 A.M. June 18, 2014

Heidi Strand,Co-coordinator Citizens for Clean Air
P.O. Box 172, Whitmore, CA 96096

LETTER 8 HEIDI STRAND, CITIZENS FOR CLEAN AIR

Response 8-1: **The commenter states that the wetlands analysis is inadequate to protect the recognized wetlands and must be redone.**

The City acknowledges that due to drought conditions and impacts from climate change, biological resource assessments completed today will likely not have the same result as studies conducted at the time future land development applications are submitted by the developer. Build-out of the Area Plan is expected to occur over a 20-year period and it is guaranteed that environmental conditions will fluctuate during that 20-year period. In addition, Special Status Species lists for plants and wildlife as well as surveying methods and guidelines from regulatory agencies over this 20-year period will change.

For these reasons, mitigation measure **MM 4.6.1d** has been added to require subsequent biological/wetland analyses to be completed prior to submitting applications for subsequent tentative subdivision maps or other discretionary projects.

MM 4.6.1d requires field surveys to be conducted on foot and at times when the subject species are most likely to be identified. Time in the field shall be proportional to the size of the project site, biological characteristics of the site, and the significance of sensitive habitats present. The assessment will include analysis of any waterways or wetlands.

When subsequent applications are submitted, the City will consult with applicable regulatory agencies (e.g., California Department of Fish and Wildlife (CDFW), Regional Water Quality Control Board (RWQCB), Army Corp of Engineers (ACOE), etc.) in preparation of any required mitigation plans. Mitigation measures **MM 4.6.3a** and **MM 4.6.3b** are also included to ensure implementation of all CDFW, RWQCB and USACE requirements.

See Response F-1 for the complete text of **MM 4.6.1d.**

Response 8-2: **The commenter states that the issue of water supply was not adequately addressed in the DEIR.**

The City's water supply discussion starts on DEIR page 4.10-1. The City obtains its water from the federal Central Valley Project (CVP) through a contract with the U.S. Bureau of Reclamation (BOR). Water supplied from the City would be conveyed to the project site though pipelines in the roadway system. Additionally, a one million gallon reservoir tank will be located adjacent to or within the project area. This tank will also connect to the Area Plan's water system as is shown on **Figure 4.10-1** of the DEIR.

As a part of the environmental analysis, a Water Supply Assessment (WSA) was competed, which is included as **Appendix 4.10-1** of the DEIR. This WSA shows that the City has long-term water contracts that can provide up to 6,755 acre-feet per year. Water demand, as shown in **Table 4.10-2**, of the DEIR has averaged 2,354 acre-feet over the previous five years. The City

has an available water supply to provide an additional 4,401 acre-feet per year. The proposed project site was included in the City's Master Water Plan calculations of demand with a total unit demand of 2,141 household equivalents (HE) or approximately 1,919 AF of water per year.

As shown in **Table 4.10-3**, the total demand on the City's water system from the proposed project and other approved projects is between 1,174 and 1,760 acre-feet per year at full buildout. This is less than the assumed 1,919 acre-feet demand for the proposed project site assumed in the Master Water Plan and less than the available water supply of 4,401 acre-feet per year. The total water demand from **Table 4.10-3** (high demand) and the existing five-year average shown in **Table 4.10-2** is 4,114 acre-feet per year, which is less than the maximum total 6,755 acre-feet of water under long-term contract with the City. As a result, during normal water years, the impact of the proposed project on water supplies is less than significant.

However, as is stated in the DEIR, the proposed project results in large parcels intended for subsequent land division and development. As shown in this section, during normal water years there is sufficient water supply to meet the needs of the project. It is possible subsequent projects may be proposed during drought years and that there would be insufficient water to meet project needs.

As the City has a single water source that is regulated by the BOR, the only feasible mitigation during drought years is to delay project approvals until the water supply returns to normal as is stated in mitigation measure **MM 4.10.1.1**. As mitigation measure **MM 4.10.1.1** does not increase the amount of water or reduce the water demand to the levels discussed in this section, this impact is considered **significant and unavoidable.**

Based on the above information and information provided in the DEIR, water supply is considered to be adequately addressed in the DEIR.

Response 8-3: **The commenter asks if the City has negotiated a new contract with the BOR. The commenter states that water is a critical issue that has not been addressed in the DEIR and must be redone.**

The commenter is referred to Response 8-2 for a discussion of the water supply analysis.

Response 8-4: **The commenter states that BOR should take a lead role in the project as the project is dependent on water allotment from this agency.**

The lead agency for the proposed project is the City of Shasta Lake as the City has final approval of the project. CEQA Guidelines Section 15051 (b) states:

> "If the project is to be carried out by a nongovernmental person or entity, the Lead Agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole."

In this case, the City has the greatest responsibility for approving the project. The City's water allocation from the BOR is a contract between the City and the BOR, not the project proponent. The City has the authority to deny the project independent of water supply, although the lack of water could be one reason for denying the project. The BOR on the other hand does not have the authority to deny the project.

Response 8-5: **The commenter reiterates her claim that the BOR should be the lead agency.**

The commenter is referred to Response 8-4.

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LETTER 9

CELESTE DRAISNER

Letter 9

June 18, 2014

Shasta Lake City Council
1650 Stanton Drive
Shasta Lake, CA 96019

Dear Shasta Lake City Council/ Planning Department;

Citizens For Clean Air would like to formally submit comments on the proposed infrastructure development project by Charles M. Somers [*Mountaingate at Shasta*] that could benefit the 3M Moody Flats Quarry project.

New information regarding the main access road for the 3M Moody Flats Quarry has changed, according to recent documents release by Shasta County to the City of0 Shasta Lake. The change in road planning constitutes a significant change in the project and therefore requires a re-circulation of the *Mountaingate at Shasta DEIR* (Draft Environmental Impact Report) and an extension of the comment period.

9-1

Considering the importance of this proposed project, the public should have an opportunity to more closely study the two proposed maps of quarry and housing development road infrastructure.

A public agency must comply with CEQA when it undertakes an activity defined by CEQA as a "project." A project is an activity undertaken by a public agency or a private activity which must receive some discretionary approval (meaning that the agency has the authority to deny the requested permit or approval) from a government agency which may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment.

In the UC CEQA Handbook: 2.3 - Project Definition it states:

A Subsequent EIR is prepared for projects that change substantially due to new information, a changed project description, or changed circumstances within which the project would take place. It is tiered from a Program or Project EIR. Generally, new information requiring a Subsequent EIR would pertain to significant effects that were not previously analyzed. A subsequent EIR must receive the same circulation and review as the previous EIR (CEQA Guidelines Section 15162).

9-2

A Supplement to an EIR may be prepared for projects in which only minor changes would be necessary to make the previous EIR adequate for the project as revised. A Supplement to an EIR may be circulated by itself without recirculating the previous Draft or Final EIR, but the Supplement must receive the same circulation and review as the previous EIR (CEQA Guidelines Section 15163).

CEQA Guidelines provide objectives, criteria and procedures for the orderly evaluation of projects and the preparation of environmental impact reports, negative declarations, and mitigated negative declarations by public agencies. The fundamental purpose of the Guidelines is to make the CEQA process comprehensible to those who administer it, to those subject to it, and to those for whose benefit it exists. The Guidelines are more than mere regulations which implement CEQA. They incorporate and interpret both the statutory mandates of CEQA and the principles advanced by judicial decisions.

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Letter 9 Continued

A map (figure 3.0-3) of this proposed "housing development" can be found on page 3.0-6 of the *Mountaingate at Shasta Draft Environmental Impact Report*

If you look at the top right corner of the map, you will note that the color is in red. Nothing else is in red. On the overhead projector at the scoping meeting held back in April of 2012, the proposed tentative map said "heavy industrial." Ed W. Coleman pointed it out to Heidi Strand and others. He seemed to think it would be the last time anyone would ever see it thus listed. **9-3**

Also note the proximity of the wetlands, which are often home to many endangered species.

The idea that the City of Shasta Lake wants homeowners to buy houses next to a proposed quarry and simply *fail to mention to prospective buyers* that a massive quarry is going to be using their road access seems an outrage on its own. "Here buy this property, but it won't be worth as much later!" **9-4**

Why would the City of Shasta Lake in good conscience do such a thing?

On page 3.0-10 of the *Mountaingate at Shasta Initial Environmental Study* it says, under the Land Use chart, "Accessory Uses Appurtenant to the Permitted Use"

On page 3.0-9 of the *Mountaingate at Shasta Initial Environmental Study* it says, "This map would provide a single roadway connection between the Mountaingate Wonderland Boulevard Interchange to the north and Shasta Dam Boulevard to the south. The alignment of the roadways would also contain the major water and sewer conduits connecting the proposed project with the existing City of Shasta Lake Utilities." **9-5**

Look again at the 3M Quarry Maps: both the **new and the old map.**

Allowing Charles M. Somers a tentative map, allows infrastructure to be provided directly to the quarry site.

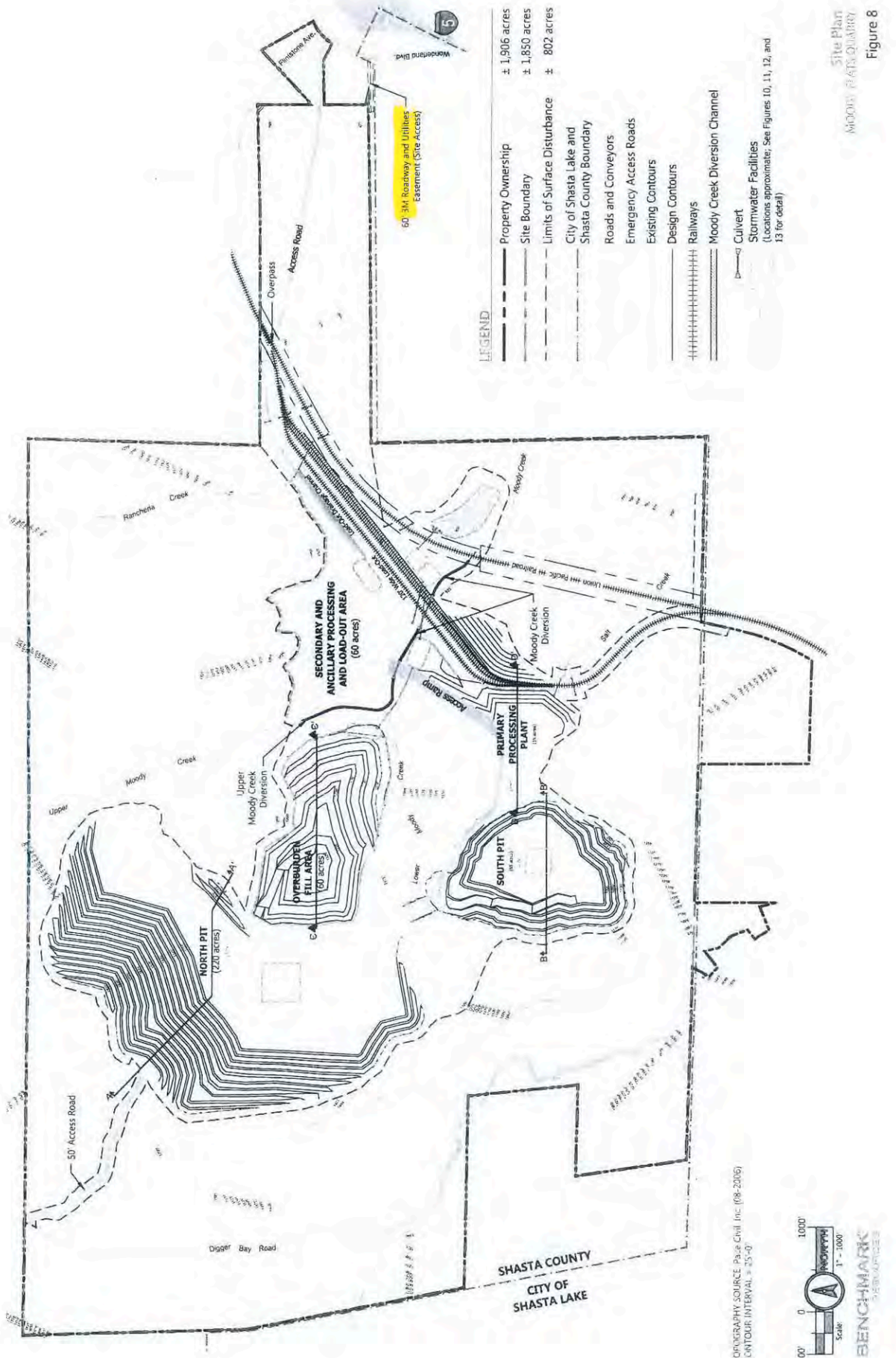
CEQA is a self-executing statute. Public agencies are entrusted with compliance with CEQA and its provisions are enforced, as necessary, by the public through litigation and the threat thereof.

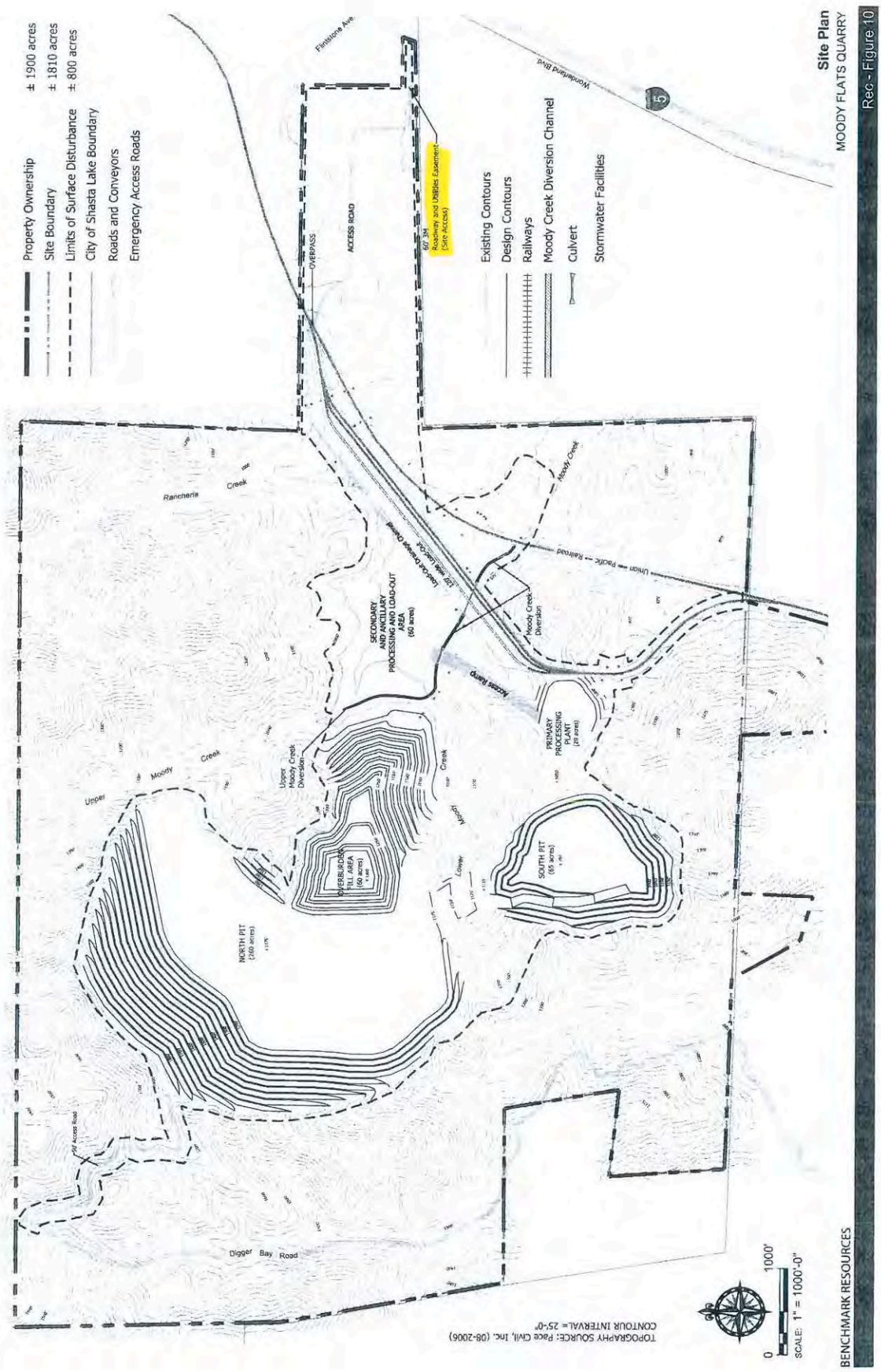
Sincerely,

Celeste Draisner

Media Affairs Specialist
Citizens For Clean Air
P.O. Box 172
Whitmore, CA 96096
530-223-0197

Letter 9 Continued





Original Map - 3M's Road is Charles M. Somers' ROAD

Letter 9 Continued

3.0 PROJECT DESCRIPTION

Existing roadway access to the site is from Wonderland Boulevard, which dead-ends at the property gate adjacent to I-5. Access to the project site would be from the Mountain Gate interchange with I-5 at the north end of the project site and via a planned roadway extension south to Shasta Dam Boulevard via either Cascade Boulevard or Shasta Way. Additional emergency access points will be provided as determined by the Shasta Lake Fire Protection District. (See **Figure 3.0-2, Project Circulation**.)

3.3 PROPOSED PROJECT

SUMMARY

The City of Shasta Lake has received applications for a project that consists of the following four elements: (1) General Plan Amendment, (2) Area Plan adoption, (3) rezone and (4) approval of a tentative map.

General Plan Amendment

The project proposes a General Plan Amendment (GPA 11-01) that would redesignate approximately 141 acres of the project area to Mixed Use (MU) consistent with the remaining 449 acres of the site. This would entail redesignating approximately 23 acres of the site currently designated Urban Residential High (URH) and approximately 118 acres of the site currently designated Suburban Residential (SR). The remaining project area is currently designated MU consistent with proposed use of the site. The General Plan amendment would result in the entire 590-acre project area being designated MU. (See **Table 3.0-5**.)

Area Plan

The project proposes adoption of the Mountain Gate at Shasta Area Plan (Area Plan), which would allow for a theoretical maximum of 1,787 dwelling units; however, topography and site constraints would limit the overall density. Approximately 1,604 units is considered the development limit of the site in this EIR. The Area Plan also could lead to approximately 195,584 square feet of non-residential development on approximately 590 acres (Proposed Project). (See **Figure 3.0-3, Schematic Land Plan**.)

The Area Plan establishes land use designations and a circulation pattern for the project site. The Area Plan provides for different land use patterns and divides the property into areas A through U. As shown in **Table 3.0-1**, the Area Plan also provides for a mix of residential and non-residential uses with differing densities.

Residential Uses

Housing types are expected to vary in each of the plan areas as project design incorporates the project site topography and site amenities. **Table 3.0-2** provides a summary of the housing types anticipated in the Plan. Note that several different housing types can occur in each of the plan areas; however, the Area Plan limits overall density in each area.

Non-Residential Uses

Non-residential land uses are concentrated in areas A and H as shown in **Figure 3.0-3** and **Table 3.0-1**. Area A allows for traditional commercial development; however, the uses in this area would be limited by the planned development zone for the proposed project. Area H is intended as a mixed-use urban center and would contain both residential and non-residential

Letter 9 Continued

Policy	Consistency Analysis
PUBLIC SAFETY GROUP: FIRE SAFETY AND SHERIFF PROTECTION	
FS-1: Protect development from wildland and non-wildland fires by requiring new development projects to incorporate effective site and building design measures commensurate with level of potential risk presented by such a hazard and by discouraging and/or preventing development from locating in high risk fire hazard areas.	The Project site is designated as an area that may contain substantial forest fire risks by the California Department of Forestry. Property owners within these areas are subject to the requirements of Public Resource Code Sections 4125 and 4142.
FS-a: All new land use projects shall conform to the County Fire Safety Standards.	Moody Flats Quarry will conform to all applicable County Fire Safety Standards.
FS-b: Known fire hazard information should be reported as part of every General Plan amendment, zone change, use permit, variance, building site approval, and all other land development applications subject to the requirements of the California Environmental Quality Act (CEQA).	See FS-1, above.
FS-d: New development in areas designated Urban Residential and Suburban Residential should be encouraged to incorporate effective site planning and structural design features designed to prevent and deter crime.	This policy does not apply as the Applicant is requesting a zone change and general plan amendment to remove the Suburban Residential General Plan designation and Interim Rural Residential zoning designations (see Project Description).
PUBLIC SAFETY GROUP: NOISE	
N-1: To protect County residents from the harmful and annoying effects of exposure to excessive noise.	An Environmental Noise Assessment (ENA) was prepared and included as Appendix M. The ENA identified noise levels from Project operation at the closest receptors to the site. The ENA concluded that noise levels from the Project would exceed County noise standards at some surrounding receptor locations. The ENA identified mitigation measures that would reduce these exceedences below County noise standards.
N-2: To protect the economic base of the County by preventing incompatible land uses from encroaching upon existing or programmed land uses likely to create significant noise impacts.	The Project has dealt with this in two respects. First, we are requesting a rezone and general plan amendment to parcels not currently designated as Mineral Resources. Second, the Project and associated facilities have been located in areas of the 1,900-acre site at significant distances from surrounding receptors. The large land holding of the Applicant surrounding the quarry and operations area will prevent incompatible land uses.
N-3: To encourage the application of state-of-the-art land use planning methodologies in the area of managing and minimizing potential noise conflicts.	See N-2, above.

Letter 9 Continued

Policy	Consistency Analysis
N-b: Noise likely to be created by a proposed non-transportation land use shall be mitigated so as not to exceed the noise level standards of Table N–IV as measured immediately within the property line of adjacent lands designated as noise-sensitive. Noise generated from existing or proposed agricultural operations conducted in accordance with generally accepted agricultural industry standards and practices is not required to be mitigated.	See N-1, above.
N-c: Where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of Table N–IV upon existing or planned noise-sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that appropriate noise mitigation may be included in the project design. The requirements for the content of an acoustical analysis are given by Table N-V.	See N-1, above.
N-d: The feasibility of proposed projects with respect to existing and future transportation noise levels shall be evaluated by comparison to Figure N-1 and Table N–VI.	The ENA, prepared and included as Appendix M, analyzed noise impacts associated with Project truck traffic. The analysis did not identify a significant increase in noise levels as a result of Project traffic.
N-f: Noise created by new transportation sources shall be mitigated to satisfy the levels specified in Table N–VI at outdoor activity areas and/or interior spaces of existing noise-sensitive land uses. Transportation noise shall be compared with existing and projected noise levels shown in Tables N-I and N-II.	See N-d, above.
N-g: Existing noise-sensitive uses may be exposed to increased noise levels due to future roadway improvement projects as a result of increased traffic capacity and volumes and increases in travel speeds. In these instances, it may not be practical to reduce increased traffic noise levels consistent with those contained in Table N-VI. Therefore, as an alternative, the following criteria may be used as a test of significance for increases in the ambient outdoor activity areas of the noise level of noise-sensitive uses created as a result of a new roadway improvement project:	See N-d, above.

Letter 9 Continued

Policy	Consistency Analysis
1. Uses permitted in these areas should include mineral exploration and extraction, processing, and accessory uses. 2. Residential uses may be permitted for security and labor housing. 3. The minimum parcel size for lands in the MR designation shall be 20 acres.	
MR-d: The County will initiate the redesignation and rezoning for existing mining operations which had reclamation plans approved prior to January 1, 1998, and which are not already so designated and zoned. Applicants shall initiate redesignation and rezoning for new mining operations.	See MR-a, above.
MR-i: All new or expanded mining operations shall have a use permit to ensure that they are conducted in a manner to protect the public health, safety, and welfare, and to minimize adverse impacts on adjacent land uses and the environment.	As discussed in Section 2.0 of the Project Description, the Applicant is requesting a Conditional Use Permit as one of the Project's primary entitlements and discretionary actions.
MR-j: On-site processing, including crushing, washing, screening, sorting, and stockpiling, should be allowed as much as possible at all mineral resource sites, subject to consideration of potential conflicts with adjacent and nearby land uses, and to mitigation of potential adverse environmental effects. However, concrete plants and asphalt plants should only be permitted in the Mineral Resource (MR) and General Industrial (M) zone districts, subject to approval of a use permit.	As discussed in the Project Description, the Applicant is requesting a CUP for operation of a hardrock quarry, processing facility (including crushing, washing, screening, and stockpiling), and ancillary facilities (including an asphalt plant, ready-mix facility, and recycling plant). As required by policy MR-a, above, the Applicant is seeking a General Plan Amendment and rezone for parcels not currently designated as Mining Resource and Mineral Resource District.
MR-k: Mining may be permitted in the in-stream or gravel bar areas of a river or creek provided the removal of sand and gravel is...	No in-stream mining is proposed as part of this Application.
MR-l: Mining may be permitted in the floodplain area of a river or stream provided that a plan is prepared by a qualified professional including data and analysis to show that the proposed mining in the floodplain will not alter the course of the adjacent river or stream, will not cause river or stream to flow through the mined area, and will not significantly change the boundaries of the floodplain.	The Project is not located in a FEMA identified floodplain.

* All Require federal PSD permits (Shasta County can not issue PSD permits since 2006)

Letter 9 Continued

Policy	Consistency Analysis
MR-m: Mining may be permitted in areas of agricultural soils, provided that a plan is submitted by a qualified professional including data and analysis to show that the soil shall be replaced in such a way as to maintain the same or better agricultural qualities and class as existed prior to mining disturbance. Mining in A-cg designated areas is subject to policy AG-g.	The Project is not located in an area historically or currently subject to agricultural activities and operations. In addition, the Project is not located on parcel with agriculture land use or zoning designations.
MR-o: Aggregate recycling facilities should be included as a use permitted subject to a use permit in General Industrial and Mineral Resource zone districts.	As discussed in Section 6.3 of the Project Description, the Applicant intends to have a recycle plant on-site for processing of recycled materials.
RESOURCES GROUP: AIR QUALITY	
AQ-1e: The County shall require new air pollution point sources such as, but not limited to, industrial, manufacturing, and processing facilities to be located an adequate distance from residential areas and other sensitive receptors.	An Air Quality Impact Analysis has been prepared for the Project, consistent with Shasta County Air Quality Management District guidance, outlining Project emissions and a human health risk assessment (see Appendix F).
AQ-2b: The County will work to accurately determine and fairly mitigate the local and regional air quality impacts of projects proposed in the unincorporated portions of Shasta County.	See AQ-1e, above.
AQ-2c: Land use decisions, where feasible, should contribute to the improvement of air quality. New projects shall be required to reduce their respective air quality impacts to below levels of significance, or proceed as indicated in Policy AQ-2e.	See AQ-1e, above.
AQ-2e: Shasta County will cooperate with the AQMD in assuring that new projects with stationary sources of emissions of non-attainment pollutants or precursors that exceed 25 tons per year shall provide appropriate emission offsets. A comparable program which offsets indirect emissions of pollutants exceeding 25 tpy from development projects shall also be utilized to mitigate air pollution impacts. An EIR will be required for all projects that have unmitigated emissions of non-attainment pollutants exceeding 25 tons per year.	The Applicant understands exceedances of County and/or AQMD thresholds will require mitigation to the extent feasible, and is committed to working with the County and/or AQMD to identify feasible mitigation and reductions in on-site emissions during the environmental review process.
AQ-2f: Shasta County shall require appropriate Standard Mitigation Measures and Best Available Mitigation Measures on all discretionary land use applications as recommended by the AQMD in order to mitigate both direct and indirect emissions of non-attainment pollutants.	See AQ-2e, above.

Letter 9 Continued

Policy	Consistency Analysis
	impact 1 List 1B plant species and several animal special status species. Mitigation measures have been provided to minimize and/avoid impacts to those special status species that have a high potential to occupy or use the site.
FW-c: Projects that contain or may impact endangered and/or threatened plant or animal species, as officially designated by the California Fish and Game Commission and/or the U. S. Fish and Wildlife Service, shall be designed or conditioned to avoid any net adverse project impacts on those species.	See FW-1, above.
FW-d: The significant river and creekside corridors of Shasta County shall be designated on the General Plan maps. The primary purpose of this designation is to protect the riparian habitats from development and from adverse impacts from conflicting resources uses. The purpose is also to encourage open space and recreation (policy OSR-e). Mapping of significant waterway corridors in areas designated as resource protection lands is not required since it is assumed that resource land uses will also act to protect such waterway corridors. Riparian habitat protection along the significant river and creekside corridors, as designated on the plan maps shall be achieved, where appropriate, by the following measures: • Regulation of vegetation removal. • Design of grading and road construction to restrict sediment input to all streams. • Establishment of a development set-back. • The siting of structures, including clustering. • Recreation plans for the Sacramento River, Clear Creek, and other feasible waterway resources.	No County identified significant river or creekside corridors exist onsite. Three unvegetated intermittent drainages transverse the site including Salt Creek, Moody Creek, and Rancheria Creek. Mitigation Measures have been provided recommending the Applicant work with California Department of Fish and Game and Army Core of Engineers to obtain appropriate permits and approvals
RESOURCES GROUP: SCENIC HIGHWAYS	
SH-1: Protection of the natural scenery along the official scenic highways of Shasta County from new development which would diminish the aesthetic value of the scenic corridor.	The closest officially-designated scenic highway is Shasta Dam Boulevard, 2 miles west of the site. The distance between the Project site and the Scenic Highway, along with the influences of intervening topography and vegetation eliminate the potential for a substantial adverse impact on the Scenic Highway visual resources.

LETTER 9 CELESTE DRAISNER, CITIZENS FOR CLEAN AIR

Response 9-1: **The commenter states that changes in road planning for the 3M Moody Flats Quarry constitutes a significant change in the project and therefore requires recirculation of the Mountain Gate at Shasta DEIR.**

The DEIR analysis considers traffic related to the Moody Flats Quarry as a part of the impact analysis, as is discussed on pages 4.3-22 and 4-3-28. The proposed Mountain Gate at Shasta Project is not related to the proposed quarry, and the main access roadways for the two projects are separate, not shared. Merely shifting the main access road for the quarry to the north, which is the change in road planning referenced by the commenter, would not increase nor decrease the traffic assumptions made in the analysis for the Mountain Gate at Shasta Project. Therefore, no recirculation of the DEIR is necessary.

Response 9-2: **The commenter cites the UC CEQA handbook including discussions about a public agency's responsibility, what a subsequent EIR is and what a supplement to an EIR is for.**

The commenter does not discuss any inadequacies with the DEIR with this comment. The procedure for future environmental review is included in **Section 17.63.150 of the Mountain Gate at Shasta Planned Development Ordinance** as follows. This future review will determine whether a supplemental or subsequent EIR is required:

> *"All applications for a development entitlement shall be reviewed for conformity with the Area Plan and for compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. The certified Environmental Impact Report (EIR) for the Area Plan shall serve as the base environmental document for subsequent entitlement approvals within the Area Plan. The Director will determine the appropriate level of environmental review for subsequent projects.*
>
> *The rules governing the extent of any future environmental review are set forth in Sections 15183 and 15183.5 of the State CEQA Guidelines. Under this section of the State CEQA Guidelines, projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.*
>
> *The Director will consider environmental effects that were not analyzed as significant effects in the certified EIR for the project, or if there are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the project. In addition, the City will consider whether there are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR."*

Response 9-3: **The commenter discusses Area "A" of Figure 3.0-3 stating that they were informed that this area would be heavy industrial.**

The commenter does not discuss any inadequacies with the DEIR with this comment. However, as a point of clarification, Area "A" of **Figure 3.0-3** is identified as 11.2 acres of commercial, not heavy industrial, as shown in **Table 3.0-1**. The Planned Development Zone District for this project, included as Appendix 3.0-2 of the DEIR, lists allowable uses in various locations of the Area Plan. Allowable uses in Area A, include retail, service commercial, recreational and office uses. No heavy industrial uses are allowed within the Area Plan boundaries.

Response 9-4: **The commenter asks why the City in good conscience is going to allow the building of homes without a disclosure that a future quarry will be next to the homes.**

The commenter does not discuss any inadequacies with the DEIR with this comment. However, the comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

Response 9-5: **The commenter states that development of the proposed project would allow infrastructure to be provided directly to the Moody Flats Quarry site.**

The commenter does not discuss any inadequacies with the DEIR with this comment. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

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LETTER 10

LIANNE BOWMAN

Letter 10

City of Shasta Lake
Mountain Gate at Shasta
Draft Environmental Impact Report

Public Comment Period: April 18, 2014 – June 14, 2014

Comment Deadline: June 18, 2014, 4:00 PM

NOTE: **Name, address and phone number are not required in order to provide a comment**

This form is provided only as a guide. Completion of the form is not required, and comments may be submitted in any written manner.

NAME: Lianne Bauman

ADDRESS: P.O. Box 5457

CITY: Shasta Lake **STATE:** Ca **ZIP:** 96089

PHONE: 275-5652 **EMAIL:** anyafarm@live.com

Submit completed forms or other written comments and supporting evidence to:

Carla L. Thompson, AICP
Development Services Director
City of Shasta Lake
P.O. Box 777 • 1650 Stanton Drive
Shasta Lake, CA 96019

530.275.7460 cthompson@cityofshastalake.org

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PLANNING

Letter 10 Continued

MOUNTAIN GATE AT SHASTA DRAFT ENVIRONMENTAL IMPACT REPORT

COMMENT 1:

DEIR Section Name Introduction Environmental Review Process **Page #** 1.0-8

I believe the analysis included in this Section is inadequate because:

The City of Shasta Lake sent out a total of 800 letters to the public (residents), concerning the (NOP) of the DEIR, the ~~co~~ beginning of the comment period for the public and the scoping meeting. 10-1

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

There are currently over 12,000 residents living in the City of Shasta Lake and the community of Mountain Gate. Clearly the "public" was not notified. 10-2

I was also told by a member of the Planning Commission that "This is not a Mountain Gate issue".

The following data or references are offered in support of this comment:

Carla Thompson informed me that 800 letter had been sent to the public.

COMMENT 2:

DEIR Section Name Aesthetics / Visual Resources **Page #** 4.12-3

I believe the analysis included in this Section is inadequate because:

Although the site has not been officially designated by the California Scenic Highway program as a "scenic highway", this stretch of property is unique to our area and is truly a gateway between the City of Shasta Lake and the area north of Mountain Gate.

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures: 10-3

The beauty of that area would be ruined by having developments, making the introduction to the City of Shasta Lake (from those traveling from the north) just another city.

~~The [illegible] substantially degrade the existing~~ Mountain character of the site and its surroundings.

Letter 10 Continued

The following data or references are offered in support of this comment:

4.12.3
This is potentially significant and no mitigation would alter this.

COMMENT 3:

DEIR Section Name Biological Resources **Page #** 4.6-7

I believe the analysis included in this Section is inadequate because:

The surveys and field studies are out dated and inadequate. **10-4**

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

Nov. 24th 2009
The California Natural Resource Agency states that a level of effort sufficient to provide comprehensive reporting must be used to determine the extent of botanicals, wildlife and hydrology on a site. Multiple visits early, mid and late season. **10-5**

The following data or references are offered in support of this comment: DEIR

1) Ariel Photographs : July 1999, 2002 & April 2004
2) Wetland Survey : April & Nov 2004 & Jan 2005
3) Botanical Surveys: April 19th & May 19th 2006 & June 29th 2006
4) Wildlife Survey : May 19th & August 14th 2006

There are no reports included, in which Salix said they spent "Considerable time" surveying the Wetlands since April 2004

COMMENT 4:

DEIR Section Name Biological Resources **Page #** 4-6-1

I believe the analysis included in this Section is inadequate because:

The information in this section was provided by North Fork Associates in 2006. **10-6**

Very little in this section show "updates" by Salix in 2012 - no actual field surveys, just species status changes etc.

2

Letter 10 Continued

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

The following data or references are offered in support of this comment:

The DEIR.

COMMENT 5:

DEIR Section Name Biological Resources **Page #** 4.6-22

I believe the analysis included in this Section is inadequate because:

FW-6 Who would be doing the biological assessment?

FW-4 The North West area of the proposed site is adjacent to mountains and open areas where wildlife does come through and move into the development areas for water and forage.

10-7

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

The following data or references are offered in support of this comment:

The maps in the DEIR and my personal Biological studies.

Letter 10 Continued

COMMENT 6:

DEIR Section Name Biological Resources **Page #** 4.6-20

I believe the analysis included in this Section is inadequate because:

I have also seen other species of wildlife and birds (migratory and otherwise) on the site. Some of which are Bear and the COOPERS Hawk. The Cooper Hawk was included on the list of 3 species of special Concern (done by North Fork Associates)

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures: 10-8

but not on the lists provided by Salix.

CEQA Guidelines Sec. 15380

I would like to see a review to determine the offical status of the Coopers Hawk and the potential impacts.

The following data or references are offered in support of this comment:

North Fork Associates Biological study:

COMMENT 7:

DEIR Section Name Biological Resources **Page #** _____

I believe the analysis included in this Section is inadequate because:

Yampah is also not listed in the Salix report as a native species to our area. It was however in the North Fork reports. It is important to preserve our native species. 10-9

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

Who regulates Vegetative removal?

Letter 10 Continued

The following data or references are offered in support of this comment:

North Fork.

COMMENT 8:

DEIR Section Name Biological Resources **Page #** _____

I believe the analysis included in this Section is inadequate because:

F.W.-(10)
How much damage to wetlands and waterway habitats will be done by mosquito abatement? This need's to be studied in depth.

10-10

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

The application of pesticides in order to keep the public (residents) of the development will no doubt have significant impact on the existing eco systems on the site.

The following data or references are offered in support of this comment:

COMMENT 9:

DEIR Section Name Biological Resources **Page #** 4.6-31

I believe the analysis included in this Section is inadequate because:

4.6.4 The significant impact on the Oak Woodlands and loss of annual grassland is unacceptable. The mitigation proposals are unacceptable.

10-11

Letter 10 Continued

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

The replacement of any tree in an oak woodland will never restore the natural habitats of native species of wildlife and birds. 3 - 15 gallon trees - non native or sapling oaks will not restore the balance. And will result in the loss of breeding and foraging habitat for special status and non special status wildlife.

One "heritage" oak takes 250 - 400 years to grow from a sapling (15 gal tree) to a full sized 'heritage' oak.

10-11 cont.

The following data or references are offered in support of this comment:

COMMENT 10:

DEIR Section Name Biological Resources **Page #** 4.6-33

I believe the analysis included in this Section is inadequate because:

Impact 4.6.6

Construction will most certainly impact, block and disrupt wildlife migration.

10-12

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

The Coopers Hawk is listed as a species of special concern and we are expected to provide "good quality habitat" especially on the Western and Southern Portions of the site.

Construction and development will certainly not provide good quality habitat.

10-13

The following data or references are offered in support of this comment:

North Fork Associates

Letter 10 Continued

The following data or references are offered in support of this comment:

COMMENT 3:

DEIR Section Name Biological Resources **Page #** 4.6-34

I believe the analysis included in this Section is inadequate because:

617 oak trees measuring 10" DBH AND GREATER
In total 1,851 trees will be planted. Are these trees to be oak trees? If not, they can not and will not be considered oak woodland replacement.

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

Impact 4.6.9 Loss of Woodland habitat cumulitive and unavoidable.
Unlikely that trees can be planted to fully replace those lost.
* The City does not have a tree replacement fund in place *

10-14

The following data or references are offered in support of this comment:

DEIR

COMMENT 4:

DEIR Section Name Biological Resources **Page #** 4.6-35

I believe the analysis included in this Section is inadequate because:

mm 4.6.9 Pavement base shall be removed from the south terminus of the existing Wonderland blvd. & tree mitigation planting area shall be created and vegetated with small root stock - really?

10-15

Letter 10 Continued

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

This is not a mitigation and the sort of passive agreement that is unacceptable.
This portion of the site in an area right next to the freeway and again, does NOT constitute in any way Oak Woodlands and their habitats.

10-15 cont.

The following data or references are offered in support of this comment:

COMMENT 5:

DEIR Section Name Biological Resources **Page #** 4.6-36

I believe the analysis included in this Section is inadequate because:

Heritage oaks are an irreplaceable natural resource. The site is covered in them and to say that protecting them during construction and educating homeowners about how to care for them is just not feasible. It can take an oak tree 400 years or more to reach Heritage Oak status.

10-16

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

* The City of Shasta Lake cannot educate and monitor the activities of existing residents. I do not see how they can guarantee the protection of Heritage Oak trees. *

The following data or references are offered in support of this comment:

Who would be the City approved arborist?

Letter 10 Continued

COMMENT 6:

DEIR Section Name Biological Resources **Page #** 4.6-36

I believe the analysis included in this Section is inadequate because:

MM 4.6.9 The additional 15 gallon trees are not specified as being native or non native. The removal of native species and replacement with non native ones will require more watering - where will the water come from and is that wise? **10-17**

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

The following data or references are offered in support of this comment:

COMMENT 7:

DEIR Section Name Biological Resources **Page #** 4.6-22

I believe the analysis included in this Section is inadequate because:

There are currently 170+ species of native plants growing and thriving on the site. No amount of irrigation will prevent the plowing over of these precious resources. **10-18**

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

The following data or references are offered in support of this comment:

COMMENT 8:

DEIR Section Name Biological Resources **Page #** 4.6-10

I believe the analysis included in this Section is inadequate because:

Vernal pool fairy shrimp live in vernal pool and seasonal wetlands, both of which occur on the site. According to the special status report, the potential occurrence for them in this area is none, due to the fact that no suitable habitats occurs in two of the stream channels

10-19

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

I do not believe stream channels equate wetlands or vernal pools -

More studies (real studies, current studies) need to be done.

The following data or references are offered in support of this comment:

COMMENT 9:

DEIR Section Name Biological Resources **Page #** 4.6-9

I believe the analysis included in this Section is inadequate because: Special Species Status

I do not believe that a thorough study of the site would consist of Salix Consulting using data bases CNPS inventory for 2012 or other reports that include regions surrounding the proposed site to be adequate.

10-20

Letter 10 Continued

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

There need to be further, in depth studies, Biological, botanical done on this site. It is unique to our area and I do not belive that doing studies off of other studies, especially out dated and inadequate studies is acceptable.

10-21

The following data or references are offered in support of this comment:

COMMENT 10:

DEIR Section Name Biological resources **Page #** 4.6-7

I believe the analysis included in this Section is inadequate because:

It states that on August 14, 2006 the on site drainages were dry, although there were still portions of standing water. How could they determine the presence of aquatic species if the drainages were dry?

The last survey (once in January by Jolix) 2012 did

10-22

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

however, state the drainages as having limited potential to be used on a seasonal basis by indicator fish species from the region.

Again, we need more studies, throughout the year to determine and clarify these things.

The following data or references are offered in support of this comment:

Attach additional sheets as necessary

Letter 10 Continued

The following data or references are offered in support of this comment:

COMMENT 3:

DEIR Section Name Project Description **Page #** 3.0-6

I believe the analysis included in this Section is inadequate because:

It is fairly unclear as to what section 'A' in the map is meant to be - if 2 acres of ~~Commercial~~ space? What ~~Commercial~~ - please define. Adjacent to the wetlands?

10-23

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

The following data or references are offered in support of this comment:

DEIR

COMMENT 4:

DEIR Section Name Executive Summary **Page #** _____

I believe the analysis included in this Section is inadequate because:

Impact 4.3.14

Letter 10 Continued

COMMENT 6:

DEIR Section Name Project description **Page #** 3.0-8

I believe the analysis included in this Section is inadequate because:

Where are the 36.2 acres of R.O.W.?

10-24

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

The following data or references are offered in support of this comment:

COMMENT 7:

DEIR Section Name Project Description **Page #** 3.0-21

I believe the analysis included in this Section is inadequate because:

says the off site tank is owned by 3M, but why would your first choice be to put one off site? I understand money is an issue, but it does not make sense.

10-25

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

Letter 10 Continued

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

It reads as though the City of Shasta Lake has no control over the increase in traffic volumes on vicinity freeway. (I-5)

If the City has no say and cannot fund improvements, how would this be possible?

10-26

The following data or references are offered in support of this comment:

COMMENT 5:

DEIR Section Name Executive Summary **Page #** 2.0-42

I believe the analysis included in this Section is inadequate because:

Impact 4.12.2

I believe the significant impacts included in this section of the DEIR could be avoided or mitigated with the following alternatives or mitigation measures:

This can not be mitigated. Buildings, pavements and non-native trees do not equal the natural beauty of that site.

It is a precious natural resource and our city should be doing everything in its power to protect

10-27

The following data or references are offered in support of this comment:

and preserve the space, as it is, for future generations.

LETTER 10 LIANNE BOWMAN, RESIDENT

Response 10-1: **The commenter acknowledges the City of Shasta Lake sent out a total of 800 letters to the public notifying the public of the beginning of the public comment period.**

Comment noted. The commenter is referred to Response 10-2 below.

Response 10-2: **The commenter asserts that there are currently over 12,000 residents in the City of Shasta Lake and the Mountain Gate community. Commenter asserts that the 800 letters did not provide sufficient notice to the public.**

CEQA does not require a certain proportion of a jurisdiction's population to be noticed on upcoming projects, only that a good faith effort is made.

In addition to over 800 letters mailed to the public, the City sent 51 letters to public agencies. A legal notice was published in the Redding Record Searchlight. Notices were posted at City Hall, the John Beaudet Community Center, Shasta Lake City Council Chambers, Shasta Lake Gateway Library and the three post offices within the City. The notice and all documents associated with the proposed projects were posted on the City's website. The City also contacted the Redding Record Searchlight and Shasta Lake Bulletin, who published articles on the project. The commenter is directed to Section 1.7 of the DEIR, which identifies and explains the review process.

Response 10-3: **The commenter asserts that although the project site has not been officially designated a scenic highway, this stretch of property is unique to the area and is a gateway between the City and the area north of Mountain Gate. The commenter continues that the beauty of this area would be ruined by the development, and would substantially degrade the existing visual character of the site and its surroundings.**

The commenter is directed to DEIR Section 4.12.3, which address the project's impacts on aesthetics and visual resources. The commenter is also directed to Mitigation Measure **MM 4.12.1,** which requires that the project developer ensure adequate screening of the proposed water storage tank with existing and/or new planted vegetation.

The commenter is further directed to mitigation measures **MM 4.12.2a** through **MM 4.12.2c**, which require the following: building designs to utilize earth-tone colors and materials in the architectural design in order to complement the existing landscape features of the project area; no above ground structures along ridgelines or hilltops; all hardscape features shall be designed to blend with existing landscape characteristics and screened from off-site views; and landscaping shall consist of vegetation and features characteristic of the area.

The Area Plan, as amended, includes detailed Design Guidelines. As stated in the Area Plan, "*These Design Guidelines consider the characteristics of this site that provide inspiration and influence the future design, and will produce development that is high quality, sustainable in terms of resources, and unique to this location and setting. Among the*

specific factors that will guide and influence the development are the site setting (location in the community), the climate that affects the daily life of the residents, and the history of this area. These factors apply generally to all land uses in the Plan Area, but are particularly applicable to the commercial and mixed-use areas... The overall effect of the natural location will be high quality, pedestrian scaled urban uses blended with a very high level of natural amenity."

Therefore, the DEIR is considered to adequately address the issue of degradation to existing landscape features and implements relevant mitigation measures as required to address potentially significant impacts.

Response 10-4: **The commenter asserts that the biological resources surveys and field studies are outdated and inadequate.**

The commenter is directed to Response F-1 and Response 8-1.

The City acknowledges, due to drought conditions and impacts from climate change, biological resource assessments completed today will likely not have the same result as studies conducted at the time future land development applications are submitted by the developer. Build-out of the Area Plan is expected to occur over a 20-year period and it is guaranteed that environmental conditions will fluctuate during that 20-year period. In addition, Special Status Species lists for plants and wildlife as well as surveying methods and guidelines from regulatory agencies over this 20-year period will change.

For these reasons, **MM 4.6.1d** has been added to require additional biological/wetland analyses to be completed at the time subsequent tentative maps or other discretionary permits are submitted to the City.

Response 10-5: **The commenter asserts that the California Natural Resources Agency requires comprehensive reporting in order to determine the extent of botanicals, wildlife, and hydrology on site. The commenter continues that since April 2004, no Salix report indicates that considerable time was spent surveying the property. Therefore, commenter alleges the biological resources sections are inadequate.**

The commenter is directed to Response F-1 and Response 10-4.

MM 4.6.1d requires future Biological Analyses to be conducted by a qualified biologist pursuant to applicable regulatory agency protocols and guidelines. Field surveys must be conducted on foot and must be undertaken at times when the subject species are most likely to be identified. Time in the field must be proportional to the size of the project site, biological characteristics of the site, and the significance of sensitive habitats present. The mitigation measure includes specific items that must be addressed in the future studies.

Response 10-6: **The commenter asserts that the information in the biological resources section was provided by North Fork in 2006 and that very little in this section was updated by the 2012 report, with no subsequent field studies, and no special-status species surveys.**

The commenter is directed to Response F-1, Response 8-1 and Response 10-4.

Response 10-7: **The commenter, referring to General Plan Objective & Policy FW-b (DEIR p. 4.6-22), asks who would conduct a biological assessment. The commenter, referencing General Plan Objective & Policy FW-(4), asserts that the northwest area of the project site is adjacent to mountain and open area and that wildlife moves into the development area for water and foraging.**

The commenter is directed to Response F-1, Response 10-4 and Response 10-5. A Biological Analysis will be prepared by a qualified professional biologist for future development proposals. The Assessment will identify potential impacts and appropriate mitigation based on site conditions and regulatory agency requirements in place at the time development proposals are submitted to the City.

Response 10-8: **The commenter states she has seen species of wildlife and birds, including migratory birds, on the site, including bears and Cooper's hawk. The commenter further asserts that the North Fork biological assessment includes Cooper's hawk as a species of concern while Salix biological assessment does not. The commenter, therefore, states the DEIR should conduct further review to determine the status of the Cooper's hawk and the project's potential impacts on the Cooper's hawk.**

The commenter is directed to Response F-1 and mitigation measures **MM 4.6.1a, 4.6.1b 4.6.1c and 4.6.1d**.

Response 10-9: **The commenter asserts that yampah is not listed in the Salix report as a species native the project area, but the North Fork biological assessment did list yampah as a native species. The commenter also asks who regulates vegetative removal.**

The commenter is directed to Response F-1 and mitigation measure **MM 4.6.1d.**

Regarding commenter's question of who will regulate vegetative removal, issuance of clearing and/or grading permits is under the authority of the City, and the City is responsible for ensuring compliance with mitigation measures. **MM 4.6.1b, MM 4.6.1c and 4.6.1d** require a qualified biologist to monitor construction activities to determine potential impacts to protected species.

Response 10-10: **The commenter asks to what extent wetlands and waterway habitats will be damaged by mosquito abatement, and suggests that such potential damage be studied. The commenter asserts Mountain Gate residents' application of pesticides will have a significant impact on the existing ecosystem.**

On February 5, 2013, the Water Board adopted the National Pollutant Discharge Elimination System (NPDES) *General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)*. The Permit went into effect on July 1, 2013, and applies to the City of Shasta Lake.

The City is one of the municipalities specified in the MS4 permit and is required to implement post-construction requirements, including Best Management Practices (BMP) following the California Storm Water Quality Association's (CASQA) design standards. The post-construction standards Plan becomes effective on July 1, 2015, and will be incorporated into the City's Construction Standards.

The required design standards include CASQA BMP SD-10 (Site Design and Landscape Planning), which applies to all individual project sites that create and/or replace over 5,000 square feet of impervious surface, such as the Mountain Gate at Shasta project. In addition, BG-40 (Landscape Maintenance), which applies to businesses that provide landscaping and landscape maintenance/gardening services, include standards to reduce the potential for stormwater pollution and the need for resources/controls (water, pesticides, fertilizers) by creating and maintaining landscapes in a way that is compatible with the local soils, climate and amount or rain and sun. The BMPs also apply to activities of the Shasta Mosquito Abatement and Vector Control District.

The project will implement and comply with water quality measures. The project must obtain: (1) a Clean Water Act section 404 permit; and (2) a 401 permit from the Regional Water Quality Control Board. Implementation of the project will include low impact development that will ensure that discharged water is not contaminated.

Response 10-11: **The commenter asserts the significant impacts on the oak woodlands and annual grassland is unacceptable and the mitigation measures are unacceptable. The commenter further asserts that the replacement of any tree will never restore the natural habitats of native species of wildlife, that three 15-gallon trees will not restore the balance, and will result in the loss of foraging habitat for species.**

The commenter is directed to **Impact 4.6.4**, which addresses impacts to the oak woodland habitat and annual grassland and states that through implementation of the City's tree preservation ordinance, 1,851 trees will be planted to compensate for the loss of oak trees, which will result in a net gain of 1,234 trees. **Impact 4.6.4** also states that future development will be required to comply with requirements of the Area Plan, which include additional planting requirements.

Mitigation Measure **MM 4.6.4,** page 4.6-32 of the DEIR (see Section 3.0) has been amended and two additional measures (**MM 4.6.4b** and **4.6.4c**) have been added to address impacts associated with the removal of trees. See Response F-17 for the full text of these mitigation measures.

The commenter is also directed to **Impact 4.6.1**, which addresses impacts on special-status birds, raptors, and migratory birds. Mitigation measure **MM 4.6.1a** requires that removal of vegetation take place outside of the nesting season. Mitigation measure **MM 4.6.1b** requires that if tree removal must occur in nesting season, or where construction activities will occur within 500 feet of suitable raptor nesting habitat or within 660 feet of suitable bald eagle nesting habitat during the nesting season, a qualified biologist shall conduct pre-construction surveys for nesting raptors and bald eagles. Therefore, the DEIR adequately addresses and mitigates any potential impacts to the oak woodlands and annual grassland.

Mitigation Measure **MM 4.6.1d** requires "*Project designs shall be reconfigured (e.g., reduced street widths, clustered development, etc.), to avoid special-status species and sensitive habitats. Specific measures shall be identified to minimize ground disturbances and construction footprints near sensitive areas.*"

Response 10-12: **The commenter asserts that construction will disrupt wildlife migration.**

The commenter is directed to Response F-1 and mitigation measure **MM 4.6.1d.**

Response 10-13: **The commenter asserts that Cooper's hawk is listed as a species of specific concern, and a "good quality" habitat is expected to be provided, in particular on the western and southern portion of the site. The commenter continues that construction and development will not provide "good quality" habitat.**

The commenter is directed to Response F-1, and mitigation measures **MM 4.6.1a, 4.6.1b 4.6.1c and 4.6.1d**.

Response 10-14: **The commenter asks whether oak trees will be the type of tree used as replacement trees for the lost oak trees. The commenter also asserts that the loss of oak woodland habitat is cumulative and unavoidable, and that it is unlikely that the loss of trees can be fully replaced. The commenter asserts the City does not have a tree replacement fund.**

In response to the commenter's question regarding the type of replacement trees, mitigation measure **MM 4.6.4a** requires the use of native trees as replacement trees unless the Development Services Director determines another species would be more suitable for the location. The commenter is also directed to Response F-17.

In response to the commenter's second point, which alleges that loss of oak woodland habitat is cumulative and unavoidable, the commenter is directed to **Impact 4.6.4** and **Impact 4.6.9** and the associated mitigation measures. As stated in **Impact 4.6.4**, although the project will eliminate approximately 617 oak trees, about 1,851 trees will be replanted, resulting

in a net gain of approximately 1,234 trees. Mitigation Measure **MM 4.6.4,** page 4.6-32 of the DEIR has been amended and two additional measures (**MM 4.6.4b** and **4.6.4c**) have been added to address impacts associated with the removal of trees.

Additionally, **Impact 4.6.9** addresses cumulative Oak Woodland impacts and through implementation of mitigation measure **MM 4.6.9**, this impact would be reduced to a less than significant level.

Response 10-15: **The commenter asserts that mitigation measure MM 4.6.9 is inadequate as it is in an area near the freeway and does not constitute oak woodlands habitat.**

The commenter is directed to Response F-17 and revised mitigation measures **MM 4.6.4a, b and c.** The required tree replacement plan must be reviewed and approved by a City-approved arborist. **MM4.6.4b** specifies additional measures for tree replacement. In addition, Mitigation Measure **MM 4.6.9** has been amended to allow flexibility in identifying additional areas for tree replacement.

Response 10-16: **The commenter asserts that the heritage oaks are an irreplaceable natural resource, the project site is covered in such trees, and it is not feasible to protect the trees during construction and not feasible to educate landowners on caring for the heritage oaks. The commenter further asserts that the City of Shasta Lake cannot guarantee the protection of heritage oak trees. The commenter also asks who will be the City approved arborist.**

The commenter is directed to Response F-17 and Response 10-11.

The commenter is also directed to **Impact 4.6.7**, which states that the project will be consistent with the City of Shasta Lake Tree Conservation Ordinance. **Impact 4.6.7** also explains that compliance with the Tree Conservation Ordinance will result in a sufficient number of replanted trees to compensate for the lost trees, and will reduce the potential impacts to oak woodlands to a less than significant level.

Regarding the commenter's question on the City-approved arborist, this will be determined at the time an application for a subsequent small-lot tentative subdivision map or other discretionary project is submitted to the City.

Response 10-17: **The commenter asserts mitigation measures MM 4.6.9 does not specify whether the 15-gallon trees to be planted are native or non-native. The commenter further asserts that replacing native trees with non-native trees will require more water.**

The commenter is directed to Response F-17. Mitigation Measure **MM 4.6.4**, as amended, requires replacement trees to be native trees unless the Development Services Director determines another species would be more suitable.

The City of Shasta Lake Tree Conservation Ordinance includes Appendix B, which lists trees that are appropriate for the climate conditions of the area and do not require intensive maintenance. Therefore, the replacement trees will be suitable for the local climate and will not require intensive maintenance.

Response 10-18: **The commenter asserts that there are over 170 species of native plants on the project site and that no amount of mitigation will prevent these native plants from being plowed.**

The commenter is directed to Response F-1, Response F-26 and mitigation measure **MM 4.6.1d.,** which requires specific mitigation measures to be implemented based on project- and site-specific conditions. This includes redesigning the project (reduced street widths, clustered development, etc.) to avoid special-status species and sensitive habitats.

As stated in Response F-26 native grassland species observed on site included western buttercup, white brodiaea, blue wildrye, and Fitch's spikeweed. Due to the current predominance of non-native, invasive species associated with the existing grassland community and the commonality of this plant community in the project vicinity and throughout Shasta County, loss of non-native annual grassland habitat is considered less than significant.

Furthermore, almost all of the Preserve areas contain some component of grassland habitat. In particular, the floodplains of Moody and Rancheria Creeks are almost entirely comprised of grassland habitat. Within the Preserve, impacts to grassland habitat will be avoided.

Nonetheless, as required by **MM 4.6.1d,** subsequent biological studies are required in order to identify the presence of sensitive habitat at the time subsequent small-lot tentative maps or other discretionary projects are submitted to the City.

Response 10-19: **The commenter asserts that vernal pool fairy shrimp live in vernal pools and seasonal wetlands, and that both vernal pools and seasonal wetlands occur on site. The commenter disagrees with the DEIR's conclusion that the project does not contain suitable habitat for fairy shrimp in the stream channels, and alleges that stream channels are not equivalent to wetlands or vernal pools. The commenter, therefore, asserts that additional studies must be conducted.**

The commenter is directed to Response F-1 and mitigation measure **MM 4.6.1d.**

Response 10-20: **The commenter asserts that a search of the CNPS inventory for special-status fish, wildlife, and plant species is not a thorough study of the site and is not adequate.**

The commenter is directed to Response F-1 and mitigation measure **MM 4.6.1d.**

Response 10-21: **The commenter asserts that using other studies as the basis for the biological and botanical assessments within the DEIR is inadequate, and additional biological and botanical studies must be conducted.**

The commenter is directed to Response F-1 and mitigation measure **MM 4.6.1d.**

Response 10-22: **The commenter asserts that additional studies are needed to determine whether aquatic habitat is present and whether aquatic species are present. The commenter states that the August 2006 field study was inadequate because the on-site drainages were dry in most locations, and that only one survey was done when drainages contained water.**

The commenter is directed to Response F-1 and mitigation measure **MM 4.6.1d.**

Response 10-23: **The commenter asks for clarity on Area A of the project map, and requests clarity on the definition of commercial space.**

The commenter is directed to DEIR **Table 3.0-6**, which specifies the uses permitted, permitted after review and approval of an Administrative Permit, permitted after review and approval of a Use Permit, permitted after review and approval of a Zoning/Site Development Permit, or not permitted within Area A.

Response 10-24: **The commenter asks for clarity on the location of the 36.2 acres designated as rights-of-way.**

The commenter is directed to **Figure 3.0-2**, which illustrates the general location of main roads through the project area. The DEIR is a master design and the specific rights-of-way will be established during review of subsequent small-lot subdivision maps and/or discretionary permits.

The Area Plan provides a description of street sections for roadways within the area plan. All street sections include separated sidewalk, trail easements, street trees and bicycle lanes. This section recognizes the street section may need to be widened in the vicinity of each fire hydrant or public transit/school bus stops, or at intersections to allow for efficient traffic flow.

In addition, **MM 4.6.1d** requires "*Project designs shall be reconfigured (e.g., reduced street widths, clustered development, etc.), to avoid special-status species and sensitive habitats. Specific measures shall be identified to minimize ground disturbances and construction footprints near sensitive areas.*"

Response 10-25: **The commenter requests clarification on the possible off-site water tank and why it may be placed off-site. The commenter also asserts that the off-site tank is owned by 3M.**

The commenter is directed to Section 4.6, which provides an explanation for the off-site water tank and potential alternative tank site. The future 1.0-million-gallon tank is shown in the City's 2004 Update to the 1998

Master Water Plan on a knoll northwest of the project boundary at an elevation of approximately 1,010 feet above mean sea level. According to the Master Water Plan, the bottom of the tank must be constructed at a minimum elevation of 985 in order to operate as a gravity system. This off-site tank location is on land currently owned by 3M. An alternative on-site tank location has been identified in the event the off-site land and easements for water mains are unable to be acquired.

The alternative on-site water tank would be located just south of the project's north boundary line as shown on **Figure 4.10.1**. The proposed on-site tank would be located on a knoll with an elevation of only 895, approximately 90 feet below the required minimum location for the tank to operate as a gravity tank. Due to the lower elevation of this alternative site, this location would require the construction of a booster pump system in order to provide adequate pressure to the zone which it will serve. This alternative tank location can be fed with water mains through the project site avoiding the need to obtain easements for the system to serve the Project.

Response 10-26: **The commenter states that the DEIR seems to indicate that the City of Shasta Lake has no control over whether the improvements are made to the freeway (I-5), and asks how this is possible.**

The project has identified the necessary improvements to obtain a permissible level of service on road segments and intersections surrounding the project area, and the DEIR explains that such improvements are feasible. The project has also identified and provided the necessary funds in order to implement the necessary road and intersection improvements. However, because certain intersections and road segments are wholly within Caltrans' jurisdiction, and therefore under Caltrans control, the DEIR cannot guarantee that such improvements will be made as the City has no control over these facilities. Because the improvements to I-5 cannot be guaranteed, the resulting impact is considered significant and unavoidable.

Response 10-27: **The commenter asserts that Impact 4.12.2, impacts to scenic resources within a state scenic highway, cannot be mitigated. The commenter continues that buildings, pavement, and non-native trees do not equal the natural beauty of the site.**

The commenter is also directed to Response 10-3.

The commenter is directed to **Impact 4.12.2**, which states there are no officially designated state scenic highways located on, adjacent to, or near the project site. The closest routes eligible for designation as California Scenic Highways are State Route 151 between I-5 and Shasta Dam, and I-5 from Redding to Shasta Lake.

The designated State Route 151 segment provides a limited view of the project site, and the section of I-5 terminates at the southern City limits. Therefore, the project does not result in any impacts to state designated scenic highways, which is the standard of significance for this particular impact area. The commenter is also directed to Response 10-3.

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LETTER 11

JOHN LIVINGSTON
SHASTA GROUP OF THE SIERRA CLUB

Letter 11

Carla L. Thompson, AICP,
Development Services Director,
P.O. Box 777
Shasta Lake, CA 96019

Subject: Comments on the Draft ERI: Mountain Gate at Shasta Project

The following are comments on the subject project:

1. The Shasta Group of the Sierra Club has over 750 members covering the area from Red Bluff to the Oregon border and from Shasta County to Nevada.

2. Representatives of the Sierra Club have only had time to review parts of the DEIR. The DEIR contains very weak analysis of the true impacts to the land and nearby residential communities. Removal of many oak trees and other riparian vegetation has not been adequately mitigated.

3. The cumulative impacts were very poorly analyzed for not only to ultimate buildout of the subdivision but also for potential land uses around the area. The noise, traffic, air quality, water availability, impact to existing roads, intersections, and long term impacts should be reevaluated with multiple public hearings so that nearby residents can voice their opinions and concerns.

4. With California in a major drought and many northern California communities on water restrictions, no new developments should be permitted until there is a reliable long term water supply available for not only the proposed housing but for other nearby property developments.

5. The General Plan amendments are not appropriate for this area and should not be approved. No changes to the General Plan should be allowed as there have not been adequate public notification and public hearings for the entire community and nearby communities to voice their opinions and concerns.

6. The DEIR public comment period should be extended for 6 months to allow citizen groups to adequately review the complex impacts of this project and the general plan amendments. This community deserves more time so that the average citizen can form an opinion and voice that opinion to their elected officials.

11-1

Respectfully Submitted,

John Livingston
Chair of the Executive Committee, Shasta Group of the Sierra Club
PO Box 491554
Redding, California 96049

LETTER 11 JOHN LIVINGSTON, SHASTA GROUP OF THE SIERRA CLUB

Response 11-1: **The commenter states that the removal of oak trees and other riparian vegetation has not been adequately mitigated.**

The commenter continues and states that the cumulative noise, traffic, air quality, water availability, impacts to existing roads, intersections and long term impacts should be reevaluated with multiple public hearings.

Further, the commenter states that no new development should be permitted until there is a reliable long term water supply available.

Finally, the commenter states that no changes to the General Plan in this area should be allowed because there has not been adequate public notification and hearings for persons to voice their concerns and the DEIR comment period should be extended six months.

In response to the comment regarding oak trees and riparian vegetation, the commenter is directed to **Impact 4.6.4**, which addresses impacts to the oak woodland habitat and annual grassland and states that through implementation of the City's tree preservation ordinance, 1,851 trees will be planted to compensate for the loss of oak trees, which will result in a net gain of 1,234 trees.

Impact 4.6.4 also states that future development will be required to comply with requirements of the Area Plan, which include additional planting requirements. Mitigation Measure **MM 4.6.4,** page 4.6-32 of the DEIR (see Section 3.0) has been amended and two additional measures (**MM 4.6.4b** and **4.6.4c**) have been added to address impacts associated with the removal of trees. See Response F-17 for the full text of these mitigation measures.

The commenter is also directed to Response 10-18 regarding native grassland. Almost all of the Preserve areas contain some component of grassland habitat. In particular, the floodplains of Moody and Rancheria Creeks are almost entirely comprised of grassland habitat. Within the Preserve, impacts to grassland habitat will be avoided.

Nonetheless, as required by **MM 4.6.1d,** subsequent biological studies are required in order to identify the presence of sensitive habitat at the time subsequent small-lot tentative maps or other discretionary projects are submitted to the City.

In response to the comment regarding re-evaluation of cumulative impacts with multiple public hearings, the commenter does not state what about the various cumulative impacts are inadequate. Therefore, it is not possible to address these comments. The cumulative analysis at the end of each impact section is considered adequate.

As far as allowing more public hearings, the City held the first public scoping meeting on November 9, 2005. A second public scoping meeting was held on April 16, 2012; a Notice of Preparation (NOP), including an Initial Study was distributed for state agency and public review prior to each scoping meeting. On April 18, 2014, the City issued a Notice of Completion (NOC) and made the DEIR available to the public at that time. The DEIR had a 60-day review period from April 18, 2014 to June 18, 2014. Finally, the City will hold Planning Commission and City Council public hearings to discuss and receive public input on the project.

Regarding the comment on water supply, the commenter is referred to Responses 2-1 and 8-2 which discuss water supply. Mitigation measure **MM 4.10.1.1** requires that prior to approval of subsequent development (e.g., further subdivision of the property, conditional use permit, etc.), the project applicant must demonstrate water supply availability.

Regarding the comment that no changes to the General Plan in this area should be allowed, the commenter does not discuss any inadequacies with the DEIR with this comment. The comment will be included in the information provided to the Planning Commission and City Council prior to taking any action on the project.

3.1 INTRODUCTION

This section includes minor edits to the Draft EIR. These modifications are based on responses to comments received during the Draft EIR public review period as well as staff-initiated changes. Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, nor do they alter the conclusions of the environmental analysis. Changes are provided in revision marks (**underline** for new text and ~~strike-out~~ for deleted text).

3.2 MINOR CHANGES AND EDITS TO THE DRAFT EIR

SECTION 2.0 EXECUTIVE SUMMARY

Table 2.0-1 has been amended to reflect amended and new Mitigation Measures as discussed in FEIR Section 2.0 (Response to Comments) and amendments proposed by staff to clarify timing, implementation, enforcement/monitoring and correct minor typographical errors.

Revised Table 2.0-1 is shown below in its entirety.

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Land Use				
Impact 4.1.1	Buildout of the proposed project could physically divide, or provide an isolated portion of, the City of Shasta Lake.	LS	None required	LS
Impact 4.1.2	The proposed project has the potential to conflict with policies in the City General Plan adopted for the purpose of avoiding or mitigating an environmental effect.	LS	None required	LS
Impact 4.1.3	The project could conflict with applicable habitat conservation plan or natural community conservation plan.	NI	None required	NI
Impact 4.1.4	The division of the property could conflict with the General or Area Plan or zoning for the site.	NI	None required	NI
Impact 4.1.5	The project would introduce growth into an area that is currently undeveloped and could encourage growth on lands outside of the City.	LCC	None required	LCC
Population/Housing/Employment				
Impact 4.2.1	Buildout of the proposed project would result in population growth and the generation of employment.	LS	None required	LS
Impact 4.2.2	Development of the Mountain Gate at Shasta Area Plan along with approved and proposed development would result in increased population in the City of Shasta Lake.	LCC	None required	LCC

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Transportation and Circulation				
Impact 4.3.1	Under Near-Term Plus Project conditions, all study area intersections, **with the exception of Shasta Dam Boulevard/Shasta Way (Intersection #13),** would meet level of service standards with the imposition of mitigation. However, there are ~~six~~ **fourteen** study intersections that are wholly outside the City of Shasta Lake's jurisdiction and the City cannot be certain that mitigation will be made.	S	**MM 4.3.1a** The following intersection improvements shall be ~~completed~~ **constructed** prior to occupancy of the 50th housing unit **within the Area Plan boundaries**, or earlier if directed by the City of Shasta Lake ~~Fire Marshal.~~ ~~• Shasta Dam Boulevard/Shasta Way (Intersection #5) – Remove the existing median on Shasta Dam Boulevard at Shasta Way/Street. Construct a right turn lane on westbound Shasta Dam Boulevard. Construct two left turn lanes on westbound and eastbound Shasta Dam Boulevard at the intersection of Shasta Way/Street. Signalize the intersection of Shasta Dam Boulevard and Shasta Way/Street.~~ • **Shasta Dam Boulevard/Mussel Shoals Avenue** (Intersection #13) – Construct a traffic signal. • **Shasta Dam Boulevard/Median Avenue** (Intersection #6) – Construct a traffic signal. **Timing/Implementation:** **Constructed prior to occupancy of the 50th housing unit within the Area Plan boundaries.** **Enforcement/Monitoring:** **City of Shasta Lake Public Works Department**	SU

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			MM 4.3.1b The following intersection improvements shall be ~~completed~~ **constructed** prior to occupancy of the 400th housing unit, ~~or approximately one half of the proposed project,~~ or earlier if directed by the City of Shasta Lake. ~~Fire Marshal~~: • **Old Oregon Trail/Wonderland Boulevard** (Intersection #1) – Construct a roundabout or traffic signal. • **Old Oregon Trail/I-5 NB Ramp** (Intersection #2) – Construct a roundabout or traffic signal. • **Shasta Dam Boulevard/Cascade Boulevard** (Intersection ~~**#15**~~ **#14**) – Construct a right turn lane on westbound Shasta Dam Boulevard at Cascade Boulevard. Construct a second left turn lane on eastbound Shasta Dam Boulevard at Cascade Boulevard. Construct a second left turn lane on southbound Cascade Boulevard at Shasta Dam Boulevard. • **Shasta Dam Boulevard/I-5 SB Ramp (Intersection #15)** – Convert eastbound through lane to a shared through right turn lane. Widen on-ramp to add a second lane to the on-ramp 1,000 feet long. **Timing/Implementation:** **Constructed prior to occupancy of the 400th housing unit, or earlier if directed by the City of Shasta Lake.** **Enforcement/Monitoring:** **City of Shasta Lake Public Works Department**	

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			MM 4.3.1c The proposed project shall pay its proportionate share of the cost of the following improvements: • **Pine Grove Avenue/Twin View Boulevard** (Intersection #21) – Pay fee equal to 14 percent of the cost to relocate the intersection west of its current location. The relocated intersection shall include east- and westbound through, left, and right turn lanes. The intersection shall include north- and southbound through and left turn lanes. Construct a traffic signal. • **Pine Grove Avenue/I-5 NB Ramps** (Intersection #20) – Pay fee equal to 14 percent of the cost of installing a traffic signal and a right turn lane on the northbound off-ramp. • **Pine Grove Avenue/I-5 SB Ramps** (Intersection #19) – Pay fee equal to 9 percent of the cost to install a traffic signal. • **Pine Grove Avenue/Cascade Boulevard** (Intersection #18) – Pay fee equal to 7 percent of the cost to realign the south leg of Cascade Boulevard to align with the existing signalized intersection. The south leg of intersection shall include northbound through, right, and left turn lanes and a southbound through lane. • **Pine Grove Avenue/Ashby Road** (Intersection #17) – Pay a fee equal to 17 percent of the cost to install an all-way stop sign or traffic signal.	

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• **Pine Grove Avenue/Lake Boulevard** (Intersection #16) – Pay a fee equal to 15 percent of the cost to install an all-way stop sign or traffic signal. • **Oasis Road/Twin View Boulevard** (Intersection #25) – Pay a fee equal to 4 percent of the cost to **construct the following:** ~~relocate the intersection east of its current location. The intersection shall include two left turn lanes on west and eastbound Oasis Road at Twin View Boulevard and a right turn lane on southbound Twin View Boulevard at Oasis Road.~~ o **Dual left turn lanes and two through lanes and a shared through-right lane for the eastbound approach.** o **Dual right turn lanes, exclusive through and right turn lane for the southbound approach.** o **A single left turn lane, three through lanes and one right turn lane for the westbound approach.** o **A single left, through and right turn lane for the northbound approach.** o **Realignment of the intersection east of its current location.** o **Signalization of the intersection.**	

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• **Oasis Road/I-5 NB Ramps** (Intersection #24) – Pay a fee equal to 5 percent of the **cost to construct the following:** ~~project's proportionate share of the traffic signal and north and eastbound turn lane improvements.~~ o **Widening of the eastbound approach to include dual left turn lanes and three though lanes.** o **Widening of the westbound approach to include an exclusive westbound right turn lane and three through lanes.** o **Widening of the northbound approach to include a left turn lane, a shared through-left lane and dual right turn lanes.** o **Signalization of the intersection.** • **Oasis Road/I-5 SB Ramps** (Intersection #23) – Pay a fee equal to 4 percent of the cost to construct **the following:** ~~a westbound left turn lane and to modify the traffic signal~~ o **Westbound to southbound loop on-ramp.** o **Provision of an eastbound right turn lane.** o **Provision of a westbound left turn lane.** o **Signalization of the intersection.**	

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• **Oasis Road/Cascade Boulevard** (Intersection #22) – Pay a fee equal to 3 percent of the cost to relocate the intersection west of its current location and construct a traffic signal. Intersection improvements shall include in the west and eastbound directions one left, three through, and one right turn lane; in the northbound direction one left, one right, and one through turn lane; and in the southbound direction two left, one through, and one right turn lane. • **Pine Grove Avenue west of Cascade Boulevard to Ashby Road (Roadway Segment) – Pay a fee equal to 3 percent of the cost of widening Pine Grove Avenue to a four-lane divided arterial standard.** **Timing/Implementation:** **Fee paid at the time of issuance of a building permit.** **Enforcement/Monitoring:** **City of Shasta Lake Development Services Department.** **MM 4.3.1d** The extension of Wonderland Boulevard to Cascade Boulevard shall be constructed prior to occupancy of the 50th housing unit **within the Area Plan boundaries**, or earlier if directed by the City of Shasta Lake. ~~Fire Marshal.~~	

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Timing/Implementation: **Constructed prior to occupancy of the 50th housing unit, or earlier if directed by the City of Shasta Lake.** ~~*Implemented prior to occupancy as noted in the mitigation measure. Fees shall be collected at building permit issuance.*~~ **Enforcement/Monitoring:** City of Shasta Lake **Public Works Department** ~~Development Services Department~~	
Impact 4.3.2	Following implementation of the proposed project, all study area roadway segments would meet level of service standards.	LS	None required	LS
Impact 4.3.3	Implementation of the proposed project would result in an increase in traffic volumes on vicinity freeways that would operate below LOS thresholds under Near-Term Plus Project conditions. While the imposition of mitigation would reduce this impact, vicinity freeways are wholly outside the City of Shasta Lake's jurisdiction and the City cannot be certain that mitigation will be made.	S	**MM 4.3.3** The project applicants/developer(s) shall **pay, on a fair share basis, a Regional Transportation Fee for improvements to Interstate 5, as determined by an approved nexus study prepared in compliance with the Mitigation Fee Act and other applicable law. The amount of the fee shall be based on the Regional Transportation Fee adopted by the City and the jurisdiction in which the impact is being mitigated.** This mechanism will ensure that the collected mitigation funds will be spent on the measures identified in the ~~TIS~~ **nexus study.** ~~or on alternative improvements that will reduce the project's impacts to regional transportation~~. ~~contribute a fair share amount for all needed improvements to State facilities as shown in DEIR Table~~	SU

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			~~4.3-18 or other facilities as mutually agreed upon by Caltrans and the City of Shasta Lake or as identified in subsequent traffic studies for impacts both within the City of Shasta Lake and outside the City of Shasta Lake. The fair share contribution shall be determined by the City of Shasta Lake based on the traffic study or subsequent traffic monitoring studies required of the developer. The fair share calculation shall also be determined and verified in consultation with the Shasta~~ **~~County~~** ~~Regional Transportation Planning Agency, which includes Shasta County and the City of Redding.~~ **Timing/Implementation:** **Fee paid at the time of issuance of a building permit.** ~~Implemented prior to approval of subsequent tentative maps for residential development, or a site plan for non-residential development.~~ **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	
Impact 4.3.4	Implementation of the proposed project would result in an increase in traffic volumes on vicinity freeway ramp junctions that would operate below LOS thresholds under Near-Term Plus Project conditions. While the imposition of mitigation would reduce this impact, vicinity freeway ramp junctions are wholly outside the City of Shasta Lake's jurisdiction and the City cannot be certain that mitigation will be made.	S	Payment of fair-share contributions as described in mitigation measure **MM 4.3.3**.	SU

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 4.3.5	Implementation of the proposed project would not result in increased traffic hazards.	LS	None required	LS
Impact 4.3.6	The Area Plan designates new streets that would provide connectivity within the Area Plan, creating new routes for all users including emergency response providers.	PS	**MM 4.3.6** An all-weather surface roadway connection suitable for emergency vehicle ingress and egress shall be constructed between Cascade Boulevard and Wonderland Boulevard. **Timing/Implementation:** Implemented prior to occupancy of the 50th housing unit **within the Area Plan boundaries**, or earlier if directed by the City of Shasta Lake ~~Fire Marshall~~ **in consultation with the Shasta Lake Fire Protection District.** **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	PS
Impact 4.3.7	The proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).	NI	None required	NI
Impact 4.3.8	Under Year 2020 Plus Project conditions, all study area intersections, **with the exception of Shasta Dam Boulevard/Shasta Way (Intersection #13)**, would meet level of service standards with the imposition of mitigation. However, there are ~~six~~ **fourteen** study intersections that are wholly outside the City of Shasta Lake's jurisdiction and the City cannot be certain that mitigation will be made.	CC	Implementation of mitigation measures **MM 4.3.1, MM 4.3.3,** and ~~**MM 4.3.5**~~ would improve the level of service at all intersections, **with the exception of Shasta Dam Boulevard/Shasta Way (Intersection #13),** to acceptable levels under Year 2020 Plus Project conditions. ~~However~~, **In addition,** some of these intersections are partially or wholly outside the City of Shasta Lake's jurisdiction (see **DEIR Table 4.3-2** for a listing of intersection by jurisdiction).	CC & SU

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			While the City will require the proposed project to either make the identified improvement or pay the appropriate proportionate share of the cost of improvements, and will hold the fees until requested by the jurisdiction, the City cannot be certain that the other agencies will permit the improvement and therefore must assume that the impacts could remain. As such, impacts to all of the intersections that are outside the City's jurisdiction are classified as **cumulatively considerable** and **significant and unavoidable** because the City cannot be certain that improvements will be made consistent with this Draft EIR.	
Impact 4.3.9	Following implementation of the proposed project, all study area roadway segments would meet level of service standards under Year 2020 Plus Project conditions.	LCC	None required	LCC
Impact 4.3.10	Implementation of the proposed project would result in an increase in traffic volumes on vicinity freeways that would operate below LOS thresholds under Year 2020 Plus Project conditions. While the imposition of mitigation would reduce this impact, vicinity freeways are wholly outside the City of Shasta Lake's jurisdiction and the City cannot be certain that mitigation will be made.	CC	Implementation of mitigation measure **MM 4.3.3**, described above, would improve the level of service at all freeway mainline segments to acceptable levels under Cumulative Year 2020 Plus Project conditions. However, I-5 is wholly outside the City of Shasta Lake's jurisdiction which does not have the ability to construct improvements on I-5 or on any facility within Caltrans jurisdiction. Therefore, this EIR assumes that the improvements will not be constructed and that the impacts will remain significant and unavoidable. The City is, nonetheless, requiring that the project contribute toward freeway mainline improvements. The City, however, cannot be certain that improvements will be made consistent with this EIR.	CC & SU

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 4.3.11	Implementation of the proposed project would result in an increase in traffic volumes on vicinity freeway ramp junctions under Year 2020 Plus Project conditions that would exacerbate an unacceptable level of service. While the imposition of mitigation would reduce this impact, vicinity freeway ramp junctions are wholly outside the City of Shasta Lake's jurisdiction, and the City cannot be certain that mitigation will be made.	CC	Payment of fair share contributions as described in **MM 4.3.3.**	CC & SU
Impact 4.3.12	Implementation of the Wonderland Boulevard southern access extension conceptualized under the project would result in an exceedence of LOS thresholds under Year 2020 Plus Project conditions.	CC	Implementation of mitigation measures **MM 4.3.1a** through **MM 4.3.1d** and **MM 4.3.3**, described previously, would ensure that intersection improvements were ~~installed~~ **completed** at various stages of project development. Construction of the intersections would result in impacts that are less than significant, **with the exception of Shasta Dam Boulevard/Shasta Way (Intersection #13)**. ~~however~~ **In addition**, some of the improvements are not within the City's jurisdiction. As these improvements are not wholly within the ability of the City to implement, this EIR assumes that the improvements might not occur.	CC & SU
Impact 4.3.13	Under Year 2030 Plus Project conditions, all study area intersections, **with the exception of Shasta Dam Boulevard/Shasta Way** would meet level of service standards with the imposition of mitigation. However, there are ~~six~~ **fourteen** study intersections that are wholly outside the City of Shasta Lake's jurisdiction and the City cannot be certain that mitigation will be made.	CC	Mitigation measures **MM 4.3.1a** through **MM 4.3.1c** and **MM 4.3.3** would improve the level of service at the Mountain Gate Road/I-5 interchange; however, this facility is outside the City of Shasta Lake's jurisdiction. As such, impacts to all of the intersections that are outside the City's jurisdiction are classified as **cumulatively considerable** and **significant and unavoidable** because the City cannot be certain that improvements will be made consistent with this Draft EIR. ~~(The intersections at Lake Boulevard/Pine Grove Avenue, Pine Grove Avenue/Cascade Boulevard, Pine Grove Avenue/Twin~~	CC & SU

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			~~View Boulevard, Oasis Road/Cascade Boulevard, and Cypress Avenue/Hilltop Drive are within the City's jurisdiction; therefore, impacts to those intersections can be mitigated.)~~	
Impact 4.3.14	Following implementation of the proposed project, all study area roadway segments would meet level of service standards under Year 2030 Plus Project conditions.	PCC	**Implementation of mitigation measure MM 4.3.1c described above, requires a proportionate fair share payment for widening Pine Grove Avenue west of Cascade Boulevard to Ashby Road to a four-lane divided arterial standard. This would improve the roadway level of service to an acceptable level.** ~~**MM 4.3.14**~~ ~~The following improvements shall be implemented for Year 2030 Plus Project conditions:~~ ~~• Widening of the roadway segment from Pine Grove Avenue to the west of Cascade Boulevard to four-lane arterial standards.~~ ~~**Timing/Implementation:**~~ ~~Implemented prior to and during construction~~ ~~**Enforcement/Monitoring:**~~ ~~City of Shasta Lake Development Services Department~~	LCC
Impact 4.3.15	Implementation of the proposed project would result in an increase in traffic volumes on vicinity freeways that would operate below LOS thresholds under Year 2030 Plus Project conditions. While the imposition of mitigation would reduce this impact, vicinity freeways are wholly outside the City of Shasta Lake's jurisdiction and the City cannot be certain that mitigation will be made.	CC	Implementation of mitigation measures **MM 4.3.1a** through **MM 4.3.1c** and **MM 4.3.3**, described above, would improve the level of service at all freeway mainline segments to acceptable levels under Cumulative Year 2020 Plus Project conditions. However, Interstate 5 is wholly outside the jurisdiction of the City of Shasta Lake, which does not have the ability to construct improvements on I-5 or on any facility within Caltrans' jurisdiction.	CC & SU

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			The Draft EIR must assume that the improvements are not constructed and the impacts remain significant and unavoidable. This has the unfortunate result of appearing that the impacts of the project are being ignored by the City of Shasta Lake, which is not the case. The City is requiring that the project contribute toward freeway mainline improvements. Yet because I-5 is wholly outside the City of Shasta Lake's jurisdiction, the City cannot be certain that improvements will be made consistent with this Draft EIR. If the improvement cannot be constructed, the impact is not fully mitigated, and the agency can only conclude that the impact is **cumulatively considerable** and **significant and unavoidable**.	
Impact 4.3.16	Implementation of the proposed project would result in an increase in traffic volumes on vicinity freeway ramp junctions under Year 2030 Plus Project conditions that would exacerbate unacceptable LOS. While the imposition of mitigation would reduce this impact, vicinity freeway ramp junctions are wholly outside the City of Shasta Lake's jurisdiction and the City cannot be certain that mitigation will be made.	CC	Payment of fair-share contributions as described in mitigation measure **MM 4.3.3**.	CC & SU
Impact 4.3.17	Implementation of the Wonderland Boulevard southern access extension conceptualized under the project would result in an exceedence of LOS thresholds under Year 2030 Plus Project conditions.	CC	Mitigation measures **MM 4.3.1a** through **MM 4.3.1d** and **MM 4.3.3**, described above, would improve the level of service at all intersections to acceptable levels under Year 2030 Plus Project conditions. However, two of the intersections are wholly outside the City of Shasta Lake's jurisdiction (SR 151 Shasta Street and SR 151/I-5 Southbound Ramps). As such, impacts to these intersections are classified as **cumulatively considerable**	CC & SU

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			and **significant and unavoidable** because the City cannot be certain that improvements will be made consistent with this Draft EIR.	
Air Quality				
Impact 4.4.1	Subsequent land use activities associated with implementation of the proposed Area Plan would potentially conflict with the City General Plan and/or obstruct implementation of the Northern Sacramento Valley Planning Area ~~**2009**~~ **2012** Air Quality Attainment Plan.	PS	**MM 4.4.1** All development projects located within the Mountain Gate at Shasta Area Plan shall adhere to all applicable SCAQMD rules and regulations during both construction and operation. **Timing/Implementation:** Ongoing **Enforcement/Monitoring:** City of Shasta Lake Development Services Department; Shasta County Air Quality Management District	LS
Impact 4.4.2	Construction activities such as clearing, excavation and grading operations, construction vehicle traffic, and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that would temporarily affect local air quality for adjacent land uses.	S	**MM 4.4.2** Applicants of development projects located within the Mountain Gate at Shasta Area Plan shall submit to the City of Shasta Lake and receive approval for an Emissions Reduction Plan for all subsequent development projects under the Area Plan. City approval will be determined on a project-by-project basis in coordination with the Shasta County Air Quality Management District. The Emissions Reduction Plan shall include all measures recommended by the SCAQMD for the control of fugitive and mobile-source emissions associated with on-site construction activities.	SU

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Timing/Implementation: Prior to **issuance of a Grading Permit.** ~~approval of subsequent tentative subdivision maps or other discretionary approvals~~ **Enforcement/Monitoring:** City of Shasta Lake Development Services Department; Shasta County Air Quality Management District	
Impact 4.4.3	Project-generated operational emissions would exceed applicable significance thresholds and could contribute to regional non-attainment conditions.	PS	**MM 4.4.3a** The installation of wood-burning fireplaces shall be prohibited in all new residential units of subsequent development projects within the Mountain Gate at Shasta Area Plan. **Timing/Implementation:** Verified prior to issuance of building permits **Enforcement/Monitoring:** City of Shasta Lake Development Services Department **MM 4.4.3b** Applicants for subsequent project level development approvals within the Mountain Gate at Shasta Area Plan shall submit to the Shasta County AQMD and receive approval for an Emissions Reduction Plan (ERP) **to address project-generated operational emissions. The Emissions Reduction Plan shall include all measures recommended by the SCAQMD for the control of criteria air pollutants and ozone precursors associated with long-term operational emissions.**	**CC &** SU

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			~~Available Mitigation Measures currently recommended by the Shasta County AQMD are summarized in Table 4.4-7.~~ **Timing/Implementation:** Prior to approval of subsequent tentative subdivision maps or other discretionary approvals **Enforcement/Monitoring:** City of Shasta Lake Development Services Department; Shasta County Air Quality Management District	
Impact 4.4.4	Implementation of the project would not contribute to localized concentrations of mobile-source CO that would exceed applicable ambient air quality standards.	LS	None required	LS
Impact 4.4.5	Implementation of the project would not result in increased exposure of existing or planned sensitive land uses to stationary or mobile-source TACs that would exceed applicable standards.	LS	None required	LS
Impact 4.4.6	Long-term operation of the project would result in increased emissions of ozone-precursor pollutants and PM_{10} that would exceed applicable significance thresholds and could contribute to future concentrations of ozone and PM_{10}, for which the region is currently designated non-attainment.	~~CS & SU~~ **CC**	Implement mitigation measures **MM 4.4.1**, **MM 4.4.2**, and **MM 4.4.3**.	~~CS~~ **CC** & SU

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 4.4.7	Implementation of the proposed project, in combination with existing, approved, proposed, and reasonably foreseeable development in the North Sacramento Valley Air Basin, would not contribute to localized concentrations of mobile-source CO or TACs that would exceed applicable ambient air quality standards. This impact would be considered **less than cumulatively considerable.**	LCC	None required	LCC
Noise				
Impact 4.5.1	Short-term construction-generated noise levels could result in a substantial increase in ambient noise levels at nearby noise-sensitive land uses, including proposed residential uses that are constructed and inhabited before other portions of the project are complete.	PS	**MM 4.5.1** The City shall establish the following as conditions of approval for any permit that results in the use of construction equipment: • Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the daytime hours of 7 AM and 7 PM, Monday through Saturday. Construction activities shall be prohibited on Sundays and federal/state-recognized holidays. • Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation. • When not in use, motorized construction equipment shall not be left idling for more than 5 minutes.	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• Stationary equipment (power generators, compressors, etc.) shall be located at the furthest practical distance from nearby noise-sensitive land uses or sufficiently shielded to reduce noise-related impacts. **Timing/Implementation:** Implemented prior to approval of grading and/or building permits **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	
Impact 4.5.2	Implementation of the proposed project would not result in substantial increases in near-term traffic noise levels along area roadways.	LS	None Required	LS
Impact 4.5.3	Exposure to noise levels generated by future stationary sources associated with the proposed commercial land uses could result in a substantial increase in ambient noise levels that could exceed the City's noise standards at noise-sensitive land uses.	PS	**MM 4.5.3a** The following mitigation measures shall be applied to all residential development within the Area Plan: • Residential dwellings shall be equipped with central heating and air conditioning systems to allow closure of windows during inclement weather conditions. • Exterior air conditioning units located within 10 feet of adjacent residential dwellings shall be low-noise-rated and shielded from direct line of sight to adjacent residential dwellings. Shielding may include, but is not limited to, the use of wood fencing, provided no visible air gaps are detectable between individual panels. Use of tongue-and-groove or overlapping panels is recommended.	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• The Development Services Director or his/her designee may allow alternative design based on the recommendations of an acoustical consultant. **Timing/Implementation:** Verified prior to issuance of a building permit **Enforcement/Monitoring:** City of Shasta Lake Development Services Department **MM 4.5.3b** The following mitigation measures shall be applied to all commercial development within the Area Plan: • The City shall require an acoustical assessment to be performed prior to construction of the proposed commercial land uses. Where acoustical analysis determines that stationary source noise levels would exceed applicable noise standards as set forth in this Draft EIR, the City shall require the implementation of noise attenuation measures sufficient to achieve compliance with applicable noise standards at nearby noise-sensitive land uses. Such measures may include, but are not limited to, the incorporation of setbacks, sound barriers, berms, or equipment enclosures. **Timing/Implementation:** Prior to issuance of building permit **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 4.5.4	Projected onsite transportation noise levels at nearby proposed onsite development would exceed the City's noise-sensitivity standards for land use compatibility.	PS	**MM 4.5.4** Applicants for subsequent project level development approvals within the Mountain Gate at Shasta Area Plan shall be required to prepare an acoustical assessment evaluating on-site noise levels at proposed residential dwellings. The assessment shall address residential land uses located within 855 feet of the UPRR centerline, residential land uses located within 819 feet of the I-5 centerline, commercial land uses located within 382 feet of the I-5 centerline, and residential dwellings located along proposed on-site major roadways (i.e., 5,000 ADT or greater). Mitigation measures shall be identified to reduce predicted transportation noise levels at on-site receptors to below the City's acceptable exterior and interior noise sensitivity standards. Mitigation measures commonly applied to reduce transportation noise levels may include, but are not limited to, the following: • Construction of sound barriers to shield on-site land uses from line of sight of the noise source. • Orientation of on-site structures to shield more noise-sensitive land uses from line of sight of the noise source or use of open-space areas to provide increased setback distances to noise-sensitive land uses. • Incorporation of increased insulation and noise-reduction features (e.g., sound-rated windows and doors) in building design and construction.	~~LS~~ **SU**

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Timing/Implementation: Prior to approval of subsequent tentative subdivision maps or other discretionary permits and/or issuance of grading or building permits as applicable. **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	
Impact 4.5.5	Short-term construction and long-term operation of the proposed land uses would not exceed commonly applied thresholds for the prevention of structural damage or human annoyance.	LS	None required	LS
Impact 4.5.6	Implementation of the proposed project would not result in a substantial contribution to future cumulative traffic noise levels.	LCC	None required	LCC
Biological Resources				
Impact 4.6.1	Development of the proposed project could result in adverse impacts to nesting special-status birds, raptors, ~~**and**~~ migratory birds, **and other candidate, sensitive, or special status species**. Impacts to these species are considered to be potentially significant.	PS	**MM 4.6.1a** To the extent practicable, removal of vegetation, grading, and ~~other~~ **initiation of** construction activities shall ~~be initiated~~ **occur** outside of the nesting season (i.e. ~~initiated from October through February~~ **between September 1 and February 28).** **Timing/Implementation:** Prior to initiating construction of each subsequent development allowed under the Area Plan **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			MM 4.6.1b In areas where suitable raptor nesting habitat (e.g. large trees) will be removed during the nesting season (approximately ~~September~~ **February 1** through ~~February~~ **August 31**) or where construction activities will occur within 500 feet of suitable raptor nesting habitat or within 660 feet of suitable bald eagle nesting habitat during the nesting season, a qualified biologist shall conduct pre-construction surveys for nesting raptors and bald eagles. **Unless otherwise recommended by CDFW**, ~~A~~at least one survey shall be conducted no more than two weeks prior to the anticipated onset of construction activity at each phase of development and all surveys shall cover a minimum of a 660 foot buffer around the proposed construction zones. If vegetation removal or other construction activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed. If no active raptor or bald eagle nests are identified, no further measures are necessary. If active raptor nests are identified within the 500 foot buffer, or active bald eagle nests are identified within the 660 buffer, ~~the following measures shall be implemented~~ **a no-disturbance buffer zone deemed appropriate to the species will be established around the nests to avoid disturbance or destruction of the nest. The no-disturbance buffer will be determined by the biologist in consultation with the City. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities.**	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			The biologist shall delineate the buffer zone with construction tape or pin flags until the young have fledged. **Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed. The monitoring biologist shall have the authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active raptor nests to the CDFW.** **A report shall be prepared and submitted to the City and CDFW following the fledging of the nestlings to document the results.** ~~the following measures shall be implemented:~~ ~~1. If feasible, avoid construction activities within 500 foot of active raptor nests and 660 foot of active bald eagle nests until nesting activity has ceased, as determined by a qualified biologist.~~ ~~2. If avoidance of all construction activities within 500 feet of active raptor nests and/or 660 feet of active bald eagle nests is not feasible, a qualified biologist, in consultation with the CDWF, shall identify measures necessary to avoid "take" of active nests. These measures shall include, but are not limited to, maintaining a minimum distance from active nesting sites and monitoring by a qualified biologist. The monitoring biologist shall have authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active raptor nests to the CDWF.~~	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Timing/Implementation: Prior to issuance of a grading permit for each subsequent development allowed under the Area Plan **and throughout construction activities.** **Enforcement/Monitoring:** City of Shasta Lake Development Services Department **in consultation with CDFW**. **MM 4.6.1c** In areas where suitable nesting habitat for migratory birds, such as purple martins, will be removed during the nesting season ~~(approximately March to September~~ **February 1 through August 31)**, a qualified biologist shall conduct pre-construction surveys for active nest sites. At least one survey shall be conducted no more than two weeks prior to the anticipated onset of construction activity. **Unless otherwise recommended by CDFW**, ~~S~~surveys shall cover all areas where suitable nesting habitat will be removed, as well as the surrounding 250 foot buffer area. If vegetation removal activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed. If no active nests are identified, no further measures are necessary. If an active nest is found during the pre-construction survey, ~~a 250 foot buffer shall be established around the nesting site to avoid inadvertent disturbance of the nest~~	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			~~and potential abandonment. The nesting site and buffer shall remain undisturbed until after the young have fledged. The width of the buffer should be determined by the biologist in coordination with CDFW and would be dependent on the types of activities planned within the vicinity of the nest.~~ **a no-disturbance buffer zone deemed appropriate to the species will be established around the nests to avoid disturbance or destruction of the nest. The no-disturbance buffer will be determined by the biologist in consultation with the City. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist shall delineate the buffer zone with construction tape or pin flags until the young have fledged.** **Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed. The monitoring biologist shall have the authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active nests to the CDFW. A report shall be prepared and submitted to the City and CDFW following the fledging of the nestlings to document the results.** **Timing/Implementation:** **Prior to issuance of a grading permit for each subsequent development allowed under the Area Plan.** **Enforcement/Monitoring:** City of Shasta Lake Development Services **Department in consultation with CDFW.**	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			MM 4.6.1d **Unless previously completed pursuant to the requirements of this mitigation measure, and/or mitigation has been satisfied as required by project-specific state and/or federal agency regulatory permit(s), a Biological Analysis shall be completed to determine the presence and extent of special-status plant and wildlife species and shall be submitted concurrently with each application for a subsequent tentative subdivision map or other discretionary project. All previously completed biological studies, issued state and/or federal agency permits, and written verification of satisfactory completion of required mitigation shall be submitted to the City concurrently with each subsequent discretionary project application.** **The Biological Analysis shall be conducted by a qualified biologist pursuant to applicable regulatory agency protocols and guidelines. Field surveys shall be conducted on foot and shall be undertaken at times when the subject species are most likely to be identified. Time in the field shall be proportional to the size of the project site, biological characteristics of the site, and the significance of sensitive habitats present. The Assessment shall include, at a minimum:** • **Date, time of day, person hours, weather conditions, and temperature;** • **A biological characterization of the subject property;** • **A discussion of the existence or absence of waterways, including wetlands;**	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• A listing of special-status plants and wildlife and their associated habitat that could occur within the project boundaries; • A listing of special-status plants and wildlife observed on site; and • Recommended means of avoiding or mitigating impacts. Based on the field surveys and research, the presence and/or potential for special-status species shall be determined in consultation with the applicable regulatory agency. When special status species are observed on site, or if there is a reasonable likelihood that one of these species exists based on the presence of suitable habitat and adopted species range maps, a focused survey may be required on a species-by-species basis as determined by regulatory agency methodology for the focused survey(s). Reports documenting focused survey results shall be submitted to the appropriate regulatory agencies for review and approval. A copy shall be provided to the Development Services Director. Where the Assessment establishes that mitigation is required to avoid direct and indirect adverse effects on special-status plant and wildlife species, a detailed mitigation plan shall be developed and approved by the Development Services Director in consultation with the applicable regulatory agency. Mitigation measures that shall be considered based on project- and site-specific considerations include, but are not limited to:	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• Project designs shall be reconfigured (e.g., reduced street widths, clustered development, etc.), to avoid special-status species and sensitive habitats. Specific measures shall be identified to minimize ground disturbances and construction footprints near sensitive areas. • Pre-construction surveys shall be conducted at least two weeks prior to the onset of construction activities within suitable habitat and a minimum 150-foot buffer, or as recommended by the applicable regulatory agency. If vegetation removal activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed. • Where habitat avoidance is infeasible, mitigation shall be implemented through preservation, enhancement, or creation of special-status habitat. • Loss of habitat may be mitigated at an agency-approved mitigation bank or through individual mitigation sites as approved by the applicable regulatory agency. Compensatory mitigation ratios shall be negotiated with the permitting agencies. • Mitigation sites shall be monitored as determined by the Development Services Director in consultation with the applicable regulatory agency until the mitigation is considered to be successful.	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• All mitigation areas shall be preserved in perpetuity through either fee ownership or a conservation easement held by a qualified conservation organization or agency. A long-term funding source for site preservation shall be secured. • Construction activities in the vicinity of sensitive resources shall be completed during the period that best avoids disturbance to plant and wildlife species present (e.g., May 15 to October 15 near salmonid habitat; February 1 through August 31 for migratory birds and other birds of prey; April 1 – August 31 for maternity bat roosts, etc.) as determined by the Development Services Director in consultation with CDFW. • No-disturbance buffer zones deemed appropriate to the species shall be established. The no-disturbance buffer will be determined by the biologist in consultation with the applicable regulatory agency. • A qualified biologist shall locate and fence off no-disturbance buffer zones before construction activities begin and shall inspect areas hourly, daily or weekly, depending on the species, to ensure that barrier fencing, stakes, and setback buffers are maintained during construction. • A Worker's Awareness Training shall be conducted prior to construction and include training materials and a briefing covering all	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			sensitive species and habitats to further educate construction personnel regarding potential adverse effects to these resources. These training materials and briefings shall include the laws and regulations that protect these resources and the consequences of noncompliance with those laws and regulations. A contact person shall be provided to the Development Services Director in the event that protected biological resources are discovered at the project site. • Individual projects shall minimize the use of in-water construction methods in areas that support sensitive aquatic species, especially when listed species could be present. • In the event equipment needs to operate in any watercourse with flowing or standing water, a qualified biological resource monitor shall be present at all times to alert construction crews to the possible presence of Western pond turtles, California red-legged frogs, Central Valley steelhead, salmonids, Sanford's Arrowhead, or other special status species at risk during construction operations. • Biological monitoring shall be particularly targeted for areas near identified habitat for special status plant and wildlife species. • A "no take" approach shall be taken whenever feasible during construction near special-status plant and wildlife species.	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• **Projects shall obtain incidental take authorization from the permitting agencies as required prior to commencement of grading or construction.** • **Specific measures shall be identified to minimize the negative effects of night lighting and noise on listed and sensitive wildlife.** **Timing/Implementation:** **Prior to submitting applications for subsequent small-lot tentative maps or other discretionary projects; or prior to issuance of a grading permit for each subsequent development, and throughout construction activities.** **Enforcement/Monitoring:** **City of Shasta Lake Development Services Department in consultation with applicable regulatory agencies.**	
Impact 4.6.2	Direct disturbance (e.g. removal, trimming) to elderberry shrubs or activities within 100 feet of the elderberry shrubs could result in adverse impacts to valley elderberry longhorn beetle (VELB), if this species is present.	PS	**Implementation of mitigation measure MM 4.6.1d** ~~MM 4.6.2a Prior to any ground disturbing activities, pre-construction surveys for elderberry shrubs shall be conducted by a qualified biologist. If no elderberry shrubs are located, no further measures are necessary.~~ ~~Timing/Implementation:~~ ~~Prior to issuance of a grading permit for each subsequent development allowed under the Area Plan.~~ ~~Enforcement/Monitoring:~~ ~~City of Shasta Lake Development Services Department~~ ~~MM 4.6.2b If practicable, avoid construction activities within 100 feet of any identified elderberry shrubs and provide fencing or signage as necessary to~~	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			~~keep people and equipment outside of the 100 foot buffer throughout construction. Provide for the preservation of the elderberry shrubs and maintenance of the 100 foot buffer throughout the life of the project.~~ ~~Timing/Implementation:~~ ~~Prior to issuance of a grading permit for each subsequent development within 100 feet of elderberry shrubs~~ ~~Enforcement/Monitoring:~~ ~~City of Shasta Lake Development Services Department~~ ~~MM 4.6.2c If avoidance of the elderberry shrubs and 100 foot buffer is not practicable, a USFWS protocol level survey for valley elderberry longhorn beetles shall be conducted by a qualified biologist. If no evidence of the presence of the species is detected during the survey, and in the professional opinion of the biologist, valley elderberry longhorn beetles are not likely to occur within the proposed project site, the USFWS shall be contacted with a request for concurrence with a "no effect" or "not likely to adversely effect" determination. If the USFWS concurs that the project will not affect valley elderberry longhorn beetles, no further measures are required. If evidence of the species is detected during the protocol level survey or the USFWS will not concur with a "no effect" or "not likely to adversely effect" determination:~~ ~~1. Formal consultation with the USFWS shall be initiated under Section 7 or Section 10 of the Endangered Species Act, as appropriate. No activities shall occur within 100 feet of the elderberry shrubs until Incidental Take authorization has been obtained from the USFWS.~~	

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Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			~~Timing/Implementation:~~ ~~Prior to issuance of a grading permit for each subsequent development within 100 feet of elderberry shrubs Enforcement/Monitoring:~~ ~~City of Shasta Lake Development Services Department~~	
Impact 4.6.3	Development of the proposed project could result in impacts to waters of the U.S., including wetland habitats.	PS	**MM 4.6.3a** Prior to initiating construction within 100 feet of "waters of the U.S.", including wetlands, the preliminary wetland delineation report shall be submitted to and verified by the USACE. **Timing/Implementation:** Prior to issuance of a grading permit **Enforcement/Monitoring:** City of Shasta Lake Development Services Department **MM 4.6.3b** Authorization under a Nationwide Permit or Individual Permit shall be obtained from the USACE. For fill requiring a USACE permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material. All mitigation required by USACE **and RWQCB** shall be satisfied, including any replacement requirement at a ratio intended to fulfill the no net loss policy. Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks, notification of streambed alteration shall be submitted to the CDFW; and, if required, a streambed alteration agreement shall be obtained	LS

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Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Timing/Implementation: Prior to issuance of a grading permit **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	
Impact 4.6.4	Development of the proposed project would result in the reduction of oak woodland habitat and loss of annual grassland.	S	**MM 4.6.4a** Three fifteen (15) gallon trees shall be planted for each protected tree removed. ~~that exceeds ten inches DBH, in compliance with the City's Tree Preservation Ordinance.~~ **Heritage oak trees 35 inches DBH or greater shall be replaced at a ratio of 4:1 with 24-inch box trees. A tree replacement plan shall be submitted showing the number, location and type of trees to be planted. The tree replacement plan shall be reviewed and approved by a City-approved arborist.** **The replacement trees shall be native trees unless the Development Services Director determines that another species would be more suitable for the location.** **Timing/Implementation:** Prior to final completion of the large lot circulation plan improvements; **or prior to issuance of a Certificate of Occupancy for any structure, unless otherwise specified in the Tree Replacement Plan.** **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			MM 4.6.4b **In the event the project site does not have sufficient area on-site to accommodate the required tree mitigation, one or more of the following measures shall be implemented:** • **The size of a 15-gallon replacement tree can be increased to 24-inch box and count as two replacement trees; and/or** • **An alternative site(s) shall be identified for additional tree planting. Alternative sites may include, but are not limited to, local parks, schools, public rights-of-way or on adjacent properties for screening purposes; and/or** • **Payment of an in-lieu fee to the City to purchase trees that will be planted on public property, such as parks, schools, public rights-of-way or on other public facilities. The in-lieu fee shall be based on the fair market value of the number of trees required as replacement trees that cannot be accommodated on-site.** **Timing/Implementation:** **Prior to final completion of the large-lot circulation plan improvements; or prior to issuance of a Certificate of Occupancy for any structure, unless otherwise specified in the Tree Replacement Plan.** **Enforcement/Monitoring:** **City of Shasta Lake Development Services Department**	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			MM 4.6.4c **A pre-development meeting with the Development Services Director shall be conducted to ensure tree conservation is considered early in the planning process with respect to placement of buildings, roads, driveways, parking, utilities and other site improvements. The following shall be prepared prior to the pre-development meeting:** • **Tree delineation map showing existing grades, location and size of groups of protected trees (stands); heritage trees (36-inch and above diameter at breast height) shall be specifically identified.** • **Conceptual development plan showing that one or more methods of ensuring tree conservation, with particular attention given to the preservation of heritage trees and stands of trees, have been considered in project design (e.g., reduced street sections, cluster development, avoidance, etc.).** • **Tree Removal and Replacement Plan, including identification of set-aside areas for replacement tree planting and alternative tree replacement methods proposed.** • **Additional information as may be required by the City's Tree Conservation Ordinance.**	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Timing/Implementation: **Prior to submittal of any application for subsequent tentative subdivision maps and/or other discretionary projects.** **Enforcement/Monitoring: City of Shasta Lake Development Services Department.**	
Impact 4.6.5	Development of the proposed project would result in the loss of breeding and foraging habitat for common and special-status wildlife species; and may result in indirect impacts to these species.	PS	**MM 4.6.5** Streetlights shall be shielded and directed downward to the street, away from open space areas to the extent practicable. Implementation of mitigation measure MM 4.12.3 for additional mitigation to reduce nighttime lighting impacts has been included. **Timing/Implementation:** Prior to improvement plan approval **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	LS
Impact 4.6.6	Construction associated with the proposed Mountain Gate at Shasta Area Plan could block or disrupt a major wildlife migration or a travel corridor.	LS	None required	LS
Impact 4.6.7	Development of the proposed project could conflict with the City of Shasta Lake tree conservation policies and ordinances.	LS	Implementation of mitigation measure **MM 4.6.4** would reduce this impact to a less than cumulatively considerable level.	LCC
Impact 4.6.8	Buildout of the proposed project may affect wetland resources.	PCC	Implementation of mitigation measures **MM 4.6.1a** through **MM 4.6.3** would reduce this impact to a less than cumulatively considerable level.	LCC
Impact 4.6.9	Buildout of the proposed project will result in the loss of oak woodland habitat.	PCC	**MM 4.6.9** In addition to the minimum planting standards in the City's Tree Conservation Ordinance, future	**L**CC ~~& SU~~

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			development shall be required to comply with the requirements in the Area Plan, **pursuant to a landscape plan reviewed and approved by a City-approved arborist,** which include the following tree replacement planting and preservation requirements: • All future roadways within parcels A-U shall incorporate street trees and a setback sidewalk design. Street trees shall be planted 30' on-center (O.C.) ~~where feasible~~ within the landscaped parkways, taking into account necessary setbacks from fire hydrants, intersections, driveways, etc., **unless a modified standard is approved by the Development Services Director.** • All protected trees shall remain within parcels B, T & U (open space) except where those trees interfere with utility extensions or other improvements required as part of the Mountain Gate **at Shasta** development. • Protected trees shall remain within parcels C & K (park areas) and additional 15-gallon trees shall be planted as part of the park improvements. • ~~Single family parcels within Parcel F, Q & S (very low density residential) shall have two additional 15 gallon trees planted per parcel in addition to the required three 15 gallon oak trees to be planted for each proposed single family unit/lot and any required replacement trees.~~	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• Pavement and base shall be removed from the southern terminus of the existing Wonderland Boulevard (south of proposed parcel A); a tree mitigation planting area shall be created and vegetated with small rooted stock. • 15-gallon trees approximately 50' O.C., shall be planted adjacent to the pedestrian trails (in non-forested areas) within the open space corridors **unless a modified standard is approved by the Development Services Director**. **Timing/Implementation:** Prior to improvement plan approval or ~~occupancy of any residential or commercial use as applicable.~~ **issuance of a Certificate of Occupancy for any structure, unless otherwise specified in the Tree Replacement Plan.** **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	
Impact 4.6.10	Buildout of the proposed project would result in the loss of heritage oak trees.	PCC	**MM 4.6.10** The following measures shall apply to construction in the vicinity of heritage oak trees: 1. Fencing shall be provided at least 6 feet outside of the dripline of all trees to be preserved. The fencing is to remain during construction. 2. No construction activities, including vehicle parking or materials stockpiling, shall occur within the fenced area. 3. No grading, cutting, or trenching shall occur within	LCC

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			the protected area. 4. Any pruning of the tree for safety or tree health shall only be done under the supervision of a City-approved arborist. 5. Irrigation systems proposed adjacent to the trees shall be reviewed and approved by a City-approved arborist. 6. Prior to occupancy of any home or business adjacent to a heritage tree, tree maintenance information shall be provided to the City for review and comment. The maintenance information shall inform the homeowner or business owner of the importance of how to ensure the longevity of the tree. The information shall be reviewed by a City-approved arborist. **Timing/Implementation:** Prior to and during construction and prior to occupancy of any residential or commercial use as applicable. **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	
Hydrology and Water Quality				
Impact 4.7.1	Soil and slope disturbance associated with construction activities for the proposed project could cause accelerated soil erosion and sedimentation or the release of other construction-related pollutants into adjacent waterways.	LS	None required	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 4.7.2	Development and operation of the proposed project could increase surface runoff, which may contain contaminants that could enter surface waters and possibly groundwater.	PS	**MM 4.7.2a** **The project applicant shall be required to implement all requirements of the City's Phase II *Municipal Separate Storm Water Sewer System* (MS4) Permit. This shall include, but not be limited to, implementation of quantifiable site design and/or source control measures to minimize the impact of pollutant-generating activities.** **Water Quality Control Plan:** The project applicant shall submit a water quality control plan for **development and** operation of the project site. Permanent water quality features ~~will~~ **shall** be incorporated into project **grading and** development plans and ~~will~~ **shall** include best management practices (BMPs) **and quantifiable site design measures in compliance with the City's Post-Construction Standards Plan** to minimize and control pollutants in stormwater runoff. ~~Water quality control measures identified in the Water Quality Control Plan can include, but are not limited to, the following:~~ ~~• Sediment will be retained on site by a system of sediment basins, traps, or other appropriate measures.~~ ~~• Description of measure to reduce "first flush" contaminants after construction, as well as plans for maintenance, funding, and scheduling for servicing the drainage system.~~ **Timing/Implementation:** Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading **or building** permits.	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Enforcement/Monitoring: City of Shasta Lake Public Works **and Development Services** Department**s** and Central Valley Regional Water Quality Control Board. **MM 4.7.2b** The development plans of future development under the proposed project shall contain specific structural and non-structural post-construction BMPs, such as grassed swales, bioretention, porous pavement, treatment vaults, retention of buffer strips, minimization of impervious surfaces, and approximate locations of each BMP. **BMPs shall be consistent with the City's Post-Construction Standards Plan.** **Timing/Implementation:** Prior to ~~approval of subsequent tentative subdivision maps or other discretionary permits, and/or~~ issuance of grading **or building** permits. **Enforcement/Monitoring:** City of Shasta Lake Public Works **and Development Services** Department and Central Valley Regional Water Quality Control Board. **MM 4.7.2c** The overall design and development of the Mountain Gate at Shasta Area Plan shall include post-construction stormwater BMPs to mitigate for stormwater discharges associated with the post-development of the site. The BMPs shall be incorporated into the project, as described in the application package, to treat stormwater runoff from	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			the site. **Design measures shall be consistent with the City's Post-Construction Standards Plan.** **Timing/Implementation:** Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading **or building** permits **Enforcement/Monitoring:** City of Shasta Lake Public Works **and Development Services** Department**s** and Central Valley Regional Water Quality Control Board. **MM 4.7.2d** ~~Prior to approval of a final subdivision or parcel map, t~~**T**he project applicant shall develop a landscaping plan to include provisions for the use of slow release fertilizers for common landscape areas **in compliance with the City's Post-Construction Standards Plan**. The landscape plans shall be submitted to the City of Shasta Lake Development Services Department for review and approval. **Timing/Implementation:** Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading permits. **Enforcement/Monitoring:** City of Shasta Lake Development Services Department and Central Valley Regional Water Quality Control Board.	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			MM 4.7.2e As part of the submittal of improvement plans for each phase of the project, the project applicant shall submit and obtain approval of a final drainage plan. The plan shall be prepared by a registered civil engineer and shall, at a minimum, include the following: • A written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, changes in downstream flows and flood elevations, proposed on- and off-site improvements, features to protect downstream uses and property, and if any drainage easements are needed to accommodate downstream flows from the project. Project drainage features shall be designed to ensure that no change in downstream flow conditions would result in new or increased severity of flooding for each phase of development. • The drainage details shall address storm drainage management during construction and thereafter and shall propose best management practice measures to reduce erosion, water quality degradation, etc. Permanent water quality control features shall demonstrate that the water quality controls would ensure that stormwater discharges would not result in pollutant levels or concentrations that would have a detrimental effect to aquatic life in	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			ephemeral or intermittent creek drainages. Stormwater discharges shall be in compliance with all current requirements of the Central Valley Regional Water Quality Control Board. • Storm drainage from on-site impervious surfaces shall be collected and treated to protect existing water quality. The maintenance of facilities shall be the responsibility of the project applicant. When the community is under control of a homeowners association, it is the association's obligation to provide facility maintenance. Where facilities are the responsibility of the City, easements for access to and maintenance of these facilities shall be created and offered for dedication to the City. When the facilities are located on property owned by a homeowners association, it shall be the association's obligation to provide facility maintenance. • Conformance with applicable City of Shasta Lake drainage requirements shall be demonstrated. • All related underground and surface drainage systems must be addressed in order to ensure full integration of areas that would generate runoff. These areas would include rooftops, sidewalks, cut/fill slopes, patio	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			areas, streets, parking lots, up-gradient off-site source areas, and impervious landscaping areas. Seepage from underground sources must also be addressed. • The report shall show that post-project flows would not exceed pre-project flows and the associated drainage improvements required to meet these standards. **Timing/Implementation:** Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading permits and included in a final drainage report. **Enforcement/Monitoring:** City of Shasta Lake Public Works Department.	
Impact 4.7.3	The proposed project could potentially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volumes or a lowering of the local groundwater table level.	LS	None required	LS
Impact 4.7.4	The proposed project could substantially alter the existing drainage pattern of the site or area, or could increase the amount of surface water, in a manner which could result in flooding on- or off-site.	PS	**MM 4.7.4** The final site drainage plan shall include detention ponds designed to store and attenuate stormwater runoff as shown in Figure 4.7-2. ~~Each of the detention ponds will have restricted outlets that will "calm" the velocity of runoff rates of storm events on the upstream side of the restricted outlets and provide for settlement~~	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			~~of sediments. Also,~~ ~~I~~ **The basins and culvert(s) under the proposed crossings will be sized in accordance with the final storm drainage plan. Post-project peak stormwater flows shall not exceed pre-project peak stormwater flows.** **T**he final site drainage plan shall include adequate provisions for erosion control at points of discharge for runoff generated within development areas. **Timing/Implementation:** Prior to approval of grading permits and/or improvement plans **Enforcement/Monitoring:** City of Shasta Lake Public Works Department	
Impact 4.7.5	Implementation of the project at buildout would increase the amount of impervious surfaces and increase drainage rates and runoff over existing conditions.	PS	Implement mitigation measures **MM 4.7.2e** and **MM 4.7.4.** **MM 4.7.5** The project applicant shall provide to the City a final set of proposed improvement plans and calculations accepted by the City including but not limited to the following: • Quantification of anticipated runoff rates during appropriate design storms. • A comprehensive storm drain system design, including inlets, outlets, conveyance systems, and detention systems. • Appropriate pipe sizing to accommodate design storm flows and sizing of stormwater detention facilities.	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• Identification of pipe sizing, pipe location, and the location of the inlet and outlet structures. **Timing/Implementation:** Prior to approval of a grading permit and/or improvement plans **Enforcement/Monitoring:** City of Shasta Lake Development Services Department; City of Shasta Lake Department of Public Works; Central Valley Regional Water Quality Control Board	
Impact 4.7.6	Development of the proposed project will not place housing or other types of structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.	LS	None required	LS
Impact 4.7.7	The proposed project is not expected to expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, nor will the project expose people or structures to a hazard of inundation by seiche, tsunami, or mudflow.	LS	None required	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 4.7.8	The proposed project in combination with planned and proposed development in the City of Shasta Lake would alter drainage conditions and rates, which could result in potential flooding impacts.	LCC	Implementation of mitigation measures **MM 4.7.2e**, **MM 4.7.4**, and **MM 4.7.5** would ensure that the project's contribution to increases to drainage and flooding would not result in new or increased severity of flooding, which would ensure that this impact is less than cumulatively considerable.	LCC
Impact 4.7.9	The proposed project in combination with planned and proposed development in the City of Shasta Lake would contribute to potential impacts to surface and groundwater quality from construction and operation activities.	LCC	Implementation of mitigation measures **MM 4.7.2a** through **4.7.2e**.	LCC
Geology and Soils				
Impact 4.8.1	Buildout of the project would require extensive grading and site preparation, which may increase soil erosion and affect slope stability.	PS	**MM 4.8.1a** The developer shall submit a ~~final~~ **preliminary** grading plan and an Erosion and Sediment Control Plan, prepared by a licensed engineer, to the City of Shasta Lake, pursuant to the specifications of the Grading, Erosion Control, and Hillside Development Ordinance (Chapter 15.08 in the City of Shasta Lake Municipal Code). The plan shall incorporate measures for erosion control as recommended in future geotechnical studies completed to assess design and construction of future project elements. **Timing/Implementation:** Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading permits.	**LS**

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Enforcement/Monitoring: City of Shasta Lake Development Services Department, City of Shasta Lake Public Works Department **MM 4.8.1b** The developer shall submit an engineered geotechnical report during the design of the project grading plan to ensure compatibility with the engineering characteristics of underlying soils pursuant to Municipal Code Chapter 15.08 and as recommended in the Preliminary Geotechnical Report prepared by CGi (2011). The geotechnical report shall include chemical analysis of soils as recommended by the City Engineer to assess the potential for corrosion and reactivity with concrete. In areas where hillside slopes exceed 30 percent, the layout of proposed improvements, including roadways and structures, shall allow for adjacent usable space to ensure that all cut and fill slopes will not be steeper than 2 feet horizontal to 1 foot vertical. **Timing/Implementation:** Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading permits. **Enforcement/Monitoring:** City of Shasta Lake Development Services Department, City of Shasta Lake Public Works Department	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 4.8.2	Structures constructed as part of the project may be subject to lateral spreading.	LS	None required.	LS
Impact 4.8.3	The project site may contain a potential liquefaction hazard.	LS	None required.	LS
Impact 4.8.4	Structures constructed as part of the project may be subject to landslides.	LS	None required.	LS
Impact 4.8.5	The project site may contain a potential subsidence hazard.	LS	None required.	LS
Impact 4.8.6	The project site may contain the potential for expansive soils.	LS	None required.	LS
Impact 4.8.7	Implementation of the proposed project in combination with reasonably foreseeable development would not contribute to cumulative geologic and soil impacts, as the impacts would be site-specific.	LCC	Implementation of mitigation measures **MM 4.8.1a** and **MM 4.8.1b**, as well as mitigation measures identified in Section 4.7, Hydrology and Water Quality, would ensure that the proposed project would not significantly contribute to cumulative geologic and soil impacts in the region.	LCC
Cultural Resources				
Impact 4.9.1	The proposed project at buildout could result in the potential disturbance of previously undiscovered cultural resources (e.g., prehistoric sites, historical sites, and isolated prehistoric and/or historic features or artifacts) and human remains.	PS	**MM 4.9.1** Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, or architectural remains, be encountered during development activities, work shall be suspended and the City of Shasta Lake Development Services Department shall be immediately notified. At that time, the City will coordinate any necessary investigation of the discovery with an appropriate specialist (e.g., archaeologist, architectural historian, Native American	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			tribe). The project applicant shall be required to implement any mitigation necessary for the protection of cultural resources. The City of Shasta Lake and the project applicant shall consider mitigation recommendations presented by a qualified archeologist for any unanticipated discoveries. The City and the project applicant shall consult and agree on implementation of a measure or measures that the City and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. **Timing/Implementation:** As a condition of project approval and implemented during construction activities **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	
Impact 4.9.2	Implementation of the proposed project could result in the potential disturbance or destruction of sites CA-SHA-1082 and CA-SHA-1086.	LS	None required	LS
Impact 4.9.3	Implementation of the proposed project could result in the potential disturbance or destruction of site CA-SHA-1823.	PS	**MM 4.9.3a** Preservation of site CA-SHA-1823 is required through avoidance measures, including a 50-foot buffer distance around the site, from lands that will be directly impacted by buildout of the proposed project.	LS

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Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Timing/Implementation: Prior to and during grading and construction activities **Monitoring/Enforcement:** City of Shasta Lake Development Services Department **MM 4.9.3b** Implementation of a long-term monitoring plan is required to ensure that impacts to the site will not accompany proposed buildout of and subsequent activities within the project area. The monitoring plan shall include the following information: 1. Baseline Data: Take photographs of the site prior to any construction activity (road and commercial construction activities). These photographs will provide the baseline data for subsequent site inspections and monitoring of site conditions. A copy of the photographs shall be delivered to the landowner for permanent curation. 2. Field Inspections and Reports: A professional archaeologist shall conduct field inspections at the site/preservation area, using the photographs taken in the baseline year as representing the "pristine" condition of the site, as follows: • The initial inspection shall be undertaken at the beginning of construction work, including road grading and land re-contour, and will continue for five years. The selected archaeologist shall prepare a summary	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			report following each annual field inspection, in which the condition of the site and any observed impacts to it shall be summarized. If impacts to the site have occurred, the report shall detail appropriate treatment changes, based on specific findings and field observations. "Treatment changes" could include, but are not necessarily limited to, such actions as depositing boulders or other cover over or around the site deposit. • On the fifth annual inspection, the archaeologist shall render a conclusion as to whether additional annual inspections are necessary, or alternatively whether or not the program of annual inspections shall be terminated. In reaching a conclusion, the archaeologist shall consider several factors, including (1) the extent of any impacts to the site that have accompanied buildout and use of nearby lands, and (2) whether or not indigenous or other (exotic) vegetation might be adversely affecting the preservation area for which some specialized treatment might be recommended. 3. Native American Consultation: Prior to commencement of the initial field inspection and each annual inspection identified under MM 4.9.3b(2) above, affected/interested local tribal governments shall be notified to allow the tribes to provide their own on-site cultural resource monitor(s) during grading and activities.	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			4. Responsibility for implementing the long-term monitoring plan shall reside with the developer at the time of initial construction activity, transferring thereafter to the final property owner(s). **Timing/Implementation:** Prior to and during grading and construction activities **Monitoring/Enforcement:** City of Shasta Lake Development Services Department	
Impact 4.9.4	Implementation of the proposed project could result in the potential disturbance or destruction of sites CA-SHA-1085 and CA-SHA-1822.	PS	**MM 4.9.4** 1. Sites CA-SHA-1085 and -1822 shall be subjected to a focused data recovery effort with the primary goal of recovering dating samples (charcoal). In the process of recovering datable charcoal, additional cultural materials recovered shall be analyzed in comparison with previously recovered cultural material from the sites. The focused data recovery program shall proceed as identified in the Archaeological Inventory Survey for "Testing and Data Recovery Approach" as follows: • Excavation utilizing 1-meter-square exposures and in arbitrarily defined 10-centimeter levels, with all recovered material screened through ¼-inch mesh, unless very small objects (e.g., beads) are observed, in which case screening would shift to 1/8-inch mesh. • Submission of charcoal samples for radiocarbon analysis if material is recovered in suitable quantities and in sufficiently undisturbed contexts to warrant evaluation.	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• Evaluation of recovered cultural material in relation to local and regional typologies for various types of formed artifacts that might be exposed. • Preparation of a final report, to proceed in conformity with standard professional practices, designed to detail the information and research values of recovered cultural material. • For all sites subjected to data recovery excavation, recovered cultural material would be accessioned and the final report would include illustration of representative examples of formed artifact types, including especially diagnostic projectile points, beads, and other artifact types. • All materials recovered during the project would be considered the real property of the property owner/project proponent, and would be returned to the property owner along with the final report for permanent curation. 2. Native American Consultation: Prior to commencement of the data recovery effort identified under **MM 4.9.4a** (1) above, affected/interested local tribal governments shall be notified to allow the tribes to provide their own on-site cultural resource monitor(s) during grading and activities.	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			3. Responsibility for implementing the long-term monitoring plan shall reside with the developer at the time of initial construction activity, transferring thereafter to the final property owner(s). **Timing/Implementation:** Prior to grading and construction activities **Monitoring/Enforcement:** City of Shasta Lake Development Services Department	
Impact 4.9.5	Implementation of the proposed project could result in potential disturbance or destruction of historic site CA-SHA-1824-H.	LS	None required	LS
Impact 4.9.6	Implementation of the proposed project could result in potential disturbance or destruction of historic site CA-SHA-1447-H.	LS	None required	LS
Impact 4.9.7	Implementation of the proposed project, along with any foreseeable development in the project vicinity, could result in cumulative impacts to cultural resources.	LCC	Implementation of mitigation measures **MM 4.9.1, MM 4.9.3a** and **MM 4.9.3b,** and **MM 4.9.4** would mitigate the project's contribution to the cumulative destruction of cultural resources to a **less than cumulatively considerable** level.	LCC
Utilities and Service Systems				
Impact 4.10.1.1	Buildout of the project would require the use of water supplies, which may exceed the City of Shasta Lake's current water allotment during drought conditions.	PS	**MM 4.10.1.1** Prior to approval of subsequent development (i.e., further division of the property, conditional use permit, etc.), the project applicant must demonstrate water supply availability. The City may delay or deny subsequent projects based on water availability or drought conditions in effect at the time of project consideration.	SU

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Timing/Implementation: Prior to approval of subsequent tentative subdivision maps or other discretionary approvals. **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	
Impact 4.10.1.2	Buildout of the project would require water system upgrades, the construction of a reservoir, booster pump station and other improvements to serve the project site.	LS	None required	LS
Impact 4.10.1.3	Implementation of the proposed project, in combination with cumulative development, would increase the current demand for water supply service.	CC	Implementation of mitigation measure **MM 4.10.1.1.**	CC & SU
Impact 4.10.2.1	Implementation of the proposed Mountain Gate at Shasta Area Plan would require the expansion or alteration of existing wastewater facilities to meet the Area Plan demand. Any future development in the areas of the proposed project may require the extension or alteration of existing wastewater treatment facilities.	PS	**MM 4.10.2.1a** Subsequent development under the Area Plan shall be responsible for all sewer infrastructure necessary to serve the proposed development. All sewer infrastructure shall be designed and constructed in accordance with City of Shasta Lake design criteria. **Timing/Implementation:** Prior to the issuance of building permits for each subsequent development project **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance

			MM 4.10.2.1b
			Project applicants shall be required to ensure wastewater service to future development within the Area Plan through the following means:
			• ~~Contribute a fair share contribution toward the p~~ **P**lanning, engineering, and construction of all necessary off-site collection system improvements to serve the Area Plan. These improvements include, but may not be limited to:
			  • Construction of a new lift station near the southerly boundary of the site, with a connection to the existing force main in Cascade Boulevard, north of Shasta Dam Boulevard.
			Timing/Implementation:
			Prior to occupancy of any dwelling unit or commercial building.
			  • Additional expansion of the Salt Creek Lift Station beyond that currently planned by the City to handle proposed development under the Area Plan.
			Timing/Implementation:
			As demand warrants; reviewed prior to approval of subsequent small-lot tentative maps or other discretionary projects.	

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Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			• Construction of a new force main from the Salt Creek Lift Station to the treatment plant, most likely following Pine Grove Boulevard from the Salt Creek Lift Station to the treatment plant. **Timing/Implementation:** **In conjunction with expansion of the Salt Creek Lift Station.** • Other improvements determined by the City Engineer to be required in order to serve future development. **Timing/Implementation:** **Reviewed prior to approval of any subsequent tentative subdivision map or other discretionary permits.** ~~Prior to recordation of subsequent tentative maps and/or prior to issuance of a building permit for any commercial development~~ **Enforcement/Monitoring:** City of Shasta Lake ~~Development Services Department~~ **Public Works Department** **MM 4.10.2.1c** **Prior to approval of subsequent development (i.e., further division of the property, conditional use permit, etc.), the project applicant must demonstrate that the City's wastewater treatment plant is able to accommodate the development. The City may delay or deny subsequent projects based on conditions in effect at the time of project consideration.**	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Timing/Implementation: **Prior to approval of subsequent tentative subdivision maps or other discretionary approvals.** **Enforcement/Monitoring:** **City of Shasta Lake Development Services Department.**	
Impact 4.10.2.2	Implementation of the proposed Mountain Gate at Shasta Area Plan would not result in the violation of wastewater treatment requirements.	LS	None required	LS
Impact 4.10.2.3	Implementation of proposed project in combination with other developments within the Shasta Lake Community Services District service area would increase wastewater flows and the current demand for wastewater treatment services.	CC	Implementation of mitigation measures **MM 4.10.2.1a** through **4.10.2.1c** would not directly result in the needed wastewater disposal capacity to serve the Area Plan at buildout. However, it would guarantee that development could not be constructed without first obtaining a verification of wastewater disposal capability prior to the issuance of building permits. Therefore, this impact is considered **less than cumulatively considerable**.	LCC
Impact 4.10.3.1	Buildout of the project would cause a substantial increase in demand for solid waste disposal services.	PS	None required	LS
Impact 4.10.3.2	Buildout of the project would not increase the potential of non-compliance of AB 939 by the City by introducing additional waste into the solid waste stream.	LS	None required	LS
Impact 4.10.3.3	The division of the project site would cause a substantial increase in demand for solid waste disposal services.	LCC	None required	LCC

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 4.10.4.1	Implementation of the proposed project would increase demand for electric, propane, and telephone/cable services and require the extension of existing infrastructure.	PS	**MM 4.10.4.1** The developer shall dedicate a minimum of 2 acres of land on the west side of the development for the placement of an electrical substation by the City of Shasta Lake to serve the project. **Timing/Implementation:** Identified prior to approval of subsequent tentative subdivision maps or other discretionary approvals. **Enforcement/Monitoring:** City of Shasta Lake Electric Department	LS
Impact 4.10.4.2	Implementation of the proposed project in addition to reasonably foreseeable developments would include the extension of existing infrastructure and require new facilities to accommodate the anticipated growth.	LCC	None required	LCC
Public Services				
Impact 4.11.1.1	Buildout of the proposed project would increase the demand for additional fire protection services and emergency medical services.	S	**MM 4.11.1** Prior to occupancy of the 500th residential unit, applicant shall dedicate two (2) acres located within either Area H or Area I to the Shasta Lake Fire Protection District. The cost of construction of the fire station shall be borne by the Shasta Lake Fire Protection District (SLFPD). **Timing/Implementation:** Prior to issuance of a building permit for the 500th dwelling unit or construction of 50 percent of the commercial development, or a combination of both as determined by the SLFPD during review of subsequent tentative subdivision map or other discretional permits.	LS

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Enforcement/Monitoring: City of Shasta Lake Development Services Department; Shasta Lake Fire Protection District	
Impact 4.11.1.2	Buildout of the proposed project would locate homes and structures in an area identified by SLFPD as a hazard severity zone, which would expose residents to wildland fire hazards.	LS	None required	LS
Impact 4.11.1.3	The proposed project, in addition to foreseeable development, would increase the population within SLFPD service areas and require additional fire and emergency medical services.	LCC	None required	LS
Impact 4.11.2.1	Build-out of the proposed project would require additional police protection services.	PS	**MM 4.11.2.1** ~~In coordination with the City of Shasta Lake, all future development projects within the Area Plan shall participate in funding mechanisms designed to maintain the ratio of public safety officers to population, or population equivalent, at 1.5 officers per 1,000 residents.~~ **A study shall be performed at the Applicant's expense to determine if there is a shortfall in funding from property tax revenue for law enforcement services anticipated to serve the project. If a funding shortfall does exist, the Applicant, owner or successor shall agree to participate with the City of Shasta Lake in a funding mechanism to bridge the funding shortfall.** **The funding mechanism may include formation of a Services Community Facilities District that will obligate each landowner within the subdivision to participate in the district.**	LS

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			Timing/Implementation: ~~Verification p~~**P**rior to approval of subsequent tentative subdivision maps or other discretionary permits. **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	
Impact 4.11.2.2	The proposed project, in addition to foreseeable development, would increase the population within the City of Shasta Lake and require additional law enforcement services.	PCC	None required	LCC
Impact 4.11.3.1	Build-out of the proposed project will increase the number of school aged children and attendance to the Grand Oaks Elementary School.	LS	**None Required.** ~~**MM 4.11.3.1**~~ ~~The applicant shall set aside 10 acres within the Area Plan for potential future development of a new school by the Gateway Unified School District (GUSD). The 10 acres shall be made available for purchase by the GUSD for a period of three years from the date of the approval of the first small lot tentative map.~~ ~~In the event the GUSD elects not to purchase the site the applicant shall be permitted to subdivide the site for future development consistent with the Area Plan.~~ ~~**Timing/Implementation:**~~ ~~Reviewed prior to approval of any subsequent tentative subdivision maps.~~ ~~**Enforcement/Monitoring:**~~ ~~City of Shasta Lake Development Services Department~~	LS

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 4.11.3.2	The proposed project, in combination with foreseeable development proposed in the City, would result in a cumulative increase in student enrollment.	LCC	None required	LCC
Impact 4.11.4.1	Build-out of the proposed project would increase the demand for additional park and recreational facilities.	LS	None required	LS
Impact 4.11.4.2	The proposed project and other foreseeable development would require additional park and recreation facilities in the City of Shasta Lake.	LCC	None required	LCC
Aesthetics				
Impact 4.12.1	Buildout of the proposed project could substantially alter scenic vistas of the surrounding natural area.	PS	**MM 4.12.1** The project developer shall be required to ensure adequate screening of the proposed water storage tank with existing and/or newly planted vegetation. **Timing/Implementation:** Prior to approval of water storage tank improvement plan **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	LS
Impact 4.12.2	Buildout of the proposed project would alter the existing landscape characteristics of the project site, as scene from Interstate 5, from primarily vacant to urban.	PS	**MM 4.12.2a** The proposed project shall be required to submit design guidelines that will regulate the design of all building and landscaping for the project. Residential and other building designs shall be required to utilize earth-tone colors and materials in their architectural design in order	LS

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			to complement the existing landscape features of the project area. No aboveground structures shall be allowed along ridgelines or hilltops on the project site in conformance with Municipal Code Section 15.08. The design guidelines shall be reviewed and approved by the City of Shasta Lake Development Services Department. **Timing/Implementation:** Prior to improvement plan submittal **Enforcement/Monitoring:** City of Shasta Lake Development Services Department **MM 4.12.2b** All project hardscape features, such as parking lots, shall be designed to blend with existing landscape characteristics. Such features shall be screened from off-site views through the use of native vegetation, landscaping, natural features, and other appropriate screening measures. **Timing/Implementation:** Prior to improvement plan approval **Enforcement/Monitoring:** City of Shasta Lake Development Services Department; City of Shasta Lake Department of Public Works **MM 4.12.2c** A landscape plan shall be submitted to the City of Shasta Lake. Landscaping shall consist of vegetation and features characteristic of the area and shall be installed prior to completion of the project. This	

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			screening is intended to blend development features into the landscaped characteristics of the area so as to not dominate the view. **Timing/Implementation:** Prior to improvement plan approval **Enforcement/Monitoring:** City of Shasta Lake Development Services Department, City of Shasta Lake Department of Public Works	
Impact 4.12.3	Buildout of the proposed project would convert approximately 354 acres of the project site from moderately disturbed land to a mixed-use urban development.	LS	None required	LS
Impact 4.12.4	Buildout of the proposed project would introduce some urban uses to a primarily undeveloped and rural area that currently includes few existing sources of glare.	PS	**MM 4.12.4** Project design guidelines shall prohibit the use of reflective material and shall encourage the use of landscaping and other design features to minimize the potential for glare. **Timing/Implementation:** Prior to improvement plan submittal/Included in the project design guidelines **Enforcement/Monitoring:** City of Shasta Lake Development Services Department; City of Shasta Lake Department of Public Works	LS
Impact 4.12.5	The proposed project at buildout would introduce new sources of nighttime lighting and glare, resulting in an increase to ambient nighttime lighting levels. Required street lighting will increase	PS	**MM 4.12.5a** Outdoor light fixtures for nonresidential areas (such as the commercial center) shall be low-intensity, shielded, and/or directed away from residential areas and the	LS

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
	the source of night lighting within the area.		night sky. All light fixtures shall be designed, installed, and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. Lighting plans shall be provided as part of facility improvement plans to the City that identify that illumination levels at adjacent residential areas will not exceed one foot-candle. **Timing/Implementation:** Prior to approval of building permits and/or improvement plans **Enforcement/Monitoring:** City of Shasta Lake Development Services Department; City of Shasta Department of Public Works **MM 4.12.5b** Outdoor lighting for nonresidential uses (i.e., commercial center) shall be designed to be turned off when not in use where security and safety is not a concern. This requirement shall be included in lighting plans submitted to the City as part of the facility improvement plans. **Timing/Implementation:** Prior to approval of building permits and/or improvement plans **Enforcement/Monitoring:** City of Shasta Lake Development Services Department; City of Shasta Department of Public Works	

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			MM 4.12.5c For outdoor lighting fixtures installed on residences and nonresidential buildings, project design guidelines shall restrict the installation of flood and/or spot lighting fixtures, except when used as part of landscaping. All light fixtures shall be shielded away from adjoining residents and the night sky. Project design guidelines shall be submitted to the City of Shasta Lake Planning Department for review and approval to verify that the lighting standards are in place. **Timing/Implementation:** Prior to issuance of building permits **Enforcement/Monitoring:** City of Shasta Lake Development Services Department	
Impact 4.12.6	Implementation of the proposed project would contribute to the cumulative conversion of the area from moderately disturbed open space to other urban uses.	LCC	None required	LCC
Greenhouse Gases and Climate Change				
Impact 4.13.1	Implementation of the proposed project would result in a net increase in GHG emissions, yet would not result in a significant impact on the environment.	LCC	None required	LCC

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
Impact 4.13.2	Implementation of the proposed project would result in a net increase in greenhouse gas emissions and could conflict with the goals of AB 32.	PCC	**MM 4.13.2** Subsequent development projects within the Mountain Gate at Shasta Area Plan shall submit to the Shasta County Air Quality Management District and receive approval for a GHG Emissions Reduction Plan ~~prior to issuance of building permits for the development project in question.~~ The GHG Emissions Reduction Plan **shall be consistent with the goals of AB 32 and shall identify quantifiable measures equaling an emission reduction value of 428 metric tons per year unless a different value is determined to be required based on review of project-specific information and State requirements at the time an application for subsequent small-lot tentative maps or other discretionary projects is submitted to the City.** ~~demonstrate adherence to the following measures, or alternative measures equaling the same or greater emission reduction values:~~ ~~• Indoor water conservation measures shall be incorporated, such as use of low-flow toilets, showers, and faucets (kitchen and bathroom), in each residential unit. (74 metric ton reduction)~~ ~~• The proposed project shall be designed to exceed state energy efficiency standards by 15 percent (to Tier 1 Title 24 Standards) as directed by Appendix A5 of the 2010 California Green Building Standards (CBSC 2011). This measure helps to reduce emissions associated with energy consumption. (347 metric ton reduction)~~ ~~• Low water use landscaping (i.e., drought tolerant~~	LCC

REVISED TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
			~~plants and drip irrigation) shall be installed. At least 75 percent of all landscaping plants shall be drought tolerant as determined by a licensed landscape architect or contractor. (7 metric ton reduction)~~ • ~~The installation of wood-burning fireplaces shall be prohibited in all new residential units. (1,329 metric ton reduction. Required per mitigation measure MM 4.4.3a in Section 4.4)~~ **Timing/Implementation:** ~~Implemented p~~ **P**rior to **issuance of a building permit** ~~and during construction activities~~ **Enforcement/Monitoring:** City of Shasta Lake Development Services Department; Shasta County Air Quality Management District	

SECTION 3.0 PROJECT DESCRIPTION

Page 3.0-6, Figure 3.0-3 (Schematic Land Plan) is revised to show Area J as a Park site and correct the color designations for land use densities.

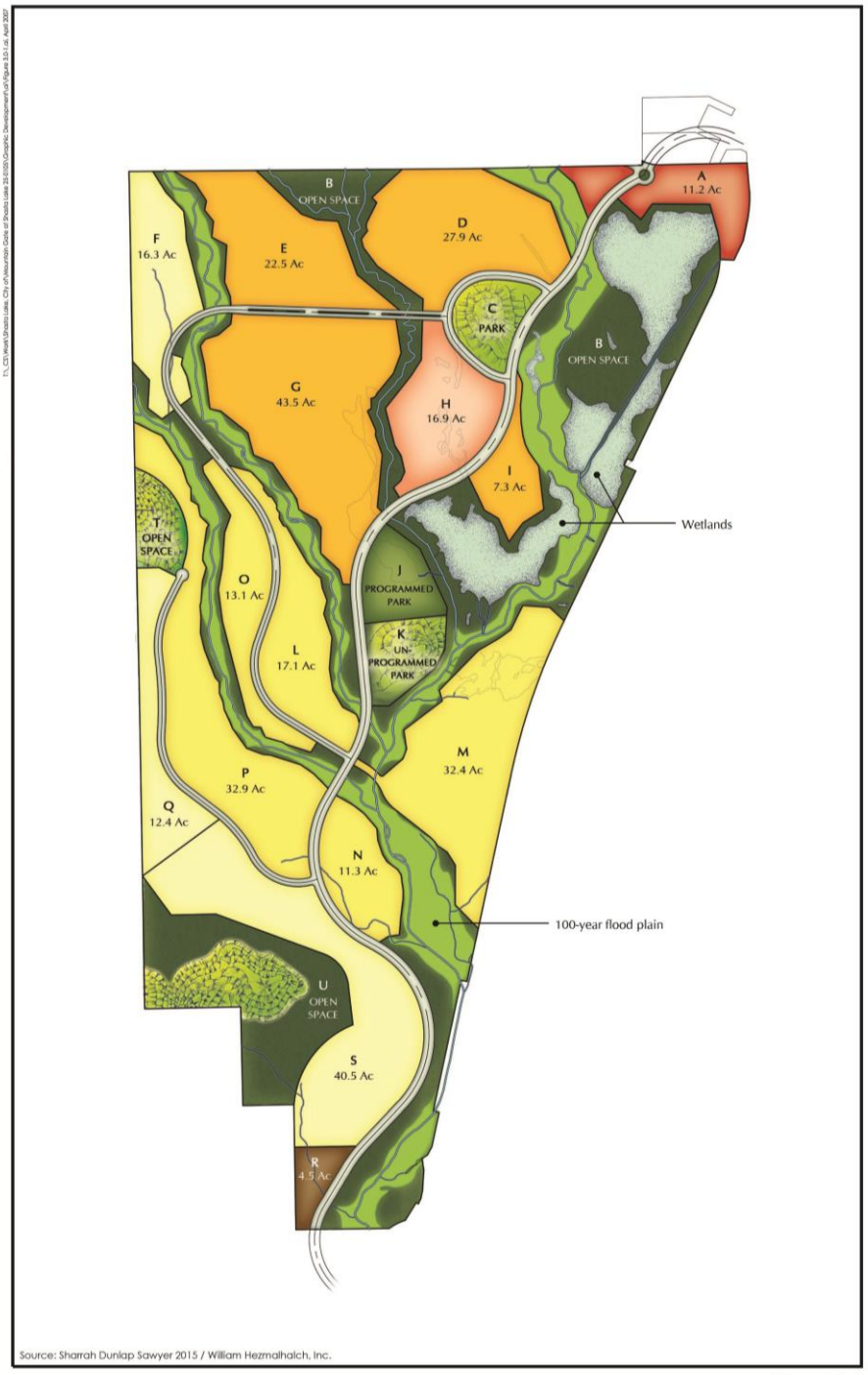


Figure 3.0-3
Schematic Land Plan
Mountain Gate at Shasta Lake
PMC

Page 3.0-7, under Nonresidential Uses, Paragraph 1, the last two sentences are amended as follows:

A Neighborhood Park~~s are~~ **is** identified for area~~s~~ C ~~and K~~ as shown in Figure 3.0-3. A Community Park is identified in Area**s** ~~M~~ **J and K** as indicated in Table 3.0-1.

Page 3.0-8, Table 3.0-1 (Mountain Gate at Shasta Area Plan Land Use) is revised as follows to show Area J as a Park site and to eliminate the Community Park from Area M. The 51 probable units previously identified in Area J have been moved to Area G due to fewer development constraints and sensitive habitats (topography, wetlands, protected trees, etc.)

TABLE 3.0-1
MOUNTAIN GATE AT SHASTA AREA PLAN LAND USE

Area[1]	Primary Land Use[2]	Acres[3]	Max. Building Coverage or FAR[4]	Potential Sq.Ft.[5]	Density Range	Unit Range	Probable Maximum Units[6]
A	Commercial	11.2	0.25	121,968	–	–	0
B	Open Space	181.5	0.1	–	–	–	0
C	Park	7.3	0.1	–	–	–	0
D	Medium Density Residential	27.9	0.7	–	4–7	112–195	176
E	Medium Density Residential	22.5	0.7	–	4–7	90–158	142
F	Very Low Density Residential	16.3	0.5	–	1–2	16–33	30
G	Medium Density Residential	43.5	0.7	–	~~4-10~~ **4-11**	~~174-435~~ **206 - 492**	~~392~~ **443**
H	Mixed Use Commercial	14.9	0.1	73,616	–	–	0
	High Density Mixed Use		0.7	–	11–20	131–238	215
	Fire Station	2	0.7	–	–	–	0
I	Medium Density Residential	7.3	0.7	–	4–7	29–51	46
J	~~Medium Density Residential~~ **Community Park**	8.1	~~0.7~~ **1.5**	–	~~4-7~~ **0**	~~32-57~~ **0**	~~51~~ **0**
K	**Community** Park	7.6	0.1	–	–	–	0
L	Low Density Residential	17.1	0.5	–	2–4	34–68	61
M	~~Community Park~~	~~32.4~~	~~1.5~~		2–4	39–78	0
	Low Density Residential	~~19.4~~ **32.4**	0.5				70
N	Low Density Residential	11.3	0.5	–	2–4	23–45	41
O	Low Density Residential	13.1	0.5	–	2–4	26–52	47
P	Low Density Residential	32.9	0.5	–	2–4	66–132	119
Q	Very Low Density Residential	10.4	0.5		1–2	10–21	19
	Electric Substation	2	0.7				0
R	High Density Residential	4.5	0.7	–	11–30	50–135	122
S	Very Low Density Residential	40.5	0.5	–	1–2	41–81	73
T	Open Space	5.9	0.1	–	–	–	0
U	Open Space	33.6	0.1	–	–	–	0
R.O.W.	Rights-of-Way	36.2	–	–	–	–	0
Totals		**590.0**	–	**195,584**	–	**873–1,779**	**1,604**

1. *See Figure 3.0-3 for location of land use areas.*
2. *Several identified public uses (i.e., parks, fire station, electric substation) are likely to occur as indicated; however, it is possible that public uses will be located in other development areas, other land in the city, or removed from the Area Plan. In this instance, the development potential of the property formerly intended for the public use shall be equal to that of the lowest density in the same development area, provided the overall number of units does not exceed 1,604 as shown in the table.*
3. *All acreages are estimates.*
4. *Floor area ratio for nonresidential uses only, Maximum building coverage for residential uses.*
5. *Maximum potential square footage of all structures within the land use designation.*
6. *Topography and site constraints would limit the overall density. Approximately 1,604 units is considered the development limit of the site in this Draft EIR*

Page 3.0-12, Figure 3.0-4 (Neighborhood Trail Map) is updated to show Area J as a Park site and correct the color designations for land use densities.

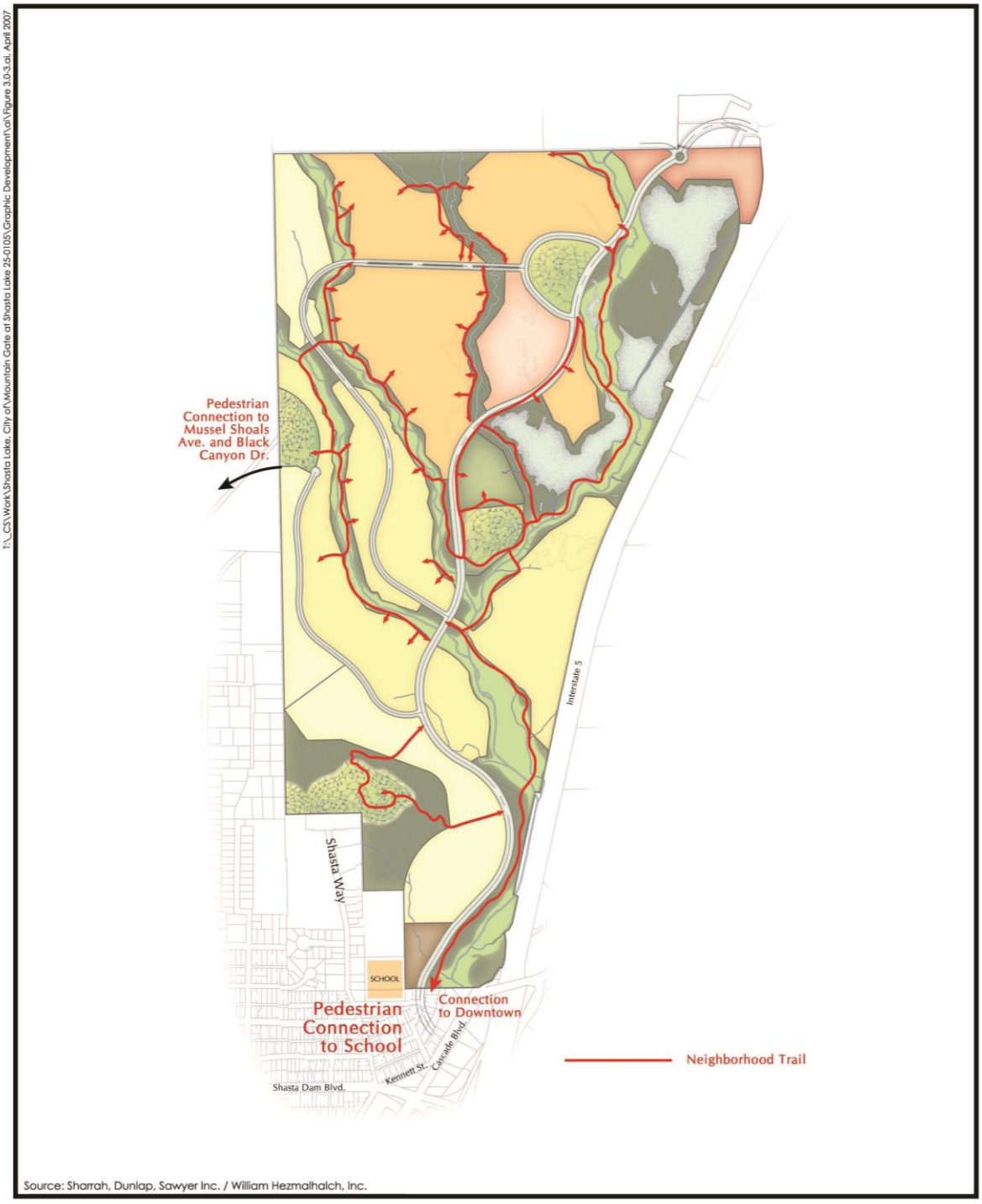


Figure 3.0-4
Neighborhood Trail Map
Mountain Gate at Shasta Lake
PMC

Page 3.0-15, Figure 3.0-6 (Phasing Plan) is updated to show Area J as a Park site and correct the color designations for land use densities.

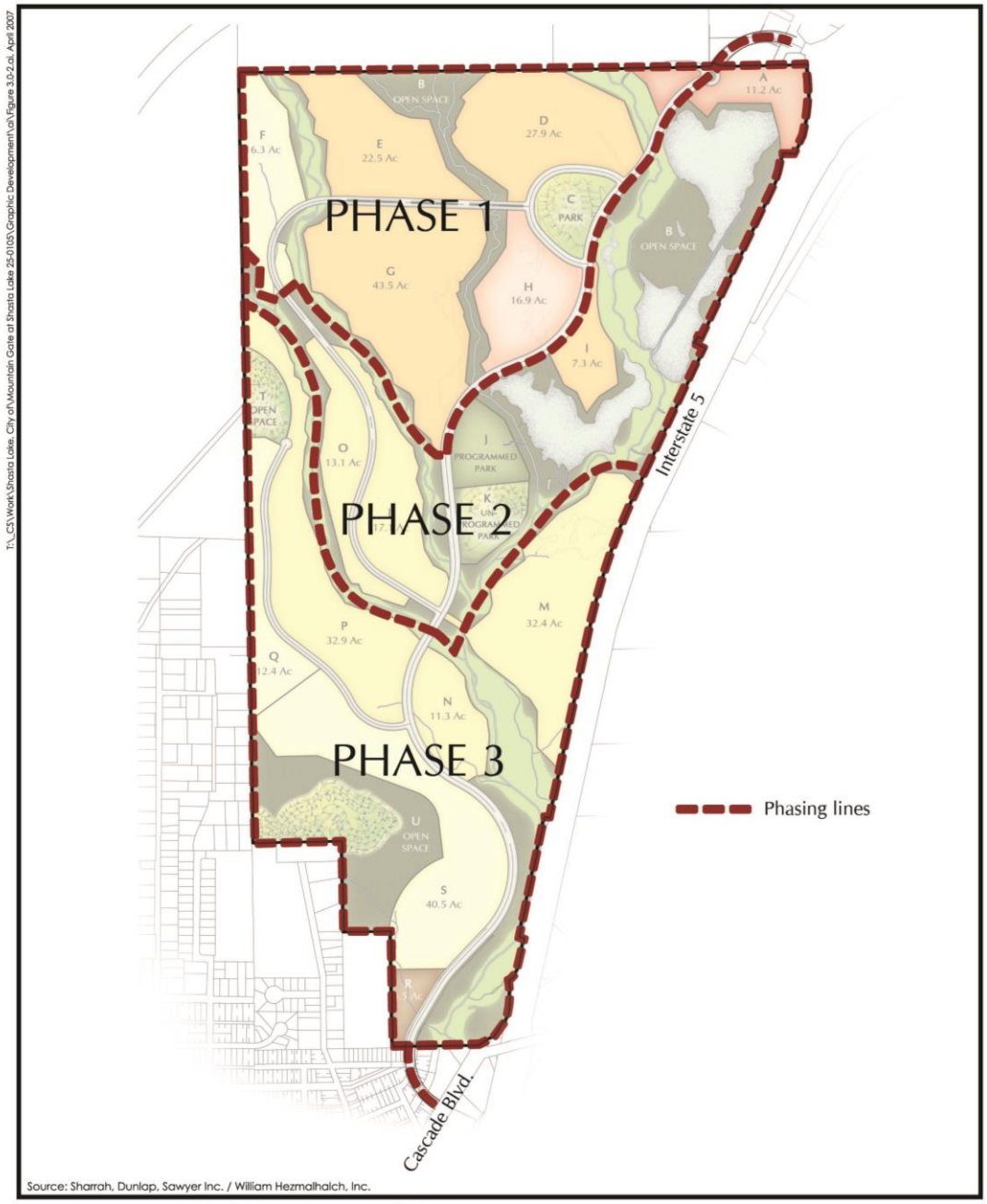


Figure 3.0-6
Phasing Plan
Mountain Gate at Shasta Lake
PMC

Page 3.0-17, Table 3.0-6 (Planned Development Zone District), is replaced with the following:

PLANNED DEVELOPMENT ZONE DISTRICT

PERMITTED AND CONDITIONALLY PERMITTED USES

P	Uses Permitted Outright
AD	Uses Permitted after review and approval of an Administrative Permit by the Development Services Director or his/her designee
UP	Uses permitted after review and approval of a Use Permit by the Planning Commission
Z	Uses permitted after review and approval of a Zoning/Site Development Permit by the Development Services Director or his/her designee
-	Use Not Permitted

AREA:	**A**	**F, Q, S**	**L, M, N, O, P**	**~~M~~**	**D, E, G, I, ~~J~~**	**R**	**H**	**C, J, K**
	Commercial	*Very-Low Density*	*Low Density*	*~~Low Density, Community~~*	*Medium Density*	*High Density*	*Mixed Use*	***Parks***
LAND USE								
RESIDENTIAL								
Single-Family	-	P	P	~~P~~	P	-	-	-
Two-Family	-	-	-	~~-~~	-	AD	Z	-
Multiple-Family (apartments)	-	-	-	~~-~~	-	AD	AD	-
Condominiums	-	-	-	~~-~~	-	AD	AD	-
Live-Work Units	-	-	-	~~-~~	-	-	Z	-
Non-dwelling accessory structures appurtenant to the permitted use	P	P	P	~~P~~	P	P	P	-
Small Family Daycare Home (six or fewer)	-	P	P	~~P~~	P	P	P	-
Large Family Daycare Home (seven or more)	-	AD	AD	~~AD~~	AD	AD	AD	-
Bed and Breakfast Guest Facility	-	AD	AD	~~AD~~	AD	-	AD	-
Home occupation business per SLMC 17.88.220	-	Z	Z	~~Z~~	Z	Z	Z	-
Accessory dwelling units (second units): Allowed pursuant to SLMC Chapter 17.81, Affordable Housing								

COMMERCIAL								
Automobile/Vehicle Service and Repair: Gasoline, diesel, propane, butane, fuel oil dealers/stations; Gasoline station convenience mini -marts; Oil, tune-up, brake and muffler shops; Tire sales and installation; Self-serve and non-self-serve auto wash; Small engine repair (excludes body and fender work, vehicle painting, towing, vehicle dismantling, or repair of heavy trucks or construction vehicles).	UP	-	-	-	-	-	-	-
Automobile sales and leasing: automobiles, trucks, motorcycles, lawn and garden-type tractors.	AD	-	-	-	-	-	-	-
Bars, nightclubs, wine tasting, brewery.	UP	-	-	-	-	-	-	-
Eating and Drinking Establishment (no drive-thru).	P	-	-	-	-	-	AD	-
Eating and Drinking Establishment (with drive-thru).	~~Z~~ **AD**	-	-	-	-	-	-	-
Outdoor dining in conjunction with an approved Eating and Drinking Establishment	**P**	**-**	**-**	**-**	**-**	**-**	**P**	**-**
Hotel / Motel	~~UP~~ **AD**	-	-	-	-	-	-	-
Instructional services or facilities: Health/fitness club, dance or music studio, driving school, photography, arts and crafts.	Z	-	-	-	-	-	Z	-
Offices: Administrative, executive, insurance, legal, medical, professional, real estate, travel agency, etc.	P	-	-	-	-	-	P	-
Personal Service Uses: Barber, beauty salon, day spa, tattoo parlor, locksmith, shoe repair, computer repair, print shop, Laundromat **(no on-site dry cleaning)**.	P	-	-	-	-	-	P	-
Recreation/Entertainment: Movie theater, miniature golf, bowling alley, ice/roller skating rink, tennis/racquetball courts, pinball arcades/electronic games centers, pool/card rooms.	AD	-	-	-	-	-	UP	-

Small Retail Sales (under 15,000 square feet for single tenant): Grocery/ food/ beverage market, florist, bookstore, drug store, pet store, hardware store, furniture, appliances, electronics, variety store.	Z	-	-	~~-~~	-	-	Z	-
Large Retail Sales (over 15,000 square feet for single or multi-tenant): Grocery store, home improvement center, discount or wholesale retail sales.	AD	-	-	~~-~~	-	-	UP	-
Temporary Uses: Farmer's Markets; produce sales; carnivals; Christmas tree or pumpkin sales.	Z	-	-	~~Z~~	-	-	Z	**AD**
Veterinarian / Animal Hospital (no outdoor kennels).	Z	-	-	~~-~~	-	-	UP	-

PUBLIC AND SEMI-PUBLIC FACILITIES								
Public Government Offices	P	-	-	~~-~~	-	-	P	-
Fire Station	AD	-	-	~~-~~	**AD**	-	AD	-
Law Enforcement Substation (no jail)	~~UP~~ **AD**	-	-	~~-~~	-	-	~~UP~~ **AD**	-
Public utility substations, structures, facilities, water tanks, etc.	Z	Z	Z	~~Z~~	Z	Z	Z	-
Park and Recreation Facilities: Public park, playground, sports fields, gymnasiums, swimming pools, picnic facilities, including related food concessions.	AD	-	-	~~-~~	**AD**	Z	AD	P
College and Trade School, public or private	P	-	-	~~-~~	-	-	P	-
Schools, K-12, public or private	AD	-	-	~~-~~	AD	-	AD	-
Nursery School, Pre-School (licensed or certified by the state).	P	-	-	~~-~~	-	AD	P	-
Day Care Center (licensed or certified by the state for 14 or more) for children or adults.	P	-	-	~~-~~	-	-	P	-
Clubs and Lodges.	AD	AD	AD	~~AD~~	AD	AD	AD	-
Conference Center, Meeting Hall.	AD	AD	AD	~~AD~~	AD	AD	AD	-
Community Center, Youth Center, Senior Center.	AD	AD	AD	~~AD~~	AD	AD	AD	-

Religious Facilities (church, temple, synagogue, shrine, mosque, etc.) used exclusively for religious worship and incidental accessory uses.	AD	AD	AD	~~AD~~	AD	AD	AD	-
Cultural Institution: Library, museum, art gallery, performance art center, amphitheater.	P	-	-	~~AD~~	-	-	P	-
Amphitheater / Performance Center – Outdoor.	~~P~~ **AD**	-	-	~~P~~	-	-	AD	**AD**
Commuter Parking Lot	P	-	-	~~-~~	-	-	P	-
Electric Charging Station	P	-	-	~~P~~	P	P	P	**Z**

SECTION 4.3 TRANSPORTATION AND CIRCULATION

Page 4.3-35 is revised as follows:

Impact 4.3.1 Under Near-Term Plus Project conditions, all study area intersections, **with the exception of Shasta Dam Boulevard/Shasta Way (Intersection #13),** would meet level of service standards with the imposition of mitigation. However, ~~six~~ **fourteen** study intersections are wholly outside the City of Shasta Lake's jurisdiction, and the City cannot be certain that mitigation will be made. Therefore, this impact would be **significant and unavoidable**.

Page 4.3-37 is revised as follows:

MM 4.3.1a The following intersection improvements shall be ~~completed~~ **constructed** prior to occupancy of the 50th housing unit **within the Area Plan boundaries**, or earlier if directed by the City of Shasta Lake ~~Fire Marshal.~~

- ~~Shasta Dam Boulevard/Shasta Way (Intersection #5) – Remove the existing median on Shasta Dam Boulevard at Shasta Way/Street. Construct a right turn lane on westbound Shasta Dam Boulevard. Construct two left turn lanes on westbound and eastbound Shasta Dam Boulevard at the intersection of Shasta Way/Street. Signalize the intersection of Shasta Dam Boulevard and Shasta Way/Street.~~

- **Shasta Dam Boulevard/Mussel Shoals Avenue** (Intersection #13) – Construct a traffic signal.

- **Shasta Dam Boulevard/Median Avenue** (Intersection #6) – Construct a traffic signal.

Timing/Implementation:
Constructed prior to occupancy of the 50th housing unit within the Area Plan boundaries.

Enforcement/Monitoring:
City of Shasta Lake Public Works Department

Page 4.3-37 - 38 is revised as follows:

MM 4.3.1b The following intersection improvements shall be ~~completed~~ **constructed** prior to occupancy of the 400th housing unit, ~~or approximately one-half of the proposed project,~~ or earlier if directed by the City of Shasta Lake. ~~Fire Marshal:~~

- **Old Oregon Trail/Wonderland Boulevard** (Intersection #1) – Construct a roundabout or traffic signal.

- **Old Oregon Trail/I-5 NB Ramp** (Intersection #2) – Construct a roundabout or traffic signal.

- **Shasta Dam Boulevard/Cascade Boulevard** (Intersection ~~**#15**~~ **#14**) – Construct a right turn lane on westbound Shasta Dam Boulevard at Cascade Boulevard. Construct a second left turn lane on eastbound Shasta Dam Boulevard at Cascade Boulevard. Construct a second left turn lane on southbound Cascade Boulevard at Shasta Dam Boulevard.

- **Shasta Dam Boulevard/I-5 SB Ramp (Intersection #15)** – Convert eastbound through lane to a shared through right turn lane. Widen on-ramp to add a second lane to the on-ramp 1,000 feet long.

Timing/Implementation:
Constructed prior to occupancy of the 400th housing unit, or earlier if directed by the City of Shasta Lake.

Enforcement/Monitoring:
City of Shasta Lake Public Works Department

Page 4.3-38 - 39 is revised as follows:

MM 4.3.1c The proposed project shall pay its proportionate share of the cost of the following improvements:

- **Pine Grove Avenue/Twin View Boulevard** (Intersection #21) – Pay fee equal to 14 percent of the cost to relocate the intersection west of its current location. The relocated intersection shall include east- and westbound through, left, and right turn lanes. The intersection shall include north- and southbound through and left turn lanes. Construct a traffic signal.

- **Pine Grove Avenue/I-5 NB Ramps** (Intersection #20) – Pay fee equal to 14 percent of the cost of installing a traffic signal and a right turn lane on the northbound off-ramp.

- **Pine Grove Avenue/I-5 SB Ramps** (Intersection #19) – Pay fee equal to 9 percent of the cost to install a traffic signal.

- **Pine Grove Avenue/Cascade Boulevard** (Intersection #18) – Pay fee equal to 7 percent of the cost to realign the south leg of Cascade Boulevard to align with the existing signalized intersection. The south leg of intersection shall include northbound through, right, and left turn lanes and a southbound through lane.

- **Pine Grove Avenue/Ashby Road** (Intersection #17) – Pay a fee equal to 17 percent of the cost to install an all-way stop sign or traffic signal.

- **Pine Grove Avenue/Lake Boulevard** (Intersection #16) – Pay a fee equal to 15 percent of the cost to install an all-way stop sign or traffic signal.

- **Oasis Road/Twin View Boulevard** (Intersection #25) – Pay a fee equal to 4 percent of the cost to **construct the following:** ~~relocate the intersection east of its current location. The intersection shall include two left turn lanes on west and eastbound Oasis Road at Twin View Boulevard and a right turn lane on southbound Twin View Boulevard at Oasis Road.~~

    - **Dual left turn lanes and two through lanes and a shared through-right lane for the eastbound approach.**
    - **Dual right turn lanes, exclusive through and right turn lane for the southbound approach.**
    - **A single left turn lane, three through lanes and one right turn lane for the westbound approach.**
    - **A single left, through and right turn lane for the northbound approach.**
    - **Realignment of the intersection east of its current location.**
    - **Signalization of the intersection.**

- **Oasis Road/I-5 NB Ramps** (Intersection #24) – Pay a fee equal to 5 percent of the **cost to construct the following:** ~~project's proportionate share of the traffic signal and north and eastbound turn lane improvements.~~

    - **Widening of the eastbound approach to include dual left turn lanes and three though lanes.**
    - **Widening of the westbound approach to include an exclusive westbound right turn lane and three through lanes.**
    - **Widening of the northbound approach to include a left turn lane, a shared through-left lane and dual right turn lanes.**
    - **Signalization of the intersection.**

- **Oasis Road/I-5 SB Ramps** (Intersection #23) – Pay a fee equal to 4 percent of the cost to construct **the following:** ~~a westbound left turn lane and to modify the traffic signal~~

    - **Westbound to southbound loop on-ramp.**
    - **Provision of an eastbound right turn lane.**

- **Provision of a westbound left turn lane.**
- **Signalization of the intersection.**

- **Oasis Road/Cascade Boulevard** (Intersection #22) – Pay a fee equal to 3 percent of the cost to relocate the intersection west of its current location and construct a traffic signal. Intersection improvements shall include in the west and eastbound directions one left, three through, and one right turn lane; in the northbound direction one left, one right, and one through turn lane; and in the southbound direction two left, one through, and one right turn lane.

- **Pine Grove Avenue west of Cascade Boulevard to Ashby Road (Roadway Segment) – Pay a fee equal to 3 percent of the cost of widening Pine Grove Avenue to a four-lane divided arterial standard.**

  Timing/Implementation:
  Fees paid at the time of issuance of a building permit.

  Enforcement/Monitoring:
  City of Shasta Lake Development Services Department.

Page 4.3-39 is revised as follows:

MM 4.3.1d The extension of Wonderland Boulevard to Cascade Boulevard shall be constructed prior to occupancy of the 50th housing unit **within the Area Plan boundaries**, or earlier if directed by the City of Shasta Lake. ~~Fire Marshal.~~

Timing/Implementation:
Constructed prior to occupancy of the 50th housing unit, or earlier if directed by the City of Shasta Lake.

~~*Implemented prior to occupancy as noted in the mitigation measure. Fees shall be collected at building permit issuance.*~~

Enforcement/Monitoring:
City of Shasta Lake **Public Works Department** ~~Development Services Department~~

Page 4.3-40 - 41 is revised as follows:

Impact 4.3.3 Implementation of the proposed project would result in an increase in traffic volumes on vicinity freeways that would operate below level of service thresholds under Near-Term Plus Project conditions. While the imposition of mitigation would reduce this impact, vicinity freeways are wholly outside the City of Shasta Lake's jurisdiction, and the City cannot be certain that mitigation will be made. Therefore, this impact would be ~~s~~ **S**ignificant **and Unavoidable**.

Page 4.3-43 is revised as follows:

MM 4.3.3 The project applicants/developer(s) shall **pay, on a fair share basis, a Regional Transportation Fee for improvements to Interstate 5, as determined by an approved nexus study prepared in compliance with the Mitigation Fee Act and other applicable law. The amount of the fee shall be based on the Regional Transportation Fee adopted by the City and the jurisdiction in which the impact is being mitigated.**

This mechanism will ensure that the collected mitigation funds will be spent on the measures identified in the ~~TIS~~ **nexus study.**

~~or on alternative improvements that will reduce the project's impacts to regional transportation~~.

~~contribute a fair share amount for all needed improvements to State facilities as shown in DEIR Table 4.3-18 or other facilities as mutually agreed upon by Caltrans and the City of Shasta Lake or as identified in subsequent traffic studies for impacts both within the City of Shasta Lake and outside the City of Shasta Lake.~~

~~The fair share contribution shall be determined by the City of Shasta Lake based on the traffic study or subsequent traffic monitoring studies required of the developer. The fair share calculation shall also be determined and verified in consultation with the Shasta **County** Regional Transportation Planning Agency, which includes Shasta County and the City of Redding.~~

Timing/Implementation:
Fee paid at the time of issuance of a building permit.

~~Implemented prior to approval of subsequent tentative maps for residential development, or a site plan for non-residential development.~~

Enforcement/Monitoring:
City of Shasta Lake Development Services Department

Page 4.3-47 is revised as follows:

MM 4.3.6 An all-weather surface roadway connection suitable for emergency vehicle ingress and egress shall be constructed between Cascade Boulevard and Wonderland Boulevard.

Timing/Implementation:
Implemented prior to occupancy of the 50th housing unit **within the Area Plan boundaries**, or earlier if directed by the **City of Shasta Lake** ~~Fire Marshall~~ **in consultation with the Shasta Lake Fire Protection District.**

Enforcement/Monitoring:
City of Shasta Lake Development Services Department

Page 4.3-62 is revised as follows:

Impact 4.3.8 Under Year 2020 Plus Project conditions, all study area intersections, **with the exception of Shasta Dam Boulevard/Shasta Way (Intersection #13),** would meet level of service standards with the imposition of mitigation. However, there are ~~six~~ **fourteen** study intersections that are wholly outside the City of Shasta Lake's jurisdiction and the City cannot be certain that mitigation will be made. Therefore, this impact would be **cumulatively considerable.**

Page 4.3-64 is revised as follows:

"Shasta Dam Boulevard/Shasta Way" is added to the bulleted list at the bottom of the page.

Page 4.3-65, first paragraph, is revised as follows:

Implementation of mitigation measures **MM 4.3.1, MM 4.3.3,** and ~~**MM 4.3.5**~~ would improve the level of service at all intersections, **with the exception of Shasta Dam Boulevard/Shasta Way (Intersection #13),** to acceptable levels under Year 2020 Plus Project conditions. ~~However,~~ **In addition,** some of these intersections are partially or wholly outside the City of Shasta Lake's jurisdiction (see **Table 4.3-2** for a listing of intersection by jurisdiction). While the City will require the proposed project to either make the identified improvement or pay the appropriate proportionate share of the cost of improvements, and will hold the fees until requested by the jurisdiction, the City cannot be certain that the other agencies will permit the improvement and therefore must assume that the impacts could remain. As such, impacts to all of the intersections that are outside the City's jurisdiction are classified as **cumulatively considerable** and **significant and unavoidable** because the City cannot be certain that improvements will be made consistent with this Draft EIR.

Page 4.3-71 is revised as follows:

Mitigation Measures

Implementation of mitigation measures **MM 4.3.1a** through **MM 4.3.1d** and **MM 4.3.3**, described previously, would ensure that intersection improvements were installed at various stages of project development. Construction of the intersections would result in impacts that are less than significant, **with the exception of Shasta Dam Boulevard/Shasta Way (Intersection #13).** ~~however~~ **In addition**, some of the improvements are not within the City's jurisdiction. As these improvements are not wholly within the ability of the City to implement, this EIR assumes that the improvements might not occur.

Impact 4.3.13 Under Year 2030 Plus Project conditions, all study area intersections, **with the exception of Shasta Dam Boulevard/Shasta Way(Intersection #13),** would meet level of service standards with the imposition of mitigation. However, ~~six~~ **fourteen** study intersections are wholly outside the City of Shasta Lake's jurisdiction, and the City cannot be certain that mitigation will be made. Therefore, this impact would be **cumulatively considerable and significant and unavoidable**.

Page 4.3-73 is revised as follows:

Mitigation Measures

Mitigation measures **MM 4.3.1a** through **MM 4.3.1c** and **MM 4.3.3** would improve the level of service at the Mountain Gate Road/I-5 interchange; however, this facility is outside the City of Shasta Lake's jurisdiction. As such, impacts to all of the intersections that are outside the City's jurisdiction are classified as **cumulatively considerable** and **significant and unavoidable** because the City cannot be certain that improvements will be made consistent with this Draft EIR. ~~(The intersections at Lake Boulevard/Pine Grove Avenue, Pine Grove Avenue/Cascade Boulevard, Pine Grove Avenue/Twin View Boulevard, Oasis Road/Cascade Boulevard, and Cypress Avenue/Hilltop Drive are within the City's jurisdiction; therefore, impacts to those intersections can be mitigated.)~~

Impact 4.3.14 Following implementation of the proposed project, all study area roadway segments would meet level of service standards under Year 2030 Plus Project conditions. This impact would be ~~potentially cumulatively considerable~~. **Less than cumulatively considerable.**

Page 4.3-74 is revised as follows:

The title of Table 4.3-34 is revised as follows:

PEAK-HOUR ROADWAY LOS RESULTS – CUMULATIVE YEAR ~~2020~~ **2030** PLUS PROJECT CONDITIONS

MM 4.3.14 has been deleted and replaced with the following language:

Implementation of mitigation measure MM 4.3.1c requires a proportionate fair share payment for widening Pine Grove Avenue west of Cascade Boulevard to Ashby Road to a four-lane divided arterial standard. This would improve the roadway level of service to an acceptable level.

~~**MM 4.3.14**~~

~~The following improvements shall be implemented for Year 2030 Plus Project conditions:~~

- ~~Widening of the roadway segment from Pine Grove Avenue to the west of Cascade Boulevard to four lane arterial standards.~~

~~**Timing/Implementation:**~~

~~Implemented prior to and during construction~~

~~**Enforcement/Monitoring:**~~

~~City of Shasta Lake Development Services Department~~

Page 4.3-75, Enforcement Monitoring for MM 4.3.14 is revised as follows:

Enforcement/Monitoring:
City of Shasta Lake ~~Development Services~~ **Public Works** Department.

SECTION 4.4 AIR QUALITY

Page 4.4-9, 1st paragraph is revised as follows:

In 1994, the air districts in the Northern Sacramento Valley Planning Area (NSVPA), a subsection of the greater Sacramento Valley Air Basin that includes the SCAQMD jurisdiction, prepared an Air Quality Attainment Plan for ozone. This plan was updated in 1997, 2000, 2003, 2006, **2009**, and again in ~~2009~~ **2012**. Like the preceding plans, the ~~2009~~ **2012** plan focuses on the adoption and implementation of control measures for stationary sources, area-wide sources, indirect sources, and public information and education programs. The ~~2009~~ **2012** plan also addresses the effect that pollutant transport has on the NSVPA's ability to meet and attain the state standards.

Page 4.4-17 is revised as follows:

Conflict with or Obstruct Implementation of the NSVPA ~~2009~~ 2012 Air Quality Attainment Plan (Standard of Significance 1)

Impact 4.4.1 Subsequent land use activities associated with implementation of the proposed Area Plan would potentially conflict with the City General Plan and/or obstruct implementation of the Northern Sacramento Valley Planning Area ~~2009~~ **2012** Air Quality Attainment Plan. This impact is considered to be **potentially significant**.

Page 4.4-18 is revised as follows:

The NSVPA ~~2009~~ **2012** Air Quality Attainment Plan is the most recent air quality planning document for Shasta County and constitutes the region's State Implementation Plan. SIPs are a compilation of new and previously submitted plans, programs (such as monitoring, modeling, permitting, etc.), district rules, state regulations, and federal controls describing how the state will attain national ambient air quality standards (NAAQS) for pollutants of concern. State law makes the California Air Resources Board the lead agency for all purposes related to the SIP. Local air districts prepare SIP elements and submit them to CARB for review and approval. The NSVPA ~~2009~~ **2012** Air Quality Attainment Plan includes forecast ROG and NO_x emissions (ozone precursors) for the entire Northern Sacramento Valley Planning Area through the year 2020. These emissions are not appropriated by county or municipality.

Implementation of the proposed Area Plan could increase population and vehicle miles traveled, and thus ROG and NO_x emissions, which could conflict with air quality planning efforts associated with the NSVPA ~~2009~~ **2012** Air Quality Attainment Plan. The Air Quality Attainment Plan cites projected O_3 precursor emissions (ROG and NO_x) through the year 2020. For the purposes of this analysis, the resulting emissions of the Area Plan's assumption of its theoretical buildout (with mitigation) was quantified and compared with the NSVPA 2009 Air Quality Attainment Plan 2020 ozone precursor emissions projections.

The NSVPA ~~2009~~ **2012** Air Quality Attainment Plan includes control strategies necessary to attain the California ozone standard at the earliest practicable date, as well as developed emissions inventories and associated emissions projections for the Northern Sacramento Valley Planning Area showing a downtrend for both ROG and NOx. Implementation of the proposed Area Plan will result in long-term emissions from area and mobile emission sources associated with future growth.

Page 4.4-19 is revised as follows:

As previously stated, the proposed Area Plan would not conflict with the City of Shasta Lake General Plan. Therefore, since the increase of O_3 precursor emissions would have a statistically unsubstantial effect on the emissions projections of the NSVPA ~~2009~~ **2012** Air Quality Attainment Plan, this impact is considered **less than significant** with the additional application of SCAQMD control strategies such as Rule 3-23 and Rule 3-16, as required by mitigation measure **MM 4.4.1** and **MM 4.4.3a**.

Page 4.4-21, last paragraph, is revised as follows:

The SCAQMD requires that all development projects apply SMM and BAMM when projected air pollutants exceed Level A thresholds. SMM and BAMM reduce construction-related air quality impacts by avoiding and/or reducing air pollutant emissions. SMM and BAMM reduce environmental impacts and can minimize construction costs. The appropriate type and number of BAMM applied to a project is based on the unique characteristics of the project and will be selected from a list of measures kept updated by the ~~Shasta County Planning Department~~ **Shasta Lake Planning Division** and the SCAQMD. When projects exceed Level B thresholds, as is possible in the case of the proposed Area Plan, the SCAQMD requires the application of SMM, BAMM, and special BAMM. The SCAQMD will advise the ~~Shasta County Planning Department~~ **Shasta Lake Planning Division** of the efficiency of project-related construction-related emission measures as part of the effort to reduce emissions below Level B thresholds. In other words, the SCAQMD will assist the Shasta County Planning Department in the effort to reduce unmitigated emissions exceeding 137 pounds per day. If construction-related emissions cannot be reduced to below Level B thresholds, emission offsets may be required.

Page 4.4-22 is revised as follows:

MM 4.4.2 Applicants of development projects located within the Mountain Gate at Shasta Area Plan shall submit to the City of Shasta Lake and receive approval for an Emissions Reduction Plan for all subsequent development projects under the Area Plan. City approval will be determined on a project-by-project basis in coordination with the Shasta County Air Quality Management District. The Emissions Reduction Plan shall include all measures recommended by the SCAQMD for the control of fugitive and mobile-source emissions associated with on-site construction activities.

Timing/Implementation:
Prior to **issuance of a Grading Permit.** ~~approval of subsequent tentative subdivision maps or other discretionary approvals~~

Enforcement/Monitoring:
City of Shasta Lake Development Services Department; Shasta County Air Quality Management District

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Page 4.4-24 is revised as follows:

MM 4.4.3b Applicants for subsequent project level development approvals within the Mountain Gate at Shasta Area Plan shall submit to the Shasta County AQMD and receive approval for an Emissions Reduction Plan (ERP) **to address project-generated operational emissions. The Emissions Reduction Plan shall include all measures recommended by the SCAQMD for the control of criteria air pollutants and ozone precursors associated with long-term operational emissions.**
~~Available Mitigation Measures currently recommended by the Shasta County AQMD are summarized in Table 4.4-7.~~

Timing/Implementation:
Prior to approval of subsequent tentative subdivision maps or other discretionary approvals

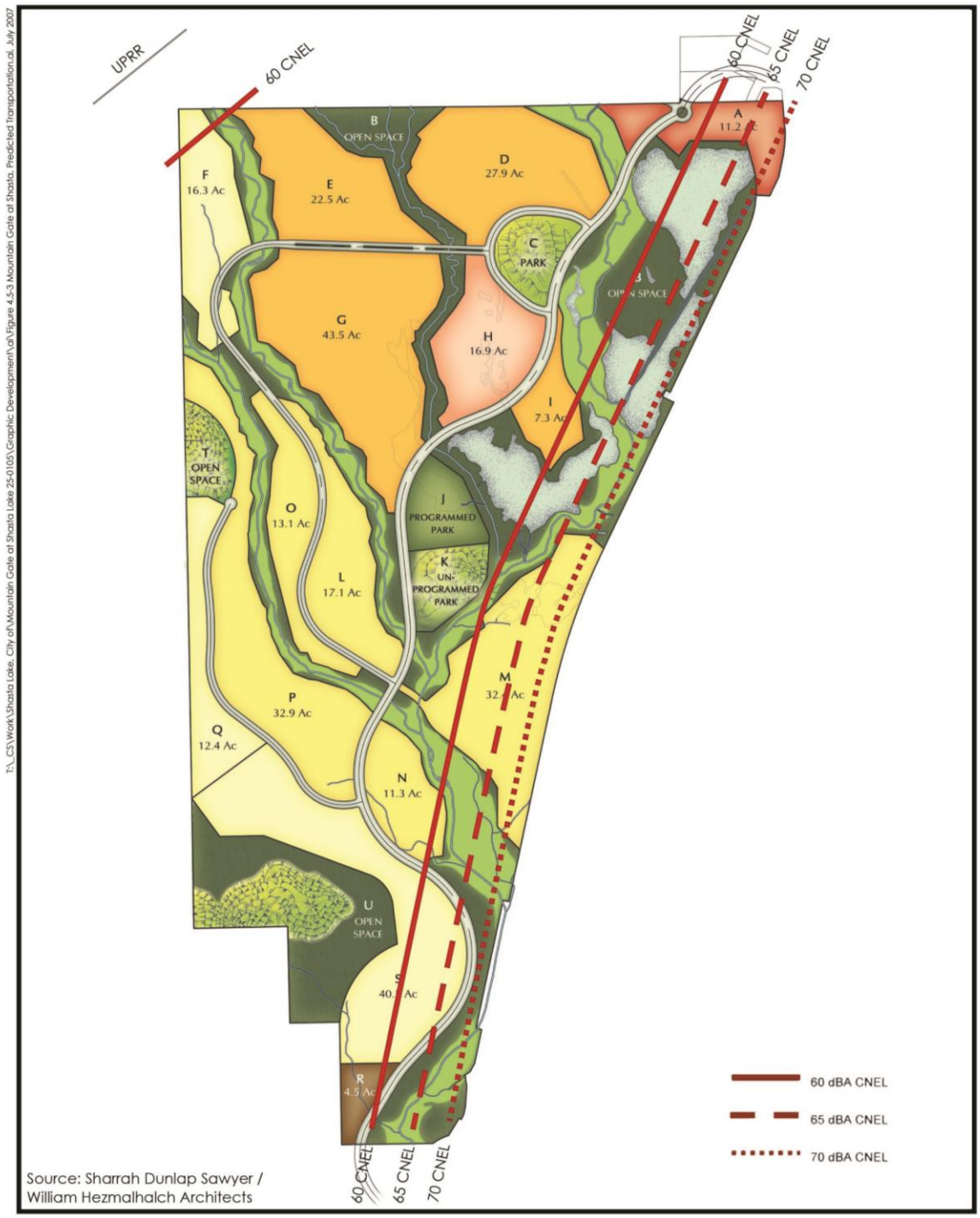
Enforcement/Monitoring:
City of Shasta Lake Development Services Department; Shasta County Air Quality Management District.

Page 4.4-25, 2nd paragraph under Table 4.4-9, is revised as follows:

Implementation of mitigation measure **MM 4.4.3a** and **MM 4.4.3b** would reduce long-term operational emissions of ozone-precursor pollutants, but not necessarily to a less than significant level. Emissions offsets may also be required by the SCAQMD in lieu of or in addition to recommended Standard Mitigation Measures or Best Available Mitigation Measures and would be determined on a project-by-project basis (subject to availability) during review of the Emissions Reduction Plan. However, even with implementation of SCAQMD-recommended mitigation measures, given uncertainties concerning the availability of emissions offsets in future years, emissions of criteria air pollutants would still be anticipated to exceed applicable thresholds of significance. As a result, this impact would be considered **cumulatively considerable and significant and unavoidable**.

SECTION 4.5 NOISE

Page 4.5-20, Figure 4.5-3 (Predicted Transportation: Source Noise Contours) is revised to show Area J as a Park site and correct the color designations for land use densities.



Not to scale

Figure 4.5-3

Mountain Gate at Shasta, Predicted Transportation: Source Noise Contours

PMC

SECTION 4.6 BIOLOGICAL RESOURCES

Page 4.6-26 is revised as follows:

Have a Substantial Adverse Effect on Any Special-Status Reptiles, Plants, Birds, Raptors, and Migratory Birds (Standard of Significance 1)

Impact 4.6.1 Development of the proposed project could result in adverse impacts to ~~nesting~~ special-status **reptiles, plants,** birds, raptors, ~~and~~ migratory birds, **and other candidate, sensitive, or special status species.** Impacts to these species are considered to be potentially significant.

The proposed project site contains suitable nesting habitat for migratory birds and raptors. The proposed project would result in the removal of vegetation that provides suitable nesting habitat. **Additionally, the project site has been determined by CDFW to contain suitable conditions to support the presence of western pond turtle, California Red-Legged Frog, Central Valley Steelhead, long-eared owl, western red bat, pallid bat, Shasta snow-wreath, Sanford's Arrowhead and other special status plant and animal species. There is also a potential existence of Sanford's arrowhead.** Removal of this vegetation during the nesting season (approximately March to September) has a potential to adversely impact these species. In addition, construction activities (e.g., noise, vibration, human presence) in the vicinity of active nest sites may adversely affect nesting activity. Special-status birds are designated by the USFWS and/or the CDFW as species of special concern, nesting raptor species as protected from take by the California Fish and Game Code, and nesting migratory birds are protected by the federal Migratory Bird Treaty Act. Impacts to active nests of special-status birds, raptors, migratory birds **and other special status fish, wildlife, and plant species** would be **potentially significant**.

Due to drought conditions and impacts from climate change, biological resource assessments completed today will likely not have the same result as studies conducted at the time future land development applications are submitted by the developer. Build-out of the Area Plan is expected to occur over a 20-year period and environmental conditions are expected to fluctuate during that 20-year period. In addition, Special Status Species lists for plants and wildlife as well as surveying methods and guidelines from regulatory agencies over this 20-year period will change.

For these reasons, the Mitigation Measure MM 4.6.1d has been incorporated to require an assessment of biological resources to be completed prior to submittal of an application for small lot tentative subdivision maps or other discretionary permits.

Page 4.6-27 is revised as follows:

MM 4.6.1a To the extent practicable, removal of vegetation, grading, and ~~other~~ **initiation of** construction activities shall ~~be initiated~~ **occur** outside of the nesting season (i.e. ~~initiated from October through February~~ **between September 1 and February 28).**

Timing/Implementation:
Prior to initiating construction of each subsequent development allowed under the Area Plan

Enforcement/Monitoring:
City of Shasta Lake Development Services Department

MM 4.6.1b In areas where suitable raptor nesting habitat (e.g. large trees) will be removed during the nesting season (approximately ~~September~~ **February 1** through ~~February~~ **August 31**) or where construction activities will occur within 500 feet of suitable raptor nesting habitat or within 660 feet of suitable bald eagle nesting habitat during the nesting season, a qualified biologist shall conduct pre-construction surveys for nesting raptors and bald eagles.

Unless otherwise recommended by CDFW, ~~A~~at least one survey shall be conducted no more than two weeks prior to the anticipated onset of construction activity at each phase of development and all surveys shall cover a minimum of a 660 foot buffer around the proposed construction zones.

If vegetation removal or other construction activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed.

If no active raptor or bald eagle nests are identified, no further measures are necessary. If active raptor nests are identified within the 500 foot buffer, or active bald eagle nests are identified within the 660 buffer, ~~the following measures shall be implemented~~ **a no-disturbance buffer zone deemed appropriate to the species will be established around the nests to avoid disturbance or destruction of the nest. The no-disturbance buffer will be determined by the biologist in consultation with the City. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist shall delineate the buffer zone with construction tape or pin flags until the young have fledged.**

Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed. The monitoring biologist shall have the authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active raptor nests to the CDFW.

A report shall be prepared and submitted to the City and CDFW following the fledging of the nestlings to document the results.

~~the following measures shall be implemented:~~
~~1. If feasible, avoid construction activities within 500 feet of active raptor nests and 660 feet of active bald eagle nests until nesting activity has ceased, as determined by a qualified biologist.~~
~~2. If avoidance of all construction activities within 500 feet of active raptor nests and/or 660 feet of active bald eagle nests is not feasible, a qualified biologist, in consultation with the CDWF, shall identify measures~~

~~necessary to avoid "take" of active nests. These measures shall include, but are not limited to, maintaining a minimum distance from active nesting sites and monitoring by a qualified biologist. The monitoring biologist shall have authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active raptor nests to the CDWF.~~

Timing/Implementation:
Prior to issuance of a grading permit for each subsequent development allowed under the Area Plan

Enforcement/Monitoring:
City of Shasta Lake Development Services Department **in consultation with CDFW**.

Pages 4.6-27 - 28 are revised as follows:

MM 4.6.1c In areas where suitable nesting habitat for migratory birds, such as purple martins, will be removed during the nesting season **(**~~approximately March to September~~ **February 1 through August 31)**, a qualified biologist shall conduct pre-construction surveys for active nest sites. At least one survey shall be conducted no more than two weeks prior to the anticipated onset of construction activity.
Unless otherwise recommended by CDFW, ~~S~~surveys shall cover all areas where suitable nesting habitat will be removed, as well as the surrounding 250 foot buffer area.

If vegetation removal activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed. If no active nests are identified, no further measures are necessary.

If an active nest is found during the pre-construction survey, ~~a 250 foot buffer shall be established around the nesting site to avoid inadvertent disturbance of the nest and potential abandonment. The nesting site and buffer shall remain undisturbed until after the young have fledged. The width of the buffer should be determined by the biologist in coordination with CDFW and would be dependent on the types of activities planned within the vicinity of the nest.~~ **a no-disturbance buffer zone deemed appropriate to the species will be established around the nests to avoid disturbance or destruction of the nest. The no-disturbance buffer will be determined by the biologist in consultation with the City. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist shall delineate the buffer zone with construction tape or pin flags until the young have fledged.**

Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed. The monitoring biologist shall have the authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active nests to the CDFW. A report shall be prepared and submitted to the City and CDFW following the fledging of the nestlings to document the results.

Timing/Implementation: Prior to issuance of a grading permit for each subsequent development allowed under the Area Plan **and throughout construction activities**.

Enforcement/Monitoring: City of Shasta Lake Development Services Department **in consultation with CDFW.**

The following Mitigation Measure is added:

MM 4.6.1d Unless previously completed pursuant to the requirements of this mitigation measure, and/or mitigation has been satisfied as required by project-specific state and/or federal agency regulatory permit(s), a Biological Analysis shall be completed to determine the presence and extent of special-status plant and wildlife species and shall be submitted concurrently with each application for a subsequent tentative subdivision map or other discretionary project.

All previously completed biological studies, issued state and/or federal agency permits, and written verification of satisfactory completion of required mitigation shall be submitted to the City concurrently with each subsequent discretionary project application.

The Biological Analysis shall be conducted by a qualified biologist pursuant to applicable regulatory agency protocols and guidelines. Field surveys shall be conducted on foot and shall be undertaken at times when the subject species are most likely to be identified. Time in the field shall be proportional to the size of the project site, biological characteristics of the site, and the significance of sensitive habitats present. The Assessment shall include, at a minimum:

- **Date, time of day, person hours, weather conditions, and temperature;**
- **A biological characterization of the subject property;**
- **A discussion of the existence or absence of waterways, including wetlands;**
- **A listing of special-status plants and wildlife and their associated habitat that could occur within the project boundaries;**
- **A listing of special-status plants and wildlife observed on site; and**
- **Recommended means of avoiding or mitigating impacts.**

Based on the field surveys and research, the presence and/or potential for special-status species shall be determined in consultation with the applicable regulatory agency. When special status species are observed on site, or if there is a reasonable likelihood that one of these species exists based on the presence of suitable habitat and adopted species range maps, a focused survey may be required on a species-by-species basis as determined by regulatory agency methodology for the focused survey(s). Reports documenting focused survey results shall be submitted

to the appropriate regulatory agencies for review and approval. A copy shall be provided to the Development Services Director.

Where the Assessment establishes that mitigation is required to avoid direct and indirect adverse effects on special-status plant and wildlife species, a detailed mitigation plan shall be developed and approved by the Development Services Director in consultation with the applicable regulatory agency. Mitigation measures that shall be considered based on project- and site-specific considerations include, but are not limited to:

- **Project designs shall be reconfigured (e.g., reduced street widths, clustered development, etc.), to avoid special-status species and sensitive habitats. Specific measures shall be identified to minimize ground disturbances and construction footprints near sensitive areas.**

- **Pre-construction surveys shall be conducted at least two weeks prior to the onset of construction activities within suitable habitat and a minimum 150-foot buffer, or as recommended by the applicable regulatory agency. If vegetation removal activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed.**

- **Where habitat avoidance is infeasible, mitigation shall be implemented through preservation, enhancement, or creation of special-status habitat.**

- **Loss of habitat may be mitigated at an agency-approved mitigation bank or through individual mitigation sites as approved by the applicable regulatory agency. Compensatory mitigation ratios shall be negotiated with the permitting agencies.**

- **Mitigation sites shall be monitored as determined by the Development Services Director in consultation with the applicable regulatory agency until the mitigation is considered to be successful.**

- **All mitigation areas shall be preserved in perpetuity through either fee ownership or a conservation easement held by a qualified conservation organization or agency. A long-term funding source for site preservation shall be secured.**

- **Construction activities in the vicinity of sensitive resources shall be completed during the period that best avoids disturbance to plant and wildlife species present (e.g., May 15 to October 15 near salmonid habitat; February 1 through August 31 for migratory birds and other birds of prey; April 1 – August 31 for maternity bat roosts, etc.) as determined by the Development Services Director in consultation with CDFW.**

- **No-disturbance buffer zones deemed appropriate to the species shall be established. The no-disturbance buffer will be determined by the biologist in consultation with the applicable regulatory agency.**

- **A qualified biologist shall locate and fence off no-disturbance buffer zones before construction activities begin and shall inspect areas hourly, daily or weekly, depending on the species, to ensure that barrier fencing, stakes, and setback buffers are maintained during construction.**

- **A Worker's Awareness Training shall be conducted prior to construction and include training materials and a briefing covering all sensitive species and habitats to further educate construction personnel regarding potential adverse effects to these resources. These training materials and briefings shall include the laws and regulations that protect these resources and the consequences of noncompliance with those laws and regulations. A contact person shall be provided to the Development Services Director in the event that protected biological resources are discovered at the project site.**

- **Individual projects shall minimize the use of in-water construction methods in areas that support sensitive aquatic species, especially when listed species could be present.**
- **In the event equipment needs to operate in any watercourse with flowing or standing water, a qualified biological resource monitor shall be present at all times to alert construction crews to the possible presence of Western pond turtles, California red-legged frogs, Central Valley steelhead, salmonids, Sanford's Arrowhead, or other special status species at risk during construction operations.**

- **Biological monitoring shall be particularly targeted for areas near identified habitat for special status plant and wildlife species.**
- **A "no take" approach shall be taken whenever feasible during construction near special-status plant and wildlife species.**
- **Projects shall obtain incidental take authorization from the permitting agencies as required prior to commencement of grading or construction.**

- **Specific measures shall be identified to minimize the negative effects of night lighting and noise on listed and sensitive wildlife.**

Timing/Implementation: Prior to submitting applications for subsequent small-lot tentative maps or other discretionary projects.

Enforcement/Monitoring: City of Shasta Lake Development Services Department in consultation with applicable regulatory agencies.

Page 4.6-28 - 29 is revised as follows:

Implementation of Mitigation Measure 4.6.1d

~~MM 4.6.2a Preconstruction surveys for elderberry shrubs shall be conducted by a qualified biologist. If no elderberry shrubs are located, no further measures are necessary.~~
~~Timing/Implementation: Prior to issuance of a grading permit for each subsequent development allowed under the Area Plan.~~
~~Enforcement/Monitoring: City of Shasta Lake Development Services Department~~

~~MM 4.6.2b If practicable, construction activities shall be avoided within 100 feet of any identified elderberry shrubs, and fencing or signage shall be provided as necessary to keep people and equipment outside of the 100-foot buffer throughout construction. Provide for the preservation of the elderberry shrubs and maintenance of the 100-foot buffer throughout the life of the project.~~
~~Timing/Implementation: Prior to issuance of a grading permit for each subsequent development within 100 feet of elderberry shrubs~~
~~Enforcement/Monitoring: City of Shasta Lake Development Services Department~~

~~MM 4.6.2c If avoidance of the elderberry shrubs and 100-foot buffer is not practicable, a USFWS protocol-level survey for valley elderberry longhorn beetles shall be conducted by a qualified biologist. If no evidence of the presence of the species is detected during the survey, and in the professional opinion of the biologist, valley elderberry longhorn beetles are not likely to occur within the proposed project site, the USFWS shall be contacted with a request for concurrence with a "no effect" or "not likely to adversely effect" determination. If the USFWS concurs that the project will not affect valley elderberry longhorn beetles, no further measures are required. If evidence of the species is detected during the protocol-level survey or the USFWS will not concur with a "no effect" or "not likely to adversely effect" determination:~~
~~1. Formal consultation with the USFWS shall be initiated under Section 7 or Section 10 of the Endangered Species Act, as appropriate. No activities shall occur within 100 feet of the elderberry shrubs until Incidental Take authorization has been obtained from the USFWS.~~
~~*Timing/Implementation: Prior to issuance of a grading permit for each subsequent development within 100 feet of elderberry shrubs*~~
~~*Enforcement/Monitoring: City of Shasta Lake Development Services Department*~~

Page 4.6-32 is revised as follows:

MM 4.6.4a Three fifteen (15) gallon trees shall be planted for each protected tree removed ~~that exceeds ten inches DBH, in compliance with the City's Tree Preservation Ordinance.~~ **Heritage oak trees 35 inches DBH or greater shall be replaced at a ratio of 4:1 with 24-inch box trees. A tree replacement plan shall be submitted showing the timing, number, location and type of trees to be planted. The tree replacement plan shall be reviewed and approved by a City-approved arborist. The replacement trees shall be native trees unless the Development Services Director determines that another species would be more suitable for the location.**

Timing/Implementation:
~~Prior to final completion of the large lot circulation plan improvements.~~ **Prior to issuance of a Certificate of Occupancy for any use unless otherwise specified in the Tree Replacement Plan.**

Enforcement/Monitoring:
City of Shasta Lake Development Services Department

The following Mitigation Measures are added:

MM 4.6.4b **In the event the project site does not have sufficient area on-site to accommodate the required tree mitigation, one or more of the following measures shall be implemented:**

- **The size of a 15-gallon replacement tree can be increased to 24-inch box and count as two replacement trees; and/or**
- **An alternative site(s) shall be identified for additional tree planting. Alternative sites may include, but are not limited to, local parks, schools, public rights-of-way, individual lots within the Area Plan boundaries, or on adjacent properties for screening purposes; and/or**
- **Payment of an in-lieu fee to the City to purchase trees that will be planted on public property, such as parks, schools, public rights-of-way or on other public facilities. The in-lieu fee shall be based on the fair market value of the number of trees required as replacement trees that cannot be accommodated on-site.**

Timing/Implementation: Prior to issuance of a Certificate of Occupancy for any use unless otherwise specified in the Tree Replacement Plan.

Enforcement/Monitoring: City of Shasta Lake Development Services Department

MM 4.6.4c **A pre-development meeting with the Development Services Director shall be conducted to ensure tree conservation is considered early in the planning process with respect to placement of buildings, roads, driveways, parking, utilities and other site improvements. The following shall be prepared prior to the pre-development meeting:**

- **Tree delineation map showing existing grades, location and size of groups of protected trees (stands); heritage trees (36-inch and above diameter at breast height) shall be specifically identified.**

- **Conceptual development plan showing that one or more methods of ensuring tree conservation, with particular attention given to the preservation of heritage trees and stands of trees, have been considered in project design (e.g., reduced street sections, cluster development, avoidance, etc.).**

- **Tree Removal and Replacement Plan, including identification of set-aside areas for replacement tree planting and alternative tree replacement methods proposed.**

- **Additional information as may be required by the City's Tree Conservation Ordinance.**

Timing/Implementation:
Prior to submittal of any application for subsequent tentative subdivision maps and/or other discretionary projects.

Enforcement/Monitoring:
City of Shasta Lake Development Services Department.

Page 4.6-35, 2nd paragraph under Impact 4.6.9, is revised as follows:

Implementation of the City's Tree Conservation Ordinance will result in new trees being planted to replace some of those lost during development.~~, but it is unlikely that enough trees can be planted to fully replace those lost.~~ The City does not have a tree replacement fund or other mechanism to require planting in kind off-site, but could develop one in the future and apply the fee or program to subsequent projects. ~~Because it is unlikely that the tree replacement program implemented as part of the ordinance will result in sufficient trees to completely offset the loss, and development of a replacement program for off-site planting and maintenance of trees is speculative, this impact is considered cumulatively considerable and significant and unavoidable.~~ **A pre-development meeting is required to ensure tree preservation is considered early in the planning process with respect to placement of buildings, roads, driveways, parking, utilities and other site improvements. Implementation of mitigation measures MM 4.6.4a-c, 4.6.9 and 4.6.10 would reduce this impact to a less than significant level.**

Page 4.6-35 – 36 is revised as follows:

MM 4.6.9 In addition to the minimum planting standards in the City's Tree Conservation Ordinance, future development shall be required to comply with the requirements in the Area Plan, **pursuant to a landscape plan reviewed and approved by a City-approved arborist,** which include the following tree replacement planting and preservation requirements:

- All future roadways within parcels A-U shall incorporate street trees and a setback sidewalk design. Street trees shall be planted 30' on-center (O.C.) ~~where feasible~~ within the landscaped parkways, taking into account necessary setbacks from fire hydrants, intersections, driveways, etc., **unless a modified standard is approved by the Development Services Director.**

- All protected trees shall remain within parcels B, T & U (open space) except where those trees interfere with utility extensions or other improvements required as part of the Mountain Gate **at Shasta** development.

- Protected trees shall remain within parcels C & K (park areas) and additional 15-gallon trees shall be planted as part of the park improvements.

- ~~Single family parcels within Parcel F, Q & S (very low density residential) shall have two additional 15-gallon trees planted per parcel in addition to the required three 15-gallon oak trees to be planted for each proposed single family unit/lot and any required replacement trees.~~

- Pavement and base shall be removed from the southern terminus of the existing Wonderland Boulevard (south of proposed parcel A); a tree mitigation planting area shall be created and vegetated with small rooted stock.

- 15-gallon trees approximately 50' O.C., shall be planted adjacent to the pedestrian trails (in non-forested areas) within the open space corridors **unless a modified standard is approved by the Development Services Director.**

  Timing/Implementation: Prior to improvement plan approval or ~~occupancy of any residential or commercial use as applicable.~~ **issuance of a Certificate of Occupancy for any use unless otherwise specified in the Tree Replacement Plan.**

  Enforcement/Monitoring: City of Shasta Lake Development Services Department

SECTION 4.7 HYDROLOGY AND WATER QUALITY

Page 4.7-21 and 22, Mitigation Measure MM 4.7.2a – 4.7.2d are revised as follows:

MM 4.7.2a **The project applicant shall be required to implement all requirements of the City's Phase II *Municipal Separate Storm Water Sewer System* (MS4) Permit. This shall include, but not be limited to, implementation of quantifiable site design and/or source control measures to minimize the impact of pollutant-generating activities.**

Water Quality Control Plan: The project applicant shall submit a water quality control plan for **development and** operation of the project site.

Permanent water quality features ~~will~~ **shall** be incorporated into project **grading and** development plans and ~~will~~ **shall** include best management practices (BMPs) **and quantifiable site design measures in compliance with the City's Post-Construction Standards Plan** to minimize and control pollutants in stormwater runoff.

~~Water quality control measures identified in the Water Quality Control Plan can~~ may ~~include, but are not limited to, the following:~~

- ~~Sediment will be retained on site by a system of sediment basins, traps, or other appropriate measures.~~
- ~~Description of measure to reduce "first flush" contaminants after construction, as well as plans for maintenance, funding, and scheduling for servicing the drainage system.~~

Timing/Implementation:
Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading **or building** permits.

Enforcement/Monitoring:
City of Shasta Lake Public Works **and Development Services** Department**s** and Central Valley Regional Water Quality Control Board.

MM 4.7.2b The development plans of future development under the proposed project shall contain specific structural and non-structural post-construction BMPs, such as grassed swales, bioretention, porous pavement, treatment vaults, retention of buffer strips, minimization of impervious surfaces, and approximate locations of each BMP. **BMPs shall be consistent with the City's Post-Construction Standards Plan.**

Timing/Implementation:
Prior to ~~approval of subsequent tentative subdivision maps or other discretionary permits, and/or~~ issuance of grading **or building** permits.

Enforcement/Monitoring:
City of Shasta Lake Public Works **and Development Services** Department and Central Valley Regional Water Quality Control Board.

MM 4.7.2c The overall design and development of the Mountain Gate at Shasta Area Plan shall include post-construction stormwater BMPs to mitigate for stormwater discharges associated with the post-development of the site. The BMPs shall be incorporated into the project, as described in the application package, to treat stormwater runoff from the site. **Design measures shall be consistent with the City's Post-Construction Standards Plan.**

Timing/Implementation:
Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading **or building** permits

Enforcement/Monitoring:
City of Shasta Lake Public Works **and Development Services** Department**s** and Central Valley Regional Water Quality Control Board.

MM 4.7.2d ~~Prior to approval of a final subdivision or parcel map, t~~**T**he project applicant shall develop a landscaping plan to include provisions for the use of slow release fertilizers for common landscape areas **in compliance with the City's Post-Construction Standards Plan**. The landscape plans shall be submitted to the City of Shasta Lake Development Services Department for review and approval.

Timing/Implementation:
Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading permits.

Enforcement/Monitoring:
City of Shasta Lake Development Services Department and Central Valley Regional Water Quality Control Board.

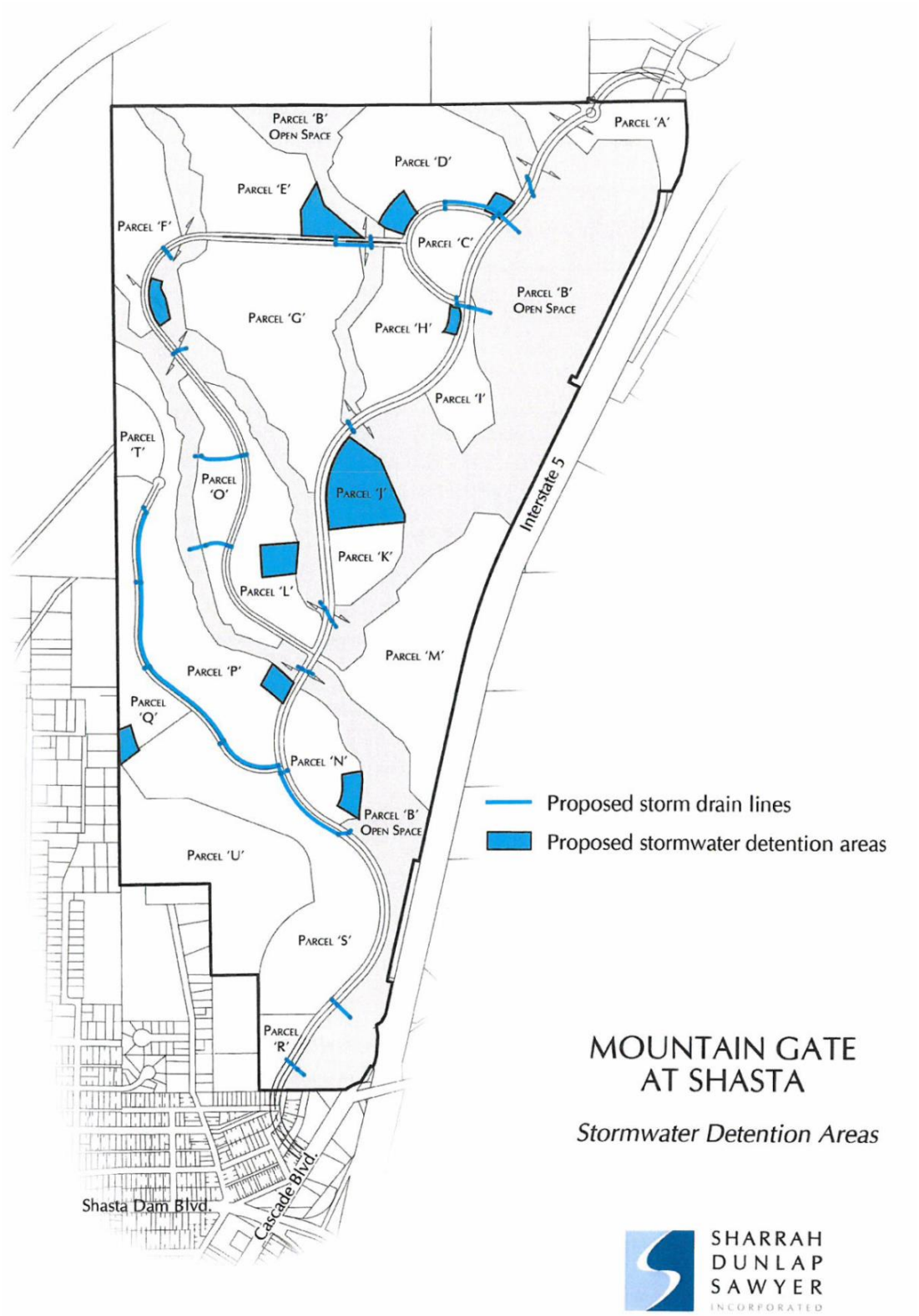
Page 4.7-24, last paragraph, is revised as follows:

As discussed in the draft site drainage plan (**DEIR Appendix 4.7-1**), in order to mitigate increases in runoff production, the project site will incorporate a number of separate detention facilities that are located throughout the Area Plan**.** ~~(see Figure 4.7-2 and Figure 4.7-3). The proposed project could have four or five will have several detention ponds areas, depending on the needs of future development. The basins are proposed as the method of controlling peak discharges for the developed runoff from the site.~~

The proposed Stormwater Detention Areas shown on Figure 4.7.2 are based on the volumes from the in-stream detention model and typical volumes per unit from similar development types in the North State. The basins are located strategically to provide flexibility as the Mountain Gate at Shasta project develops in numerous phases. The detention basins will be specifically designed along with future small lot tentative maps as necessary to accomplish the goal of this project which is to limit the post-development runoff during the 100-year event to a level that will mitigate the existing surcharging of the existing culvert crossing of I-5 just downstream of the project.

Page 4.7-25 is revised as follows:

Figure 4.7-2 has been replaced as follows:



Page 4.7-26 is revised as follows:

Figure 4.7-3 has been deleted.

Page 4.7-27 is revised as follows:

~~The first detention basin, known as Detention Facility No. 1, is proposed to be located in the western portion of Phase I. This detention basin would have a capacity of ±27 acre-feet of stormwater. Detention Facility No. 2 would be located south of Facility No. 1 in Phase II and would have a stormwater capacity of ±6 acre-feet. A third facility, Detention Facility No. 3, would have a capacity of ±24 acre-feet and be located south of Facility No. 2 in Phase III. Detention Facility No. 4 would be located northeast of Facility No. 3 in Phase III and would have a capacity of ±25 acre-feet. Detention facility No. 5 is an optional basin located south of facility No. 4. This basin, if utilized, would have a capacity of 15 acre-feet.~~

The basins ~~are located within the natural drainages and use the proposed road crossings as the means of detaining water. The~~ **and** culvert(s) under the proposed crossings will be sized in accordance with the final storm drainage plan to ensure that post-project peak stormwater flows will not exceed pre-project peak stormwater flows. ~~Drainage alternative 1, shown in Table 4.7-2, would result in a total capacity of 82 acre-feet. Adding another basin, as shown in Table 4.7-3, both increases the amount of storage to 87 acre-feet and allows drainage basin 4 to be reduced in size/capacity from 25 to 15 acre-feet.~~ The basins will temporarily store the stormwater generated by the new impervious surfaces within the proposed project, ensuring that the peak stormwater flows are not increased. Further, the storage and the associated culverts will slow the stormwater, which will reduce the potential for erosion.
~~Pre- and post-construction peaks for each detention facility are noted in Tables 4.7-2 and 4.7-3.~~

TABLE 4.7-2 has been deleted.

Page 4.7-28 is revised as follows:

Table 4.7-3 has been deleted.

MM 4.7.4 The final site drainage plan shall include detention ponds designed to store and attenuate stormwater runoff as shown in Figure 4.7-2. ~~Each of the detention ponds will have restricted outlets that will "calm" the velocity of runoff rates of storm events on the upstream side of the restricted outlets and provide for settlement of sediments. Also,~~ **The basins and culvert(s) under the proposed crossings will be sized in accordance with the final storm drainage plan. Post-project peak stormwater flows shall not exceed pre-project peak stormwater flows.** The final site drainage plan shall include adequate provisions for erosion control at points of discharge for runoff generated within development areas.

Timing/Implementation:
Prior to approval of grading permits and/or improvement plans

Enforcement/Monitoring:
City of Shasta Lake Public Works Department

SECTION 4.8 GEOLOGY AND SOILS

Page 4.8-16 is revised as follows:

MM 4.8.1a The developer shall submit a ~~final~~ **preliminary** grading plan and an Erosion and Sediment Control Plan, prepared by a licensed engineer, to the City of Shasta Lake, pursuant to the specifications of the Grading, Erosion Control, and Hillside Development Ordinance (Chapter 15.08 in the City of Shasta Lake Municipal Code). The plan shall incorporate measures for erosion control as recommended in future geotechnical studies completed to assess design and construction of future project elements.

Timing/Implementation: Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading permits.

Enforcement/Monitoring: City of Shasta Lake Development Services Department, City of Shasta Lake Public Works Department

Page 4.8-17 is revised to add the following after MM 4.8.1b:

The Construction General Permit and Storm Water Pollution Control Plan include the requirements for BMPs for erosion and sediment control, wind erosion controls and tracking controls. Chapter 15.08 of the City of Shasta Lake Municipal Code would ensure impacts are **less than significant.**

SECTION 4.10 UTILITIES AND SERVICE SYSTEMS

Page 4.10-5, 1st paragraph, is revised as follows:

Water Shortage Contingency Plan

The City adopted a Water Shortage Contingency Plan **(WSCP)** in 1994. This Plan was incorporated into the Water Conservation Plan and establishe~~s~~**d** water rationing stages and reduction goals to be undertaken in response to water supply shortages. **The WSCP was updated in 2014 as part of the update to the City's Urban Water Management Plan.** The ~~Contingency Plan~~ **WSCP** includes a ~~four~~ **five**-stage drought management plan that includes voluntary and mandatory stages, depending on the amount of BOR's water allocation reduction. Customers are required to reduce their use of potable water from ~~15~~ **10** percent to 50 percent to offset BOR's reduction to the City's water allocation.

Page 4.10-8, last two sentences under Impact 4.10.1.1 are revised as follows:

Water demand, as shown in **Table 4.10-2**, has averaged ~~2,354~~ **2,226** acre-feet over the previous five **calendar** years. The City has an available water supply to provide an additional ~~4,401~~ **4,529** acre-feet per year. **It should be noted BOR calculates the three-year average based on Water Year (March – February), whereas Table 4.10-2 shows production and delivery based on Calendar Year. For this reason, the City's reduced allocation for 2015 was based on the three-year average from March 2011 – February 2014, which is 2,582 AF.**

Page 4.10-9, Table 4.10-2 is revised as follows:

TABLE 4.10-2
HISTORIC WATER PRODUCTION AND DELIVERY

Calendar Year	Population	Residential Customers/ Meters	Commercial Customers/ Meters	Total Customers	Units of Production (AF)	Water Delivered to Customers (AF)
~~2009~~	~~10,269~~	~~3,501~~	~~197~~	~~3,698~~	~~2,957~~	~~2,501~~
2010	10,164	3,450	203	3,653	2,572	2,285
2011	10,102	3,443	204	3,647	2,493	2,177
2012	10,077	3,458	202	3,660	2,826	2,399
2013	10,100	3,478	197	3,675	2,610	2,407
2014	**10,128**	**3,535**	**201**	**3,736**	**2,052**	**1,861**
~~2011 – 2013~~ **2012 – 2014 Three-Year Average**						
Units of Production: ~~2,643~~ **2,496** AF						
Water Delivered: ~~2,328~~ **2,222 AF**						
~~2009 – 2013~~ **2010 – 2014 Five-Year Average**						
Units of Production: ~~2,692~~ **2,511 AF**						
Water Delivered: ~~2,354~~ **2,226 AF**						

Source: Population: DOF 2010 - 2014; Water production: City of Shasta Lake 2010-2014

Page 4.10-9 is revised to add the following as the 3rd Paragraph:

In addition, the Area Plan includes a requirement that the Project will be limited to a community-wide annual average of 400 gallons of water per household per day. Therefore, Developers shall be required to implement all reasonable and sustainable water conservation measures in place at the time a building permit is issued, and compliance shall be calculated on an Area Plan-wide basis. .

Page 4.10-10, Table 4.10-3 (Estimated Water Demand in Acre-Feet per Year) is revised as follows:

TABLE 4.10-3
ESTIMATED WATER DEMAND IN ACRE-FEET PER YEAR

Area	Primary Land Use	Acres	Water Need (AF)	
			Low	High
A	Commercial	11.2	~~70~~ **78**	~~70~~ **78**
B	Open Space	181.5	—	—
C	Park	7.3	15	15
D	Medium Density Residential	27.9	100	158
E	Medium Density Residential	22.5	81	127
F	Very Low Density Residential	16.3	14	27
G	Medium Density Mixed Use	43.5	~~156~~ **185**	~~351~~ **397**
H	Mixed Use Commercial	3	~~19~~ **21**	~~19~~ **21**
	High Density Mixed Use	11.9	59	96
	Fire Station	2	2	3
I	Medium Density Residential	7.3	26	41
J	~~Medium Density Residential~~ **Community Park**	8.1	~~29~~ **16**	~~46~~ **16**
K	**Community** Park	7.6	15	15
L	Low Density Residential	17.1	30	55
M	~~Community Park~~	~~13~~	~~26~~	~~26~~
	Low Density Residential	19.4	35	63
N	Low Density Residential	11.3	21	37
O	Low Density Residential	13.1	23	42
P	Low Density Residential	32.9	59	107
Q	Very Low Density Residential	10.4	9	17
	Electric Substation	2	—	—
R	High Density Residential	4.5	22	55
S	Very Low Density Residential	40.5	37	65
T	Open Space	5.9	—	—
U	Open Space	33.6	—	—
ROW	Rights-of-Way	36.2	—	—
Totals		**590**	**848**	~~1,434~~ **1,435**

Other Approved Projects				
	Project	**Undeveloped Lots Remaining**		**Water Need (AF)**
SD 02-01	Windsor Estates II	38		34
SD 03-02	Oak Ridge Subdivision (Karem)	28		25
SD 04-01	Mountain Properties (Jaxon Baker)	164		147
SD 04-04	Kingston Estates (Tatom)	10		9
SD 05-01	Riddle Road Subdivision (Woolery)	21		19
SD 03-01	Deer Creek Manor	84		75
	Misc. Parcel Maps	19		17
Totals		**364**		**326**
			Low	**High**
Total Water Demand (AF) for Proposed and Approved Projects			**1,174**	~~1,760~~ **1,761**

Page 4.10-11 is revised as follows:

As shown in **Table 4.10-3**, the total demand on the City's water system from the proposed project and other approved projects is between 1,174 and ~~1,760~~ **1,761** acre-feet per year at full buildout. This is less than the assumed 1,919 acre-feet demand for the proposed project site assumed in the Master Water Plan and less than the available water supply of 4,401 acre-feet per year. The total water demand from **Table 4.10-3** (high demand) and the existing five-year average shown in **Table 4.10-2** is ~~4,114~~ **3,987** acre-feet per year, which is less than the total 6,755 acre-feet of water under long-term contract with the City. **Based on the Area Plan requirement to limit community-wide water use to an annual average of 400 gallons per household per day, total demand from the Project would be between 500 – 794 acre-feet per year.** Therefore, during normal water years, the impact of the proposed project on water supplies is **less than significant**.

Page 4.10-12, last two paragraphs, are revised as follows:

~~For 2014, BOR's initial projections in February 2014 again indicate the possibility of reducing the City's allocation by 50 percent due to the current drought situation. However, BOR will not make a final determination regarding this year's allocation until the end of the wet weather season in May.~~ **BOR announced that the City's allocation would be reduced by 50 percent, for a total allocation of 1,322 AF.** The City ~~is in negotiations with~~ **entered into agreement with** the McConnell Foundation to purchase ~~**up to 1,300**~~ **900** AF of supplemental water for 2014. ~~The amount of water purchased will depend on BOR's final determination regarding allocation reductions. Based on the figures shown in Table 2, the average City water produced from 2011 through 2013 was 2,643 AF. A reduction of 25 percent would result in an allocation of approximately 1,982 AF of water. A reduction of 50 percent would result in an allocation of approximately 1,322 AF (Also see Table 7).~~

For 2015, BOR announced the City's allocation would be reduced by 75 percent based on the three-year historical average Water Year (March 2011 – February 2014), for a total allocation of 646 acre feet. The City again entered into agreement with the McConnell Foundation for the purchase of 900 AF of water, for a total available water supply of 1,546. Subsequently, the City increased its excess water use penalties to encourage additional conservation efforts.

The following paragraphs are added following the *Bureau of Reclamation Allocation / Drought Reduction* section:

State Water Resources Control Board

On January 17, 2014, Governor Brown Declared a Drought State of Emergency and called on all Californians to reduce their water usage by 20 percent. In response, the State Water Resources Control Board (Water Board) adopted Resolution 2014-0038 imposing emergency regulations to increase water conservation by all Californians, which became effective on July 28, 2014.

Pages 4.10-12 – 4.10-14, *City's Water Conservation Plan* is revised as follows:

City's Water Conservation Plan

~~The City has an adopted Water Conservation Plan (2000) which incorporates the City's Water Shortage Contingency Plan (1994). The Contingency Plan includes a four stage drought management plan that includes voluntary and mandatory stages, depending on the amount of BOR's water allocation reduction. Customers are required to reduce their use of potable water from 15 percent to 50 percent to offset BOR's reduction to the City's water allocation. Table 4.10-4 shows calculations based on the three year water supply averages shown in Table 4.10-2.~~

~~Table 4.10-4 Potable Water Rationing~~

~~Three-Year Average (2,643 AF)~~			
~~Stage~~	~~Demand Reduction~~	~~Program Type~~	~~Water Use Reduction AF per Year~~
~~1~~	~~15%~~	~~Voluntary~~	~~396~~
~~2~~	~~25%~~	~~Mandatory~~	~~661~~
~~3~~	~~35%~~	~~Mandatory~~	~~925~~
~~4~~	~~50%~~	~~Mandatory~~	~~1,322~~

~~Section 13.12.400 of the City of Shasta Lake Municipal Code (SLMC) establishes a process whereby the City Council may declare a Water Shortage Emergency. Most recently, a public hearing was conducted on March 4, 2014, and City Council adopted a Resolution declaring a Water Shortage Emergency and imposing the following restrictions that apply to all customers in the City. The Resolution also established excess water use penalty fees.~~

~~A. Use of potable water to irrigate turf, ground cover, shrubbery, crops, vegetation, and trees in such a manner as to result in runoff for more than 5 minutes.~~

~~B. Use of potable water to wash sidewalks, walkways, driveways, parking lots, open ground, or other hard surfaced areas except where necessary for public health or safety.~~

~~C. Allowing potable water to escape from breaks within the customer's plumbing system for more than 24 hours after the customer is notified or discovers the break.~~

~~D. Washing cars, boats, trailers, aircraft, or other vehicles by hose without a shutoff nozzle and bucket, except to wash such vehicles at commercial or fleet vehicle washing facilities using water recycling equipment.~~

~~E. No restaurant, hotel, cafe, cafeteria, or other public place where food is sold, served, or offered for sale shall serve drinking water to any customer unless expressly requested.~~

~~F. Use of potable water for construction, compaction, dust control, street or parking lot sweeping, or building wash down where nonpotable or recycled water is sufficient.~~

~~G. Use of potable water for sewer system maintenance or fire protection training without prior approval by the city engineer.~~

~~H. Use of potable water to fill or maintain levels in swimming pools, decorative fountains, ponds, or evaporative coolers unless a recycling system is used.~~

On August 19, 2014, City Council adopted a Resolution approving the 2010 Urban Water Management Plan (UWMP). The UWMP included an updated Water Shortage Contingency Plan, which includes a five-stage water rationing program. The first stage includes voluntary water use restrictions, which become mandatory in stages 2 – 5. Each stage includes additional water use restrictions intended to reduce the use of potable water in response to cutbacks in the City's water allocation and in consideration of whether the City is able to purchase supplemental water from another source.

Customers are required to reduce their use of potable water from ~~15~~ **10** percent to 50 percent to offset BOR's reduction to the City's water allocation. **Table 4.10-4** shows calculations based on the three-year water supply averages shown in **Table 4.10-2**.

Table 4.10-4 Potable Water Rationing

Three-Year Average Calendar Year (~~2,643~~ 2,496 AF)			
Stage	**Demand Reduction**	**Program Type**	**Water Use Reduction AF per Year**
1	~~15~~ **10**%	Voluntary	~~396~~ **250**
2	~~25~~ **20**%	**Mandatory**	~~661~~ **499**
3	~~35~~ **30**%	**Mandatory**	~~925~~ **749**
4	~~50~~ **40**%	**Mandatory**	~~1,322~~ **998**
5	**50%**	**Mandatory**	**1,248**

On April 21, 2015, City Council declared a Stage 4 Severe Water Shortage Emergency, based on the City's available water supply of 1,546 AF. Council enacted all Stage 1 through 4 measures as mandatory water use restrictions. The Stage 4 declaration has a demand reduction goal of 40 percent.

Pursuant to SLMC Section ~~13.12.401~~ **13.14.100**, any customer violating these restrictions is subject to penalties. These penalties could include **a fine up to $500.00 for each day the violation continues.** ~~the requirement for a flow restrictor to be installed in the water service at the customer's cost. Repeated violations would be considered a misdemeanor and may be referred to the District Attorney's office for prosecution.~~ In addition this Code section states the City may disconnect the water service if the customer refuses to comply with the restrictions during the Water Shortage Emergency. In addition, the City Council may adopt by resolution other restrictions necessary to safeguard the adequacy of the water supply for domestic, sanitation, fire protection, and environmental requirements.

Based on the figures shown in **Table 4.10-2**, the average City units of water production from ~~2011~~ **2012** through ~~2013~~ **2014** was ~~2,643~~ **2,496** acre-feet. As stated ~~in~~ above, BOR

may reduce the City's water allocation in any year based on the average water produced over the prior three years. The three-year average will likely increase each year as development and water demands increase; **however, as shown in Table 4.10-2, water demand in 2014 was the lowest over the past five-year period. This is likely due to the City's enacted water use restrictions, excess water use penalties and water conservation programs.**

Table 4.10-5 shows the impact of reductions in the BOR water allocations based on the three-year average from ~~2011-2013~~ **2012-2014** As shown in the table, there is insufficient water to meet current demand if the City's allocation is reduced. However, as stated above, the City ~~is in negotiations~~ **entered into agreement** with the McConnell Foundation to purchase ~~up to 1,300~~ **900** AF of supplemental water for ~~2014~~ **2015**.

Table 4.10-5 – Impact of BOR Reduction Based on Current (~~2013~~ 2014) Demand of ~~2,407~~ 1,861 AF

Three-Year Average Based on Water Year (~~2,643~~ 2,582 AF)			
BOR Reduction	**Total Reduction (AF)**	**Available Supply with Reduction**	**Balance of Available Water Based on Current (~~2013~~ 2014) Demand of ~~2,407~~ 1,861 AF**
15%	~~-396~~ **-374**	~~2,247~~ **2,122**	~~-160~~ **261**
25%	~~-661~~ **-624**	~~1,982~~ **1,872**	~~-425~~ **11**
35%	~~-925~~ **-874**	~~1,718~~ **1,622**	~~-689~~ **-239**
50%	~~**-1,322**~~ **-1,248**	~~1,322~~ **1,248**	~~-1,085~~ **-613**
75%	**-1,872**	**624**	**-1,237**

Combined with the City's purchase of 900 AF of water from the McConnell Foundation, the City's available supply for water year 2015 is 1,524 AF. The City's Stage 4 water use restrictions are intended to reduce water demand by 40%.

~~In addition, if the City declares a Stage 3 or 4 Water Shortage Emergency pursuant to the Water Shortage Contingency Plan,~~ **The City's declaration of a Stage 4 Severe Water Shortage Emergency and the requirement for** mandatory rationing by all customers will offset the water supply deficiencies. For example, **Stage 4 restricts landscape irrigation to two nights per week with a maximum run time of 15 minutes per station. ~~I~~Landscape** irrigation accounts for 57 percent of residential water use in California, which equates to 456 gallons per day (800 gallons per day x 0.57=456; 166,440 gallons per year) per single-family home in the city. During a drought condition, landscape irrigation can be reduced to approximately 152 gallons per day if lawns are not watered. This is a savings of 304 gallons of water per single-family household equivalent per day, or a reduction of 110,960 gallons per household per year. These numbers assume lawn covers approximately 50 percent of the planted portion of a yard and trees and shrubs cover the remaining 50 percent.

The water demand for lawn is over twice that of shrubs and trees with comparable density and microclimate factors. Based on the above, during severe drought conditions a prohibition on lawn watering would reduce water usage sufficiently to meet a Stage 4 condition as shown in **Table 4.10-4**. Stage Three Water Emergency Regulations included in the Water Shortage Contingency Plan include a prohibition of residential and commercial landscaping and/or lawn irrigation with potable water.

While there is sufficient water supply during normal water years, severe drought conditions might result in insufficient water to meet existing demand. The City's Water Shortage Contingency Plan does not have sufficiently quantified water conservation measures to demonstrate that reductions in water usage would result in adequate water supply during drought conditions, providing rather an estimate of expected conservation of City Monthly AF (Stage One: ~~0-15~~ **up to 10%** expected conservation; Stage Two: ~~15-25~~ **11-20**%; Stage~~s~~ Three: **21-30%;** ~~and~~ **Stage** Four: ~~25-40~~ 31-40%; **and Stage 5: 41-50%** expected conservation). Additional water conservation measures could be enacted that would likely result in sufficient water conservation.

The proposed project includes subdivision of the property into 21 large lots, but does not allow for development without further entitlements (e.g., additional tentative subdivision maps or other discretionary approvals). Mitigation measure **MM 4.10.1.1** requires that water supply be verified prior to approval or any subsequent project. If a project is proposed during a water emergency, the City has the ability to deny or delay the approval until water supply is assured. Prohibiting future development would reduce the demand for water during the water emergency and would not result in further impacts to the City or the water system.

Page 4.10-16: The following Mitigation Measure is added:

MM 4.10.2.1c Prior to approval of subsequent development (i.e., further division of the property, conditional use permit, etc.), the project applicant must demonstrate that the City's wastewater treatment plant is able to accommodate the development. The City may delay or deny subsequent projects based on conditions in effect at the time of project consideration.
Timing/Implementation: Prior to approval of subsequent tentative subdivision maps or other discretionary approvals.

Enforcement/Monitoring: City of Shasta Lake Development Services Department.

Page 4.10-25 and 26, Mitigation Measure MM 4.10.2.1b, is revised as follows:

MM 4.10.2.1b Project applicants shall be required to ensure wastewater service to future development within the Area Plan through the following means**:**

~~Contribute a fair share contribution toward the p~~ **P**lanning, engineering, and construction of all necessary off-site collection system improvements to serve the Area Plan. These improvements include, but may not be limited to:

- Construction of a new lift station near the southerly boundary of the site, with a connection to the existing force main in Cascade Boulevard, north of Shasta Dam Boulevard.

Timing/Implementation:
Prior to occupancy of any dwelling unit or commercial building.

- Additional expansion of the Salt Creek Lift Station beyond that currently planned by the City to handle proposed development under the Area Plan.

Timing/Implementation:
As demand warrants; reviewed prior to approval of subsequent small-lot tentative maps or other discretionary projects.

- Construction of a new force main from the Salt Creek Lift Station to the treatment plant, most likely following Pine Grove Boulevard from the Salt Creek Lift Station to the treatment plant.

Timing/Implementation:
In conjunction with expansion of the Salt Creek Lift Station.

- Other improvements determined by the City Engineer to be required in order to serve future development.

Timing/Implementation:
Reviewed prior to approval of any subsequent tentative subdivision map or other discretionary permits.

~~Prior to recordation of subsequent tentative maps and/or prior to issuance of a building permit for any commercial development~~

Enforcement/Monitoring:
City of Shasta Lake ~~Development Services Department~~ **Public Works Department.**

Page 4.10-33, Electricity, is revised as follows:

ELECTRICITY

The City of Shasta Lake is the primary supplier of electric service to citizens and businesses as a municipal electric utility. The system consists of 115 kilovolt (kV) transmission feeds from Western Area Power Administration (WAPA) facilities with local distribution via 6- to 12,000-volt distribution feeders. WAPA and other independent power producers supply power to the city. ~~**The City owns a 25-megawatt share of the California-Oregon Transmission Project (COTP).**~~

Existing facilities include various 12 kV lines serving the proposed development. The distribution system consists of 2–20 MVA distribution substation transformers, where power is transformed from 115 kV transmission to 12 kV distribution voltage and connects to the service distribution transformers via the 12 kV distribution lines. The transmission system is designed as a highly reliable looped system (there are at least two sources for every distribution station), which ensures that an outage or failure of any one 115 kV line would not interrupt power to any 12 kV customer.

Approximately ~~eleven~~ **two** new substations were proposed in the General Plan to serve new development.

SECTION 4.11 PUBLIC SERVICES

Page 4.11-12 is revised as follows:

MM 4.11.2.1 ~~In coordination with the City of Shasta Lake, all future development projects within the Area Plan shall participate in funding mechanisms designed to maintain the ratio of public safety officers to population, or population equivalent, at 1.5 officers per 1,000 residents.~~

A study shall be performed at the Applicant's expense to determine if there is a shortfall in funding from property tax revenue for law enforcement services anticipated to serve the project. If a funding shortfall does exist, the Applicant, owner or successor shall agree to participate with the City of Shasta Lake in a funding mechanism to bridge the funding shortfall.

The funding mechanism may include formation of a Services Community Facilities District that will obligate each landowner within the subdivision to participate in the district.

Timing/Implementation:
~~**Verification p**~~Prior to approval of subsequent tentative subdivision maps or other discretionary permits.

Enforcement/Monitoring:
City of Shasta Lake Development Services Department

Page 4.11-15 is revised as follows:

Table 4.11.2-1, Project Consistency with City of Shasta Lake General Plan: Schools is amended as follows for General Plan Objective PF-10:

General Plan Objectives & Policies	Consistent with General Plan?	Analysis
Schools - Objectives		
PF-10 Develop a land use pattern that can be adequately served with community facilities such as schools, libraries, and community recreation facilities.	Yes	**The Mountain Gate at Shasta Planned Development Zone District and Area Plan identify libraries, performance art centers and similar cultural institutions as permitted uses within the commercial and mixed-use sub-areas. Park and Recreation Facilities such as public parks, swimming pools, sports fields, are also allowable uses within several sub-areas of the Area Plan. Sub-area C is specifically identified as a neighborhood park; Sub-areas J and K are identified for a future community park.**

General Plan Objectives & Policies	Consistent with General Plan?	Analysis
		The trail system will link all areas together to ensure safe pedestrian and bicycle access. **On November 19, 2015, the Applicant entered into a Memorandum of Understanding with the Gateway Unified School District to set aside up to 15 acres for a future school site. K-12 schools are allowed in the commercial areas and medium- high density areas of the site.** ~~The Area Plan states ten acres shall be set aside within the Area Plan for potential future development of a new school by the Gateway Unified School District. A specific location for a future school is not identified on the Area Plan map; however, a school may be located in any sub-area of the project. Each sub-area will be master planned at the time a subsequent tentative subdivision map is submitted to ensure a school is properly sited.~~

Page 4.11-18 is revised as follows:

The paragraph above the Mitigation Measure is amended as follows:

During the meeting, the district clarified that they were in the process of updating their master plan and evaluating their overall facility needs and that they did not currently know whether a school site would be required, or if required, the size and configuration of the site (Appendix 4.11-2). ~~Because additional subdivision of the land is required before any new homes can be built, the City and the district agreed to continue working together, but to determine the need for the additional school properties during subsequent entitlement phases.~~

The City does not have an Ordinance requiring the dedication of land and, pursuant to Government Code Section 65995, the City may not deny or refuse to approve a legislative or adjudicative act on the basis of a person's refusal to provide land for future school facilities. However, on November 19, 2015, the applicant entered into a Memorandum of Understanding with the Gateway Unified School District to set aside up to 15 acres within the boundaries of the Plan Area for a future school.

Because payment of school fees is considered full mitigation for the project, no additional mitigation is required. This impact is considered less than significant.

MM 4.11.3.1 has been deleted.

The last sentence under MM 4.11.3.1 has been deleted.

Page 4.11-19, Section 4.11.4.1 (Existing Setting for Parks), is revised as follows:

PARKS SETTING

The ~~Shasta Dam Area Public Utility District~~ **City of Shasta Lake** oversees and manages park and recreation resources within the city limits.

Page 4.11-21, Table 4.11.4-2 (Project Consistency with City of Shasta Lake General Plan: Parks), is revised for Objective OSR-4 and Implementation Measure OSR-(1) as follows:

OSR-4 Link existing and future development in a manner that provides open space and recreational opportunities.	Yes	The project proposes 221 acres of open space for wetland preservation and trails as well as ~~27.9~~ **23** acres of developed parkland. **The trail system has been designed to encourage walking, biking, and other non-motorized uses and will connect residential, commercial and recreational areas.**
OSR-(1) Provide 5 acres of neighborhood, community and creekside parks per 1,000 new residents. Strive to maintain a neighborhood park standard of at least 0.9 acres per 1,000 new residents.	Yes	The project proposes ~~two~~ **one 7.3-acre** neighborhood park~~s~~ in Area C; ~~totaling 14.9 acres,~~ **one community park with joint use detention facilities in Areas J and K totaling 15.7 acres** ~~of 13 acres~~, and 221 acres of open space with recreational trails. The ~~expected~~ population at buildout is expected to be 4,138 residents. Therefore the proposed Area Plan would provide ~~6.74~~ **5.56** acres of neighborhood and community parks per 1,000 new residents and 53 acres of open space with recreational amenities (creekside park) per 1,000 new residents. Combined, the Area Plan would provide ~~60~~ **58.6** acres of neighborhood, community, and creekside parks per 1,000 new residents.

Page 4.11-22, Section 4.11.4.3, is revised as follows:

Impact 4.11.4.1 Buildout of the proposed project would increase the demand for additional park and recreational facilities. This would be a **less than significant** impact.

Under a buildout scenario, the project would result in a population increase of 4,138 persons (see Section 4.2, Population/Housing/Employment). ~~The project would include two neighborhood parks totaling 14.9 acres, a community park totaling 13 acres.~~

The Project will include a joint use community park and drainage facility on a total of 15.7 acres near the center of the Project's boundaries in Areas J and K; a 7.3-acre neighborhood at the northerly section of the site in Area C; and open space surrounding the project site's stream areas occupying 221 acres that would add to the recreational opportunities currently available in the city.

The current standard for parkland dedication is 5 acres per every 1,000 new residents. In addition, Section 16.08.100(B) of the City's Subdivision Code states that the amount of land required to be dedicated or irrevocably offered for dedication for park or recreational purposes shall not exceed 1 acre per 100 lots or fraction thereof.

The proposed Area Plan would provide ~~6.74~~ **5.56** acres of neighborhood and community parks per 1,000 new residents and 53 acres of open space with recreational amenities (creekside park) per 1,000 new residents. Combined, the Area Plan would provide ~~60~~ **58.6** acres of neighborhood and creekside parks per 1,000 new residents. This acreage is well above the General Plan standard of 5 acres of neighborhood and creekside parks per 1,000 residents.

Page 4.11-23, Paragraph 3 of Impact 4.11.4.2, is revised as follows:

As previously stated, the project would include ~~two~~ **one 7.3-acre** neighborhood park~~s totaling 14.9 acres, a~~ **one** community park **with joint use detention facilities in Areas J and K totaling 15.7 acres** ~~of 13 acres~~ and open space surrounding the project site's stream areas occupying 221 acres that would add to the recreational opportunities that are currently available in the city. In addition, an internal circulation system, in the form of roads and trails, would link all of the uses in the Area Plan. The system has been designed to encourage walking, biking, and other non-motorized uses.

The trails would be located along biologically important areas, such as drainages and wetlands, as well as at the base of slopes. The proposed trails would be separated from roadways in some areas of the project site and adjacent to roadways in others. The Area Plan contains a schematic trail plan, a typical trail design section, and policies that require trail linkages for all land uses (see **Figure 3.0-4**). Policies in the Area Plan require that subsequent development connect to and extend any existing trail system.

SECTION 4.13 GREENHOUSE GASES AND CLIMATE CHANGE

Page 4.13-17 Table 4.13-7 is revised as follows:

TABLE 4.13-7
SUMMARY OF PROJECT GHG REDUCTIONS

Emissions Reduction Summary	CO2 Emissions (Metric Tons/Year)
Total Business-as-Usual (BAU) Emissions	**42,201**
State-Led Regulatory and Shasta Ordinance Reduction	-8,732
Mitigation Measure 4.4.3a Reduction	-1,329
Mitigation Measure 4.13.2 Reduction	-428
Area Plan Reduction Features	-7,959
Total GHG Emissions Reduction	*-18,448*
Remaining Emissions	**23,753**
Percentage Reduction from Business as Usual	43.7
District Percentage Reduction Threshold for Less Than Significant Determination **(A reduction of 21 percent is consistent with AB 32 revised goal for the year 2020)**	21

Page 4.13-20 is revised as follows:

MM 4.13.2 Subsequent development projects within the Mountain Gate at Shasta Area Plan shall submit to the Shasta County Air Quality Management District and receive approval for a GHG Emissions Reduction Plan ~~prior to issuance of building permits for the development project in question.~~

The GHG Emissions Reduction Plan **shall be consistent with the goals of AB 32 and shall identify quantifiable measures equaling an emission reduction value of 428 metric tons per year unless a different value is determined to be required based on review of project-specific information and State requirements at the time an application for subsequent small-lot tentative maps or other discretionary projects is submitted to the City.**

~~demonstrate adherence to the following measures, or alternative measures equaling the same or greater emission reduction values:~~

~~• Indoor water conservation measures shall be incorporated, such as use of low flow toilets, showers, and faucets (kitchen and bathroom), in each residential unit. (74 metric ton reduction)~~

~~• The proposed project shall be designed to exceed state energy efficiency standards by 15 percent (to Tier 1 Title 24 Standards) as directed by Appendix A5 of the 2010 California Green Building Standards (CBSC 2011). This measure helps to reduce emissions associated with energy consumption. (347 metric ton reduction)~~

~~• Low water use landscaping (i.e., drought tolerant plants and drip irrigation) shall be installed. At least 75 percent of all landscaping plants shall be drought-tolerant as determined by a licensed landscape architect or contractor. (7 metric ton reduction)~~

~~• The installation of wood burning fireplaces shall be prohibited in all new residential units. (1,329 metric ton reduction. Required per mitigation measure MM 4.4.3a in Section 4.4)~~

Timing/Implementation: ~~Implemented p~~ **P**rior to **issuance of a building permit** ~~and during construction activities~~

Enforcement/Monitoring:
City of Shasta Lake Development Services Department; Shasta County Air Quality Management District.

SECTION 5.0 ALTERNATIVES

Page 5.0-12 is revised as follows:

TABLE 5.0-3
ALTERNATIVE 3 ESTIMATED DEVELOPMENT POTENTIAL

Area	Primary Land Use	Acres	Developable		Commercial Square Feet	Residential Unit Range	
			%	Acres		Low	High
A	Commercial	11.20	100%	11.20	121,968	–	–
B	Open Space	181.50	0%	–	–	–	–
C	Park	7.30	50%	3.65		–	–
D	Medium Density Residential	27.90	10%	2.79		11	20
E	Medium Density Residential	22.50	70%	15.75		63	110
F	Very Low Density Residential	16.30	0%	–		–	–
G	Medium Density Mixed-Use Residential	43.50	80%	34.80		~~139~~ **165**	~~348~~ **394**
H	Mixed Use Commercial	14.9	100%	14.9	73,616	–	–
	High Density		100%			131	238
	Fire Station	2.00	100%	2.00		–	–
I	Medium Density Residential	7.30	100%	7.30		29	51
J	~~Medium Density Residential~~ **Community Park**	8.10	60%	4.86		~~19~~ –	~~34~~ –
K	**Community** Park	7.60	0%	–		–	–
L	Low Density Residential	17.10	0%	–		–	–
M	~~Community Park~~	~~13.00~~	~~30%~~	~~3.90~~		–	–
	Low density Residential	~~19.40~~ **32.4**	30%	5.82		12	23
N	Low Density Residential	11.30	0%	–		–	–
O	Low Density Residential	13.10	0%	–		–	–
P	Low Density Residential	32.90	20%	6.58		13	26
Q	Very Low Density Residential	10.40	15%	1.56		2	3
	Electric Substation	2.00	15%	0.30		–	–
R	High Density Residential	4.50	0%	–		–	–
S	Very Low Density Residential	40.50	0%	–		–	–
T	Open Space	5.90	0%	–		–	–
U	Open Space	33.60	0%	–		–	–
ROW	Rights-of-Way	36.20		–		–	–
Alternative 3 Totals		590.00		115.41	195,584	~~419~~ **426**	~~853~~ **865**
Proposed Project Totals		590.00		590.00	195,584	873	1,604

Page 5.0-13, Table 5.0-4, is revised as follows:

TABLE 5.0-4
ALTERNATIVE 3, ESTIMATED POPULATION

	Estimated Population	
	Low	**High**
Proposed Project	2,252	4,138
Alternative	~~1,081~~ **1,099**	~~2,201~~ **2,232**
Difference	~~1,171~~ **1,153**	~~1,937~~ **1,906**
Percentage Change	~~-52%~~ **-51%**	~~-47%~~ **-46%**

SECTION 6.0 OTHER EVALUATIONS REQUIRED BY CEQA

Page 6.0-4, Impact 4.3.8 is revised as follows:

Impact 4.3.8 Under Year 2020 Plus Project conditions, all study area intersections, **with the exception of Shasta Dam Boulevard/Shasta Way,** would meet level of service standards with the imposition of mitigation. However, there are ~~six~~ **fourteen** study intersections that are wholly outside the City of Shasta Lake's jurisdiction and the City cannot be certain that mitigation will be made consistent with this Draft EIR.

Page 6.0-5 is revised as follows:

Impact 4.3.13 Under Year 2030 Plus Project conditions, all study area intersections, **with the exception of Shasta Dam Boulevard/Shasta Way(Intersection #13),** would meet level of service standards with the imposition of mitigation. However, ~~six~~ **fourteen** study intersections are wholly outside the City of Shasta Lake's jurisdiction, and the City cannot be certain that mitigation will be made. Therefore, this impact would be **cumulatively considerable and significant and unavoidable**.

Impact 4.4.3 Project-generated operational emissions would exceed applicable significance thresholds and could contribute to regional non-attainment conditions. This impact would be cumulatively considerable and significant and unavoidable.

Page 6.0-7 is revised as follows:

Impact 4.6.9 Buildout of the proposed project will result in the loss of oak woodland habitat. This impact is **less than cumulatively considerable**.

Impact 4.6.10 Buildout of the proposed project would result in the loss of heritage oak trees. This impact is **less than** ~~potentially~~ **cumulatively considerable.**

Page 6.0-14 is revised as follows:

Impact 4.3.1 Under Near-Term Plus Project conditions, all study area intersections, **with the exception of Shasta Dam Boulevard/Shasta Way (Intersection #13),** would meet level of service standards with the imposition of mitigation. However, ~~six~~ **fourteen** study intersections are wholly outside the City of Shasta Lake's jurisdiction, and the City cannot be certain that mitigation will be made. Therefore, this impact would be **significant and unavoidable**.

Page 6.0-15 is revised as follows:

Impact 4.3.8 Under Year 2020 Plus Project conditions, all study area intersections, **with the exception of Shasta Dam Boulevard/Shasta Way (Intersection #13),** would meet level of service standards with the imposition of mitigation. However, there are ~~six~~ **fourteen** study intersections that are wholly outside the City of Shasta Lake's jurisdiction and the City cannot be certain that mitigation will be made.

Impact 4.3.13 Under Year 2030 Plus Project conditions, all study area intersections, **with the exception of Shasta Dam Boulevard/Shasta Way(Intersection #13),** would meet level of service standards with the imposition of mitigation. However, ~~six~~ **fourteen** study intersections are wholly outside the City of Shasta Lake's jurisdiction, and the City cannot be certain that mitigation will be made. Therefore, this impact would be **cumulatively considerable and significant and unavoidable**.

Page 6.0-16 is revised as follows:

Impact 4.4.3 Project-generated operational emissions would exceed applicable significance thresholds and could contribute to regional non-attainment conditions. This impact would be **cumulatively considerable** and significant and unavoidable.

EXHIBIT A
Resolution
Adopting MMRP

MOUNTAIN GATE AT SHASTA AREA PLAN

Mitigation Monitoring and Reporting Program

(MMRP)

CITY OF SHASTA LAKE
1650 Stanton Drive
Shasta Lake, CA 96019

NOVEMBER 2015

INTRODUCTION

The California Environmental Quality Act (CEQA) requires that all public agencies establish monitoring and/or reporting procedures for mitigation measures (MMs) adopted as conditions of approval in order to mitigate or avoid significant project impacts. Specifically, Section 21081.6(a)(1) states:

> "The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation."

The State CEQA Guidelines Section 15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The City of Shasta Lake is the lead agency for the Mountain Gate at Shasta Area Plan Project and is therefore responsible for implementing the Mitigation Monitoring and Reporting Program (MMRP). The Mitigation Program has been identified and recommended through preparation of the Draft EIR with additional mitigation measures and modified measures resulting from one of the following:

1. The City, a Responsible or Trustee Agency, or the Applicant, proposed an alternative or an additional method to mitigate an impact; or

2. Additional or modified measures were added in response to public comments.

These additional measures have been analyzed and would not create any additional significant impacts, but will lessen impacts anticipated to occur with implementation of the Project. The MMRP has been drafted to meet the requirements of Public Resources Code Section 21081.6 as fully enforceable monitoring programs. The MMRP Includes the following:

1. **Mitigation Measures (MMs).** The MMs identified in the MMRP Table are those included in the certified FEIR and adopted by City Council.

2. **Timeframe.** In each case, a timeframe for completion or review of the MM is provided. The timeframe ensures that impact-related components of the project do not proceed without verifying that the mitigation is completed. All activities are subject to the approval of all required permits from local, State, and federal agencies with permitting authority over the specific activity.

3. **Responsible Party or Designated Representative.** In each case, the Applicant is the Responsible Party for completing the mitigation at Applicant's expense. The City will monitor the performance and implementation of the MMs. The City Department(s) identified as the Responsible Party will issue the permit, approve the plans, consult with outside agencies and/or provide other approvals called for in the MMRP.

The last column of the MMRP table will be used by the City to document completion of the MM. The attached Mitigation Monitoring Compliance Form will be used to provide details on implementation of each MM. The completed MMRP and supplemental documents will be kept on file at the City of Shasta Lake Development Services Department.

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
Transportation and Circulation				
MM 4.3.1a The following intersection improvements shall be constructed prior to occupancy of the 50th housing unit within the Area Plan boundaries, • **Shasta Dam Boulevard/Mussel Shoals Avenue** (Intersection #13) – Construct a traffic signal. • **Shasta Dam Boulevard/Median Avenue** (Intersection #6) – Construct a traffic signal.	Constructed prior to occupancy of the 50th housing unit within the Area Plan boundaries. or earlier if directed by the City	Public Works Department		
MM 4.3.1b The following intersection improvements shall be constructed prior to occupancy of the 400th housing unit, or earlier if directed by the City. • **Old Oregon Trail/Wonderland Boulevard** (Intersection #1) – Construct a roundabout or traffic signal. • **Old Oregon Trail/I-5 NB Ramp** (Intersection #2) – Construct a roundabout or traffic signal. • **Shasta Dam Boulevard/Cascade Boulevard** (Intersection #14) – Construct a right turn lane on westbound Shasta Dam Boulevard at Cascade Boulevard. Construct a second left turn lane on eastbound Shasta Dam Boulevard at Cascade Boulevard. Construct a second left turn lane on southbound Cascade Boulevard at Shasta Dam Boulevard. • **Shasta Dam Boulevard/I-5 SB Ramp** (Intersection #15) – Convert eastbound through lane to a shared through right turn lane. Widen on-ramp to add a second lane to the on-ramp 1,000 feet long.	Constructed prior to occupancy of the 400th housing unit, or earlier if directed by the City.	Public Works Department		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
MM 4.3.1c The proposed project shall pay its proportionate share of the cost of the following improvements: • **Pine Grove Avenue/Twin View Boulevard** (Intersection #21) – Pay fee equal to 14 percent of the cost to relocate the intersection west of its current location. The relocated intersection shall include east- and westbound through, left, and right turn lanes. The intersection shall include north- and southbound through and left turn lanes. Construct a traffic signal. • **Pine Grove Avenue/I-5 NB Ramps** (Intersection #20) – Pay fee equal to 14 percent of the cost of installing a traffic signal and a right turn lane on the northbound off-ramp. • **Pine Grove Avenue/I-5 SB Ramps** (Intersection #19) – Pay fee equal to 9 percent of the cost to install a traffic signal. • **Pine Grove Avenue/Cascade Boulevard** (Intersection #18) – Pay fee equal to 7 percent of the cost to realign the south leg of Cascade Boulevard to align with the existing signalized intersection. The south leg of intersection shall include northbound through, right, and left turn lanes and a southbound through lane. • **Pine Grove Avenue/Ashby Road** (Intersection #17) – Pay a fee equal to 17 percent of the cost to install an all-way stop sign or traffic signal. • **Pine Grove Avenue/Lake Boulevard** (Intersection #16) – Pay a fee equal to 15 percent of the cost to install an all-way stop sign or traffic signal. • **Oasis Road/Twin View Boulevard** (Intersection #25) – Pay a fee equal to 4 percent of the cost to construct the following: o Dual left turn lanes and two through lanes and a shared through-right lane for the eastbound approach.	Fee paid at the time of issuance of a building permit.	Development Services Department.		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
o Dual right turn lanes, exclusive through and right turn lane for the southbound approach. o A single left turn lane, three through lanes and one right turn lane for the westbound approach. o A single left, through and right turn lane for the northbound approach. o Realignment of the intersection east of its current location. o Signalization of the intersection. • Oasis Road/I-5 NB Ramps (Intersection #24) – Pay a fee equal to 5 percent of the cost to construct the following: o Widening of the eastbound approach to include dual left turn lanes and three though lanes. o Widening of the westbound approach to include an exclusive westbound right turn lane and three through lanes. o Widening of the northbound approach to include a left turn lane, a shared through-left lane and dual right turn lanes. o Signalization of the intersection. • **Oasis Road/I-5 SB Ramps** (Intersection #23) – Pay a fee equal to 4 percent of the cost to construct the following: o Westbound to southbound loop on-ramp. o Provision of an eastbound right turn lane. o Provision of a westbound left turn lane. o Signalization of the intersection.				

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
• **Oasis Road/Cascade Boulevard** (Intersection #22) – Pay a fee equal to 3 percent of the cost to relocate the intersection west of its current location and construct a traffic signal. Intersection improvements shall include in the west and eastbound directions one left, three through, and one right turn lane; in the northbound direction one left, one right, and one through turn lane; and in the southbound direction two left, one through, and one right turn lane. • Pine Grove Avenue west of Cascade Boulevard to Ashby Road (Roadway Segment) – Pay a fee equal to 3 percent of the cost of widening Pine Grove Avenue to a four-lane divided arterial standard.				
MM 4.3.1d The extension of Wonderland Boulevard to Cascade Boulevard shall be constructed prior to occupancy of the 50th housing unit within the Area Plan boundaries, or earlier if directed by the City.	Constructed prior to occupancy of the 50th housing unit, or earlier if directed by the City.	City Public Works Department		
MM 4.3.3 The project applicants/developer(s) shall pay, on a fair share basis, a Regional Transportation Fee for improvements to Interstate 5, as determined by an approved nexus study prepared in compliance with the Mitigation Fee Act and other applicable law. The amount of the fee shall be based on the Regional Transportation Fee adopted by the City and the jurisdiction in which the impact is being mitigated. This mechanism will ensure that the collected mitigation funds will be spent on the measures identified in the nexus study.	Fee paid at the time of issuance of a building permit.	City Development Services Department		
MM 4.3.6 An all-weather surface roadway connection suitable for emergency vehicle ingress and egress shall be constructed between Cascade Boulevard and Wonderland Boulevard.	Prior to occupancy of the 50th housing unit within the Area Plan boundaries, or earlier if directed by the City in consultation with the Shasta Lake Fire Protection District.	City Development Services Department		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
Air Quality				
MM 4.4.1 All development projects located within the Mountain Gate at Shasta Area Plan shall adhere to all applicable SCAQMD rules and regulations during both construction and operation.	Ongoing	City Development Services Dept; Shasta County AQMD		
MM 4.4.2 Applicants of development projects located within the Mountain Gate at Shasta Area Plan shall submit to the City and receive approval for an Emissions Reduction Plan for all subsequent development projects under the Area Plan. City approval will be determined on a project-by-project basis in coordination with the Shasta County Air Quality Management District. The Emissions Reduction Plan shall include all measures recommended by the SCAQMD for the control of fugitive and mobile-source emissions associated with on-site construction activities.	Prior to issuance of a Grading Permit.	City Development Services Department; Shasta County AQMD		
MM 4.4.3a The installation of wood-burning fireplaces shall be prohibited in all new residential units of subsequent development projects within the Mountain Gate at Shasta Area Plan.	Verified prior to issuance of building permits	City Development Services Department		
MM 4.4.3b Applicants for subsequent project level development approvals within the Mountain Gate at Shasta Area Plan shall submit to the Shasta County AQMD and receive approval for an Emissions Reduction Plan (ERP) to address project-generated operational emissions. The Emissions Reduction Plan shall include all measures recommended by the SCAQMD for the control of criteria air pollutants and ozone precursors associated with long-term operational emissions.	Prior to approval of subsequent tentative subdivision maps or other discretionary approvals	City Development Services Department; Shasta County AQMD		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
Noise				
MM 4.5.1 The City shall establish the following as conditions of approval for any permit that results in the use of construction equipment: • Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the daytime hours of 7 AM and 7 PM, Monday through Saturday. Construction activities shall be prohibited on Sundays and federal/state-recognized holidays. • Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation. • When not in use, motorized construction equipment shall not be left idling for more than 5 minutes. • Stationary equipment (power generators, compressors, etc.) shall be located at the furthest practical distance from nearby noise-sensitive land uses or sufficiently shielded to reduce noise-related impacts.	Implemented prior to approval of grading and/or building permits	City Development Services Department		
MM 4.5.3a The following mitigation measures shall be applied to all residential development within the Area Plan: • Residential dwellings shall be equipped with central heating and air conditioning systems to allow closure of windows during inclement weather conditions. • Exterior air conditioning units located within 10 feet of adjacent residential dwellings shall be low-noise-rated and shielded from direct line of sight to adjacent residential dwellings. Shielding may include, but is not limited to, the use of wood fencing, provided no visible air gaps are detectable between individual panels. Use of tongue-and-groove or overlapping panels is recommended.	Verified prior to issuance of a building permit	City Development Services Department		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
• The Development Services Director or his/her designee may allow alternative design based on the recommendations of an acoustical consultant.				
MM 4.5.3b The following mitigation measures shall be applied to all commercial development within the Area Plan: • The City shall require an acoustical assessment to be performed prior to construction of the proposed commercial land uses. Where acoustical analysis determines that stationary source noise levels would exceed applicable noise standards as set forth in this Draft EIR, the City shall require the implementation of noise attenuation measures sufficient to achieve compliance with applicable noise standards at nearby noise-sensitive land uses. Such measures may include, but are not limited to, the incorporation of setbacks, sound barriers, berms, or equipment enclosures.	Prior to issuance of building permit	City Development Services Department		
MM 4.5.4 Applicants for subsequent project level development approvals within the Mountain Gate at Shasta Area Plan shall be required to prepare an acoustical assessment evaluating on-site noise levels at proposed residential dwellings. The assessment shall address residential land uses located within 855 feet of the UPRR centerline, residential land uses located within 819 feet of the I-5 centerline, commercial land uses located within 382 feet of the I-5 centerline, and residential dwellings located along proposed on-site major roadways (i.e., 5,000 ADT or greater). Mitigation measures shall be identified to reduce predicted transportation noise levels at on-site receptors to below the City's acceptable exterior and interior noise sensitivity standards. Mitigation measures commonly applied to reduce transportation noise levels may include, but are not limited to, the following:	Prior to approval of subsequent tentative subdivision maps or other discretionary permits and/or issuance of grading or building permits as applicable.	City Development Services Department		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
• Construction of sound barriers to shield on-site land uses from line of sight of the noise source. • Orientation of on-site structures to shield more noise-sensitive land uses from line of sight of the noise source or use of open-space areas to provide increased setback distances to noise-sensitive land uses. • Incorporation of increased insulation and noise-reduction features (e.g., sound-rated windows and doors) in building design and construction.				
Biological Resources				
MM 4.6.1a To the extent practicable, removal of vegetation, grading, and initiation of construction activities shall occur outside of the nesting season (i.e. between September 1 and February 28).	Prior to initiating construction of each subsequent development allowed under the Area Plan	City Development Services Department		
MM 4.6.1b In areas where suitable raptor nesting habitat (e.g. large trees) will be removed during the nesting season (approximately February 1 through August 31) or where construction activities will occur within 500 feet of suitable raptor nesting habitat or within 660 feet of suitable bald eagle nesting habitat during the nesting season, a qualified biologist shall conduct pre-construction surveys for nesting raptors and bald eagles. Unless otherwise recommended by CDFW, at least one survey shall be conducted no more than two weeks prior to the anticipated onset of construction activity at each phase of development and all surveys shall cover a minimum of a 660 foot buffer around the proposed construction zones. If vegetation removal or other construction activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed. If no active raptor or bald eagle nests are identified, no further measures are necessary. If active raptor nests are identified within the 500 foot buffer, or active bald eagle nests are identified within the 660 buffer, a no-disturbance buffer zone deemed appropriate to the species will be established around	Prior to issuance of a grading permit for each subsequent development allowed under the Area Plan and throughout construction activities.	City Development Services Department in consultation with CDFW.		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
the nests to avoid disturbance or destruction of the nest. The no-disturbance buffer will be determined by the biologist in consultation with the City. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist shall delineate the buffer zone with construction tape or pin flags until the young have fledged. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed. The monitoring biologist shall have the authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active raptor nests to the CDFW. A report shall be prepared and submitted to the City and CDFW following the fledging of the nestlings to document the results.				
MM 4.6.1c In areas where suitable nesting habitat for migratory birds, such as purple martins, will be removed during the nesting season February 1 through August 31), a qualified biologist shall conduct pre-construction surveys for active nest sites. At least one survey shall be conducted no more than two weeks prior to the anticipated onset of construction activity. Unless otherwise recommended by CDFW, surveys shall cover all areas where suitable nesting habitat will be removed, as well as the surrounding 250 foot buffer area. If vegetation removal activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed. If no active nests are identified, no further measures are necessary. If an active nest is found during the pre-construction survey, a no-disturbance buffer zone deemed appropriate to the species will be established around the nests to avoid disturbance or destruction of the nest. The no-disturbance buffer will be determined by the biologist in consultation with the City. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction	Prior to issuance of a grading permit for each subsequent development allowed under the Area Plan.	City Development Services Dept. in consultation with CDFW.		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
activities. The biologist shall delineate the buffer zone with construction tape or pin flags until the young have fledged. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed. The monitoring biologist shall have the authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active nests to the CDFW. A report shall be prepared and submitted to the City and CDFW following the fledging of the nestlings to document the results.				

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
MM 4.6.1d Unless previously completed pursuant to the requirements of this mitigation measure, and/or mitigation has been satisfied as required by project-specific state and/or federal agency regulatory permit(s), a Biological Analysis shall be completed to determine the presence and extent of special-status plant and wildlife species and shall be submitted concurrently with each application for a subsequent tentative subdivision map or other discretionary project. All previously completed biological studies, issued state and/or federal agency permits, and written verification of satisfactory completion of required mitigation shall be submitted to the City concurrently with each subsequent discretionary project application. The Biological Analysis shall be conducted by a qualified biologist pursuant to applicable regulatory agency protocols and guidelines. Field surveys shall be conducted on foot and shall be undertaken at times when the subject species are most likely to be identified. Time in the field shall be proportional to the size of the project site, biological characteristics of the site, and the significance of sensitive habitats present. The Assessment shall include, at a minimum: • Date, time of day, person hours, weather conditions, and temperature; • A biological characterization of the subject property; • A discussion of the existence or absence of waterways, including wetlands; • A listing of special-status plants and wildlife and their associated habitat that could occur within the project boundaries; • A listing of special-status plants and wildlife observed on site; and • Recommended means of avoiding or mitigating impacts.	Prior to submitting applications for subsequent small-lot tentative maps or other discretionary projects; or prior to issuance of a grading permit for each subsequent development, and throughout construction activities.	City Development Services Department in consultation with applicable regulatory agencies.		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
Based on the field surveys and research, the presence and/or potential for special-status species shall be determined in consultation with the applicable regulatory agency. When special status species are observed on site, or if there is a reasonable likelihood that one of these species exists based on the presence of suitable habitat and adopted species range maps, a focused survey may be required on a species-by-species basis as determined by regulatory agency methodology for the focused survey(s). Reports documenting focused survey results shall be submitted to the appropriate regulatory agencies for review and approval. A copy shall be provided to the Development Services Director. Where the Assessment establishes that mitigation is required to avoid direct and indirect adverse effects on special-status plant and wildlife species, a detailed mitigation plan shall be developed and approved by the Development Services Director in consultation with the applicable regulatory agency. Mitigation measures that shall be considered based on project- and site-specific considerations include, but are not limited to: • Project designs shall be reconfigured (e.g., reduced street widths, clustered development, etc.), to avoid special-status species and sensitive habitats. Specific measures shall be identified to minimize ground disturbances and construction footprints near sensitive areas. • Pre-construction surveys shall be conducted at least two weeks prior to the onset of construction activities within suitable habitat and a minimum 150-foot buffer, or as recommended by the applicable regulatory agency. If vegetation removal activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed. • Where habitat avoidance is infeasible, mitigation shall be implemented through preservation, enhancement, or creation of special-status habitat. • Loss of habitat may be mitigated at an agency-approved mitigation bank or through individual mitigation sites as approved by the applicable regulatory agency. Compensatory mitigation ratios shall be negotiated with the permitting agencies.				

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
• Mitigation sites shall be monitored as determined by the Development Services Director in consultation with the applicable regulatory agency until the mitigation is considered to be successful. • All mitigation areas shall be preserved in perpetuity through either fee ownership or a conservation easement held by a qualified conservation organization or agency. A long-term funding source for site preservation shall be secured. • Construction activities in the vicinity of sensitive resources shall be completed during the period that best avoids disturbance to plant and wildlife species present (e.g., May 15 to October 15 near salmonid habitat; February 1 through August 31 for migratory birds and other birds of prey; April 1 – August 31 for maternity bat roosts, etc.) as determined by the Development Services Director in consultation with CDFW. • No-disturbance buffer zones deemed appropriate to the species shall be established. The no-disturbance buffer will be determined by the biologist in consultation with the applicable regulatory agency. • A qualified biologist shall locate and fence off no-disturbance buffer zones before construction activities begin and shall inspect areas hourly, daily or weekly, depending on the species, to ensure that barrier fencing, stakes, and setback buffers are maintained during construction. • A Worker's Awareness Training shall be conducted prior to construction and include training materials and a briefing covering all sensitive species and habitats to further educate construction personnel regarding potential adverse effects to these resources. These training materials and briefings shall include the laws and regulations that protect these resources and the consequences of noncompliance with those laws and regulations. A contact person shall be provided to the Development Services Director in the event that protected biological resources are discovered at the project site.				

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
• Individual projects shall minimize the use of in-water construction methods in areas that support sensitive aquatic species, especially when listed species could be present. • In the event equipment needs to operate in any watercourse with flowing or standing water, a qualified biological resource monitor shall be present at all times to alert construction crews to the possible presence of Western pond turtles, California red-legged frogs, Central Valley steelhead, salmonids, Sanford's Arrowhead, or other special status species at risk during construction operations. • Biological monitoring shall be particularly targeted for areas near identified habitat for special status plant and wildlife species. • A "no take" approach shall be taken whenever feasible during construction near special-status plant and wildlife species. • Projects shall obtain incidental take authorization from the permitting agencies as required prior to commencement of grading or construction. • Specific measures shall be identified to minimize the negative effects of night lighting and noise on listed and sensitive wildlife.				
MM 4.6.3a Prior to initiating construction within 100 feet of "waters of the U.S.", including wetlands, the preliminary wetland delineation report shall be submitted to and verified by the USACE.	Prior to issuance of a grading permit	Development Services Department		
MM 4.6.3b Authorization under a Nationwide Permit or Individual Permit shall be obtained from the USACE. For fill requiring a USACE permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material. All mitigation required by USACE and RWQCB shall be satisfied, including any replacement requirement at a ratio intended to fulfill the no net loss policy. Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks, notification of streambed alteration shall be submitted to the CDFW; and, if required, a streambed alteration agreement shall be obtained	Prior to issuance of a grading permit	Development Services Department		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
MM 4.6.4a Three fifteen (15) gallon trees shall be planted for each protected tree removed. Heritage oak trees 35 inches DBH or greater shall be replaced at a ratio of 4:1 with 24-inch box trees. A tree replacement plan shall be submitted showing the number, location and type of trees to be planted. The tree replacement plan shall be reviewed and approved by a City-approved arborist. The replacement trees shall be native trees unless the Development Services Director determines that another species would be more suitable for the location.	Prior to final completion of the large lot circulation plan improvements; or prior to issuance of a Certificate of Occupancy for any structure, unless otherwise specified in the Tree Replacement Plan.	Development Services Department		
MM 4.6.4b In the event the project site does not have sufficient area on-site to accommodate the required tree mitigation, one or more of the following measures shall be implemented: • The size of a 15-gallon replacement tree can be increased to 24-inch box and count as two replacement trees; and/or • An alternative site(s) shall be identified for additional tree planting. Alternative sites may include, but are not limited to, local parks, schools, public rights-of-way or on adjacent properties for screening purposes; and/or • Payment of an in-lieu fee to the City to purchase trees that will be planted on public property, such as parks, schools, public rights-of-way or on other public facilities. The in-lieu fee shall be based on the fair market value of the number of trees required as replacement trees that cannot be accommodated on-site.	Prior to final completion of the large-lot circulation plan improvements; or prior to issuance of a Certificate of Occupancy for any structure, unless otherwise specified in the Tree Replacement Plan.	Development Services Department		
MM 4.6.4c A pre-development meeting with the Development Services Director shall be conducted to ensure tree conservation is considered early in the planning process with respect to placement of buildings, roads, driveways, parking, utilities and other site improvements. The following shall be prepared prior to the pre-development meeting: • Tree delineation map showing existing grades, location and size of groups of protected trees (stands); heritage trees (36-inch and above diameter at breast height) shall be specifically identified.	Prior to submittal of any application for subsequent tentative subdivision maps and/or other discretionary projects.	City Development Services Department.		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
• Conceptual development plan showing that one or more methods of ensuring tree conservation, with particular attention given to the preservation of heritage trees and stands of trees, have been considered in project design (e.g., reduced street sections, cluster development, avoidance, etc.). • Tree Removal and Replacement Plan, including identification of set-aside areas for replacement tree planting and alternative tree replacement methods proposed. • Additional information as may be required by the City's Tree Conservation Ordinance.				
MM 4.6.5 Streetlights shall be shielded and directed downward to the street, away from open space areas to the extent practicable. Implementation of mitigation measure MM 4.12.3 for additional mitigation to reduce nighttime lighting impacts has been included.	Prior to improvement plan approval	City Development Services Department		
MM 4.6.9 In addition to the minimum planting standards in the City's Tree Conservation Ordinance, future development shall be required to comply with the requirements in the Area Plan, pursuant to a landscape plan reviewed and approved by a City-approved arborist, which include the following tree replacement planting and preservation requirements: • All future roadways within parcels A-U shall incorporate street trees and a setback sidewalk design. Street trees shall be planted 30' on-center (O.C.) within the landscaped parkways, taking into account necessary setbacks from fire hydrants, intersections, driveways, etc., unless a modified standard is approved by the Development Services Director. • All protected trees shall remain within parcels B, T & U (open space) except where those trees interfere with utility extensions or other improvements required as part of the Mountain Gate at Shasta development.	Prior to improvement plan approval or issuance of a Certificate of Occupancy for any structure, unless otherwise specified in the Tree Replacement Plan.	City Development Services Department		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
• Protected trees shall remain within parcels C & K (park areas) and additional 15-gallon trees shall be planted as part of the park improvements. • Pavement and base shall be removed from the southern terminus of the existing Wonderland Boulevard (south of proposed parcel A); a tree mitigation planting area shall be created and vegetated with small rooted stock. • 15-gallon trees approximately 50' O.C., shall be planted adjacent to the pedestrian trails (in non-forested areas) within the open space corridors unless a modified standard is approved by the Development Services Director.				
MM 4.6.10 The following measures shall apply to construction in the vicinity of heritage oak trees: 1. Fencing shall be provided at least 6 feet outside of the dripline of all trees to be preserved. The fencing is to remain during construction. 2. No construction activities, including vehicle parking or materials stockpiling, shall occur within the fenced area. 3. No grading, cutting, or trenching shall occur within the protected area. 4. Any pruning of the tree for safety or tree health shall only be done under the supervision of a City-approved arborist. 5. Irrigation systems proposed adjacent to the trees shall be reviewed and approved by a City-approved arborist. 6. Prior to occupancy of any home or business adjacent to a heritage tree, tree maintenance information shall be provided to the City for review and comment. The maintenance information shall inform the homeowner or business owner of the importance of how to ensure the longevity of the tree. The information shall be reviewed by a City-approved arborist.	Prior to and during construction and prior to occupancy of any residential or commercial use as applicable.	City Development Services Department		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
Hydrology and Water Quality				
MM 4.7.2a The project applicant shall be required to implement all requirements of the City's Phase II Municipal Separate Storm Water Sewer System (MS4) Permit. This shall include, but not be limited to, implementation of quantifiable site design and/or source control measures to minimize the impact of pollutant-generating activities. **Water Quality Control Plan:** The project applicant shall submit a water quality control plan for development and operation of the project site. Permanent water quality features shall be incorporated into project grading and development plans and shall include best management practices (BMPs) and quantifiable site design measures in compliance with the City's Post-Construction Standards Plan to minimize and control pollutants in stormwater runoff.	Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading or building permits.	City Public Works and Development Services Departments and Central Valley RWQCB		
MM 4.7.2b The development plans of future development under the proposed project shall contain specific structural and non-structural post-construction BMPs, such as grassed swales, bioretention, porous pavement, treatment vaults, retention of buffer strips, minimization of impervious surfaces, and approximate locations of each BMP. BMPs shall be consistent with the City's Post-Construction Standards Plan.	Prior to issuance of grading or building permits.	City Public Works and Development Services Depts. and Central Valley RWQCB		
MM 4.7.2c The overall design and development of the Mountain Gate at Shasta Area Plan shall include post-construction stormwater BMPs to mitigate for stormwater discharges associated with the post-development of the site. The BMPs shall be incorporated into the project, as described in the application package, to treat stormwater runoff from the site. Design measures shall be consistent with the City's Post-Construction Standards Plan.	Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading or building permits	City Public Works and Development Services Depts. and Central Valley RWQCB		
MM 4.7.2d The project applicant shall develop a landscaping plan to include provisions for the use of slow release fertilizers for common landscape areas in compliance with the City's Post-Construction Standards Plan. The landscape plans shall be submitted to the City of Shasta Lake Development Services Department for review and approval.	Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading permits.	City Development Services Department and Central Valley RWQCB		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
MM 4.7.2e As part of the submittal of improvement plans for each phase of the project, the project applicant shall submit and obtain approval of a final drainage plan. The plan shall be prepared by a registered civil engineer and shall, at a minimum, include the following: • A written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, changes in downstream flows and flood elevations, proposed on- and off-site improvements, features to protect downstream uses and property, and if any drainage easements are needed to accommodate downstream flows from the project. Project drainage features shall be designed to ensure that no change in downstream flow conditions would result in new or increased severity of flooding for each phase of development. • The drainage details shall address storm drainage management during construction and thereafter and shall propose best management practice measures to reduce erosion, water quality degradation, etc. Permanent water quality control features shall demonstrate that the water quality controls would ensure that stormwater discharges would not result in pollutant levels or concentrations that would have a detrimental effect to aquatic life in ephemeral or intermittent creek drainages. Stormwater discharges shall be in compliance with all current requirements of the Central Valley Regional Water Quality Control Board. • Storm drainage from on-site impervious surfaces shall be collected and treated to protect existing water quality. The maintenance of facilities shall be the responsibility of the project applicant. When the community is under control of a homeowners association, it is the association's obligation to provide facility maintenance. Where facilities are the responsibility of the City, easements for access to and maintenance of these facilities shall be created and offered for dedication to the City. When the facilities are located on property owned by a homeowners association, it shall be the association's obligation to provide facility maintenance.	Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading permits and included in a final drainage report.	City Public Works Department.		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
• Conformance with applicable City of Shasta Lake drainage requirements shall be demonstrated. • All related underground and surface drainage systems must be addressed in order to ensure full integration of areas that would generate runoff. These areas would include rooftops, sidewalks, cut/fill slopes, patio areas, streets, parking lots, up-gradient off-site source areas, and impervious landscaping areas. Seepage from underground sources must also be addressed. • The report shall show that post-project flows would not exceed pre-project flows and the associated drainage improvements required to meet these standards.				
MM 4.7.4 The final site drainage plan shall include detention ponds designed to store and attenuate stormwater runoff as shown in Figure 4.7-2. The basins and culvert(s) under the proposed crossings will be sized in accordance with the final storm drainage plan. Post-project peak stormwater flows shall not exceed pre-project peak stormwater flows. The final site drainage plan shall include adequate provisions for erosion control at points of discharge for runoff generated within development areas.	Prior to approval of grading permits and/or improvement plans	City Public Works Department		
MM 4.7.5 The project applicant shall provide to the City a final set of proposed improvement plans and calculations accepted by the City including but not limited to the following: • Quantification of anticipated runoff rates during appropriate design storms. • A comprehensive storm drain system design, including inlets, outlets, conveyance systems, and detention systems. • Appropriate pipe sizing to accommodate design storm flows and sizing of stormwater detention facilities. • Identification of pipe sizing, pipe location, and the location of the inlet and outlet structures.	Prior to approval of a grading permit and/or improvement plans	City Development Services Department; City Department of Public Works; Central Valley RWQCB		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
Geology and Soils				
MM 4.8.1a The developer shall submit a preliminary grading plan and an Erosion and Sediment Control Plan, prepared by a licensed engineer, to the City of Shasta Lake, pursuant to the specifications of the Grading, Erosion Control, and Hillside Development Ordinance (Chapter 15.08 in the City of Shasta Lake Municipal Code). The plan shall incorporate measures for erosion control as recommended in future geotechnical studies completed to assess design and construction of future project elements.	Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading permits.	City Development Services Department, City Public Works Department		
MM 4.8.1b The developer shall submit an engineered geotechnical report during the design of the project grading plan to ensure compatibility with the engineering characteristics of underlying soils pursuant to Municipal Code Chapter 15.08 and as recommended in the Preliminary Geotechnical Report prepared by CGi (2011). The geotechnical report shall include chemical analysis of soils as recommended by the City Engineer to assess the potential for corrosion and reactivity with concrete. In areas where hillside slopes exceed 30 percent, the layout of proposed improvements, including roadways and structures, shall allow for adjacent usable space to ensure that all cut and fill slopes will not be steeper than 2 feet horizontal to 1 foot vertical.	Prior to approval of subsequent tentative subdivision maps or other discretionary permits, and/or issuance of grading permits.	City Development Services Department, City Public Works Department		
Cultural Resources				
MM 4.9.1 Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, or architectural remains, be encountered during development activities, work shall be suspended and the City of Shasta Lake Development Services Department shall be immediately notified. At that time, the City will coordinate any necessary investigation of the discovery with an appropriate specialist (e.g., archaeologist, architectural historian, Native American tribe). The project applicant shall be required to implement any mitigation necessary for the protection of cultural resources.	As a condition of project approval and implemented during construction activities	City Development Services Department		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
The City of Shasta Lake and the project applicant shall consider mitigation recommendations presented by a qualified archeologist for any unanticipated discoveries. The City and the project applicant shall consult and agree on implementation of a measure or measures that the City and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.				
MM 4.9.3a Preservation of site CA-SHA-1823 is required through avoidance measures, including a 50-foot buffer distance around the site, from lands that will be directly impacted by buildout of the proposed project.	Prior to and during grading and construction activities	City Development Services Department		
MM 4.9.3b Implementation of a long-term monitoring plan is required to ensure that impacts to the site will not accompany proposed buildout of and subsequent activities within the project area. The monitoring plan shall include the following information: 1. Baseline Data: Take photographs of the site prior to any construction activity (road and commercial construction activities). These photographs will provide the baseline data for subsequent site inspections and monitoring of site conditions. A copy of the photographs shall be delivered to the landowner for permanent curation. 2. Field Inspections and Reports: A professional archaeologist shall conduct field inspections at the site/preservation area, using the photographs taken in the baseline year as representing the "pristine" condition of the site, as follows: • The initial inspection shall be undertaken at the beginning of construction work, including road grading and land re-contour, and will continue for five years. The selected archaeologist shall prepare a summary report following each annual field inspection, in which the condition of the site and any observed impacts to it shall be summarized. If impacts to the site have occurred, the report shall detail appropriate treatment changes, based on specific findings and field observations. "Treatment changes"	Prior to and during grading and construction activities	City Development Services Department		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
could include, but are not necessarily limited to, such actions as depositing boulders or other cover over or around the site deposit. • On the fifth annual inspection, the archaeologist shall render a conclusion as to whether additional annual inspections are necessary, or alternatively whether or not the program of annual inspections shall be terminated. In reaching a conclusion, the archaeologist shall consider several factors, including (1) the extent of any impacts to the site that have accompanied buildout and use of nearby lands, and (2) whether or not indigenous or other (exotic) vegetation might be adversely affecting the preservation area for which some specialized treatment might be recommended. 3. **Native American Consultation:** Prior to commencement of the initial field inspection and each annual inspection identified under MM 4.9.3b(2) above, affected/interested local tribal governments shall be notified to allow the tribes to provide their own on-site cultural resource monitor(s) during grading and activities. 4. Responsibility for implementing the long-term monitoring plan shall reside with the developer at the time of initial construction activity, transferring thereafter to the final property owner(s).				
MM 4.9.4 1. Sites CA-SHA-1085 and -1822 shall be subjected to a focused data recovery effort with the primary goal of recovering dating samples (charcoal). In the process of recovering datable charcoal, additional cultural materials recovered shall be analyzed in comparison with previously recovered cultural material from the sites. The focused data recovery program shall proceed as identified in the Archaeological Inventory Survey for "Testing and Data Recovery Approach" as follows: • Excavation utilizing 1-meter-square exposures and in arbitrarily defined 10-centimeter levels, with all recovered material screened through ¼-inch mesh, unless very small objects (e.g., beads) are observed, in which case screening would shift to 1/8-inch mesh.	Prior to grading and construction activities	City Development Services Department		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
• Submission of charcoal samples for radiocarbon analysis if material is recovered in suitable quantities and in sufficiently undisturbed contexts to warrant evaluation. • Evaluation of recovered cultural material in relation to local and regional typologies for various types of formed artifacts that might be exposed. • Preparation of a final report, to proceed in conformity with standard professional practices, designed to detail the information and research values of recovered cultural material. • For all sites subjected to data recovery excavation, recovered cultural material would be accessioned and the final report would include illustration of representative examples of formed artifact types, including especially diagnostic projectile points, beads, and other artifact types. • All materials recovered during the project would be considered the real property of the property owner/project proponent, and would be returned to the property owner along with the final report for permanent curation. 2. Native American Consultation: Prior to commencement of the data recovery effort identified under **MM 4.9.4a** (1) above, affected/interested local tribal governments shall be notified to allow the tribes to provide their own on-site cultural resource monitor(s) during grading and activities. 3. Responsibility for implementing the long-term monitoring plan shall reside with the developer at the time of initial construction activity, transferring thereafter to the final property owner(s).				

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
Utilities and Service Systems				
MM 4.10.1.1 Prior to approval of subsequent development (i.e., further division of the property, conditional use permit, etc.), the project applicant must demonstrate water supply availability. The City may delay or deny subsequent projects based on water availability or drought conditions in effect at the time of project consideration.	Prior to approval of subsequent tentative subdivision maps or other discretionary approvals.	City Development Services Department		
MM 4.10.2.1a Subsequent development under the Area Plan shall be responsible for all sewer infrastructure necessary to serve the proposed development. All sewer infrastructure shall be designed and constructed in accordance with City of Shasta Lake design criteria.	Prior to the issuance of building permits for each subsequent development project	City Development Services Department		
MM 4.10.2.1b Project applicants shall be required to ensure wastewater service to future development within the Area Plan through the following means: • Planning, engineering, and construction of all necessary off-site collection system improvements to serve the Area Plan. These improvements include, but may not be limited to: • Construction of a new lift station near the southerly boundary of the site, with a connection to the existing force main in Cascade Boulevard, north of Shasta Dam Boulevard. • Additional expansion of the Salt Creek Lift Station beyond that currently planned by the City to handle proposed development under the Area Plan. • Construction of a new force main from the Salt Creek Lift Station to the treatment plant, most likely following Pine Grove Boulevard from the Salt Creek Lift Station to the treatment plant.	Prior to occupancy of any dwelling unit or commercial building. As demand warrants; reviewed prior to approval of subsequent small-lot tentative maps or other discretionary projects. In conjunction with expansion of the Salt Creek Lift Station. Reviewed prior to approval of any subsequent tentative subdivision map or other discretionary permits.	City Public Works Department		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
• Other improvements determined by the City Engineer to be required in order to serve future development.				
MM 4.10.2.1c Prior to approval of subsequent development (i.e., further division of the property, conditional use permit, etc.), the project applicant must demonstrate that the City's wastewater treatment plant is able to accommodate the development. The City may delay or deny subsequent projects based on conditions in effect at the time of project consideration.	Prior to approval of subsequent tentative subdivision maps or other discretionary approvals.	City Development Services Department.		
MM 4.10.4.1 The developer shall dedicate a minimum of 2 acres of land on the west side of the development for the placement of an electrical substation by the City of Shasta Lake to serve the project.	Identified prior to approval of subsequent tentative subdivision maps or other discretionary approvals.	City Electric Department		
Public Services				
MM 4.11.1 Prior to occupancy of the 500th residential unit, applicant shall dedicate two (2) acres located within either Area H or Area I to the Shasta Lake Fire Protection District. The cost of construction of the fire station shall be borne by the Shasta Lake Fire Protection District (SLFPD).	Prior to issuance of a building permit for the 500th dwelling unit or construction of 50 percent of the commercial development, or a combination of both as determined by the SLFPD during review of subsequent tentative subdivision map or other discretional permits.	City Development Services Department; Shasta Lake Fire Protection District		
MM 4.11.2.1 A study shall be performed at the Applicant's expense to determine if there is a shortfall in funding from property tax revenue for law enforcement services anticipated to serve the project. If a funding shortfall does exist, the Applicant, owner or successor shall agree to participate with the City of Shasta Lake in a funding mechanism to bridge the funding shortfall. The funding mechanism may include formation of a Services Community Facilities District that will obligate each landowner within the subdivision to participate in the district.	Prior to approval of subsequent tentative subdivision maps or other discretionary permits.	City Development Services Department		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
Aesthetics				
MM 4.12.1 The project developer shall be required to ensure adequate screening of the proposed water storage tank with existing and/or newly planted vegetation.	Prior to approval of water storage tank improvement plan	City Development Services Department		
MM 4.12.2a The proposed project shall be required to submit design guidelines that will regulate the design of all building and landscaping for the project. Residential and other building designs shall be required to utilize earth-tone colors and materials in their architectural design in order to complement the existing landscape features of the project area. No aboveground structures shall be allowed along ridgelines or hilltops on the project site in conformance with Municipal Code Section 15.08. The design guidelines shall be reviewed and approved by the City of Shasta Lake Development Services Department.	Prior to improvement plan submittal	City Development Services Department		
MM 4.12.2b All project hardscape features, such as parking lots, shall be designed to blend with existing landscape characteristics. Such features shall be screened from off-site views through the use of native vegetation, landscaping, natural features, and other appropriate screening measures.	Prior to improvement plan approval	City Development Services and Public Works Depts.		
MM 4.12.2c A landscape plan shall be submitted to the City of Shasta Lake. Landscaping shall consist of vegetation and features characteristic of the area and shall be installed prior to completion of the project. This screening is intended to blend development features into the landscaped characteristics of the area so as to not dominate the view.	Prior to improvement plan approval	City Development Services and Public Works Depts.		
MM 4.12.4 Project design guidelines shall prohibit the use of reflective material and shall encourage the use of landscaping and other design features to minimize the potential for glare.	Prior to improvement plan submittal/Included in the project design guidelines	City Development Services and Public Works Depts.		

Mitigation Monitoring and Reporting Program (MMRP)				
Mitigation Measure	**Timing**	**Responsible party**	**Completion**	
			Date	**Initials**
MM 4.12.5a Outdoor light fixtures for nonresidential areas (such as the commercial center) shall be low-intensity, shielded, and/or directed away from residential areas and the night sky. All light fixtures shall be designed, installed, and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. Lighting plans shall be provided as part of facility improvement plans to the City that identify that illumination levels at adjacent residential areas will not exceed one foot-candle.	Prior to approval of building permits and/or improvement plans	City Development Services and Public Works Depts.		
MM 4.12.5b Outdoor lighting for nonresidential uses (i.e., commercial center) shall be designed to be turned off when not in use where security and safety is not a concern. This requirement shall be included in lighting plans submitted to the City as part of the facility improvement plans.	Prior to approval of building permits and/or improvement plans	City Development Services Dept.; Public Works Dept.		
MM 4.12.5c For outdoor lighting fixtures installed on residences and nonresidential buildings, project design guidelines shall restrict the installation of flood and/or spot lighting fixtures, except when used as part of landscaping. All light fixtures shall be shielded away from adjoining residents and the night sky. Project design guidelines shall be submitted to the City of Shasta Lake Planning Department for review and approval to verify that the lighting standards are in place.	Prior to issuance of building permits	City Development Services Department		
Greenhouse Gases and Climate Change				
MM 4.13.2 Subsequent development projects within the Mountain Gate at Shasta Area Plan shall submit to the Shasta County Air Quality Management District and receive approval for a GHG Emissions Reduction Plan. The GHG Emissions Reduction Plan shall be consistent with the goals of AB 32 and shall identify quantifiable measures equaling an emission reduction value of 428 metric tons per year unless a different value is determined to be required based on review of project-specific information and State requirements at the time an application for subsequent small-lot tentative maps or other discretionary projects is submitted to the City.	Prior to issuance of a building permit	City Development Services Department; Shasta County AQMD		

Mountain Gate at Shasta Area Plan

MITIGATION MONITORING COMPLIANCE FORM

Report Date: _____

Timing:

❒ Prior to Application Submittal: ☐ Tentative Map ☐ Use Permit / Other Discretionary Permit

Project Number: _____

❒ Prior to Permit Issuance / Plan Approval: ☐ Improvement Plans ☐ Grading Permit

❒ Pre-Construction ❒ During Construction ❒ Post-Construction

MITIGATION MEASURE MM _____

Description:

_____

_____

_____

Is Consultation with outside agencies required? ❒ Yes ❒ No

Agencies: _____

_____

_____

Consultation Completed: _____

Has MM been Implemented ❒ Yes ❒ No

Comments:

_____

_____

_____

Is further Action Required: ❒ Yes ❒ No

If yes, describe:

_____

_____

_____

Monitoring Verified by: _____

MOUNTAIN GATE AT SHASTA AREA PLAN

FINAL ENVIRONMENTAL IMPACT REPORT

STATE CLEARINGHOUSE NO. 2012-042010

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

CITY OF SHASTA LAKE
1650 Stanton Drive
Shasta Lake, CA 96019

November 2015

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1.0 INTRODUCTION

1.1 ORGANIZATION OF CEQA FINDINGS OF FACT

The content and format of these Findings of Fact (Findings) are designed to meet the current requirements of the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Final Environmental Impact Report (EIR) for the Mountain Gate at Shasta Area Plan project (project; proposed project) identified significant environmental impacts that will result from implementation of the proposed project. The City of Shasta Lake (City) finds that the inclusion of certain mitigation measures as part of project approval will reduce the majority of the significant impacts to a less than significant level; however, development of the project would result in significant and unavoidable impacts related to transportation and circulation, air quality, noise, and utilities.

As required by CEQA, the City, in adopting these Findings of Fact, also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the proposed project. The City finds that the MMRP, which is incorporated by reference, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate the significant effects of the proposed project. In accordance with CEQA and the CEQA Guidelines, the City adopts these Findings of Fact as part of the certification of the Final EIR for the proposed project. Pursuant to Public Resources Code Section 21082.1(c)(3), the City also finds that the Final EIR reflects the City's independent judgment as the lead agency for the proposed project. The Findings of Fact are organized into the following sections:

Section 1 **Introduction,** outlines the organization of this document and identifies the location and custodian of the record of proceedings.

Section 2 **Environmental Setting and Project Description,** describes the location and characteristics of the site, project overview, project design standards, project objectives and benefits, and required permits and approvals for the project.

Section 3 **CEQA Review and Public Participation,** describes the steps the City has undertaken to comply with the CEQA Guidelines as they relate to public input, review, and participation during the preparation of the EIR.

Section 4 **No Environmental Impacts,** provides a summary of those environmental issue areas where no impacts will occur.

Section 5 **Less Than Significant Environmental Impacts,** provides a summary of insignificant impacts and a finding adopting the EIR's conclusions of insignificance.

Section 6 **Less Than Significant Environmental Impacts With Mitigation Incorporated,** provides a summary of potentially significant environmental effects for which implementation of identified feasible mitigation measures will avoid or substantially reduce the environmental effects to less than significant levels.

Section 7 **Significant and Unavoidable Environmental Impacts,** provides a summary of potentially significant environmental effects for which implementation of feasible mitigation measures will not avoid or substantially reduce the environmental effects to less than significant levels.

Section 8 **Feasibility of Project Alternatives,** provides a summary of the alternatives considered for the proposed project.

Section 9 **Long-Term Implications,** provides a summary of the analysis of any potential long-term implications of the proposed project.

Section 10 **Findings on Changes to the EIR and Recirculation,** provides a brief overview of reasons for changes to the EIR and why it is not necessary to recirculate the EIR.

Section 11 **Findings on Mitigation Monitoring and Reporting Program,** provides a brief discussion of the project's compliance with the CEQA Guidelines regarding the adoption of a plan for monitoring and reporting compliance with mitigation measures.

Section 12 **Statement of Overriding Considerations,** provides a statement of the project benefits that outweigh the significant and unavoidable project impact.

1.2 STATUTORY REQUIREMENTS

The California Environmental Quality Act (Public Resources Code Section 21081 et seq.), and particularly the CEQA Guidelines (CEQA) (14 California Code of Regulations, Section 15091 et seq.), require:

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to avoid or mitigate significant environmental impacts that will otherwise occur with implementation of the proposed project. Project mitigation or alternatives are not required; however, where they are infeasible or where the responsibility for modifying the proposed project lies with another agency (CEQA Guidelines Section 15091(a), (b)).

For those significant effects that cannot be mitigated to a less than significant level, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the proposed project outweigh the significant effects on the environment

(Public Resources Code Section 21081(b)). The CEQA Guidelines state in Section 15093: "*If the specific economic, legal, social, technological, or other benefits…of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.' "*

LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings of Fact/Statement of Overriding Considerations, the record of proceedings for the proposed project consists of a number of documents and other evidence, including the following:

- Notice of Preparation and all other public notices issued by the City in conjunction with the proposed project;
- Draft EIR, including all documents included and referenced in the appendices and in references in the Draft EIR;
- Final EIR, including all documents included in the appendices and in references in the Final EIR;
- All written comments and public testimony presented during the public comment period on the Draft EIR;
- Mitigation Monitoring and Reporting Program (MMRP);
- Findings and resolution adopted by the City relative to the certification of the Final EIR;
- Findings and resolutions adopted by the City in connection with the proposed project and all documents incorporated by reference therein;
- All final reports, studies, memoranda, maps, staff reports, City reports, and City information packets relating to the proposed project prepared by or at the direction of the City or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA or with respect to the City's actions on the proposed project;
- All documents submitted to the City by other public agencies or members of the public in connection with the proposed project;
- Minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the proposed project; any documentary or other evidence submitted to or by the City at such information sessions, public meetings, and public hearings; and any documents cited in these Finding

The record of proceedings is provided in compliance with Public Resources Code Section 21081.6(a)(2) and California Code of Regulations Title 14, Section 15091(e). The **City Development Services Department** is the custodian of documents and other materials that constitute the record of proceedings, which are located at **1650 Stanton Drive, Shasta Lake, CA 96019.**

1.3 CERTIFICATION OF FINAL EIR

Pursuant to CEQA Guidelines Section 15090, the City further finds and certifies that:

a) The Final EIR has been completed in compliance with CEQA;

b) The Final EIR has been presented to the City of Shasta Lake City Council, which constitutes the decision-making body of the lead agency, and the Council has reviewed and considered the information contained in the Final EIR prior to approving the project; and

c) The Final EIR reflects the City's independent judgment and analysis.

2.0 ENVIRONMENTAL SETTING AND PROJECT DESCRIPTION

2.1 ENVIRONMENTAL SETTING

Location

The proposed project is located in the northeastern corner of the City of Shasta Lake due west of Interstate 5 (I-5) between the Shasta Dam Boulevard interchange (Exit #685) and the Mountain Gate interchange (Exit #687). The City of Shasta Lake is located immediately south of Shasta Lake in western Shasta County. The project site, which is known locally as the Peri property, is located in Sections 20 and 29, Township 31 North, Range 5 West, of the Mount Diablo Meridian.

2.2 PROJECT DESCRIPTION

The City of Shasta Lake has received applications for a project that consists of the following elements: (1) General Plan Amendment (Land Use and Circulation), (2) rezone of the entire project site, (3) approval of a Tentative Subdivision Map, (4) adoption of an Area Plan, and (5) approval of a Development Agreement.

General Plan Amendment

The project proposes a General Plan Amendment (GPA 11-01) that would redesignate approximately 141 acres of the project area as Mixed Use (MU) consistent with the remaining 449 acres of the site. This would entail redesignating approximately 23 acres of the site currently designated Urban Residential High (URH) and approximately 118 acres of the site currently designated Suburban Residential (SR). The remaining project area is currently designated MU consistent with the proposed use of the site.

The General Plan Amendment would result in the entire 590-acre project area being designated MU. In addition, a Circulation Element Plan Line Amendment is proposed to amend the General Plan road alignment for the extension of Wonderland Boulevard at the southerly boundary of the site to connect to Cascade Boulevard rather than Shasta Way.

Rezone

The project proposes a rezone (Z 11-02) to change the zoning of the entire 590-acre project site to Planned Development (PD) to reflect the proposed project.

The majority of the subject property is currently zoned Planned Development-Specific Plan (PD/SP) to reflect the previous Peri Golf Course project. A 4.5-acre parcel at the southerly boundary of the site is currently zoned Multiple-Family Residential-Office (R-4). This 4.5-acre property, identified in the Area Plan as Area R, was rezoned to R-4 in 2010 as part of the Shasta Lake Housing Element Implementation Program. Housing Element Implementation Measure 1.12 required the City to rezone land in the City to meet the Regional Housing Needs Allocation (RHNA). As identified in the Area Plan, Area R is designated for very high density development of up to 30 units per acre, which is consistent with the City's Housing Element.

Tentative Subdivision Map

The project proposes a Tentative Subdivision Map (SD 11-01) to allow the creation of 21 parcels. Subsequent tentative maps will be required in order for residential development to occur.

Area Plan

The project proposes adoption of the Mountain Gate at Shasta Area Plan. The Area Plan could eventually lead to the creation of approximately 1,604 dwelling units and up to 195,584 square feet of nonresidential development on approximately 590 acres.

The Area Plan establishes land use designations and a circulation pattern for the project site. The Area Plan provides for different land use patterns and divides the property into areas A through U. The Area Plan also provides for a mix of residential and nonresidential uses with differing densities.

Development Agreement

A Development Agreement is proposed that sets forth the property owner's obligations related to the construction and financing of infrastructure and public services, including financial contributions for infrastructure maintenance.

2.3 LAND USE

Residential Uses

The Mountain Gate at Shasta Area Plan Land Use is shown in **Table 2.0-1.** Housing types are expected to vary in each of the plan areas as project design incorporates the project site topography and site amenities. Several different housing types can occur in each of the plan areas; however, the Area Plan limits overall density in each area. Housing types for each of the areas will be determined at the time of submittal of subsequent tentative subdivision maps.

Nonresidential Uses

Nonresidential land uses are concentrated in areas A and H as shown in **Table 2.0-1**. Area A allows for traditional commercial development; however, the uses in this area would be limited by the Planned Development Zone District for the proposed project. Area H is intended as a

mixed-use urban center and would contain both residential and nonresidential uses. This area may also contain live-work units with commercial and residential uses in the same building(s).

A neighborhood park is identified for Area C. A community park is identified in Areas J and K. The parks are part of a larger open space and trail system intended to link the residential uses along roadways and water courses to commercial and recreational uses.

The community park would primarily provide active and structured recreation opportunities and include sports fields, playgrounds, or similar facilities. The neighborhood park would be oriented in both size and programming toward individual and family activities such as picnic and play areas. Development of the parks would be consistent with the City of Shasta Lake Park System Master Plan.

Circulation

Access to the property is from the Mountain Gate/Wonderland Boulevard/Interstate 5 (I-5) interchange from the north, and Cascade Boulevard intersecting with Shasta Dam Boulevard (State Route 151) from the south. A pedestrian/bicycle and/or emergency roadway connection is proposed to allow access to Black Canyon Road to the west. The southerly extension of Wonderland Boulevard will involve the construction of improvements outside of the main development area of the proposed project and will connect to Cascade Boulevard.

An internal circulation system, in the form of roads and trails, would link all of the uses in the Area Plan. The system has been designed to encourage walking, biking, and other non-motorized uses. The trails would be located along biologically important areas, such as drainages and wetlands, as well as at the base of slopes. The proposed trails would be separated from roadways in some areas of the project site and would be adjacent to roadways in others. The Area Plan contains a schematic trail plan, a typical trail design section, and policies that require trail linkages for all land uses. Policies in the Area Plan require that subsequent development connect to and extend any existing trail system.

The road network has been designed with a number of different street widths and designs so as to minimize the amount of grading and pavement needed to serve the Area Plan. Street widths may be reduced to ensure safe and efficient traffic or to avoid special-status species or sensitive habitats.

Table 2.0-1
MOUNTAIN GATE AT SHASTA AREA PLAN LAND USE
Proposed Density

Area[1]	Primary Land Use[2]	Acres[3]	Max. FAR[4] or Building Coverage	Potential Sq.Ft.[5]	Density Range	Unit Range	Probable Maximum Units[1]
A	Commercial	11.2	0.25	121,968	-	-	0
B	Open Space	181.5	0.1	-	-	-	0
C	Neighborhood Park	7.3	0.1	-	-	-	0
D	Medium Density Residential	27.9	0.7	-	4 - 7	112 - 195	176
E	Medium Density Residential	22.5	0.7	-	4 - 7	90 - 158	142
F	Very Low Density Residential	16.3	0.5	-	1 - 2	16 - 33	30
G	Medium Density Residential	43.5	0.7	-	4 - 11	206 - 492	443
H	Mixed Use Commercial	14.9	0.1	73,616	-	-	0
	High Density Mixed Use		0.7	-	11 - 20	131 - 238	215
	Fire Station	2	0.7	-	-	-	0
I	Medium Density Residential	7.3	0.7	-	4 - 7	29 - 51	46
J	Community Park	8.1	1.5	-	0	0	0
K	Community Park	7.6	0.1	-	-	-	0
L	Low Density Residential	17.1	0.5	-	2 - 4	34 - 68	61
M	Low Density Residential	32.4	0.5		2 - 4	39 - 78	70
N	Low Density Residential	11.3	0.5	-	2 - 4	23 - 45	41
O	Low Density Residential	13.1	0.5	-	2 - 4	26 - 52	47
P	Low Density Residential	32.9	0.5	-	2 - 4	66 - 132	119
Q	Very Low Density Residential	10.4	0.5		1 - 2	10 - 21	19
	Electric Substation	2	0.7				0
R	High Density Residential	4.5	0.7	-	11 - 30	50 - 135	122
S	Very Low Density Residential	40.5	0.5	-	1 - 2	41 - 81	73
T	Open Space	5.9	0.1	-	-	—	0
U	Open Space	33.6	0.1	-	-	—	0
R.O.W.	Rights-Of-Way	36.2	-		-	—	0
Totals		**590.0**	—	**195,584**	—	**873 – 1,779**	**1,604**

[1]See Figure 2-1 for the location of land use areas.

[2]Several identified public uses (i.e., parks, fire station, electric substation) are likely to occur as indicated; however, it is possible that public uses will be located in other development areas, other land in the City, or removed from the Area Plan. In this instance, the development potential of the property formerly intended for the public use shall be equal to that of the lowest density in the same development area provided the overall number of units does not exceed 1,604 as shown in the table.

[3]All acreages are estimates.

[4]Floor area ratio for non-residential uses only, Maximum building coverage for residential uses.

[5]Maximum potential square footage of all structures within the land use designation.

[6]Topography and site constraints would limit the overall density. Approximately 1,604 units is considered the development limit of the site

2.4 PROGRAM-LEVEL COMPONENTS

Residential Units

Buildout of the project is expected to result in approximately 1,604 housing units and approximately 195,584 square feet of nonresidential space. If the current occupancy factor of 2.58 persons per household is assumed and all residents are new to the City, the proposed project could result in approximately 4,138 new residents. This would result in an increase of approximately 41 percent over the current population in the City. Construction of the project is anticipated to be phased, and buildout may take between 15 and 25 years.

Phased Development

Phasing of the project is proposed to start at the north end of the project site and proceed south. The utilities, and at least a portion of the roadway that will form the primary access through the site, would be constructed as part of the first phase. The phase boundaries are intended to be conceptual and may be amended, revised or combined as development progresses.

The project design does not currently include the division of land for single development purposes. The project applicant would be required to submit tentative subdivision maps for future development of residential areas in all phases of the development for City consideration and would be subject to future environmental review for project-level details in addition to the analysis provided in the Final EIR.

2.5 PROJECT-LEVEL COMPONENTS

Planned Development Zone District (PD)

The proposed Planned Development (PD) Zone District for the project site is intended to implement the policies of the Area Plan and provide a single code for development review. The PD addresses issues such as allowable uses, minimum lot size, height limits, setbacks, and other development-oriented regulations.

Tentative Subdivision Map

A large-lot Tentative Subdivision Map is requested as part of the approval process for the proposed project. This map would provide a single roadway connection between the Mountain Gate/Wonderland Boulevard interchange to the north and Cascade Boulevard to the south. The alignment of the roadway would also contain the major water and sewer conduits connecting the proposed project to the existing City of Shasta Lake utilities. The proposed map divides the property into 21 large parcels intended for future division consistent with the Area Plan.

Off-Site Improvements

The proposed project would involve work outside of the Area Plan boundaries. A roadway extension would be required at the southerly boundary of the site. The current General Plan shows the roadway extension connecting to Shasta Way; however, due to traffic safety concerns at the intersection of Shasta Way/Shasta Street and Shasta Dam Boulevard, the

project proposes to connect to Cascade Boulevard. The proposed alignment also impacts fewer privately owned parcels than the current General Plan alignment. The project includes a Plan Line Amendment to designate the extension to Cascade Boulevard as the new General Plan roadway.

The existing Wonderland Boulevard roadway located parallel to I-5 would be abandoned and replaced with a new main roadway proposed in the Area Plan. This new roadway would provide the primary access to the Mountain Gate interchange with I-5. While the property across which the new roadway must be constructed is owned by the project applicant, the property is outside of the City of Shasta Lake and is within the jurisdiction of Shasta County. Work on the roadway may require an encroachment permit and maintenance agreement between the City of Shasta Lake and Shasta County.

Extension of water and wastewater collection systems to the site would be required and would involve work to tie the water and sewer to existing infrastructure south of the project. The proposed project would require the construction of a 1.0 million gallon (mg) water storage tank and a trunk main from the tank, west to the project site. The proposed water system would also be required to connect to the existing 10-inch water main located in Shasta Dam Boulevard. The likely route of this main from the south end of the project site would follow a portion of the current General Plan alignment but would be located within the existing right-of-way of Grand Avenue and Shasta Way. The proposed project would also require the extension of a sanitary sewer main from the south end of the site and construction of a new lift station in the southerly section of the site.

The City's current Water Master Plan shows the required 1.0-million-gallon reservoir on a knoll northwest of the project boundary at an elevation of approximately 1,010 feet above mean sea level. The bottom of the tank must be constructed at a minimum elevation of 985 in order to operate as a gravity system. The off-site location is on land currently owned by 3M. In the event the developer and/or City of Shasta Lake is unable to acquire the land for the tank site and easements for water mains to provide water to the tank and to the Mountain Gate at Shasta property, an alternative on-site tank location has been identified.

The alternative on-site water tank would be located just south of the project's north boundary line as shown on Figure 4.10.1 of the Draft EIR. The proposed on-site tank would be located on a knoll with an elevation of only 895, approximately 90 feet below the required minimum location for the tank to operate as a gravity tank. Due to the lower elevation of this alternative site this location would require the construction of a booster pump system in order to provide adequate pressure to the zone which it will serve. This alternative tank location can be fed with water mains through the project site, avoiding the need to obtain easements for the system to serve the Mountain Gate at Shasta project.

The project will require a new electric substation converting 115 kilovolts (kV) to 12 kV to properly service the development. This station would require the dedication of 2 acres on the west side of the development, which is shown in Area Q. The City of Shasta Lake proposes to build a looped 115 kV line up the railroad right-of-way and into the station. All distribution lines at 12 kV would be undergrounded.

2.6 REQUIRED PERMITS AND APPROVALS

As required by the CEQA Guidelines, this section provides, to the extent the information is known to the City, a list of the agencies that are expected to use the Final EIR in their decision-making and a list of permits and other approvals required to implement the proposed project.

City of Shasta Lake Discretionary Actions – Currently Requested

Currently requested discretionary approvals are identified in Section 2.2 (Project Description).

City of Shasta Lake Discretionary Actions – Anticipated, but Not Currently Requested

- Subsequent Tentative Subdivision Maps
- Conditional Use Permits, Administrative Permits, Zoning Permits and Design Review consistent with the Planned Development Zone District and Area Plan
- Encroachment Permits
- Grading Permits

City of Shasta Lake Anticipated Future Ministerial Actions

- Final Maps
- Improvement plans including an Erosion Control Plan and Vegetation Management Fuel-Mitigation Plan
- Building Permits
- Demolition Permit(s)
- Zoning / Site Development approval for permitted uses within the Area Plan

Permits Granted by Other Agencies and Entities

- Regional Water Quality Control Board (RWQCB) Permit, Waste Discharge Permit, National Pollutant Discharge Elimination System (NPDES) Permit, Stormwater Pollution Prevention Program (SWPPP), and Water Quality Certification or Waiver, under Sections 401 and 402 of the Clean Water Act (CWA)
- U.S. Army Corps of Engineers (USACE) approval of permits under Section 404 of the Clean Water Act
- Encroachment Permit(s) from the California Department of Transportation (Caltrans) for work within their right-of-way
- Encroachment Permit(s) from Shasta County for work within their right-of-way or jurisdiction
- California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement

- Air Pollution Control Permits pursuant to the Shasta County Air Quality Management District's rules and regulations

- The project may require service agreements with or permits from local utility providers or special service districts, including, but not limited to, Pacific Gas and Electric (PG&E), the Shasta Lake Fire Protection District, and the Gateway Unified School District (GUSD).

3.0 CEQA REVIEW AND PUBLIC PARTICIPATION

The review and certification process for the DEIR includes the following procedural steps:

3.1 NOTICE OF PREPARATION

The NOP was made available for public review on April 3, 2012. As of the close of the public review period (May 4, 2012), 14 comment letters were received by the City of Shasta Lake, the lead agency for the proposed project. The major topics of the received letters that are relevant to the Draft EIR focused on a variety of areas such as traffic, fire hazards, pedestrian and bicycle facilities, hydrology, biological resources, environmental hazards, planning and utilities. The Notice of Preparation and the comments received are included in Appendix 1.0-1 and 1.0-2 of the Draft EIR.

3.2 DRAFT EIR

The Draft EIR (DEIR) was made available for public and agency review on April 18, 2014, with the review period set to end on June 18, 2014. The DEIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. The Draft EIR was provided to interested public agencies and the public and was made available for review at City Hall, at the Shasta Lake Gateway Library, and on the City's website.

3.3 FINAL EIR

The City received 18 comment letters from interest groups, government agencies, and the public regarding the Draft EIR. Section 2.0 of the FEIR responds to the written comments received as required by CEQA. This document also contains minor edits to the Draft EIR, which are included in Section 3.0, Minor Revisions to the Draft EIR. This document constitutes the FEIR.

4.0 NO ENVIRONMENTAL IMPACTS

Based on the Draft EIR, the Final EIR, and the record of proceedings, the City of Shasta Lake finds that the proposed project will have no environmental impacts for the specific topic areas identified below. Page numbers in parentheses refer to the Draft EIR unless otherwise noted.

Land Use

- Impact 4.1.3 – Conflict with an Applicable Habitat Conservation Plan or Natural Community Conservation Plan (Standard of Significance 3) (pp. 4.1-7 through -8)
- Impact 4.1.4 - Conflict with the Proposed Area Plan and/or Zone Designation Resulting from the Division of Property (Standard of Significance 4) (p. 4.1-8.)

Transportation and Circulation

- Impact 4.3.7 - Conflict with Adopted Policies, Plans, or Programs Regarding Public Transit, Bicycle, or Pedestrian Facilities (Standard of Significance 6) (pp. 4.3-47 through -48)

4.1 LAND USE

Impact 4.1.3 – Conflict with an Applicable Habitat Conservation Plan or Natural Community Conservation Plan (Standard of Significance 3) (pp. 4.1-7 through -8)

The DEIR identifies the proposed project's potential impacts related to conflicts with an applicable habitat conservation plan or natural community conservation plan. This environmental impact is identified by the DEIR as No Impact.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

There are no habitat conservation plans (HCP) or natural community conservation plans (NCCPs) within the City of Shasta Lake or Shasta County. As such, the proposed project cannot conflict with these plan types. (Initial Environmental Study pp. 4.0-11, 4.0-22; DEIR pp. 4.1-7 through -8; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.1.4 - Conflict with the Proposed Area Plan and/or Zone Designation Resulting from the Division of Property (Standard of Significance 4) (p. 4.1-8)

The DEIR identifies the proposed project's potential impacts related to conflicts with the Proposed Area Plan and/or Zone Designation resulting from the division of property. This environmental impact is identified by the DEIR as No Impact.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Future development under the proposed project would establish land uses and development standards consistent with the Area Plan. The intent of the PD Zone District is to provide flexibility in development to encourage a more compact urban design and increased densities. The proposed Area Plan and accompanying PD Zone District are consistent with the City's General Plan policies established for development of this property. (Initial Environmental Study p. 4.0-31; DEIR p. 4.1-8; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

4.2 TRANSPORTATION AND CIRCULATION

Impact 4.3.7 - Conflict with Adopted Policies, Plans, or Programs Regarding Public Transit, Bicycle, or Pedestrian Facilities (Standard of Significance 6) (pp. 4.3-47 through -48)

The DEIR identifies the proposed project's potential impacts related to conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. This environmental impact is identified by the DEIR as No Impact.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Shasta Lake General Plan Policy C-c requires that new neighborhoods provide pedestrian-dedicated facilities, and Policy C-f requires the provision of bicycle facilities. As stated in Section 3.0, Project Description, an internal circulation system, in the form of roads and trails, would link all of the uses in the Area Plan. The system has been designed to encourage walking, biking, and other non-motorized uses. The Area Plan contains a schematic trail plan, a typical trail design section, and policies that require trail linkages for all land uses. Policies in the Area Plan require that subsequent development connect to and extend any existing trail system. (Initial Environmental Study p. 4.0-34; DEIR pp. 4.3-47 through -48; Area Plan pp 18, 23-24, 44, 47, 63-65; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.0 LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACTS

Based on the Draft EIR, the Final EIR, and the record of proceedings, the City of Shasta Lake finds that the proposed project will result in less than significant environmental impacts without any mitigation measures for all of the specific topic areas identified below. Page numbers in parentheses refer to the Draft EIR unless otherwise noted.

Land Use

- Impact 4.1.1 - Division of the City and/or Isolation of Any Portion of the City (Standard of Significance 1) (pp. 4.1-5 through -6)
- Impact 4.1.2 - Conflict with Applicable City of Shasta Lake Land Use Plans, Policies, or Regulations Adopted to Avoid/Mitigate an Environmental Effect (Standard of Significance 2) (pp. 4.1-6 through -7)
- Impact 4.1.5 – Cumulative Development (pp. 4.1-9 through -10)

Population, Housing, and Employment

- Impact 4.2.1 - Substantial Population Growth or Concentration of Population Inconsistent with the City General Plan (Standard of Significance 1) (pp. 4.2-11 through -12)
- Impact 4.2.2 – Cumulative Population Growth (pp. 4.2-12 through -13)

Transportation and Circulation

- Impact 4.3.2 - Conflict with Applicable Roadway Level of Service – Near-Term Plus Project Conditions (Standards of Significance 1 and 2) (pp.4.3-39 through -40)
- Impact 4.3.5 - Substantially Increase Traffic Hazards Due to Design Features or Incompatible Uses (Standard of Significance 4) (pp. 4.3-46 through -47)
- Impact 4.3.9 - Conflict with Applicable Roadway Level of Service – Cumulative Year 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-65 through -66)

Air Quality

- Impact 4.4.4 - Exposure of Sensitive Receptors to Near-Term Local Mobile-Source CO Pollutant Concentrations (Standard of Significance 3) (pp. 4.4-25 through -29)
- Impact 4.4.5 - Exposure of Sensitive Receptors to Toxic Air Contaminant Pollutant Concentrations (Standard of Significance 3) (pp. 4.4-29 through -31)
- Impact 4.4.7 - Contribution to Cumulative CO and TAC Concentrations (Standard of Significance 3) (pp. 4.4-32 through -33)

Noise

- Impact 4.5.2 - Exposure of Persons to or Generation of Substantial Permanent Operational Traffic Noise in Excess of Established Standards (Standards of Significance 1 and 3) (pp. 4.5-14 through -16)

- Impact 4.5.5 - Exposure of Persons to or Generation of Excessive Groundborne Vibration and Noise Levels (Standard of Significance 4) (pp. 4.5-22 through -24)

- Impact 4.5.6 - Cumulative Contribution to Traffic Noise Levels (pp. 4.5-24 through -26)

Biological Resources

- Impact 4.6.6 - Interfere Substantially with Migratory Wildlife Corridors (Standard of Significance 4) (pp. 4.6-33 through -34)

Hydrology and Water Quality

- Impact 4.7.1 - Violation of Water Quality Standards and/or Degradation of Water Quality with the Contribution of Erosion, Siltation, or Polluted Runoff During Construction (Standards of Significance 1, 3, and 6) (pp. 4.7-17 through -20)

- Impact 4.7.3 - Substantially Deplete Groundwater Supply or Interfere with Groundwater Recharge (Standard of Significance 2) (pp.4.7-23 through -24)

- Impact 4.7.6 - Place Housing or Other Structures within a 100-Year Flood Hazard Area (Standards of Significance 7 and 8) (p. 4.7-30)

- Impact 4.7.7 - Expose People or Structures to Seiche, Tsunami, Mudflow, or Dam or Levee Failure Inundation (Standards of Significance 9 and 10) (p. 4.7-30 through -31)

Geology and Soils

- Impact 4.8.2 - Placement of Structures on Unstable Geologic Unit or Soil – Lateral Spreading (Standard of Significance 3) (p. 4.8-17)

- Impact 4.8.3 - Placement of Structures on Unstable Geologic Unit or Soil – Liquefaction (Standard of Significance 3) (p. 4.8-18)

- Impact 4.8.4 - Placement of Structures on Unstable Geologic Unit or Soil – Landslides (Standard of Significance 3) (p. 4.8-18 through -19)

- Impact 4.8.5 - Placement of Structures on Unstable Geologic Unit or Soil – Subsidence (Standard of Significance 3) (p. 4.8-19)

- Impact 4.8.6 - Placement of Structures on Expansive Soils (Standard of Significance 4) (pp. 4.9-19 through -20)

- Impact 4.8.7 - Cumulative Geologic Impacts (pp. 4.8-20 through -21)

Cultural Resources

- Impact 4.9.2 - Cause a Substantial Adverse Change in the Significance of Cultural Sites CA-SHA-1082 and CA-SHA-1086 (Standard of Significance 1) (p. 4.9-14)

Utilities and Service Systems

- Impact 4.10.1.2 - Require or Result in the Construction of New Water Allocation, Distribution, Storage, and Treatment Facilities or Expansion of Existing Facilities (Standard of Significance 2) (pp. 4.10-15 through -16)

- Impact 4.10.2.2 - Exceed Wastewater Treatment Requirements (Standard of Significance 3) (pp.4.10-26 through -27)

- Impact 4.10.3.1 - Served by a Landfill without Sufficient Permitted Capacity to Accommodate Solid Waste Service (Standard of Significance 1) (pp. 4.10-30 through 31)

- Impact 4.10.3.2 - Noncompliance with Federal, State, and Local Statutes and Regulations Related to Solid Waste (Standard of Significance 2) (pp. 4.10-31 through -32)

- Impact 4.10.3.3 - Cumulative Solid Waste Disposal (pp. 4.10-32 through -33)

- Impact 4.10.4.2 - Cumulative Electric, Natural Gas, Telephone, and Cable Service (p. 4.10-36)

- Impact 4.11.

Public Services

- Impact 4.11.1.2 - Exposure of People or Structures to Wildfire Hazards (Standard of Significance 2) (pp. 4.11-7 through -8)

- Impact 4.11.3.1 - Provision of New School Facilities in Order to Maintain Service (Standard of Significance 1) (pp. 4.11-16 through -18)

- Impact 4.11.3.2 - Cumulative Impacts to School Facilities p. 4.11-19 (p. 4.11-19)

- Impact 4.11.4.1 - Provision of Park Facilities in Order to Maintain Service (Standards of Significance 1 and 2) (p. 4.11-22)

- Impact 4.11.4.2 - Cumulative Impacts on Parks, Recreational Facilities, and Trails (p. 4.11-23)

Aesthetics

- Impact 4.12.3 - Substantially Degrade Existing Visual Character or Quality of the Site (Standard of Significance 3) (pp. 4.12-10 through -11)

- Impact 4.12.6 – Cumulative Aesthetic Impacts (pp.4.12-13 through -14)

Greenhouse Gases and Climate Change Impact 4.13.1 - Generate GHG Emissions That May Have a Significant Impact on the Environment (Standard of Significance 1) (pp. 4.13-13 through -17)

5.1 LAND USE

Impact 4.1.1 - Division of the City and/or Isolation of Any Portion of the City (Standard of Significance 1) (pp. 4.1-5 through -6)

The DEIR identifies the proposed project's potential impacts related to division of the City and/or isolation of any portion of the City. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Initially, the development at the north end of the property may appear as if it is more a separate community from the City of Shasta Lake. Although vehicular access to the City from within the boundaries of the project site will be provided, the main access to this phase of the development will be from the Mountain Gate interchange with I-5, further reinforcing the visual separation between the first phase of the new development and the existing City. While development of a roadway connection to the City to the south, and a pedestrian/bicycle connection to Black Canyon Road, would help develop a sense of connection with the existing City in Phase 1, the bulk of the development will still appear disconnected from the City. This is considered a temporary situation that will diminish substantially as the other phases are completed. In addition, prior to occupancy of the 50th housing unit within the Area Plan boundaries, an access road must be constructed to connect the project to Cascade Boulevard, regardless of where within the Plan Area the housing development occurs. (Initial Environmental Study pp. 4.0-22, 4.0-23; DEIR pp. 4.1-5 through -6; DEIR p. 4.3-47; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.1.2 - Conflict with Applicable City of Shasta Lake Land Use Plans, Policies, or Regulations Adopted to Avoid/Mitigate an Environmental Effect (Standard of Significance 2) (pp. 4.1-6 through -7)

The DEIR identifies the proposed project's potential impacts related to conflict with applicable City of Shasta Lake land use plans, policies, or regulations adopted to avoid/mitigate an environmental effect. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

As proposed, the Area Plan is consistent with the policies of the City of Shasta Lake General Plan regarding development requirements for this property, identified in the General Plan as the Peri Property. The Area Plan provides for a mix of housing densities and allows for mixed-use commercial-residential potential. Open space and recreational amenities are integrated into the project design, as is the avoidance of many of the biological features on the site. (Initial Environmental Study pp. 4.0-22, 4.0-23; DEIR pp. 4.1-6 through -7; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.1.5 – Cumulative Development (pp. 4.1-9 through -10)

The DEIR identifies the proposed project's potential impacts related to conflict with applicable City of Shasta Lake land use plans, policies, or regulations adopted to avoid/mitigate an environmental effect. This environmental impact is identified by the DEIR as Less than Significant.
Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The project would introduce growth into an area that is currently undeveloped and could encourage growth on lands outside of the City. The proposed project will provide for development in an area of the City that is currently vacant. The land has been designated for development since prior to the City's incorporation in 1993 and more specifically since adoption of the City's General Plan in 1999. The City's General Plan has anticipated that the proposed project site will be developed with a mix of uses and implemented with an Area Plan. (DEIR pp. 4.1-9 through -10; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.2 POPULATION AND HOUSING

Impact 4.2.1 - Substantial Population Growth or Concentration of Population Inconsistent with the City General Plan (Standard of Significance 1) (pp. 4.2-11 through -12)

The DEIR identifies the proposed project's potential impacts related to substantial population growth or concentration of population inconsistent with the City General Plan. This environmental impact is identified by the DEIR as Less than Significant.
Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The proposed project's land use mix would result in the addition of approximately 1,604 housing units and approximately 4,138 new residents at buildout (assuming an average of 2.58 persons per household as reported by the California Department of Finance in 2014). Further, because of the proposed commercial areas, the project could generate a limited number of full-time equivalent employees, some of whom could relocate to the area from outside of the City. This would be equivalent to a 41 percent increase in the City's current population. However, the proposed project would extend the City along the I-5 corridor north of the main developed portions of the community in an area of the City that has been designated for development since adoption of the City's General Plan. The City anticipated that the proposed project site will be developed with a mix of uses and implemented with an Area Plan.

By directing future development in this area, the City of Shasta Lake would meet future City needs for these uses, including accommodation of population, housing, and employment needs, while avoiding the potential for "leapfrog" development through the rest of Shasta County. Further, the project itself proposes to provide self-contained features that would reduce common population and housing impacts. (Initial Environmental Study pp. 4.0-27 through -28; DEIR pp. 4.2-11 through -12; Planning Commission Public Hearing October 15, 2015; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.2.2 – Cumulative Population Growth (pp. 4.2-12 through -13)

The DEIR identifies the proposed project's potential impacts related to cumulative population growth. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Cumulative development in the vicinity of the project would increase the population and number of housing units in the City of Shasta Lake and Shasta County. However, development of the project site has been planned since prior to the City's incorporation in 1993, and more specifically since adoption of the City's General Plan in 1999. The City anticipated that the proposed project site would be developed with a mix of uses and implemented with an Area Plan. By directing future development in this area, the City would meet future City needs for these uses, including accommodation of population, housing, and employment needs, while avoiding the potential for leapfrog development through the rest of the county. (DEIR pp. 4.2-12 through -13; Planning Commission Public Hearing October 15, 2015; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.3 TRANSPORTATION AND CIRCULATION

Impact 4.3.2 - Conflict with Applicable Roadway Level of Service – Near-Term Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-39 through -40)

The DEIR identifies the proposed project's potential impacts related to conflicts with applicable roadway level of service – near-term plus project conditions. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Near-Term Plus Project conditions along roadway segments were analyzed by comparing derived average daily trip (ADT) volumes projected to be generated by the project to the corresponding ADT-based level of service thresholds for roadway type assumed for the Near-Term No Project condition. All of the study area roadway segments are projected to operate at an acceptable LOS B or better after implementation of the proposed project under Near-Term conditions. (Initial Environmental Study pp. 4.0-32 through -33; Traffic Impact Analysis Report p. 53; DEIR pp. 4.3-39 through -40; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.3.5 - Substantially Increase Traffic Hazards Due to Design Features or Incompatible Uses (Standard of Significance 4) (pp. 4.3-46 through -47)

The DEIR identifies the proposed project's potential impacts related to substantially increasing traffic hazards due to design features or incompatible uses. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The City of Shasta Lake implements subdivision standards designed to ensure standard engineering practices are used for all improvements. New development allowed within the Area Plan would include new streets, access points, pathways, and other circulation improvements that would be checked for compliance with these standards as part of the entitlement process conducted by the City. Improvements to the transportation and circulation system within and surrounding the Area Plan would be implemented over time. All such improvements would be designed and constructed to local, regional, and federal standards, and as such, would not be expected to introduce any hazardous design features. (Initial Environmental Study p. 4.0-33; Traffic Impact Analysis Report p. 97; DEIR pp. 4.3-46 through -47; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.3.9 - Conflict with Applicable Roadway Level of Service – Cumulative Year 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-65 through -66)

The DEIR identifies the proposed project's potential impacts related to conflicts with applicable roadway level of service – cumulative year 2020 plus project conditions. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Year 2020 Plus Project daily traffic operations along roadway segments were analyzed by comparing derived Year 2020 Plus Project ADT volumes to the ADT-based LOS thresholds that correspond to the roadway type assumed for Year 2020 Plus Project conditions following implementation of planned improvements. All of the study area roadway segments are projected to operate at an acceptable LOS B or better after implementation of the proposed project under Year 2020 Plus Project cumulative conditions. (Initial Environmental Study pp. 4.0-32 through -33; Traffic Impact Analysis Report pp. 71-72; DEIR pp. 4.3-65 through -66; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.4 AIR QUALITY

Impact 4.4.4 - Exposure of Sensitive Receptors to Near-Term Local Mobile-Source CO Pollutant Concentrations (Standard of Significance 3) (pp. 4.4-25 through -29)

The DEIR identifies the proposed project's potential impacts related to exposure of sensitive receptors to near-term local mobile-source CO pollutant concentrations. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Implementation of the project would not contribute to localized concentrations of mobile-source CO that would exceed applicable ambient air quality standards. (Initial Environmental Study p. 4.0-7; DEIR Appendix 4.4-2 – Carbon Monoxide Hotspots; DEIR pp. 4.4-25 through -29; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.4.5 - Exposure of Sensitive Receptors to Toxic Air Contaminant Pollutant Concentrations (Standard of Significance 3) (pp. 4.4-29 through -31)

The DEIR identifies the proposed project's potential impacts related to exposure of sensitive receptors to toxic air contaminant pollutant concentrations. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Implementation of the proposed project would not result in increased exposure of existing or planned sensitive land uses to stationary or mobile-source TACs that would exceed applicable standards. (Initial Environmental Study p. 4.0-7; DEIR pp. 4.4-29 through -31; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.4.7 - Contribution to Cumulative CO and TAC Concentrations (Standard of Significance 3) (pp. 4.4-32 through -33)

The DEIR identifies the proposed project's potential impacts related to contribution to cumulative CO and TAC concentrations. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Implementation of the proposed project, in combination with existing, approved, proposed, and reasonably foreseeable development in the North Sacramento Valley Air Basin, would not contribute to localized concentrations of mobile-source CO or TACs that would exceed applicable ambient air quality standards. (Initial Environmental Study p. 4.0-7; DEIR pp. 4.4-32 through -33; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.5 NOISE

Impact 4.5.2 - Exposure of Persons to or Generation of Substantial Permanent Operational Traffic Noise in Excess of Established Standards (Standards of Significance 1 and 3) (pp. 4.5-14 - 16)

The DEIR identifies the proposed project's potential impacts related to exposure of persons to or generation of substantial permanent operational traffic noise in excess of established standards. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Implementation of the proposed project would not result in substantial increases in near-term traffic noise levels along area roadways. Implementation of the proposed project would result in predicted increases in traffic noise levels along primary affected roadways of less than 1 dBA. Because implementation of the proposed project would not result in a substantial increase in traffic noise levels, this impact would be considered less than significant. (Initial Environmental

Study p. 4.0-26; DEIR Appendix 4.5-1 pp. 16-17 DEIR pp. 4.5-14 through -16; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.5.5 - Exposure of Persons to or Generation of Excessive Groundborne Vibration and Noise Levels (Standard of Significance 4) (pp. 4.5-22 through -24)

The DEIR identifies the proposed project's potential impacts related to exposure of persons to or generation of excessive groundborne vibration and noise levels. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Short-term construction and long-term operation of the proposed land uses would not exceed commonly applied thresholds for the prevention of structural damage or human annoyance. Construction activities would not be anticipated to occur within 25 feet of existing structures. Predicted groundborne vibration levels at nearby structures would not be anticipated to exceed the commonly applied minimum thresholds of 0.2 inch per second peak particle velocity (ppv) for structural damage or 0.1 inch per second ppv for human annoyance. The proposed project site is located within approximately 400 feet of the Union Pacific Railroad corridor. At this distance, on-site land uses would not be exposed to groundborne vibration levels that would result in structural damage or increased levels of annoyance. (Initial Environmental Study p. 4.0-26; DEIR Appendix 4.5-1, pp. 20-22; DEIR pp. 4.5-22 through -24; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.5.6 - Cumulative Contribution to Traffic Noise Levels (pp. 4.5-24 through -26)

The DEIR identifies the proposed project's potential impacts related to cumulative contributions to traffic noise levels. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Implementation of the proposed project would not result in a substantial contribution to future cumulative traffic noise levels. Based on the modeling conducted, implementation of the proposed project in conjunction with additional cumulative development would result in predicted increases in future traffic noise levels of approximately 4.3 dBA CNEL or less. Implementation of the proposed project would not make a cumulatively considerable contribution to increases in traffic noise levels along area roadways located in the vicinity of

existing noise-sensitive land uses. (DEIR Appendix 4.5-1 pp. 24-25; DEIR pp. 4.5-24 through -26; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.6 BIOLOGICAL RESOURCES

Impact 4.6.6 - Interfere Substantially with Migratory Wildlife Corridors (Standard of Significance 4) (pp. 4.6-33 through -34)

The DEIR identifies the proposed project's potential impacts related to interfering substantially with migratory wildlife corridors. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The project site is not located within a known migratory corridor of any CDFW-designated deer herd. Additionally, the site supports no suitable anadromous fish habitat. The project site has low potential to function as a significant travel corridor for any terrestrial species because it is located adjacent to and north of an urban area and is bordered on the east by a barrier to long distance movement (i.e., Interstate 5). The preservation of riparian corridors would ensure migratory bird species would still be able to utilize the project site during migration events. (Initial Environmental Study p. 4.0-10; DEIR Appendix 4.6-1 pp. 1, 10, 21; DEIR pp. 4.6-33 through -34; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.7 HYDROLOGY AND WATER QUALITY

Impact 4.7.1 - Violation of Water Quality Standards and/or Degradation of Water Quality with the Contribution of Erosion, Siltation, or Polluted Runoff during Construction (Standards of Significance 1, 3, and 6) (pp. 4.7-17 through -20)

The DEIR identifies the proposed project's potential impacts related to violation of water quality standards and/or degradation of water quality with the contribution of erosion, siltation, or polluted runoff during construction. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Soil and slope disturbance associated with construction activities for the proposed project could cause accelerated soil erosion and sedimentation or the release of other construction-related pollutants into adjacent waterways. Compliance with the various requirements of the SWRCB statewide general permits for construction and dewatering, the MS4 general permit, Section 1603 of the California Fish and Wildlife Code, and a Streambed Alteration Agreement with the CDFW, as well as the City's grading permit requirements, will ensure that water quality degradation during the construction phase of the proposed project would be minimized. (Initial Environmental Study p. 4.0-20 through -21; DEIR Appendix 4.7-1, pp. 1-3; DEIR pp. 4.7-17 through -

20; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.7.3 - Substantially Deplete Groundwater Supply or Interfere with Groundwater Recharge (Standard of Significance 2) (pp.4.7-23 through -24)

The DEIR identifies the proposed project's potential impacts related to substantially depleting groundwater supply or interfering with groundwater recharge. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The proposed project could potentially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volumes or a lowering of the local groundwater table level. There are ephemeral intermittent streams, in addition to Moody and Rancheria creeks on the project site. These waterways act as aquifer recharge areas. However, the project has been designed to avoid development in these areas. Furthermore, the project's domestic water demands would be met by surface water supplies provided by the federal Central Valley Project from the impoundment behind Shasta Dam. Lastly, implementation of mitigation measure **MM 4.7.2e**, would reduce impacts associated with post-project storm drainage rates. (Initial Environmental Study p. 4.0-20; DEIR pp.4.7-23 through -24; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.7.6 - Place Housing or Other Structures within a 100-Year Flood Hazard Area (Standards of Significance 7 and 8) (p. 4.7-30)

The DEIR identifies the proposed project's potential impacts related to placing housing or other structures within a 100-year flood hazard area. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Development of the proposed project will not place housing or other types of structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. (Initial Environmental Study p. 4.0-21; DEIR Appendix 4.6-3; DEIR p. 4.7-30; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.7.7 - Expose People or Structures to Seiche, Tsunami, Mudflow, or Dam or Levee Failure Inundation (Standards of Significance 9 and 10) (p. 4.7-30)

The DEIR identifies the proposed project's potential impacts related to exposing people or structures to seiche, tsunami, mudflow, or dam or levee failure inundation. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The proposed project is not expected to expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam, nor will the project expose people or structures to a hazard of inundation by seiche, tsunami, or mudflow. (Initial Environmental Study p. 4.0-21 through -22; DEIR Appendix 4.8-1, p. 6; DEIR Appendix 4.8-2, pp. 9-10, 11 DEIR p. 4.7-30 through -31; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.8 GEOLOGY AND SOILS

Impact 4.8.2 - Placement of Structures on Unstable Geologic Unit or Soil – Lateral Spreading (Standard of Significance 3) (p. 4.8-17)

The DEIR identifies the proposed project's potential impacts related to placement of structures on unstable geologic unit or soil – lateral spreading. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Structures constructed as part of the project may be subject to lateral spreading. The incised creeks at the site are small and are located in proposed park and open space areas. According to the report prepared by ENGEO (2005), there are no cliff faces or large deeply incised or open bodies of water within an appropriate distance from the site for lateral spreading to occur on the project site. For this reason, the probability of lateral spreading occurring at the site during a seismic event is very low. (Initial Environmental Study 4.0-15; DEIR Appendix 4.8-2, p. 9; DEIR p. 4.8-17; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.8.3 - Placement of Structures on Unstable Geologic Unit or Soil – Liquefaction (Standard of Significance 3) (p. 4.8-18)

The DEIR identifies the proposed project's potential impacts related to placement of structures on unstable geologic unit or soil – liquefaction. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The project site may contain a potential liquefaction hazard. Chapter 15.08 of the City's Municipal Code requires that a geotechnical report be prepared for all future development under the proposed Area Plan. The report must include an adequate description of the geology of the site, including data regarding the nature, distribution, and strength of existing soils, a detailed subsurface investigation based on test borings, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, conclusions and recommendations for grading procedures, design criteria for corrective measures when necessary, and opinions and recommendations covering adequacy of the site to be developed. These requirements, as mandated in Chapter 15.08 of the Municipal Code, would reduce the potential for future residents and structures of the Area Plan to experience loss, injury, or death resulting from seismic-related ground failure. (Initial Environmental Study p. 4.0-15; Appendix 4.8-1, p. 6; Appendix 4.8-2, p. 8; DEIR p. 4.8-18; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.8.4 - Placement of Structures on Unstable Geologic Unit or Soil – Landslides (Standard of Significance 3) (pp. 4.8-18 through -19)

The DEIR identifies the proposed project's potential impacts related to placement of structures on unstable geologic unit or soil – landslides. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Structures constructed as part of the project may be subject to landslides. The requirements of Chapter 15.08 of the Municipal Code for each phase of the project would identify any landslide hazards within the project area. (Initial Environmental Study 4.0-15; DEIR Appendix 4.8-1, p. 6; DEIR Appendix 4.8-2, pp. 9-10; DEIR pp. 4.8-18 through -19; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.8.5 - Placement of Structures on Unstable Geologic Unit or Soil – Subsidence (Standard of Significance 3) (p. 4.8-19)

The DEIR identifies the proposed project's potential impacts related to placement of structures on unstable geologic unit or soil – subsidence. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Subsidence is the downward movement of the land surface caused by a reduction in hydrostatic pressure in thick geologic units in response to the removal of subsurface fluids such as water on petroleum products. Because the effect of subsidence due to groundwater or petroleum product withdrawal is regional in nature, it is not expected to create a significant differential condition across the site improvements. (Initial Environmental Study 4.0-15; DEIR Appendix 4.8-2, p. 10; DEIR pp. 4.8-19; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.8.6 - Placement of Structures on Expansive Soils (Standard of Significance 4) (pp. 4.9-19 through -20)

The DEIR identifies the proposed project's potential impacts related to placement of structures on unstable geologic unit or soil – soils. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The project site may contain the potential for expansive soils. Expansive soils swell when wet and shrink as they dry. Though expansive soils are not considered to pose a significant hazard in the City of Shasta Lake area, standard soil tests are necessary in order to determine the expansive soil potential for a particular area. The requirements of Chapter 15.08 of the Municipal Code for each phase of the project would identify any expansive soils within the project area and ensure the proper design criteria for corrective measures, if necessary. (Initial Environmental Study 4.0-15; DEIR Appendix 4.8-1, pp. 6-7; DEIR Appendix 4.8-2, pp. 11-12; DEIR pp. 4.8-19 through -20; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.8.7 - Cumulative Geologic Impacts (pp. 4.8-20 through -21)

The DEIR identifies the proposed project's potential impacts related to cumulative geologic impacts. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Implementation of the proposed project in combination with reasonably foreseeable development would not contribute to cumulative geologic and soil impacts, as the impacts would be site-specific. (DEIR pp. 4.8-20 through -21; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.9 CULTURAL RESOURCES

Impact 4.9.2 - Cause a Substantial Adverse Change in the Significance of Cultural Sites CA-SHA-1082 and CA-SHA-1086 (Standard of Significance 1) (p. 4.9-14)

The DEIR identifies the proposed project's potential impacts related to causing a substantial adverse change in the significance of cultural sites CA-SHA-1082 and CA-SHA-1086. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Implementation of the proposed project could result in the potential disturbance or destruction of sites CA-SHA-1082 and CA-SHA-1086. Neither of these sites is recommended as eligible for any National Register of Historic Places (NRHP) criteria, inclusion on the NRHP, or inclusion on the California Register of Historical Resources (CRHR). (DEIR Appendix 4.9-1, pp. 10-11, 12-13, 17, 18, 20, 26, 32; DEIR p. 4.9-14; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.9.7 - Cumulative Prehistoric and Historic Resources (p. 4.9-19)

The DEIR identifies the proposed project's potential impacts related to cumulative prehistoric and historic resources. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Implementation of the proposed project, along with any foreseeable development in the project vicinity, could result in cumulative impacts to cultural resources. Implementation of the proposed project, in combination with cumulative development in the City of Shasta Lake, would increase the potential to disturb known and undiscovered cultural resources. Implementation of mitigation measures MM 4.9.1, MM 4.9.3a and MM 4.9.3b, and MM 4.9.4 would mitigate the project's contribution to the cumulative destruction of cultural resources. (DEIR p. 4.9-19; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.10 PUBLIC SERVICES AND UTILITIES

Impact 4.10.1.2 - Require or Result in the Construction of New Water Allocation, Distribution, Storage, and Treatment Facilities or Expansion of Existing Facilities (Standard of Significance 2) (pp. 4.10-15 through -16)

The DEIR identifies the proposed project's potential impacts related to requiring or resulting in the construction of new water allocation, distribution, storage, and treatment facilities or expansion of existing facilities. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Buildout of the project would require water system upgrades and the construction of a reservoir, booster pump station, and other improvements to serve the project site.

The City of Shasta Lake's Master Water Plan states that a 1.0-million-gallon reservoir with a maximum water surface elevation of about 985 feet needs to be constructed to ensure adequate water delivery for the northerly two-thirds of the proposed project. With the exception of the new reservoir and approximately 500 feet of waterline, the water system improvements would occur within road rights-of-way. Installation of new pipeline consistent with the Master Water Plan is not considered a significant environmental impact.

Construction of additional on-site waterlines and the reservoir would occur in previously undisturbed areas of the City. The biological impacts of the waterline and reservoir are discussed in Section 4.6 of the DEIR, while cultural resource impacts are discussed in Section 4.9. Aesthetic impacts are identified in Section 4.12. The environmental effects of construction of water infrastructure required to serve the proposed project have been addressed and mitigated as necessary. (Initial Environmental Study p. 4.0-35; DEIR Appendix 4.10-1, pp. 11-12; DEIR pp. 4.10-15 through -16; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.10.2.2 - Exceed Wastewater Treatment Requirements (Standard of Significance 3) (pp.4.10-26 through -27)

The DEIR identifies the proposed project's potential impacts related to exceed wastewater treatment requirements. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Implementation of the proposed Mountain Gate at Shasta Area Plan would not result in the violation of wastewater treatment requirements. Implementation of mitigation measures **MM 4.10.2.1a, 4.10.2.1b and 4.10.2.1c** would guarantee that development could not be constructed without first obtaining a verification of wastewater disposal capability prior to approval of subsequent tentative maps or other discretionary projects. (Initial Environmental Study p. 4.0-35; DEIR Appendix 4.10-1, pp. 11-12; DEIR pp.4.10-26 through -27; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.10.3.1 - Served by a Landfill without Sufficient Permitted Capacity to Accommodate Solid Waste Service (Standard of Significance 1) (pp. 4.10-30 through 31)

The DEIR identifies the proposed project's potential impacts related to a landfill without sufficient permitted capacity to accommodate solid waste service. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Buildout of the project would cause a substantial increase in demand for solid waste disposal services. The Environmental Impact Report for the Operation of the Richard W. Curry West Central Landfill (Shasta County 2003) projected that an average of 163,161 tons of solid waste per year would be delivered to the landfill between 2007 and 2017. The addition of the project's estimated solid waste of 12.55 to 13.95 tons per day at full buildout represents an increase of between 3.8 and 4.2 percent to the Landfill's 2013 current daily intake of between 330 and 360 tons. As such, there is adequate capacity in the landfill to meet the needs of the proposed project. (Initial Environmental Study p. 4.0-36; DEIR pp. 4.10-30 through 31; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.10.3.2 - Noncompliance with Federal, State, and Local Statutes and Regulations Related to Solid Waste (Standard of Significance 2) (pp. 4.10-31 through -32)

The DEIR identifies the proposed project's potential impacts related to noncompliance with federal, state, and local statutes and regulations related to solid waste. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Buildout of the project would not increase the potential of noncompliance of AB 939 by the City by introducing additional waste into the solid waste stream. (Initial Environmental Study p. 4.0-36; DEIR pp. 4.10-31 through -32; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.10.3.3 - Cumulative Solid Waste Disposal (pp. 4.10-32 through -33)

The DEIR identifies the proposed project's potential impacts related to cumulative solid waste disposal. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The project would contribute to cumulative demands for solid waste disposal services. As stated under Impact 4.10.3.1, implementation of the project will not have an adverse effect on the City's ability to maintain acceptable levels of service or generate waste in excess of the Richard W. Curry/West Central Sanitary Landfill's permitted capacity. The landfill has adequate capacity, and the County will begin seeking new permits for expansion roughly 15 years before the estimated 2032 "full" date for the facility. The proposed project will be required to comply with construction and demolition waste diversion requirements contained in the California Building Code, which require at least 50 percent diversion. The proposed project is consistent with development expectations in the City and county. (DEIR pp. 4.10-32 through -33; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.10.4.2 - Cumulative Electric, Natural Gas, Telephone, and Cable Service (p. 4.10-36)

The DEIR identifies the proposed project's potential impacts related to cumulative electric, natural gas, telephone, and cable service. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Implementation of the proposed project, in addition to reasonably foreseeable developments in the area, would include the extension of existing infrastructure and require new facilities to accommodate the anticipated growth. The expansion of existing infrastructure and development of new infrastructure could result in cumulative physical impacts to the environment. However, such impacts have been evaluated throughout this Draft EIR. Where necessary and appropriate, mitigation measures have been imposed to reduce cumulative impacts. (DEIR p. 4.10-36; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.11 PUBLIC SERVICES

Impact 4.11.1.2 - Exposure of People or Structures to Wildfire Hazards (Standard of Significance 2) (pp. 4.11-7 through -8)

The DEIR identifies the proposed project's potential impacts related to exposure of people or structures to wildfire hazards. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Buildout of the proposed project would locate homes and structures in an area identified by the SLFPD as a wildfire hazard severity zone, which would expose residents to wildland fire hazards. However, the proposed project would be required to comply with the 2013 California Building Standards Code (CBSC) (Title 24 of the California Code of Regulations) and Defensible Space Requirements (Public Resources Code Sections 4290 and 4291), which establish minimum standards for materials and material assemblies to provide a reasonable level of exterior wildfire exposure protection for buildings in wildland-urban interface areas, the use of ignition-resistant materials and design to resist the intrusion of flame or burning embers projected by a vegetation fire, and the provision of defensible space around all structures. Compliance with the California Building Standards Code, the defensible space requirements included in the Public Resources Code, and all applicable Area Plan policy requirements would ensure that the proposed project would provide the necessary wildfire protection standards to minimize the safety effects of being located in a wildfire hazard severity zone. (Initial Environmental Study p. 4.0-29; DEIR pp. 4.11-7 through -8; Area Plan p. 26; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.11.3.1 - Provision of New School Facilities in Order to Maintain Service (Standard of Significance 1) (pp. 4.11-16 through -18)

The DEIR identifies the proposed project's potential impacts related to new school facilities in order to maintain service. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

California Government Code Section 65995 states payment of the School District Developer Impact Fee shall be considered full mitigation for impacts a development (any legislative or adjudicative act) may have on schools. All new development is required to pay the school fee prior to issuance of a building permit.

The City does not have an Ordinance requiring the dedication of land; and, pursuant to Government Code Section 65995, the City may not deny or refuse to approve a legislative or adjudicative act on the basis of a person's refusal to provide land for future school facilities.

Because payment of school fees is considered full mitigation for the project, no additional mitigation is required. This impact is considered less than significant.

(Initial Environmental Study p. 4.0-29; DEIR pp. 4.11-16 through -18; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.11.3.2 - Cumulative Impacts to School Facilities (p. 4.11-19)

The DEIR identifies the proposed project's potential impacts related to cumulative impacts to school facilities. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The proposed project would contribute cumulatively to increasing demands and capacity constraints on the local school district. However, California Government Code Section 65995 states payment of the School District Developer Impact Fee shall be considered full mitigation for impacts a development (any legislative or adjudicative act) may have on schools. All new development is required to pay the school fee prior to issuance of a building permit.

The City does not have an Ordinance requiring the dedication of land; and, pursuant to Government Code Section 65995, the City may not deny or refuse to approve a legislative or adjudicative act on the basis of a person's refusal to provide land for future school facilities. Because payment of school fees is considered full mitigation for the project, no additional mitigation is required. This impact is considered less than significant.

(DEIR p. 4.11-19; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.11.4.1 - Provision of Park Facilities in Order to Maintain Service (Standards of Significance 1 and 2) (p. 4.11-22)

The DEIR identifies the proposed project's potential impacts related to provision of park facilities in order to maintain service. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The proposed Area Plan would provide 6.74 acres of neighborhood and community parks per 1,000 new residents and 53 acres of open space with recreational amenities (creekside park) per 1,000 new residents. Combined, the Area Plan would provide 60 acres of neighborhood and creekside parks per 1,000 new residents. This acreage is well above the General Plan standard of 5 acres of neighborhood and creekside parks per 1,000 residents. The Development Agreement between the City and developer also includes requirements for construction of improvements in the community park and neighborhood park. (Initial Environmental Study p. 4.0-30; DEIR p. 4.11-22; Development Agreement pp. 12-13; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.11.4.2 - Cumulative Impacts on Parks, Recreational Facilities, and Trails (p. 4.11-23)

The DEIR identifies the proposed project's potential impacts related to provision of park facilities in order to maintain service. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The Development Agreement includes the requirement to construct park improvements in both the community park and neighborhood park and dedicate the park land and completed improvements to the City. The provision of parks and trails within the Area Plan boundaries is well above the minimum requirement established in the General Plan. (DEIR p. 4.11-23; Development Agreement pp. 12-13; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.12 AESTHETICS

Impact 4.12.3 - Substantially Degrade Existing Visual Character or Quality of the Site (Standard of Significance 3) (pp. 4.12-10 through -11)

The DEIR identifies the proposed project's potential impacts related to substantially degrading existing visual character or quality of the site. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Buildout of the proposed project would convert approximately 354 acres of the project site from moderately disturbed land to a mixed-use urban development. The character of the site would be significantly altered as it becomes an extension of the City of Shasta Lake. However, the City does not consider that the resulting visual setting, with high quality standards of urban and landscape design, would be aesthetically disagreeable or adverse to the visual resources of the area.

The Area Plan includes detailed Design Guidelines. As stated in the Area Plan, "*These Design Guidelines consider the characteristics of this site that provide inspiration and influence the future design, and will produce development that is high quality, sustainable in terms of resources, and unique to this location and setting. Among the specific factors that will guide and influence the development are the site setting (location in the community), the climate that affects the daily life of the residents, and the history of this area. These factors apply generally to all land uses in the Plan Area, but are particularly applicable to the commercial and mixed-use areas... The overall effect of the natural location will be high quality, pedestrian scaled urban uses blended with a very high level of natural amenity.*"

Therefore, implementation of the community design standards and guidelines would ensure that visual impacts resulting from the change in land use character are less than significant. (Initial Environmental Study p. 4.0-2; DEIR pp. 4.12-10 through -11; Area Plan pp. 37 through 65; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.12.6 – Cumulative Aesthetic Impacts (pp.4.12-13 through -14)

The DEIR identifies the proposed project's potential impacts related to cumulative aesthetic impacts. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

Implementation of the proposed project would contribute to the cumulative conversion of the area from moderately disturbed open space to other urban uses. Significant urban development in the surrounding area (cumulative setting) is not expected given that the project site is bounded to the east by I-5, to the south and southwest by the built

environment of the City itself, and to the north and west by the City limits boundary. The lands to the north and west beyond the City limits boundary are already designated for mixed-use and commercial development and are planned for development regardless of the proposed Area Plan. Any future projects in the cumulative setting would be designed consistent with applicable policies and project-specific mitigation as part of required environmental review, on a project-by-project basis. Future projects would comply with the Area Plan Design Guidelines to ensure impacts are less than significant.

(DEIR pp.4.12-13 through -14; Area Plan pp. 37 through 65; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

5.13 GREENHOUSE GASSES AND CLIMATE CHANGE

Impact 4.13.1 - Generate GHG Emissions That May Have a Significant Impact on the Environment (Standard of Significance 1) (pp. 4.13-13 through -17)

The DEIR identifies the proposed project's potential impacts related to generate GHG emissions that may have a significant impact on the environment. This environmental impact is identified by the DEIR as Less than Significant.

Finding

No changes or alterations are required to mitigate or avoid significant effects on the environment.

Facts in Support of Finding

The GHG emissions from buildout of the proposed Area Plan are projected to result in 23,753 metric tons of CO_2e per year. Because the proposed project would reduce projected BAU emissions by 43.7 percent, which is greater than the 21 percent threshold, the project is considered consistent with the State of California's ability to meet its GHG reduction goals. (Initial Environmental Study p. 4.0-8; DEIR Appendix 4.13-1; DEIR pp. 4.13-13 through -17; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

6.0 LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACTS WITH MITIGATION INCORPORATED

Based on the Draft EIR, the Final EIR, and the record of proceedings, the City of Shasta Lake makes the following findings associated with significant, potentially significant, and cumulatively significant impacts that can be mitigated to a less than significant level through implementation of proposed mitigation measures, for all of the specific topic areas identified below. Page numbers in parentheses refer to the Draft EIR unless otherwise noted.

Transportation and Circulation

- Impact 4.3.6 - Adequate Emergency Access (Standard of Significance 5) (p. 4.3-47)

Impact 4.3.14 - Conflict with Applicable Roadway Level of Service – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-73 through -75)

Air Quality

- Impact 4.4.1 - Conflict with or Obstruct Implementation of the NSVPA 2009 Air Quality Attainment Plan (Standard of Significance 1) (pp. 4.4-17 through -19)

Noise

- Impact 4.5.1 - Exposure of Persons to or Generation of Temporary or Periodic Construction Noise in Excess of Established Standards (Standards of Significance 1 and 2) (pp. 4.5-12 through -14)

- Impact 4.5.3 - Exposure of Persons to or Generation of Substantial Permanent Operational Stationary-Source Noise in Excess of Established Standards (Standards of Significance 1 and 3) (pp.4.5-16 through -18)

Biological Resources

- Impact 4.6.1 - Have a Substantial Adverse Effect on Any Special-Status Birds, Raptors, and Migratory Birds (Standard of Significance 1) (pp. 4.6-26 through -28)

- Impact 4.6.2 - Have a Substantial Adverse Effect on the Valley Elderberry Longhorn Beetle (Standard of Significance 1) (pp.4.6-28 through -29)

- Impact 4.6.3 - Have a Substantial Adverse Effect on Waters of the United States, Including Wetlands (Standard of Significance 2) (pp.4.6-29 through -30)

- Impact 4.6.4 - Have a Substantial Adverse Effect on Any Sensitive Natural Community – Oak Woodland Habitat and Annual Grassland (Standard of Significance 3) (pp.4.6-31 through -32)

- Impact 4.6.5 - Interfere Substantially with or Result in the Loss of Breeding and Foraging Habitat (Standard of Significance 4) (pp. 4.6-32 through -33)

- Impact 4.6.7 - Conflict with City of Shasta Lake Tree Conservation (Standard of Significance 5) (p. 4.6-34)

- Impact 4.6.8 - Cumulative Wetland Impacts (pp. 4.6-34 through -35)

- Impact 4.6.9 - Cumulative Oak Woodland Impacts (pp. 4.6-35 through -36)

- Impact 4.6.10 - Cumulative Heritage Tree Impacts (pp. 4.6-36 through -37)

Hydrology and Water Quality

- Impact 4.7.2 - Violation of Water Quality Standards and/or Degradation of Water Quality with the Contribution of Erosion, Siltation, or Polluted Runoff During Operations (Standards of Significance 1, 3, and 6) (pp. 4.7-20 through 23)

- Impact 4.7.4 - Substantially Alter the Existing Drainage Patterns or Increase the Rate or Amount of Surface Runoff in a Way That Results in Flooding (Standard of Significance 4) (pp. 4.7-24 through -28)

- Impact 4.7.5 - Create or Contribute Runoff Exceeding the Capacity of Existing Drainage Systems (Standard of Significance 5) (pp.4.7-28 through -29)

- Impact 4.7.8 - Cumulative Drainage and Flooding Impacts (p.4.7-31)

- Impact 4.7.9 - Cumulative Water Quality Impacts (pp.4.7-31 through -32)

Geology and Soils

- Impact 4.8.1 - Result in Substantial Erosion and Loss of Topsoil (Standard of Significance 2) (pp.4.8-15 through -17)

Cultural Resources

- Impact 4.9.1 - Cause a Substantial Adverse Change in the Significance of Cultural Resources (Standards of Significance 1 and 2) (pp.4.9-13 through -14)

- Impact 4.9.3 - Cause a Substantial Adverse Change in the Significance of Cultural Site CA-SHA-1823 (Standard of Significance 1) (pp. 4.9-15 through -16)

- Impact 4.9.4 - Cause a Substantial Adverse Change in the Significance of Cultural Sites CA-SHA-1085 and CA-SHA-1822 (Standard of Significance 1) (pp. 4.9-16 through -18)

Utilities and Service Systems

- Impact 4.10.2.1 - Inadequate Capacity of the Wastewater Conveyance and Treatment System Resulting in Construction of New Facilities (Standards of Significance 1 and 2) (pp. 4.10-21 through -26)

- Impact 4.10.2.3 - Cumulative Wastewater Service (pp. 4.10-27 through -28)

- Impact 4.10.4.1 - Require or Result in the Construction of New Electric, Natural Gas, Telephone, and Cable Services and Infrastructure or Expansion of Existing Facilities (Standard of Significance 1) (pp. 4.10-35 through -36)

Public Services

- Impact 4.11.1 - Provision of New Fire Protection Facilities in Order to Maintain Service (Standard of Significance 1) (pp.4.11-5 through -7)

- Impact 4.11.1.3 - Cumulative Fire Services (p. 4.11-9)

- Impact 4.11.2.1 - Provision of New Police Protection Facilities in Order to Maintain Service (Standard of Significance 1) (4.11-11 through -12)

- Impact 4.11.2.2 - Cumulative Law Enforcement (pp. 4.11-12 through -13)

Aesthetics

- Impact 4.12.1 - Have a Substantial Adverse Effect on a Scenic Vista (Standard of Significance 1) (pp.4.12-5 through -7)
- Impact 4.12.2 - Substantially Damage Scenic Resources Within a State Scenic Highway (Standard of Significance 2) (pp. 4.12-7 through -9)
- Impact 4.12.4 - Create New Sources of Glare (Standard of Significance 4) (pp. 4.12-11 through -12)
- Impact 4.12.5 - Increased Nighttime Lighting (Standard of Significance 4) (pp. 4.12-12 through -13)

Greenhouse Gases and Climate Change

- Impact 4.13.2 - Conflict with Assembly Bill 32 (Standard of Significance 2) (pp. 4.13-18 through -21)

6. 1 TRANSPORTATION AND CIRCULATION

Impact 4.3.6 - Adequate Emergency Access (Standard of Significance 5) (p. 4.3-47)

The DEIR identifies the proposed project's potential impacts related to adequate emergency access. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to adequate emergency access.

MM 4.3.6 An all-weather surface roadway connection suitable for emergency vehicle ingress and egress shall be constructed between Cascade Boulevard and Wonderland Boulevard.

Implementation of the above mitigation measure would reduce Impact 4.3.6 to a less than significant level because the mitigation measure requires that the secondary access be provided prior to the occupancy of the 50th housing unit, or earlier if directed by the City in compliance with the Fire Department's requirements. (Initial Environmental Study p. 4.0-33; DEIR p. 4.3-47; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.3.14 - Conflict with Applicable Roadway Level of Service – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-73 through -75)

The DEIR identifies the proposed project's potential impacts related to conflicts with applicable roadway level of service – cumulative year 2030 plus project conditions. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Findings in Supports of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to conflicts with applicable roadway level of service – cumulative year 2030 plus project conditions.

MM 4.3.1c includes the requirement for payment of a proportionate fair share (3 percent) of the cost for future widening of Pine Grove Avenue west of Cascade Boulevard to Ashby Road (Roadway Segment) to a four-lane divided arterial standard.

Implementation of the above mitigation measure would reduce Impact 4.3.14 to a less than significant level because the proposed project would be required to contribute to the cost for future widening of Pine Grove Avenue to a four-lane arterial and, as such, the roadway would operate at an acceptable level of service under year 2030 plus project conditions. (Initial Environmental Study pp. 4.0-32 through -33; DEIR Appendix 4.3, pp. 87-88, 117 DEIR pp. 4.3-73 through -75; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

6. 2 AIR QUALITY

Impact 4.4.1 - Conflict with or Obstruct Implementation of the NSVPA 2012 Air Quality Attainment Plan (Standard of Significance 1) (pp. 4.4-17 through -19)

The DEIR identifies the proposed project's potential impacts related to conflicts with or obstructing implementation of the NSVPA 2012 air quality attainment plan. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to conflicts with or obstructing implementation of the NSVPA 2012 air quality attainment plan.

MM 4.4.1 All development projects located within the Mountain Gate at Shasta Area Plan shall adhere to all applicable SCAQMD rules and regulations during both construction and operation.

Implementation of the above mitigation measure would reduce Impact 4.4.1 to a less than significant level because buildout of the project would represent a minimal increase in ROG and NOx emissions in the Northern Sacramento Valley Planning Area and compliance with the SCAQMD rules and regulations would prevent, reduce, and minimize potential air quality impacts. (Initial Environmental Study p. 4.0-6; DEIR Appendix 4.4-1; DEIR pp. 4.4-17 through -19; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

6.3 NOISE

Impact 4.5.1 - Exposure of Persons to or Generation of Temporary or Periodic Construction Noise in Excess of Established Standards (Standards of Significance 1 and 2) (pp. 4.5-12 through -14)

The DEIR identifies the proposed project's potential impacts related to exposure of persons to or generation of temporary or periodic construction noise in excess of established standards. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to exposure of persons to or generation of temporary or periodic construction noise in excess of established standards.

MM 4.5.1 The City shall establish the following as conditions of approval for any permit that results in the use of construction equipment:

- Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the daytime hours of 7 AM and 7 PM, Monday through Saturday. Construction activities shall be prohibited on Sundays and federal/state-recognized holidays.

- Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.

- When not in use, motorized construction equipment shall not be left idling for more than 5 minutes.

- Stationary equipment (power generators, compressors, etc.) shall be located at the furthest practical distance from nearby noise-sensitive land uses or sufficiently shielded to reduce noise-related impacts.

Implementation of the above mitigation measure would reduce Impact 4.5.1 to a less than significant level because the City would establish conditions of approval for any permit that requires the use of construction equipment. The Conditions would include limiting hours of construction, requiring construction equipment to be properly maintained and equipped with noise-reducing features, requiring that equipment not idle for longer than five minutes when not in use, and locating stationary equipment the furthest practical distance from nearby noise-sensitive receptors. (Initial Environmental Study pp. 4.0-25 through -26; DEIR Appendix 4.5, pp. 14-16; DEIR pp. 4.5-12 through -14; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.5.3 - Exposure of Persons to or Generation of Substantial Permanent Operational Stationary-Source Noise in Excess of Established Standards (Standards of Significance 1 and 3) (pp.4.5-16 through -18)

The DEIR identifies the proposed project's potential impacts related to exposure of persons to or generation of substantial permanent operational stationary-source noise in excess of established standards. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measures that would reduce to less than significant levels the project's impact related to exposure of persons to or generation of substantial permanent operational stationary-source noise in excess of established standards.

MM 4.5.3a The following mitigation measures shall be applied to all residential development within the Area Plan:

- Residential dwellings shall be equipped with central heating and air conditioning systems to allow closure of windows during inclement weather conditions.

- Exterior air conditioning units located within 10 feet of adjacent residential dwellings shall be low-noise-rated and shielded from

direct line of sight to adjacent residential dwellings. Shielding may include, but is not limited to, the use of wood fencing, provided no visible air gaps are detectable between individual panels. Use of tongue-and-groove or overlapping panels is recommended.

- The Development Services Director or his/her designee may allow alternative design based on the recommendations of an acoustical consultant.

MM 4.5.3b The following mitigation measures shall be applied to all commercial development within the Area Plan:

- The City shall require an acoustical assessment to be performed prior to construction of the proposed commercial land uses. Where acoustical analysis determines that stationary source noise levels would exceed applicable noise standards as set forth in this Draft EIR, the City shall require the implementation of noise attenuation measures sufficient to achieve compliance with applicable noise standards at nearby noise-sensitive land uses. Such measures may include, but are not limited to, the incorporation of setbacks, sound barriers, berms, or equipment enclosures.

Implementation of the above mitigation measures would reduce Impact 4.5.3 to a less than significant level because residential dwellings within the proposed project would be required to be equipped with central heating and air conditioning, and air condition units within 10 feet of adjacent residential dwelling would be required to be low-noise-rated and shielded from direct line of sight. Additionally, as respects commercial development, an acoustical assessment would be required prior to construction of the proposed commercial land use, and if the noise levels would exceed the applicable standard, the City would require implementation of measures to achieve compliance with the applicable noise standard. (Initial Environmental Study pp. 4.0-25 through -26; DEIR Appendix 4.5, pp. 18-20; DEIR pp.4.5-16 through -18; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

6.4 BIOLOGICAL RESOURCES

Impact 4.6.1 - Have a Substantial Adverse Effect on Any Special-Status Birds, Raptors, and Migratory Birds (Standard of Significance 1) (pp. 4.6-26 through -28)

The DEIR identifies the proposed project's potential impacts related to a substantial adverse effect on any special-status birds, raptors, and migratory birds. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measures that would reduce to less than significant levels the project's impact related to a substantial adverse effect on any special-status birds, raptors, and migratory birds.

MM 4.6.1a To the extent practicable, removal of vegetation, grading, and initiation of construction activities shall occur outside of the nesting season (i.e. between September 1 and February 28).

MM 4.6.1b In areas where suitable raptor nesting habitat (e.g. large trees) will be removed during the nesting season (approximately February 1 through August 31) or where construction activities will occur within 500 feet of suitable raptor nesting habitat or within 660 feet of suitable bald eagle nesting habitat during the nesting season, a qualified biologist shall conduct pre-construction surveys for nesting raptors and bald eagles.

Unless otherwise recommended by CDFW, at least one survey shall be conducted no more than two weeks prior to the anticipated onset of construction activity at each phase of development and all surveys shall cover a minimum of a 660 foot buffer around the proposed construction zones.

If vegetation removal or other construction activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed.

If no active raptor or bald eagle nests are identified, no further measures are necessary. If active raptor nests are identified within the 500 foot buffer, or active bald eagle nests are identified within the 660 buffer, a no-disturbance buffer zone deemed appropriate to the species will be established around the nests to avoid disturbance or destruction of the nest. The no-disturbance buffer will be determined by the biologist in consultation with the City. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist shall delineate the buffer zone with construction tape or pin flags until the young have fledged.

Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed. The monitoring biologist shall have the authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active raptor nests to the CDFW.

A report shall be prepared and submitted to the City and CDFW following the fledging of the nestlings to document the results.

MM 4.6.1c In areas where suitable nesting habitat for migratory birds, such as purple martins, will be removed during the nesting season February 1 through August 31), a qualified biologist shall conduct pre-construction surveys for active nest sites. At least one survey shall be conducted no more than two weeks prior to the anticipated onset of construction activity.

Unless otherwise recommended by CDFW, surveys shall cover all areas where suitable nesting habitat will be removed, as well as the surrounding 250 foot buffer area.

If vegetation removal activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed. If no active nests are identified, no further measures are necessary.

If an active nest is found during the pre-construction survey, a no-disturbance buffer zone deemed appropriate to the species will be established around the nests to avoid disturbance or destruction of the nest. The no-disturbance buffer will be determined by the biologist in consultation with the City. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist shall delineate the buffer zone with construction tape or pin flags until the young have fledged.

Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed. The monitoring biologist shall have the authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active nests to the CDFW. A report shall be prepared and submitted to the City and CDFW following the fledging of the nestlings to document the results.

MM 4.6.1d Unless previously completed pursuant to the requirements of this mitigation measure, and/or mitigation has been satisfied as required by project-specific state and/or federal agency regulatory permit(s), a Biological Analysis shall be completed to determine the presence and extent of special-status plant and wildlife species and shall be submitted concurrently with each application for a subsequent tentative subdivision map or other discretionary project.

All previously completed biological studies, issued state and/or federal agency permits, and written verification of satisfactory completion of required mitigation shall be submitted to the City concurrently with each subsequent discretionary project application.

The Biological Analysis shall be conducted by a qualified biologist pursuant to applicable regulatory agency protocols and guidelines. Field surveys shall be conducted on foot and shall be undertaken at times when the subject species are most likely to be identified. Time in the field shall be proportional to the size of the project site, biological characteristics of the site, and the significance of sensitive habitats present. The Assessment shall include, at a minimum:

- Date, time of day, person hours, weather conditions, and temperature;
- A biological characterization of the subject property;

- A discussion of the existence or absence of waterways, including wetlands;

- A listing of special-status plants and wildlife and their associated habitat that could occur within the project boundaries;

- A listing of special-status plants and wildlife observed on site; and

- Recommended means of avoiding or mitigating impacts.

Based on the field surveys and research, the presence and/or potential for special-status species shall be determined in consultation with the applicable regulatory agency. When special status species are observed on site, or if there is a reasonable likelihood that one of these species exists based on the presence of suitable habitat and adopted species range maps, a focused survey may be required on a species-by-species basis as determined by regulatory agency methodology for the focused survey(s). Reports documenting focused survey results shall be submitted to the appropriate regulatory agencies for review and approval. A copy shall be provided to the Development Services Director.

Where the Assessment establishes that mitigation is required to avoid direct and indirect adverse effects on special-status plant and wildlife species, a detailed mitigation plan shall be developed and approved by the Development Services Director in consultation with the applicable regulatory agency. Mitigation measures that shall be considered based on project- and site-specific considerations include, but are not limited to:

- Project designs shall be reconfigured (e.g., reduced street widths, clustered development, etc.), to avoid special-status species and sensitive habitats. Specific measures shall be identified to minimize ground disturbances and construction footprints near sensitive areas.

- Pre-construction surveys shall be conducted at least two weeks prior to the onset of construction activities within suitable habitat and a minimum 150-foot buffer, or as recommended by the applicable regulatory agency. If vegetation removal activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed.

- Where habitat avoidance is infeasible, mitigation shall be implemented through preservation, enhancement, or creation of special-status habitat.

- Loss of habitat may be mitigated at an agency-approved mitigation bank or through individual mitigation sites as approved by the applicable regulatory agency. Compensatory mitigation ratios shall be negotiated with the permitting agencies.

- Mitigation sites shall be monitored as determined by the Development Services Director in consultation with the applicable regulatory agency until the mitigation is considered to be successful.

- All mitigation areas shall be preserved in perpetuity through either fee ownership or a conservation easement held by a qualified conservation organization or agency. A long-term funding source for site preservation shall be secured.

- Construction activities in the vicinity of sensitive resources shall be completed during the period that best avoids disturbance to plant and wildlife species present (e.g., May 15 to October 15 near salmonid habitat; February 1 through August 31 for migratory birds and other birds of prey; April 1 – August 31 for maternity bat roosts, etc.) as determined by the Development Services Director in consultation with CDFW.

- No-disturbance buffer zones deemed appropriate to the species shall be established. The no-disturbance buffer will be determined by the biologist in consultation with the applicable regulatory agency.

- A qualified biologist shall locate and fence off no-disturbance buffer zones before construction activities begin and shall inspect areas hourly, daily or weekly, depending on the species, to ensure that barrier fencing, stakes, and setback buffers are maintained during construction.

- A Worker's Awareness Training shall be conducted prior to construction and include training materials and a briefing covering all sensitive species and habitats to further educate construction personnel regarding potential adverse effects to these resources. These training materials and briefings shall include the laws and regulations that protect these resources and the consequences of noncompliance with those laws and regulations. A contact person shall be provided to the Development Services Director in the event that protected biological resources are discovered at the project site.

- Individual projects shall minimize the use of in-water construction methods in areas that support sensitive aquatic species, especially when listed species could be present.

- In the event equipment needs to operate in any watercourse with flowing or standing water, a qualified biological resource monitor shall be present at all times to alert construction crews to the possible presence of Western pond turtles, California red-legged frogs, Central Valley steelhead, salmonids, Sanford's Arrowhead, or other special status species at risk during construction operations.

- Biological monitoring shall be particularly targeted for areas near identified habitat for special status plant and wildlife species.
- A "no take" approach shall be taken whenever feasible during construction near special-status plant and wildlife species.
- Projects shall obtain incidental take authorization from the permitting agencies as required prior to commencement of grading or construction.
- Specific measures shall be identified to minimize the negative effects of night lighting and noise on listed and sensitive wildlife.

Implementation of the above mitigation measures would reduce Impact 4.6.1 to a less than significant level because future biological analyses is required to determine the presence and extent of special-status plant and wildlife species. As necessary, a mitigation plan will be developed and approved by the City in consultation with the applicable regulatory agency. Mitigation measures would be developed based on project- and site-specific considerations. The timing of these future analyses will reflect site conditions, surveying methods and listed species at the time. In addition, preconstruction surveys will be required for special-status birds, raptors, and migratory birds and further avoidance measures will be implemented as established by the City in consultation with CDFW. Buffer zones would also be established around suitable habitat.

(Initial Environmental Study p. 4.0-10; DEIR Appendix 4.6-1, pp. 11-22; DEIR Appendix 4.6-2, pp. 10-14; DEIR pp. 4.6-26 through -29; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.6.2 - Have a Substantial Adverse Effect on the Valley Elderberry Longhorn Beetle (Standard of Significance 1) (pp.4.6-28 through -29)

The DEIR identifies the proposed project's potential impacts related to a substantial adverse effect on the Valley Elderberry Longhorn Beetle. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

Mitigation measure 4.6.1d requires future biological analyses to be completed to determine the presence and extent of special-status plant and wildlife species. As necessary, a mitigation plan will be developed and approved by the City in consultation with the applicable regulatory agency. Mitigation measures would be developed based on project- and site-specific considerations and would reduce to less than significant levels the project's impact related to a

substantial adverse effect on the Valley Elderberry Longhorn Beetle. (Initial Environmental Study p. 4.0-10; DEIR Appendix 4.6-1, pp. 12, 16-17, 21; DEIR Appendix 4.6-2, p. 14; DEIR pp.4.6-28 through -29; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.6.3 - Have a Substantial Adverse Effect on Waters of the United States, Including Wetlands (Standard of Significance 2) (pp.4.6-29 through -30)

The DEIR identifies the proposed project's potential impacts related to a substantial adverse effect on waters of the United States, including wetlands. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measures that would reduce to less than significant levels the project's impact related to a substantial adverse effect on waters of the United States, including wetlands.

MM 4.6.3a Prior to initiating construction within 100 feet of "waters of the U.S.", including wetlands, the preliminary wetland delineation report shall be submitted to and verified by the USACE.

MM 4.6.3b Authorization under a Nationwide Permit or Individual Permit shall be obtained from the USACE. For fill requiring a USACE permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material. All mitigation required by USACE and RWQCB shall be satisfied, including any replacement requirement at a ratio intended to fulfill the no net loss policy.

Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks, notification of streambed alteration shall be submitted to the CDFW; and, if required, a streambed alteration agreement shall be obtained

Implementation of the above mitigation measures would reduce Impact 4.6.3 to a less than significant level because the proposed project would be designed and constructed to avoid and/or minimize filling of waters of the United States to the extent feasible. Authorization under a Nationwide Permit or Individual Permit is also required. Additionally, a water quality certification shall be obtained from the RWQCB and/or CDFW prior to discharge of dredged or fill material requiring a USACE permit. (Initial Environmental Study p. 4.0-10; DEIR Appendix 4.6-3; DEIR pp.4.6-29 through -30; Planning

Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.6.4 - Have a Substantial Adverse Effect on Any Sensitive Natural Community – Oak Woodland Habitat and Annual Grassland (Standard of Significance 3) (pp.4.6-31 through -32)

The DEIR identifies the proposed project's potential impacts related to a substantial adverse effect on any sensitive natural community – oak woodland habitat and annual grassland. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measures that would reduce to less than significant levels the project's impact related to a substantial adverse effect on any sensitive natural community, oak woodland habitat and annual grassland.

MM 4.6.4a Three fifteen (15) gallon trees shall be planted for each protected tree removed. Heritage oak trees 35 inches DBH or greater shall be replaced at a ratio of 4:1 with 24-inch box trees. A tree replacement plan shall be submitted showing the number, location and type of trees to be planted. The tree replacement plan shall be reviewed and approved by a City-approved arborist. The replacement trees shall be native trees unless the Development Services Director determines that another species would be more suitable for the location.

MM 4.6.4b In the event the project site does not have sufficient area on-site to accommodate the required tree mitigation, one or more of the following measures shall be implemented:

- The size of a 15-gallon replacement tree can be increased to 24-inch box and count as two replacement trees; and/or
- An alternative site(s) shall be identified for additional tree planting. Alternative sites may include, but are not limited to, local parks, schools, public rights-of-way, individual lots within the Area Plan boundaries, or on adjacent properties for screening purposes; and/or
- Payment of an in-lieu fee to the City to purchase trees that will be planted on public property, such as parks, schools, public rights-of-way or on other public facilities. The in-lieu fee shall be based on the

fair market value of the number of trees required as replacement trees that cannot be accommodated on-site.

MM 4.6.4c A pre-development meeting with the Development Services Director shall be conducted to ensure tree conservation is considered early in the planning process with respect to placement of buildings, roads, driveways, parking, utilities and other site improvements. The following shall be prepared prior to the pre-development meeting:

- Tree delineation map showing existing grades, location and size of groups of protected trees (stands); heritage trees (36-inch and above diameter at breast height) shall be specifically identified.
- Conceptual development plan showing that one or more methods of ensuring tree conservation, with particular attention given to the preservation of heritage trees and stands of trees, have been considered in project design (e.g., reduced street sections, cluster development, avoidance, etc.).
- Tree Removal and Replacement Plan, including identification of set-aside areas for replacement tree planting and alternative tree replacement methods proposed.
- Additional information as may be required by the City's Tree Conservation Ordinance.

Implementation of the above mitigation measures, along with MM 4.6.1d which requires project designs to be reconfigured (e.g., reduced street widths, clustered development, etc.), to avoid sensitive habitats, including trees, would reduce Impact 4.6.4 to a less than significant level. Heritage oak trees 35 inches DBH or greater must be replaced at a ratio of 4:1 with 24-inch box trees. Three 15-gallon trees would be required for each protected tree removed that exceeds 10 inches DBH. In addition, if there is not space on-site for tree planting, mitigation measure MM 4.6.4d requires additional mitigation. A pre-development meeting with the Development Services Director is required to ensure tree conservation is considered early in the planning process. (Initial Environmental Study p. 4.0-10; DEIR Appendix 4.6-1, pp. 6, 20; DEIR Appendix 4.6-2, pp. 5-9, 14; DEIR pp.4.6-31 through -32; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.6.5 - Interfere Substantially with or Result in the Loss of Breeding and Foraging Habitat (Standard of Significance 4) (pp. 4.6-32 through -33)

The DEIR identifies the proposed project's potential impacts related to interfering substantially with or resulting in the loss of breeding and foraging habitat. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measures that would reduce to less than significant levels the project's impact related to interfering substantially with or resulting in the loss of breeding and foraging habitat.

MM 4.6.1d requires future biological analyses to determine the presence and extent of special-status plant and wildlife species within specific parameters. A detailed mitigation plan is required to ensure impacts to sensitive habitat are mitigated to a less than significant level.

MM 4.6.5 Streetlights shall be shielded and directed downward to the street, away from open space areas to the extent practicable. Implementation of mitigation measures MM 4.12.5a through MM 4.12.5c for additional mitigation to reduce nighttime lighting impacts has been included (see Section 4.12, Aesthetics/ Visual Resources/Light and Glare, of this Draft EIR).

Implementation of the above mitigation measures would reduce Impact 4.6.5 to a less than significant level because streetlights would be required to be shielded and directed downward, away from open space areas. A mitigation plan is required when impacts to sensitive plant and wildlife species are identified. (Initial Environmental Study p. 4.0-10; DEIR Appendix 4.6-1; DEIR Appendix 4.6-2; DEIR pp. 4.6-32 through -33; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.6.7 - Conflict with City of Shasta Lake Tree Conservation (Standard of Significance 5) (p. 4.6-34)

The DEIR identifies the proposed project's potential impacts related to conflicts with City of Shasta Lake Tree Conservation. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted mitigation measures **MM 4.6.1d**, **MM 4.6.4a, MM 4.6.4b and MM 4.6.4c** that would reduce to less than significant levels the project's impact related to conflicts with City of Shasta Lake Tree Conservation. Heritage oak trees 35 inches DBH or greater shall be replaced at

a ratio of 4:1 with 24-inch box trees. Three 15-gallon trees would be required for each protected oak tree removed that exceeds 10 inches DBH. In addition, if there is not space on-site for tree planting, mitigation measure **MM 4.6.4d** requires additional mitigation. A pre-development meeting with the Development Services Director is required to ensure tree conservation is considered early in the planning process. (Initial Environmental Study p. 4.0-11; DEIR Appendix 4.6-1, pp. 6, 20; DEIR Appendix 4.6-2, pp. 5-9, 14; p. 4.6-34; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.6.8 - Cumulative Wetland Impacts (pp. 4.6-34 through -35)

The DEIR identifies the proposed project's potential impacts related to cumulative wetland impacts. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to cumulative wetland impacts.

Implementation of mitigation Measures **MM 4.6.1d** , **MM 4.6.3a, and MM 4.6.3b,** .

Implementation of the above mitigation measures would reduce Impact 4.6.8 to a less than significant level because proposed project would be designed and constructed to avoid and/or minimize filling of waters of the United States to the extent feasible, and also will require authorization under a Nationwide Permit of Individual Permit. Additionally, a water quality certification shall be obtained from the RWQCB and/or CDFW prior to discharge of dredged or fill material requiring a USACE permit. All mitigation required by USACE and RWQCB must be satisfied, including any replacement requirement at a ratio intended to fulfill the no net loss policy.

(DEIR Appendix 4.6-3; DEIR pp. 4.6-34 through -35; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.6.9 - Cumulative Oak Woodland Impacts (pp. 4.6-35 through -36)

The DEIR identifies the proposed project's potential impacts related to cumulative oak woodland impacts. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

In addition to **MM 4.6.1d, MM 4.6.4a, 4.6.4b, 4.6.4c, MM 4.6.10** the City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to cumulative oak woodland impacts.

MM 4.6.9 In addition to the minimum planting standards in the City's Tree Conservation Ordinance, future development shall be required to comply with the requirements in the Area Plan, pursuant to a landscape plan reviewed and approved by a City-approved arborist, which include the following tree replacement planting and preservation requirements:

- All future roadways within parcels A-U shall incorporate street trees and a setback sidewalk design. Street trees shall be planted 30' on-center (O.C.) within the landscaped parkways, taking into account necessary setbacks from fire hydrants, intersections, driveways, etc., unless a modified standard is approved by the Development Services Director.

- All protected trees shall remain within parcels B, T & U (open space) except where those trees interfere with utility extensions or other improvements required as part of the Mountain Gate at Shasta development.

- Protected trees shall remain within parcels C & K (park areas) and additional 15-gallon trees shall be planted as part of the park improvements.

- Pavement and base shall be removed from the southern terminus of the existing Wonderland Boulevard (south of proposed parcel A); a tree mitigation planting area shall be created and vegetated with small rooted stock.

- 15-gallon trees approximately 50' O.C., shall be planted adjacent to the pedestrian trails (in non-forested areas) within the open space corridors unless a modified standard is approved by the Development Services Director.

Implementation of the above mitigation measures would reduce Impact 4.6.9 to a less than significant level because these mitigation measures require project designs to be reconfigured (e.g., reduced street widths, clustered development, etc.), to avoid sensitive habitats, including trees, would reduce Impact 4.6.9 to a less than significant level. Heritage oak trees 35 inches DBH or greater must be replaced at a ratio of 4:1 with 24-inch box trees. Three 15-gallon trees would be required for each protected tree removed that exceeds 10 inches DBH. In addition, if there is not space on-site for tree planting, mitigation measure **4.6.4b** requires additional mitigation.

A pre-development meeting with the Development Services Director is required to ensure tree conservation is considered early in the planning process. Future development within the proposed project would be required to incorporate street trees, retain all protected trees within Parcels B, C, K, T, and U, plant additional 15-gallon trees in parcels C and K, and establish a tree mitigation planting area. **MM 4.6.4b** requires that in the event the project site does not have sufficient area on-site to accommodate the required tree mitigation, additional measures shall be implemented. (DEIR Appendix 4.6-1, pp. 6, 20; DEIR Appendix 4.6-2, pp. 5-9, 14; DEIR pp. 4.6-35 through -36; Area Plan pp. 23-24; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.6.10 - Cumulative Heritage Tree Impacts (pp. 4.6-36 through -37)

The DEIR identifies the proposed project's potential impacts related to cumulative heritage tree impacts. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

In addition to **MM 4.6.1d, MM 4.6.4a, 4.6.4b, 4.6.4c and 4.6.9,** the City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to cumulative heritage tree impacts.

MM 4.6.10 The following measures shall apply to construction in the vicinity of heritage oak trees:

1. Fencing shall be provided at least 6 feet outside of the dripline of all trees to be preserved. The fencing is to remain during construction.

2. No construction activities, including vehicle parking or materials stockpiling, shall occur within the fenced area.

3. No grading, cutting, or trenching shall occur within the protected area.

4. Any pruning of the tree for safety or tree health shall only be done under the supervision of a City-approved arborist.

5. Irrigation systems proposed adjacent to the trees shall be reviewed and approved by a City-approved arborist.

6. Prior to occupancy of any home or business adjacent to a heritage tree, tree maintenance information shall be provided to the City for review and comment. The maintenance information shall inform the homeowner or business owner of the importance of how to ensure the longevity of the tree. The information shall be reviewed by a City-approved arborist.

Implementation of the above mitigation measure would reduce Impact 4.6.9 to a less than significant level because, in addition to the requirements of mitigation measures **MM 4.6.1d, MM 4.6.4a, 4.6.4b, 4.6.4c and 4.6.9,** all construction within the proposed project would be required to provide buffer areas and require City approval prior to pruning or placing irrigation adjacent to heritage oaks. Additionally, businesses and homes adjacent to a heritage tree will be provided tree maintenance information. (DEIR Appendix 4.6-1, pp. 6, 20; DEIR Appendix 4.6-2, pp. 5-9, 14; DEIR pp. 4.6-36 through -37; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

6.5 HYDROLOGY AND WATER QUALITY

Impact 4.7.2 - Violation of Water Quality Standards and/or Degradation of Water Quality with the Contribution of Erosion, Siltation, or Polluted Runoff during Operations (Standards of Significance 1, 3, and 6) (pp. 4.7-20 through -23)

The DEIR identifies the proposed project's potential impacts related to violation of water quality standards and/or degradation of water quality with the contribution of erosion, siltation, or polluted runoff during operations. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measures that would reduce to less than significant levels the project's impact related to violation of water quality standards and/or degradation of water quality with the contribution of erosion, siltation, or polluted runoff during operations.

MM 4.7.2a The project applicant shall be required to implement all requirements of the City's Phase II *Municipal Separate Storm Water Sewer System* (MS4) Permit. This shall include, but not be limited to, implementation of quantifiable site design and/or source control measures to minimize the impact of pollutant-generating activities.

Water Quality Control Plan: The project applicant shall submit a water quality control plan for development and operation of the project site. Permanent water quality features shall be incorporated into project grading and development plans and shall include best management practices (BMPs) and quantifiable site design measures in compliance

with the City's Post-Construction Standards Plan to minimize and control pollutants in stormwater runoff.

MM 4.7.2b The development plans of future development under the proposed project shall contain specific structural and non-structural post-construction BMPs, such as grassed swales, bioretention, porous pavement, treatment vaults, retention of buffer strips, minimization of impervious surfaces, and approximate locations of each BMP. BMPs shall be consistent with the City's Post-Construction Standards Plan.

MM 4.7.2c The overall design and development of the Mountain Gate at Shasta Area Plan shall include post-construction stormwater BMPs to mitigate for stormwater discharges associated with the post-development of the site. The BMPs shall be incorporated into the project, as described in the application package, to treat stormwater runoff from the site. Design measures shall be consistent with the City's Post-Construction Standards Plan.

MM 4.7.2d The project applicant shall develop a landscaping plan to include provisions for the use of slow release fertilizers for common landscape areas in compliance with the City's Post-Construction Standards Plan. The landscape plans shall be submitted to the City of Shasta Lake Development Services Department for review and approval.

MM 4.7.2e As part of the submittal of improvement plans for each phase of the project, the project applicant shall submit and obtain approval of a final drainage plan. The plan shall be prepared by a registered civil engineer and shall, at a minimum, include the following:

- A written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, changes in downstream flows and flood elevations, proposed on- and off-site improvements, features to protect downstream uses and property, and if any drainage easements are needed to accommodate downstream flows from the project. Project drainage features shall be designed to ensure that no change in downstream flow conditions would result in new or increased severity of flooding for each phase of development.

- The drainage details shall address storm drainage management during construction and thereafter and shall propose best management practice measures to reduce erosion, water quality degradation, etc. Permanent water quality control features shall demonstrate that the water quality controls would ensure that stormwater discharges would not result in pollutant levels or concentrations that would have a detrimental effect to aquatic life in ephemeral or intermittent creek drainages. Stormwater discharges shall be in compliance with all current requirements of the Central Valley Regional Water Quality Control Board.

- Storm drainage from on-site impervious surfaces shall be collected and treated to protect existing water quality. The maintenance of facilities shall be the responsibility of the project applicant. When the community is under control of a homeowners association, it is the association's obligation to provide facility maintenance. Where facilities are the responsibility of the City, easements for access to and maintenance of these facilities shall be created and offered for dedication to the City. When the facilities are located on property owned by a homeowners association, it shall be the association's obligation to provide facility maintenance.

- Conformance with applicable City of Shasta Lake drainage requirements shall be demonstrated.

- All related underground and surface drainage systems must be addressed in order to ensure full integration of areas that would generate runoff. These areas would include rooftops, sidewalks, cut/fill slopes, patio areas, streets, parking lots, up-gradient off-site source areas, and impervious landscaping areas. Seepage from underground sources must also be addressed.

- The report shall show that post-project flows would not exceed pre-project flows and the associated drainage improvements required to meet these standards.

Implementation of the above mitigation measures would reduce Impact 4.7.2 to a less than significant level because permanent water quality features would be incorporated into the project to control pollutants; future development plans within the proposed project area would contain specific structural and non-structural post-construction BMPs; the Mountain Gate as Shasta Area Plan design and development would include post-construction stormwater BMPs to mitigate stormwater discharges; the project applicant would be required to develop a landscaping plan that includes provisions for the use of slow release fertilizers; and developers for each phase of the project would be required to submit and obtain approval of a final drainage plan prepared by a registered civil engineer. The drainage plan would ensure that stormwater discharges would not result in pollutant levels of concentrations that would have a detrimental effect on aquatic life. The plan would also ensure that post-project flows would not exceed pre-project flows and associated drainage improvements required to meet these standards. (Initial Environmental Study pp. 4.0-20 through -21; DEIR Appendix 4.7-1; DEIR pp. 4.7-20 through -23; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.7.4 - Substantially Alter the Existing Drainage Patterns or Increase the Rate or Amount of Surface Runoff in a Way That Results in Flooding (Standard of Significance 4) (pp. 4.7-24 through -28)

The DEIR identifies the proposed project's potential impacts related to substantially altering the existing drainage patterns or increase the rate or amount of surface runoff in a way that results in flooding. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to substantially altering the existing drainage patterns or increase the rate or amount of surface runoff in a way that results in flooding.

MM 4.7.4 The final site drainage plan shall include detention ponds designed to store and attenuate stormwater runoff as shown in Figure 4.7-2. The basins and culvert(s) under the proposed crossings will be sized in accordance with the final storm drainage plan. Post-project peak stormwater flows shall not exceed pre-project peak stormwater flows. The final site drainage plan shall include adequate provisions for erosion control at points of discharge for runoff generated within development areas.

Implementation of the above mitigation measure would reduce Impact 4.7.4 to a less than significant level because the basins would provide mitigation for the increased runoff and the restricted outlets will control discharges from the proposed project area. The drainage plan would also include adequate erosion controls at discharge points generated within development areas. (Initial Environmental Study pp. 4.0-21; DEIR Appendix 4.7-1; DEIR pp. 4.7-24 through -28; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.7.5 - Create or Contribute Runoff Exceeding the Capacity of Existing Drainage Systems (Standard of Significance 5) (pp.4.7-28 through -29)

The DEIR identifies the proposed project's potential impacts related to runoff exceeding the capacity of existing drainage systems. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to runoff exceeding the capacity of existing drainage systems.

MM 4.7.5 The project applicant shall provide to the City a final set of proposed improvement plans and calculations accepted by the City including but not limited to the following:

- Quantification of anticipated runoff rates during appropriate design storms.
- A comprehensive storm drain system design, including inlets, outlets, conveyance systems, and detention systems.
- Appropriate pipe sizing to accommodate design storm flows and sizing of stormwater detention facilities.
- Identification of pipe sizing, pipe location, and the location of the inlet and outlet structures.

Implementation of the above mitigation measure would reduce Impact 4.7.5 to a less than significant level because the proposed project's stormdrain system would be designed to accommodate anticipated runoff rates. (Initial Environmental Study pp. 4.0-21; DEIR Appendix 4.7-1; DEIR pp.4.7-28 through -29; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.7.8 - Cumulative Drainage and Flooding Impacts (p.4.7-31)

The DEIR identifies the proposed project's potential impacts related to cumulative drainage and flooding impacts. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted mitigation measures **MM 4.7.2e, MM 4.7.4 and 4.7.5** that would reduce to less than significant levels the project's impact related to cumulative drainage and flooding impacts.

Implementation of the above mitigation measures would reduce Impact 4.7.8 to a less than significant level because the proposed project's contributing to increases to drainage and flooding would not result in new or increased severity of flooding. Permanent water quality features would be incorporated into the project to control pollutants; future development plans within the proposed project area would contain specific structural and non-structural post-construction BMPs; Area Plan Design Guidelines

are included for urban runoff, drainage, water control basins and channels; the project applicant would be required to develop a landscaping plan that includes provisions for the use of slow release fertilizers; and developers for each phase of the project would be required to submit and obtain approval of a final drainage plan prepared by a registered civil engineer.

The drainage plan would ensure that stormwater discharges would not result in pollutant levels of concentrations that would have a detrimental effect on aquatic life. The plan would also ensure that post-project flows would not exceed pre-project flows and associated drainage improvements required to meet these standards. Additionally, the basins would provide mitigation for the increased runoff from the proposed project area. The drainage plan would also include adequate erosion controls at discharge points generated within development areas. Also, the proposed project's storm drain system would be designed to accommodate anticipated runoff rates. (DEIR Appendix 4.7-1; DEIR p.4.7-31; Area Plan pp. 22, 27, 40-41, 46, 54; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.7.9 - Cumulative Water Quality Impacts (pp.4.7-31 through -32)

The DEIR identifies the proposed project's potential impacts related to cumulative water quality impacts. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted mitigation measures **MM 4.6.3b, MM 4.7.2a, through MM 4.7.2e** that would reduce to less than significant levels the project's impact related to cumulative water quality impacts.

Implementation of the above mitigation measures would reduce Impact 4.7.9 to a less than significant level because the proposed project's contributing to increases to drainage and flooding would not result in new or increased severity of flooding. Permanent water quality features would be incorporated into the project to control pollutants; future development plans within the proposed project area would contain specific structural and non-structural post-construction BMPs; the Area Plan includes Design Guidelines related to the protection of water quality; the project applicant would be required to develop a landscaping plan that includes provisions for the use of slow release fertilizers; and developers for each phase of the project would be required to submit and obtain approval of a final drainage plan prepared by a registered civil engineer. (DEIR Appendix 4.7-1; DEIR pp.4.7-31 through -32; Area Plan pp. 22, 40-41; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

6.6 GEOLOGY AND SOILS

Impact 4.8.1 - Result in Substantial Erosion and Loss of Topsoil (Standard of Significance 2) (pp.4.8-15 through -17)

The DEIR identifies the proposed project's potential impacts related to substantial erosion and loss of topsoil. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measures that would reduce to less than significant levels the project's impact related to substantial erosion and loss of topsoil.

MM 4.8.1a The developer shall submit a preliminary grading plan and an Erosion and Sediment Control Plan, prepared by a licensed engineer, to the City of Shasta Lake, pursuant to the specifications of the Grading, Erosion Control, and Hillside Development Ordinance (Chapter 15.08 in the City of Shasta Lake Municipal Code). The plan shall incorporate measures for erosion control as recommended in future geotechnical studies completed to assess design and construction of future project elements.

MM 4.8.1b The developer shall submit an engineered geotechnical report during the design of the project grading plan to ensure compatibility with the engineering characteristics of underlying soils pursuant to Municipal Code Chapter 15.08 and as recommended in the Preliminary Geotechnical Report prepared by CGi (2011). The geotechnical report shall include chemical analysis of soils as recommended by the City Engineer to assess the potential for corrosion and reactivity with concrete. In areas where hillside slopes exceed 30 percent, the layout of proposed improvements, including roadways and structures, shall allow for adjacent usable space to ensure that all cut and fill slopes will not be steeper than 2 feet horizontal to 1 foot vertical.

Implementation of the above mitigation measures would reduce Impact 4.8.1 to a less than significant level because the developer would be required to submit a grading plan and Erosion and Sediment Control plan, prepared by a licensed engineer, that complies with SLMC Chapter 15.08 (Grading, Erosion, Control, and Hillside Development), which would also incorporate erosion control measures recommended in future geotechnical studies that assess design and construction of future project elements. The developer would also be required to submit a geotechnical report during design of the project grading plan to ensure compatibility with the engineering characteristics of underlying soils pursuant to SLMC Chapter 15.08 and as recommended in the Preliminary Geotechnical Report. If the hillside slopes exceed 30 percent, the layout of the proposed improvements would allow adjacent useable space to ensure that all cut and fill slopes will not be steeper than 2 feet horizontal to 1 foot vertical. (Initial

Environmental Study p. 4.0-15; DEIR Appendix 4.8-2, p. 12; DEIR pp.4.8-15 through -17; Area Plan p. 40; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

6.7 CULTURAL RESOURCES

Impact 4.9.1 - Cause a Substantial Adverse Change in the Significance of Cultural Resources (Standards of Significance 1 and 2) (pp.4.9-13 through -14)

The DEIR identifies the proposed project's potential impacts related to substantial adverse change in the significance of cultural resources. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to substantial adverse change in the significance of cultural resources.

MM 4.9.1 Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, or architectural remains, be encountered during development activities, work shall be suspended and the City of Shasta Lake Development Services Department shall be immediately notified. At that time, the City will coordinate any necessary investigation of the discovery with an appropriate specialist (e.g., archaeologist, architectural historian, Native American tribe). The project applicant shall be required to implement any mitigation necessary for the protection of cultural resources.

The City of Shasta Lake and the project applicant shall consider mitigation recommendations presented by a qualified archeologist for any unanticipated discoveries. The City and the project applicant shall consult and agree on implementation of a measure or measures that the City and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.

Implementation of the above mitigation measure would reduce Impact 4.9.1 to a less than significant level because during development activities, if any cultural resources are encountered, the City of Shasta Lake Development Service Department shall be immediately notified. Thereafter, the City will coordinate any necessary investigation of the discovery with the appropriate specialist. The proposed project would be required to implement any mitigation measures necessary to protect the cultural resources. Additionally, the City and the project applicant would consider mitigation measures recommended by a qualified archeologist for any unanticipated discoveries. (Initial Environmental Study p. 4.0-12; DEIR

pp.4.9-13 through -14; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.9.3 - Cause a Substantial Adverse Change in the Significance of Cultural Site CA-SHA-1823 (Standard of Significance 1) (pp. 4.9-15 through -16)

The DEIR identifies the proposed project's potential impacts related to substantial adverse change in the significance of Cultural Site CA-SHA-1823. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measures that would reduce to less than significant levels the project's impact related to substantial adverse change in the significance of Cultural Site CA-SHA-1823.

MM 4.9.3a Preservation of site CA-SHA-1823 is required through avoidance measures, including a 50-foot buffer distance around the site, from lands that will be directly impacted by buildout of the proposed project.

MM 4.9.3b Implementation of a long-term monitoring plan is required to ensure that impacts to the site will not accompany proposed buildout of and subsequent activities within the project area. The monitoring plan shall include the following information:

1. Baseline Data: Take photographs of the site prior to any construction activity (road and commercial construction activities). These photographs will provide the baseline data for subsequent site inspections and monitoring of site conditions. A copy of the photographs shall be delivered to the landowner for permanent curation.

2. Field Inspections and Reports: A professional archaeologist shall conduct field inspections at the site/preservation area, using the photographs taken in the baseline year as representing the "pristine" condition of the site, as follows:

   - The initial inspection shall be undertaken at the beginning of construction work, including road grading and land re-contour, and will continue for five years. The selected archaeologist shall prepare a summary report following each annual field inspection, in which the condition of the site and

any observed impacts to it shall be summarized. If impacts to the site have occurred, the report shall detail appropriate treatment changes, based on specific findings and field observations. "Treatment changes" could include, but are not necessarily limited to, such actions as depositing boulders or other cover over or around the site deposit.

- On the fifth annual inspection, the archaeologist shall render a conclusion as to whether additional annual inspections are necessary, or alternatively whether or not the program of annual inspections shall be terminated. In reaching a conclusion, the archaeologist shall consider several factors, including (1) the extent of any impacts to the site that have accompanied buildout and use of nearby lands, and (2) whether or not indigenous or other (exotic) vegetation might be adversely affecting the preservation area for which some specialized treatment might be recommended.

3. Native American Consultation: Prior to commencement of the initial field inspection and each annual inspection identified under MM 4.9.3b(2) above, affected/interested local tribal governments shall be notified to allow the tribes to provide their own on-site cultural resource monitor(s) during grading and activities.

4. Responsibility for implementing the long-term monitoring plan shall reside with the developer at the time of initial construction activity, transferring thereafter to the final property owner(s).

Implementation of the above mitigation measures would reduce Impact 4.9.3 to a less than significant level because the proposed project is required to maintain a 50-foot buffer around the site. In addition, a long-term monitoring plan is required to ensure impacts will not follow the proposed buildout and activities within the project area. The monitoring plan includes collecting baseline data, conducing field inspections and preparing reports, and Native American consultation. The developer is responsible for implementing the long-term monitoring plan and thereafter transferring to the final property owners. (Initial Environmental Study p. 4.0-12; DEIR Appendix 4.9, pp. 4, 14, 21, 25, 27, 30, 32, ; DEIR pp. 4.9-15 through -16; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.9.4 - Cause a Substantial Adverse Change in the Significance of Cultural Sites CA-SHA-1085 and CA-SHA-1822 (Standard of Significance 1) (pp. 4.9-16 through -18)

The DEIR identifies the proposed project's potential impacts related to substantial adverse change in the significance of Cultural Sites CA-SHA-1085 and CA SHA-1822. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to substantial adverse change in the significance of Cultural Sites CA-SHA-1085 and CA SHA-1822.

MM 4.9.4

1. Sites CA-SHA-1085 and -1822 shall be subjected to a focused data recovery effort with the primary goal of recovering dating samples (charcoal). In the process of recovering datable charcoal, additional cultural materials recovered shall be analyzed in comparison with previously recovered cultural material from the sites. The focused data recovery program shall proceed as identified in the Archaeological Inventory Survey for "Testing and Data Recovery Approach" as follows:

    - Excavation utilizing 1-meter-square exposures and in arbitrarily defined 10-centimeter levels, with all recovered material screened through ¼-inch mesh, unless very small objects (e.g., beads) are observed, in which case screening would shift to 1/8-inch mesh.

    - Submission of charcoal samples for radiocarbon analysis if material is recovered in suitable quantities and in sufficiently undisturbed contexts to warrant evaluation.

    - Evaluation of recovered cultural material in relation to local and regional typologies for various types of formed artifacts that might be exposed.

    - Preparation of a final report, to proceed in conformity with standard professional practices, designed to detail the information and research values of recovered cultural material.

    - For all sites subjected to data recovery excavation, recovered cultural material would be accessioned and the final report would include illustration of representative examples of formed artifact types, including especially diagnostic projectile points, beads, and other artifact types.

    - All materials recovered during the project would be considered the real property of the property owner/project proponent, and would be returned to the property owner along with the final report for permanent curation.

2. Native American Consultation: Prior to commencement of the data recovery effort identified under MM 4.9.4a (1) above, affected/interested local tribal governments shall be notified to allow the tribes to provide their own on-site cultural resource monitor(s) during grading and activities.

3. Responsibility for implementing the long-term monitoring plan shall reside with the developer at the time of initial construction activity, transferring thereafter to the final property owner(s).

Implementation of the above mitigation measure would reduce Impact 4.9.4 to a less than significant level because the sites shall be subjected to a focused data recovery efforts with the primary goal of recovering dating samples. The recovery efforts shall proceed as identified in the Archaeological Inventory Survey for "Testing and Data Recovery Approach." Additionally, prior to commencement of data recovery, the affected/interested local tribal governments shall be notified to allow the tribe to provide their own on-site cultural resource monitors during grading activities. The developer is responsible for implementing the long-term monitoring plan and thereafter transferring to the final property owners. (Initial Environmental Study p. 4.0-12; DEIR Appendix 4.9, pp. 4, 11-12, 13-14, 20-21, 27-30, 32; DEIR pp. 4.9-16 through -18; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

6.8 UTILITIES AND SERVICE SYSTEMS

Impact 4.10.2.1 - Inadequate Capacity of the Wastewater Conveyance and Treatment System Resulting in Construction of New Facilities (Standards of Significance 1 and 2) (pp. 4.10-21 through -26)

The DEIR identifies the proposed project's potential impacts related to inadequate capacity of the wastewater conveyance and treatment system resulting in construction of new facilities. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measures that would reduce to less than significant levels the project's impact related to inadequate capacity of the wastewater conveyance and treatment system resulting in construction of new facilities.

MM 4.10.2.1a Subsequent development under the Area Plan shall be responsible for all sewer infrastructure necessary to serve the proposed development. All sewer infrastructure shall be designed and constructed in accordance with City of Shasta Lake design criteria.

MM 4.10.2.1b Project applicants shall be required to ensure wastewater service to future development within the Area Plan through the following means:

- Planning, engineering, and construction of all necessary off-site collection system improvements to serve the Area Plan. These improvements include, but may not be limited to:

- Construction of a new lift station near the southerly boundary of the site, with a connection to the existing force main in Cascade Boulevard, north of Shasta Dam Boulevard.

- Additional expansion of the Salt Creek Lift Station beyond that currently planned by the City to handle proposed development under the Area Plan.

- Construction of a new force main from the Salt Creek Lift Station to the treatment plant, most likely following Pine Grove Boulevard from the Salt Creek Lift Station to the treatment plant.

- Other improvements determined by the City Engineer to be required in order to serve future development.

Implementation of the above mitigation measures would reduce Impact 4.10.2.1 to a less than significant level because subsequent development within the Area Plan would be responsible for all sewer infrastructure necessary to serve the proposed development. In addition, the project applicants would be required to ensure wastewater service to future development within the project area through a fair-share contribution toward planning, engineering, and construction of all necessary off-site collection system improvements to serve the proposed project. (Initial Environmental Study p. 4.0-35; DEIR Appendix 4.10-1, pp. 12-13; DEIR pp. 4.10-21 through -26; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.10.2.3 - Cumulative Wastewater Service (pp. 4.10-27 through -28)

The DEIR identifies the proposed project's potential impacts related to cumulative wastewater service. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measures that would reduce to less than significant levels the project's impact related to cumulative wastewater service.

MM 4.10.2.1a Subsequent development under the Area Plan shall be responsible for all sewer infrastructure necessary to serve the proposed development. All

sewer infrastructure shall be designed and constructed in accordance with City of Shasta Lake design criteria.

MM 4.10.2.1b Project applicants shall be required to ensure wastewater service to future development within the Area Plan through the following means:

- Planning, engineering, and construction of all necessary off-site collection system improvements to serve the Area Plan. These improvements include, but may not be limited to:
- Construction of a new lift station near the southerly boundary of the site, with a connection to the existing force main in Cascade Boulevard, north of Shasta Dam Boulevard.
- Additional expansion of the Salt Creek Lift Station beyond that currently planned by the City to handle proposed development under the Area Plan.
- Construction of a new force main from the Salt Creek Lift Station to the treatment plant, most likely following Pine Grove Boulevard from the Salt Creek Lift Station to the treatment plant.
- Other improvements determined by the City Engineer to be required in order to serve future development.

MM 4.10.2.1c Prior to approval of subsequent development (i.e., further division of the property, conditional use permit, etc.), the project applicant must demonstrate that the City's wastewater treatment plant is able to accommodate the development. The City may delay or deny subsequent projects based on conditions in effect at the time of project consideration.

Implementation of the above mitigation measures would reduce Impact 4.10.2.3 to a less than significant level because the project would be required to construct all require sewer infrastructure and guarantee that development could not be constructed without first obtaining a verification of wastewater disposal capability prior to issuance of building permits. (Initial Environmental Study p. 4.0-35; DEIR Appendix 4.10-1, pp. 12-13; DEIR pp. pp. 4.10-27 through -28; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.10.4.1 - Require or Result in the Construction of New Electric, Natural Gas, Telephone, and Cable Services and Infrastructure or Expansion of Existing Facilities (Standard of Significance 1) (pp. 4.10-35 through -36)

The DEIR identifies the proposed project's potential impacts related to requiring or resulting in the construction of new electric, natural gas, telephone, and cable services and infrastructure or expansion of existing facilities. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to requiring or resulting in the construction of new electric, natural gas, telephone, and cable services and infrastructure or expansion of existing facilities.

MM 4.10.4.1 The developer shall dedicate a minimum of 2 acres of land on the west side of the development for the placement of an electrical substation by the City of Shasta Lake to serve the project.

Implementation of the above mitigation measure would reduce Impact 4.10.4.1 to a less than significant level because the developer would be required to dedicate a minimum of 2 acres of land on the west side of the development in order for the City to place an electrical substation to serve the proposed project. In addition, the Development Agreement requires the developer to construct all dry utilities required to serve the project. (Initial Environmental Study p. 4.0-35; DEIR pp. 4.10-35 through -36; Development Agreement p. 27; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

6.9 PUBLIC SERVICES

Impact 4.11.1 - Provision of New Fire Protection Facilities in Order to Maintain Service (Standard of Significance 1) (pp.4.11-5 through -7)

The DEIR identifies the proposed project's potential impacts related to new fire protection facilities in order to maintain service. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to new fire protection facilities in order to maintain service.

MM 4.11.1 Prior to occupancy of the 500th residential unit, applicant shall dedicate two (2) acres located within either Area H or Area I to the Shasta Lake Fire Protection District. The cost of construction of the fire station shall be borne by the Shasta Lake Fire Protection District (SLFPD).

Implementation of the above mitigation measure would reduce Impact 4.11.1 to a less than significant level because dedication of 2 acres will allow construction of a fire station to serve the proposed project. In addition, a Fire Protection Impact Fee is paid to the Fire District prior to issuance of each building permit, which will fund future construction of the fire station. (Initial Environmental Study p. 4.0-29; DEIR pp.4.11-5 through -7; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.11.1.3 - Cumulative Fire Services (p. 4.11-9)

The DEIR identifies the proposed project's potential impacts related to cumulative fire services. This environmental impact is identified by the DEIR as Less than Significant.

Finding

The City adopted mitigation measure **MM 4.11.1** that would reduce to less than significant levels the project's impact related to new fire protection facilities in order to maintain service.

Facts in Support of Finding

The Shasta Lake Fire Protection District has indicated that existing services are not adequate to serve the project or future development. The Mountain Gate Volunteer Fire Department, located in close proximity to the project, has also indicated that its existing services are not adequate.

Implementation of the above mitigation measure would reduce Impact 4.11.1.3 to a less than significant level because a Fire Protection Impact Fee is paid to the Fire District prior to issuance of each building permit, which will fund future construction of an on-site fire station. In addition, implementation of MM 4.11.1, based on recommendations of the Shasta Lake Fire Protection District and the Mountain Gate Volunteer Fire Department, would provide land for construction of an additional fire station. (DEIR p. 4.11-9; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.11.2.1 - Provision of New Police Protection Facilities in Order to Maintain Service (Standard of Significance 1) (4.11-11 through -12)

The DEIR identifies the proposed project's potential impacts related to new police protection facilities in order to maintain service. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to new police protection facilities in order to maintain service.

MM 4.11.2.1 A study shall be performed at the Applicant's expense to determine if there is a shortfall in funding from property tax revenue for law enforcement services anticipated to serve the project. If a funding shortfall does exist, the Applicant, owner or successor shall agree to participate with the City of Shasta Lake in a funding mechanism to bridge the funding shortfall.

The funding mechanism may include formation of a Services Community Facilities District that will obligate each landowner within the subdivision to participate in the district.

Implementation of the above mitigation measure would reduce Impact 4.11.2.1 to a less than significant level because it will ensure adequate funding for law enforcement services and provide a mechanism for the project applicant to bridge any funding shortfalls. The funding mechanism may include formation of a Services Community Facilities District that will obligate each landowner within the subdivision to participate in the district. (Initial Environmental Study p. 4.0-29; DEIR 4.11-11 through -12; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.11.2.2 - Cumulative Law Enforcement (pp. 4.11-12 through -13)

The DEIR identifies the proposed project's potential impacts related to cumulative law enforcement. This environmental impact is identified by the DEIR as Less than Significant.

Finding

The City adopted mitigation measure **MM 4.11.2.1** that would reduce to less than significant levels the project's impact related to new fire protection facilities in order to maintain service.

Facts in Support of Finding

Although the General Plan recognizes that the City should establish level of service standards for law enforcement services, this has not yet been completed. Implementation of the above mitigation measure would reduce Impact 4.11.2.1 to a less than significant level because it will ensure adequate funding for law enforcement services and provide a mechanism for the project applicant to bridge any funding shortfalls. The funding mechanism may include formation of a Services Community Facilities District that will obligate each landowner within the subdivision to participate in the district. (DEIR pp. 4.11-12 through -13; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

6.10 AESTHETICS

Impact 4.12.1 - Have a Substantial Adverse Effect on a Scenic Vista (Standard of Significance 1) (pp.4.12-5 through -7)

The DEIR identifies the proposed project's potential impacts related to a substantial adverse effect on a scenic vista. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to substantial adverse effect on a scenic vista.

MM 4.12.1 The project developer shall be required to ensure adequate screening of the proposed water storage tank with existing and/or newly planted vegetation.

Implementation of the above mitigation measure would reduce Impact 4.12.1 to a less than significant level because, although there are no officially designated scenic vistas in the project area, the applicant would be required to screen the proposed water storage tank with existing and/or newly planted vegetation. (Initial Environmental Study p. 4.0-1; DEIR pp.4.12-5 through -7; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.12.2 - Substantially Damage Scenic Resources within a State Scenic Highway (Standard of Significance 2) (pp. 4.12-7 through -9)

The DEIR identifies the proposed project's potential impacts related to substantial damage to scenic resources within a state scenic highway. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measures that would reduce to less than significant levels the project's impact related to substantial damage to scenic resources within a state scenic highway.

MM 4.12.2a The proposed project shall be required to submit design guidelines that will regulate the design of all building and landscaping for the project. Residential and other building designs shall be required to utilize earth-tone colors and materials in their architectural design in order to complement the existing landscape features of the project area. No aboveground structures shall be allowed along ridgelines or hilltops on the project site in conformance with Municipal Code Section 15.08. The design guidelines shall be reviewed and approved by the City of Shasta Lake Development Services Department.

MM 4.12.2b All project hardscape features, such as parking lots, shall be designed to blend with existing landscape characteristics. Such features shall be screened from off-site views through the use of native vegetation, landscaping, natural features, and other appropriate screening measures.

MM 4.12.2c A landscape plan shall be submitted to the City of Shasta Lake. Landscaping shall consist of vegetation and features characteristic of the area and shall be installed prior to completion of the project. This screening is intended to blend development features into the landscaped characteristics of the area so as to not dominate the view.

Implementation of the above mitigation measures would reduce Impact 4.12.2 to a less than significant level because the proposed project will be required to submit design guidelines that regulate the design of all buildings and landscaping. Residential and other buildings designs will be required to utilize earth-tone colors and materials to complement the existing landscape features and no aboveground structures are allowed along ridgelines or hilltops. Additionally, all hardscape features would be required to be designed to blend with existing landscape characteristics and screened from off-site views. Moreover, a landscape plan that blends the development features into the landscaped characteristics shall be submitted to the City.

Also, Section 6.0 of the Area Plan includes extensive Design Guidelines that ensure future structures, signs and other improvements are properly related to their sites and the surrounding sites and structures, with due regard to the aesthetic exterior appearance of the improvement(s). (Initial Environmental Study p. 4.0-2; DEIR pp. 4.12-7 through -9; Area Plan pp. 37 through 65; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.12.4 - Create New Sources of Glare (Standard of Significance 4) (pp. 4.12-11 through -12)

The DEIR identifies the proposed project's potential impacts related to creating new sources of glare. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to creating new sources of glare.

MM 4.12.4 Project design guidelines shall prohibit the use of reflective material and shall encourage the use of landscaping and other design features to minimize the potential for glare.

Implementation of the above mitigation measure would reduce Impact 4.12.4 to a less than significant level because the proposed project would prohibit the use of reflective materials and encourage landscaping and design features that minimize the potential for glare. (Initial Environmental Study p. 4.0-2; DEIR pp. 4.12-11 through -12; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.12.5 - Increased Nighttime Lighting (Standard of Significance 4) (pp. 4.12-12 through -13)

The DEIR identifies the proposed project's potential impacts related to increased nighttime lighting. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measures that would reduce to less than significant levels the project's impact related to increased nighttime lighting.

MM 4.12.5a Outdoor light fixtures for nonresidential areas (such as the commercial center) shall be low-intensity, shielded, and/or directed away from residential areas and the night sky. All light fixtures shall be designed, installed, and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. Lighting plans shall

be provided as part of facility improvement plans to the City that identify that illumination levels at adjacent residential areas will not exceed one foot-candle.

MM 4.12.5b For outdoor lighting fixtures installed on residences and nonresidential buildings, project design guidelines shall restrict the installation of flood and/or spot lighting fixtures, except when used as part of landscaping. All light fixtures shall be shielded away from adjoining residents and the night sky. Project design guidelines shall be submitted to the City of Shasta Lake Planning Department for review and approval to verify that the lighting standards are in place.

Implementation of the above mitigation measures would reduce Impact 4.12.5 to a less than significant level because the proposed project would require that outdoor light fixtures for nonresidential areas shall be low-intensity, shielded, and/or directed away from residential areas and the night sky. Lighting plans would be required as part of facility improvement plans. In addition, except for landscaping, flood and/or spot lighting fixtures shall be prohibited in outdoor lighting fixtures installed on residences and nonresidential buildings, and all light fixtures shall be shielded away from adjoining residences and the night sky. The Area Plan also includes Design Guidelines for lighting, both to address pedestrian/bicycle safety and to ensure that light trespass and glare have negligible impact on surrounding property and roadways. (Initial Environmental Study p. 4.0-2; DEIR pp. 4.12-12 through -13; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

6.11 GREENHOUSE GASES AND CLIMATE CHANGE

Impact 4.13.2 - Conflict with Assembly Bill 32 (Standard of Significance 2) (pp. 4.13-18 through -21)

The DEIR identifies the proposed project's potential impacts related to conflicts with Assembly Bill 32. This environmental impact is identified by the DEIR as Potentially Significant prior to the application of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effects of the project to a less than significant level.

Facts in Support of Finding

The City adopted the following mitigation measure that would reduce to less than significant levels the project's impact related to conflicts with Assembly Bill 32.

MM 4.13.2 Subsequent development projects within the Mountain Gate at Shasta Area Plan shall submit to the Shasta County Air Quality Management District and receive approval for a GHG Emissions Reduction Plan.

> The GHG Emissions Reduction Plan shall be consistent with the goals of AB 32 and shall identify quantifiable measures equaling an emission reduction value of 428 metric tons per year unless a different value is determined to be required based on review of project-specific information and State requirements at the time an application for subsequent small-lot tentative maps or other discretionary projects is submitted to the City.

Implementation of the above mitigation measure would reduce Impact 4.13.2 to a less than significant level because subsequent project development would be required to submit to and receive approval from the Shasta County Air Quality Management District for a Greenhouse Gas Emissions Reduction Plan. The Plan will include quantifiable measures to achieve a specific emission reduction value. (Initial Environmental Study p. 4.0-8; DEIR pp. 4.13-18 through -21; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

7.0 SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS

Based on the criteria set forth in the Draft EIR and the Final EIR, the City finds that the following environmental effects of the project are significant and unavoidable. Although mitigation measures have been adopted, these environmental effects cannot be reduced through those mitigation measures to a less than significant level. However, as explained in the Statement of Overriding Considerations contained in Section 12 below, these effects are considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project. Page numbers in parentheses refer to the Draft EIR unless otherwise noted.

Transportation and Circulation

- Impact 4.3.1 - Conflict with Applicable Intersection Level of Service – Near-Term Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-35 through -39)
- Impact 4.3.3 - Conflict with Applicable Freeway Mainline Segments Level of Service – Near-Term Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-40 through -44)
- Impact 4.3.4 - Conflict with Applicable Ramp Junction Level of Service – Near-Term Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-44 through -45)
- Impact 4.3.8 - Conflict with Applicable Intersection Level of Service – Cumulative Year 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-62 through -65)
- Impact 4.3.10 - Conflict with Applicable Freeway Mainline Segment Level of Service – Cumulative Year 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-66 through -68)
- Impact 4.3.11 - Conflict with Applicable Ramp Junction Level of Service – Cumulative Year 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-68 through -70)
- Impact 4.3.12 - Conflict with Applicable Level of Service Due to Wonderland Boulevard Extension – Cumulative 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-70 through -71)
- Impact 4.3.13 - Conflict with Applicable Intersection Level of Service – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-71 through -73)
- Impact 4.3.15 - Conflict with Applicable Freeway Mainline Segment Level of Service – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-75 through -77)
- Impact 4.3.16 - Conflict with Applicable Ramp Junction Level of Service – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-77 through -80)

- Impact 4.3.17 - Conflict with Applicable Level of Service Due to Wonderland Boulevard Extension – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (p. 4.3-80)

Air Quality

- Impact 4.4.2 - Short-Term Construction Generated Pollutant Emissions Resulting in Violation of Air Quality Standards or Contributing to Existing Violations (Standard of Significance 2) (pp. 4.4-19 through -22)

- Impact 4.4.3 - Long-Term Operational Emissions of Air Pollutants Resulting in Violation of Air Quality Standards or Contributing to Existing Violations (Standard of Significance 2) (pp. 4.4-22 through -24)

- Impact 4.4.6 - Contribution to Net Increase of Air Pollutants for Which the NSVAB Is Nonattainment (Standards of Significance 1, 2, and 6) (pp. 4.4-31 through -32)

Noise

- Impact 4.5.4 - Compatibility of Proposed Land Uses with Projected On-Site Noise Levels (Standard of Significance 3) (pp. 4.5-19 through -22)

Biological Resources

- Impact 4.6.9 Buildout of the proposed project will result in the loss of oak woodland habitat (pp 4.6-35 through 4.6-36)

Utilities and Service Systems

- Impact 4.10.1.1 - Available Water Supplies Available to Serve the Project (Standard of Significance 1) (pp. 4.10-8 through -15)

- Impact 4.10.1.3 - Cumulative Water Service (pp. 4.10-16 through -17)

7.1 TRANSPORTATION AND CIRCULATION

Impact 4.3.1 - Conflict with Applicable Intersection Level of Service – Near-Term Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-35 through -39)

Based on a comparison of LOS between the Near-Term No Project conditions and the Near-Term Plus Project conditions, nine intersections were found to operate unacceptably for Near-Term No Project conditions, yet would experience an increase in delay of more than 5 seconds with the addition of project traffic and are therefore considered to result in potentially significant impacts. One additional intersection, which was found to operate acceptably for Near-Term No Project conditions, would experience a reduction to an unacceptable level of service with the addition of project traffic and is therefore considered a potentially significant impact. In total, eight study intersections would experience potentially significant impacts under Near-Term Plus Project conditions.

Some of the intersections contained in the following mitigation measures are partially or wholly outside the City of Shasta Lake's jurisdiction.

MM 4.3.1a The following intersection improvements shall be constructed prior to occupancy of the 50th housing unit within the Area Plan boundaries, or earlier if directed by the City of Shasta Lake.

- **Shasta Dam Boulevard/Mussel Shoals Avenue** (Intersection #13) – Construct a traffic signal.
- **Shasta Dam Boulevard/Median Avenue** (Intersection #6) – Construct a traffic signal.

MM 4.3.1b The following intersection improvements shall be constructed prior to occupancy of the 400th housing unit, or earlier if directed by the City of Shasta Lake.

- **Old Oregon Trail/Wonderland Boulevard** (Intersection #1) – Construct a roundabout or traffic signal.
- **Old Oregon Trail/I-5 NB Ramp** (Intersection #2) – Construct a roundabout or traffic signal.
- **Shasta Dam Boulevard/Cascade Boulevard** (Intersection ~~**#15**~~ **#14**) – Construct a right turn lane on westbound Shasta Dam Boulevard at Cascade Boulevard. Construct a second left turn lane on eastbound Shasta Dam Boulevard at Cascade Boulevard. Construct a second left turn lane on southbound Cascade Boulevard at Shasta Dam Boulevard.
- **Shasta Dam Boulevard/I-5 SB Ramp (Intersection #15)** – Convert eastbound through lane to a shared through right turn lane. Widen on-ramp to add a second lane to the on-ramp 1,000 feet long.

MM 4.3.1c The proposed project shall pay its proportionate share of the cost of the following improvements:

- **Pine Grove Avenue/Twin View Boulevard** (Intersection #21) – Pay fee equal to 14 percent of the cost to relocate the intersection west of its current location. The relocated intersection shall include east- and westbound through, left, and right turn lanes. The intersection shall include north- and southbound through and left turn lanes. Construct a traffic signal.
- **Pine Grove Avenue/I-5 NB Ramps** (Intersection #20) – Pay fee equal to 14 percent of the cost of installing a traffic signal and a right turn lane on the northbound off-ramp.
- **Pine Grove Avenue/I-5 SB Ramps** (Intersection #19) – Pay fee equal to 9 percent of the cost to install a traffic signal.

- **Pine Grove Avenue/Cascade Boulevard** (Intersection #18) – Pay fee equal to 7 percent of the cost to realign the south leg of Cascade Boulevard to align with the existing signalized intersection. The south leg of intersection shall include northbound through, right, and left turn lanes and a southbound through lane.

- **Pine Grove Avenue/Ashby Road** (Intersection #17) – Pay a fee equal to 17 percent of the cost to install an all-way stop sign or traffic signal.

- **Pine Grove Avenue/Lake Boulevard** (Intersection #16) – Pay a fee equal to 15 percent of the cost to install an all-way stop sign or traffic signal.

- **Oasis Road/Twin View Boulevard** (Intersection #25) – Pay a fee equal to 4 percent of the cost to construct the following:

  - Dual left turn lanes and two through lanes and a shared through-right lane for the eastbound approach.

  - Dual right turn lanes, exclusive through and right turn lane for the southbound approach.

  - A single left turn lane, three through lanes and one right turn lane for the westbound approach.

  - A single left, through and right turn lane for the northbound approach.

  - Realignment of the intersection east of its current location.

  - Signalization of the intersection.

- **Oasis Road/I-5 NB Ramps** (Intersection #24) – Pay a fee equal to 5 percent of the cost to construct the following:

  - Widening of the eastbound approach to include dual left turn lanes and three though lanes.

  - Widening of the westbound approach to include an exclusive westbound right turn lane and three through lanes.

  - Widening of the northbound approach to include a left turn lane, a shared through-left lane and dual right turn lanes.

  - Signalization of the intersection.

  - Oasis Road/I-5 SB Ramps (Intersection #23) – Pay a fee equal to 4 percent of the cost to construct the following:

  - Westbound to southbound loop on-ramp.

  - Provision of an eastbound right turn lane.

- Provision of a westbound left turn lane.
- Signalization of the intersection.

- **Oasis Road/Cascade Boulevard** (Intersection #22) – Pay a fee equal to 3 percent of the cost to relocate the intersection west of its current location and construct a traffic signal. Intersection improvements shall include in the west and eastbound directions one left, three through, and one right turn lane; in the northbound direction one left, one right, and one through turn lane; and in the southbound direction two left, one through, and one right turn lane.

- **Pine Grove Avenue west of Cascade Boulevard** to Ashby Road (Roadway Segment) – Pay a fee equal to 3 percent of the cost of widening Pine Grove Avenue to a four-lane divided arterial standard.

While the City will require the proposed project to either make the identified improvement or pay the appropriate proportionate share of the cost of improvements, and will hold the fees until requested by the jurisdiction, the City cannot be certain that the other agencies will permit the improvement or that adequate funding will be available to complete the improvement, and intersections that are outside the City's jurisdiction are considered significant and unavoidable because the City cannot be certain that improvements will be made consistent with this Draft EIR.

In addition, there is no feasible mitigation that would reduce impacts to the intersection of Shasta Dam Boulevard (SR 151)/Shasta Way (Intersection #13) to a less than significant level. The City has had discussions with Caltrans regarding signalizing the intersection; however, this intersection is too close to the intersection of SR 151 and Cascade Boulevard, which is currently signalized. There is also not enough room to install a round-about. In addition, Caltrans has installed a median within SR 151 at the intersection of SR 151/Shasta Way to prohibit left turn movements for southbound vehicles on Shasta Way.

(Initial Environmental Study pp. 4.0-32 through -33; DEIR Appendix 4.3-1, p. 52-53, 103-105; DEIR Appendix 4.3-2, pp. 2-3; DEIR pp. 4.3-35 through -39; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.3.3 - Conflict with Applicable Freeway Mainline Segments Level of Service – Near-Term Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-40 through -44)

Based on a comparison of the Near-Term No Project condition and the Near-Term Plus Project condition for freeway mainline level of service, five mainline segments were found to operate unacceptably for Near-Term No Project conditions and would continue to operate at an unacceptable level of service with the addition of Near-Term Plus Project traffic with a slight increase in the density.

The City adopted the following mitigation measure that would improve the level of service at all freeway mainline segments to acceptable levels under Near-Term Plus Project conditions.

MM 4.3.3 The project applicants/developer(s) shall pay, on a fair share basis, a Regional Transportation Fee for improvements to Interstate 5, as determined by an approved nexus study prepared in compliance with the Mitigation Fee Act and other applicable law. The amount of the fee shall be based on the Regional Transportation Fee adopted by the City and the jurisdiction in which the impact is being mitigated.

This mechanism will ensure that the collected mitigation funds will be spent on the measures identified in the nexus study.

However, I-5 is wholly outside the jurisdiction of the City of Shasta Lake, which does not have the ability to construct improvements on I-5 or on any facility in Caltrans' jurisdiction. Because improvement to State-owned facilities is entirely outside the City's control, the DEIR must assume that the improvements may not be constructed and that impacts would then remain significant and unavoidable. This has the unfortunate result of appearing that the impacts of the project are being ignored by the City of Shasta Lake, which is not the case. Mitigation measure **MM 4.3.3** shows that the City is requiring the project to contribute toward freeway mainline improvements, and the City's existing impact fee program contributes toward interchange improvements that are located within the City limits.

Yet because I-5 is wholly outside the City of Shasta Lake's jurisdiction, the City cannot be certain that improvements will be made consistent with this DEIR. If the improvement cannot be constructed, the impact is not fully mitigated, and the agency can only conclude that the impact is significant and unavoidable. (Initial Environmental Study pp. 4.0-32 through -33; DEIR Appendix 4.3-1, p. 55-56, 103-105; DEIR pp. 4.3-40 through -44; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.3.4 - Conflict with Applicable Ramp Junction Level of Service – Near-Term Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-44 through -45)

Based on a comparison of the Near-Term No Project condition and the Near-Term Plus Project condition for ramp junction level of service, one ramp junction, the I-5 and SR 44 ramp junction, was found to operate unacceptably for Near-Term No Project conditions and would continue to operate at an unacceptable level of service with the addition of Near-Term Plus Project traffic with a slight increase in the density.

While mitigation measure **MM 4.3.3** requires the project applicant to pay, on a fair share basis, a Regional Transportation Fee for I-5 improvements if such a fee is adopted by the City and the jurisdiction in which the improvement is located, I-5 is wholly outside the jurisdiction of the City of Shasta Lake, which does not have the ability to construct improvements on I-5 or on any facility in Caltrans' jurisdiction. The DEIR must assume that the improvements are not constructed and the impacts remain significant and unavoidable. If the improvement cannot be constructed, the impact is not fully mitigated, and the agency can only conclude that the impact is significant and unavoidable. (Initial Environmental Study pp. 4.0-32 through -33; DEIR Appendix 4.3-1, p. 57, 103-105; DEIR pp. 4.3-44 through -45; Planning Commission Public Hearing October 15,

2015; Planning Commission Meeting November 19, 2015City Council Public Hearing December 15, 2015)

Impact 4.3.8 - Conflict with Applicable Intersection Level of Service – Cumulative Year 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-62 through -65)

Based on a comparison of level of service between Year 2020 No Project and Year 2020 Plus Project conditions, eight intersections were found to be operating at an unacceptable LOS under No Project conditions and would continue to operate unacceptably with the addition of project traffic. Project traffic would deteriorate the level of service from an acceptable level of service under Year 2020 No Project conditions to an unacceptable level of service under Year 2020 Plus Project conditions at six intersections.

Implementation of mitigation measures **MM 4.3.1 and MM 4.3.3** would improve the level of service at all study intersections to acceptable levels under Year 2020 Plus Project conditions under Near-Term Plus Project conditions with the exception of Shasta Dam Boulevard/Shasta Way (Intersection #13).

However, some of these intersections are partially or wholly outside the City of Shasta Lake's jurisdiction (see Table 4.3-2 for a listing of intersection by jurisdiction) While the City will require the proposed project to either make the identified improvement or pay the appropriate proportionate share of the cost of improvements, and will hold the fees until requested by the jurisdiction, the City cannot be certain that the other agencies will permit the improvement and therefore must assume that the impacts could remain. As such, impacts to all of the intersections that are outside the City's jurisdiction are classified as cumulatively considerable and significant and unavoidable because the City cannot be certain that improvements will be made consistent with this Draft EIR.

In addition, there is no feasible mitigation that would reduce impacts to the intersection of Shasta Dam Boulevard (SR 151)/Shasta Way (Intersection #13) to a less than significant level. The City has had discussions with Caltrans regarding signalizing the intersection; however, this intersection is too close to the intersection of SR 151 and Cascade Boulevard, which is currently signalized. There is also not enough room to install a round-about. In addition, Caltrans has installed a median within SR 151 at the intersection of SR 151/Shasta Way to prohibit left turn movements for southbound vehicles on Shasta Way.

(Initial Environmental Study pp. 4.0-32 through -33; DEIR Appendix 4.3-1, pp. 67-71, 106-113; DEIR Appendix 4.3-2, pp. 4-5; DEIR pp. 4.3-62 through -65; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.3.10 - Conflict with Applicable Freeway Mainline Segment Level of Service – Cumulative Year 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-66 through -68)

Based on a comparison of LOS between Year 2020 No Project and Year 2020 Plus Project conditions five I-5 mainline segments were found to be operating at an unacceptable level of service under No Project conditions and would continue to operate

unacceptably with the addition of project traffic. The project traffic would deteriorate the level of service from an acceptable level of service under the Year 2020 No Project conditions to an unacceptable level of service under Year 2020 Plus Project conditions at to freeway mainline segments.

Implementation of mitigation measure **MM 4.3.3** would improve the level of service at all freeway mainline segments to acceptable levels under Cumulative Year 2020 Plus Project conditions. However, Interstate 5 is wholly outside the jurisdiction of the City of Shasta Lake, which does not have the ability to construct improvements on I-5 or on any facility within Caltrans' jurisdiction. The DEIR must assume that the improvements are not constructed and the impacts remain significant and unavoidable. This has the unfortunate result of appearing that the impacts of the project are being ignored by the City of Shasta Lake, which is not the case. The City is requiring that the project contribute toward freeway mainline improvements. Yet because I-5 is wholly outside the City of Shasta Lake's jurisdiction, the City cannot be certain that improvements will be made consistent with this DEIR. If the improvement cannot be constructed, the impact is not fully mitigated, and the agency can only conclude that the impact is cumulatively considerable and significant and unavoidable. (Initial Environmental Study pp. 4.0-32 through -33; DEIR Appendix 4.3-1, pp. 73, 106-113; DEIR pp. 4.3-66 through -68; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.3.11 - Conflict with Applicable Ramp Junction Level of Service – Cumulative Year 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-68 through -70)

Based on a comparison of Year 2020 No Project versus Year 2020 Plus Project ramp merge/diverge level of service, three ramp merge/diverge junctions, which were found to operate unacceptably for Year 2020 No Project conditions, would continue to operate at an unacceptable level of service with the addition of project traffic.

The additional I-5 northbound mainline segment and collector distributor ramp configuration would provide an acceptable level of service for this ramp junction under Cumulative Year 2020 Plus Project conditions. While mitigation measures **MM 4.3.1c and MM 4.3.3** require the project applicant to contribute its fair-share amount for all needed improvements, I-5 is wholly outside the jurisdiction of the City of Shasta Lake, which does not have the ability to construct improvements on I-5 or on any facility within Caltrans' jurisdiction. The DEIR must assume that the improvements are not constructed and the impacts remain significant and unavoidable. The City is requiring that the project contribute toward I-5 improvements. Yet because I-5 is wholly outside the City of Shasta Lake's jurisdiction, the City cannot be certain that improvements will be made consistent with this DEIR. If the improvement cannot be constructed, the impact is not fully mitigated, and the agency can only conclude that the impact is cumulatively considerable and significant and unavoidable. (Initial Environmental Study pp. 4.0-32 through -33; DEIR Appendix 4.3-1, pp. 73-74, 106-113; DEIR pp. 4.3-68 through -70; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.3.12 - Conflict with Applicable Level of Service Due to Wonderland Boulevard Extension – Cumulative 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-70 through -71)

> According to the Traffic Impact Analysis Report (Omni-Means 2008), a southerly connection of Wonderland Boulevard as a "T" intersection with Cascade Boulevard would result in an unacceptable level of service at several other vicinity intersections.

Implementation of mitigation measures **MM 4.3.1a through MM 4.3.1d** and **MM 4.3.3** would ensure that intersection improvements were installed at various stages of project development. Construction of the intersections would result in impacts that are less than significant with the exception of Shasta Dam Boulevard/Shasta Way. In addition, some of the improvements are not within the City's jurisdiction. As these improvements are not wholly within the ability of the City to implement this EIR assumes that the improvements might not occur and that this impact would remain cumulatively considerable and unavoidable. (Initial Environmental Study pp. 4.0-32 through -33; DEIR Appendix 4.3-1, pp. 67-71, 107-108; DEIR pp. 4.3-70 through -71; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.3.13 - Conflict with Applicable Intersection Level of Service – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-71 through -73)

> Based on a comparison of level of service between Year 2030 No Project and Year 2030 Plus Project conditions, fifteen intersections that were found to be operating at unacceptable LOS under Year 2030 No Project conditions would continue to operate unacceptably with the addition of project traffic. The project traffic would deteriorate the level of service from an acceptable level of service under the Year 2030 No Project conditions to an unacceptable level of service under Year 2030 Plus Project conditions at the three intersections.
>
> Mitigation measures **MM 4.3.1a through MM 4.3.1c** and **MM 4.3.3** would improve the level of service at the Mountain Gate Road/I 5 interchange; however, this facility is outside the City of Shasta Lake's jurisdiction. As such, impacts to all of the intersections that are outside the City's jurisdiction are classified as cumulatively considerable and significant and unavoidable because the City cannot be certain that improvements will be made consistent with this Draft EIR.
>
> In addition, there is no feasible mitigation that would reduce impacts to the intersection of Shasta Dam Boulevard (SR 151)/Shasta Way (Intersection #13) to a less than significant level. The City has had discussions with Caltrans regarding signalizing the intersection; however, this intersection is too close to the intersection of SR 151 and Cascade Boulevard, which is currently signalized. There is also not enough room to install a round-about. In addition, Caltrans has installed a median within SR 151 at the intersection of SR 151/Shasta Way to prohibit left turn movements for southbound vehicles on Shasta Way.

(Initial Environmental Study pp. 4.0-32 through -33; DEIR Appendix 4.3-1, pp. 79-80, 86-87, 113-120; DEIR pp. 4.3-71 through -73; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.3.15 - Conflict with Applicable Freeway Mainline Segment Level of Service – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-75 through -77)

> Based on a comparison of level of service between Year 2030 No Project and Year 2030 Plus Project conditions, eight I-5 mainline segments that were found to be operating at an unacceptable level of service under Year 2030 No Project conditions would continue to operate unacceptably with the addition of project traffic. The project traffic would deteriorate the level of service from an acceptable level of service under the Year 2030 No Project conditions to an unacceptable level of service under Year 2030 Plus Project conditions at one freeway mainline segment.

Implementation of mitigation measures **MM 4.3.1a through MM 4.3.1c** and **MM 4.3.3** would improve the level of service at all freeway mainline segments to acceptable levels under Cumulative Year 2020 Plus Project conditions. However, Interstate 5 is wholly outside the jurisdiction of the City of Shasta Lake, which does not have the ability to construct improvements on I-5 or on any facility within Caltrans' jurisdiction. The Draft EIR must assume that the improvements are not constructed and the impacts remain significant and unavoidable. This has the unfortunate result of appearing that the impacts of the project are being ignored by the City of Shasta Lake, which is not the case. The City is requiring that the project contribute toward freeway mainline improvements. Yet because I-5 is wholly outside the City of Shasta Lake's jurisdiction, the City cannot be certain that improvements will be made consistent with this Draft EIR. If the improvement cannot be constructed, the impact is not fully mitigated, and the agency can only conclude that the impact is cumulatively considerable and significant and unavoidable. (Initial Environmental Study pp. 4.0-32 through -33; DEIR Appendix 4.3-1, pp. 81, 88-89, 113-120; DEIR Appendix 4.3-2, pp. 5-6; DEIR pp. 4.3-75 through -77; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.3.16 - Conflict with Applicable Ramp Junction Level of Service – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-77 through -80)

> Based on a comparison of Year 2030 No Project versus Year 2030 Plus Project ramp merge/diverge level of service, three ramp merge/diverge junctions that were found to operate unacceptably for Year 2030 No Project conditions would continue to operate at an unacceptable level of service with the addition of project traffic. The addition of project traffic would deteriorate the level of service from an acceptable level of service under the Year 2030 No Project conditions to an unacceptable level of service under Year 2030 Plus Project conditions at one ramp merge/diverge junction.

The additional I-5 improvements or improvements modified by subsequent traffic studies in coordination with Caltrans and the Shasta Regional Transportation Agency, would provide acceptable level of service for this ramp junction under Cumulative Year 2030 Plus Project conditions. While mitigation measures **MM 4.3.1c** and **MM 4.3.3** require the project applicant to contribute its fair-share fee to I-5 improvements, Interstate 5 is wholly outside the jurisdiction of the City of Shasta Lake, which does not have the ability to construct improvements on I-5 or on any facility within Caltrans jurisdiction. The DEIR must assume that the improvements are not constructed, and the impacts remain significant and unavoidable. The City is requiring that the project contribute toward I-5 improvements. Yet since I-5 is wholly outside the City of Shasta

Lake's jurisdiction, the City cannot be certain that improvements will be made consistent with this DEIR. If the improvement cannot be constructed, the impact is not fully mitigated, and the agency can only conclude that the impact is cumulatively considerable and significant and unavoidable. (Initial Environmental Study pp. 4.0-32 through -33; DEIR Appendix 4.3-1, pp. 82, 89-90, 113-120; DEIR pp. 4.3-77 through -80; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.3.17 - Conflict with Applicable Level of Service Due to Wonderland Boulevard Extension – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (p. 4.3-80)

> According to the Traffic Impact Analysis Report (Omni-Means 2008), a southerly connection of Wonderland Boulevard as a "T" intersection with Cascade Boulevard would result in an unacceptable level of service at vicinity intersections.

Mitigation measures **MM 4.3.1a through MM 4.3.1d** and **MM 4.3.3** would improve the level of service at all intersections to acceptable levels under Year 2030 Plus Project conditions. However, two of the intersections are wholly outside the City of Shasta Lake's jurisdiction (SR 151 Shasta Street and SR 151/I-5 Southbound Ramps). As such, impacts to these intersections are classified as cumulatively considerable and significant and unavoidable because the City cannot be certain that improvements will be made consistent with this Draft EIR. (Initial Environmental Study pp. 4.0-32 through -33; DEIR Appendix 4.3-1, pp. 79-80, 86-87, 113-115, 118-119; DEIR p. 4.3-80; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

7.2 AIR QUALITY

Impact 4.4.2 - Short-Term Construction Generated Pollutant Emissions Resulting in Violation of Air Quality Standards or Contributing to Existing Violations (Standard of Significance 2) (pp. 4.4-19 through -22)

> Construction activities such as clearing, excavation and grading operations, construction vehicle traffic, and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that would temporarily affect local air quality for adjacent land uses. The criteria pollutants of primary concern within the project area include ozone-precursor pollutants (i.e., ROG and NO_x) and PM_{10}. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but have the potential to represent a significant air quality impact.
>
> Based on the modeling conducted, estimated short-term daily emissions of NOx, PM10, and PM2.5 associated with the individual project areas of each of the three anticipated phases would not exceed the SCAQMD-recommended Level B significance threshold; however, the Level A significance threshold would be surpassed. Furthermore, estimated short-term daily emissions of ROG would exceed Level A and Level B thresholds during the construction of Area G and Area H. Also, it is important to note that actual daily emissions would vary from day to day and would be dependent on the activities conducted.

Therefore, although the development of individual areas of the proposed project may not generate short-term emissions in an amount to exceed the SCAQMD Level B significance threshold, it is possible that several areas would be under construction simultaneously and would generate cumulative construction emissions that could surpass this threshold and impact air quality. As such, construction-generated emissions of ROG, NOx, and PM10 could potentially exceed the SCAQMD's recommended Level B significance threshold. As a result, this impact is considered significant and is subject to mitigation.

The City adopted the following mitigation measure requiring implementation of SCAQMD–recommended mitigation measures for the control of fugitive and mobile source emissions, which would substantially reduce construction-generated emissions.

MM 4.4.2 Applicants of development projects located within the Mountain Gate at Shasta Area Plan shall submit to the City of Shasta Lake and receive approval for an Emissions Reduction Plan for all subsequent development projects under the Area Plan. City approval will be determined on a project-by-project basis in coordination with the Shasta County Air Quality Management District. The Emissions Reduction Plan shall include all measures recommended by the SCAQMD for the control of fugitive and mobile-source emissions associated with on-site construction activities.

Since detailed construction schedules are not currently known, it cannot be assured that emissions can be limited to below the significance threshold. While emission offsets may be required, there are no specific emission offset programs at the time the FEIR was certified; therefore, this impact would be considered significant and unavoidable. (Initial Environmental Study p. 4.0-7; DEIR Appendix 4.4-1; DEIR Appendix 4.4-2; DEIR pp. 4.4-19 through -22; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.4.3 - Long-Term Operational Emissions of Air Pollutants Resulting in Violation of Air Quality Standards or Contributing to Existing Violations (Standard of Significance 2) (pp. 4.4-22 through -24)

Buildout of the Area Plan would result in long-term operational emissions of criteria air pollutants and ozone precursors (i.e., ROG and NOx). Project-generated increases in emissions would be predominantly associated with motor vehicle use. To a lesser extent, area sources, such as the use of natural-gas-fired appliances, landscape maintenance equipment, architectural coatings, and hearth fuel combustion, would also contribute to overall increases in emissions.

Estimated operational emissions of ROG, NOx, and PM10 associated with buildout of the Area Plan would exceed the SCAQMD's corresponding Level A significance thresholds of 25 pounds per day for ROG and NOx and 80 pounds per day for PM10. Operational emissions would also exceed the SCAQMD's Level B significance thresholds for ROG, NOx, and PM10. Because predicted increases in ozone-precursor pollutants (i.e., ROG and NOX) and PM10 would exceed SCAQMD-recommended significance thresholds, this impact would be considered potentially significant.

The City adopted the following mitigation measures to reduce project-generated operational emissions, but not necessarily to a less than significant level.

MM 4.4.3a The installation of wood-burning fireplaces shall be prohibited in all new residential units of subsequent development projects within the Mountain Gate at Shasta Area Plan.

MM 4.4.3b Applicants for subsequent project level development approvals within the Mountain Gate at Shasta Area Plan shall submit to the Shasta County AQMD and receive approval for an Emissions Reduction Plan (ERP) to address project-generated operational emissions. The Emissions Reduction Plan shall include all measures recommended by the SCAQMD for the control of criteria air pollutants and ozone precursors associated with long-term operational emissions.

Emissions offsets may also be required by the SCAQMD in lieu of or in addition to recommended Standard Mitigation Measures or Best Available Mitigation Measures and would be determined on a project-by-project basis (subject to availability) during review of the Emissions Reduction Plan. However, even with implementation of SCAQMD-recommended mitigation measures, given uncertainties concerning the availability of emissions offsets in future years, emissions of criteria air pollutants would still be anticipated to exceed applicable thresholds of significance. Additional feasible mitigation that would reduce the impact of the proposed project to a less than significant level does not exist; therefore, this impact would be considered significant and unavoidable.

(Initial Environmental Study p. 4.0-6; DEIR Appendix 4.4-1; DEIR Appendix 4.4-2; DEIR pp. pp. 4.4-22 through -24; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.4.6 - Contribution to Net Increase of Air Pollutants for Which the NSVAB Is Nonattainment (Standards of Significance 1, 2, and 6) (pp. 4.4-31 through -32)

As identified under Impact 4.4.2, estimated short-term daily emissions of ROG, NOx, PM10, and PM2.5 associated with the individual project areas of each of the three anticipated phases would exceed the SCAQMD-recommended Level A significance threshold. Also, while the development of individual areas of the proposed project may not generate short-term emissions in an amount to exceed the SCAQMD Level B significance threshold, it is possible that several areas would be under construction simultaneously (detailed construction schedules are not currently known) and would generate cumulative construction emissions that could surpass this threshold and impact air quality.

The City also adopted all feasible mitigation measures, including mitigation measures **MM 4.4.1**, **MM 4.4.2**, **MM 4.4.3a**, and **MM 4.4.3b**, that would reduce impacts related to contribution to a net increase of air pollutants for which the NSVAB is nonattainment, but not necessarily to a less than significant level. Emissions offsets may also be required by the SCAQMD in lieu of or in addition to recommended Standard Mitigation Measures or Best Available Mitigation Measures and would be determined on a project-by-project basis (subject to availability) during review of the Emissions Reduction Plan. However,

even with implementation of SCAQMD-recommended mitigation measures, given uncertainties concerning the availability of emissions offsets in future years, emissions of criteria air pollutants would still be anticipated to exceed applicable thresholds of significance. Additional feasible mitigation that would reduce the impact of the proposed project to a less than significant level does not exist; therefore, this impact would be considered significant and unavoidable.

(Initial Environmental Study p. 4.0-6 through -8; DEIR Appendix 4.4-1; DEIR Appendix 4.4-2; DEIR pp. pp. 4.4-31 through -32; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

7.3 Noise

Impact 4.5.4 - Compatibility of Proposed Land Uses with Projected On-Site Noise Levels (Standard of Significance 3) (pp. 4.5-19 through -22)

As noted in DEIR Table 4.5-3, the projected wayside noise levels along the Union Pacific Railroad (UPRR) corridor are estimated to be approximately 78 dBA CNEL at 50 feet from the track centerline. The projected 60 dBA CNEL noise contour for the UPRR corridor would extend to a distance of approximately 855 feet from the track centerline. At the northwestern corner of the project site, the railway passes within approximately 500 feet of the project site. At this location, the 60 dBA CNEL contour of the UPRR corridor would extend approximately 355 feet onto the project site. Based on the modeling conducted, the predicted 65 and 70 dBA CNEL contours of the UPRR would not extend onto the project site. Residential land uses located in the northwestern portion of the project site and within approximately 855 feet of the UPRR track could be exposed to noise levels that would exceed the "normally acceptable" noise level of 60 dBA Ldn/CNEL. This impact would be considered potentially significant.

Based on the traffic noise modeling conducted, the projected future traffic noise level for I-5 would be 70.5 dBA CNEL near the eastern boundary of the project site, approximately 100 feet from the near travel lane of the freeway. The projected future 65 and 60 dBA CNEL noise contours of I-5 would extend to approximately 382 and 819 feet from the roadway centerline, respectively. Predicted traffic noise levels at proposed on-site residential land uses located within approximately 819 feet of the centerline of I-5 could therefore exceed the City's minimum acceptable noise standard of 60 dBA CNEL (see Table 4.5-5). In addition, proposed commercial land uses located within approximately 181 feet of the I-5 centerline could be exposed to projected traffic noise levels in excess of the City's noise standard of 65 dBA CNEL. Because predicted future traffic noise levels at proposed on-site land uses would be projected to exceed the City's noise standards, this impact would be considered potentially significant.

The project has been designed to incorporate all feasible mitigation measures, including mitigation measure **MM 4.5.4**, which would reduce impacts related to compatibility of proposed land uses with projected on-site noise levels; reduce exterior transportation noise levels at nearby receptors; and would ensure that interior noise levels would not exceed applicable noise standards. However, exterior transportation noise levels at some nearby residences may still exceed the City's noise standard.

MM 4.5.4 Applicants for subsequent project level development approvals within the Mountain Gate at Shasta Area Plan shall be required to prepare an

acoustical assessment evaluating on-site noise levels at proposed residential dwellings.

The assessment shall address residential land uses located within 855 feet of the UPRR centerline, residential land uses located within 819 feet of the I-5 centerline, commercial land uses located within 382 feet of the I-5 centerline, and residential dwellings located along proposed on-site major roadways (i.e., 5,000 ADT or greater).

Mitigation measures shall be identified to reduce predicted transportation noise levels at on-site receptors to below the City's acceptable exterior and interior noise sensitivity standards. Mitigation measures commonly applied to reduce transportation noise levels may include, but are not limited to, the following:

- Construction of sound barriers to shield on-site land uses from line of sight of the noise source.
- Orientation of on-site structures to shield more noise-sensitive land uses from line of sight of the noise source or use of open-space areas to provide increased setback distances to noise-sensitive land uses.
- Incorporation of increased insulation and noise-reduction features (e.g., sound-rated windows and doors) in building design and construction.

Additional feasible mitigation that would reduce the impact of the proposed project to a less than significance level does not exist; therefore, this impact would be considered significant and unavoidable. (Initial Environmental Study 4.0-26; DEIR Appendix 4.5-1, pp. 22-24; DEIR pp. 4.5-19 through -22; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

7.4 UTILITIES AND SERVICE SYSTEMS

Impact 4.10.1.1 - Available Water Supplies Available to Serve the Project (Standard of Significance 1) (pp. 4.10-8 through -15)

City's Water Availability through Long-Term Contracts

The City's water supply is a combination of a long-term (40-year) contract with the United States Bureau of Reclamation (USBR) and long- and short-term agreements with surrounding agencies and water suppliers. The City has interties with the City of Redding and Bella Vista Water District (BVWD) in which transfers of water can be made.

In addition to the City's contract with the USBR, which provides 4,430 acre feet (AF) per year, the City entered into an agreement with the Anderson-Cottonwood Irrigation District (ACID) for the long-term (40-year) transfer of 2,000 AF of water to the City of Shasta Lake. An agreement was also reached with MCM Properties, Inc. (MCM) for the long-term (40-year) transfer of up to 325 AF of water. Including the USBR allocation of 4,430 AF, the ACID transfer of 2,000 AF, and 325 AF from MCM, the City's total long-term

water supply is 6,755 AF per year. However, due to cold water pool issues, USBR has not approved the ACID or MCM transfers.

Estimated Project Water Use

FEIR Table 4.10-2 indicates the City's five-year average (2010-2014) was 2,511 AF for water production and 2,226 AF delivered to customers. Water demand in 2014 was the lowest over the past five-year period (1,861 AF delivered to customers). This is likely due to the City's enacted water use restrictions, excess water use penalties, Water Efficient Landscape Ordinance and water conservation programs.

The total estimated demand on the City's water system from the proposed project and other approved projects is between 1,174 and 1,761 acre-feet per year at full buildout. This calculation is based on the current Master Water Plan estimate of 800 gallons per household per day (GPHD). This is less than the estimated 1,919 acre-feet demand for the proposed project site assumed in the Master Water Plan and less than the City's CVP water allocation of 4,430 acre-feet per year.

The total estimated water demand from the project and additional proposed projects (high demand) plus the existing five-year average for current customers is 3,987 AF per year, which also is less than the current USBR allocation of 4,430 AF per year

In addition, based on the Area Plan's provision to limit community-wide water use to an annual average of 400 GPHD, total demand from the Project would be between 500 – 794 AF per year.

While there is sufficient water supply during normal water years, severe drought conditions may result in insufficient water to meet existing demand.

City's Water Shortage Contingency Plan

On August 19, 2014, City Council approved the updated Urban Water Management Plan (UWMP), which included an updated Water Shortage Contingency Plan and five-stage water rationing program. The first stage includes voluntary water use restrictions, which become mandatory in stages 2 – 5. Each stage includes additional water use restrictions intended to reduce the use of potable water in response to cutbacks in the City's water allocation and in consideration of whether the City is able to purchase supplemental water from another source.

USBR Allocation - Drought Reductions

Pursuant to USBR's Water Shortage Policy (2005), USBR may temporarily reduce the City's allocation of CVP water during any year based on the average of the most recent three years of water deliveries. The reduction may also be adjusted based on population growth and demands of industrial, commercial and other entities to address demand increases that might not be reflected in the three-year average. In addition, the reduction may be adjusted for extraordinary water conservation measures and to address health and safety issues.

For example, for the 2015 water year, USBR reduced the City's water allocation by 75% to 1,237 AF based on the City's historical use over the past three years. Combined with the

City's purchase of 900 AF of water from the McConnell Foundation, the City's available supply for water year 2015 is 1,524 AF.

Subsequently, on April 21, 2015, City Council declared a Stage 4 Severe Water Shortage Emergency, based on the City's available water supply. Council enacted all Stage 1 through 4 measures as mandatory water use restrictions. The Stage 4 declaration has a demand reduction goal of 40 percent. In Stage 5 (Critical Water Shortage Emergency) no new residential development is permitted.

On January 17, 2014, Governor Brown Declared a Drought State of Emergency and called on all Californians to reduce their water usage by 20 percent. In response, the State Water Resources Control Board (Water Board) adopted Resolution 2014-0038 imposing emergency regulations to increase water conservation by all Californians, which became effective on July 28, 2014. The State also recently adopted more stringent standards for Water Efficient Landscaping, which will significantly reduce outdoor water use throughout the State.

The proposed project includes subdivision of the property into 21 large lots, but does not allow for development without further entitlements (e.g., additional tentative subdivision maps or other discretionary approvals).

The City adopted mitigation measure **MM 4.10.1.1** to address impacts on the City's water supply.

MM 4.10.1.1 Prior to approval of subsequent development (i.e., further division of the property, conditional use permit, etc.), the project applicant must demonstrate water supply availability. The City may delay or deny subsequent projects based on water availability or drought conditions in effect at the time of project consideration.

If a project is proposed during a water shortage emergency, the City has the ability to deny or delay the approval until water supply is assured. Prohibiting future development would reduce the demand for water during the water emergency and would not result in further impacts to the City or the water system.

The project has been designed to incorporate all feasible mitigation measures, including mitigation measure **MM 4.10.1.1.** This mitigation measure, however, does not increase the amount of water or reduce the water demand to the levels discussed in this section. Additional feasible mitigation that would reduce the impact of the proposed project to a less than significance level does not exist; therefore, this impact would be considered significant and unavoidable.

(Initial Environmental Study p. 4.0-36; DEIR Appendix 4.10-1, p. 3-10, 12-16; DEIR pp. 4.10-8 through -15; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

Impact 4.10.1.3 - Cumulative Water Service (pp. 4.10-16 through -17)

As explained under Impact 4.10.1.1, there is sufficient long-term contract water to meet future needs of the City, including the proposed project. However, during drought conditions it is likely that there will be insufficient water to meet the combined project and City needs.

Implementation of mitigation measure **MM 4.10.1.1** ensures that development could not be constructed during drought conditions. This DEIR assumes that drought conditions would occur periodically over time, but would not be a permanent condition. As such, the City's long-range water planning is intended to ensure there is sufficient water for the proposed project and the General Plan as a whole.

The project has been designed to incorporate all feasible mitigation measures, including mitigation measure **MM 4.10.1.1**, that would reduce impacts related to cumulative water service. Additional feasible mitigation that would reduce the impact of the proposed project to a less than significance level does not exist; therefore, this impact would be considered significant and unavoidable.

(Initial Environmental Study p. 4.0-36; DEIR Appendix 4.10-1, p. 3-10, 12-16; DEIR pp. 4.10-16 through -17; Planning Commission Public Hearing October 15, 2015; Planning Commission Meeting November 19, 2015; City Council Public Hearing December 15, 2015)

8.0 FEASIBILITY OF PROJECT ALTERNATIVES

An EIR must briefly describe the rationale for selection and rejection of alternatives. The lead agency may make an initial determination as to which alternatives are feasible, and therefore merit in-depth consideration, and which are infeasible. The alternatives analyzed in the Draft EIR were ultimately chosen based on each alternative's ability to feasibly attain the basic project objectives while avoiding or reducing one or more the project's significant effects. The EIR discussed several alternatives to the proposed project in order to present a reasonable range of alternatives. The alternatives evaluated included:

Alternative 1 – No Project Alternative

Alternative 2 – Black Canyon Road Connection

Alternative 3 – Reduced Wetland and Oak Tree Impact

8.1 ALTERNATIVE 1 – NO PROJECT ALTERNATIVE

Alternative 1: No Project

CEQA Guidelines Section 15126.6(e) requires that a No Project alternative be evaluated in an EIR. The No Project analysis must discuss the circumstance under which the project does not proceed. The comparison is that of the proposed project versus what can reasonably be expected to occur on the properties should the proposed project not be approved. The analysis allows decision-makers to compare the impacts of approving the project with the impacts of not approving the project (CEQA Guidelines Section 15126.6(e)(3)(B)).

1. Land Use

Alternative 1 would have no impacts to land use, as the existing land use designations and zone district would remain. The existing land use designations would require an Area Plan for much of the northern area of the project site. The southern portion of the site is designated Urban Residential High (23 acres, 20 units per acre) and Suburban Residential (118.67, 3 units per acre), which could allow development without adoption of an Area Plan. The Area Plan requirement is not considered a significant environmental impact by the City, as the intent of the Area Plan is to ensure master planning of the site. Development of only a small portion of the site with the existing land use designations would not preclude the later adoption of an Area Plan consistent with the General Plan. As neither the proposed project nor the alternative would conflict with the land use planning intended for the site, this alternative would have similar impacts to those of the project.

2. Population/Housing/Employment

The property is designated for eventual development. The existing land use designations could result in a maximum of 444 housing units. Under this alternative, the southern portion of the property would result in similar unit density to the proposed project. Because this alternative assumes no Area Plan, the resulting estimated population increase of 1,145 new residents is less than that of the proposed project.

The existing General Plan land use designations do not allow for commercial uses; therefore, this alternative would result only in temporary construction employment. As the alternative would result in a smaller construction area, employment associated with construction would also be

less than that of the proposed project. Overall, as a smaller development with fewer residential units, this alternative's impacts to population, housing, and employment would be less than those of the proposed project.

3. Transportation and Circulation

Development of the Urban Residential High and Suburban Residential land use designations would generate approximately 4,250 average daily trips. Because of the smaller geographic area and the need to develop an Area Plan for the property to the north, these areas might not be able to provide access to the Mountain Gate interchange with I-5 and would need to connect directly to Black Canyon Drive in order to provide two roadway access points into and out of the development. This would increase the amount of traffic on Black Canyon Drive above that proposed by the project. If the Black Canyon Drive connection remained emergency-only as proposed, a secondary access would be required leading north, similar to that of the proposed project. While this would allow for emergency access, it is unlikely that residents would travel north to the Mountain Gate Interchange with I-5, then south to the City.

As a result, most of the AM and PM peak-hour traffic could reasonably be assumed to use the Cascade Boulevard/Shasta Dam Boulevard intersection during peak hours. This DEIR includes a mitigation measure that requires construction of a westbound right turn lane from Cascade Boulevard onto Shasta Dam Boulevard and two left turn lanes. These improvements would be required with this alternative, resulting in impacts similar to those of the proposed project. The proposed project plans an extensive network of trails and pathways to enable non-motorized circulation. While it is possible that subsequent development would have a similar trail network, the smaller area and fewer lots will result in a less extensive system.

4. Air Quality

Construction activities associated with these areas would involve grading, cutting, and fill to support infrastructure and buildings. These activities are similar to those of the proposed project, but will result in less of an impact because the area involved is much smaller than that of the proposed project. Development of the areas with Urban Residential High and Suburban Residential land use designations could result in additional homes, residents, and vehicle trips. These vehicle trips would result in air quality impacts similar to those of the proposed project, but would be less than the project because of fewer units and therefore fewer trips.

5. Noise

Only a small portion of the developable area in this alternative is adjacent to Interstate 5, which is the primary noise source in the project area. Construction equipment and methodology would be similar in approach but smaller in scale, resulting in individual noise impacts similar to the proposed project but with a shorter duration. Once occupied, the housing units would have similar noise generation and sensitivity characteristics to the proposed project.

6. Biological Resources

Development at the southern end of the project site would impact trees and a seasonal watercourse, resulting in the need for wetland permits similar to those of the proposed project. As most of the wetland areas occur in the northern and eastern areas of the project, this alternative would result in no impact to these areas and would therefore have less of an impact on wetlands than the proposed project.

7. Hydrology and Water Quality

Development of areas with Urban Residential High and Suburban Residential land use designations would result in the construction of roadways and other utilities to serve the potential development. As all development must comply with the City's grading ordinance and other development codes, construction impacts would be similar to those of the proposed project for the area designed for development. The remainder of the site would remain unaffected in this alternative. As there would be less overall development, there would be less impervious surface and therefore less impact on surface hydrology. The smaller developed area would also result in less water quality impact than the proposed project. Overall, the smaller development footprint would result in less impact on hydrology and water quality than the proposed project.

8. Geology and Soils

Development of areas with Urban Residential High and Suburban Residential land use designations would result in the construction of roadways and other utilities to serve the potential development. As all development must comply with the City's grading ordinance and other development codes, the impacts would be similar to those of the proposed project.

9. Cultural Resources

Cultural resources were discovered within the project boundaries. While the sites were outside of the area designated for development under this alternative, it is possible that there are sites within the development area that would be discovered during grading. Similar to the proposed project, mitigation measures would address any discoveries occurring during construction. Since both the proposed project and the development area considered in this alternative would avoid the known cultural sites, the impacts are considered similar.

10. Utilities and Service Systems

Development under this alternative would be required to extend water and sewer to the site in a manner similar to that of the proposed project. The routes and locations of various improvements would be similar to those of the proposed project, as would the potential impacts.

11. Public Services

This alternative would result in fewer potential housing units, which would reduce the area that would need to be provided with police, fire, and other municipal services. This would result in an impact to the services that would be proportionately less than the proposed project.

This alternative would potentially result in fewer new residents, which would place less of a demand on recreation facilities. The smaller area also reduces the potential to incorporate

parks, trails, and other amenities into the project design. The need for additional open space is linked to an increase in population. At the rate of 5 acres per 1,000 residents, this alternative would result in a demand for 10 acres of parkland. As the community park planned for the project area is part of a community-wide park master plan, it is reasonable to assume that a community park would be required under the no project alternative. However, unlike the proposed project, there would likely not be room for the community park within the boundaries of this alternative. Overall, the recreation impacts are similar to those of the proposed project.

12. Aesthetics/Visual Resources/Light and Glare

As with the proposed project, grading will need to occur to achieve an efficient land use development pattern and density. The grading will alter the views of the site from Interstate 5 and will result in the removal of trees. Similar to the proposed project, compliance with the City's Tree Conservation Ordinance will help address some of the changes brought about by grading, but will still result in an impact. As the area for development under this alternative has more trees than the remainder of the project site and there will be less of an opportunity to plant replacement trees similar to the proposed project, the impact to trees from this alternative will be greater than that of the proposed project.

Lights associated with homes and roadways from development of this area would be similar to the residential component of the proposed project. As this alternative would not include nonresidential development and the overall area to be developed is less than that of the proposed project, the amount of light and glare impact associated with this alternative is less than the proposed project.

13. Greenhouse Gases and Climate Change

This alternative would result in less greenhouse gas generation because of its smaller potential development. Fewer housing units and less traffic would result in an impact less than that of the proposed project.

Findings: Alternative 1, the No Project alternative, would result in lesser impacts. However, this alternative would not meet the any of the project objectives related to mixed use or jobs-to-housing balance. The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, this alternative is rejected because it does not meet project objectives.

8.2 ALTERNATIVE 2 – BLACK CANYON ROAD CONNECTION

Under this alternative, the development potential of the proposed project remains unchanged from that analyzed in this DEIR. This alternative would provide a public roadway connection to Black Canyon Road rather than the emergency vehicle and pedestrian connection proposed with the project. The intent of the alternative is to reduce vehicle miles traveled for residents heading into the downtown and municipal service areas of the City. The proposed vehicle route would require residents to travel south to Cascade Boulevard then west on Shasta Dam Boulevard to the downtown approximately 1.5 miles from the center of the project. This alternative would allow the same traffic to travel west connecting to Black Canyon Road and then southwest to the same destination, a route of approximately 1.0 miles.

1. Land Use

Land use impacts would be identical to those of the proposed project.

2. Population/Housing/Employment

As the development portion of the proposed project would remain unchanged, the impacts will be identical to the proposed project.

3. Transportation and Circulation

DEIR Appendix 4.3-1 evaluates the potential change in traffic associated with a Black Canyon Road extension into the project site. As noted in the analysis, the extension of the roadway would result in an additional 1,400 average daily trips and a level of service D on the roadway segment. The connection would result in negligible change at Interstate 5 and study area intersections. As the extension of the roadway would result in an unacceptable level of service on Black Canyon Road, a roadway unaffected by vehicle traffic from the project, and results in negligible changes to study area intersections and roadways, this alterative is considered to have a greater traffic impact than the proposed project.

4. Air Quality

The provision of another roadway into the proposed project would reduce idling at Cascade Boulevard. Traffic at the intersections would be reduced by about 7 percent as a small portion of project-related traffic would travel west along Black Canyon Road to reach destinations in town. The reduced idling time would result in small improvements to air quality; however, these improvements may be offset by idling at other locations farther west along Shasta Dam Boulevard. Because the number of trips anticipated on this roadway is small, the air quality impacts associated with this alternative are considered similar to those of the proposed project.

5. Noise

Roadway connection to Black Canyon Road would likely increase the amount of traffic by 1,400 average daily trips. These trips are likely to result in substantial noise compared to the existing condition. Because there will be an increase in noise associated with traffic when compared to that of the proposed project, this impact is considered greater than with the proposed project.

6. Biological Resources

Impacts to biological resources associated with this alternative would be similar to those of the proposed project. As proposed, a pedestrian/emergency vehicle access would be provided to Black Canyon Road. This alternative would widen the path to full road standards, changing the width from 20 feet to 28 feet to provide for two-way traffic with no parking. This additional area would likely be disturbed in constructing the proposed pedestrian way, so the impacts are considered similar to those of the proposed project.

7. Hydrology and Water Quality

The slight increase in paved roadway associated with this alternative would increase the amount of stormwater runoff that would need to be accommodated by the project. This increase is expected to be very small in the context of the proposed project. Overall impacts associated with hydrology and water quality are considered similar to those of the proposed project.

8. Geology and Soils

Under this alternative, the Black Canyon Road connection to the proposed project would be 60 feet wide and constructed as a local street. The existing roadway is in poor condition and may need to be reconstructed to support additional traffic. This would result in more grading and pavement than the proposed pedestrian/emergency vehicle-only connection. Overall, the impacts would be greater than those of the proposed project.

9. Cultural Resources

Because the development pattern of the project would not change with this alternative, the impact on cultural resources would be similar to that of the proposed project.

10. Utilities and Service Systems

As the development pattern of the project would not change with this alternative, the impact on utilities and service systems would be similar to that of the proposed project.

11. Public Services

Because the development pattern of the project would not change with this alternative, the impact on community services would be similar to that of the proposed project. Roadway maintenance might be increased on Black Canyon Road. However, as the roadway would need to be improved in order to serve the needs of this alternative, the resulting maintenance costs of a newly reconstructed roadway would not be expected to result in significant impacts. This impact is considered similar to the proposed project.

The development pattern of the project would not change with this alternative. Therefore, the impact on community services would be similar to that of the proposed project.

12. Aesthetics/Visual Resources/Light and Glare

As the development pattern of the project would not change with this alternative, the impact on aesthetics, visual resources, and light and glare would be similar to that of the proposed project.

13. Greenhouse Gases and Climate Change

Because the development pattern of the project would not change with this alternative, the projected generation of greenhouse gasses would be similar to that of the proposed project.

Findings: Alternative 2 would result in similar environmental impacts for nine environmental issue areas analyzed. However, Alternative 2 would result in worse environmental impacts for four environmental issue areas analyzed. This alternative would meet all the project objectives. However, the City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that this alternative is less desirable than the proposed project. It is rejected because this alternative would extend project impacts into areas of the City currently unaffected by the proposed project and the alternative would result in greater impacts than the proposed project.

8.3 ALTERNATIVE 3 – REDUCED WETLAND AND OAK WOODLAND

Development of the site is not possible without impacting at least some of the wetland and oak woodland habitat. Access to the annual grassland areas requires crossing one or more of the seasonal drainages and cutting of trees to allow construction of the roadway and supporting utilities. Alternative 3 assumes that development would occur on the annual grasslands that are located predominantly in the northern portion of the project site. This alternative assumes that creeks will need to be crossed to access the annual grassland and that 617 trees will need to be removed to allow the southern project access to Cascade Boulevard. Even with maximum avoidance, it is reasonable to assume that this alternative would fill more than 0.5 acres of waters of the US, which would trigger the need for an individual permit similar to that of the proposed project. This alternative assumes that only road crossings and less than 5 acres of wetlands will be affected. This alternative assumes that only the oak trees necessary for construction of the extension of the roadway would be removed and that replanting of trees would occur on the proposed project site.

1. Land Use

This alternative would not allow development of most of the project area to the density and intensity identified in the General Plan. As this is one of the few large areas of the City available for development, lack of development potential here will increase growth pressure at other locations in the City. Based on the habitats shown in Section 4.6 of the DEIR, most of the development would be concentrated at the north end of the property with only the extension of Wonderland Boulevard to Shasta Dam Road impacting the oak woodland and wetland areas on the south end of the property. Unlike the proposed project, however, this alternative would not result in future development in Areas B, F, K, L, N, O, and R through U. As a result, the oak woodland and wetland habitat in these areas would remain largely unaffected. This alternative would result in less of an impact than the proposed project.

2. Population/Housing/Employment

This alternative would result in far fewer homes than originally proposed. The proposed project could result in between 2,252 and 4,138 new residents. The alternative would result in fewer residents than the proposed project but could result in a similar number of jobs associated with the commercial and nonresidential development. Providing for fewer residents in such a large area of the City will eventually result in the need for the City to seek other areas to accommodate population growth. As both the proposed project and this alternative are consistent with anticipated population growth within the project area, the impacts on population, housing, and employment are also similar.

3. Transportation and Circulation

While the number of housing units is reduced by nearly one-half with this alternative, the amount of nonresidential development remains unchanged from the proposed project. Fewer trips associated with fewer homes would reduce traffic impacts at several intersections and roadway segments. However, the DEIR identifies impacts at these locations as significant and unavoidable not because improvements cannot be made, but because the City does not have complete jurisdiction over the improvements. Because jurisdictional boundaries would not change as a result of this alternative, the same intersections and roadway segments would still require improvements that the City of Shasta Lake could not guarantee. Therefore, the resulting determination would be significant and unavoidable, similar to that of the proposed project.

4. Air Quality

Fewer homes and residences would reduce traffic trips and result in less air quality impact than the proposed project.

5. Noise

Fewer trips and homes would result in less potential noise associated with traffic under this alternative. As the development would be farther from Interstate 5, there would also be less exposure of residents to existing noise.

6. Biological Resources

This alternative is intended to result in less impact to waters of the US and oak woodlands than the proposed project. The extension of Wonderland Boulevard to Cascade Boulevard would require a minimum of five crossings of waterways or drainages regulated by the US Army Corps of Engineers. Additional crossings of waterways would be required to permit access to the other development areas similar to the proposed project. However, as several of the proposed development areas would not allow construction under this alternative, there would be fewer crossings and therefore less impact to waters of the US than with the proposed project.

At the south end of the project site, approximately 617 trees would need to be removed to accommodate the extension of Wonderland Boulevard similar to the proposed project. As with the proposed project, it is anticipated that fuel maintenance would also result in the loss of vegetation in and around the oak woodland; however, the trees would remain largely intact. This alternative would result in less impact to waters of the US and to oak trees and oak woodland when compared to the proposed project.

7. Hydrology and Water Quality

This alternative results in less impervious surface, which would result in less stormwater than the proposed project. Further, less grading would occur with this alternative and would reduce the potential for construction dust and erosion impacts to affect water quality. While any development associated with this alterative would have similar impacts and mitigation measures to the proposed project, the smaller overall development area would result in water quality impacts less than the proposed project.

8. Geology and Soils

Under this alternative, much of the project site would remain unaffected by the proposed development. The project would result in less grading and less potential for impacts associated with fill and slope instability. The proposed nonresidential development is not typically associated with the use of hazardous materials. For the areas developed, the impacts to geology and soils would be similar to those of the proposed project. Overall, this alternative results in less developed area; therefore, the impact is considered less than the proposed project.

9. Cultural Resources

Similar to the proposed project, this alternative would also avoid the sensitive cultural resources within the project boundaries. However, as the overall development area would be less than the proposed project, the resulting potential for inadvertent discovery of sensitive resources would be less than that of the proposed project.

10. Utilities and Service Systems

As described in the DEIR, utilities for the project must be extended from Shasta Dam Boulevard or Black Canyon Road. Either of these sources would result in similar impacts to oak woodland and wetland habitat as the proposed project. The overall demand for services, however, would be less than the proposed project, as this alternative has fewer potential residents.

11. Public Services

As community services are based largely on population growth, the fewer units associated with this alternative would result in less demand for services. Locating development to the far north of the project site would result in less efficient provision of services. There would also be a large area of the site without direct oversight by residents, similar to the current condition. Under current conditions, there is a history of law enforcement actions associated with trespassing. The proposed project would address these issues by adding residents to the area who could observe and call for law enforcement.

Depending on the management method associated with the oak woodland, there could be a large cost to the City or residents for fuel management to minimize the potential for wildfire. Overall, this alternative results in a less efficient development pattern than the proposed project. While the inefficient development pattern slightly increases the cost of providing community services, the lower potential population would create less of a demand, which could offset the inefficiencies. This alternative is considered to have an impact similar to the proposed project on community services.

Recreational demand is based on population growth. As a result, the fewer units associated with this alternative would result in less demand for recreation. However, the proposed project includes a community park that would not otherwise be possible with this alternative. The community park would need to be located somewhere else in the City or removed from the parks master plan. Alternatively, the park could be located on one of the grassland areas, but then would further reduce the development potential of the alternative. As this alternative would likely not include the community park envisioned by the master plan, the impacts to recreation are considered greater than those of the proposed project.

12. Aesthetics/Visual Resources/Light and Glare

As the intent of this alternative is to reduce impacts to wetland and oak woodland habitat, the only visual change would be to annual grasslands. The development style in the areas of the alternative would be similar to the proposed project, resulting in light and glare as well as landscaping, walls, and other urban features. Because there would be less overall development, the impact on visual resources would be less than with the proposed project.

13. Greenhouse Gases and Climate Change

This alternative would result in a smaller development pattern, fewer homes and less commercial and would therefore result in less generation of greenhouse gases than the proposed project.

Findings: Alternative 3 would result in fewer impacts to biological resources and in particular oak woodland and wetland habitat. Development potential would be reduced as a result of avoiding or reducing impacts. However, the City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that this alternative is less desirable than the proposed project. It is rejected because development under this alternative would be focused at the north end of the property. This development pattern would result in an "isolated" development separated from the remainder of the City of Shasta Lake by open space. Additionally, as exhibited in Table 5.0-6, Alternative Three fails to meet the project objectives.

9.0 LONG-TERM IMPLICATIONS

CEQA Guidelines Section 15126.2(d) requires that an EIR evaluate the growth-inducing impacts of a proposed action. A growth-inducing impact is defined in CEQA Guidelines Section 15126.2(d) as follows:

> *…the way in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth…Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also…the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.*

The Draft EIR evaluated whether the proposed project will induce project-specific growth.

9.1 GROWTH INDUCEMENT POTENTIAL

The proposed Area Plan would guide future development in the project area. While the Area Plan does not, in itself, mandate or propose any specific development, future development will be required to meet the design, land use, and other requirements of the Area Plan. This includes all aspects of future land use, including structure design, allowed uses, parking, street design, transit accommodation, parks, landscaping, and other aspects of physical development. Furthermore, by utilizing the allowed land uses and densities delineated in the Area Plan, an assumed amount of development that would likely occur on the project site has been formulated.

The potential to indirectly induce growth is assumed to exist if a project would remove an obstacle to additional growth and development, such as removing a constraint on a required public service, or if construction of additional infrastructure or resources resulted in excess capacity that would allow additional growth to occur. In the case of the proposed Area Plan, all infrastructure and utilities are located immediately adjacent to or within the Area Plan area. Land uses in the Area Plan would utilize existing capacity for all services and utilities and would connect to existing networks. As no excess capacity would be created by the Area Plan, indirect growth effects are not anticipated.

The intent of the proposed Area Plan is to accommodate anticipated growth through compact, walkable, and mixed-use development. The City's General Plan provides for this anticipated growth, as does planning by service and utility providers. Thus, growth accommodated under the proposed Area Plan would be confined to the immediate Area Plan area and would avoid growth effects on adjacent parcels.

Findings: The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in growth anticipated in the City's General Plan and future planning by service and utility providers.

9.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Implementation of the proposed Area Plan would result in the conversion of undeveloped properties zoned for development. Subsequent development under the Area Plan would constitute a long-term commitment to these uses. It is unlikely that circumstances would arise that would justify the return of those sites to their original condition.

Development of the Area Plan would irretrievably commit building materials and energy to the construction and maintenance of buildings and infrastructure. Renewable, nonrenewable, and limited resources that would likely be consumed as part of the development of the proposed Area Plan would include, but are not limited to, oil, gasoline, lumber, sand and gravel, asphalt, water, steel, and similar materials. In addition, development of the project would result in the increased demand on utilities and public services.

Findings: The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in cumulatively considerable impacts related to irreversible environmental changes.

10.0 FINDINGS ON CHANGES TO THE EIR AND RECIRCULATION

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of a Draft EIR, but before certification. Such new information includes (i) significant changes to the project; (ii) significant changes in the environmental setting; or (iii) significant additional data or other information. Section 15088.5 further provides that "new information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement."

No new or substantial changes to the Draft EIR were proposed as a result of the public comment process. The Final EIR responds to comments and makes changes, clarifications, or additions to the Draft EIR in order to help clarify the project and its impacts in response to public or agency comments. The minor changes, clarifications, or additions to the Draft EIR do not identify any new significant impacts or substantial increase in the severity of any environmental impacts, and do not include any new mitigation measures that would have a potentially significant impact. Therefore, recirculation of the EIR is not required.

11.0 FINDINGS ON MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

Pursuant to CEQA and CEQA Guidelines Sections 15091(d) and 15097, the lead agency (in the case of the proposed project, the City of Shasta Lake) for a proposed project must adopt a program for monitoring or reporting mitigation measures identified in the EIR, if the lead agency makes findings of significant impacts during the process of certifying the EIR. The primary purpose of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure that the mitigation measures identified in the EIR are implemented, thereby reducing or avoiding identified environmental impacts. Due to the specialized nature of some of the mitigation measures identified in the EIR, the City may delegate responsibilities to environmental monitors or other professionals, as warranted.

MITIGATION MONITORING AND REPORTING PROGRAM

The purpose of the MMRP is to ensure the effective implementation of the mitigation measures imposed by the City for the proposed project. In addition, the MMRP provides a means of identifying corrective actions, if necessary, before irreversible environmental damage occurs.

The MMRP includes:

A brief description of each impact expected to occur from the proposed project;

Mitigation measure(s) associated with each impact;

Responsible monitoring party;

Responsible implementing party;

Implementation phase (i.e., pre-construction, construction, prior to occupancy, post-occupancy); and

Completion date and initials of reviewing party.

As the lead agency for the proposed project, the City will be required to comply with all applicable plans, permits, and conditions of approval for the proposed project, in addition to implementation of the MMRP. The mitigation measures presented in the MMRP will be implemented as indicated to avoid or minimize environmental impacts as a result of the proposed project.

The Draft EIR was released for public and agency review on April 18, 2014, with the 45-day review period ending on June 18, 2014. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. The Draft EIR was provided to interested public agencies and the public and was made available for review at the Shasta Lake Gateway Library, Shasta Lake City Hall, 1650 Stanton Drive, Shasta Lake, CA 96019, and on the City's website.

12.0 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA Guidelines Section 15093, and with respect to the environmental impacts of the project identified in Section 2.0 that are potentially significant or significant and would not be mitigated to a less-than-significant level with mitigation measures, the City hereby makes and adopts the following Statement of Overriding Considerations. This section identifies the significant environmental impacts that would not be reduced to a less-than-significant level and describes the anticipated economic, legal, social, technological, and/or other benefits or considerations which warrant the Commission's decision to approve the project even though not all of the environmental effects of the project are fully mitigated.

The City finds that, to the extent that any environmental impacts (including, without limitation, any cumulative impacts) attributable to the project may not be mitigated to a less-than-significant level, or which are otherwise considered to be unavoidable, such environmental impacts are considered acceptable in light of the overriding economic, legal, social, technological or other benefits or considerations related to the project, as set forth in this section. In other words, the City finds that the social, economic, and other benefits or considerations described in this chapter outweigh the unmitigated or unavoidable environmental impacts of the project, thereby warranting the project's approval.

All of the significant environmental impacts of the project, as identified in the Final EIR, would be reduced to a less-than-significant level by proposed mitigation measures with the exception of impacts identified in Section 7.0 above. These significant and unavoidable impacts can be summarized as follows:

Transportation and Circulation

- Impact 4.3.1 - Conflict with Applicable Intersection Level of Service – Near-Term Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-35 through -39)
- Impact 4.3.3 - Conflict with Applicable Freeway Mainline Segments Level of Service – Near-Term Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-40 - 44)
- Impact 4.3.4 - Conflict with Applicable Ramp Junction Level of Service – Near-Term Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-44 - 45)
- Impact 4.3.8 - Conflict with Applicable Intersection Level of Service – Cumulative Year 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-62 - 65)
- Impact 4.3.10 - Conflict with Applicable Freeway Mainline Segment Level of Service – Cumulative Year 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-66 - 68)
- Impact 4.3.11 - Conflict with Applicable Ramp Junction Level of Service – Cumulative Year 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-68 - 70)
- Impact 4.3.12 - Conflict with Applicable Level of Service Due to Wonderland Boulevard Extension – Cumulative 2020 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-70 - 71)
- Impact 4.3.13 - Conflict with Applicable Intersection Level of Service – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-71 - 73)

- Impact 4.3.15 - Conflict with Applicable Freeway Mainline Segment Level of Service – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-75 - 77)

- Impact 4.3.16 - Conflict with Applicable Ramp Junction Level of Service – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (pp. 4.3-77 - 80)

- Impact 4.3.17 - Conflict with Applicable Level of Service Due to Wonderland Boulevard Extension – Cumulative Year 2030 Plus Project Conditions (Standards of Significance 1 and 2) (p. 4.3-80)

Air Quality

- Impact 4.4.2 - Short-Term Construction Generated Pollutant Emissions Resulting in Violation of Air Quality Standards or Contributing to Existing Violations (Standard of Significance 2) (pp. 4.4-19 - 22)

- Impact 4.4.3 - Long-Term Operational Emissions of Air Pollutants Resulting in Violation of Air Quality Standards or Contributing to Existing Violations (Standard of Significance 2) (pp. 4.4-22 - 24)

- Impact 4.4.6 - Contribution to Net Increase of Air Pollutants for Which the NSVAB Is Nonattainment (Standards of Significance 1, 2, and 6) (pp. 4.4-31 - 32)

Noise

- Impact 4.5.4 - Compatibility of Proposed Land Uses with Projected On-Site Noise Levels (Standard of Significance 3) (pp. 4.5-19 - 22)

Utilities and Service Systems

- Impact 4.10.1.1 - Available Water Supplies Available to Serve the Project (Standard of Significance 1) (pp. 4.10-8 - 15)

- Impact 4.10.1.3 - Cumulative Water Service (pp. 4.10-16 - 17)

These significant and unavoidable impacts are the subject of this Statement of Overriding Considerations. The City finds, with respect to these impacts, that mitigation measures or alternatives that would avoid or substantially lessen the subject environmental effects are infeasible as a result of specific economic, legal, social, technological, or other considerations. While the Final EIR identifies all of the feasible mitigation measures that would reduce these impacts, the mitigation measures would not be sufficient to reduce these impacts to a less-than significant level for the reasons outlined in the following chapters of the Draft EIR: Chapter 4.3, Transportation and Circulation; Chapter 4.4, Air Quality; Chapter 4.5, Noise; and Chapter 4.10, Utilities and Service Systems.

FINDINGS

The City of Shasta Lake finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project would result in a significant and unavoidable impact to air quality, noise, transportation and circulation and utilities and service systems despite implementation of all feasible mitigation. The City further finds that these unavoidable impacts are overridden by the project benefits as set forth in this Statement of Overriding Considerations.

PROJECT BENEFITS

The City of Shasta Lake has balanced the proposed project's benefits against the proposed project's significant and unavoidable impacts. The City of Shasta Lake finds that the proposed project's benefits outweigh the proposed project's significant and unavoidable impacts; those impacts therefore are considered acceptable in light of the proposed project's benefits.

The City of Shasta Lake finds that each of the following benefits is an overriding consideration that warrants approval of the proposed project, notwithstanding the proposed project's significant and unavoidable impacts.

1. FURTHERANCE OF CITY-WIDE HEALTHY COMMUNITIES GOALS, POLICIES AND IMPLEMENTATION MEASURES

The Shasta Lake Housing Element explains one of the foremost concepts applicable to all of the goals and policies in the General Plan is the City's intent to ensure development is consistent with healthy community principles. These principles, incorporated into land use decisions, will help the City as a whole become a healthier community. The Area Plan includes objectives and Design Guidelines that further the City's vision for healthy communities for the benefit of the entire City as described in this Section.

2. ACCESS TO QUALITY AFFORDABLE HOUSING

The project will further the City's goals and policies for new residential land uses established by the Shasta Lake General Plan by providing a variety residential densities and housing types while ensuring compatibility with existing and planned land uses.

The Area Plan includes a full range of housing densities and types, including single-family, duplexes, townhouses, apartments, alley-loaded, green court and live-work units affordable to a broad spectrum of income levels, which will assist the City in meeting its Regional Housing Needs Allocation requirement. Area R allows for a density of up to 30 units per acre, which promotes affordable housing opportunities. Area H provides opportunities for high density, mixed use development. Section 6.0 of the Area Plan includes Design Guidelines to ensure housing is of high quality.

3. INCREASED ECONOMIC OPPORTUNITIES

The Area Plan includes up to 195,584 square feet of commercial uses, which will provide local services and job opportunities within walking and bicycling distance. In addition, live-work units are allowed in Area H and will provide additional employment opportunities. The Fiscal Impact Analysis prepared for the project (DPFG, 2015) estimates approximately 529 permanent jobs will be created by build-out of the project.

These entry-level, mid-level, and management positions in retail, service, hospitality, financial and medical professions would provide positions for workers with a range of education levels and skill sets. Job creation will increase local employment levels and allow residents within the City to live and work locally.

The expansion of the City's overall housing supply is anticipated to attract and retain business and create new jobs throughout the City. Increased spending by new residents will further enhance opportunities for job creation and retail expansion throughout the City.

The PD Zone District allows for a hotel and conference center, which would attract visitors to the area and generate transient occupancy tax and other general fund revenue, which would allow the City to invest in economic development programs.

4. SOCIAL BENEFITS

The project supports the policies and furthers implementation measures included in the City's Community Health Impact Assessment (HIA), prepared by the Shasta County Public Health Department in July 2009 by providing new opportunities for social interaction available to all residents of the City and promoting physical activity, healthy eating, and the health benefits of social interaction.

Section 4.0 of the HIA (Community Mental Well-Being) stresses the importance of providing access to green space and natural areas and the ability to develop social networks. The HIA emphasizes, "*Social scientists have investigated how higher social capital may protect individuals from social isolation, create social safety, lower crime levels, improve schooling and education, enhance community life and improve work outcomes…Communities that provide an array of housing types, a strong employment base, public events and access to natural areas thrive and offer environments conducive to protecting the mental well-being of their citizens.*"

HIA goals, policies and objectives include the following:

- Support development efforts that promote community mental well-being
- Encourage greenways, trails and open space in all new development
- Create diverse opportunities for residents to congregate and explore different venues of art and cultural diversity.
- Identify an area within the City that could be developed as a square or plaza.
- Design developments to maximize neighborhood interaction and sense of belonging or sense of place
- Expand educational opportunities for high school graduates

Allowable uses in the Mountain Gate at Shasta Planned Development Zone District include the following which further these goals, policies and objectives:

- Community and neighborhood parks and a trail system linking all uses within the Plan Area

- Museum, library, performance art center, amphitheater, dance or music studio
- Public gathering places, plazas, outdoor dining areas
- Farmers markets, produce sales
- Community, youth or senior center
- Conference center/meeting hall
- Places of worship
- Schools (trade schools, elementary schools, training programs)
- Health/fitness clubs
- Recreation/entertainment (e.g., as movie theater, bowling alley, miniature golf, etc.)

Section 6.0 of the Area Plan includes Design Guidelines to ensure a safe environment for residents, business owners, and visitors to the Plan Area.

5. ACCESS TO MULTIPLE MODES OF TRANSPORTATION

The project will establish a circulation system that meets local and regional transportation needs and accommodates a variety of transportation modes, including off-street trail systems and on-street bicycle lanes. A pedestrian-friendly community will be established that provides a continuous system of trails to link neighborhoods together and provide safe routes to parks and community-serving areas. The circulation system would include pedestrian and bicycle access to areas outside of the project boundaries, including neighborhoods to the west and south, Grand Oaks School to the south, and commercial areas along State Route 151 (Shasta Dam Boulevard.)

In addition, the project includes commercial and service uses within walking distance of all areas within the project boundaries. Design Guidelines are included to ensure safe pedestrian and bicycle access to reduce reliability on vehicles.

6. PROVISION OF PARKS, AND OTHER SOURCES OF RECREATION

The project provides additional park facilities for the City in accordance with the Shasta Lake Park System Master Plan. Pursuant to the Development Agreement, the Developer has agreed to develop the parks at the developer's expense.

A 15.7-acre Community Park will be located in a centralized location of the Plan Area. Fully programmed recreational and sports fields will encompass approximately 8.1 acres, and 7.6 acres will include family-oriented activities such as trails, play equipment and picnic area.

A 7.3 acre Neighborhood Park is proposed at the northerly portion of the Plan Area adjacent to the mixed-use area. The Neighborhood Park will include individual and family-focused recreational and support facilities, which may include play equipment, picnic areas and barbeques. The project also includes an extensive trail system linking neighborhoods together and providing safe routes to parks and community-serving areas. The parks and trails system will

be utilized by residents and employees throughout the City.

7. IMPLEMENTATION OF GREEN AND SUSTAINABLE DEVELOPMENT AND PRACTICES

The Area Plan requires Developers to implement all reasonable and sustainable water conservation measures in place at the time of design review approval or issuance of a building permit. Compliance will be calculated on an Area Plan-wide basis. The intent of this requirement is to ensure that water conservation is considered and incorporated into each new home and commercial use constructed within the Area Plan.

This will assist the City in meeting its urban water use targets established in the Urban Water Management Plan.

In addition, the Design Guidelines contain a section for Energy Conserving Design, which include the following measures that will assist the City in meeting its renewable energy goals:

DG 82. Building design should demonstrate consideration of energy-efficient concepts such as passive heating and/or cooling, sun exposure, channeling and deflecting breezes to cool public spaces, solar orientation, and other energy conserving opportunities.

DG 83. Passive solar design features are encouraged whenever possible. Design of buildings should consider energy-efficient concepts such as natural heating and/or cooling, sun and wind exposure and orientation, and other solar energy opportunities.

8. PUBLIC REVENUE

The project would provide fiscal benefits to the City. A Fiscal Impact Analysis (FIA) was prepared for the project to determine the estimated fiscal impacts on the City in connection with the proposed development. The FIA shows the impact of the project for a 20-year time frame. The estimates include revenue from property tax, sales and use tax, transient occupancy tax, fees from licenses and permits, revenue from other agencies, charges for service, fines and forfeitures, revenue from interest income; and projected fiscal operating expenditures from the General Fund.

The FIA concludes that at build-out of the Plan Area, the City is fiscally positive with approximately $1,387,444 surplus annually, and approximately $1,691,287 gained annually 10 years following build-out.

At the ten-year build-out of the project, the City will have a cumulative gain of $6,076,800 and 10 years following build-out, that revenue stream will produce a positive $22,059,064. Therefore, there would be no impact to existing residents.

Revenue generation would assist the City in satisfying other city-wide objectives and implementation measures included in the General Plan, which is critical due to the demise of the Redevelopment Agency.

CONCLUSION

CEQA requires the City to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its significant and unavoidable environmental risks when determining whether to approve the project.

If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable" and the proposed project approved.

As documented above, implementation of the proposed project would result in access to affordable housing, which assists the City in meeting its Regional Housing Needs Allocation (RHNA) established by the State; the project would create jobs and allow residents within the City to live and work locally; the project implements measures included in the City's Community Health Impact Assessment by providing new opportunities for social interaction available to all residents of the City and promoting physical activity, healthy eating, and the health benefits of social interaction.

The project will establish a circulation system that accommodates a variety of transportation modes, including off-street trail systems and on-street bicycle lanes, which reduces dependence on vehicles; a community park, neighborhood and park and extensive trails system will be developed and would be available to all residents within the City; the project assists the City in meeting its urban water use targets and renewable energy goals by incorporating green and sustainable development; the project would generate surplus revenue to the City's general fund, which would assist the City in satisfying other General Plan objectives and implementation measures for the benefit of the community.

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the City of Shasta Lake has determined that the identified significant and unavoidable impacts may be considered "acceptable" due to the specific considerations listed above that outweigh the significant and unavoidable impacts that would result from implementation of the proposed project.

Accordingly, the City of Shasta Lake adopts the Statement of Overriding Considerations, recognizing that significant and unavoidable impacts would result from implementation of the proposed project. Having (1) adopted all feasible mitigation measures, (2) rejected alternatives to the proposed project, and (3) recognized all unavoidable significant impacts, the City of Shasta Lake hereby finds that each of the separate benefits of the proposed project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants approval of the proposed project and outweighs and overrides its significant and unavoidable impacts, and thereby justifies approval of the Mountain Gate at Shasta Area Plan project.