

Lent Ranch Marketplace- comments by Genelle Treaster

This public hearing is premature and should be delayed for three reasons:

1) Held prior to the draft EIR’s deadline of public comment - these should be received, read and incorporated into the discussion. The hurried nature of preparing this draft EIR (9 of 15 “orgs and person contacted” predate incorporation) and this early hearing date makes the process of reviewing this project suspect. It also questions the importance to the city of the public input process.

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2) Where’s the interchange? These proposed developments should be heard together, since they are two parts of the same project.

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3) But by far, the most important reason for postponement is that would be a great mistake for the city {still in its infancy} to proceed with this project before a public supported General Plan is in place. The city is operating now under the County’s Plan, not Elk Grove’s. If the city proceeds with this project before a public supported master plan is in place, it is excluding the community from what many believe is one of the main benefits of incorporation - local control to plan your own community.

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If this project is allowed to proceed, it won’t ever matter what the people want, a consequent General Plan would have to accommodate this oversized, high intensity, geographically inappropriate development. The community will be denied any real opportunity to offer input into its vision of the future. Don’t let this one development dictate the future. This project represents the plan and project objectives of the developer, not of the people. Don’t take away the people of Elk Grove’s right to plan their community.

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Regarding the draft EIR, it leaves the reader with many questions. Needed is a more detailed, objective analysis of many important issues and impacts. These issues will be addressed in detail in our written comments due on Dec. 11.

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Generally, the document is an embarrassing beginning for the new city. It is inadequate, contradicts itself, has serious omissions, and involves questionable and at times absurd scientific data and planning models However, the most troubling and flawed aspect of the document is, that over and over again, it uses proposed and conceptual developments in the project’s vicinity to justify its findings. Do the citizens of Elk Grove want Laguna Ridge, East Franklin, Southpointe, etc? Do they want more seas of subdivisions? This is county’s plans, not Elk Grove’s.

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As proposed, the Lent Ranch marketplace and its new interchange is a bad plan for the south county. There will be serious irreversible impacts to traffic, air quality, farming operations, open space, habitat, wildlife and land use. This project is not about shopping, which could be accommodated at another site. Dillards and the other stores will locate wherever we chose to put a mall in this community. This project is about land use = incompatible, growth inducing land use that is proposed in the absolutely wrong location.

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- 1) leapfrogged miles away from the city's urban core, way out onto the urban limit line. | 11
- 2) within a stone's throw of Suburban Propane and EG's industrial area. | 12
- 3) just over one mile from the Cosumnes River, a river nationally recognized for its ecological significance and the last unregulated river into CV. | 13

If the city insists on hastily proceeding with this project before a General Plan is in place, we ask that the city requires comprehensive actions of the developers that would attempt to hold the USB and respect our agricultural and natural areas. To mitigate for the projects' impacts = loss of ag land, special status species, and esp. its growth-inducing potential, the city should require conservation easements directly abutting the project (across Kammerer) at a 1: 2 acre ratio. Should also require an on-site southern buffer of open space (AG implementation measure D) to inhibit development to the south. The city should consider downsizing the project to fit Elk Grove (overlay of alternative site map illustrates just how oversized this project is. And the project's economic report which was conveniently -or deliberately- excluded from document shows that the project is not economically viable unless thousands of additional acres are developed south of Kammerer). Also, design the interchange so that it hampers access to properties to the south, making them less appealing to developers. Speculator Land Rush | 14
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City Logo: We already lost the tule elk, do we want to lose the rest? Ag, river, forest. A land use of this proposed intensity in this proposed location would result in nothing less. | 19

enclosed: Redirect City Priorities

South County Citizens for Responsible Growth

Issues of Concern Requiring Redirection of Priorities by the City of Elk Grove

Maintain a regional voice for Elk Grove and the south county that contributes to solving region-wide challenges, such as air pollution and traffic.

Improve coordination with other local agencies, such as the EGCSO and EGUSD, as well as regional agencies (i.e. county and state government, especially on transportation issues).

Improve attempts at obtaining diverse public input on important issues, instead of heavy dependence on those with large vested interests.

Develop, with broad public input, a General Plan that spells out Elk Grove's vision of its future and provides a framework to guide City decisions. Avoid major commitments until such a plan exists, so that an "after the fact" General Plan (after the major development decisions are already made) is not created. Let the people decide the community's future.

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Seek a Sphere of Influence boundary that respects established agricultural and natural resource zones. Should Elk Grove extend someday from Jackson Road on the north to almost Twin Cities road on the south, as currently proposed?

Do not give an unhealthy amount of preference to projects that could generate increased City income via retail sales tax. Direct more attention to attracting new businesses that offer good paying jobs, demand minimal public services, or created greater opportunities for existing businesses. Play a more important role in improving the area's telecommunication systems.

Postpone consideration of the proposed Lent Ranch Marketplace until a General Plan is created. The project, as proposed, will not be economically viable unless thousands of acres are developed south of Kammerer Road, resulting in severe impact to traffic, air quality, farming operations and wildlife habitat throughout the south county.

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Reprioritize infrastructure improvements. Focus on projects needing immediate action, such as Sheldon Road/ Highway 99 interchange and Grantline Road in the Sheldon area. Delay projects needed for future growth, such as the Grantline Road/ Highway 99 interchange, until immediate needs are met.

Place a priority on solving traffic problems in a manner that contributes to pedestrian and bicycle access and safety. Evaluate the development of both a city shuttle bus system and a trail system that allows the public to 'get somewhere' without a vehicle.

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Take actions that help conserve existing farms and encourages new agricultural enterprises. Help facilitate the expansion of private landowner/non-profit/public partnerships that assure the preservation of both farming operations and wildlife habitat.

28. Letter from Genelle Treaster, no date

Response 1

CEQA Guidelines Section 15105 (a), Public Review Period for a Draft EIR or a Proposed Negative Declaration or Mitigated Negative Declaration requires that: "When a draft EIR is submitted to the State Clearinghouse for review by state agencies, the public review shall not be less than 45 days." There is nothing in the *CEQA Guidelines* that precludes discussion of the project during public hearings while the comment and review period is in process. In fact, *CEQA Guidelines* Section 15202 (c) states: (c) "A public hearing on the environmental impact of a project should usually be held when the Lead Agency determines it would facilitate the purposes and goals of CEQA to do so. The hearing may be held in conjunction with and as a part of normal planning activities." In this case, the City of Elk Grove, determined that public comment would be facilitated if a public hearing were held during the Draft EIR comment period.

Any comments discussed at the public hearings are required to be responded to and made a part of the Final EIR - Response to Comments. No action by the Elk Grove City Council can occur until Final Response to Comments has been prepared. At this time, there is still opportunity for the public to comment on the project, in public testimony before the Planning Commission and City Council.

Response 2

The Lent Ranch EIR and the Grant Line Road/SR-99 Interchange EIR took into consideration the impacts of each project, respectively, as well as the list of cumulative projects found in Draft EIR Table 4.2-27, Cumulative Project - Land Use Assumptions (Draft EIR Section 4.2, Transportation and Circulation). Please also see **Topical Response 1 - Segmentation** for related information.

Response 3

The County of Sacramento General Plan, which was expressly adopted by the City of Elk Grove upon incorporation, is the current and valid General Plan of the City of Elk Grove. As such, the current General Plan serves as the "constitution" for all planning decisions in the City of Elk Grove. The incorporation of the City of Elk Grove did not establish a de facto moratorium on development within the City boundary for the length of time necessary for the City to prepare a new General Plan, and the City is permitted to consider and approve development projects under the current General Plan. Under state

law, the City has at least 30 months after incorporation to implement a new General Plan if it chooses to do so. *Government Code* §65360. At present, the current General Plan is in effect and governs this project.

The City intends to commence with the preparation of new General Plan for the City this year. The City Council is expected to provide City staff initial direction on how to proceed with the General Plan process in February. The City will be soliciting input from City residents and interested parties on the scope of the General Plan in the future and will have an extensive public participation process.

Response 4

Please see Response 3 above. Additionally, the commentator should be aware that the proposed project is located within the Urban Development Area which is already designated for development within the General Plan.

Response 5

Please see Response to Letter 27 from Genelle Treaster dated December 14, 2000.

Response 6

The commentator indicates that the Draft EIR is flawed in many instances but does not provide substantive examples as to its inadequacy, omissions, contradictions and questionable scientific data. Without examples of the above, no further response can be made to this comment.

Additionally, the commentator suggests that there are "conceptual" developments in the project area that are being used to justify the Draft EIR findings. Many of the "conceptual" projects referred to by the commentator are in fact approved such as the East Franklin Specific Plan and some are in the process of being built. The Draft EIR examines the project under two separate scenarios in issue areas that are relevant to surrounding uses such as land use compatibility. One scenario assumes development around the site of the proposed project, such as South Point, and the other scenario assumes that the development does not occur around the project site. This approach was used to determine the impact of the project under either scenario and for use by the decision-making body. An example of this may be found on pages 4.1-13 and 4.1-14 of the Draft EIR, where land use compatibility issues with agricultural operations are assessed. It is noted that the City has adopted the Sacramento County General Plan on an interim basis to govern land use decision-making.

Response 7

The comment is acknowledged. Because it does not address the content of the Draft EIR, no further comment is required.

Response 8

The Draft EIR addresses all these issues and acknowledges the environmental impacts associated with the project as it relates to each issue. Please refer to Draft EIR Sections 4.1, Agricultural Resources, 4.2, Transportation and Circulation, 4.3, Air Quality, 4.8, Biological Resources, and 4.12, Land Use/Population, Housing and Employment.

Response 9

We direct the commentor to Draft EIR Section 6.0, Alternatives, pages 6.0-29 through 6.0-39, which discusses potential impacts with regards to an alternative location to the proposed project. Please also see **Topical Response 3 - Off-Site Alternatives**.

Response 10

The comment is acknowledged. However the commentor should be aware that the proposed project is consistent with the General Plan in that it is located in the Urban Development Area which is already designated to allow development activities. Because the commentor's opinion does not address the content of the Draft EIR, no further comment is required.

Response 11

Please see **Topical Response 4 - Growth Inducing Impacts**.

Response 12

The issue of the proposed project located in close proximity to the Suburban Propane tanks and nearby industrial uses is discussed in detail in Draft EIR Section 4.5, Hazards.

Response 13

Project impacts to biological resources, including the proximity to the Cosumnes River, is addressed in Draft EIR Section 4.8, Biological Resources.

Response 14

Please note that the project does not involve a modification to the USB and the project is in fact included within the area planned for development in the General Plan. However, the proposed project, together with the other cumulative projects that are approved, planned or proposed in the area, could result in increasing growth pressure on the City or County to modify the Urban Policy Area and Urban Service Boundary. This increase in pressure, particularly to the south across Kammerer Road, may result in agricultural land being converted to urban type use for the economic benefit of the landowner. Allowing growth beyond the USB would be under the control of the City and County. As such, the movement of the USB would ultimately need approval by the City or County, and would not be under the control of a developer. Therefore, imposing comprehensive actions on the developer to preclude the movement of the USB is not possible.

Response 15

Please see **Topical Response 2 - Agricultural Resources** for further discussion of mitigation including easements and the replacement of lost agricultural land (AG Implementation Measure D). Growth inducing impacts are assessed in Draft EIR Section 8.0, and in **Topical Response 4 - Growth Inducing Impacts**.

The loss of open agricultural land on the project site was identified in the EIR as resulting in a significant loss of foraging habitat for Swainson's hawk and significantly contributing to the cumulative loss of open space in southern Sacramento County, particularly in association with migrating birds. Mitigation was included in the Draft EIR to mitigate impacts to Swainson's hawk habitat and would include the preservation of 293 acres of Swainson's hawk habitat, or the preparation and implementation of a Swainson's Hawk Mitigation Plan that includes preservation of habitat, or the submitting payment of a Swainson's hawk impact mitigation fee per acre.

As described above, the project's contribution to biological and agricultural resource impacts is addressed adequately in the Draft EIR. The 2:1 ratio suggested does not appear to be based on any technical studies

to support the proportionality between the project's impacts and the mitigation, which would be inconsistent with *CEQA Guidelines* 15126.4. This mitigation was not considered by the City.

Response 16

Please see Draft EIR Section 6.0, Alternatives, which analyzes the impacts of a reduced density alternative to the proposed project. This discussion can be found on pages 6.0-22 through 6.0-29.

Response 17

Comment is made that economic study was not included in EIR and that the study shows that the project is not viable unless thousand of acres are developed south of Kammerer Road. The economic analysis completed by Bay Area Economics (BAE) has been included in the Final EIR. The BAE study indicates that existing and planned growth in south Sacramento County would be capable of supporting the project. This planned growth does not include projects south of Kammerer Road. Please refer to Table 4 in the BAE Study for a summary of anticipated long-term Laguna/Elk Grove commercial supply and demand used in the analysis.

Response 18

The comment is acknowledged. Because it does not address the content of the Draft EIR, no further comment is required.

Response 19

The comment is acknowledged. Because it does not address the content of the Draft EIR, no further comment is required.

Response 20

The comment is acknowledged. Because it does not address the content of the Draft EIR, no further comment is required.

Response 21

Please refer to Response 3, above for information regarding the General Plan. Comment is made that economic study was not included in EIR and that the study shows that the project is not viable unless thousand of acres are developed south of Kammerer Road. The economic analysis completed by Bay Area Economics (BAE) has been included in the Final EIR. The BAE study indicates that existing and planned growth in south Sacramento County would be capable of supporting the project. This planned growth does not include projects south of Kammerer Road. Please refer to Table 4 in the BAE Study in **Appendix B** for a summary of anticipated long-term Laguna/Elk Grove commercial supply and demand used in the analysis.

Response 22

The comment is acknowledged. Because it does not address the content of the Draft EIR, no further comment is required.