

December 11, 2000

City of Elk Grove
ATTN: Patrick Angell
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Elk Grove, CA 95759-1776

RECEIVED BY
DEC 18 2000
ELK GROVE
PLANNING DEPARTMENT

RE: LENT MALL EIR MONSTROSITY - STOP THE LENT MALL SPRAWL

Stop the Lent Mall traffic jams, air pollution, and destruction of all farmland in Elk Grove,

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Given that the fact that all members of the Elk Grove City Council has received thousands of dollars from the mall developers it is like spitting into the wind trying to get them interested in the negative aspects of this lent mall sprawl. Nonetheless, here are my comments on this EIR. I am a Registered Environmental Assessor, a Certified Health Physicist, and a Senior Engineer. I have read the current EIR and found that it nearly identical to the one rejected by the Sacramento County Policy Planning Commission in October, 1999. Rather than improve their project the lent sprawl city slickers spent over \$30,000 buying their way into local politics. None of the politicians who backed the sprawl bothered to read the EIR as they pranced around town ignorantly spewing the M&H greed propaganda.

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EIR Section 1.0 states that this project was rejected by Sacramento County in October, 1999. Why was it rejected? Why shouldn't we reject it now? ANS: The Elk Grove city council has been paid thousands of dollars by the sprawl developers,

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EIR Section 2.0 repeatedly states "significant and unavoidable" negative impacts from all aspects of this sprawl. Why? Because the cheapskate sprawl developers refuse to spend the money to fix the problems. They want to get the dopey EG council to sign a Statement of Overriding Considerations that acknowledges and applauds the environmental destruction. That means the citizens of EG are stuck with the burden that M&H ought to paying for. M&H brags that its so rich but then it doesn't have the money to clean up its mess. Why? Because the EG city council will let them off the hook.

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EIR Section 3.0 states that the project site is currently zoned Agriculture (AG-80). There is plenty of land in Sacramento County that is not agricultural and has been blighted by previous development; eg, the site of the old charcoal factory on Waterman Road that burnt down several years ago. It should be redeveloped. M&H is too cheap to do redevelopment. Why doesn't M&H take this grand project to its own home town? ANS Because its destructive costs outweigh its benefits and the people there won't stand for this mess – unlike the dopey EG council.

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We don't need the minimum wage jobs from these retail markets. It takes over \$16/hour to survive in Sacramento. We will need food stamps to survive on the lent mall wages. Meanwhile, the M&H developers make millions.

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EIR Section 4.0 says that the EG city council should sign a Statement of Overriding Considerations for the significant and unavoidable impacts caused by the sprawl. Why should I and the EG taxpayers pick up the costs for the mess caused by the cheapskates from the big city preying on a little town.

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EIR Section 4.1 is doubly gross. First, the lent mall sprawl will destroy 293 acres by paving over 95% of this Farmland of Statewide Importance. Second, it is an incompatible land use for this area. It is zoned agricultural. The cheapskate mall sprawl developers are buying cheap agricultural land because they are too cheap to redevelop commercial land. They admit that they will drive the neighboring farms out of business because of their leapfrog sprawl. They blissfully call this a significant and unavoidable. It is not unavoidable. M&H is just too cheap to mitigate the impact. I wish they would just put this monstrosity next to the home or business of one the members of the EG city council who supports it. I wonder if they would still support this monster if they were driven out their home or job. The neighboring farmer Greg Hardesty has been in this area for 46 years. Why the hell should these new punks be allowed to drive him out. M&H has no respect for seniority or for the veterans of this community. Someday you will be old and you will regret supporting the disrespectful actions of these M&H punks towards our seniors. They want us to sign a Statement of Overriding Considerations rather than paying for mitigating the problem.

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EIR Section 4.2 describes the traffic gridlock that M&H will cause for EG. They have leapfrogged all existing bus and mass transportation services. They will cause traffic conditions to go from Class A to Class F. F means a total breakdown of traffic flow. Hwy 99 presently has

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45,000 car trips a day. The mall sprawl will add 70,000 cars a day. There will be 2.5 to 3 times as many cars on the already congested Hwy 99. M&H doesn't give a damn if they screw up our town because they are not from here. They will make this mess and grab the money and run. to hell with EG.

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EIR Section 4.3 On top of this the traffic gridlock will cause so much air pollution that the Clean Air Act will be violated. This pollution lands on the crops of the neighboring farms and thus harms our food supply. This sprawl mall does not save us trips to the stores. Instead it invites riff raff from other areas to clog our roads. The trivial sales tax revenue will be more than negated by the drain on our police, fire, educational, and community services. This sprawl mall will be a hog for the services that the rest of us presently receive.

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I am opposed to Elk Grove expanding its sphere of influence. I live in Elk Grove and the five members of our City Council have shown that they are poor stewards of the land. The \$500 million Lent Mall Monstrosity is a blatant example. Please Stop the Lent Mall Sprawl. I live in Elk Grove by the park and the **traffic sucks** on East Stockton Blvd at Grantline. There are so many new riff raff factories down there. They have made no plans for widening the entire length of Grantline Road as they support more sprawl. I don't need another place to shop. Why do we need another shopping sprawl? For years the Sacramento Bee has stated the obvious - sales tax lust by the Sacramento County Board of Supervisors. Now the Elk Grove City Council thinks that it is generating sales tax from the Lent Sprawl but they are just taking it from somewhere else. RE: People only have a finite amount of money to spend. Wise up. Nobody makes any more money for the county just by opening another store.

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The mall sprawl only creates **minimum wage jobs** that people can't live. We just had the factory close down at the old Army depot. We should concentrate our efforts on getting new industrial jobs and not entry level clerical positions.

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Don't allow this sprawl on the Consumes River bed. **Save the farmlands**. Please tell the Elk Grove City Council to stop being greedy pigs and poor neighbors to Galt. We don't need more development. The costs and headaches from these sprawling conglomerates outweigh the puny sales revenues. We were told that Elk Grove cityhood already had enough taxes and no more revenue was needed when we incorporated. Now the Elk Grove liars tout all the millions

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they daydream about getting from this unbridled sprawl. M&H Developers should **go back** to the congested Bay Area and don't bring their congestion to our area.

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Repeatedly the Sacramento Bee has headlined the concern for blowing up the natural gas tanks within a half-mile of the mall sprawl. Every day the Bee reports the hazards of those tanks. They were built way out there because there was nothing else in the vicinity. Now idiots like the Elk Grove Council have supported building right up to their doorsteps. The gas company kept warning that this was unsafe. Lawrence Livermore Labs (and they are smarter than M&H) says that the tank explosion could cause up to 50% fatalities within a mile. Good bye Lent Mall Sprawl. Before anyone supports the Lent Mall Sprawl they should read the Environmental Impact Report (EIR) and talk to the **chief of the Elk Grove Fire Department** (and he is smarter than M&H). He is an expert in safety (and M&H is not) and he **wants the gas tanks to remain isolated**. They were meant to remain isolated. The fire chief will tell you that it was a mistake to spend several million dollars putting housing development within a mile of the tanks. Now goof balls like the Elk Grove Council support spending several hundred million dollars for the Lent Mall Sprawl within a 1/2 mile of the tanks. They don't give a damn about public safety. They're in the back pocket of the developers. They don't care about saving the open lands for our children.

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What's the difference between Elk Grove Council and the sprawl promoters on the County Board of Supervisors? **ANS: At least the County voted down the future sprawl around the Suburban Gas.**

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Michael J. Braun
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Environmental Goals:

- 1. We intend to leave this place in better shape than we found; e.g. by remediating sites that are blighted or have hazardous soils.**
- 2. We will save all farmland from development. Future development should occur on areas that were previously developed and are available for urban renewal.**
- 3. All developments should be completed under a Negative Declaration in accordance with the California Environmental Quality Act. This means there will be no significant impacts on any aspect of the environment.**
- 4. Incompatible adjacent land uses and environmental racism shall not be allowed; i.e., industrial facilities shall not be located adjacent to housing.**
- 5. No development will be allowed if it causing a worsening of the traffic flow in the area. All necessary traffic improvements must be fully paid for and in place prior to the operation of the new development.**

34. Letter from Michael Brown, dated December 11, 2000

Response 1

Draft EIR Section 4.2, Transportation and Circulation, addresses the impacts of the proposed project to the local and regional transportation system. Project impacts to local and regional air quality impacts are discussed in Draft EIR Section 4.3, Air Quality. The commentor is incorrect in inferring that the Lent Mall would destroy all of the farmland in Elk Grove. Draft EIR Section 4.1, Agricultural Resources, states that the project will convert approximately 293 acres of Farmland of Statewide Importance. As indicated on page 4.1-10: "the County has a total of approximately 67,700 acres of Farmland of Statewide Importance." Therefore the Lent Ranch Marketplace site represents 0.4 percent of land within the County designated as Farmland of Statewide Importance.

Response 2

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

Response 3

The commentor is incorrect in his quotation of Draft EIR Section 1.0, Introduction, with regard to review by Sacramento County. Draft EIR Section 1.0, Introduction, page 1.0-1 states that the Lent Ranch Marketplace project was previously examined by the County of Sacramento in May, 1999 within a document titled: *Lent Ranch General Plan Amendment, Rezone, and Transportation System Management Plan Draft EIR, SCH No. 97122002*. The County Planning Commission recommended denial of the proposed project. However, the Sacramento County Board of Supervisors did not consider or reject the project.

Response 4

The commentor is incorrect in that the County of Sacramento did not reject this project. Specifically, this project was not reviewed or rejected by the County of Sacramento Board of Supervisors.

Response 5

The purpose of the EIR is to disclose information concerning the environmental impacts of the proposed project. If the proposed project would create significant and unavoidable impacts it is the duty of the Draft EIR to disclose impacts as such.

Response 6

The *CEQA Guidelines* are clear with regards to the adoption of a Statement of Overriding Considerations (SOC). *CEQA Guidelines* Section 15093 outlines when it is appropriate to adopt a statement of overriding considerations. CEQA requires the decision-maker to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable." and a Statement of Overriding Consideration may be adopted. At this point in time the City of Elk Grove has not adopted a SOC which would be done with final project approval. The adoption of a SOC must be done by the City for any impacts that are considered to be significant and unavoidable in accordance with State law.

Other comments made within this paragraph are acknowledged. Because they do not address the content of the Draft EIR, no further response is required.

Response 7

The commentor is correct in that Draft EIR Section 3.0, Project Description, states that the project site is zoned Agricultural (AG-80). The remainder of the comments with the paragraph are acknowledged. However, because they do not address the content of the Draft EIR, no further response is required.

Response 8

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

Response 9

Please see Responses 5 and 6 above.

Response 10

The commentator is correct in stating that the proposed project will convert 293 acres of Farmland of Statewide Importance.

Response 11

The commentator is correct in his statement that the project site is zoned for agricultural uses. The site is, however, within the USB and UDA and is designated by the General Plan for development. The Draft EIR Section 3.0, Project Description, page 3.0-5, states that the project will require several discretionary actions by the City of Elk Grove, including but not limited to the following:

- General Plan Amendment to change the land use designation for about 294.8 acres from Urban Development Area (UDA) to Commercial and Offices (about 279.5 acres) and to Medium Density Residential (about 15.3 acres).
- Amendment to the General Plan Transportation Diagram to reflect interior project roadways as appropriate.
- Zoning Ordinance Text Amendment to establish the Lent Ranch Marketplace Special Planning Area (SPA) for about 294.8 acres. The Draft SPA includes the following components:
 - Land use designation for the 294.8 acre project area, including a regional shopping mall consisting of about 1.3 million square feet, ancillary commercial development, entertainment, office, hotel, and multi-family residential uses;
 - Development standards, design guidelines, performance standards, and permitted uses for the proposed commercial use including the regional shopping mall, that will address issues such as setbacks, parking ratios, building height and bulk and floor area ratios;
 - Comprehensive sign program.
- Rezone to change the Zoning Map land use designation for about 294.8 gross acres from Agriculture (AG-80) to Special Planning Area - Shopping Center (SPA-SC, about 217.9 acres), Special Planning Area - General Commercial (SPA-GC, about 61.6 acres), and Special Planning Area - Residential Development (SPA-RD-20, about 15.3 acres)."

The General Plan Amendment and rezone will change the general plan and zoning designations to be consistent with the proposed project.

Note that a land use compatibility analysis of the project with adjusting zones was provided in the Draft EIR.

Response 12

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

Response 13

Please see **Topical Response 4 - Growth Inducing Impacts** that addresses this issue. As far as the project forcing neighboring farms out of business, please note uses near the project site would be at the discretion of the individual landowner, and it would be speculative to guess whether they would prefer to keep farming, or develop with low intensity or high intensity urban or suburban uses. The development of surrounding properties or continued farming is a condition of the free market in most cases. Please refer to Response 6 above for a discussion of adopting a statement of overriding consideration.

Response 14

Draft EIR Section 4.2, Transportation and Circulation, discusses the potential impacts and mitigation measures proposed for project-related traffic impacts. Included in this discussion are transit service impacts. Implementation of mitigation measures proposed are the responsibility of the project applicant. In addition, please note that the City will be provided with \$4.3 million dollars by the applicant to be used for the expansion of transit service within the City.

Response 15

The commentor is directed to Draft EIR Table 4.2-7, Intersection Analysis - Existing Conditions (page 4.2-8 of Section 4.2, Transportation and Circulation), which does not demonstrate that all traffic conditions will go from a Level of Service A to Level of Service F condition. Existing conditions show some intersections presently operating at a Level of Service E.

Additionally, the commentor is incorrect in stating that the proposed project will add 70,000 cars a day. Please refer to Draft EIR Table 4.2-11, Trip Generation for Lent Ranch Project (Section 4.2, Transportation and Circulation), which demonstrates that the proposed project will generate 63,800 cars per day. However, based on traffic distribution (Figure 4.2-5 on page 4.2-17 of the Draft EIR) a maximum of 24,244 cars per day would use SR-99 north of Grant Line Road, and 5,110 cars per day would use SR-99 south of Grant Line Road. This amount of traffic is not 2.5 to 3 times more cars than on SR-99, but is actually 0.5 times more north of Grant Line road and 0.1 times more south of Grant Line Road. These estimates of

cars assume pas-by trips. Pass-by trips are trips made as intermediate stops on the way from an origin to a primary trip destination. Pass-by trips are attracted from traffic passing the site on an adjacent street, which contains direct access to the generator such the mall.

Response 16

It is identified within the Draft EIR (page 4.3-3) that the U.S. EPA as a severe non-attainment area for ozone has classified all of Sacramento County. 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 mitigate 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 17

The comment is acknowledged. Because it does not address the content of the Draft EIR, no further response is required. Please note that the project will actually reduce regional Vehicle Miles Traveled (VMT) since it is closer to Elk Grove than other shopping centers.

Response 18

Project impacts to police, fire, education and community services are discussed in detail in Draft EIR Section 4.6, Public Services and Utilities. In addition, the project will be required to pay development impact fees and provide tax revenue to support all the public service presented within this comment.

Response 19

The comment is acknowledged. Because it does not address the content of the Draft EIR, no further response is required. In addition, this project does not propose an expansion of the Elk Grove Sphere of Influence.

Response 20

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

Response 21

Draft EIR Table 4.2-7, Intersection Analysis - Existing Conditions (page 4.2-8 of Section 4.2, Transportation and Circulation), shows that the East Stockton Boulevard/Grant Line Road intersection is operating at a Level of Service E. Roadway improvements associated with the development of other projects are not the responsibility of the proposed project.

Response 22

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

Response 23

Because the proposed tenants that would be occupying the project at this time are unknown, the breakdown of income levels would be speculative at this point of time. For example, the office use could be occupied by employment opportunities that range greatly in income levels such as lawyer compared to a telephone marketer. The courts have stated that no purpose can be served by requiring an EIR to engage in sheer speculation as to future environmental consequences. Since no comment was made regarding the adequacy of the Draft EIR, no further response is required.

Response 24

Project impacts to agricultural lands are discussed in Draft EIR Section 4.1, Agricultural Resources. Project impacts to biological resources, including the proximity to the Cosumnes River, is addressed in Draft EIR Section 4.8, Biological Resources.

Response 25

The issue of the proposed project located in close proximity to the Suburban Propane tanks is discussed in detail in Draft EIR Section 4.5, Hazards. Please refer to Letter No 11 provided by the Elk Grove Fire

Department on the Draft EIR. In general, the Fire Department is comfortable with the Quest studies and that the supplemental study, which is included in **Appendix C** of this Final EIR.

Response 26

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

Response 27

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