

Comment Letter 11

Friends of Butte Creek  
2024 West Sacramento Avenue  
Chico CA 95973



December 13, 2021

City of Chico Community Development Department  
Attn: Mike Sawley, Principal Planner Re: Valley's Edge Specific Plan Draft Environmental Impact Report  
411 Main Street, P.O. Box 3420, Chico, California 95927. [mike.sawley@chicoca.gov](mailto:mike.sawley@chicoca.gov)

Mr. Mike Sawley

There is no demonstrated need for this type of housing with more needless retail. And where it is located is ridiculous. California Park was the first intrusion into our valuable foothills. Since then, most big projects have ended up in court or referendum, and eventually purchased for conservation. We need to open that conversation now.

11-1

Butte Creek is where it all drains. Every over-watered lawn, washed car, driveway or sidewalk, and residential pool overflow will carry pollutants, such as nutrients, fertilizers, pesticides, animal waste from dogs and cats and every rain storm will bring down more, plus automobile contaminants. It has been shown that a chemical in automobile tire shedding, 6PPD-quinone, leaches out of the particles that tires shed onto pavement. Even small doses killed coho salmon in the lab. Kolodziej, et al, Science, University of Washington, 2020.

11-2

It has been clearly demonstrated across the Pacific Northwest: the more developed the watershed, the less return of salmon and other anadromous fish. We only have to look in the middle of town. Many people remember regular returns of salmon to Big Chico Creek. Now almost nobody sees any salmon at all. Multiple years without spawning and a run is extirpated and likely not coming back without extreme measures and a dedicated community.

11-3

Butte Creek supports the Last Best Run of Threatened Spring Run Chinook Salmon in the State. We simply can't be chipping away at the fringes of this valuable watershed and dumping the polluted runoff directly into the creek. Chipping away the fringes of Butte Creek is only going to further the stressors that have put them on the endangered species list. In addition, every other wild species of bird, mammal, reptile, plant, and the soil bacteria and fungi that connects it all, will be disrupted and their habitats reduced. Spreading development into this habitat at a time when Climate Change is stressing every wild creature's territory, while making things worse by adding more CO2 to the atmosphere is environmental suicide. Let's Save Our Foothills for the Wildlife.

11-4

Allen Harthorn, Executive Director

Friends of Butte Creek

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## Response to Letter 11

Friends of Butte Creek (Allen Harthorn, Executive Director)

- 11-1** The commenter is opposed to the project and to the location of the project with the foothills.
- The commenter’s opinion is noted and forwarded to the decision makers for their consideration. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.
- 11-2** The comment states that development at the project site all drains to Butte Creek and that pollutants from the project will be carried into the creek.
- The Draft EIR notes on page 4.3-4 that the project site is located within the Butte Creek watershed, that Butte Creek is located south of the project site, and that both Butte Creek and Little Chico Creek are tributaries to the Sacramento River. A more detailed evaluation of the project site’s hydrology is provided in Section 4.9, Hydrology, Water Quality and Drainage. As discussed in Impact 4.9-1, on-site detention features would employ best management practices (BMPs) and “Low Impact Development” (LID) methods to slow water, filter out containments, and encourage infiltration and evapotranspiration. A benefit of these approaches is that nutrient loading to the detention features and water bodies farther downstream is minimized. LID design concepts may include the implementation of techniques such as limiting the amount of hardscape, amended soil, rain garden (or bioretention cell to treat polluted runoff from a parking lot, for example), disconnected roof drain, tree planting, native vegetation preservation, and natural drainage flow.
- 11-3** The comment notes a general reduction in abundance and occurrence of anadromous fish species in the Pacific Northwest, and also in Big Chico Creek.
- The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.
- 11-4** The comment states that Butte Creek supports the “Last Best Run of Threatened Spring Run Chinook Salmon in the State”. The comment asserts that development within the vicinity of Butte Creek will adversely affect this species as well as other species and elements of the ecosystem.
- The project would not directly affect this population of Chinook salmon as Butte Creek is outside the project area. Project impacts to the hydrology of Butte Creek that are required to support this species are analyzed in Draft EIR in Section 4.9 Hydrology, Water Quality, Drainage. Specifically, Impact 4.9-3 on page 4.9-32 examines how the proposed project could alter existing drainage patterns and change flow rates, and Impact 4.9-6 (Draft EIR p. 4.9-41) considers how the project could affect water quality control plans applicable to area waterways. The evaluation concluded that compliance with the existing stormwater control regulations, including Chapter 15.50 (Stormwater Management and Discharge Controls), the Construction General Permit, Phase II MS4 Permit requirements, and VESP development standards would ensure discharges from the storm drain system do not contain pollutant loads at levels that violate water quality standards and would not adversely affect water quality in Butte Creek or result in direct impacts to Chinook salmon. Cumulative effects of the project and other area projects were considered in the 2030 General Plan EIR and further analyzed under Impacts 4.9-7 and 4.9-8 of the Draft EIR (Draft EIR pp.4.9-42 and 43).

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## Comment Letter 12

To: Mike Sawley AICP Principal Planner Community Development Department

From: Eric M Veith 2995 Wingfield Ave Chico Ca 95928  
[Eric.m.veith@gmail.com](mailto:Eric.m.veith@gmail.com) 916-952-1058

Subject: Draft Environmental Impact Report Comments and Questions

Dear Mr. Sawley

Please find below my comments and questions regarding the Valleys Edge Draft EIR. My general overall question is a request to know the estimated time lines for Draft EIR approval, Final EIR approval and when anticipated phase 1 N construction would begin.

12-1

Specific Draft EIR questions and comments are contained below and are by subject(s) covered in the Draft EIR. I appreciate your consideration of these comments / questions and look forward to a dialogue with you and your department on this important effort.

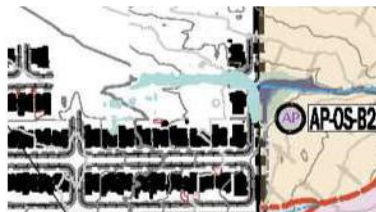
12-2

Storm Drainage:

*FRAYJI Design Appendix H: CONNECTION: "RD(Dawncrest)C1A, C1B"*

"Flow from Reach 1 (R1) is passed through two PVC pipes (C1A and C1B) that are part of this connection. The 54" and 42" pipes were able to convey runoff from the 2- and 10-year storm events, but not the 100-year storm event. The rise in backwater during the 100-year storm event caused water to spill over into the adjacent subdivision (Belvedere). A computed flow rate of 25 cfs out of a total of 306 cfs was observed to go over Dawncrest Dr and into the adjacent subdivision. This contradicts the study on these pipelines, which was done by NorthStar Engineering, where they reported that the PVC pipes convey the full 100-year flow. Since we are using a higher frequency TR-55 rain gauge in our study, the recorded discharge (Q) values at that connection are higher, therefore exceeding the handling capacity of the pipes."

12-3



Cropped Image from Appendix I showing Dawncrest Overflow

Questions:

- |  |       |
|--|-------|
| 1. Since this analysis pertains to the current condition what is the City of Chico's current mitigation response to protect Belvedere development now until the reach 2 diversion channel referenced in the EIR is completed which is in the unknown future?   | 12-4  |
| 2. What is the City of Chico maintenance interval and procedures to ensure the reach 1 existing culverts are not impaired with debris and or vegetation further exasperating the condition?  | 12-5  |
| 3. In February 1986 the Sacramento region incurred three massive storms back-to-back. I know this from serving in 1988 on the jury for the chicken ranch slew civil damage lawsuit brought by Cal Expo horse owners who were flooded. What analysis of coupled storms (up to 100 yr.) has been conducted for Reach 1 now, during construction phase and at final build out.  | 12-6  |
| a. Note the back-to-back storm analysis needs to consider different run off volumes due to laden / moisture saturated soil (which was presented to the jury in 1988).  | 12-7  |
| b. Is Reach 1 and or Reach 2 diversion channel adequate to handle back to back storms?   |       |
| 4. What is the analysis basis for the build out housing communities hard surface percentages and the impact for run off volumes? Has this been modelled in the EIR and what flow increases have been considered by this analysis?  | 12-8  |
| 5. Due to the potential for flooding in Belvedere sub division, I believe that the study of the temporary facilities and exact detailed design and construction phasing of the retention ponds/basins and sediment basins be required to make sure Dawncrest Rd is not overflowed during a 100-year flood or successive back-to-back storms during the construction period which could span years. This detailed design / construction phasing study effort and plan should be required <u>prior</u> to any approval of the EIR and presented to the community to ensure the safety of those Belvedere and nearby residents. | 12-9  |
| 6. Since the analysis did not take into account the impacts of plugging of the two 54- and 43-inch culverts with construction sediment / run off from dust mitigation and or seasonal vegetation, this analysis should be conducted prior to approval of EIR to determine if reach 2 sizing is adequate.   | 12-10 |

Noise:

From February 27, 2019 File: 1679 Geoplus Partners Appendix E

However, largely due to the presence of surficial and near-surface hard bedrock, geotechnical issues that will impact the project design and construction include the following:

- |   |       |
|---|-------|
| <ul style="list-style-type: none"> <li>• Excavation for utilities, foundations and roadways.</li> <li>• Fill construction with coarse materials.</li> <li>• Perched groundwater and springs.</li> </ul> | 12-11 |
|---|-------|

- Seepage through utility backfill and pavement section base.
- Cut-fill transitions resulting in differential settlement within fills; and
- Water-feature water retention.

**These concerns will require modifications in the schedule and/or approach to site grading and possibly to planned utilities, structures and pavements during site development.** General recommendations to reduce potential adverse effects of these issues as well as general information regarding the geotechnical aspects of project design and construction are presented in the following report.

Excerpts from section 4.0

1. Based on the results of our field investigation, the Caterpillar D-10 trial ripping operation performed in 2015, and observation of grading in adjacent areas, the exposed lahar bedrock is generally impenetrable to moderate excavation effort, and resistant to heavy excavation effort such as the Caterpillar D-10 bull dozer with single shank ripper.
2. The lahar matrix material is not strong compared to other types of rock, i.e. basalt or granitic rock, which when only slightly weathered are commonly very difficult to excavate; however, it is the very limited fracturing present within the lahar that makes excavation very difficult. The fracture spacing is typically greater than about 10 feet in nearly vertical in orientation; this makes breaking up the rock with conventional excavation equipment very difficult. **The use of mechanical rock breaking equipment, blasting and/or chemical rock breaking may be necessary**

Questions for the EIR:

1. Due to the Tuscan lava formation the requirement for rock jack hammering and or rock crushing is likely going to be implemented as reference in the Geotechnical report. The EIR concludes that exceeding the 86.5 dB sound levels at the property boundary is likely. What temporary sound attenuation plan is envisioned? This plan should be required to be developed and provided for community comment before approval of the EIR.
2. Given the geotechnical report that blasting may be necessary what considerations has the EIR made for potential impacts to nearby residents who are unaware of blasting operations? Will the construction hours of the project include the potential blasting efforts?
3. Since unsuitable fill material is available and rock crushing maybe employed and therefore what considerations has the EIR made for noise, airborne particulate, dust and other nuisances?
4. On page 4.10-23 the on-line document showed an error reference. What was this error / document, please identify what referenced noise document was not included in the EIR on your website?

Public Safety

1. With the Notre Dame fire station being manned with 1 Captain, 1 firefighter what personnel additions are anticipated to be added to that station to support approx. 1200-1300 additional single-family dwellings plus commercial facilities.
2. While the fire analysis conducted a response time analysis, no such analysis was conducted for the Chico police force. Given the proximity of Chico Police to the new subdivision it is likely that they will be responding to 911 calls from the new communities even though they are in unincorporated Butte county due to the shared response agreements. A complete analysis of the response time impacts to City of Chico residents, especially those in the adjacent communities should be completed and added to the EIR.

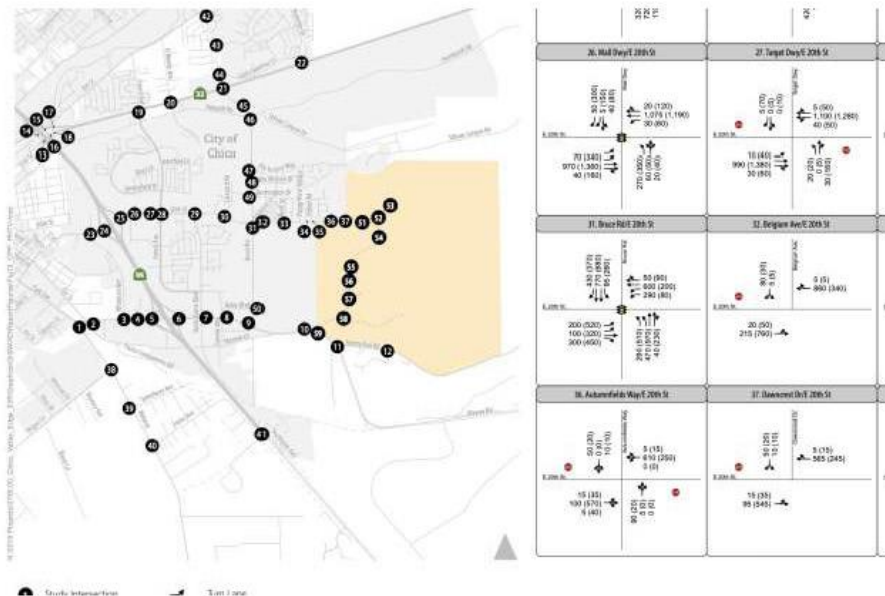
12-17

12-18

Traffic

1. Given the volume of cars going down E 20<sup>th</sup> (up to 560 – 610 at build out) the ability for Belvedere residents to make a left turn across that traffic volume seems unsafe. Inclusion of a round about at that interchange and or one 1 block down at Autumn Fields Way seems like a safe way to keep E 20<sup>th</sup> traffic moving while allowing Belvedere residents reasonable and safe access for the left turn from E 20<sup>th</sup>

12-19



## 4.3 Response to Individual Comments

### Response to Letter 12

Eric M. Veith

- 12-1** This comment is an introduction to comments that follow.
- The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.
- 12-2** The comment is an introduction to comments that follow and states the comment letter is organized by subject(s) covered in the Draft EIR. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.
- 12-3** The comment includes a paragraph and cropped image from the hydrology report prepared by FRAYJi Design (Draft EIR, Appendix H) pertaining to storm drain capacity.
- Responses pertaining to this report excerpt are included below in Responses to Comments 12-4 through 12-10, below.
- 12-4** The comment asks for status of the City's current mitigation response to protect the Belvedere development until the Reach 1 diversion channel referenced in the Draft EIR is completed, which is at an unknown date. The commenter states a 100-year flood would exceed the capacity of the culvert and spill over into the Belvedere development, causing flooding.
- The comment is requesting information about any City plans to address an existing condition and does not raise any issues pertaining to the adequacy of environmental analysis contained in the Draft EIR. However, as indicated in the last paragraph on page 4.9-35 of the Draft EIR, temporary measures would be implemented to divert and detain stormwater to prevent overtopping of Dawncrest Drive pending completion of development. There are no current drainage improvement projects planned by the City that would address potential flooding from Reach 1 into the Belvedere Subdivision. The study by Northstar Engineering (cited in Draft EIR Appendix H, Drainage Report), which found the infrastructure that supports the Belvedere development (54-inch and 42-inch pipes) to be adequate under 100-year storm event conditions was done specifically with a focus on the watershed of Reach 1 and used the most applicable rain gauge data for Reach 1. The study from Frayji Design Group for the project models Reach 1 in conjunction with Reaches 2 through 6, which are larger watersheds that extend to much higher elevations. The rain gauge data for higher elevations indicates higher rainfall totals during large events, and those higher rainfall totals were applied to the entire project site, including Reach 1 where the values were higher than those used in the Northstar study. Thus, the project's drainage study does not undermine or supersede the Northstar study with respect to Reach 1 and does not reveal the need for a drainage improvement project to address existing conditions.
- Also see Response to Comment 12-9 below.

**12-5** The comment requests information on the City's maintenance procedures to ensure the Reach 1 culverts are not impaired with debris and/or vegetation, which can exacerbate potential flooding.

The comment does not raise any issues pertaining to the adequacy of the environmental analysis contained in the Draft EIR. However, the City's Public Works Operations & Maintenance Department (O&M) conducts routine inspections of storm drain inlets, surface ditches and creek flows citywide, paying particular attention to those with potential for debris accumulation during storm events, and assigns field crews, as necessary, to remove hazards as they are identified. As with all city services, there is some reliance on the public to report issues and concerns to ensure a timely and effective response. The commenter is encouraged to help monitor for hazards at the inlets in question and report any emergent concerns to O&M at (530) 894-4200, which is also available on the City's website at: <https://chico.ca.us/operations-maintenance>.

**12-6** The comment states that the Sacramento region incurred three massive floods in February 1986 and asks what analysis of back-to-back 100-year storms has been conducted for Reach 1, during construction and at final project build-out?

No analysis of multiple storm events was performed for the Draft EIR analysis. Such an analysis would depend on the assumptions made for the intensity and duration of rainfall during back-to-back storm events, which could vary widely. Therefore, such an analysis would be considered speculative. Section 15145 of the CEQA Guidelines recognizes that some impacts may be too speculative for evaluation due to the inability to predict a future outcome. The ability to predict when and where back-to-back storm events would occur is considered speculative.

The Draft Drainage Report (Draft EIR, Appendix H), as discussed in Section 4.9 of the Draft EIR uses modeling for the 2-year, 10-year and 100-year storm events to analyze flooding potential under existing and post-project conditions, which is standard for municipalities throughout California. Engineering for these storm events would comply with the City's Municipal Code Chapter 15.50, Storm Water Management and Discharge Controls as well as Chapter 18R.08.050, which requires subdivision projects to provide stormwater drainage facilities that are large enough to accommodate the additional runoff generated by new subdivision projects.

Modeling storm events up to the 100-year storm event accounts for unusual events, but not exceedingly rare events. As indicated on page 4.9-35 of the Draft EIR, The City recently installed a drainage pipe that would be capable of conveying most of the stormwater runoff in Reach 1, but not the entire amount in a clogged pipe condition. However, the project drainage design includes diversion of 100-year stormwater flows south to Reach 2, via a proposed storm drain (see Figures 2-10 and 4.9-2). This diversion would reduce 100-year storm flows by 64.4 cubic feet per second (Table 4.9-5 p. 4.9-35), thus reducing stormwater flows in Reach 1 such that overtopping of Dawncrest Drive would not occur.

**12-7** The commenter asks if Reach 1 and the Reach 2 diversion channel (which would divert some of the runoff from Reach 1 to the Reach 2 watershed), is adequate to handle back-to-back storms.

Please see Response to Comment 12-6.

- 12-8** The comment requests the estimated percentage of hardscape at project build-out, impact on runoff volumes, if it was modeled in the EIR, and for the flow increases that were considered by the analysis.

The addition of hardscape from the proposed project was modeled in the Draft Drainage Report, included in Appendix H of the Draft EIR. The drainage report (Appendix H, p. 25), estimates that a total of 336.62 acres of impervious surfaces would be created as part of overall project buildout, which equates to approximately 23% of the project site. It is important to note that the assumptions are conservative, estimating an average house size of 3,000 square feet with 700 square feet of surface paving and a 300 square foot accessory building per lot. The conservative nature of these assumptions helps ensure that the retention basins, described below, are adequately sized.

The modeled increases in runoff caused by the addition of impervious surfaces from development are more-than offset within the project boundaries by retention basins designed to hold stormwater runoff and attenuate the potential for flooding from storm events. Table 4.9-5 in the Draft EIR (Draft EIR p. 4.9-35), lists the net decreases that are expected in each reach that exits the project site under a 2-year, 10-year or 100-year storm event used to analyze flooding potential. The numbers in the table show that peak outflows under post-project conditions would be slightly lower for the 2-year and 10-year events, and notably lower for the 100-year events. The Drainage Report was amended in December 2021 and has replaced the September 2021 version and the text on page 4.9-1 of the Draft EIR has been updated Please see Chapter 3, Changes to the Draft EIR for the updated report. This is due to the proposed multiple-culvert design for the retention basins that would sustain low flows during smaller events and only fill to capacity during larger events.

- 12-9** The comment suggests that with respect to the potential for flooding of the Belvedere subdivision pending project completion, a detailed hydrologic analysis and associated stormwater detention basin design should be completed demonstrating that the subdivision would not flood as a result of successive back-to-back 100-year flood events. This detailed design should be approved prior to project approval and presented to the community.

Detailed engineering drawings for the detention basins and other storm water treatment infrastructure would be required during future phases of the project as part of the tentative subdivision map and improvement plan stages. This current master planning and environmental review stage focuses more on verifying the feasibility of generally accepted engineering approaches for achieving adequate storm water retention needed for the project or identifying what other solutions may be needed and assessing any environmental impacts of those other solutions. In other words, the detailed specifications for the construction of storm water detention facilities will be required later in the process when maps are submitted for development, such plans are not designed by engineering professionals until they are needed for construction. The storm water detention basins and other storm water treatment infrastructure would be designed to attenuate post-project peak flow rates for storms up to the 100-year, 24-hour storm event.

- 12-10** The comment suggests that because the drainage analysis did not consider the impacts of plugging the 54-inch and 43-inch culverts with construction sediment or seasonal vegetation, this analysis should be conducted prior to project approval to determine whether Reach 2 culvert sizing is adequate.

To comply with state and City storm water regulations, construction activities associated with subdivision improvements and site development are required to include inlet protection, as well as many other best management practices to minimize discharges of sediment-laden runoff or debris flow, as described on pages 4.9-15 through 4.9-19 of the Draft EIR. With the application of existing regulations and best practices associated with Storm Water Pollution Prevention Permits (SWPPPs), which are routinely required prior to the issuance of building permits and grading permits, it is very unlikely that construction activities would result in sediment or runoff that would plug the existing 54-inch or 42-inch culverts serving the Belvedere Subdivision.

- 12-11** The comment quotes text from the February 2019 geotechnical investigation report, which is provided in the Draft EIR (Appendix E), and which summarizes issues that will arise during construction as a result of near-surface hard volcanic bedrock.

Please see Responses to Comments 12-13 through 12-16 for specific information pertaining to this concern.

- 12-12** The comment quotes text from the February 2019 geotechnical investigation report, which is provided in the Draft EIR (Appendix E), concerning potential grading and construction issues associated with the near-surface hard volcanic bedrock.

See Responses to Comment 12-13 through 12-16 which address concerns specific to this comment.

- 12-13** The comment states that rock hammering and/or rock crushing will be required, based on the geotechnical report, and cites the Draft EIR conclusion that sound levels at the property boundary would likely exceed 86.5 dB. The comment requests information pertaining to a sound attenuation plan and asserts that such a plan should be completed and submitted to the community for public input prior to project approval.

The Draft EIR provides relevant sections of the City of Chico General Plan and Municipal Code in Section 4.10, Noise on pages 4.10-12 through 4.10-15. The City's General Plan and Municipal Code establish goals and declarations to protect the people of the City from exposure to noise that would be considered excessive, unnecessary, or unreasonable. These goals and policies are implemented through establishing guidelines, regulations, and standards. Compliance with these regulations and standards would therefore be considered sufficient to provide the necessary protection from excessive noise level exposure.

As identified on pages 4.10-15 and 4.10-16 in the Draft EIR (Policy N-1.6 of the City's General Plan and Chapter 9.38.060.B of the City's Municipal Code), the City governs noise generated by construction activities through limitations on the hours of construction and noise level thresholds. The VESP also contains guidelines and phasing requirements that would also aid in limiting the noise level exposure to nearby sensitive uses. Mitigation measure NOI-1 establishes further restrictions on hours of construction operation, noise performance contract requirements, physical noise barriers, limitation of louder noise-generating equipment use near sensitive receptors, and active administrative control through the use of a construction noise disturbance coordinator who will involve a qualified acoustical consultant, as necessary, to ensure compliance with the City's construction noise level standards. The City does not require projects prepare a construction noise mitigation plan; however, implementation of mitigation measure NOI-1 would reduce noise levels

associated with the construction equipment, including mechanical rock breaking equipment and chemical rock breaking equipment to comply with the City's noise standards of 83 dBA at a distance of 25 feet from the source (regardless of where the nearest receptor is), and 86 dBA anywhere outside the property boundary.

- 12-14** The comment requests information pertaining to potential blasting related to noise mitigation and information pertaining to hours of blasting.

The Draft EIR addresses the potential for the project to use “mechanical rock breaking equipment” and “chemical rock breaking” associated with construction. Noise associated with mechanical rock breaking includes the sound of the rock cracking and a rock drill which has a noise level of 85 dBA at 50 feet (with a usage factor of 0.2), based on the Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) reference noise levels. Applying the acoustical usage factor for a rock drill for use in rock breaking, preparation for rock cracking/fracturing, or chemical rock breaking, would result in noise levels of 74 dBA Leq at a distance of 50 feet or 80 dBA Leq at a distance of 25 feet. This would be in compliance with the City's construction noise thresholds. Additionally, these activities would also be addressed under mitigation measure NOI-1, on page 4.10-28, in bullets one, two and four, which would limit the hours of construction, require equipment to be properly maintained with respect to mufflers and other sound reduction materials, and require the use of shrouds or shielding around any work involving the use of impact tools at a distance less than 100-feet from a noise-sensitive receptor. Proper implementation of mitigation measure NOI-1 would reduce noise levels associated with mechanical rock breaking equipment and chemical rock breaking to comply with the City's noise standards of 83 dBA at a distance of 25 feet from the source (regardless of where the nearest receptor is), and 86 dBA anywhere outside the property boundary.

For blasting activities, the FHWA RCNM indicates reference noise levels of 94 dBA at 50 feet (with a usage factor of less than 0.01). At this time the exact location where blasting may be necessary is not known. Modern blasting protocols use a number of techniques including stemming (backfilling/plugging drill holes), modern explosive products, presplitting, blasting mats and ballast or other heavy materials to cover the blasting area, and the certified blasting engineer's judgment to properly scale the blast and control the noise and vibration levels in the surrounding areas. As noted in mitigation measure NOI-1, “[i]mpact sources,” which would also include blasting activities based on FHWA RCNM and FTA guidance, “employed at distances less than 100-feet from noise-sensitive receptors shall have the working area/impact area shrouded or shielded... this may necessitate the use of temporary or portable, application specific noise shields or barriers.” Also incorporated into mitigation measure NOI-1, bullet six, is the requirement for a disturbance coordinator to manage construction noise complaints (which would include blasting), and if necessary, retain a qualified acoustical consultant to ensure compliance with applicable standards. “Applicable standards” would include the City's construction noise level threshold of 86 dBA at the property boundary and 83 dBA for equipment. Additionally, it should be noted that application and measurement of the 83 dBA at 25-feet is specific to construction equipment and would likely not be feasible, as it would be within what would typically be the blasting safety area/evacuation area. The short duration of blasting events, which is reflected in the usage factor of 0.01 or less, and the limited number of blasting operations that would take place on a given day (typically one event per day at a scheduled timeframe) would also result in hourly noise levels well below the City's thresholds.

As also noted in mitigation measure NOI-1, all construction activity, including any mechanical or chemical rock breaking, and blasting activities, “shall be limited to the daytime construction noise thresholds outlined in the City of Chico Municipal Code Section 9.38.060. Construction shall be limited to the weekday hours of 7:00 AM to 9:00 PM and the Sunday or holiday hours of 10:00 AM to 6:00 PM. For construction activity taking place between June 15th and September 15th, construction hours shall be limited to the weekday hours of 6:00 AM to 9:00 PM and the Sunday or holiday hours of 10:00 AM to 6:00 PM.”

Table 4.10-9 and Table 4.10-10 were updated to include reference noise and vibration levels for blasting activities and is provided in Chapter 3, Changes to the Draft EIR. The text on page 4.10-22 and 4.10-23 of the Draft EIR has been updated to clarify the potential noise levels associated with rock breaking and blasting, and is provided in Chapter 3, Changes to the Draft EIR.

- 12-15** The comment asks what considerations have been made for noise, airborne particulate, dust, and other nuisances associated with potential rock crushing.

As discussed on page 4.2-5 of the Draft EIR in Section 4.2, Air Quality, major sources of particulate matter (PM<sub>10</sub>) include crushing or grinding operations; dust stirred up by vehicles traveling on roads; wood-burning stoves and fireplaces; dust from construction, landfills, and agriculture; wildfires and brush/waste burning; industrial sources; windblown dust from open lands; and atmospheric chemical and photochemical reactions.

Table 4.2-8 on page 4.2-32 shows the maximum daily construction emissions associated with the proposed project, which includes quantifying PM<sub>10</sub> emissions associated with dust would not exceed the BCAQMD significance thresholds for PM<sub>10</sub> or PM<sub>2.5</sub>.

The project would also comply with Butte County Air Quality Management District Air Quality Significance Thresholds and Rules 200 (Nuisance) and 205 (Fugitive Dust) to control emissions of fugitive dust, as listed in Table 4.2-6 on page 4.2-27 and page 4.2-31. The Draft EIR has addressed dust associated with any potential blasting activities. Please also see Response to Comment 12-13 regarding noise.

- 12-16** The comment indicates a text reference error is present on page 4.10-23 of the Draft EIR and asks why the referenced noise document was not included in the EIR.

It is a typographical error on page 4.10-23 of the Draft EIR that has been corrected in Chapter 3, Changes to the Draft EIR. The corrected text references Table 4.10-9, which was contained in the Draft EIR and lists reference noise levels for various construction equipment.

- 12-17** The comment requests information on how many additional fire personnel would be required to support the project.

The Draft EIR evaluates the increase in demand on fire services and personnel in Section 4.11, Public Services and Recreation. The Chico Fire Department (CFD) operates four fire stations within 4.0 miles of the project site, as outlined in Table 4.11-1 on page 4.11-2. Fire services in the City are also supported by the North Division Battalion of the Butte County Fire Department. In addition, according to the CFD there are plans to re-open Fire Station 6 in the future (Draft EIR p. 4.11-20).

As discussed under Impact 4.11-1 on page 4.11-20, compliance with the California Fire Code along with the VESP's Fire Protection Development Standards the project would not require an increase in fire personnel to accommodate the project, because the existing and proposed procedures and standards for addressing fire safety concerns and compliance with General Plan Policy S-4.3 which requires City review of development and building applications for compliance with relevant codes.

- 12-18** The comment requests an analysis of response time of the Chico Police Department (CPD) to serve existing City residents because it is likely that City police will need to also respond to the new development.

The CPD in contrast to the CFD does not use response time as a metric to gauge the department's ability to respond to calls but rather a ratio of officers per population. As explained on page 4.11-20 of the Draft EIR, based on the police officer to citizen ratio, the CPD would have to hire five new police officers over the coming decades to address the increase in project residents at full buildout. Given that CPD facilities are not at capacity, and this number is less than half of the 13 new police officers proposed as part of the police department's staffing plan, it would be unlikely that new or expanded police facilities would be needed to house the extra staff needed to serve the proposed project. An analysis addressing the response time of the CPD to respond to calls throughout the City would not be considered a potential impact under CEQA and is not required to be evaluated in an EIR. When reviewing a proposed project, the CPD takes into consideration response times and the ability of officers to serve the site. CEQA does not require an analysis of response times, only the physical impacts if a project would require construction of a new facility to accommodate new officers in order to maintain response times.

- 12-19** The comment expresses concerns associated with the ability of existing residents along E. 20th Street to safely make a left turn onto the roadway given the volume of anticipated project traffic.

Once the Secretary of the Natural Resources Agency certified the new CEQA Guidelines, automobile delay, as described solely by level of service or similar measures of vehicle capacity or traffic congestion were determined to no longer be considered thresholds in CEQA documents. However, a roadway capacity analysis was conducted to evaluate consistency with the City's General Plan policy related to the capacity of the transportation system. Please refer to Appendix K of the Draft EIR for the analysis and improvement recommendations. A roundabout was recommended for the City's consideration at the E. 20th Street /Autumnfields Way intersection. This recommendation is consistent with General Plan Policy CIRC 1.4 (Level of Service Standards) that identifies maximum acceptable delays at intersections.

Impact 4.13-4 on page 4.13-22 of the Draft EIR addresses potential impacts of the proposed project related to traffic safety and the creation of hazards associated with project design features (e.g., sharp curves or dangerous intersections). The City's Municipal Code Title 18R – Design Criteria and Improvement Standards addresses vehicle speed, sight distance, minimum and maximum roadway grade, minimum curve radius, and lighting. Each project development application would be subject to review and approval by the City, including the City's Fire Department, which would include a review of the project's consistency with the City's design criteria to ensure safe vehicle access and intersection improvements are provided, including for emergency vehicles. This impact was considered less than significant since implementation of the proposed project would not substantially increase hazards due to design features or incompatible uses.

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Comment Letter 13

**Mike Sawley**

**From:** Kathy Ferguson <fergusonkathy@ymail.com>  
**Sent:** Sunday, November 7, 2021 12:08 PM  
**To:** Mike Sawley  
**Subject:** Valleys Edge Specific Plan

ATTENTION: This message originated from outside City of Chico. Please exercise judgment before opening attachments, clicking on links, or replying.

I am very concerned about this plan. I see many areas for more transients to move in. I live right on the corner of Potter Rd and E 20Th St. Transients use the bike path daily. We have had two serious fires in the field across from me set by transients. It looks to me like we are just making more places for them to destroy. I really think the city needs to deal with the transient problem before you create more locations for them to move into, parks, lakes, etc. I'm also concerned about wildfires in that area. I have lived in Chico all my life and my family owns the land adjacent to this plan. There have been countless fires here including the Camp fire. Has that even been addressed?  
Kathy Ferguson  
Sent from my iPad

13-1

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## Response to Letter 13

Kathy Ferguson

**13-1** The comment expresses concern regarding the project’s potential to attract transient populations to the area by adding areas for them to move in, as well as wildfire potential in the project vicinity.

The commenter’s concerns regarding social and economic effects of the project are noted and will be forwarded to the decision makers for their consideration. Regarding the addition of “areas for more transients to move in,” most of the open space that would be set aside within the project site would remain under private ownership, and the HOA would be able to enforce private property rights against trespassing as needed in those areas. Exceptions include the community park and school site, which would eventually become owned and operated by CARD and the Chico Unified School District, respectively. To the extent the comment relates to potential physical environmental impacts of the project, they have been addressed in the Draft EIR. Please also see Master Response 1 which addresses concerns regarding wildfire.

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Comment Letter 14

Mike Sawley

**From:** Jona O'Shea <jonajoshea@me.com>  
**Sent:** Saturday, November 13, 2021 9:40 AM  
**To:** Mike Sawley  
**Subject:** Valley's Edge Specific Plan - Comments

**ATTENTION:** This message originated from outside City of Chico. Please exercise judgment before opening attachments, clicking on links, or replying.

Dear Mr. Sawley,

We are writing this letter in order to ensure that our specific comments and concerns are represented in the project record and will be addressed in the Final Environmental Impact Report and at the Public Hearing on November 18, 2021.

14-1

We are very concerned about this project - the Valley's Edge Specific Plan (VESP) - being built in the proposed location (1.25 miles east of State Route 99 and bound by the Steve Harrison Memorial Bike Path formerly known as Potter Road on the west; Honey Run Road and Skyway on the South; undeveloped land on the east; and E. 20th Street, Dawncrest Drive, Lazy S Lane, and Stilson Canyon Road on the north.

One significant concern is the drainage and flooding issue in this location. In 2014, our home, along with five others in our Chico neighborhood in Belvedere Heights, was flooded. The city was sued by these homeowners (not including us) and the City of Chico was held responsible. In addition to the flooding damages paid to the homeowners, the home next to ours was torn down and that homeowner was compensated in order to relocate. The empty lot on Bancroft Drive is now there because of drain and flooding concerns. In addition to the above mentioned monies, the City of Chico also paid well over \$750,000 in order to install a drain that was needed to siphon the water from the field above our development. This drain now pumps water from above the Belvedere Heights homes development into the field where this project is proposed to be built. When it rains, this particular location of the proposed project site is severely flooded and often floods over the Steve Harrison Memorial Bike Path.

14-2

Another more obvious significant concern is related to the aesthetics in this area. This proposed development will change the existing visual character for our neighborhoods. In addition, it will change the aesthetics of a beautiful place in Chico where many community members come to enjoy as they walk their dogs, walk, run, or ride bikes on the Steve Harrison Memorial Bike Path. One of the main reasons we purchased our home was because of the beauty of this open field area.

14-3

Our last and also very significant concern is regarding the Butte County Meadowfoam, a California endangered plant species. We were told when purchasing our home on Bancroft Drive that due to environmental reasons, specifically the concern of the endangered meadowfoam which grows in the proposed project site area, nothing could be built there. We would like to know about the environmental impact for the meadowfoam if this project is developed in the proposed area.

14-4

As stated on the California Department of Fish and Wildlife website: "Butte County meadowfoam is a California endangered plant species, which means that killing or possessing the plant is prohibited by

14-5

the [California Endangered Species Act \(CESA\)](#). Butte County meadowfoam is also listed as endangered under the federal [Endangered Species Act](#). Butte County meadowfoam is an annual plant that has only been found in a narrow 28-mile strip along the eastern Sacramento Valley in Butte County. Plants are sometimes found at the edges of [vernal pools](#), but they are primarily found in the deepest parts of vernal swales that connect vernal pools. At the time of this webpage posting, the [California Natural Diversity Database](#) lists 21 occurrences of Butte County meadowfoam that are presumed to still exist.

14-5  
Cont.

Butte County meadowfoam habitat is highly fragmented throughout its range due to conversion of natural habitat for urban and agricultural uses. Although some Butte County meadowfoam occurrences have been partially or completely protected from development, habitat loss and degradation remains the biggest threat to the species. Development may degrade Butte County meadowfoam habitat through changes in above- and below-ground hydrology, introduction of invasive plants, from pesticide and herbicide use, and from additional habitat fragmentation. The invasive waxy manna grass (*Glyceria declinata*) could become a serious threat to Butte County meadowfoam because it can invade vernal pool habitat that is typically resistant to other exotic plant species. Butte County meadowfoam habitat may be vulnerable to changes in hydrology from climate change, and populations of Butte County meadowfoam are also vulnerable to extirpation from unpredictable chance events.

14-6

To help prevent extinction, remaining populations of Butte County meadowfoam should be permanently protected and managed. Status surveys should be conducted for known populations and potentially suitable habitat should be surveyed for undiscovered populations. The effects of grazing, burning and invasive species on Butte County meadowfoam should also be investigated, with the goal of determining the best management practices for each population.”

14-7

Thank you very much for addressing and representing our above concerns about the Valley’s Edge Specific Plan.

14-8

Sincerely,

Terry and Jona O’Shea

2867 Bancroft Drive

Chico, CA 95928

(530) 898-0754

## Response to Letter 14

Terry and Jona O'Shea

- 14-1** The commenter expresses concern regarding the project and indicates a desire that their written comments as well as verbal comments provided at the November 18, 2021 Planning Commission hearing are addressed in the Final EIR.

All of the concerns raised by the commenter are addressed below including any comments submitted at the November 18, 2021 Planning Commission hearing (provided at the end of this chapter). The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.

- 14-2** This comment describes an incident in 2014 during which homes in the Belvedere Subdivision were flooded as a result of storm water runoff overwhelming a 42-inch storm drain in the subdivision. The comment states that resulting damage cost the City a significant sum of money, led to the removal of one of the homes in the subdivision, and compelled the installation of a 54-inch bypass culvert on the project site that works in tandem with the 42-inch culvert to reduce recurrence of flooding conditions within the subdivision. The comment also notes that flooding occurs downstream of the culverts serving the Belvedere Subdivision, often overtopping the Steve Harrison Memorial Bike Path.

As depicted on Figure 4.9-2 (Draft EIR p. 4.9-33) of the Draft EIR, drainage improvements for the project include transferring storm water runoff from a portion of Reach 1, which drains toward the Belvedere Subdivision, southerly into the larger Reach 2 and to a channel that bypasses the Belvedere Subdivision. The transfer area appears as a sort of hook-shaped northerly extension of Reach 2 (the green polygon) shown on Figure 4.9-2 of the Draft EIR. This transfer of watershed area from Reach 1 to Reach 2 is estimated to reduce 100-year storm event runoff draining towards the Belvedere Subdivision by 64 cubic feet per second (cfs), bringing the flow rate down from approximately 306 cfs to 242 cfs. This reduction of approximately 21% of incoming flows is expected to make the existing culvert system for the Belvedere Subdivision more capable of handling large storm events.

- 14-3** The comment describes the beauty of the area and asserts that the project will change the existing visual character of the neighborhood and the Steve Harrison Memorial Bike Path.

The commenter is correct, development of the project site would change the existing visual character of the site and would change views of the site from adjacent areas. The Draft EIR evaluates changes to scenic vistas, scenic resources, visual character, light and glare in Section 4.1, Aesthetics. As described under Impact 4.1-1 (see Draft EIR pp. 4.1-29, 30), compliance with City's Municipal Code, Foothill Development Standards, VESP Development Standards and Design Guidelines, and the guidance set forth in General Plan Policy LU-1.2 related to foothill development standards, Policy OS-2.4 which strives to preserve the foothills as a natural backdrop to the urban form to minimize changes to scenic vistas, and Action CD- 1.1.1 to incorporate and highlight natural features into project design, the project's impact on a scenic vista would be considered less than significant. However, the change in visual character, as shown in the visual simulations prepared for the project, would alter the existing

undisturbed and undeveloped visual character and public views of the project site. The project would permanently change views of the project site constituting a substantial degradation to the current visual character and quality of the site resulting a significant impact. There is no feasible mitigation available to fully offset the change in visual character of the site, thus, the projects impact to the visual character and quality of the site is considered significant and unavoidable.

**14-4** The comment requests information about impacts to BCM if the project is developed.

The Draft EIR evaluates impacts to Butte County Meadowfoam (BCM), a federal and state listed plant species starting on pages 4.3-49 in Section 4.3 Biological Resources. Please see Master Response 2 that also addresses concerns associated with this plant species.

**14-5** The comment quotes information contained on the California Department of Fish and Wildlife website regarding BCM and its status as a federal and state listed species. The quotation provides information on where this plant species is located.

Please see Master Response 2 that addresses concerns associated with this plant species. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.

**14-6** The comment continues a quotation from CDFW's website and provides more factual data specific to BCM habitat and threats to this species from other invasive plants and climate change.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. Please see Master Response 2 that addresses concerns associated with this plant species.

**14-7** The comment continues a quotation from CDFW's website which states that, to help prevent extinction the remaining populations of BCM should be permanently protected and managed, surveys should be conducted known and unknown populations that may exist, and the effects of grazing, wildfire and invasive species be evaluated to determine best management practices for each population.

Section 4.3, Biological Resources in the Draft EIR evaluates impacts to BCM. As noted on page 4.3-49, multiple protocol-level surveys were conducted on the project site from 2007 to 2018 (which included surveys of BCM). The project includes approximately 20 acres of land surrounding the mapped BCM populations that would be set aside as two of the three environmental preserves. The BCM preserves would be managed by a qualified land trust for resource conservation purposes. No recreational access to these areas would be allowed.

Please also see Master Response 2 that addresses concerns associated with this plant species including future preserve management.

**14-8** The comment indicates appreciation for addressing their concerns about the project.

The comment is noted and forwarded to the decision makers for their consideration. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.

Comment Letter 15

Mike Sawley

**From:** Mary Kay Benson <mkbe.sparkles3@gmail.com>  
**Sent:** Monday, November 15, 2021 4:30 PM  
**To:** Mike Sawley  
**Subject:** My Valley's Edge public comment - please distribute to all Planning Commissioners

**ATTENTION:** This message originated from outside City of Chico. Please exercise judgment before opening attachments, clicking on links, or replying.

November 15, 2021

Dear Chico Planning Commissioners:

Opposing Valley's Edge development - public comment

**My qualifications:**

Past - Board Member Sierra Club, local Yahi Group, 2018  
Past - Board Member Butte County League of Women Voters  
Director of Natural Resources, 2019-2020,  
Present - Butte County League of Women Voters, Housing & Homelessness Committee, 2021  
Present - Steering Council Manager of Chico 350 Butte County since 2017  
Present - Board North State Shelter Team, Secretary since 2021  
Present - Student in TEK certification training since 2019 <https://tekchico.org/>

**Mechoopda TEK: Water and Trees**

If the Mechoopda Traditional Ecological Knowledge (TEK) Masters were managing this land, as they once did and for about 20,000 years until about only 180 years ago here - and hopefully they will again as they are in our ecological preserves: they know better than to remove oaks and expect to keep wetlands. Those oaks pull the water table up. This is an ecosystem and they are a keystone species. Removing oaks is to destroy the very beauty of nature the developer wants to market. "Oak trees act as a water lift, pulling water from deeper." The wetlands there thrive because the oaks are there.  
[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/exhibits/docs/CSPA%20et%20al/part2/aqua\\_283.pdf](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/CSPA%20et%20al/part2/aqua_283.pdf) At the very least the Mechoopda tribe should be consulted on this, as with all land use development.

15-1

**Wildfires:**

Wildfires have already burned at this site in our 2018 Camp firestorms. It is not wise or cost effective to build in wildfire zones, and people are already experiencing the escalating insurance home insurance costs if they can even get coverage. Once again, the land managed by our Indigenous masters even today, such as the ecological preserves and Verbena Field, have not burned, so their prescribed burns must be incorporated into any successful planning.

15-2

"Rebuilding for a Resilient Recovery: Planning in California's Wildland Urban Interface  
Report ~June 10, 2021

California must comprehensively reshape how we rebuild after wildfires—or risk an unthinkable surge in costs and major setbacks to the state's housing supply amidst a record housing crisis. That's the finding of Rebuilding for a Resilient Recovery: Planning in California's Wildland Urban Interface, released today from

15-3

researchers at the UC Berkeley Center for Community Innovation and non-partisan, non-profit think tank Next 10.

The researchers studied three communities recently affected by fires—Santa Rosa (Tubbs Fire, 2017), Ventura (Thomas Fire, 2017) and Paradise (Camp Fire, 2018)—and found that state and local land use policies, coupled with the state's housing shortage, are ratcheting up the

economic and human cost of wildfire by incentivizing rebuilding in the high risk-wildland urban interface (WUI), instead of redirecting development away from fire-prone areas. This is intensifying untenable safety, economic, and climate risks as the state prepares for another harrowing wildfire season in the midst of record drought."

<https://www.next10.org/publications/rebuilding-resilient>

15-3  
Cont.

#### Transportation:

In this arena, the developer's planning is sorely lacking other than the old car-centric approach, and what shows is not based on Chico commuting data but on some much larger than county resource, which does not apply. The 21st century public transportation required to service such a remote area cannot be sustained with such low ridership planning as presented. CA requires all electric buses by 2029, but Butte County bought 5 so-called "clean diesel" models last year instead, although there is no such thing as clean diesel or "clean burning gas" as the current buses proclaim. Reducing sulphur emissions is not the same as reducing CO2 emissions. Greenwashing is the new disinformation propaganda used to provide cover for companies not committed to sustainable business practices.

<https://www.nytimes.com/2018/12/14/climate/california-electric-buses.html>

15-4

I am a disabled low income senior myself living in a senior mobile home community which is a busy transport hub for B-line. Since Covid the ridership is down 70%. There are delayed plans to even purchase all electric buses by BCAG, and yet there is no masterful planning on how to make public transportation more usable and/or sustainable. <http://www.blinetransit.com/documents/UTN/2122-Transit-Needs-Assessment-Final.pdf>

15-5

There has been no planning for widening roads in that area, as will be necessary.

#### Need for Low-income Housing:

Lastly, I would like to bring up the need for more low-income housing and that Chico in particular has overbuilt luxury single family dwellings already, according to the latest Butte County Housing Needs report to the detriment of lower income units. Since the 2018 fires and ongoing we have lost 15,000 homes here. In Paradise, 3 years later, they have rebuilt a little over 1000 now of the 14,000 they had. Most were low income housing and most were for seniors. [https://1p08d91kd0c03rlxhmhtydpr-wpengine.netdna-ssl.com/wp-content/uploads/2020/06/Butte\\_Housing\\_Needs\\_Report\\_2020-HNR.pdf](https://1p08d91kd0c03rlxhmhtydpr-wpengine.netdna-ssl.com/wp-content/uploads/2020/06/Butte_Housing_Needs_Report_2020-HNR.pdf)

15-6

As an environmentalist, I see no real sustainable green resiliency planning, other than the state mandating all new homes will have to be solar-powered. Therefore, I oppose this development as currently planned. Thank you for considering the future of our city and our peoples' housing needs.

15-7

In Solidarity,

Mary Kay Benson  
510.388.5363

350 Butte County

## Response to Letter 15

Mary Kay Benson

- 15-1** The comment asserts that Mechoopda Traditional Ecological Knowledge Masters would know better than to remove oak trees from the site and expect to retain on-site wetlands because oak trees pull the water table up, and that removing these trees would destroy the very beauty that the developer wants to market. The comment also asserts that wetlands thrive because of the presence of oak trees and that the Mechoopda tribe should be consulted on this project.

The reference cited in the comment related to oak trees supporting wetlands refers to an appendix to a comment letter on the California WaterFix project, which describes how other plants surrounding oaks benefit from the soil moisture that is retained and enhanced by the roots of oak trees. The reference does not appear to support the statement that wetlands are dependent upon the presence of oak woodlands. In fact, on the project site, most of the wetlands are isolated and ephemeral pools well removed from the extensive oak woodlands on the eastern portion of the site. These flashy pools fill from surface flows or potentially from springs or seeps with perched groundwater tables. Where oaks are present in the denser riparian areas of the site, the intermittent drainages are supported by overland flow from higher in the watershed as opposed to groundwater drawn to the surface by the force of transpiration,

As explained in the Draft EIR in Section 4.4, Cultural and Tribal Cultural Resources, pursuant to state law (AB 52) the Mechoopda Indian Tribe of Chico Rancheria (Tribe) was sent a letter along with a copy of the Notice of Preparation regarding the proposed project. The Tribe replied indicating that the project site lies within the ancestral lands of the Tribe and that the project area and surrounding landscape have long been considered as having cultural, historical, and religious significance for the Tribe. The Tribe has a deep and abiding cultural and spiritual attachment to their ancestral landscape, which includes and extends beyond the Tribes formal boundaries, including the project site. Based on this the Tribe has requested to have a Mechoopda Indian Monitor be present during all earth moving and grading activities to ensure that any potential tribal cultural resources found during project ground disturbance be protected. Mitigation measure CUL-2 on page 4.4-20 of the Draft EIR includes a Mechoopda tribal monitor be present during ground disturbing activities. No formal consultation was requested by the Tribe (Draft EIR p. 4.4-8).

- 15-2** The comment expresses a concern that building in a wildfire area is not wise or cost-effective, citing escalating home insurance costs and difficulty obtaining coverage.

The commenter's concerns regarding the merits of the project are noted and will be forwarded to the decision makers for their consideration. Please see Master Response 1 that addresses wildfire issues.

- 15-3** The comment cites a report released by researchers at the University of California, Berkeley titled *Rebuilding for a Resilient Recovery: Planning in California's Wildland Urban Interface*, which assesses the relationship between land use policies and the economic and human cost of wildfire. The comments assert that the report suggests that state and local land use policies incentivize rebuilding in high-risk wildfire areas, instead of directing development away from fire-prone areas.

The comment does not raise any concerns specific to the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter's concern regarding development in the wildland urban interface is noted and forwarded to the decision makers for their consideration. Please also see Master Response 1 which addresses wildfire issues.

- 15-4** The comment expresses an opinion that the project's transportation plan is not based on the City's commuting data but includes a larger area, and that due to its location, the project cannot sustain modern public transit. The comment notes that California requires all electric buses by 2029 and decries Butte County for purchasing five clean diesel buses because reducing sulfur emissions is not the same as reducing CO<sub>2</sub> emissions.

The commenter's opinion is noted and forwarded to the decision makers for their consideration. It should be noted, the project does support multiple modes of transportation, not just gasoline-powered vehicles. The project includes multi-use bike/Neighborhood Electric Vehicle (NEV) lanes, separated sidewalks, and trails to encourage residents to walk, ride bikes or use electric vehicles to move around the site, as described in Chapter 2, Project Description (Draft EIR p.2-21). All routes to the village core would be accessible for multiple modes of transportation. To facilitate future transit service, bus stops would be included at the Village Core and elementary school site, and community park. In addition, a park and ride lot would be located within the community park, for commuters and carpoolers (Draft EIR p. 2-22). Regarding the commenter's statement that "reducing sulphur emissions is not the same as reducing CO<sub>2</sub> emissions." Butte County would be replacing older CNG buses from 2008. The new clean-diesel buses would meet the current emission requirements and would be more fuel efficient than the older models.

- 15-5** The commenter states that they are a disabled low-income senior and asserts that no master planning has been done to make public transportation more usable and sustainable, and no planning has been done to widen roads.

The Draft EIR addresses transit that would serve project residents in Section 4.13, Transportation and Circulation. The Draft EIR does not address City-wide transit planning or roadway improvements. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The comment is noted and forwarded to the decision makers for their consideration.

- 15-6** The commenter suggests a need for more low-income housing.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The comment is noted and forwarded to the decision makers for their consideration. Please also see Responses to Comments 9-68 through 9-70 that address housing concerns, including affordable housing.

- 15-7** This comment concludes the preceding comments and expresses general opposition to the Project.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

## Comment Letter 16

**From:** [Addison Winslow](#)  
**To:** [Nicole Acain](#)  
**Subject:** Valley's Edge dEIR Transportation Impact  
**Date:** Wednesday, November 17, 2021 2:35:02 PM

**ATTENTION:** This message originated from outside **City of Chico**. Please exercise judgment before opening attachments, clicking on links, or replying.

Hi Nicole,

Would you pass this along to the commission?

Thank you,

Addison Winslow

\*\*\*

Hi planning commissioners,

As part of the Butte Environmental Council's Advocacy Committee I reviewed the Valley's Edge Specific Plan and the Draft EIR. This is a very large project that will have a profound effect upon the character of Southeast Chico and the access of the whole of the city and visitors to experience the surrounding foothills. Issues are too numerous to expound within the reasonable bounds of one email, so what I want to focus on is specifically a critique of the project's Vehicle Miles Traveled analysis.

As a review, on July 1, 2020 SB 743 came into effect requiring public agencies to change the metric of automobile impacts from Level of Service, or the speed and volume of traffic through intersections, to Vehicle Miles Traveled (VMT), which better aligns with reducing greenhouse gas emissions, liability for road infrastructure, and automobile dependence.

**The Valley's Edge dEIR analysis severely underestimates the amount of VMT the project is likely to produce and its disproportionate impact on the surrounding community.** To simplify into three points, (1) the comparison used for VMT impact is inappropriate, (2) the VMT estimation per household doesn't accord with data based on the probable demographics, and (3) the expectations about transit and commercial services available to the development are not supported by ridership or market analyses.

(1) In the VMT analysis used in the dEIR, Valley's Edge receives reductions in the estimated VMT by virtue of its location near the city of Chico, the planned elementary school and commercial services, the 9-acre section of medium-high density zoning, and for around 50% of units being restricted to people age 55+. who are estimated to take about half the trips of other people.

Still, the dEIR analysis gave Valley's Edge a VMT per service population of 26.1, about 15% higher than the projection of the Chico 2030 General Plan. The threshold of significance for VMT impact is given in the dEIR as "85% or more of the existing average VMT per service population in the Region."

The region considered is Butte County because, as the dEIR states, "The City has not yet adopted thresholds for VMT impacts." Nor did the analysis default on data associated with Butte County. As the report explains, "modifications were made so that model estimates of trip lengths and VMT could better represent distance traveled outside Butte County." This is also misstated in the GHG portion of the report.

The Chico 2030 General Plan projected a VMT per household of 56. Given an average household size of 2.5, and utilizing the 85% threshold for a 'significant impact,' Valley's Edge should need to plan for a VMT per service population of 19.04 to reduce the impact to 'less than significant;' a 27% reduction before considering the other issues with the VMT analysis. The dEIR, however, only recommends a 1.4% reduction in VMT to reduce the impact to 'less than significant.'

The standard for measuring the impacts of automobile use should be no less local than the city of Chico urban area; and a more appropriate comparison would be the Southeast Chico neighborhoods, which have a more compact form than North Chico and are generally designed to better accommodate alternative modes of transportation. If the Valley's Edge project produces an unmitigated excess of car trips, that traffic will also hinder the safety and efficiency of walking, biking, and use of transit. The residents of Doe Mill, Meriam Park, and the surrounding neighborhoods who are better fitted for relying on alternative modes of transportation will be disproportionately impacted from the additional car traffic spurred by Valley's Edge.

(2) Among the factors listed in the dEIR which reduce the project's VMT per service population is the "senior adult housing units." These include about half of the total dwelling units. "Senior adult housing," the report states, "generates about half of the daily trip generation of general market single

16-1

16-2

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family residential dwellings.” Restricting half of the dwelling units to ages 55+ therefore grants the VESP around a 25% reduction in estimated VMT.

A number of data points however suggest this reduction is overly optimistic. The Federal Highway Administration’s Office of Highway Policy Information (OHPI) [estimates average annual VMT per driver](#) (see Table 23a). While older drivers do travel less than those in prime commuting age, the numbers have converged over time. In data from 2017, drivers aged 55+ have only about 13% less VMT compared to the overall average. This difference is entirely accounted for by the 65+ age group. Drivers aged 55-64 travel more than the average of all age groups.

16-7  
Cont.

Much of the difference between the VMT of the senior population and that of the younger age group is related to retirement. The average age of retirement has been increasing over time. Those born after 1960 are not eligible to claim full social security benefits until 67 years of age, up from 65 for the older generations. According to [an analysis based on US Census labor force participation data](#), the average age of retirement in California is 64.

16-8

The rising cost of living compared to wages and salaries will complicate retirement for the younger generations. Housing is the largest cost in a household budget, followed by transportation. The underemphasis on design for affordable housing in the Valley’s Edge plan, the liabilities for infrastructure and amenities which will be assumed either by the HOA or the city, and the overall imbalance in local incomes and cost of housing make it probable that residents of the Valley’s Edge community will be required to prolong their work life, increasing the years of VMT-heavy commuting.

Insomuch as the population who settles in Valley’s Edge will not experience pressure to prolong work life beyond the average age of retirement, the effects on VMT may actually be worse. According to the same OHPI report cited above, households making over \$100,000 annually take about 22% more trips than the overall average (see Table 8 in above link). The group earning \$75,000 and up take around 28% more trips than the lower earning groups which make up the bulk of the population of Chico currently.

16-9

(3) Service population is a fundamental element in determining the feasibility for both transit and commercial services and is closely related to density.

Out of the 668.5 acres proposed for residential development, Table 2-1 in the dEIR gives a mean density of 4.1 units per acre. Another 56.3 acres are single-use commercial; and the roads make up another 40.4 acres, bringing the average density of the built out (non-park or open space) portion down to 3.6 units per acre.

47% of the project area, or 683 acres, are designated parks, open space, plus land for an elementary school. Open space is compatible with transit-supportive densities insofar as the housing is clustered and not spread throughout. While the entirety of the 9 acres designated for MHDR units and some medium and low density housing is located near the commercial center, most of the housing is low-density spread linearly along ridges, leading to both longer travel times to a transit stop or shop and more difficulty walking and cycling, especially for those less physically able. Another section of very-low density housing is located in the center of the proposed regional park with the only access from Honey Run Road to the southeast.

16-10

According to the [Butte County Transit and Non-Motorized Transportation Plan](#), “A general threshold for transit-supportive residential uses is 15 units per acre for high-frequency bus service.” Due to the low overall residential density, it is likely that a transit route extending to the Valley’s Edge plan area would require a greater subsidy to operate than existing routes in more compact areas of Chico. In compliance with Policy CIRC-5.3 in the General Plan, “Ensure that new development supports public transit,” the Valley’s Edge plan should make transit more viable as an option in Chico’s future, not make the transit system more strained and inefficient.

The dEIR also lacks an analysis of the feasibility of basic retail services, like a grocery and a pharmacy, given the population projected for Valley’s Edge, leaving us to take as an article of faith the claims of a “20 minute neighborhood” in the VESP. The plan expresses the intent to accommodate a grocery in the village core, but with the low population density, commercial uses are more likely to consist of specialties people travel to access, in a similar way that the uses in the commercial center of the Longfellow neighborhood went from a focus on the basic needs of nearby residents (grocery, pharmacy, hardware store) into being dominated today by a fitness center used by residents from

16-11

all across the area, mostly arriving by car.

\*\*\*

The conclusion this information leads me to is that the mitigation required for VMT is understated by more than 30%. In the current design, it is significant and unavoidable, but reductions in the extent of low-density sprawl, the removal of Equestrian Ridge, and a more compact form with an average residential density above 15 units per acre around the Village Core area could reverse the impacts. Special Planning Areas present the best opportunities in Chico to anchor reliable and efficient public transit routes and have a positive effect upon automobile dependence in the existing neighborhoods.

Addison Winslow

↑ 16-11  
Cont.

16-12

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## Response to Letter 16

### Addison Winslow – (1 of 2 letters received)

**16-1** This comment is an introduction to comments that follow. The commenter expresses concern regarding the project's effects on Chico's character and access to the surrounding foothills. The comment also notes that comments to follow will address VMT issues.

The commenter's concerns regarding the project are noted and will be forwarded to the decisionmakers for their consideration.

**16-2** The comment refers generally to recent changes to the CEQA Guidelines that no longer recognize level of service and roadway capacity as environmental effects. The new metric to evaluate traffic impacts is vehicle miles traveled or VMT.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.

**16-3** The commenter claims the Draft EIR severely underestimates the project's VMT because (1) the analysis used an inappropriate comparison; (2) the estimation of VMT per household does not track with probable demographics; and (3) the expectations for transit and commercial services available to the development are not supported by ridership or market analysis. The comment notes that the VMT analysis included reductions by virtue of the site's proximity to the City of Chico, the planned elementary school and commercial services, the nine-acre Medium-High Density Residential site, and because about 50% of the units would be age-restricted and those units are estimated to produce about one-half the VMT of conventional units.

The three points summarized in this comment constitute an outline for the remaining comments in the letter; see Responses to Comments 16-4 through 16-11, below.

The comment is accurate that certain elements of the project, as identified on page 4.13-24 of the Draft EIR and listed below, contribute to the overall VMT efficiency of the proposed project:

- *Location* – The VESP is located adjacent to the City, which is VMT efficient relative to other communities in the region. A diverse land use mix that places jobs, goods, and services located close to where people live reduces VMT.
- *Land Use Diversity* – The VESP includes a mix of land uses, including local-service commercial (Village Commercial) and an elementary school. Having a good housing-jobs balance within a relatively small area reduces VMT.
- *Senior Adult Residential* – The VESP includes 1,385 senior adult housing units (i.e., about 50% of total dwelling units). Senior adult housing generates about half of the daily trip generation of general market single family residential dwellings.
- *Medium-High Density Residential (Multi-Family)* – The VESP includes higher density residential land use, with an approximate density of 18 dwelling units per acre, that is located within walking distance to the Village Core and Village Commercial land use.

Please see Responses to Comments 9-50, 9-51, and 9-53 for more information specific to the VMT methodology and data used in the Draft EIR to calculate project VMT.

- 16-4** The comment questions why the project's VMT per service population of 26.1 from the Draft EIR is approximately 15% higher than what was assumed for VMT in the City's General Plan and takes exception with using the region for the project's service population.

Please see Response to Comment 9-47. The Draft EIR and Chico General Plan used different traffic models with different assumptions, thus the results are not comparable, and using a regional VMT threshold is consistent with guidance from the state Office of Planning Research.

- 16-5** The comment refers to VMT projections from the City's 2030 General Plan and suggests a different significance threshold. The comment suggests that the VMT per service population should be 19.04 to reduce the impact to a less-than-significant level.

Please see Response to Comment 9-47. The Draft EIR and Chico General Plan used different traffic models with different assumptions, thus the results are not comparable or interchangeable, and the VMT threshold used in the Draft EIR is consistent with guidance from the state Office of Planning Research.

- 16-6** The commenter suggests the standard to evaluate the project's VMT should be limited to specific neighborhoods and goes on to assert that if the project results in an increase in vehicle trips it would affect the safety and efficiency of biking, walking, transit and will impact surrounding neighborhoods that are better suited to relying on alternative transportation modes.

Please see Responses to Comments 9-45 and 9-49.

- 16-7** The comment addresses the VMT assumed for the age-restricted component of the project, and questions if the reductions in VMT associated with this component of the project are overly optimistic.

Please see Response to Comment 9-50. The data that support the trip generation rates used in the Draft EIR are based on existing survey data, and therefore provide a reasonable approach to assessing project impacts compared to existing conditions, as required by CEQA (Guidelines Section 15162.2(a)).

- 16-8** The comment provides information specific to retirement age assumptions as it relates to the age-restricted component of the project and suggests that due to a variety of factors people are retiring at older ages, increasing the years of VMT-heavy commuting.

Please see Response to Comment 9-50. The data that support the trip generation rates used in the Draft EIR are based on existing survey data, and therefore provide a reasonable approach to assessing project impacts compared to existing conditions, as required by CEQA (Guidelines Section 15162.2(a)). It would be speculative to assume that the age-restricted housing in the project would have disproportionately fewer retirees than found in the traffic survey data.

- 16-9** The comment references a report that correlates higher household incomes with more vehicle trips and suggests that VMT could be higher for the project if it becomes populated with affluent retirees.

Please see Response to Comment 9-50. It would be speculative to assume that the age-restricted housing in the project would have disproportionately more affluent individuals than found in the traffic survey data.

- 16-10** The comment claims that the project's density is too low to support transit without a greater subsidy than existing routes in more compact areas of Chico, and that the specific plan should make transit more viable to be consistent with General Plan Policy CIRC-5.3.

The comment does not address the accuracy or adequacy of the Draft EIR. Please see Response to Comment 9-53. General Plan Policy CIRC-5.3 (Transit Connectivity in Projects) states “[e]nsure that new development supports public transit.” The policy is followed by two Actions which direct implementation of the policy by including “transit stops, shelters, bus turnouts, and other transit improvements” (Action CIRC-5.3.1), and consulting with BCAG during project review regarding the specifics for installing a bus stops or other streetscape improvements to accommodate transit (Action CIRC-5.3.2). It is not the intent of Policy CIRC-5.3 to compel projects to achieve higher densities to make transit service more viable.

- 16-11** The comment refers to specific types of commercial businesses (e.g., pharmacy, grocery store, hardware store) and notes that the Draft EIR does not include a feasibility analysis for these types of basic retail services.

Please see Response to Comment 9-54.

- 16-12** The commenter asserts the project's mitigation for VMT is understated by more than 30% and suggests changes to the VESP including adding more density and removing the low density “Equestrian Ridge” neighborhood could reduce the VMT impacts.

Please see Responses to Comments 9-50 through 9-53.

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Comment Letter 17

**From:** [Addison Winslow](#)  
**To:** [Mike Sawley](#)  
**Subject:** Country Clubs in Valley's Edge dEIR  
**Date:** Monday, December 13, 2021 1:28:18 PM

**ATTENTION:** This message originated from outside **City of Chico**. Please exercise judgment before opening attachments, clicking on links, or replying.

Hey Mike,

I have one additional item of concern in the Valley's Edge dEIR. According to the Specific Plan, golf courses and country clubs are allowed with a use permit in all residential areas besides the MHDR, and in the valley open space designation, which together totals more than 900 acres.

The use-permit process doesn't (and really shouldn't) include a substantial environmental review, so if approval of this project allows a streamlined process for establishing another foothill country club over an area as large as this, the EIR should cover the potential impacts of that, or it should be removed as an allowable use.

Frankly, I'd prefer the latter and, to be clear, I'm not worried about disk golf.

Also, in case it wasn't belabored elsewhere, the city ought to consider changing the name "valley open space" to something geographically accurate, like "woodland open space," or just make use of an existing zoning category. If I'm not mistaken, secondary open space is the appropriate zoning for golf courses in the rest of the city, and primary open space typically covers sensitive habitats like oak woodlands and riparian areas. The Valley Open Space land use designation covers areas of the latter category while enabling uses of the former. This really should be made explicit and if there isn't a good reason for the parallel zoning code, the city should stick with the familiar categories, if just to save paper.

Thanks for being such a reliable, informative, and helpful recipient of all these comments,

Addison Winslow

17-1

17-2

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## Response to Letter 17

Addison Winslow (Letter 2 of 2)

- 17-1** The comment expresses concern regarding golf course and country club uses that are allowed in the VESP, with a Use Permit in areas designated residential or Valley Open Space and suggests that if these uses are allowed then the Draft EIR should address impacts of these potential uses or remove them as an allowable use.

According to the VESP, golf courses and county clubs are allowed with a use permit in all residential areas besides areas designated for medium-high density. The Draft EIR provides a comprehensive analysis of the potential impacts resulting from VESP implementation, which considers all allowable land uses. If the City receives a request for a discretionary Use Permit to develop a golf course or country club in areas currently designed residential or Valley Open Space, the City will determine if additional environmental review would be required or if potential impacts have been adequately addressed in this EIR, pursuant to Public Resources Code section 21166 regarding subsequent environmental review and later activities. As a practical matter, a commercial golf course (9 or 18 holes) is unlikely to fall within the scope of the EIR and may also be inconsistent with several VESP policies. Disc golf uses, on the other hand, as well as a private recreational clubhouse use for the senior area are anticipated future use types within the project.

- 17-2** The comment suggests that the City should change the name “Valley Open Space” to a more geographically accurate name, and recommends that the City should use existing zoning and land use categories in the VESP that are familiar to residents.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter’s opinion is noted and forwarded to the decision makers for their consideration.

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Comment Letter 18

Mike Sawley

**From:** Heidi Musick <heidi@hmcbusiness.com>  
**Sent:** Thursday, November 18, 2021 12:41 PM  
**To:** Nicole Acain  
**Subject:** Support for Valley's Edge

**ATTENTION:** This message originated from outside City of Chico. Please exercise judgment before opening attachments, clicking on links, or replying.

To: Planning Commissioners  
Re: Support for Valley's Edge - November 18th Planning Commission Meeting  
Date: November 18th, 2021

Good Afternoon Toni, Richard, Paul, Dennis, Bryce, Lindsay, Larry -

Heidi Musick here. Chico resident, born & raised & continues to create my family's future here.

Valley's Edge is exactly the type of well-thought out development that Chico *needs*. The North State is an ideal place to live and Chico is on the map. We need to be prepared to build, but build in the right way - *the Chico way*. I believe Valley's Edge plan accomplishes all that and more.

My husband and I were raised in Butte Creek Canyon, neighbors to the Valley's Edge community and we are excited. Just the open space design alone captures the beauty of Chico and it's foothills. Parks and public spaces are what created the original culture of Chico, this continues to build upon, *and respect*, that culture. Conscientiously choosing to develop open space first and housing second.

Even beyond the open-space plan, Chico is in dire need of housing. I work remotely now and that trend is not going away. Families are flocking to communities outside of metro areas. Chico *will* become the destination for remote workers of Sacramento, the Bay Area, and Southern California. The Valley's Edge plan protects the beauty of this town and provides necessary housing, while increasing Chico's ability to attract and retain a talented workforce.

I say it again - This is an ideal place to live and raise a family. Let's build something in our image... because it is going to happen regardless.

*The Valley's Edge plan is built in the Chico image.*

I look forward to seeing this vision come to fruition.

Many thanks,

Heidi R. Musick  
Cell: 530-513-1749

18-1

18-2

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## Response to Letter 18

Heidi R. Musick

- 18-1** The comment expresses support for the project and praises the provision of parks and open spaces under the proposed project.
- The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter's opinion is noted and forwarded to the decision makers for their consideration.
- 18-2** The comment notes the City's need for housing to support existing and future populations and states that the proposed project provides necessary housing. The comment also states the project design supports the City's existing character and visual aesthetic.
- The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

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Comment Letter 19

Dear Esteemed Planning Commission,

I am a resident of South Chico, in the Doe Mill neighborhood. A neighborhood once mocked and panned for its narrow streetscape, alleys and “east coast” architecture. Now 15 years later it has stood the test of time and is one of Chico’s sought after neighborhoods. An example of “smart growth” once maligned as sprawl.; am proud to have played a part in it’s creation, and to call it home.

19-1

As some of you may know, I have a 25 year history in sustainable development, renewable energy, urban planning and climate change solutions. So my perspective, for what it is worth is that of a staunch advocate for smart growth, climate solutions and building community. I am also a pragmatist, which means I look for real world implementable solutions that align with my values.

19-2

I have studied the Valley’s Edge master plan in depth. In fact a couple years ago I worked with the Valley’s Edge team. The team was working on their master plan and although 50% of the land was already preserved as parks and open space, they wanted to identify gaps in their strategy to make this a once in a generation example of responsible development and smart growth.

19-3

But before I share my perspective as a 40 year Chico resident, former Panther and Wildcat: I’d like offer a perspective on two words that seem to be used as an argument against this type of master planning, “Smart Growth”.

Smart growth is a set of principles oriented around walkable communities, appropriate transit oriented urban planning, parks and open space, infill development, a variety of housing types and vibrant civic spaces.

19-4

I have noticed in Chico the term smart growth to be applied mostly to specific categories of housing and urban planning. Namely infill development and density rich housing. This thinking is not at all wrong in my opinion, just incomplete.

Infill development leverages existing transportation corridors, civic amenities, schools and public spaces through appropriate development within the urban core. This is a good thing and I am glad to see it happening throughout Chico. Empty lots are filling with apartments and mixed use projects. Multifamily housing is sprouting up along the edges of town everywhere. Roads are being connected.

19-5

But infill development is a part of smart growth, not the entire solution. Infill does not usually create parks and open space. It does not generally support intergenerational housing. Infill does not build schools or centers of gravity. Infill development uses the existing resources around it, and it does take a toll.

This brings me to Valley’s Edge. Permit me to lay out the core tenets from the EIR in my observation.

19-6

1. Let the land determine where development takes place. Build on marginal land not suitable for agriculture or housing dense populations of sensitive habitat. Build on the rocks and thin soils.
2. Preserve the wildlife corridors, riparian areas and its diverse ecosystems and protect them in perpetuity.

19-7

3. Create low impact use opportunities for these 700 acres of open spaces so that people value them and the richness then bring, like they value Bidwell Park. Make the outdoors accessible to everyone 19-8
4. Create civic gathering spaces anchored around nature. Look at places like Bend Oregon, Portland, Even Pittsburgh. They have taken their natural resources and preserved them by making them integral to quality of life. 19-9
5. Implement low impact development strategies to minimize runoff pollution, encourage alternative transport. 19-10
6. Build housing for everyone. Create opportunities for multiple generations to live together and support each other. 19-11

Valley's edge to me represents a once in a generation opportunity. We can literally double our communities' parks, open space and trails. Build new housing for the growing segment of inter-generational families. Build a school. Build parks and preserve almost as much open space as already exists in the city today (excluding Bidwell). And importantly provide development opportunities within this structure that DON'T build on prime farmland or sensitive habitat like we see to the West and the North. 19-12

Is this plan perfect? No. Could it be improved? Probably. But should it be shut down or delayed over nuance and minutia? No. I have not seen a more thoughtful, well planned legacy building project in our community in my generation. If this is not smart growth, I don't know what is. 19-13

Sincerely,

Joshua Pierce

[Jkpier1971@yahoo.com](mailto:Jkpier1971@yahoo.com)

530-624-5809

## Response to Letter 19

Joshua Pierce

- 19-1** This comment is an introduction to comments that follow.
- The comment is noted and forwarded to the decision makers for their consideration.
- 19-2** The comment expresses general support for smart growth, climate solutions, and building community.
- The comment is noted and forwarded to the decision makers for their consideration.
- 19-3** The comment provides context for comments that follow and is noted and forwarded to the decision makers for their consideration.
- 19-4** The comment provides a definition of “smart growth” and discusses its application to development in Chico.
- This comment is an introduction to comments that follow. The comment is noted and forwarded to the decision makers for their consideration.
- 19-5** The comment discusses infill development and its application to development in Chico.
- The comment provides context for comments that follow. The comment is noted and forwarded to the decision makers for their consideration.
- 19-6** The comment expresses support for developing on marginal land that is not suitable for agriculture and does not support sensitive habitat.
- The commenter’s opinion and observation is noted and forwarded to the decision makers for their consideration.
- 19-7** The comment expresses support for preserving wildlife corridors and riparian areas and protecting them in perpetuity.
- The commenter’s support for preserving wildlife corridors and riparian areas is noted and forwarded to the decision makers for their consideration.
- 19-8** The comment expresses support for creating low impact and accessible recreational opportunities for the 700 acres of open spaces in Chico.
- The commenter’s support for providing low impact and accessible recreational opportunities is noted and forwarded to the decision makers for their consideration.
- 19-9** The comment expresses support for creating civic gathering spaces integrated with nature.
- The commenter’s support for creating civic gathering spaces is noted and forwarded to the decision makers for their consideration.

- 19-10** The comment expresses support for implementing low impact development strategies to minimize runoff pollution and encourage alternative transport.
- The commenter’s support for creating implementing low impact development strategies is noted and forwarded to the decision makers for their consideration.
- 19-11** The comment expresses support for building housing and creating opportunities for multiple generations to live together and support each other.
- The commenter’s support is noted and forwarded to the decision makers for their consideration.
- 19-12** The comment expresses support for increasing recreational opportunities, preserving open space, and providing trails. The comment also discusses support for building schools and accessible housing that do not build on prime farmland or sensitive habitat.
- The commenter’s support is noted and forwarded to the decision makers for their consideration.
- 19-13** The comment states that the proposed project is not perfect but is well thought-out and represents an example of smart growth.
- The commenter’s support is noted and forwarded to the decision makers for their consideration.

## Comment Letter 20

Mike Sawley

**From:** Susan Tchudi <susantchudi@gmail.com>  
**Sent:** Thursday, November 18, 2021 9:48 AM  
**To:** Nicole Acain  
**Subject:** Valley's Edge

**ATTENTION:** This message originated from outside City of Chico. Please exercise judgment before opening attachments, clicking on links, or replying.

Dear City Planners,

I have many, many concerns about the Valley's Edge project. I'll address a few of them here.

**Natural Resources:**

Much of the 1,448 acres of the land that is being proposed for the Valley's Edge development is wetlands. Four ephemeral drainages and two other drainages, including Comanche Creek, run through the site. There are around 30 acres of vernal pools and other wetland features. California has lost 90% of its vernal pools, and the diminishing of wetlands has meant a threat to the wildlife that the wetlands support.

20-1

Among the living things threatened by this project (on and off site) are: Butte County Meadowfoam (an endangered species), burrowing owls, the vernal pool shrimp, the Swainson's Hawk, a number of bat species, the Western Pond Turtle, the VELB (a beetle that lives in elderberry shrubs), and 38 species of nesting and migratory birds, including the western spadefoot, the loggerhead shrike, and the yellow warbler. Moreover, 20% of the mature oaks will be removed (this doesn't include the smaller trees that can be removed without a permit). And while the project developer claims it will protect and preserve the endangered Butte County Meadowfoam, the DEIR states that "the plan sets no clear parameters for the meadowfoam preserves, including timing for establishment or management or monitoring requirements" (4.3-49).

20-2

According to the DEIR, valley foothill riparian woodland is considered a sensitive natural community regulated as a part of the stream zone under the Fish and Game Code, section 1600. The DEIR claims that many of the threats to these species can be mitigated: surveys will be done to insure no birds are nesting; the Butte County Meadowfoam will be protected in a preserve; burrowing owls will be removed and relocated; a buffer zone will be created to protect creatures. It also claims that it will restore streambeds and riparian areas and "preserve and renew" oak woodlands.

20-3

Moreover, this property includes Waters of the United States and Waters of the State. The project developer claims that there will be no net loss to these jurisdictional waters (required by Army Corp of Engineers and Regional Water Control Board), but the engineering required to move these waters into ponds and artificial water feature will change the nature of the environment, potentially leading to collapse and failure of some species due to loss of habitat.

20-4

This is an enormous development, with the plan to create 2,777 units with an anticipated population of 5,654. During construction, huge amounts of dirt will be moved, grading by heavy equipment will be required, large machines will roar and vibrate. While the project developers claim they will watch out for the creatures, both the direct harm and indirect impacts--from dust, noise, runoff, the presence of polluting materials (wood paper, metal scrap, glass), constant human presence--give very little hope that natives of this habitat survive, much less thrive. While the project developers claim that they will restore riparian areas and replant vegetation, these "mitigations" will be too little, too late for the wildlife supported by this ecosystem.

20-5

And finally--when the project is complete--the open space, the water features, the vegetation will be overrun with people who don't stay on the trails, who don't respect natural resources.

20-6

**Greenhouse Gases**

A major flaw in the Valley's Edge--and one that cannot be mitigated--is the production of greenhouse gases that will result first, from the construction of the project (over a number of years, we suspect) and then, the travel of the 5,634 residents who live there to town for appointments, shopping, entertainment, etc.

The Chico General Plan calls for a different sort of community. Chico's Vision for 2030:

20-7

Chico's compact land use pattern, transportation and energy choices, green building practices, technological advancements, and sustainability policies have reduced environmental impacts and greenhouse gas emissions.

A major component of protecting the environment is the wise utilization of land. Focusing Chico's growth within the Sphere of Influence will reduce pressure to develop at the community's edges where it would impact agricultural lands and foothills.

<p>Strategies in this General Plan for protecting the environment include promoting compact, walkable, infill and mixed-use development; focusing redevelopment along transit corridors and at other central locations; protecting sensitive habitat, open space and agricultural lands; promoting the efficient use of energy and resources; improving local air and water quality; directing waste diversion and reduction; and establishing energy and water conservation measures in building, landscaping, and municipal operations.</p> <p>In 2030, Chico maintains its small-town character through sound planning and orderly growth. The urban form is compact, with a clear distinction between the City and its surrounding lands. The community enjoys a sustainable building pattern with green development, efficient use of land, mixed-use developments, and a circulation system supporting all modes of transportation. New neighborhoods have blended into and strengthened the existing fabric of the community.</p> <p>Moreover:</p> <p>Infill development will play a large role in meeting future housing and job needs in Chico. Successful infill can present challenges as it often occurs on smaller and more irregularly-shaped parcels at densities higher than the adjacent development, and can require infrastructure upgrades. These changes from existing conditions can often result in neighborhood opposition. The two primary issues associated with infill development are compatible density and design. Policies to encourage infill development and address neighborhood compatibility have been in place since 1994, but these policies have not always yielded desired results. The Land Use Element focuses on the issue of infill compatibility from both a density and design perspective, and the issue is further addressed by policies in the Community Design Element.</p> <p>Valley's Edge represents the opposite of the Vision for Chico in the General Plan. It's urban sprawl. And it is urban sprawl that threatens water resources, animal habitat, increases energy consumption and the use of fossil fuels and thus greenhouse gasses.</p> <p>Chico's Climate Action Plan (approved unanimously by the Chico City Council) calls for the reduction of greenhouse gas (GHG) emissions and "achieve the City's target of carbon neutrality by 2045." According to the CAP, transportation is the largest producer of GHG. The dEIR states, that "The proposed project [with an estimated 5,645 residents] would result in GHG emissions of approximately 3.13 MT CO<sub>2</sub>e per capita. Thus, the proposed project's estimated GHG emissions would exceed the City's 2030 efficiency target of 2.76 MT CO<sub>2</sub>e per capita per year."</p> <p>An important measure of the CAP advocates: "Support implementation of the City's General Plan that promotes sustainable infill development and mixed use development in new growth areas to reduce vehicle miles traveled (VMT)." The Valley's Edge Project is the opposite of infill--it's sprawl.</p> <p>Housing:</p> <p>The General Plan, the Housing Element, and the Climate Action Plan all emphasize the need for greater density in housing development. Most of the units in Valley's Edge (over 1500) are low density.</p> <p>The DEIR for Valley's Edge does not provide information about two issues that should be taken into consideration when evaluating this development project: 1) How does it address the issue of affordability? While the developer claims that the project meets the general plan guidelines of having a diversity of housing types, there will be no housing for low or very low income households. Moreover, Phase one of the project will be the building of Equestrian Ridge, a very low density project for the very wealthy.</p> <p>The developers claim the development will have a diversity of housing types, but all of this diversity will be at upper income levels, housing for people who can pay HOA fees and upscale amenities. Moreover, the claim that this is a mixed use development is hugely overstated. The "village" area is small and can't begin to serve the food, medical, or social needs of a 5,000+ population. People will need to travel for most of their daily supplies.</p> <p>Other Questions and Concerns</p> <ul style="list-style-type: none"> <li>--Will public transit be able to serve an area with such low density?</li> <li>--What is the jobs/housing balance for this development?</li> <li>--In a time of drought, where will the water come from to fill their 1,000,000 water storage tank?</li> <li>--Can we afford to lose 20% of our mature trees in a time when we need that growth for CO<sub>2</sub> sequestration?</li> <li>--Does the developers' plan seriously consider the wildfire risk?</li> <li>--Does the developers' plan seriously consider the flood risk?</li> </ul> <p>I appreciate your consideration of all of these challenging issues related to this enormous project.</p> <p>Sincerely,  Susan Tchudi  co-host Ectopia, KZFR 90.1 Chico  10846 Nelson Bar Road  Yankee Hill, CA 95965  <a href="mailto:susantchudi@gmail.com">susantchudi@gmail.com</a>  530-781-4122</p>	<p>20-7 Cont.</p> <p>20-8</p> <p>20-9</p> <p>20-10</p> <p>20-11</p> <p>20-12</p> <p>20-13</p> <p>20-14</p> <p>20-15</p> <p>20-16</p> <p>20-17</p>
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## Response to Letter 20

Susan Tchudi (Letter 1 of 3)

- 20-1** The comment states that much of the 1,448 acres of the project area is wetlands, with approximately 30 acres of vernal pools and other wetland features. The comment also states that California has lost 90% of its vernal pools, and the diminishing of wetlands threatens the wildlife that wetlands support.

Potential impacts to wetlands as a result of project implementation are fully disclosed in Section 4.3, Biological Resources. As described therein, the plan area contains approximately 6.25 acres of wetland features. With implementation of mitigation measure BIO-10 and the other mitigation measures listed in Section 4.3, the proposed project would avoid or substantially reduce potential impacts to wetlands and other aquatic resources by ensuring protection during construction and project operation, and by providing compensatory mitigation for the removal of any aquatic resources in compliance with state and federal law. Compliance with these measures would ensure no net loss of these resources and reduce potential impacts to less than significant.

- 20-2** The comment notes the project would impact a variety of biological resources and asserts that the Draft EIR identifies no set parameters to manage the BCM preserve areas.

The Draft EIR analyzes potential impacts to biological resources including plant and wildlife habitat in Section 4.3, Biological Resources. The analysis identifies those species and/or their habitat that could be impacted and provides mitigation measures to avoid or reduce potential impacts in accordance with CEQA as well as local, state and federal requirements. Please see Master Response 2 which addresses concerns associated with BCM and the BCM preserves.

- 20-3** The comment reiterates information contained in the Draft EIR regarding valley riparian woodland and notes mitigation measures included in the Draft EIR are provided to address impacts to biological resources, such as nesting birds, BCM, burrowing owls.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. Please see Master Response 2 regarding the proposed BCM management and preserves.

- 20-4** The comment asserts that the engineering required to move Waters of the US and Waters of the State into ponds and artificial water features will change the nature of the environment and could lead to the collapse and failure of some species due to loss of habitat.

Please see Response to Comment 9-30.

- 20-5** The commenter states that noise, dust and runoff from construction activities would directly and indirectly impact biological resources and asserts that identified mitigation would not be sufficient to protect the species.

The Draft EIR evaluates the direct and indirect effects of project construction on biological resources, including dust, noise, runoff and polluting materials in Sections 4.3, Biological Resources, 4.9, Hydrology and Water Quality, and 4.10, Noise and mitigation is included, where required, to avoid or substantially reduce impacts specific to construction activities.

**20-6** The commenter asserts that once the project is complete future residents will not follow the rules and will not respect the natural environment.

Please see Response to Comment 9-27 regarding public use of open space areas.

**20-7** The comment refers to the City's General Plan and asserts that the project conflicts with the General Plan because it would not focus growth on infill and would adversely affect water resources, wildlife habitat and increase energy consumption contributing to an increase in greenhouse gases.

As noted in the draft VESP (p. 1-1) as well as the Draft EIR (Draft EIR p. 1-1), the specific plan would implement the Doe Mill-Honey Run Special Planning Area (SPA) designated by the General Plan, which identifies the site as a future growth area. The Draft EIR evaluates the project's greenhouse gas emissions in Section 4.7, Greenhouse Gases, and concludes that the project impact would be significant and unavoidable even with identified mitigation (Draft EIR pp. 4.7-31 and 4.7-49). The Draft EIR evaluates the project's consistency with the City's recently updated Climate Action Plan (CAP) in Section 4.7, and with the 2030 General Plan in Chapter 3, Land Use and Planning. The project's contribution of greenhouse gas emissions that exceed the air district's standards resulting in an impact does not make the project inconsistent with either the City's General Plan or CAP. Please see the analysis contained in Chapter 3, Land Use and Planning and Section 4.7, Greenhouse Gases for a detailed analysis of the project's consistency with these planning document. Please also see Responses to Comments 9-6, 9-11 and 9-15 regarding actions to reduce GHG emissions from the project.

The commenter is also directed to Appendix C – Special Planning Areas of the General Plan that provides the vision for the Doe Mill/Honey Run Special Planning Area, which is the project site. The City's vision for this area is a "recreation oriented mixed-use development offering a broad range of housing types and densities," similar to the project.

**20-8** The comment refers to the City's Climate Action Plan and notes that the project would exceed the City's 2030 efficiency target. The comment goes on to quote the Climate Action Plan Measure T- 5, which "promotes sustainable infill development and mixed-use development in new growth areas to reduce vehicle miles traveled (VMT)." The comment concludes stating that the project is not considered infill.

The commenter is correct that the project is estimated to exceed the City's 2030 GHG reduction target included in the Climate Action Plan, resulting in a significant and unavoidable impact (see Draft EIR pp. 4.7-31 and 4.7-49). The City decision makers will review the project and the Draft EIR to determine if the benefits of the project outweigh the significant and unavoidable impacts of the project. Regarding consistency with CAP Measure T-5, by proposing commercial (56 acres), recreational (>700 acres), and educational (10 acres) land uses alongside a mix of single-family and multi-family residential uses and connecting the mix of land uses with a multimodal network of streets and trails, the project design constitutes a mixed-use development as sought by the Measure. Please see Response to Comment 20-7.

**20-9** The comment refers generally to the City’s General Plan and Climate Action Plan and claims that the documents emphasize the desire for increased density and goes on to state that a majority of the project’s residential units are low density.

The claim that the City’s General Plan and Climate Action Plan emphasize the need for greater density is only partially correct. The General Plan articulates a vision for (1) areas of stability, (2) areas of potential change, and (3) new growth areas. Increased density in housing development is only promoted by the General Plan in the areas of potential change, which comprise 15 “opportunity sites” identified by the plan. The Draft EIR evaluates overall consistency with the City’s General Plan and Climate Action Plan in Chapter 3, Land Use and Planning and Section 4.7, Greenhouse Gases. Please also see Response to Comment 20-8 regarding project consistency with CAP Measure T-5, the only CAP Measure that pertains to residential density.

**20-10** The comment requests more information that addresses affordable housing for low or very low-income levels and asserts that the Equestrian Ridge neighborhood would be designed for very wealthy home buyers.

Please see Responses to Comments 9-66 and 9-68. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.

**20-11** The commenter asserts that the project’s diversity of housing would only accommodate households with higher income levels and that the village area is too small to support all the services (i.e., medical, grocery) needed by the project.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. Please see Responses to Comments 9-66 and 9-68. The commenter’s opinion is noted and forwarded to the decision makers for their consideration.

**20-12** The comment asks if public transit would be available or feasible to serve the project.

Please see Responses to Comments 8-3 and 9-5.

**20-13** The comment asks what the jobs/housing balance is for the project.

The project proposes 43.7 acres of Village Commercial and 12.6 acres of Village Core zoning to accommodate commercial uses with corresponding employment opportunities and has designated a site for a future elementary school which would also provide jobs. With a substantial portion of the project planned for age-restricted housing which tends to favor retirees, the project was not designed to provide an internal balance of jobs and housing. However, the project does include a mix of land uses that would provide both housing and jobs for future residents of the project.

**20-14** The comment asks where water will come from to fill the water storage tank in the event of a drought.

Domestic water would be pumped by Cal Water from groundwater sources to fill the water storage tank. Please also see Responses to Comments 30-2 and 52-58 for a discussion of water supply.

**20-15** The comment questions if we can afford to lose 20% of our mature trees when those trees are needed for CO<sub>2</sub> sequestration.

It is not accurate to state that the VESP proposes to remove 20% of the trees at the site. Please see Responses to Comments 9-1 and 26-8 for more details regarding tree removal.

**20-16** The comment asks if the project considers the risk of wildfires.

Please see Master Response 1 which addresses wildfire issues.

**20-17** The comment asks if the project considers flood risks.

The Draft EIR considers flooding and changes in hydrology in Section 4.9, Hydrology, Water Quality, Drainage. As stated on page 4.9-9, there are no special flood hazard areas mapped on the project site and FEMA indicates that the proposed project area, including Comanche Creek, to be within Zone X (Area of Minimal Flood Hazard) (FEMA 2011). The analysis also considers the potential for the project to contribute to downstream flood effects under 2-year, 10-year and 100-year storm events under Impact 4.9-3 on page 4.9-32 and concludes the potential impacts are less than significant.

## Comment Letter 21

Mike Sawley

**From:** Susan Tchudi <susantchudi@gmail.com>  
**Sent:** Thursday, November 18, 2021 9:55 AM  
**To:** Nicole Acain  
**Subject:** Public Comments for Planning Commission in response to dEIR for Valley's Edge

**ATTENTION:** This message originated from outside City of Chico. Please exercise judgment before opening attachments, clicking on links, or replying.

Dear Commissioners,

Here is the public comment I hope to make at the meeting tonight. I'm adding it in addition to the other comments I sent to you.

To the Planning Commission:

My name is Susan Tchudi. I cohost Ecotopia on KZFR in Chico. I also convene the Environmental Coalition of Butte County.

I can see why one could be seduced by the proposed Valley's Edge development. On paper, this Eastern foothill project looks beautiful—parks, ponds, green spaces walking trails amidst a large neighborhood, including apartments and housing for seniors. However, this project is in the wrong time and the wrong place.

The draft Environmental Impact Report is out for this project and it reports that two impacts— Greenhouse Gas Emissions and Aesthetics—are significant and cannot be mitigated. That means that the construction and the miles traveled to get Chico and back can't be fixed. And this pristine riparian woodland area with its birds, reptiles and animals and plants will be slashed through with 2,777 housing units with an anticipated population of 5,654.

21-1

The Valley's Edge development project is a contradiction (if not a violation) of some of Chico's guiding principles and documents. The current General Plan calls "protecting the environment include promoting compact, walkable, infill and mixed-use development." In addition, "In 2030, Chico maintains its small-town character through sound planning and orderly growth. The urban form is compact, with a clear distinction between the City and its surrounding lands." This enormous 1,448 acre urban sprawl project provides the opposite of a compact urban form.

21-2

The Climate Action Plan, approved by Chico's City Council just weeks ago, calls for zero net emissions by the year 2045, aligned with with the State's emission targets. According to the dEIR, "The proposed project would result in GHG emissions of approximately 3.13 MT CO<sub>2</sub>e per capita. Thus, the proposed project's estimated GHG emissions would exceed the City's 2030 efficiency target of 2.76 MT CO<sub>2</sub>e per capita per year."

21-3

And finally, the City Council will be approving the Housing Element Update, which emphasizes the need for affordable housing. The Valley's Edge development, with its Garden-of-Eden vision, is not meant for those in need, but for those with deep pockets.

21-4

Susan Tchudi  
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## Response to Letter 21

Susan Tchudi (Letter 2 of 3)

- 21-1** The comment states that the Draft EIR identifies two significant and unavoidable impacts for GHG emissions and Aesthetics. The commenter expresses an opinion that development of the site would adversely impact biological resources due to the construction of homes and the addition of people.

Direct, indirect, and cumulative project impacts to biological resources are analyzed in the Draft EIR in Section 4.3, and mitigation measures are identified for impacts found to be potentially significant to avoid or substantially reduce those impacts to the extent feasible.

- 21-2** The comment asserts that the proposed project contradicts the City's guiding principles set forth in the General Plan. The commenter includes general quotes from the Sustainability Element of the General Plan that call for compact mixed-use development and maintenance of Chico's small-town character. The comment also states that the project is not consistent with the City's goal of a compact urban form.

The consistency of the project with applicable City General Plan goals and policies has been evaluated in detail in Chapter 3, Land Use and Planning of the Draft EIR. As described therein, the project has been designed to be consistent with the General Plan, including the Sustainability Element, and includes a mix of residential and commercial uses designed to promote a healthy and sustainable lifestyle and community. This includes an extensive network of multi-use trails, and housing options for a variety of lifestyles, incomes and ages. As explained on page 3-14 of the Draft EIR, the goal of the consistency analysis is to provide the reader with a general overview of whether the project is in harmony with the overall intent of the City's 2030 General Plan goals and policies. It is within the City's purview to decide if the proposed project is consistent or inconsistent with applicable City goals or policies. Under state law, a Specific Plan must be consistent with the General Plan (Cal. Gov't Code Section 65454) and cannot be approved if it is inconsistent with the General Plan; therefore, the proposed project could not proceed if determined by the City Council to be inconsistent with the General Plan. Based on the evaluations contained in the Draft EIR, it was determined the proposed project is generally consistent with the City's 2030 General Plan.

- 21-3** The comment states that the City's Climate Action Plan calls for zero net emissions by 2045, and the proposed project's estimated GHG emissions of approximately 3.13 MT CO<sub>2</sub>e per capita would exceed the City's 2030 efficiency target of 2.76 MT CO<sub>2</sub>e per capita per year.

The facts provided by this commenter are correct. As discussed in Draft EIR Section 4.7, Greenhouse Gases, the project includes various actions and policies designed to help reduce GHG emissions resulting from project operation. The Draft EIR discloses the significant and unavoidable impact related to the project's estimated operational GHG emissions of 3.13 MT CO<sub>2</sub>e per year. However, the project's GHG impact does not mean the project is inconsistent with the City's General Plan or Climate Action Plan. Please see Response to Comment 20-7. The commenter's concerns will be forwarded to the decision makers for their consideration. Please also see Response to Comment 20-8.

**21-4** The comment states that the City Council is set to adopt a Housing Element Update, which emphasizes the need for affordable housing, and further asserts that the project will not help meet that need.

In response to concerns regarding affordable housing, the VESP includes Action LU-1.1 that promotes a variety of housing types and affordability levels to help meet the City's housing needs including aging populations and residents permanently displaced by the Camp Fire. Further, as set forth by CEQA Guidelines Section 15131, Economic and Social Effects, economic effects (i.e., funding, affordability) are not considered to constitute significant effects to the environment. The commenter's opinion regarding the merits of the proposed project is noted and forwarded to the decision makers for their consideration. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. Please see Responses to Comments 9-68 through 9-70.

## Comment Letter 22

## Mike Sawley

**From:** Susan Tchudi <susantchudi@gmail.com>  
**Sent:** Monday, December 13, 2021 4:07 PM  
**To:** Mike Sawley  
**Subject:** Comment on DEIR for Valley's Edge

**ATTENTION:** This message originated from outside City of Chico. Please exercise judgment before opening attachments, clicking on links, or replying.

Dear Mr. Sawley,

Below are my comments about the Draft EIR for the Valley's Edge Development. Among my major concerns is that the EIR overstates its claim that mitigation can reduce enormous environmental impacts.

In terms of Natural Resources, for example, much of the 1,448 acres of the land that is being proposed for the Valley's Edge development is wetlands. Four ephemeral drainages and two other drainages, including Comanche Creek, run through the site. There are around 30 acres of vernal pools and other wetland features. California has lost 90% of its vernal pools, and the diminishing of wetlands has meant a threat to the wildlife that the wetlands support.

22-1

Among the living things threatened by this project (on and off site) are: Butte County Meadowfoam (an endangered species), burrowing owls (a California Species of Special Concern), the vernal pool fairy shrimp, the Swainson's Hawk, a number of bat species, the Pond Turtle, the VELB (a beetle that lives in elderberry shrubs), and 38 species of nesting and migratory birds, including the western spadefoot, the loggerhead shrike, and the yellow warbler. According to former AltaCal Audubon Society conservation director, Scott Huber, "the yellow warblers are another California Species of Special Concern that regularly occur . . . [in this area]. Because of their size they are often overlooked by birders. Yellow warblers are associated with both the riparian vegetation and the valley oaks . . . . The Cornell Laboratory of Ornithology reports that yellow warblers "have been slowly declining, and according to the North America Breeding Bird Survey, 'have decreased by 25% between 1966 and 2014.'" (letter to Mike Sawley, May 18, 2018)

22-2

22-3

Also according to expert, Scott Huber, Western burrowing owl populations are in a freefall decline statewide. In nearby Yolo County in 2016 the Burrowing Owl Conservation Society and Institute for Bird Populations did a county-wide survey which showed that, since 2006, there has been a 76% decline in burrowing owl numbers. Imperial County recorded a 27% population drop in a single year between 2007-2008. Butte County birders provide similar anecdotal observations of a decline in our area. (letter to Mike Sawley, May 18, 2018)

22-4

The burrowing owl is a California Species of Special Concern, and could soon be listed. The dEIR claims that burrowing owls will be removed and relocated. This process is not simple. According to the California Burrowing Owl Association, the process includes a survey for burrows and owls of the entire project site that is suitable habitat "within 150 meters (approx 500 ft.) of the project impact zone." The buffer zone is used to account for owls outside the site but that use the site for foraging. Also it covers impacts from noise and vibration of heavy equipment. In addition the survey should allow 100 percent visual coverage. Attention has to be paid to differences in terrain or vegetation to make sure all surfaces are accounted for. If burrows are located, a map needs to be created to show where burrows are. "A preconstruction survey may be required by project-specific mitigations no more than 30 days prior to ground disturbing activity." Four site visits are required. (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=63842&inline>) This is not a process that a surveyor can check one day and construction work can resume the next. Moreover, nesting time runs from February 1 through August 31. During the times the owls are nesting, they cannot be relocated. While the dEIR states that it will remove and relocate the burrowing owls, including filling in their burrows so they cannot return, it says nothing about where or how the burrowing owls will be relocated. The plan for mitigation seems vastly inadequate and oversimplified.

22-5

The preservation of the Butte County Meadowfoam is another major concern for the proposed project area. According to the California Department of Fish and Wildlife, killing or possessing the plant is prohibited by the [California Endangered Species Act \(CESA\)](#). Butte County meadowfoam is also listed as endangered under the federal [Endangered Species Act](#). Butte County meadowfoam is an annual plant that has only been found in a narrow 28-mile strip along the eastern Sacramento Valley in Butte County. Plants are sometimes found at the edges of [vernal pools](#), but they are primarily found in the deepest parts of vernal swales that connect vernal pools. The [California Natural Diversity Database](#) lists 21

22-6

occurrences of Butte County meadowfoam that are presumed to still exist. While the project developer claims it will protect and preserve the endangered Butte County Meadowfoam, the DEIR states that “the plan sets no clear parameters for the meadowfoam preserves, including timing for establishment or management or monitoring requirements” (4.3-49). Again, the DEIR overstates its ability or plan to mitigate.

22-6  
Cont.

According to the DEIR, valley foothill riparian woodland is considered a sensitive natural community regulated as a part of the stream zone under the Fish and Game Code, section 1600. The DEIR claims that many of the threats to these species can be mitigated: surveys will be done to ensure no birds are nesting; the Butte County Meadowfoam will be protected in a preserve; a buffer zone will be created to protect creatures. It also claims that it will restore streambeds and riparian areas and “preserve and renew” oak woodlands. This is a very, very large piece of land. The claims to mitigate seem extremely general and over optimistic.

22-7

Moreover, this property includes Waters of the United States and Waters of the State. The project developer claims that there will be no net loss to these jurisdictional waters (required by Army Corp of Engineers and Regional Water Control Board), but the engineering required to move these waters into ponds and artificial water feature will change the nature of the environment, potentially leading to collapse and failure of some species due to loss of habitat.

22-8

This is an enormous development, with the plan to create 2,777 units with an anticipated population of 5,654. During construction, huge amounts of dirt will be moved, grading by heavy equipment will be required, large machines will roar and vibrate. While the project developers claim they will watch out for the creatures, both the direct harm and indirect impacts--from dust, noise, runoff, the presence of polluting materials (wood paper, metal scrap, glass), constant human presence--give very little hope that natives of this habitat survive, much less thrive. While the project developers claim that they will restore riparian areas and replant vegetation, these “mitigations” will be too little, too late for the wildlife supported by this ecosystem. And finally--when the project is complete--the open space, the water features, the vegetation will be overrun with people who don't stay on the trails, who don't respect natural resources.

22-9

Neither the VESP nor the DEIR seems to consider the impacts of climate change--less availability of water, dangers of drought, and total lack of consideration of the impact of GHG emissions. The VESP flaunts the huge increase in greenhouse gas emissions in its unapologetic creation of a sprawling housing development. It will be impossible to get public transportation in an area of such low density and so far away from the city center.

22-10

A major concern barely touched upon in the DEIR is the danger of wildfires. With increasing drought, in Valley's Edge's location in the WUI, and the instances of fire in this area in the past, this piece of land is prime for wildfire.

22-11

There is one other issue I would like to address that is not part of the dEIR but I want to comment on because it became a part of the public record when it was addressed at the Planning Commission meeting. That is the issue of housing. BCAG's Regional Housing Needs Plan demonstrates the need for houses at the local income levels. It allocates 1,101 for very low income; 507 for low income; 770 for moderate income; and 1,110 for above moderate income. With the development of Meriam Park and others, there is no need for Valley's Edge's 2,777 units. The housing that we need is for workforce and low income people currently living in our community. A posh HOA community on the edges of town does not suit our needs. Moreover, the General Plan, the Updated Housing Element, and the Chico Climate Action Plan variously call for infill, reduction of GHG, and housing for low income residents.

22-12

Thank you for including my comments in response the the DEIR for Valley's Edge.

Susan Tchudi  
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530-781-4122

## Response to Letter 22

Susan Tchudi (Letter 3 of 3)

- 22-1** This comment is an introduction to comments that follow regarding wetlands, vernal pools and wildfire. The comment states that much of the 1,448 acres of the project area is wetlands, with approximately 30 acres of vernal pools and other wetland features. The comment also states that California has lost 90% of its vernal pools, and the diminishing of wetlands threatens the wildlife that wetlands support.
- See Response to Comment 20-1, the project site was found to contain approximately 6.25 acres of wetland features. The comment does not identify any specific concerns that address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. Please see responses below to specific concerns.
- 22-2** The comment suggests a list of species that may be impacted by the project, including BCM, burrowing owl, Swainson's hawk, and yellow warblers, among others.
- The comment does not identify any specific concerns that address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. However, impacts to biological resources, including the species identified in the comment to the extent appropriate, are fully disclosed in Section 4.3 of the Draft EIR. For a comprehensive discussion of impacts to BCM, please see Master Response 2. Also see Response to Comment 22-3 regarding yellow warblers.
- 22-3** The commenter offers data that populations of yellow warblers have been slowly declining and have decreased by 25% between 1966 and 2014.
- The comment does not identify any specific concerns that address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter's concern is noted and will be forwarded to the decision makers for their consideration. As noted above, impacts to biological resources are fully disclosed in Section 4.3 of the Draft EIR. As noted on page 4.3-28 of the Draft EIR, yellow warbler was not observed within the project site during site surveys and there is only one documented occurrence of yellow warbler in 2002 approximately 9.5 miles southeast of the project site. However, there are numerous citizen science records of yellow warbler recorded between 1964 and 2020 within 1 mile of the project site (eBird 2020). A majority of the citizen science records are post-2014 and located in dense riparian corridors along Little Chico Creek north of the project site, and along Butte Creek in the foothills southeast of the site and where Butte Creek flows through the Mendocino National Forest Genetic Resource and Conservation Center south of the project site (eBird 2020). The riparian woodland along Comanche Creek on the project site provides potential nesting and foraging habitat for yellow warbler but is considered poor quality habitat due to the presence of cowbirds and minimal understory vegetation for nesting. Although their presence is unlikely, mitigation measure BIO-2 would ensure that nesting bird surveys are conducted prior to construction of any project component and would detect the nesting activity and establish protective avoidance buffers.
- 22-4** The comment states that Western burrowing owl populations are declining in Butte County and provides statistics indicating regional and statewide population decline of the species.

The comment does not identify any specific concerns that address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. However, the commenter's concern is noted and will be forwarded to the decision makers for their consideration. Please see Response to Comment 22-5 for more information on burrowing owls.

- 22-5** The comment asserts that the Draft EIR's mitigation plan to reduce impacts to burrowing owls is inadequate and oversimplified.

Impacts to burrowing owls are fully disclosed in the Draft EIR under Impact 4.3-1 in Section 4.3, Biological Resources. Mitigation measure BIO-3 requires burrowing owl surveys to be conducted prior to commencing any construction activities to prevent impacts to burrowing owls or active burrows. With implementation of mitigation measure BIO-3, impacts to burrowing owls are anticipated to be less than significant and the project would not contribute to a cumulative decline in burrowing owl populations. Therefore, as stated in the Draft EIR impacts related to burrowing owls would remain less than significant and no further revisions to the Draft EIR are required.

Please also see Responses to Comments 9-36 through 9-38, 52-40 and 25-5.

- 22-6** The comment provides a description of BCM and asserts that the Draft EIR does not provide sufficient information regarding the meadowfoam preserves.

Please see Master Response 2 which addresses proposed BCM management and preserves.

- 22-7** The comment reiterates information contained in the Draft EIR regarding valley riparian woodland and notes mitigation measures included in the Draft EIR are provided to address impacts to biological resources, such as nesting birds, BCM, burrowing owls. The commenter also asserts that the proposed mitigation is "extremely general and over optimistic".

The comment does not indicate what aspects of the mitigation are asserted to be general and over optimistic, so a specific response is not possible. The project has been designed to minimize stream crossings and avoid most of the biologically sensitive areas of the site, thus minimizing the need for future restoration efforts following construction. Please see Master Response 2 that addresses proposed BCM management and preserves, revisions to Biological Resources mitigation measures included in Chapter 3 of the Final EIR, and Responses to Comments 6-7, 26-8 and 52-34 regarding other commenters specific comments related to impacts and mitigation for birds, oak woodlands and stream zones, and riparian habitats.

- 22-8** The comment asserts that the engineering required to move on-site waters into ponds and artificial water features would change the nature of the environment, potentially leading to collapse and failure of some species due to loss of habitat.

Please see Response to Comment 9-30.

- 22-9** The commenter asserts that construction activities and subsequent human presence at the site would directly and indirectly impact biological resources and mitigation would not be sufficient to protect the species.

Please see Responses to Comments 20-5 and 20-6. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

- 22-10** The comment asserts neither the VESP nor the Draft EIR considers the impacts of climate change and ignores the consideration of GHG emissions, and that it will be impossible to have transit serve the project site due to its distance from the City center.

The Draft EIR discloses the potential effects of climate change (Draft EIR pp. 4.7-4 through 4.7-6) and evaluates the project's contribution to GHG emissions in Section 4.7, Greenhouse Gases. Please see Responses to Comments 9-11, 8-3 and 9-5, regarding transit.

- 22-11** The commenter asserts that the project site is in a high-risk area for wildfire and further asserts that the VESP and the Draft EIR do not include sufficient information regarding the danger of wildfire.

The VESP and the Draft EIR both address concerns associated with wildfire. Section 4.14, Wildfire, in the Draft EIR discusses, in detail, hazards associated with wildfire and discusses what requirements are included in the VESP to address wildfire concerns. To clarify, the project site is designated as a "Moderate" fire severity zone by CAL FIRE. Please also see Master Response 1.

- 22-12** The comment expresses a desire for more affordable workforce housing in the City and not market rate housing and notes the City's General Plan, Housing Element and Climate Action Plan support infill housing and housing for low-income residents.

The commenter's opinion is noted and forwarded to the decision makers for their consideration. The comment does not identify any specific concerns that address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. Please see Responses to Comments 9-68 through 9-70 that address affordable housing concerns.

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## Comment Letter 23

Comments of David Welch, 13 Hilda Way, Chico 530-566-2898

I bring a somewhat unusual perspective to the examination of this EIR. I'm very much a member of the senior demographic and am also a lifelong cyclist, having ridden for transportation and sport for more than 50 years and I'm nationally certified to teach safe cycling. I also have long-standing familiarity with the topography of the site.

23-1

Looking at the EIR through that lens I see a lot of conflict between what my experience tells me and what the EIR visualizes as the role of active transportation in reducing vehicle miles traveled and mitigating the traffic and climate impacts of the project.

23-2

The combination of the large physical size of the project, the very low density housing in most of the project area, the concentration of commercial at one corner and the steep terrain in most of the project area tell me that the bike paths touted as an important part of the transportation mix will be used recreationally by a few sport cyclists like myself, but will likely play almost no role in the actual transportation mix in the project. Neither typical seniors, nor young parents with children in tow are going to climb those hills coming home from commercial services or employment sites within or beyond the project area.

23-3

At the same time, the increases in auto traffic on surrounding major roads as a result of the project will actually work to discourage the use of active transportation by residents of nearby areas better suited for it like Merriam Park.

23-4

On a broader scale, the comparison used in the EIR for assessing the significance of vehicle miles traveled is a very dubious one. It's not at all clear what area was used as a regional standard, but the population numbers tell us it was bigger than all of Butte County and had to include a lot of rural areas where people drive long distances by necessity. A comparison to the city of Chico or another similar urban area would be a much more valid standard.

23-5

I must also say, the assumption that the senior portion of the project population drive substantially less is outdated and likely erroneous for this population. Not only is retirement age steadily rising, but there is good evidence that high income seniors – the kind that will live in a high-cost project like this – generate high levels of VMT for leisure and other pursuits even in retirement.

23-6

Lastly, the EIR discusses at length the various active recreational amenities provided within the project but it is never made clear to what extent those amenities will be made available to the general public or only to project residents. Project residents absolutely will add to the burden on existing parks and recreational facilities in Chico – it's only right that the rest of us should be compensated for that by a commitment to making all of the parks and trails in the project open to everyone.

23-7

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## Response to Letter 23

David Welch

- 23-1** The comment is an introduction for comments to follow.
- The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.
- 23-2** The comment expresses concern regarding the Draft EIR's discussion of the role of active transportation in reducing VMT and mitigating the project's traffic and climate impacts.
- Please see Responses to Comments 9-47 through 9-55 for information specific to VMT.
- 23-3** The comment describes the site topography and layout, including locating a commercial use at one corner and the steep terrain over the project site. The comment also states that due to the large size of the project, low density housing areas, and terrain, the bike paths will be used by a few sport cyclists, will not likely be used by commuters or residents.
- Please see Responses to Comments 9-44, 15-4 and 21-2. The project's streets, bike paths, enhanced trails and paseo trails would support the use of electric-powered vehicles (bicycles, golf carts, scooters, etc.), reducing the need for manual bicycling. Including electric vehicle options on project streets and off-street paths helps residents reach areas that one might only otherwise consider driving, such as the Village Core or a nearby park. The commenter's opinion is noted and will be forwarded to the decision makers for their consideration.
- 23-4** The commenter is concerned that an increase in traffic on roadways due to the project will discourage residents in the adjacent areas from using active transportation (bicycles) to move around.
- The Draft EIR addresses potential impacts to bicycle facilities in Section 4.13. Class II bike lanes are provided along area roadways and many roadways surrounding the project site including on E. 20th Street and on segments of Bruce Road, Notre Dame Boulevard and Skyway. Posted speed limits of between 25 and 45 miles per hour (Draft EIR p. 4.13-2). As discussed under Impact 4.13-2 on page 4.13-21, the City's General Plan Circulation Element identifies numerous policies aimed at creating complete streets and providing a safe, connected pedestrian network. Please see Response to Comment 9-49.
- 23-5** The comment relates to the approach to evaluating the project's VMT and asserts it is not clear what area was used for the "region" and suggests a comparison to the City would be appropriate.
- Please see Response to Comment 9-45.
- 23-6** The commenter does not agree that the age-restricted component of the project would result in less trips and a reduction in VMT.
- Please see Response to Comment 9-50. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

**23-7** The commenter asks what active recreational amenities would be available to the general public, and states that project residents will increase demand for other City recreational facilities; the commenter suggests that the project's recreational facilities therefore should be open to the public.

The Draft EIR evaluates impacts to public services, including parks and recreation in Section 4.11, Public Services and Recreation. As discussed on page 4.11-19, the City has specific standards for the provision of parks. Using the city's ratio of 4.0 acres of parkland and 2.5 acres of greenways per 1,000 people the project would require 21.86 acres of parks and 13.66 acres of greenways. The City also requires development projects to pay development impact fees for park facilities to fund the acquisition and development of parks and recreational facilities needed as a result of new development (Draft EIR p. 4.11-22). The proposed project includes approximately 720 acres of a mix of parks and open space, as well as an extensive multi-use trail system. This includes an approximately 420-acre regional park, a 35-acre community park, three neighborhood parks; mini-parks and tot lots; a senior and active adult park; and also a series of linear parks and creekside greenways. Based on the project's population this would result in a parkland ratio of 120.8 acres per 1,000 residents, far exceeding the City's established parkland goals (Draft EIR p. 4.11-22). Regarding public access, the community park (once improved) would be open to the general public, and the regional park (and likely the creekside greenways) would be conditionally available to non-resident members. Please also see Response to Comment 9-75.

Comment Letter 24

Mike Sawley

**From:** Wilson, April <A1W9@pge.com>  
**Sent:** Thursday, November 18, 2021 2:37 PM  
**To:** Mike Sawley  
**Subject:** VALLEY'S EDGE SPECIFIC PLAN

**ATTENTION:** This message originated from outside City of Chico. Please exercise judgment before opening attachments, clicking on links, or replying.

Mike,

This is a terrible plan that will affect myself and all of my neighbors. We specifically bought and paid a premium to be in a peaceful, serene environment. This a huge development that will have serious impacts on both our noise and traffic. I cannot see people entering this off the Skyway as it would be tough to cross traffic as well as slow down to turn. It would be one thing to add a small development that had limited number of homes but this is huge. We are talking about a school, a park, and many homes. The length of time this is going to take that impacts my neighborhood is enormous. I am contacting my builder Bill Webb to see what steps we all need to take to stop or at the very least alter to an acceptable size. this project.

24-1

Thank you,

April Wilson

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## Response to Letter 24

April Wilson

- 24-1** The comment asserts that the VESP would have serious noise and traffic impacts on existing residents in proximity to the project site due to plans to construct a school, a park, and many residences, and they oppose the project in its current configuration. The commenter also expresses doubt that project residents would use Skyway to access the project due to existing cross-traffic on Skyway.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. However, as discussed in Section 4.10, Noise, the project's noise impacts to sensitive land uses were addressed and determined to be less than significant with mitigation. Compliance with mitigation measures NOI-1 through NOI-5 would ensure that existing and future noise-sensitive land uses in the project vicinity are not exposed to sound levels in excess of City noise thresholds during project construction or operation. And, as discussed in Section 4.13, Transportation and Circulation, project impacts related to increased trips and VMT would also be less than significant with mitigation. Compliance with mitigation measure TRAF-2 would reduce average project-generated VMT per service population by instituting a Transportation Demand Management (TDM) program to reduce external vehicle trips generated by the proposed project. Regarding future use of the Skyway entrance, residents would be able to use a new roundabout at that location to access the project, reducing potential conflicts with cross-traffic. The commenter's concerns are noted and forwarded to the decision makers for their consideration.

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**From:** [Karen Laslo](#)  
**To:** [Mike Sawley](#)  
**Subject:** Valley's Edge Specific Plan - Draft EIR, Public Comment  
**Date:** Tuesday, December 7, 2021 7:27:07 AM

**ATTENTION:** This message originated from outside **City of Chico**. Please exercise judgment before opening attachments, clicking on links, or replying.

**VALLEY'S EDGE SPECIFIC PLAN - DRAFT EIR**  
**Public Comment from Karen Laslo ([karenlaslo@gmail.com](mailto:karenlaslo@gmail.com))**

**General Comments**

Our Chico General Plan 2030 calls for a compact urban form. The Valley's Edge Specific Plan (VESP) is not compact, it's sprawl. It's the exact opposite of where our town should be heading in regards to new housing development. We need small, "work force" houses, duplexes and apartments that are affordable to middle and low income residents. VESP housing will be mostly, large, single-family houses. Valley's Edge will only be affordable to wealthy people from out of Butte County, such as the Bay Area or Los Angeles, seeking to retire to "the country."

Valley's Edge will do nothing to answer Chico's housing needs. It will, however, create a wealthy class society living high up in the foothills above the rest of us down here below in Chico's flat land.

**Climate Impacts**

Since this project will be stuck way out in the middle of nowhere, away from any and all commercial stores, health clinics, grocery stores, etc., the biggest impact on climate change will be increased car traffic trips from the inhabitants. This is the opposite of Chico's Climate Action Plan. The impact from more greenhouse gas emissions is unacceptable and can't really be

25-1

25-2

mitigated and should be the grounds for denying the project right from the start.

↑ 25-2  
Cont.

### **Air Quality**

The air quality in Chico and the Sacramento Valley is already poor, especially in winter. Bad air is unhealthy. Particulate matter in air pollutions is bad for people's lungs, especially the elderly and children. VESP would add even more to the poor air quality that we already have since the inhabitants will have to drive to get everything they want to live there.

Mitigation measures which include an idling reduction, (Chico has this already but it's rarely enforced), a ride-share program (it's doubtful that the wealthy people, who would be the only ones who could afford to live there, would be into "ride sharing.")

It's obvious that the mitigations put forth by the VESP are inadequate and won't do much to reduce the significant impacts to our already poor air quality in Chico and Butte County. It's shameful that the low and middle income families living down below in Chico's flat land would suffer from even more air pollution caused by the wealthy people living high above them if the VESP is approved.

25-3

### **Biological Resources**

Plant and animal species that will be impacted and/or destroyed by the VESPA include Butte County Meadowfoam, Elderberry Longhorn Beetle, Western Spadefoot Toad, Western Pond Turtle, Burrowing Owl, Yellow Warbler, Loggerhead Shrike, native and migratory birds, Pallid Bat and our native Blue Oak trees.

25-4

As a long-time "birder" I'm quite concerned about the impacts of VESP on our migratory and native birds and **especially the Burrowing Owl** [my emphasis].

25-5  
↓

These small owls are disappearing mainly due to habitat loss from over development and urban sprawl. The following status and biological information on this interesting creature can be found at *Burrowing Owl Conservation Network*, see link: [http://burrowingowlconservation.org/burrowing\\_owl\\_facts/](http://burrowingowlconservation.org/burrowing_owl_facts/):

**“LEGAL STATUS/PROTECTION:**

*The burrowing owl is federally protected by the Migratory Bird Treaty Act in the United States, Canada and Mexico.*

*Burrowing Owls are listed as Endangered in Canada and Threatened in Mexico. **They are considered by the U.S. Fish and Wildlife Service (USFWS) to be a Bird of Conservation Concern at the national level, in three USFWS regions, and in nine Bird Conservation Regions** [my emphasis]. At the state level, **Burrowing Owls are listed as Endangered in Minnesota, Threatened in Colorado, and as a Species of Concern in Arizona, California, Florida, Montana, Oklahoma, Oregon, Utah, Washington, and Wyoming.***

**HABITAT:**

*This owl is found in dry, open areas with low vegetation where fossorial mammals (i.e. ground squirrels) congregate such as grasslands, deserts, farmlands, rangelands, golf courses, and vacant lots in urban areas* [my emphasis]. *It was once distributed broadly throughout western North America, but has found itself declining in numbers throughout all historic ranges in the last 30 years. The burrowing owl also occurs in Florida, Central America, and most of South America.*

**DIET:**

*Burrowing Owls primarily feed on insects and small mammals, but they will also eat reptiles and amphibians. **Burrowing Owls hunt while walking or running across the ground*** [my

25-5  
Cont.

emphasis] and by swooping down from a perch or hover, and they will catch insects from the air.

**THREATS:**

*The greatest threat to burrowing owls is habitat destruction and degradation caused primarily by land development and ground squirrel/prairie dog control measures. Despite their protected status, burrowing owls are often displaced and their burrows destroyed during the development process [my emphasis]. The natural life span of the Burrowing Owl is 6-8 years. Burrowing owls are also at risk of predation from coyotes, birds of prey, and feral cats and dogs. Because of an increase in urban and suburban sprawl, hazards are now consisting of automobiles as well [my emphasis].”*

I don’t see that there can be *any* mitigation that will not disturb and/or destroy Burrowing Owls found at the VESPA site mainly because they nest and roost in holes in the ground. “Passively moving” these small, sensitive owls is a ridiculous notion and will only hasten their demise.

**Blue Oaks Removal**

According to the VESP’s website, the proposed development is supposed to be a place where people can “. . . take a dawn walk through the majestic oaks.” That’s ironic since the Plan calls for at least 1,100 of the 5,500 “majestic oaks” to be cut down.

The predominant oak in the VESPA area are Blue Oaks, with some Black Oaks and Live Oaks. Blue Oaks are fire resilient and drought tolerant. They are tenacious with tough roots that go down quite deep. It’s commonly known that Blue Oaks are slow growing, see link: <http://oaks.cnr.berkeley.edu/blue-oaks-grow-slowly/>. Many of the Blue Oaks in the VESPA site are quite large which means that they could be really old. Some are about the same size as the Heritage Blue Oak located on Preservation Rd.,

25-5  
Cont.

25-6

not far from the VESP site. According to Chico Urban Forester, Richie Bamlet, that Heritage Blue Oak is about 300 years old. It should be mandatory to find out how old some of the largest Blue Oaks are *before* they're cut down. It would be a shame to cut down any "majestic" oak tree that would be considered a Heritage Tree.

As a member (but not the spokesperson) of Chico Tree Advocates I say that the destruction of 1,100 Blue Oaks for this project is totally unacceptable. Blue Oaks are the foundation of the foothill's oak woodland habitat ecosystem. Blue Oaks are critical for the sequestration and storage of carbon, a potent greenhouse gas that is steadily warming our planet.

25-6  
Cont.

### **Construction Site of the VESP**

If approved, the construction of the VESP would continue for several years. During that time it's doubtful that any wildlife would be able to survive the destruction of their habitat. The fields at the site are littered with rocks and boulders. It's assumed that heavy equipment will be used to remove most of the rocks to create a level space to build the luxury homes for the proposed development. Even if the rocks are "saved" for aesthetic purposes, the wildlife will be gone.

25-7

The exhaust from heavy the equipment will also add to the air pollution.

25-8

The construction alone of the VESP will make the cost of houses far out of reach from the average Chico family or senior citizen.

25-9

### **Transportation and 55+ Housing**

Because of the low density of houses and the linear distribution of the houses the development would not be supportive of a public bus system. Also, it's doubtful that the wealthy people, who would be the only ones able to afford houses there, young or

25-10

old, would be willing to ride a bus to get to where they want to go.

↑ 25-10  
Cont.

Since the Plan call for the houses to be widely spread out, up and down the ridges in the foothills, it wouldn't be conducive to anyone who would want to use a bike for transportation instead of a car - unless they were in top physical condition, therefore, the transportation value of the bike trails would be minimized.

25-11

Since about half of the VESP housing would be restricted to people 55 or older, the lack of alternative transportation would be harmful to that aging population, especially when they would, inevitably, lose their ability to drive. It's unlikely that many seniors would be able to ride a bike for transportation instead of driving their cars.

According to Public Square, a CNU Journal, "Only 60 percent of the American population can drive. Our automobile environments disenfranchise and endanger those who are physically unable or too young to drive, or too poor to own a car. The total number of nondrivers is expected to increase dramatically as Baby Boomers age." See link:

25-12

<https://www.cnu.org/publicsquare/2020/03/05/aging-population-needs-walkable-bikeable-cities?fbclid=IwAR0hH4N87FB7jMDNR4AjtPf5BisOEuTZgPfP1Mq-DHSScuqwszOh42f5dM>

### Fire Hazard

The danger of fire is really high for any development in the foothills. While the Blue Oaks may be fire resilient, houses, cars and buildings *are not*. During the horrific Camp Fire, along with the tragedy of peoples' homes being lost, all the contents of those homes and garages burned too. The burning of plastics (including cars), household chemicals, such as pesticides, cleaning supplies, etc., dramatically added to the existing air pollution. A wildfire

25-13

in the VESP would likely spread to other existing developments in the area, such as Doe Mill or the houses that are along east 20th St.

The extreme fire danger for the VESP area should be grounds for stopping the project. Trying to mitigate the fire hazard would, of course, add to the cost of the development that would be passed on to the homeowners. But the danger would still exist.

25-13  
Cont.

### **Energy**

The addition of electric vehicle chargers is a good idea. However, they would not be of much use unless the majority of homeowners owned electric cars.

The design and orientation of homes in any new development is crucial to saving energy. Solar panels along with the addition of “passive solar” design can make a huge difference in saving energy and making the people who live in the homes comfortable, see link:

<https://www.energy.gov/energysaver/passive-solar-home-design>.

Even apartment buildings can be designed to make use of passive solar energy.

25-14

Once the cost of constructing and building a house or apartment has been completed, using passive solar design, the energy savings is “free” for the life of the building.

Not only does passive solar design create “free” warmth in the winter but it provides year-round light so that traditional incandescent or fluorescent lighting are rarely needed during the day, saving even more energy. Southern orientation of houses and buildings with roof-top solar panels is an excellent combination for saving energy.

Thank you for taking my comments into consideration.  
Karen Laslo

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## Response to Letter 25

Karen Laslo

- 25-1** The commenter asserts that the project is not consistent with the goals of the City's General Plan to encourage compact urban development and does not provide affordable work force housing.

Please see Responses to Comments 9-66 through 9-69 which address housing affordability concerns and Responses to Comments 20-09 and 21-2 regarding consistency with the General Plan. This comment refers to General Plan Goal LU-1, which calls for reinforcing the City's "compact urban form, establish growth limits, and manage where and how growth and conservation will occur." As stated on page 3-17 of the Draft EIR, the "project site is identified in the City's General Plan as a growth area, and the Specific Plan proposes clustering development to maintain large areas of the site in open space." Ultimately, it is within the City's purview to decide if the proposed project is consistent or inconsistent with applicable City goals or policies. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

- 25-2** The commenter asserts that the project's remote location will increase vehicle trips and is inconsistent with the City's Climate Action Plan, and that the project's GHG emissions are grounds for denying the project.

The comment does not identify any specific concerns that address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. However, please see Responses to Comments 21-2 and 21-3. By proposing a mixed-use project and supporting the use of electric-powered vehicles, bikes and footpaths to make various areas accessible, the project design reduces the need for resident to drive in a gasoline-powered vehicle outside the project. Also, the site is located in southeast Chico, which has well over 1 million square feet of commercial retail space and offers at least as many goods and services as any other area of the city. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

- 25-3** The comment states that existing air quality in the region is already poor and the project would contribute more pollutants and particulates into the air basin. The comment further asserts that the proposed mitigation measures are inadequate.

Please see Responses to Comments 5-7 and 9-13 which address analysis and mitigation of air quality impacts, and Response to Comment 9-21 for more explanation of mitigation measure AQ-4. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

- 25-4** The comment states that the project will impact a variety of plant and wildlife resources.

The comment does not identify any specific concerns that address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter is correct in that implementation of the project would adversely affect various plant and wildlife resources. These impacts are evaluated in Section 4.3, Biological Resources. The Draft EIR includes 10 mitigation measures for biological resources to ensure potential impacts are reduced to less than significant.

**25-5** The comment relates to burrowing owl impacts and provides excerpts on the protection status of the species along with information on its habitat, diet and threats. The comment also questions the feasibility of the mitigation measure BIO-3 included in the Draft EIR.

The Draft EIR fully evaluates potential impacts on burrowing owls (see Draft EIR pp. 4.3-20 and 4.3-50 through 4.3-55). Regarding mitigation to protect burrowing owls during construction, if present, passive eviction or passive relocation, as sanctioned by the California Department of Fish and Wildlife and described in mitigation measure BIO-3 does not involve actively moving individuals; instead, the burrows are modified so that burrowing owls can leave but not re-enter the burrow. After departing, they are expected to find and colonize a new burrow or burrow complex outside the construction area but because they are not actively moved it is impossible to direct where they relocate to after eviction. Passive eviction provides the best option to minimize impacts to burrowing owls when their burrow complexes cannot or will not be avoided by a project.

**25-6** The commenter states an objection to the removal of “at least 1,100 of the 5,500 ‘majestic oaks’ to be cut down,” and suggests that some of the large blue oak trees could be considered Heritage Trees due to their size and age. The commenter further states their opinion that the proposed destruction of 1,100 blue oaks as part of the project is unacceptable.

It is not accurate to state that the VESP proposes to remove 1,100 trees at the site. Please see Responses to Comments 26-8 and 6-24 through 6-26 for more details regarding tree removal. The comment does not identify any specific concerns that address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter’s opinion is noted and forwarded to the decision makers for their consideration.

**25-7** The commenter asserts that construction activities would eliminate wildlife species from the site due to the presence of heavy equipment and land disturbance.

The Draft EIR evaluates the direct and indirect effects of project construction on biological resources in Section 4.3 and mitigation is included, where required, to address impacts specific to construction activities. The Draft EIR states that construction activities will cause wildlife species to leave some areas of the project site due to loss of habitat or indirect effects of construction or operation. To mitigate these impacts, includes measures to conduct pre-construction surveys and avoid wildlife that are discovered (e.g., mitigation measures BIO-2 Nesting Bird Protection, BIO-5 Bats). The comment is correct that the project would be developed over many years; however, even when completed the site would retain approximately 664 acres of largely contiguous and connected open space areas that would continue to provide habitat for a wide range of wildlife species that currently use the site.

**25-8** The comment states exhaust from construction equipment will add to air pollution.

The effects of construction equipment on air quality within the air basin associated with development of the project was evaluated in Section 4.2, Air Quality of the Draft EIR. Specific construction assumptions for each phase of construction along with assumptions for construction activities are listed on page 4.2-23. Table 4.3-7 on page 4.2-30 identifies the levels of pollutants that would be generated by year of construction and notes if the levels would exceed the Bay Area Air Quality Management District thresholds. As shown in the table, construction activities would

generate various pollutants but would be well with acceptable ranges and would not exceed the air district's thresholds. Thus, although construction equipment would contribute to air pollution, the impact would be less than significant.

**25-9** The comment asserts that construction would make the cost of the homes out of reach for the average family or senior citizen.

The comment does not identify any specific concerns that address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. Please see Responses to Comments 9- 66 through 9-69 which address housing affordability concerns. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

**25-10** The comment asserts that due to the low density of the project and the linear distribution of housing, the project would not be supportive of a public bus system.

Please see Responses to Comments 8-3 and 9-5 which address the project's density and transit. It should also be noted that the VESP provides for a range of housing densities and types, including multiple family housing, which should provide a range of housing options and costs, rather than solely high-end housing. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

**25-11** The comment asserts that due to the project site's topography it would not be conducive to using a bicycle for transportation.

Please see Responses to Comments 23-4, 9-44 and 9-77 that address the project's network of bicycle trails. The project's streets, bike paths, enhanced trails and paseo trails would support the use of electric-powered vehicles (NEVs, EVs, scooters, etc.), reducing the need for manual bicycling. Including electric vehicle options on project streets and off-street paths helps residents reach areas that one might only otherwise consider driving, such as the Village Core or a nearby park. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

**25-12** The comment asserts that the lack of alternative transit opportunities would be harmful to seniors living in the age-restricted portion of the project.

The comment does not identify any specific concerns that address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. However, it is anticipated that a shuttle service would be provided to seniors, similar to other age-restricted 55+ "Senior Housing" projects. Typically, these shuttle services provide trips to doctor appointments and shopping and some facilities offer "on demand" services to help foster independence for seniors. In addition, transit stops would be provided in the Village Core (Draft EIR p. 2-22).

**25-13** The comment expresses concerns associated with wildfire, including air emissions associated with burning of plastics and other potentially hazardous materials and goes on to state that trying to mitigate the fire hazard would add to the homeowner costs but the danger would still exist.

Wildfire concerns were addressed in Section 4.14, Wildfire, of the Draft EIR. The analysis addresses measures the VESP includes to minimize, to the extent feasible, creating an on-site fire that could spread off-site. Please see Master Response 1 which further addresses wildfire concerns.

**25-14** The comment generally notes that including energy conservation and sustainability design features such as electric vehicle chargers, passive solar orientation and use of solar panels help to reduce energy costs.

Energy is evaluated in Section 4.5 of the Draft EIR. The VESP includes design guidelines to promote energy efficient development including solar, consistent with CalGreen Building standards that require rooftop solar (Draft EIR pp. 4.5-7, 4.5-13). The commenter's support of energy conservation features is noted and forwarded to the decision makers for their consideration.

## Comment Letter 26

**From:** [Annette Faurote](#)  
**To:** [Mike Sawley](#)  
**Cc:** [Nicole Acain](#)  
**Subject:** Valley's Edge Development  
**Date:** Friday, December 10, 2021 11:48:49 AM

**ATTENTION:** This message originated from outside **City of Chico**. Please exercise judgment before opening attachments, clicking on links, or replying.

Please make this part of the permanent record and answer these important questions. Thank you.

Dear Planning Department:

While the developers of Valley's Edge have attempted to incorporate positive features much is still lacking in this development.

This is a huge development having lasting impacts on the Chico Environs. Many of these problems are NOT fully and honestly described in the EIR. Here are my points of deep concern:

1-Valley's Edge will **affect the air quality** of Butte County. This is a **car dependent development**. The EIR does not fully address the real life impacts. People in the 55+ age group will be driving everywhere (except recreationally). There is not enough density to support the bus system. Upper areas of the development are on large parcels which will be car dependent. These increases in emissions (ROG, PM 2.5 and NOx) will be **harming the health of our community**. Mitigation measures are inadequate. Monetary mitigation will not offset the impacts of health problems for our community.

2-Valley's Edge is defined as mixed use, but this is really stretching the mixed use definition. As the small amount of other uses are located near the entrance and Not mixed through the sprawling 1450 acres.

3-This development is the true definition of **urban sprawl**. Mitigation measures dealing with sprawl are inadequate. It will impact (RUIN) the viewshed for the east side of Chico with unsightly large houses. It will exacerbate traffic congestion in surrounding areas.

4-Will all of this development be open for the enjoyment and recreation of all Chico residents? Will it be a gated area?

5-This is all built in urban/wildland interface areas that are **extremely fire prone**. This area is defined by CalFire as a **moderately fire severity zone which is predicted to burn every 5-15 years**. The fire risk and expense of protecting these homes is a large concern. **Development**

26-1

26-2

26-3

26-4

26-5

26-6

**should NOT be built in a zone predicted to burn every 5-15 years.**

6-This area is **important ecologically**. There are many important and threatened species that should be protected: ringtail cats, bobcats, burrowing owls, west pond turtles, wintering bald eagles, etc. What is being done about this?

↑ 26-6  
Cont.

26-7

7-This development **will destroy perhaps over 1,000 Valley Oaks. This amount of oak destruction is unexceptable.** Valley Oaks are one of the most important tree species for numerous varieties of birds, mammals and other native life. This will cause a huge amount of habitat destruction. This damage to wildlife and habitat needs stronger mitigation measures.

26-8

8-The interference of hydrologic recharge of the aquifer should be addressed. In these days of droughts this is of the utmost importance. Hydrologic interruption has not been adequately analyzed. And realize that the hydrologic system is interconnected to areas west of this development.

26-9

**9-There are 11 acres of other protected waters and 6 acres of wetlands that will likely be destroyed.** How is this being addressed?

26-10

**10-This development will significantly increase greenhouse gas emissions.** Chico and all of California has been tasked with reducing greenhouse emissions. This is in exact opposition with the Chico City Climate Action Plan. Sprawl is the opposite of urban infill which is how Chico should grow. **This MUST BE ADDRESSED.**

26-11

11-Chico has serious housing needs. But many of these houses will be expensive homes appealing to the wealthier population. We need more affordable housing, not urban sprawl subdivisions.

26-12

**Due to these enormous problems with Valley's Edge I support and request a 5th alternative to be considered which would expand on alternative 4 and address problems, inadequacies and make positive changes.**

Alternative 5 would have a more compact community allowing for greater open space and habitat protection. At greater housing densities the community could support a bus system. Additionally, a grocery store, pharmacy and other useful businesses were added that would decrease auto commuting and increase walkability and bicycling. The "Equestrian Ridge " area should be moved adjacent to the denser community and gain closer compliance to the Greenhouse Gas reduction targets of the Chico Climate Plan.

26-13

Please reconsider/rework this large development and make it smart

26-14

development. This is what is needed.

26-15

Sincerely,  
A. Faurote  
16 Rose Ave  
Chico, Ca 95928

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## Response to Letter 26

Annette Faurote

- 26-1** This commenter introduces comments that follow and states that the project is large and would have lasting impacts to the City.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

- 26-2** The commenter asserts the project is car-dependent, does not provide enough density to support transit and would increase air pollutants. The comment also states that the air quality mitigation measures are inadequate.

Please see Responses to Comments 8-3, 9-5 and 9-53 regarding the project's density and transit. In terms of air quality, the effects of project operation on air quality within the air basin was evaluated in Section 4.2, Air Quality. Assumptions for project development and activities that would generate air pollutants are listed on page 4.2-24. Table 4.2-8 on page 4.3-32 identifies the levels of pollutants that would be generated by the project prior to mitigation and notes if the levels would exceed the Bay Area Air Quality Management District thresholds. As shown in the table, levels of ROG, NO<sub>x</sub> and PM<sub>10</sub> would exceed the air district's thresholds. As explained on page 4.234, compliance with mitigation measures AQ-2 and AQ-3 would reduce operational-related criteria air pollutant emissions associated with mobile and energy sources and mitigation measure AQ-4 would require the project developer to either establish an off-site mitigation program within Butte County, coordinated through BCAQMD, or participate in an Off-site Mitigation Program by paying the equivalent amount of money equal to the project's contribution of pollutants (ROG, NO<sub>x</sub> and PM), as recommended by the BCAQMD CEQA Handbook. See Response to Comment 9- 21 for more details on the planned implementation of mitigation measure AQ-4. With implementation of these measures, the project's net emissions would be below the identified thresholds, reducing the impact to less than significant.

- 26-3** The commenter asserts that the project stretches the definition of mixed use because the project's commercial uses are not spread throughout the site.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

- 26-4** The commenter asserts that the project is "urban sprawl" and proposed mitigation measures dealing with sprawl are inadequate. In addition, the comment states that development will impact the viewshed and exacerbate traffic congestion.

Please see Response to Comment 14-3 which addresses changes in the viewshed and visual character of the site and Responses to Comments 12-19 and 23-4 that address the increase in traffic and traffic congestion. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

- 26-5** The commenter asks if the project will be open to the public or be a gated community.
- The project is not proposed to be a gated community. Access to the open space and recreational areas of the project are discussed in Response to Comment 9-75.
- 26-6** The comment states that the project is located within a wildland-urban interface area and has been defined by CAL FIRE as being within a moderate fire severity zone predicted to burn every 5 to 15 years. The commenter goes on to state the project should not be built in an area where wildfires occur.
- Wildfire concerns are addressed in Section 4.14, Wildfire, of the Draft EIR. As explained on page 4.14-2, the project site has been identified as a “Moderate” fire hazard area within the State Responsibility Area but also appears to be within the incorporated Local Responsibility Area overlay (CAL FIRE 2007). The project site is currently under the jurisdiction of CAL FIRE regarding fire protection, but if the project is approved and annexed it would be folded into the jurisdiction of the Chico Fire Department. The commenter does not provide evidence supporting the claim that areas designated as having a moderate fire severity hazard are predicted to burn every 5 to 15 years. Please see Master Response 1 which further addresses wildfire concerns.
- 26-7** The comment states the area is ecologically important and contains many important and threatened species.
- Impacts on special-status species and their habitat are thoroughly evaluated in Section 4.3, Biological Resources of the Draft EIR. In addition, please see Response to Comment 20-2 and responses to the letter from the California Department of Fish and Wildlife (Letter 6) which addresses numerous comments specific to protected species that may be present in the area.
- 26-8** The comment relates to removal of valley oak trees and asserts the loss of over 1,000 trees would contribute to habitat destruction and needs stronger mitigation measures to address these impacts.
- It is not accurate to state that the VESP proposes to remove over 1,000 trees at the site. Tree removal is addressed under Impact 4.3-2 on page 4.3-58 of the Draft EIR. As explained, the proposed project would involve oak tree removal to support new development. As stated in Chapter 2, Project Description, trees on the project site would be avoided to the extent feasible, and mature trees would be retained where possible. According to the VESP, approximately 80% of oak canopy on the project site would be preserved as permanent open space, per Action PROS-6.2 which states that “no less than 80% of the total tree canopy shall be protected and preserved in parks, open space, and/or other areas where avoidance and preservation can be monitored and managed”. It is estimated 200 acres of blue oak foothill pine woodland (a landcover type) may be removed to accommodate development, but the number of trees to be removed or retained during development is not known at this time. Each future subdivision map creating development lots would be required to show trees in and around the subdivision area and state the proposed disposition of each tree. It is not clear where the commenter identified the removal of over 1,000 trees would be required. The VESP includes an Appendix E, Tree Preservation Program (formerly called the Oak Woodland Mitigation and Management Plan) to ensure the existing oak canopy in the proposed development areas and elsewhere on the project site would be protected through the avoidance, preservation, enhancement, education, and replacement or regeneration activities. The project developer(s) would also be required to mitigate for trees removed and/or damaged by development in accordance with the OWMMP/VETPP (such as planting on site, off site, or paying

an in-lieu fee). Per VESP Action PROS-6.4, the City's Voluntary Heritage Tree Program (CMC Section 16.68) would be applied for trees within the project site that may be considered a 'Heritage Tree.' In addition, the Draft EIR includes mitigation measure BIO-9 which establishes specific requirements to protect trees from damage due to construction activities. Compliance with all of these measures would adequately mitigate potential project impacts on oak trees. Please also see Responses to Comments 6-24 and 9-1 for more details regarding tree removal.

**26-9** The comment suggests that interference of hydrologic recharge of the aquifer should be addressed.

Please see Response to Comment 9-56 regarding groundwater recharge.

**26-10** The comment asks how waters of the U.S. and wetlands that would be impacted by the project are addressed.

Section 4.3, Biological Resources, addresses potential impacts to protected aquatic resources. As stated on under Impact 4.3-3 on page 4.3-61 of the Draft EIR, a total of 17.43 acres of aquatic resources have been mapped and delineated within the project site and includes 0.997 acre of vernal pools, 3.212 acres of vernal swales, 0.211 acre of seasonal wetlands, 0.615 acre of wet meadows, 1.212 acres of seasonal swales, and 11.183 acres of drainages (including Comanche Creek). This results in 6.25 acres of mapped wetlands on the project site. Based on the proposed VESP Land Use Plan, permanent development areas appear to avoid approximately 5 acres of the approximately 6.25 acres of wetlands on the project site. With implementation of mitigation measure BIO-10 the project would reduce potential impacts to aquatic resources by ensuring protection of aquatic resources during project construction and operations, and by providing compensatory mitigation for lost aquatic resources in compliance with state and federal law.

**26-11** The commenter states the project will significantly increase greenhouse gas emissions which contradicts the City's Climate Action Plan as well as state goals to reduce greenhouse gases.

As addressed in Section 4.7, Greenhouse Gases, of the Draft EIR the project's increase in GHG emissions is quantified and the impact is identified as significant and unavoidable. Please also see Response to Comment 9-3 which addresses an increase in GHGs associated with construction and operation of the project.

**26-12** The comment states that the City has serious housing needs and the project's housing would not be considered affordable.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. However, please see Responses to Comments 9-68 and 9-70 which address housing affordability concerns. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

**26-13** The comment requests consideration of another alternative that includes a more compact development that allows for more open space and can support transit and the Equestrian Ridge neighborhood be moved adjacent to other development.

The CEQA Guidelines requires EIRs to “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives” (14 CCR 15126.6(a)). An EIR must evaluate “only those alternatives necessary to permit a reasoned choice” (14 CCR 15126.6(f)) and does not need to consider “every conceivable alternative” to a project (14 CCR 15126.6(a)). The evaluation of alternatives to the project is included in Chapter 6 of the Draft EIR. A total of four alternatives are evaluated including the required no development (Alternative 1: No Project/No Development Alternative). In addition, an alternative that evaluates development of the site consistent with the General Plan Special Planning Area 5 or Doe Mill/Honey Run SPA (Alternative 2: No Project/2030 General Plan Alternative). The proposed land uses under SPA-5 are very similar to the proposed project; however, there would be a reduction in residential units and commercial development under this alternative. Alternative 3 increases the amount of commercial uses and decreases the number of residences (Alternative 3: Increased Commercial Alternative). Whereas Alternative 4 (Alternative 4: Increased Open Space and Higher Density Alternative) increases the amount of open space and shifts residential land uses to other areas within the project site resulting in an increase in in open space and overall project density. The need to provide an additional alternative with higher density and more open space is not required because the alternatives provided address the project’s significant environmental impacts. However, the commenter’s suggestion that a more compact development be considered is noted and forwarded to the decision makers for their consideration. In addition, it is doubtful the residential density would be great enough for Butte Regional Transit to provide bus service, as suggested in the comment. As provided in the guidelines, only a reasonable range of alternatives is required to “permit a reasoned choice”. Please also see Response to Comment 9-83 regarding the Draft EIR’s range of project alternatives and Chapter 3, Changes to the Draft EIR for revisions to the VESP that include eliminating development of the Equestrian Ridge planning area.

**26-14** The commenter requests for the project to be redesigned to reflect “smart” development.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter’s request is noted and forwarded to the decision makers for their consideration.

Comment Letter 27

**From:** [volecole@juno.com](mailto:volecole@juno.com)  
**To:** [Mike Sawley](#)  
**Subject:** Fw: Valley's Edge Development and the Draft Environmental Impact Report  
**Date:** Sunday, December 12, 2021 3:31:51 PM

**ATTENTION:** This message originated from outside **City of Chico**. Please exercise judgment before opening attachments, clicking on links, or replying.

Dear Mr. Sawley,

This is to let you know that my husband and I are opposed to the Valley's Edge Development Plan and do not believe that the Draft Environmental Impact Report presents complete consideration of all the issues. Firstly, we do not need another big housing development, particularly for higher income people, in an area where there are already large housing developments. (Oak Valley, Meriam Park and proposed Stonegate). This would significantly increase car useage, incurring traffic problems, increased greenhouse gas emissions, and lowering air quality. In the time of the Climate Change crisis we need to be reducing the negative impacts on our planet and inhabitants, not increasing them.

27-1

Secondly, yes, we do need more housing, but at this point in time we need more housing for lower income people. A better plan would be to provide lower income housing in infill areas. (The proposal from Smart Growth Advocates given to the Chico City Council is a good example).

27-2

And lastly, it would cause a loss of habitat for sensitive species (both flora and fauna), bring the wildfire threat closer to houses, and damage our water recharge area.

27-3

We believe that these issues have not been adequately addressed the Draft Environmental Impact Report and ask that you consider these concerns further.

Respectfully,  
  
Jane Coleman and David McKinney

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## Response to Letter 27

Jane Coleman and David McKinney (Letter 1 of 2)

- 27-1** The comment expresses opposition to the project and asserts that the Draft EIR does not accurately present each of the potential issues. The comment also states that other large housing projects exist or are proposed in the area, and another large housing development catering to higher income demographics is not necessary. The comment also states the project would significantly increase car usage, incurring traffic issues, increase in GHG emissions, and impact air quality.

CEQA Guidelines Section 15131 establishes that economic effects (including affordability of residences constructed under the project) are not considered to constitute significant effects on the environment. Regarding the increase in vehicles, Section 4.13, Transportation and Circulation, addresses traffic impacts and concludes impacts are less than significant or can be reduced to less than significant with mitigation. Air Quality and GHG emissions are addressed in Section 4.2 and Section 4.7. The analysis concludes construction and operation of the project would result in air quality impacts that are either less than significant or can be reduced to less than significant with mitigation. The project would; however, result in a significant and unavoidable contribution of GHG emissions. The commenter's opinion regarding the merits of the proposed project is noted and forwarded to the decision makers for their consideration.

- 27-2** The comment states that more housing is needed in Chico, but the City should focus on lower-income housing.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

- 27-3** The comment states the project would cause a loss of habitat for sensitive species, bring wildfire threats closer to houses, and damage water recharge areas.

The Draft EIR analyzes potential impacts to biological resources including plant and wildlife habitat in Section 4.3, Biological Resources. The analysis identifies those species and/or their habitat that could be impacted and provides mitigation measures to avoid or reduce potential impacts in accordance with CEQA as well as local, state and federal requirements. All biological impacts would be less than significant or reduced to less than significant with mitigation. Regarding potential wildfire impacts, refer to Master Response 1 and Section 4.14 of the Draft EIR for a comprehensive discussion of wildfire issues.

Regarding groundwater, groundwater recharge and site drainage are discussed in Section 4.9, Hydrology, Water Quality, and Drainage. As indicated under Impact 4.9-2 (Draft EIR p. 4.9-30), based on a preliminary hydrogeologic assessment of the project site, a relatively impermeable layer of well-lithified volcanic rock underlies the majority of the site, preventing groundwater recharge across most of the site. Groundwater recharge on site is limited to alluvial materials underlying creeks. See Response to Comment 9-56 for additional information regarding groundwater recharge at the project site.

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Comment Letter 28

**From:** [volecole@juno.com](mailto:volecole@juno.com)  
**To:** [Mike Sawley](#)  
**Subject:** Valley's Edge Development and Draft Environmental Impact Report  
**Date:** Sunday, December 12, 2021 4:32:58 PM

**ATTENTION:** This message originated from outside **City of Chico**. Please exercise judgment before opening attachments, clicking on links, or replying.

Dear Mr. Sawley,

This is to let you know that my husband and I are opposed to the Valley's Edge Development Plan and do not believe that the Draft Environmental Impact Report presents complete consideration of all the issues. Firstly, we do not need another big housing development, particularly for higher income people, in an area where there are already large housing developments. (Oak Valley, Meriam Park and proposed Stonegate). This would significantly increase car useage, incurring traffic problems, increased greenhouse gas emissions, and lowering air quality. In the time of the Climate Change crisis we need to be reducing the negative impacts on our planet and inhabitants, not increasing them.

Secondly, yes, we do need more housing, but at this point in time we need more housing for lower income people. A better plan would be to provide lower income housing in infill areas. (The proposal from Smart Growth Advocates given to the Chico City Council is a good example).

And lastly, it would cause a loss of habitat for sensitive species (both flora and fauna), bring the wildfire threat closer to houses, and damage our water recharge area.

We believe that these issues have not been adequately addressed the Draft Environmental Impact Report and ask that you consider these concerns further.

Respectfully,

Jane Coleman and David McKinney

28-1

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## Response to Letter 28

Jane Coleman and David McKinney (Letter 2 of 2)

- 28-1** This comment letter is a duplicate of Comment Letter 27. Please see Responses to Comments for Letter 27.

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## Comment Letter 29

**From:** [Patricia Puterbaugh](#)  
**To:** [Mike Sawley](#)  
**Subject:** Valleys Edge  
**Date:** Sunday, December 12, 2021 12:15:51 PM

**ATTENTION:** This message originated from outside **City of Chico**. Please exercise judgment before opening attachments, clicking on links, or replying.

Hello - This is Patricia Puterbaugh, 1540 Vilas Rd., Chico, CA 95973  
 Making comments on the plan for the Valleys Edge Development/Sprawl

Please make sure these comments are part of the public record, thank you

Valleys Edge Comments:

1. This is sprawl. We need infill projects done first. Infill projects which actually increase and address the lack of mid and low income housing in Chico. We do not need more projects for expensive homes - especially if they are designed to attract retirees and others from out of the area who will only add to our overburdened infrastructure in Chico.

29-1

2. Environmental Impacts are too numerous to list and they analysis in the documents is inadequate. Wildlife, water quality, air quality will be negatively impacted. Traffic will be a nightmare. What is the intersection of 20th St. and Bruce Rd going to look like after this is built out? Any plans for roundabouts in this area? At least that may keep the traffic moving.

This area is a FIRESHED. This is an area especially prone to wildfire and it is irresponsible and dangerous to build an entire community in a FIRESHED. People invite wildfire. The area will become even more prone to wildfire with homes within it.

29-2

This area is a WATERSHED and a place where water enters our precious Tuscan Aquifer. We do not need any more homes built on top of our aquifer. We do not have enough water to service this huge development.

29-3

3. Build back Paradise. Build back Butte Creek Canyon. The infrastructure is already built in these two places that are now much safer from wildfire. We need to address the housing shortage in Butte County by building back SMARTER. We do not need to build where developers will make LOTS of money from outsiders. We need to build where our citizens want to live and with homes they can afford.

29-4

4. There will inevitably be a lawsuit to oppose this sprawl and unnecessary paving over of precious woodlands. Why are you inviting this? This kind of growth is unsustainable and will not allow Chico to attain any sort of Climate standards we know we have to enact.

29-5

Thank you very much for taking my comments. Patricia Puterbaugh

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## Response to Letter 29

Patricia Puterbaugh

- 29-1** The comment asserts that the VESP is urban sprawl and the City should focus on infill projects that address the lack of mid- to low-income housing.

The commenter's opinion is noted and forwarded to the decision makers for their consideration. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. However, please see Responses to Comments 9-68 and 9-69 which address housing affordability concerns.

- 29-2** The comment expresses concern that there are too many impacts to list and the analysis is inadequate, and that wildlife, water quality, traffic and air quality will be negatively affected. The comment asks what the intersection of E. 20th Street and Bruce will look like and if there are plans for a roundabout. The comment concludes noting the area is a "fire shed" that would become more prone to wildfires with the addition of homes.

The comment does not identify where the analysis is deficient or inadequate; therefore, no additional response can be provided. However, biological resources are thoroughly evaluated in Section 4.3 of the Draft EIR; air quality impacts in Section 4.2, Air Quality, and water quality in Section 4.9, Hydrology, Water Quality, Drainage. Wildfire is addressed in Section 4.14. Regarding the intersection of E. 20th Street and Bruce Road, a signal would remain and additional turn lanes and turn-lane capacity would be added to accommodate existing and future traffic volumes. Regarding wildfire concerns, please also see Master Response 1.

- 29-3** The comment states that the project area is a watershed where water enters the Tuscan Groundwater Aquifer. The comment also asserts that the City does not have adequate water supplies to serve this project.

As indicated under Impact 4.9-2 (Draft EIR p. 4.9-30), based on a preliminary hydrogeologic assessment of the project site, a relatively impermeable layer of well-lithified volcanic rock underlies the majority of the site, preventing groundwater recharge across most of the site. Groundwater recharge on site is limited to alluvial materials underlying creeks. These areas have been excluded from proposed development, resulting in no impacts with respect to groundwater recharge.

Please see Response to Comment 9-56 for additional information regarding groundwater recharge at the project site and Response to Comment 10-23 regarding water supply.

- 29-4** The comment suggests that the City should build back Butte Creek Canyon and Paradise, which already have infrastructure in place and are now safer from wildfire risks. The comment also states that the City should focus on developing homes citizens can afford in places they want to live.

It should be noted that while occurrence of recent wildfire reduces short-term wildfire risk, vegetative communities typically recover with time and wildfire risk is comparable in the longer term. Please see Master Response 1 for further discussion of wildfire issues. In response to concerns regarding housing affordability, please see Responses to Comments 9-68 through 9-70.

The commenter's opinion regarding the merits of the proposed project is noted and forwarded to the decision makers for their consideration.

**29-5** The comment states that the project is sprawl and unsustainable and does not allow the City to reduce greenhouse gas emissions to meet climate standards.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

## Comment Letter 30

**From:** [Suzette Welch](#)  
**To:** [Mike Sawley](#)  
**Subject:** Valley's Edge Development  
**Date:** Sunday, December 12, 2021 11:53:03 AM

**ATTENTION:** This message originated from outside **City of Chico**. Please exercise judgment before opening attachments, clicking on links, or replying.

We do not need this development. Here are my objections to Valley's Edge:

There is no plan for high density low cost housing in Valley's Edge Development. Chico needs low cost, high density, infill housing and not another sprawl development which will decrease our environmental area of oak woodland and open country. 1,100 oak trees will be vulnerable for removal if this development gets approved. There are only 162 medium high density residential housing lots planned and 1739 very low and low density housing units which will be built out as large, luxury high priced houses. There is enough housing being built all over Chico right now especially luxury, high price housing. Meriam Park, which is being built out right down the road from this proposed development, does have high density housing but again it is luxury housing.

30-1

I am concerned that we will not have enough water for all of the new housing which is being built now plus water to meet all of the needs of agriculture if we add a lot more high water demand households.

30-2

All of the development which is happening all over Chico is putting more and more cars on the streets. There are already areas of Chico streets which become parking lots at certain times of day and we are beginning to look like Los Angeles. Plans call for Bruce Road to be widened up to Hwy. 32 but when that traffic gets to Bidwell Park there is only a 2 lane bridge crossing the creek. Increasing the width of this bridge will take away even more of the park. If this bridge needs to be made 4 lanes, which it will, the people of the city of Chico will have to pay for its construction. We do not have extra funds to do a project like this since we don't have enough funds right now to keep the streets we have in repair. Inevitably the development will bring more cars and air pollution into the city of Chico.

30-3

Suzette Welch  
13 Hilda Way, Chico, Ca. 95926 530 570-3240

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## Response to Letter 30

Suzette Welch

- 30-1** The comment asserts that the project is sprawl development and that the City should focus instead on low cost, high density infill housing. The comment also expresses concern regarding the removal of oak trees.

The commenter's concerns regarding the merits of the project are noted and will be forwarded to the decisionmakers for their consideration. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. Please see Responses to Comments 9-68 through 9-70 which address housing concerns and Response to Comment 26-8 regarding trees and tree removal.

- 30-2** The commenter expresses concern that the City (Cal Water) will not have adequate water supplies to meet demands of all the new housing projects plus agriculture if we add a lot more high water demand households.

As described under Impact 4.12-6 on page 4.12-22 in Section 4.12, Public Utilities, the Chico-Hamilton Water District's Vina Basin groundwater supply is estimated to be sufficient to support the Chico District's projected water demands without causing significant and unreasonable effects on groundwater levels and storage. Given the following: (1) historic groundwater use in the Basin and demand is within the sustainable pumping range, (2) the demonstrated effectiveness of the Chico District's Water Shortage Contingency Plan, and (3) the increasing efficiency and drought planning requirements from the State, sufficient water supply is estimated to be available to Cal Water to meet all future demands within the Chico District service area (see Appendix J to the Draft EIR). Therefore, the 2015 UWMP and the City's 2030 General Plan Update EIR concluded that adequate water supply is available to serve build-out of the City and the Chico District.

- 30-3** The comment states that the project will bring more cars and air pollution to Chico and that the City does not have the funds to widen a bridge located three miles north of the project site or upgrade other roadway infrastructure within the City.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. Please also see Response to Comment 9-76 regarding the widening of Bruce Road. No evidence is provided that the Manzanita Avenue Bridge over Big Chico Creek would need to be widened as a result of the project. The commenter's concern is noted and will be forwarded to the decision makers for their consideration.

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## Comment Letter 31

**From:** [Nancy Wirtz](#)  
**To:** [G Marvin](#)  
**Cc:** [Mike Sawley](#)  
**Subject:** Re: DEIR of Valley's Edge  
**Date:** Sunday, December 12, 2021 7:06:53 PM

**ATTENTION:** This message originated from outside **City of Chico**. Please exercise judgment before opening attachments, clicking on links, or replying.

Thank you, Grace. You stated the problem very clearly.  
 Mr. Sawley, I totally support the Sierra Club's position as expressed by Grace Marvin.  
 Nancy Wirtz  
 1191 Bonair Rd, Chico, CA 95926

31-1

On Sun, Dec 12, 2021, 6:47 PM GRACE M MARVIN <[g-marvin@comcast.net](mailto:g-marvin@comcast.net)> wrote:

Grace M. Marvin  
 1621 N. Cherry St.  
 Chico CA 95926  
 12/12/21

City of Chico Community Development Department  
 411 Main Street, P.O. Box 3420  
 Chico, California 95927.  
[mike.sawley@chicoca.gov](mailto:mike.sawley@chicoca.gov)

**Attn: Mike Sawley, Principal Planner**  
**Re: Valley's Edge Specific Plan Draft Environmental Impact Report-  
 comments due 12/13/21**

Mr. Sawley:  
 Please consider my comments regarding the inadequacy of the DEIR for the Valley's Edge project. First of all, the project does not address the serious need for much more affordable housing in the City of Chico. Consider what CA Government Code specifies in the December 2020 Butte County Association of Government's report (p.7). I have highlighted the particularly significant remarks. This Code indicates that in planning housing we should meet Section 65584(d) of the Government Code:

31-2

*1. Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an*

*equitable manner, which shall result in each jurisdiction receiving an allocation of units for low- and very low-income households. 2. Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the California Air Resources Board pursuant to Section 65080. 3. Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction. 4. Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent American Community Survey. 5. Affirmatively furthering fair housing, which for the purposes of this process means 'taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.*

31-2  
Cont.

Thus, instead of a project like Valley's Edge, **our Chico community needs more urban infill that includes high density and affordable housing - including mixed use housing such as businesses on first floors and homes above. We also desire walkable neighborhoods, with easy access to jobs and schools and stores, and low GHG mass transit opportunities, e.g., more bikeways and electric busses.** We do not need to attract wealthy citizens from outside of Chico if it means mostly more expensive housing and the accompanying excessive environmental destruction, including more extensive traffic (with undesirable traffic jams and growth in GHG emissions).

As it is planned, Valley's Edge would increase traffic immensely, while not easily accommodating affordable and low GHG transit

possibilities. In addition, there is:

1-not sufficient analyses of GHG emissions;

2- not adequate attention to flooding (as has been a huge problem off of 20<sup>th</sup> St. with one house totally destroyed on 20th Street);

3- not accessible public transit and affordable traffic infrastructure -- for more than four times the amount of current traffic resulting from the Valley's Edge project;

4- not fully adequate protection and monitoring of environmental resources (#2 in CA Government Code, above) such as vernal pools, endangered species, oak woodlands, raptors, Butte County Meadowfoam, and waterways;

5- not adequate attention to preventing fire danger, as reflected in the eviction of people in nearby housing during the Camp Fire.

Please see to it that this project not be approved.

Sincerely,  
Grace M. Marvin  
Yahi Group Conservation Chair  
Motherlode Chapter  
Sierra Club

31-2  
Cont.

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## Response to Letter 31

Nancy Wirtz

- 31-1** The comment from indicates support for the Sierra Club's position (see Letter 8).  
The comment is noted and forwarded to the decision makers for their consideration.
- 31-2** The remainder of this comment letter is a duplicate of Comment Letter 8, submitted by the Sierra Club (Grace M. Marvin, Yahí Group Conservation Chair, Motherlode Chapter, Sierra Club).  
Please see responses provided to Comment Letter 8.

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Comment Letter 32

**From:** [Julian Zener](#)  
**To:** [Mike Sawley](#)  
**Subject:** Valley's Edge DEIR  
**Date:** Sunday, December 12, 2021 6:28:25 PM

**ATTENTION:** This message originated from outside **City of Chico**. Please exercise judgment before opening attachments, clicking on links, or replying.

Dear Mr. Sawley:

I judge the *Valley's Edge* Environmental Draft Report to be severely inadequate. Please consider the following observations:

32-1

1. The project extends considerably into foothill ecology. Roads and other impermeable surface modifications will decrease recharge, increase already occurring downhill flooding and negatively impact vernal pools, Butte County meadowfoam as well as federally protected fairy and tadpole shrimp. This harm cannot be mitigated.

32-2

2. This project defines urban sprawl by extending way out from the urban center and therefore commits the city to a substantial increase in vehicle miles traveled, increase in green house gas generation, deterioration of air quality, substantial traffic congestion and the opposite of compact, high density, mixed use housing. These harms cannot be mitigated.

32-3

3. The vast majority of planned homes will not be affordable to Chico's residents. We already have an affordable housing crisis exacerbated by our recent fires and the pandemic - as reflected by the federal circuit injunction against the city for its handling of the unhoused.

32-4

Please do not allow this project to be approved. To do so invites litigation.

32-5

Sincerely,

Julian Zener  
1621 N. Cherry St.  
Chico, CA 95926

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## Response to Letter 32

Julian Zener

**32-1** The comment asserts that the Draft EIR is severely inadequate.

Please see Responses to Comments 32-2 through 32-5 regarding the commenter's specific concerns.

**32-2** The comment states that the project extends into foothill ecology, which the commenter suggests would introduce impervious surfaces and decrease groundwater recharge, increase downhill flooding, and negatively impact vernal pools and other sensitive species, such as the Butte County Meadowfoam and fairy and tadpole shrimp.

See Response to Comment 9-56 regarding groundwater recharge, most of the site is underlain by impermeable "lahar" rock that limits on site recharge potential. Regarding downslope flooding, see Response to Comment 12-8 and other flooding-related responses to comments from Letter 12, as well as the analysis under Impact 4.9-1 starting on page 4.9-26 of the Draft EIR. Further, on-site stormwater detention features would be within or adjacent to existing streams and would employ best management practices (BMPs) and "Low Impact Development" (LID) methods to slow water, filter out contaminants, and encourage infiltration and evapotranspiration would be implemented with project development. These measures would reduce potential for flooding, promote groundwater recharge where possible, and minimize potential negative impacts to vernal pools.

Please refer to Master Comment Response 2 for a comprehensive discussion of impacts to BCM, including the potential for downslope flooding.

**32-3** The comment asserts that the project would be urban sprawl, would increase vehicle miles traveled and GHG emissions, deteriorate air quality, and introduce substantial traffic congestion. The comment also states that the project is not high density, compact, nor provides mixed-use housing.

The Draft EIR thoroughly evaluates impacts on vehicle miles traveled (Section 4.9, Transportation and Circulation), GHG emissions (Section 4.7, Greenhouse Gases), and air quality (Section 4.2, Air Quality). As explained in Section 4.9 and Responses to Comments 9-49, 23-4 and 41-4, traffic congestion, as represented by levels of service, is no longer addressed in EIRs. However, the project's consistency with General Plan policies regarding level of service is addressed in Chapter 3, Land Use and Planning. Please also see Responses to Comments 9-3 which addresses increases in GHG emissions, and 9-47 through 9-55 which covers VMT and increased traffic concerns.

**32-4** The comment states that the majority of planned homes will not be affordable to Chico's residents and would exacerbate the housing crisis.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. Please see Responses to Comments 9-68 through 9-70, 21-2 and 25-10 regarding housing affordability issues. The commenter's opinion regarding the merits of the proposed project is noted and forwarded to the decision makers for their consideration.

- 32-5** The commenter is requesting the project not be approved and that to do so will result in litigation.
- The commenter’s opinion is noted and forwarded to the decision makers for their consideration. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.

## Comment Letter 33

To: Mike Sawley, Principal Planner, City of Chico  
 From: Tom Barrett  
 RE: Valley's Edge Specific Plan Draft Environmental Impact Report Comments  
 Date: Dec. 12, 2021

**Valley's Edge Specific Plan Draft Environmental Impact Report Comments**

The proposed Valley's Edge development would disturb almost 1,500 acres of extremely important transition zone between the Northern Sacramento Valley and the Foothills.

33-1

According to the Specific Plan:

*"The proposed project includes a mixed-use community with a range of housing types, commercial uses, parks, trails and recreation and open space areas. The residential component would consist of approximately 1,392 Multi-Generational or family housing residential units and 1,385 age-restricted (55+) residential units. The commercial portion includes approximately 56 acres designated for a mix of professional and medical offices, neighborhood retail shops and services, multi-family apartments, day care, and hospitality uses. Approximately 672 acres would be designated as parks, trails, open space and preservation, including a large regional park, a community park, neighborhood parks, mini parks and tot lots, and an active adult park."*

While I have a lot of concerns about the proposed development, among them: traffic, air quality, greenhouse gas production, hydrology (run off vs. aquifer recharge), view shed destruction, wildfire-urban interface, access to the proposed parks, schools, creating water features where none exist on very shallow soils, etc.; what I would like to address, because it isn't addressed in the Draft EIR are the Mima mounds located on this property.

33-2

This property contains one of the last, almost undisturbed (livestock grazing has been going on for years) unique collection of Mima mounds in California. Mima mounds were once common along the transition zone on both sides of the Sacramento Valley and in Southern California; however, except for a few areas, these unique landforms have been developed into housing or agricultural developments. The Mima mound formations on this property are in relatively good shape but are one of the last of these landforms in California and Butte County.

33-3

The DEIR mentions "mounds" as a feature of the proposed development site but does not describe their uniqueness or rarity. Mima mounds haven't been hidden, they are well known by Chico's development and environmental community since the 1970's yet no steps have been taken to preserve these unique landforms. In fact, the development community claims that the environmental community gave them carte blanche to develop the "waste land" transition

33-4

zone and foothills in exchange for maintaining a “green line” in the fertile agricultural areas around Chico.

↑ 33-4  
Cont.

Mima mounds, or as they are also known in other places, “pimple mounds” or “hog wallows”. According to the Washington Geologic Survey’s “Guide To Mima Mounds”, the name “mima” has been attributed to a word in the Chehalis language, of Washington, meaning “newness”, and a similar Chehalis word “mianumn” means “to be surprised”. However, Wikipedia reports that the “mima” a name derived from a Native American language meaning “a little further along” or “downstream in Thurston County, Washington. The name attributed these landforms by the local First Peoples is not known to this author. Arguments over name meaning and formation of these mounds continues; however, it doesn’t negate the fact that these are a rare and unique landform that need to be preserved and protected.

33-5

Once common in a number of states they have been greatly reduced in numbers and area. The State of Washington, protected their Mima mounds by creating the Mima Mounds Natural Area Preserve in 1976. The Secretary of the Interior had designated the area as a National Natural Landmark in 1966. None of our Butte County mounds or any other of the remaining mound areas have been afforded similar protection.

There is great debate over the mounds in terms of how and why they were formed. Some say that ground animals (gophers, mice, etc.) mounded up the soil and created prairie dog-like habitats, others say they are caused by glaciers, or wind, or earthquakes. However they were formed, they are a unique and interesting landform that needs to be protected before none exist.

33-6

Please address how these unique landforms can be protected if this development proceeds.

### Mima Mound Photos

These photos were taken November 24, 2021 by Tom Barrett.





## Response to Letter 33

Tom Barrett

- 33-1** The comment states the project would disturb almost 1,500 acres of an important transition zone between the Northern Sacramento Valley and the foothills.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. However, to clarify, the project site encompasses 1,448 acres and is proposing to develop 765 acres with residences, commercial, and roads. Approximately 683 acres would be developed as parks, creekside greenways, and open space (Draft EIR pp. 2-9, 2-10, 2-15).

- 33-2** The comment suggests that the site may contain Mima mounds that were not addressed in the Draft EIR.

Please see Response to Comment 33-4 below.

- 33-3** The comment states that the project site contains one of the last, almost undisturbed, unique collection of Mima mounds in California and Butte County.

Please see Response to Comment 33-4 below.

- 33-4** The comment states that the Draft EIR describes “mounds” on the property but asserts it does not discuss their uniqueness or rarity and goes on to describe Mima mounds as being well known by the local development and environmental community, yet no steps have been taken to preserve these unique landforms. The comment includes low altitude, oblique aerial photos illustrating the pattern of mounds across portions of the site.

The geotechnical report (Draft EIR, Appendix E) prepared for the project describes the presence of low mounds, generally 12 to 18 inches high, that are readily visible on the broad treeless mesas. The geotechnical report also discusses the soil types within the mounds, based on trenching/backhoe potholing. The Draft EIR mentions on page 4.6-2 that Doemill Series soils are found, in part, on the mounds; however, the Draft EIR does not discuss the mounds with respect to the on-site topography or with respect to trenching completed for the geotechnical report. In addition, the Draft EIR does not discuss whether the mounds are defined as “Mima mounds” or if they are a unique or rare landform.

The geotechnical report does not specify that the on-site mounds are Mima mounds. Therefore, it is not clear that the on-site mounds would be accurately classified as Mima mounds. The term Mima mound was coined in the state of Washington, in which lies the Mima Mounds Natural Area Preserve, which is a National Natural Landmark established by the Department of the Interior (Washington State Department of Natural Resources 2022). “Mima” is derived from a Washington Native American language. The 641-acre Mima Mounds Natural Area Preserve area was preserved for its unique topography and mound soil structure. The mounds in this nature preserve are much bigger and more pronounced (up to 7 feet high) than the mounds on the Project site (generally 12 to 18 inches high).

The CEQA threshold pertaining to this issue asks: “Would the project directly or indirectly destroy a unique paleontological resource site *or unique geologic feature*?” Based on a review of online articles, Mima mounds are not considered rare or unique geologic features in California. Mima mounds are found throughout California and other western states, as noted by the geological society of America (GSA 2021). There are hundreds of Mima mounds throughout California including on the MODO Plateau in Modoc County; the Carrizo Plain National Monument and Elkhorn Plain in San Luis Obispo County; the Temblor Range of California; Merced; and on the U.C. Santa Cruz campus (Reed Amundson 2007). Mima mounds are documented throughout the world, but primarily in North America in the Mississippi Valley, Gulf Coast and in southwest Missouri, and in North Dakota, Oregon, and Idaho to name a few locations (BBC 2013; PBC 2021). As the research notes, the mounds are often attributed to many years (up to hundreds) of gopher or rodent activity, in which soil is successively piled up around animal burrows.

Regardless of whether the mounds on the project site are considered Mima mounds, these features would not be considered unique geologic features based on the abundance of these mounds throughout the state and the western United States. As a result, with respect to CEQA thresholds, the loss of these mounds would be a less-than-significant impact.

- 33-5** The comment discusses the origin of the name “Mima mound” and asserts that they are a rare and unique landform that should be preserved and protected. The comment discusses the Mima Mounds Natural Area Preserve in Washington and states that none of the Butte County mounds or other remaining mounds have been protected.

Please see Response to Comment 33-4.

- 33-6** The comment states there is great debate over the mounds in terms of how they were formed. The comment further suggests that regardless of the origin, the mounds are interesting and unique and should be protected. The comment asks how these landforms can be protected if the development proceeds.

Please see Response to Comment 33-4. Several of the mounds in question appear to be within areas that would be set aside as Primary Open Space, where no disturbance would occur. Many other mounds would be within Valley Open Space or Regional Open Space where no improvements are proposed and some on those areas would be lost to park development. However, most of the mounds on site coincide with future residential and commercial development areas and would eventually be graded.

## Comment Letter 34

For the Valley's Edge DEIR-

First, I would like to address **Alternative #4**, Then **Aesthetics**, then **BEC's Alternatives**, and **my Preference**.

**NO ON ALTERNATIVE #4:**

I know that Alternative #4 might sound like the reasonable response to some, but for so many reasons, I do not see the need to build on this land. The direction of development in Chico needs to go towards the "Opportunity Sites" before the Special Planning Areas, (SPA's), as written in the Chico General Plan. And these listed "Opportunity Sites" would address the GHG mitigation as well, which cannot be mitigated in this plan.

34-1

Though I am not a hydrologist, I understood that development above the proposed Stonegate project would prevent the surface water flow and conditions which allow the endangered species and vernal pools below in the Stonegate property to thrive. And if Stonegate is, or is not, allowed to build, but Valley's Edge is, that would alter the surface water flow and potential subsequent thriving of the vernal pools and the endangered species, the main reason for denying Stonegate.

34-2

From the BEC Comments:

The hydrologic connection between the Valley's Edge site and the neighboring Stonegate site was inaccurately portrayed in the DEIR. The DEIR claims the sites are not hydrologically connected due to the Steve Harris Memorial Bikeway and the rock wall but that is false. The sites are hydrologically connected by culverts along Steve Harris Memorial Bikeway. Development in the VESP site will adversely affect the wetlands and the Butte County Meadowfoam preserved on the Stonegate site.

34-3

Sensitive, Endangered, Threatened, and Species of Concern

The species include the Butte County Meadowfoam, Valley Elderberry Longhorn Beetle, Western Spadefoot Toad, Western Pond Turtle, Burrowing Owl, Yellow Warbler, Loggerhead Strike, Native & Migratory Birds, Pallid Bat, and Valley Oaks.

34-4

Wetlands need to be hydrologically connected to the land in the drainage basin that feeds runoff water into the wetlands. Hydrologic interruption of the landscape that drains into protected wetlands is considered a significant impact according to the threshold of significance identified on DEIR 4.3- 48. Protected Wetlands including vernal pools and swales substantially adversely affected by the hydrologic flow changes that would occur from the proposed development. The vast development of buildings and other in previous services proposed to occur upslope of the wetland complex located in the north drainage will undoubtedly hydrologically interrupt the flow of water in the north drainage resulting in significant impacts to protect the wetlands.

The specific causes of hydrologic interruption of the north drainage that would significantly impact protected wetlands include addition of impervious surfaces, increase of stormwater drainage, stormwater pollution caused by vehicle leaks, pesticides fertilizers and other chemicals derived from project operation, creation of “appropriately-sized basins and culverts... used to slow water and decrease downstream runoff rates” (DEIR 4.3-62). The “low gradient water quality swales and a vegetative basins with retention or detention features” (deir 4.3-62).

Seepage alterations as described in the Draft EIR and Appendix E the Geotechnical Report would significantly impact down slope wetlands. Seepage alterations that would result in significant impacts to protected wetlands include: development on top of or below seepage areas or springs; collection and diversion of spring water or seepage water into “storm drain lights or other suitable locations” (Appendix E Geotechnical 2019); the increased seepage water diversion that is called for Appendix E Geotechnical Report in the following circumstances: underground utility trenches; pavement subgrades; and structure development.

Each of the aforementioned causes of hydrologic interruption that would result from the implementation of the Valley's Edge Specific Plan would have potentially significant

impacts on protected wetlands even with all of the proposed design considerations and mitigation measures. However, all of the aforementioned causes of hydrologic interruption would undoubtedly have a cumulatively significant and unavoidable impact to the hydrology of the site.

34-5

#### **AESTHETICS:**

First, I know EIR's are always mostly written, but it is a distinct disadvantage for the reader in making a land decision to mostly be looking at the written word. Best would be to walk the land over the seasons, but these photos give at least a sense of it. These photos which I have taken over many years of

34-6

walking this land describe the beauty, the change of light and seasons, the diversity of trees and plants, the multitude of wildflowers, the spaciousness, where you can fully breathe.

And it is because there is “nothing” on the land that the clouds can be fully seen in their glory – dark and threatening, or pearlescent, orange or red, with the setting sun.

Aesthetics are not easily quantified, but the loss of our visual connection with the Foothills, and to our close wild places, is potentially great. This is the reason people from Europe and other countries love to visit our wilderness. They have mostly lost theirs.

34-6  
Cont.

#### VALLEY'S EDGE – DEIR RESPONSE – **AESTHETICS**

IN THE DEIR IT STATES:

**ANTICIPATED ENVIRONMENTAL EFFECTS:** The Draft EIR indicates that there would

be significant and unavoidable project impacts related to aesthetics (changes to the existing visual character and public views of the project site), greenhouse gas emissions (operational emissions). Impacts on the remaining environmental resources would be less than significant either with or without implementation of mitigation. The project is not located on any of the lists of sites enumerated under Section 65962.5 (Hazardous Sites of the Government Code.)

34-7

**VIEWSHEDS:** This pristine land is one of the only remaining properties in Chico, outside of the Upper Bidwell Park area, that connects Chico residents to the viewshed of the Foothills and the oak woodland savannah. As you look up at the property from lower streets and the Freeway, a built environment would certainly occlude that view and the city's connection to the Place in which they live. The Foothills are one of the most important features which gives Chico its “sense of place”.

34-8

**WILDERNESS:** How many cities have the healing aspects of nature in their backyard? And if they do, it becomes a place of “re-creation”, of “rejuvenation”, of comfort and peace, accessible on a daily basis. We are lucky to have the marvelous gift of Annie Bidwell – Bidwell Park. How bereft we would be without it! And conversely, it is almost overused, and could well be augmented with another park.

But that is thinking of it for OUR HUMAN use only. What is extraordinary about this land is that it is truly still wild and pristine! It is still habitat for mountain lions, bears, coyotes, fox, wildcats, and so many other species. And so many birds! Acorn woodpeckers, bluejays, red shouldered hawks, turkey vultures, night hawks, burrowing owls, and so many migrating birds....and it's in our “back yard”! I'm increasingly aware that our human behavior assumes that we are the only species on earth that counts. I believe, rather, that we share this earth with many other species, and our failure to recognize the value of other species diminishes our own understanding and compassion.

34-9

**LIGHT POLLUTION:** One of the little-mentioned side effects of building a large development in a pristine area is light pollution. As I drive up Skyway from the developed and well-lit areas near the Freeway there is a decided relaxation as it gets darker. One can see the moon and the stars at night, and though it may sound romantic, it is more a sense of being at ease, and in connection with a larger reality, with the universe. With the light, there is a loss of that ease and connection, and the peace afforded those who see it at sunset or at night, without any light pollution, so that the moon and stars, the occurrences of meteor showers and lunar eclipses, which need darkness, can be fully experienced. In summer the color of the fields is flaxen, not brown, and when the moon shines on them at night they are light and reflective.

34-10

**LOSS OF 1100 BLUE OAK TREES:** It goes without saying that to construct housing for 2700+ units means you must clear a good amount of the area of the existing trees. Blue oaks take much longer to grow than most trees, and because this land is on lava cap, it requires special trees and plants that have adapted to this land with little soil.

34-11

# THE LAND

















1





This is BEC's section on Alternatives:

**1. Project Alternatives Potentially Supported**

Of the Alternatives given in the dEIR, only Alternative 1 adequately addresses the project's significant environmental impacts. Alternative 4, while it is a shift in the direction of an environmentally sound project, remains fundamentally harmful to the surrounding community and the planet. Additionally, Alternative 4 retains significantly more sprawl than in the land use projection of the General Plan. Alternative 6 rezones the property to a land use designation suited for the site's diverse sensitive species and habitat, to prioritize growth in other areas of the city (including the areas the city has designated for higher density, like the Corridor Opportunity Sites).

**Alternative 5**

The City of Chico needs to provide an Alternative 5, which extends the changes in Alternative 4 further and possibly incorporates other changes to achieve qualitative goals in line with the General Plan. Alternative 5 would have a more compact form with higher densities that would be supportive of transit: cumulatively between 15 and 22 dwelling units per acre. The higher density development would include more compact single-family homes and a greater diversity of other housing types by changing the zoning to allow for 90% of the dwelling units to be R2/R2-VE (Medium Density Residential), R3/R3-VE (Medium-High Density Residential), R4 (High Density Residential), and RMU (Residential Mixed Use), while 10% of the development can be zoned lower density residential. This alternative would not extend further east than the proposed collector street network. It would have increased open space, both accommodate reliable public transportation on the project site and enhance service to areas to the West; ensure on-site commercial can support basic needs in line with the Specific Plan claim to a "complete" and "20-minute" neighborhood, and ensure compliance with the Climate Action Plan and drafted Butte Regional Conservation Plan. In consultation with all relevant departments of city staff, this alternative ought to be formed in such a manner that the City would agree to adopt the basic infrastructure, obviating the necessity of an HOA and guaranteeing full public access and enjoyment of the area, as is the case with most neighborhoods.

The increase in density and open space would reduce the impact on sensitive species and protected wetlands, reduce vehicle miles traveled, and most likely reduce the level of significance for greenhouse gas emissions.

The community is unable to properly balance the needs for housing in Chico with goals like reducing dependence on automobiles, loss of habitat and biodiversity, and preservation of the foothills for public enjoyment when every alternative offered fails to do so. The focus of every project alternative on low-density residential zoning also falsely portrays this site as only capable of benefiting people of above moderate incomes,

34-12

ensuring development of this area will fail to address the city’s documented housing needs.

Alternative 6

This alternative would rezone the property from Special Planning Area (SPA) to Open Space 1 (OS1) with a Resource Constraint Overlay, due to the fact that there are so many sensitive, threatened, and endangered species that would be impacted by development on this site. Open Space 1 would be better suited as a land use designation as the zone is appropriate for sites with environmental resources, including oak and riparian woodlands, wetlands, deer herd ranges, hillsides and viewshed management areas (City of Chico Land Use and Development Regulations 19.50.10). The site has all of the above sensitive habitats, and as such should be analyzed for this rezone.

Alternative 1

No Project/No Alternative would not negatively impact sensitive species, not increase greenhouse gas emissions and other air quality pollutants, there would be no changes to the scenic view, and would not increase vehicle trips. The Butte Environmental Council supports Alternative 1.”

**I agree with BEC; I prefer Alternative #1 or #6.**

Thank you for your consideration.

Elizabeth Devereaux

I am an architectural glass artist, and have made a living in my field for over 50 years. That artistic sensitivity to this pristine land has allowed me to understand and value the treasure this land is. (I think your DEIR Visual Resource rating would judge it a #7)

↑  
34-12  
Cont.  
34-13  
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## Response to Letter 34

Elizabeth Devereaux

- 34-1** The comment refers to Alternative 4 and states that they do not see the need to develop the site. The comment suggests the City should be pursuing development of Opportunity Sites and not the Special Planning Areas included in the City's General Plan because development of the Opportunity Sites would not result in GHG impacts.

The comment does not address the accuracy or adequacy of the Draft EIR and does not identify where the analysis is deficient or inadequate; therefore, no response is required. The commenter's preference for developing opportunity sites before Special Planning Areas is noted and will be forwarded to the decision makers for their consideration.

- 34-2** The comment suggests that development of the project site would prevent surface water from flowing into the adjacent Stonegate site thereby impacting vernal pools and protected species that only live in these pools.

Please see Response to Comment 9-34 that addresses this concern and Master Response 2 regarding Butte County meadowfoam preserves. Surface flows from the project site enter incised channels that go through the Stonegate site and are not the water source for the vernal pools and swales in the Stonegate preserve areas.

- 34-3** The comment includes an excerpt from the Butte Environmental Council comment letter (see Letter 9) regarding the hydrologic connection between the project site and the adjacent Stonegate project.

Please see Response to Comment 9-34

- 34-4** The comment is an excerpt from the Butte Environmental Council comment letter (see Letter 9) that includes a list of protected biological resources.

Please see Responses to Comments 9-36 through 9-42.

- 34-5** The comment relates to the hydrologic connection of wetlands and potential impacts to wetlands and cites to sections of the EIR analysis.

The Draft EIR includes as part of mitigation measure BIO-1 a site-specific analysis of hydrology before finalizing the boundaries of the BCM preserve. This analysis will include observations of the site in winter for drainage/runoff patterns and considering these observations in context with fine scale topographic contours to determine the zone of hydrological influence on a preserved BCM population. This site-specific exercise is expected to occur during USFWS permitting, as noted in mitigation measure BIO-1. Refer also to Master Response 2.

Regarding hydrologic effects to off-site wetlands, drainage from the project site is contained in storm drains and ditches and is topographically below the protected wetlands and preserves of the adjacent Stonegate site. Therefore, hydrologic changes to the project site would not result in impacts to the Stonegate site wetlands or preserves. The text on page 4.3-61 of the Draft EIR has been updated to clarify the hydrologic connection between the two properties and is provided in Chapter 3, Changes to the Draft EIR.

**34-6** The commenter makes a general observation that one needs to experience an area and the written word does not do justice to the beauty present in all the elements of a natural environment and refers to photographs taken of the site and attached to the letter.

Impacts on the visual character of the project site are analyzed in Section 4.1 of the Draft EIR. That section includes photographs of the site and photosimulations to aid the reader in understanding how the project would alter views of the project site. The Draft EIR includes a narrative explaining how the project would alter views of the site supported by photosimulations, in order to provide a reasoned, accessible, good faith analysis of the project's impact to the aesthetics of the mostly undeveloped foothill area. As the commenter notes in Response to Comment 34-7, the Draft EIR found that the project would result in significant and unavoidable impacts to the existing character and public views of the site.

**34-7** The comment calls out the significant and unavoidable findings for impacts related to changes to the existing visual character and public views of the project site, and operational greenhouse gas emissions identified in the Draft EIR.

The comment reiterates information from the Draft EIR. No response is required.

**34-8** The comment relates to the viewshed of the foothills and notes that development in this area would affect views of the foothills and the oak savannah.

The Draft EIR does evaluate views of the project site including distant views of the foothills and visual simulations are provided to assist the reader in understanding how the viewshed would be changed. Please see Section 4.1, Aesthetics, of the Draft EIR for an analysis of the change in views.

**34-9** The comment generally discusses wild open spaces and the benefits these areas provide.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. See Response to Comment 9-75 regarding public access to the proposed 420-acre regional park. Since there is no existing public access to the site, opening up 400-600 acres of the site for conditional access for the public would provide some of the benefits sought by this comment. The commenter's opinion is forwarded to decision makers for their consideration.

**34-10** The comment generally discusses a desire to reduce light pollution.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The Draft EIR discusses how the project site would change with the introduction of lights in Section 4.1, Aesthetics, under Impact 4.1-3 starting on page 4.1-51. As noted in the discussion, the project would result in an increase in new light sources but these new lights would be minimized with adherence to the VESP lighting standards, policies and actions including Design Guidelines, and the California Building Code as well as through new trees and other landscaping features that would help block or diffuse sources of nighttime light. The project would be subject to existing city development and design standards set forth in the City's Municipal Code. Compliance with these requirements designed specifically to reduce the effects of lights would reduce the impact to less than significant.

**34-11** The comment notes project implementation would require clearing and removing trees and native oak trees take longer to grow and due to the underlying soil it requires trees and other plants be adapted to these soil conditions. The comment suggests a “loss of 1100 blue oak trees” [emphasis removed] would occur.

It is not accurate to state that the VESP proposes to remove 1,100 blue oak trees at the site, see Response to Comment 26-8 that addresses plans for tree removal and replacement. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.

**34-12** The comment reiterates information from Comment Letter 9 specific to project alternatives.

Please see Responses to Comments 9-79 through 9-87.

**34-13** The commenter states support for Draft EIR Alternative 1 or a new alternative that designates the entire site as open space (Alternative 6).

The commenter’s preference for Alternative 1 or 6 is noted and will be forwarded to the decision makers for their consideration. Please see Responses to Comments 9-79 through 9-87 that address the feasibility of the new alternatives suggested by the commenter.

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