

**Patrick Angell**

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**From:** Phil Carter  
**Sent:** Tuesday, December 12, 2000 8:01 AM  
**To:** John, Jane & Brandon Raboy  
**Cc:** Patrick Angell  
**Subject:** RE: Lench Ranch Marketplace Environmental Impact Report (EIR) draft

Thank you for your comments. They will be addressed as part of the Final EIR.

-----Original Message-----

**From:** John, Jane & Brandon Raboy [mailto:jjrr@softcom.net]  
**Sent:** Monday, December 11, 2000 11:19 PM  
**To:** Phil Carter  
**Subject:** Lench Ranch Marketplace Environmental Impact Report (EIR) draft  
**Importance:** High

**Elk Grove Planning Commission**

Please address all the issues listed below in the Lench Ranch Marketplace Environmental Impact Report (EIR) draft.

This project will negatively impact the quality of life for residents of Elk Grove, Laguna, Sacramento, Galt and Sacramento County. The only persons who will benefit from this project are builders, not the residents of the city or county.

1. **How will you prevent flooding in the construction area and in nearby lands?** The flooding that will be created by this project and others in the area will devastate communities nearby. The EIR claims that the likelihood of flooding is low but this is exactly what other EIRs for other projects stated several years ago when much of Sacramento County was flooded including Highway 99 and Interstate 5.

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Will our tax dollars be used to bail out property owners who are flooded in future years due to the approval of this project and others? I surely do not want my county tax dollars used for this purpose.

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2. **How will you prevent traffic congestion from worsening?** Traffic congestion will rise to unacceptable levels well above the current unacceptable levels on Interstate 99. The traffic congestion will filter over to other adjacent roads such as Grant Line Road and nearby communities including but not limited to Galt. This area is already looking like Los Angeles. Should everyone be proud that we have ramp metering just like Los Angeles? Again, the EIR on this project will not reflect the actual traffic congestion that will result. Traffic on 99, I 5, 80, Business 80 and 50 have increased to levels where highway widening and mass transit could not possibly decrease the congestion. A two hour roundtrip commute has become a four hour commute and if you don't stop the construction, it will become an eight hour commute. A story in the Sacramento Bee, dated September 8, 2000, states that the congestion is so

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bad that Highway 99 has a rush hour that lasts from 3:30 to 6:45PM, the worst in the region.

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3. **How will you prevent crime from worsening?** Crime will increase and the current services residents receive will disappear. The sheriff, fire department and schools can't handle the increased growth as it is.

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4. **How will you prevent businesses from other parts of Sacramento County from abandoning their store locations to move to this new mall?**

Sacramento county, especially the Elk Grove and Laguna areas are presently being overbuilt with housing and commercial projects. How many food stores, Burger Kings, McDonalds, and gas stations do we need? There must be approximately 5-10 food supermarkets, 5-10 Burger Kings, 5-10 McDonalds, 5-10 Taco Bells constructed, being constructed or planned to be constructed within a three mile radius. You are continuing this construction in the Elk Grove/Laguna area while the Mack Road, Florin and other northern areas off Highway 99 are being abandoned. Elk Grove will soon be next. This type of building and abandonment is exactly what happened in Los Angeles.

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There are already more than three shopping malls in the area including the Florin Mall. There are no other malls needed. This mall's location is within a 1/16<sup>th</sup> of a mile or less from propane tanks which was targeted by a militia group in the past year. I am sure you want to move the propane tanks to a more populated area

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5. **How will you prevent the destruction of farmland and wildlife habitats?**

You are destroying farmland and the wildlife habitat that can never be replaced. How will the country feed itself if you destroy all the farmland?

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6. **How will you ensure Elk Grove and the County complies with Federal regulations? How will you ensure no other children develop asthma?**

The Sacramento and San Joaquin Valley have failed Federal Clean Air regulations and a study reported in the Sacramento Bee, dated July 16, 2000 has linked the bad quality of the air to increased asthma in children. The report also stated for the past 22 years, the six county Sacramento area has been in violation of the Federal health based limit for ozone and for years it has ranked among the 10 smoggiest urban areas in the country. Asthma in California has increased 75% between 1984 and 1998.

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**The question is not whether your children and grandchildren will develop asthma but when.**

7. **How will you prevent schools from being overcrowded and ensure the schools are fully funded to handle the children who attend them?**

Schools can't support the existing children who have moved to this area.

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The real question is whether the Elk Grove Planning Commission and Elk Grove City Council will make decisions for what's best for the citizens of Elk Grove or what's best for the rich developers. The developers are laughing at everyone in Elk Grove because they know they can do whatever they want (you are not going to stop them) and leave the mess (flooding, pollution, congestion and destruction of farmland) for the citizens of Elk Grove and Sacramento County to clean up.

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Why are you considering the EIR draft when this entire project, which does not benefit the citizens should be rejected and the urban services boundary should be moved from the Consumnes River to Elk Grove Blvd.

32. Letter from John, Jane, and Brandon Raboy, dated December 11, 2000**Response 1**

These issues were addressed in Draft EIR Section 4.7, Hydrology and Water Quality, and were considered to be less than significant. As stated in the Draft EIR,

“The existing County drainage system in the area of Beach-Stone Lakes has a FEMA 100-year base flood elevation of 16 feet. Existing conditions within the watershed area have resulted in a flood elevation of 14.5 feet within Beach-Stone Lake. Buildout of the Laguna/Franklin area in concert with the proposed project would result in the construction of additional impervious surfaces that would reduce water absorption and increase surface runoff throughout the area. This increase in runoff would result in an about 0.03 foot increase in flood elevation within the area of Beach-Stone Lakes. The County of Sacramento has adopted a drainage fee on new development located in Zone 11A (refer to Draft EIR Appendix 4.7). The rationale is new development is required to mitigate for impacts to the 100-year peak flow and storm water quality associated with development, and that the payment of the fee will provide mitigation of these impacts.<sup>15</sup> Overall fees were computed by determining the cost for the improvements and spreading these cost over the Zone 11A area to be developed. The improvements to be funded by fees collected by the County are contained within Appendix 4.7 (page 7 of the Fee Plan). Because of the payment of fees is required and is part of a current fee program to provide for flood control improvement, cumulative impacts are considered to be reduced to a less than significant level.” (Draft EIR, page 4.7-23)

Finally, the areas of I-5 and SR-99 referenced in this comment are located within FEMA Zone AE (areas subject to inundation flooding) or Zone A (areas subject to a 100-year flood). Conversely, the Lent Ranch Marketplace project is located in a Zone X (area outside of 100-year or 500-year floodplain), which indicates that little chance of flooding exists in the project area whereas some potential for flooding exists along segments of I-5 and SR-99. Please refer to Figure 4.7-1 found on page 4.7-7 of the Draft EIR.

**Response 2**

This comment does not pertain to the adequacy or completeness of the Draft EIR. However, please note that the project and cumulative projects are required to pay a drainage fee in the amount of \$12,816.00 per acre for commercial uses to the City (this is existing fee and may increase with time) which is used to provide improvements to mitigate flooding impacts.<sup>16</sup> As such, potential flooding is not anticipated to occur with the implementation of improvements within Zone 11A.

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<sup>15</sup> Sacramento County Water Agency, *Engineers Report For Formation of Zones 11A, 11B, and 11C (Fee Plan)*, January 9, 1996, Page 6.

<sup>16</sup> Ibid.

### Response 3

The traffic analysis for the Lent Ranch Marketplace includes a complete evaluation of mainline, ramp junction, and ramp terminal intersection operations on State Route 99 (Grant Line Road to Elk Grove Boulevard) during the a.m. and p.m. peak hours. Traffic operations (on State Route 99 and adjacent roadways) with the project were compared to traffic operations without the project to identify potential impacts caused by the addition of the Lent Ranch Marketplace. Where potential impacts were identified (based on Level of Service thresholds established by Caltrans and the County of Sacramento), improvements were identified to mitigate the impacts.

The scope of the traffic analysis was developed under the direction of City of Elk Grove and Sacramento County staff and did not identify any analysis locations in Galt. Based on expected levels of project related traffic, impact of the project on roadways in the City of Galt is anticipated to be less than significant.

Portions of State Route 99 (primarily north of Mack Road) do experience extended periods of congestion. The existing traffic conditions on State Route 99 were considered in the Draft EIR traffic analysis.

### Response 4

Calls for police service would increase with the implementation of the project, but would be reduced to a less than significant level by the addition of more sheriff officers. As stated in the Draft EIR Section 4.6, Public Services and Utilities,

“...The net increase in calls for service generated by the proposed project is predicted to range between 1.9 and 4.8 calls per day. The increased calls for service generated by the project would necessitate additional manpower to meet this demand in a satisfactory response time. Assuming that 4 sworn patrol officers would be added to the Sheriff’s Department staff as the project builds out, response times to the project site for emergency and non-emergency calls would improve compared to present levels because more patrol officers would be patrolling the site and the area. It is expected that the number of Sheriff service calls from and the types of incidents at the project site as it builds out would be similar in frequency and character to those experienced throughout the Sacramento Valley area. Such calls are likely to include auto theft, burglary, and assault.

A variety of security features are under consideration for the project in order to reduce the number of calls for service generated by this facility. For example, the applicant would contract with a private security firm that will provide uniformed security to patrol the mall interior and parking lot in a marked vehicle. The applicant is also considering a proposal to provide space for a store-front station to accommodate sworn officers.

Funds to cover the additional staffing costs would be generated by increased sales and property tax revenue. As the project is developed, property and sales taxes would be deposited in the City of Elk Grove General Fund. A portion of these revenues could then be allocated, in accordance with the City of Elk Grove and an anticipated County of Sacramento contractual service agreement, to maintain staffing and equipment levels for the Elk Grove Sheriff's response to related demands. As the City's revenue base provides for adequate Sheriff's service in the City of Elk Grove, it is anticipated that this same level of service could be provided for the project through existing funding sources as long as the City of Elk Grove and the County of Sacramento (or whomever or however the City elects to provide service protection) maintain service agreements. Although the project would increase demands for Sheriff's services, these service demands can be met through the allocation of revenues collected from the project using existing sources. " (Draft EIR, page 4.6-59 and 4.6-60)

Mitigation measures proposed in the Draft EIR for Law Enforcement are as follows:

- 4.6.5-1(a) Mall management shall contract with a private security firm to provide uniformed patrols both inside and outside the mall.
- 4.6.5-1(b) Mall management and security shall meet with the Sheriff's Department prior to opening to coordinate efforts in addressing anticipated law enforcement problems. Meeting minutes that identify action items are to be taken and signed by all participating parties.
- 4.6.5-1(c) Mall management shall offer space within the Mall for a storefront station. The offer shall be made in writing and submitted to both the Sheriff's Department and City Planning Department.
- 4.6.5-1(d) Signs shall be posted banning loitering, skateboarding, rollerblading, and public drinking. Signs shall be posted indicating parking is for mall customers only.
- 4.6.5-1(e) Outdoor parking lot lighting shall be a minimum of one (1) foot candles minimum maintained illumination per square foot of parking surface during business hours and 0.25 foot candles of minimum maintained illumination per square foot of parking surface on any walkway, alcove, or passageway. Entrance ways shall have a minimum of one foot candle lighting. All light fixtures shall be vandal resistant.

Please refer to Response 10 below for a response regarding schools.

#### **Response 5**

Please note that the Lent Ranch Project involves the development of six individual land use districts consisting of a regional shopping mall, community commercial, neighborhood commercial, office and entertainment, visitor commercial and multi-family residential uses within the approximately 294.8-acre site. Uses proposed within these districts would be very limited in the provision of additional fast food restaurant and supermarkets, and tend to lean more towards sit-down dining and specialty consumer goods. In addition an economic impact analysis was conducted to determine if the project would result

in blight conditions to existing retail area. The result of this study is summarized in Draft EIR Section 4.13, as well as below in Response 6.

#### **Response 6**

These issues are addressed within Draft EIR Section 4.13, Economic and Social Effects, and were found to be less than significant. As stated in the Draft EIR,

“According to the BAE analysis, the Sacramento County retail sector is currently quite healthy, with strong demand and low vacancy rates in existing space. In addition, there is a present and growing demand for the construction of a substantial amount of additional retail space while maintaining Sacramento County’s overall retail shopping center inventory at a level that is comparable to other similarly-sized metro areas.

The existing population and extensive growth planned for the south Sacramento County area would be capable of supporting the proposed project in the near term (2000 to 2005). While the proposed project may have some potential to compete with existing shopping centers to the north (including Downtown Plaza and Arden Fair Mall), diversion of sales from these centers is not likely to be significant in terms of their continuing economic viability. Other centers located within south Sacramento County should be sufficiently differentiated from the proposed project so as to be able to co-exist in the same trade area. For this reason, it is considered unlikely that economic competition from the proposed project would result in business closures in existing retail and commercial centers such that a physical deterioration in the environment would occur. Based on the above analysis, the proposed project is anticipated to have a less than significant impact on the physical deterioration of existing commercial uses in the area.” (Draft EIR, page 4.13-5)

#### **Response 7**

Please note the project site is about 3,500 feet, or over a half-mile, from the project site, not one sixteenth of a mile. Based on the analysis contained in the Draft EIR, the vast majority of the project site falls within the one chance in 10,000,000 to 100,000,000 zone of a fatality per year with the exception of a small portion along the eastern boundary of District D where the risk is within the zone of one chance in 1,000,000 to 10,000,000 of a fatality per year. It should be noted that District D is in the upper limits of the zone closer to the one chance in 10,000,000 of a fatality per year area. The most common acceptable risk in the international standards and the standards used in this EIR to constitute significance is one chance in 1,000,000 of a fatality per year. This means that all locations 600 feet and farther beyond the Suburban Propane and Georgia Pacific fencelines are defined as acceptable. It should be noted that no public residences, parks, etc., are within 600 feet of the fencelines. Thus, the risk level posed by these facilities are viewed as acceptable and impacts are considered to be less than significant. (see Draft EIR, page 4.5-23)

### Response 8

Both these issues are addressed in the Draft EIR within Section 4.1, Agricultural Resources, and Section 4.8, Biological Resources.

### Response 9

It is identified within the Draft EIR (page 4.3-3) that all of Sacramento County has been classified by the U.S. EPA as a severe non-attainment area for ozone. The effects of air pollution are primarily regional or cumulative in nature and can include damage to crops and other vegetation, respiratory infections and difficulty in breathing among healthy persons and asthmatics, as well as other environmental effects. These issues are taken into consideration when determining the thresholds of significance utilized within an EIR. The SMAQMD has established thresholds of significance at which it considered a project not to contribute to regional air quality conditions. In the case of the project, the Draft EIR has identified that both individual and cumulative operational emissions would be significant and unavoidable. In addition, numerous mitigation measures have been included in the Draft EIR to alleviate both construction and operational emissions. Such measures can be found on pages 4.3-13, 4.3-19, and 4.3-20 of the Draft EIR.

### Response 10

Issues related to schools as it relates to the project are addressed in Subsection 4.6.6, Schools, of the Draft EIR. As stated in the Draft EIR,

“Based on the number of multi-family units to be generated by the project and the student generation rate, the project would generate a total of 130 elementary students, 30 middle school students, and 34 high school students.

The additional students generated by the proposed project cannot be accommodated within the current capacity of Franklin Elementary School; therefore, physical improvements are required. Kerr Middle School and Elk Grove High School would not serve the project site after Toby Johnson Middle School and Franklin High School open in 2002, so the students generated by the project would not directly affect the capacities of those schools.

The exact capacities of the new schools are not known at this time, but they are estimated to accommodate 1,000 middle school and 2,000 high school students based upon standards identified by the California State Department of Education. It is expected that the attendance boundaries at the existing schools will be modified with the opening of the new middle and high schools. Consequently, it is not possible to precisely predict future enrollments at each school with the introduction of the new school facilities.

Pursuant to Senate Bill (SB) 50, the project developer is required to pay statutory school fees to the Elk Grove School District to cover the additional costs associated with educating new students. These fees are presently \$3.19 for residential space and \$0.33 for chargeable, covered and enclosed commercial space. The developer must also pay Mello-Roos fees to the Elk Grove Unified School District as required by state law to cover the incremental increase in residential and commercial space associated with the proposed project. Payment of the statutory school fee represents full and complete school facilities mitigation." (Draft EIR, pages 4.6-72 and 4.6-73)

**Response 11**

This comment is acknowledged. Because it does not pertain to the content of the Draft EIR, no further response is required.