Comment Letter 35

FRAYJI DESIGN GROUP
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MEMORANDUM

December 13, 2021

SUBJECT: Valley's Edge Specific Plan Draft EIR- Section 4.9

TO: Mike Sawley, mike.sawley@Chicoca.gov

Dear Mike,

Frayji Design Group, Inc, has reviewed the draft EIR for the Valley's Edge Specific Plan and in particular Section 4.9 and we recommend couple changes as stated below: 35-1

4.9 – Hydrology, Water Quality and Drainage Section:

1) On Figure 4.9-3 – Proposed Reach R5 Detention Basin; we recommend that the alternative detention volume be changed from 10 ac-ft to 15 ac-ft. This is based on "Drainage Report Addendum #1," which was prepared by Frayji Design Group on September 14, 2021 and provided to the City. This report has been amended as of 12/13/2021 to rectify any unclear language regarding development area within reach 6. (attached hereto) 35-2

2) Please update the notes section found on page 4.9-35 under Table 4.9-5. Replace 7.5 acre-feet with 15 acre-feet. 35-3

3) On page 4.9-36 we recommend the following edits: 35-4

   - Replace 7.5-acre-foot detention with 15-acre-foot detention under subsection "Reaches 5 and 6." And it should also be made clear that this detention is being proposed for both Reaches R5 and R6. This detention basin is sized to offset any increases from the development within Reach 5 and Northeast of Reach 6. The Development South of Reach 6 is very low density and based on the type of development we do not anticipate increased flow when comparing existing conditions to proposed conditions.

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- We recommend removing all statements that detention is only required for Reach R5. Our initial study assumed detention by virtue of culvert downsizing along the road connecting the development to Honeyrun. The Memo provided in September 2021 provided the needed detention to offset any increases of runoff by the development if the roadway is not constructed. See attached amended report dated 12/13/2021 (attached hereto)

35-5

If you have any questions or comments please do not hesitate to reach out.

Sincerely,

Tony Frayji, PE
FRAYJI DESIGN GROUP, INC.

CC: Brian Spilman & Bill Brouhard

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"VALLEY'S EDGE" SPECIFIC PLAN

MIXED-USE DEVELOPMENT

CITY OF CHICO, BUTTE COUNTY, CALIFORNIA

Amended Drainage Report Addendum #1

September 14, 2021

AMENDED: DECEMBER 13, 2021

REGISTERED PROFESSIONAL ENGINEER
TONY J. FRAYJI
No. 57265
Exp.
CIVIL
OF CALIFORNIA

PREPARED BY:
Joseph Stebakov

UNDER THE DIRECT GUIDANCE AND SUPPERVISION OF:

Tony Frayji

FRAYJI DESIGN GROUP
CIVIL ENGINEERING | PLANNING | SURVEYING

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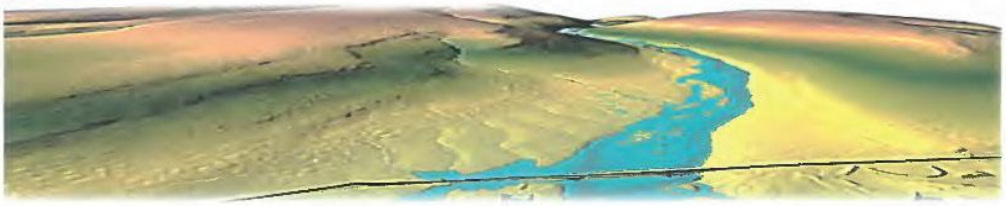

Purpose of Addendum

We are providing this report to address the potential elimination of the connecting street to Honeyrun Road and the need for alternative ways to mitigate the planning area's increased flow that was proposed to be detained with the culvert downsizing under the roadway as discussed in the drainage report dated 4/29/2020. The connecting road to Honeyrun Road shown in the Drainage report was used to detain the increased flow. However, with this road being eliminated, the detention needs to be mitigated. It is noteworthy to mention that during major events, flows from Reaches 5 and 6 are combined as they reach Honeyrun Road and inundate the area between the two sets of culverts.

Various software and tools were used to calculate the difference in flow and the amount of runoff that needs to be detained for the 100 year storm event to maintain existing condition flows.

Summary of Work Performed

The storm and Sanitary Analysis model (SSA) has been updated with shed area F2 divided into two sub shed areas (F2A & F2B). This was done for the purposes of determining the amount of runoff needed to be detained. A portion of the runoff that was initially contributing directly to Reach 6 has been diverted into Reach 5. The new discharge values produced by shed area F2 (F2A + F2B) were then input into HEC-RAS and the proposed culverts and roadway intersecting Reaches 5 and 6 have been removed. The HEC-RAS model was then updated to reflect the detention inflow required in order to account for the increase in discharge, due to the absence of the culvert downsizing. A spreadsheet was then created to represent the volume of storage required for the 100 year storm event due to the updated development. Please see sections below for more information.

Post-Dev Storm and Sanitary Analysis (SSA)

Shed area F2 was divided into sub shed areas F2A and F2B. This was done in order to determine the exact runoff going into Reach 5 (R5) and the remaining runoff directly contributing to Reach 6 (R6). Shed area F1 was adjusted as well. The CN values and areas representing those values were then updated in the model. A CN value of 98 was used for roadways and paved parking/roofs. The open space areas maintained a CN value of 83. A CN value of 79 was added to the model for the woods/trees area to match the pre-developed model. A CN value of 80 was used for all landscaping. It was also assumed that 55% of lot areas consist of landscaping while 45% of it was considered impervious parking/roofs. Please

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see Figure 1 below for CN values used. The analysis was then performed and new time series plots were generated for shed areas F1, F2A and F2B for the 2yr, 10yr and 100yr storm events. All other time series plots for the remaining shed areas were left as is. Please see **Exhibit 1 – Post-TimeSeriesPlotsR5-R6 (SSA)** for the new discharge values obtained for shed areas F1, F2A and F2B. The **Updated Storm and Sanitary Analysis (SSA)** model has also been provided for your review.

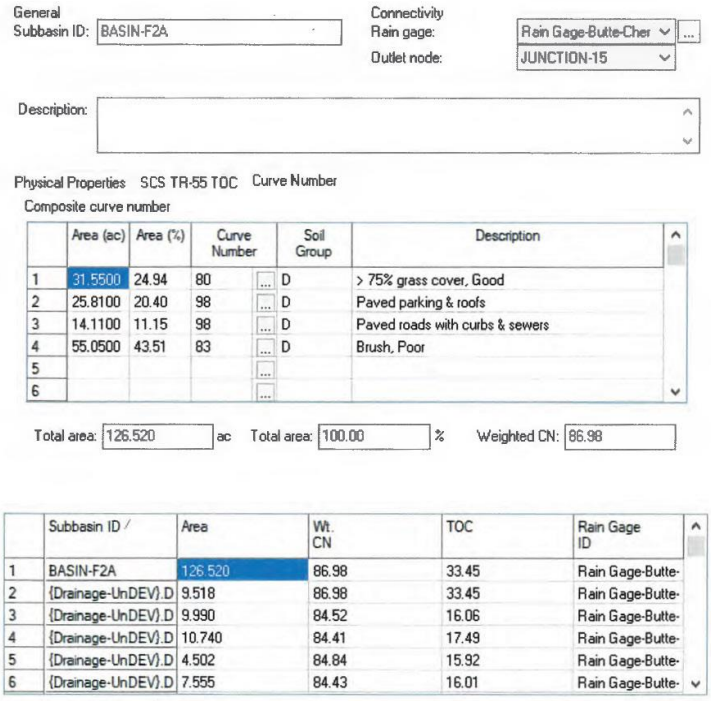

Figure 1: Curve Numbers (CN) used for Post-Developed Shed F2A

Post-Dev (HEC-RAS)

The Post-Developed HEC-RAS model was then updated to include the new time series plots for shed Areas F1 and F2 (F2A+F2B). The berm at connection "RD (Minor) CP6" was removed as well as the initially proposed culverts. The first analysis was performed assuming no detention around Reach 5 (R5). The 2yr, 10yr and 100yr storm events were analyzed. Once the results were obtained the detention requirements were determined. The next set of runs implemented the detention inflow that would be required for mitigation. Please see Tables 1 through 6 below for a comparison of the 2yr, 10yr and 100yr discharge rates (Q's) at existing roadways (Connections) before and after detention is taken into account. As you can see, different flow values are only seen in connection "RD(Humbug)C5,C6" when comparing to the report. These are highlighted in blue within the tables. Tables 1, 2 and 3 show original discharge rates for the Pre-Developed state and new values for the Post-Developed state, assuming no mitigation. Tables 4, 5 and 6 show original discharge rates for the Pre-Developed state and new Q values for the Post-Developed state, with mitigation taken into account. Results are shown for the 2yr, 10yr and 100yr storm events. Please see the attached **Updated HEC-RAS** model for more information and the attached **Spreadsheet 1 – Detention Basin Calcs (R5+R6)** for detention requirement calculations. Discharge values are subject to change for the Post-Developed conditions during the final phases of design due to multiple factors. These values however will not exceed the Pre-Developed flow values.

PRE VS. POST DISCHARGE AT EXISTING CONNECTIONS (HECRAS)

2 Year Storm (cfs)

R1			R1+R2+R3			R4+R4T			R5+R6		
RD(Dawncrest)C1A,C1B			RD(PotterN)C1-C3			RD(PotterS)C4			RD(Humbug)C5,C6		
	PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)
Qtot =	89.4	89	Qtot =	593.3	586.6	Qtot =	276.6	269.2	Qtot =	1440.2	1535.3
C1A =	49.5	48.2	C1E =	69.1	67.7	C4A =	96.4	95.9	C5A,B =	161.9	161.8
C1B =	40	40.7	C2A,B =	197	196.2	C4B =	68.2	68	C6A,B,C =	290.9	291.9
Weir Flow =	0	0	C3A =	0	4	Weir Flow =	111.9	105.4	C6D =	166.3	170.0
			Weir Flow =	323.4	319.1				Weir Flow =	821.2	912.0

Table 1: 2yr Pre vs. Post Discharge at Existing Connections (No detention)

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PRE VS. POST DISCHARGE AT EXISTING CONNECTIONS (HECRAS)											
10 Year Storm (cfs)											
R1			R1+R2+R3			R4+R4T			R5+R6		
RD(Dawncrest)C1A,C1B			RD(PotterN)C1-C3			RD(PotterS)C4			RD(Humbug)C5,C6		
	PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)
Qtot =	153.1	135.5	Qtot =	1027.5	930.5	Qtot =	392.2	388.1	Qtot =	2360.5	1617.9
C1A =	88.5	77.1	C1E =	94.6	86.2	C4A =	102.9	102.7	C5A,B =	165.5	167.0
C1B =	64.6	58.4	C2A,B =	221.1	215.9	C4B =	71.6	71.5	C6A,B,C =	324	329.5
Weir Flow =	0	0	C3A =	0	4.1	Weir Flow =	217.7	213.9	C6D =	202.7	211.3
			Weir Flow =	707.7	625.4				Weir Flow =	1668.4	1909.7

Table 2: 10yr Pre vs. Post Discharge at Existing Connections (No Detention)

PRE VS. POST DISCHARGE AT EXISTING CONNECTIONS (HECRAS)											
100 Year Storm (cfs)											
R1			R1+R2+R3			R4+R4T			R5+R6		
RD(Dawncrest)C1A,C1B			RD(PotterN)C1-C3			RD(PotterS)C4			RD(Humbug)C5,C6		
	PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)
Qtot =	306.1	241.7	Qtot =	2048.2	1624.2	Qtot =	822.3	652.3	Qtot =	4941.2	4251.8
C1A =	170.1	144.3	C1E =	139.3	121.1	C4A =	117	112.4	C5A,B =	174.5	178.1
C1B =	111.4	97.4	C2A,B =	260.5	245.8	C4B =	79.2	76.7	C6A,B,C =	375.2	377.4
Weir Flow =	24.6	0	C3A =	0	4.2	Weir Flow =	626.1	463.2	C6D =	275.4	283.5
			Weir Flow =	1644.1	1253.1				Weir Flow =	4113.3	4412.8

Table 3: 100yr Pre vs. Post Discharge at Existing Connections (No Detention)

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PRE VS. POST DISCHARGE AT EXISTING CONNECTIONS (HECRAS)										
2 Year Storm (cfs)										
R1			R1+R2+R3			R4+R4T			R5+R6	
RD(Dawncrest)C1A,C1B			RD(PotterN)C1-C3			RD(PotterS)C4			RD(Humbug)C5,C6	
	PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)
Qtot =	89.4	89	Qtot =	593.3	586.6	Qtot =	276.6	269.2	Qtot =	1440.2	1419.4
C1A =	49.5	48.2	C1E =	69.1	67.7	C4A =	96.4	95.9	C5A,B =	161.9	161.3
C1B =	40	40.7	C2A,B =	197	196.2	C4B =	68.2	68	C6A,B,C =	290.9	286.3
Weir Flow =	0	0	C3A =	0	4	Weir Flow =	111.9	105.4	C6D =	166.3	164.2
			Weir Flow =	323.4	319.1				Weir Flow =	821.2	804.2

Table 4: 2yr Pre vs. Post Discharge at Existing Connections (With Detention)

PRE VS. POST DISCHARGE AT EXISTING CONNECTIONS (HECRAS)										
10 Year Storm (cfs)										
R1			R1+R2+R3			R4+R4T			R5+R6	
RD(Dawncrest)C1A,C1B			RD(PotterN)C1-C3			RD(PotterS)C4			RD(Humbug)C5,C6	
	PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)
Qtot =	153.1	135.5	Qtot =	1027.5	930.5	Qtot =	392.2	388.1	Qtot =	2360.5	2335.2
C1A =	88.5	77.1	C1E =	94.6	86.2	C4A =	102.9	102.7	C5A,B =	165.5	165.7
C1B =	64.6	58.4	C2A,B =	221.1	215.9	C4B =	71.6	71.5	C6A,B,C =	324	322.0
Weir Flow =	0	0	C3A =	0	4.1	Weir Flow =	217.7	213.9	C6D =	202.7	202.1
			Weir Flow =	707.7	625.4				Weir Flow =	1668.4	1666.4

Table 5: 10yr Pre vs. Post Discharge at Existing Connections (With Detention)

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PRE VS. POST DISCHARGE AT EXISTING CONNECTIONS (HECRAS)											
100 Year Storm (cfs)											
R1			R1+R2+R3			R4+R4T			R5+R6		
RD(Dawncrest)C1A,C1B			RD(PotterN)C1-C3			RD(PotterS)C4			RD(Humbug)C5,C6		
	PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)		PRE (cfs)	POST (cfs)
Qtot =	306.1	241.7	Qtot =	2048.2	1624.2	Qtot =	822.3	652.3	Qtot =	4941.2	4892.0
C1A =	170.1	144.3	C1E =	139.3	121.1	C4A =	117	112.4	C5A,B =	174.5	176.7
C1B =	111.4	97.4	C2A,B =	260.5	245.8	C4B =	79.2	76.7	C6A,B,C =	375.2	372.6
Weir Flow =	24.6	0	C3A =	0	4.2	Weir Flow =	626.1	463.2	C6D =	275.4	274.9
			Weir Flow =	1644.1	1253.1				Weir Flow =	4113.3	4067.8

Table 6: 100yr Pre vs. Post Discharge at Existing Connections (With Detention)

Detention Basin Calculations (Reaches 5 and 6)

Time series plots produced by HEC-RAS at connection "RD(Humbug)C5,C6" were used to calculate the basin requirements for R5 and R6. An excel spreadsheet was used for calculating the volume of storage required for the 100 year event (see attached **Spreadsheet 1 – Detention Basin Calcs (R5+R6)**). An equation was set up to take the difference between the developed (unmitigated) and undeveloped Q values obtained from HEC-RAS for each 10 min time interval. This flow was then multiplied by 60 (seconds) and then by 15 (minutes) to give a volume of 605448 ft^3. This means that the amount of detention required for a 24 hour storm event is approximately 14 AC-FT. An assumed basin depth of 4 ft was applied, giving a minimum required detention acreage of 3.5 AC. Please see **Exhibit 2 – Proposed Detention Exhibit (R5+R6)**, which shows the location and acreage of the proposed detention basin area.

Proposed Mitigation Measures (Reaches 5 and 6)

In order to decrease the storm water flows at Honeyrun Road to match the undeveloped condition we are proposing the construction of a detention basin as shown on the attached **Exhibit 2 – Proposed Detention Exhibit (R5+R6)**. Additional measures may include attention measuring within the roadway and/or within individual subdivisions or phases as may be determined during the design phase and once approved by the city. Please note that data presented herein is preliminary, and the location of the detention basin is approximate. Once the planning area enters the improvement plan phase and a Storm Drainage Master Plan is submitted, it is very likely that stormwater discharge rates will be quite lower due to routing through the storm drain system and overall increase in time of concentration. Therefore, both the size and location of the basin are subject to change.

It is understood that these drainage basins will be constructed during the grading phase of construction of the relevant phase and thus mitigating any potential increases prior to any improvements being completed and/or houses being built. A more detailed inlet and outlet design will have to be provided and all permitting will have to be obtained prior to any construction moving forward.

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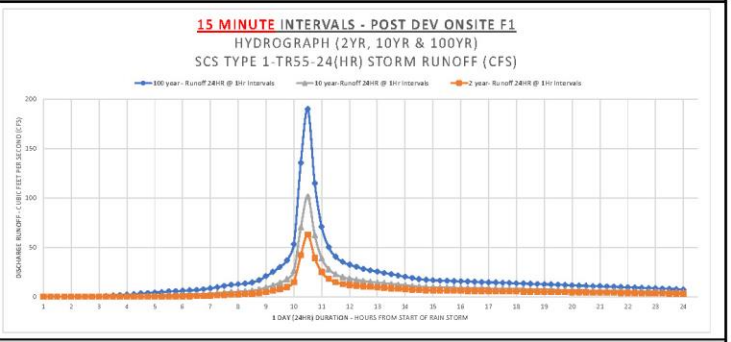
Project No	28100 - Valleys Edge
Prepared by	J. Stetsakov
Checked by	T. Frayji
Date	December 13, 2021

Exhibit 1 — TIME SERIES PLOTS - Post Dev. Onsite F1 (Updated)

24hr / 2 Yr		24hr / 10 Yr		24hr / 100 Yr	
2 year- Runoff 24HR @ 1Hr Intervals		10 year-Runoff 24HR @ 1Hr Intervals		100 year - Runoff 24HR @ 1Hr Intervals	
Time (hrs)	Runoff (cfs)	Time (hrs)	Runoff (cfs)	Time (hrs)	Runoff (cfs)
0.2500	0.0000	0.2500	0.0000	0.2500	0.0000
0.5000	0.0000	0.5000	0.0000	0.5000	0.0000
0.7500	0.0000	0.7500	0.0000	0.7500	0.0000
1.0000	0.0000	1.0000	0.0000	1.0000	0.0000
1.2500	0.0000	1.2500	0.0000	1.2500	0.0000
1.5000	0.0000	1.5000	0.0000	1.5000	0.0000
1.7500	0.0000	1.7500	0.0000	1.7500	0.0000
2.0000	0.0000	2.0000	0.0000	2.0000	0.0000
2.2500	0.0000	2.2500	0.0000	2.2500	0.0000
2.5000	0.0000	2.5000	0.0000	2.5000	0.0000
2.7500	0.0000	2.7500	0.0000	2.7500	0.0282
3.0000	0.0000	3.0000	0.0000	3.0000	0.2540
3.2500	0.0000	3.2500	0.0000	3.2500	0.6570
3.5000	0.0000	3.5000	0.0000	3.5000	1.1300
3.7500	0.0000	3.7500	0.0000	3.7500	1.6334
4.0000	0.0000	4.0000	0.0128	4.0000	2.1560
4.2500	0.0000	4.2500	0.1276	4.2500	2.6942
4.5000	0.0000	4.5000	0.3400	4.5000	3.2374
4.7500	0.0000	4.7500	0.5830	4.7500	3.7550
5.0000	0.0000	5.0000	0.8310	5.0000	4.2393
5.2500	0.0386	5.2500	1.0790	5.2500	4.7009
5.5000	0.1459	5.5000	1.3228	5.5000	5.1492
5.7500	0.2825	5.7500	1.5623	5.7500	5.5796
6.0000	0.4272	6.0000	1.7979	6.0000	5.9980
6.2500	0.5731	6.2500	2.0298	6.2500	6.4013
6.5000	0.7263	6.5000	2.2765	6.5000	6.8453
6.7500	0.9211	6.7500	2.6326	6.7500	7.5835
7.0000	1.1689	7.0000	3.1013	7.0000	8.5967
7.2500	1.4616	7.2500	3.6447	7.2500	9.7539
7.5000	1.7863	7.5000	4.2266	7.5000	10.9440
7.7500	2.0968	7.7500	4.7476	7.7500	11.9332
8.0000	2.3852	8.0000	5.2013	8.0000	12.7259
8.2500	2.6667	8.2500	5.6295	8.2500	13.4420
8.5000	3.0070	8.5000	6.1750	8.5000	14.4042
8.7500	3.7118	8.7500	7.4170	8.7500	16.9160
9.0000	4.7989	9.0000	9.3339	9.0000	20.8145
9.2500	6.1197	9.2500	11.5667	9.2500	25.2317
9.5000	7.6718	9.5000	14.1526	9.5000	30.1787
9.7500	9.8783	9.7500	17.7473	9.7500	36.9727
10.0000	15.0489	10.0000	26.2683	10.0000	53.1854
10.2500	42.2204	10.2500	70.2223	10.2500	135.8024
10.5000	62.9913	10.5000	101.6165	10.5000	190.0770
10.7500	39.3986	10.7500	62.4158	10.7500	115.0192
11.0000	24.9718	11.0000	39.0549	11.0000	71.0117
11.2500	18.0653	11.2500	27.9561	11.2500	50.3997
11.5000	14.7429	11.5000	22.6640	11.5000	40.4852
11.7500	12.9678	11.7500	19.8135	11.7500	35.2295
12.0000	12.0124	12.0000	18.2950	12.0000	32.4044
12.2500	11.2729	12.2500	17.1230	12.2500	30.2493
12.5000	10.5945	12.5000	16.0574	12.5000	28.2951
12.7500	10.0322	12.7500	15.1750	12.7500	26.6825
13.0000	9.5592	13.0000	14.4339	13.0000	25.3340
13.2500	9.1193	13.2500	13.7702	13.2500	24.0622
13.5000	8.6634	13.5000	13.0348	13.5000	22.8085
13.7500	8.2105	13.7500	12.3364	13.7500	21.5520
14.0000	7.7527	14.0000	11.6329	14.0000	20.3014
14.2500	7.2888	14.2500	10.9224	14.2500	19.0448
14.5000	6.8493	14.5000	10.2517	14.5000	17.8556
14.7500	6.5709	14.7500	9.8235	14.7500	17.0940
15.0000	6.4277	15.0000	9.6000	15.0000	16.6893
15.2500	6.3273	15.2500	9.4405	15.2500	16.3959
15.5000	6.2387	15.5000	9.3005	15.5000	16.1384
15.7500	6.1530	15.7500	9.1634	15.7500	15.8900
16.0000	6.0668	16.0000	9.0287	16.0000	15.6430
16.2500	5.9793	16.2500	8.8927	16.2500	15.3941
16.5000	5.8921	16.5000	8.7552	16.5000	15.1469
16.7500	5.8039	16.7500	8.6166	16.7500	14.8980
17.0000	5.7137	17.0000	8.4784	17.0000	14.6473
17.2500	5.6244	17.2500	8.3388	17.2500	14.3964
17.5000	5.5334	17.5000	8.1988	17.5000	14.1464
17.7500	5.4412	17.7500	8.0572	17.7500	13.8960
18.0000	5.3486	18.0000	7.9155	18.0000	13.6440
18.2500	5.2564	18.2500	7.7731	18.2500	13.3908
18.5000	5.1628	18.5000	7.6303	18.5000	13.1370
18.7500	5.0688	18.7500	7.4865	18.7500	12.8837
19.0000	4.9739	19.0000	7.3427	19.0000	12.6302
19.2500	4.8788	19.2500	7.1984	19.2500	12.3747
19.5000	4.7822	19.5000	7.0542	19.5000	12.1202
19.7500	4.6865	19.7500	6.9079	19.7500	11.8657
20.0000	4.5898	20.0000	6.7622	20.0000	11.6102
20.2500	4.4921	20.2500	6.6159	20.2500	11.3516
20.5000	4.3944	20.5000	6.4696	20.5000	11.0961
20.7500	4.2967	20.7500	6.3213	20.7500	10.8404
21.0000	4.1976	21.0000	6.1740	21.0000	10.5840
21.2500	4.0989	21.2500	6.0267	21.2500	10.3276
21.5000	3.9992	21.5000	5.8778	21.5000	10.0701
21.7500	3.8998	21.7500	5.7285	21.7500	9.8115
22.0000	3.8005	22.0000	5.5802	22.0000	9.5531
22.2500	3.6999	22.2500	5.4309	22.2500	9.2945
22.5000	3.5988	22.5000	5.2817	22.5000	9.0360
22.7500	3.4981	22.7500	5.1320	22.7500	8.7780
23.0000	3.3964	23.0000	4.9826	23.0000	8.5190
23.2500	3.2957	23.2500	4.8323	23.2500	8.2598
23.5000	3.1940	23.5000	4.6820	23.5000	7.9989
23.7500	3.0918	23.7500	4.5307	23.7500	7.7404
24.0000	2.9895	24.0000	4.3794	24.0000	7.4819

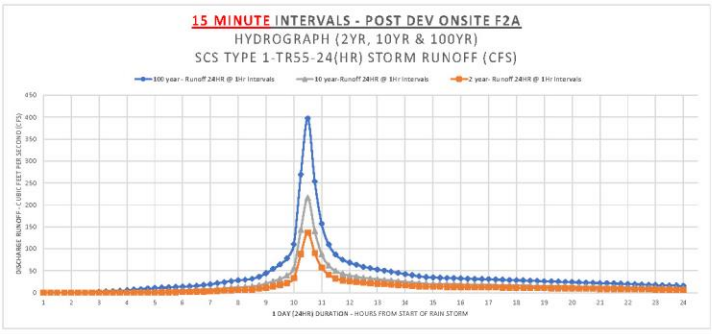


FRAYJi DESIGN GROUP
CIVIL ENGINEERING | PLANNING | SURVEYING

Project No:	28100 - Valleys Edge
Prepared by:	J. Slabakov
Checked by:	T. Frayji
Date:	December 13, 2021

Exhibit 1 — TIME SERIES PLOTS - Post Dev. Onsite F2A (Updated)

24hr / 2 Yr		24hr / 10 Yr		24hr / 100 Yr	
2 year- Runoff 24HR @ 1Hr Intervals		10 year-Runoff 24HR @ 1Hr Intervals		100 year - Runoff 24HR @ 1Hr Intervals	
Time (hrs)	Runoff (cfs)	Time (hrs)	Runoff (cfs)	Time (hrs)	Runoff (cfs)
0.2500	0.0000	0.2500	0.0000	0.2500	0.0000
0.5000	0.0000	0.5000	0.0000	0.5000	0.0000
0.7500	0.0000	0.7500	0.0000	0.7500	0.0000
1.0000	0.0000	1.0000	0.0000	1.0000	0.0000
1.2500	0.0000	1.2500	0.0000	1.2500	0.0000
1.5000	0.0000	1.5000	0.0000	1.5000	0.0000
1.7500	0.0000	1.7500	0.0000	1.7500	0.0000
2.0000	0.0000	2.0000	0.0000	2.0000	0.0000
2.2500	0.0000	2.2500	0.0000	2.2500	0.0000
2.5000	0.0000	2.5000	0.0000	2.5000	0.0916
2.7500	0.0000	2.7500	0.0000	2.7500	0.6187
3.0000	0.0000	3.0000	0.0000	3.0000	1.4991
3.2500	0.0000	3.2500	0.0000	3.2500	2.5163
3.5000	0.0000	3.5000	0.0035	3.5000	3.6028
3.7500	0.0000	3.7500	0.1253	3.7500	4.7260
4.0000	0.0000	4.0000	0.4934	4.0000	5.8795
4.2500	0.0000	4.2500	0.9953	4.2500	7.0548
4.5000	0.0025	4.5000	1.5597	4.5000	8.2294
4.7500	0.0794	4.7500	2.1131	4.7500	9.3410
5.0000	0.3108	5.0000	2.6656	5.0000	10.3615
5.2500	0.6123	5.2500	3.2037	5.2500	11.3274
5.5000	0.9364	5.5000	3.7333	5.5000	12.2536
5.7500	1.2628	5.7500	4.2483	5.7500	13.1419
6.0000	1.5888	6.0000	4.7568	6.0000	14.0007
6.2500	1.9120	6.2500	5.2510	6.2500	14.8263
6.5000	2.2478	6.5000	5.7776	6.5000	15.7313
6.7500	2.6920	6.7500	6.5445	6.7500	17.2430
7.0000	3.2684	7.0000	7.5878	7.0000	19.3914
7.2500	3.9524	7.2500	8.7993	7.2500	21.8586
7.5000	4.6989	7.5000	10.0947	7.5000	24.4173
7.7500	5.4053	7.7500	11.2432	7.7500	26.5407
8.0000	6.0404	8.0000	12.2229	8.0000	28.2993
8.2500	6.6514	8.2500	13.1255	8.2500	29.6793
8.5000	7.3827	8.5000	14.2543	8.5000	31.6107
8.7500	8.9225	8.7500	16.8357	8.7500	36.6459
9.0000	11.3509	9.0000	20.9837	9.0000	44.7537
9.2500	14.2868	9.2500	25.8598	9.2500	54.9639
9.5000	17.7221	9.5000	31.4037	9.5000	64.3781
9.7500	22.4791	9.7500	39.0211	9.7500	78.3381
10.0000	33.1360	10.0000	56.1782	10.0000	109.9313
10.2500	88.0644	10.2500	143.2214	10.2500	269.6555
10.5000	137.1091	10.5000	216.3783	10.5000	397.3098
10.7500	90.2021	10.7500	140.4503	10.7500	253.9293
11.0000	56.9644	11.0000	87.7133	11.0000	156.8561
11.2500	40.6323	11.2500	61.8756	11.2500	109.6679
11.5000	32.6673	11.5000	49.4585	11.5000	87.0800
11.7500	28.4393	11.7500	42.8288	11.7500	75.0640
12.0000	26.0477	12.0000	39.1185	12.0000	68.3363
12.2500	24.3809	12.2500	36.5127	12.2500	63.6458
12.5000	22.8717	12.5000	34.1935	12.5000	59.4831
12.7500	21.6191	12.7500	32.2530	12.7500	56.0101
13.0000	20.5738	13.0000	30.6436	13.0000	53.1390
13.2500	19.5928	13.2500	29.1350	13.2500	50.4455
13.5000	18.6181	13.5000	27.6508	13.5000	47.8068
13.7500	17.6409	13.7500	26.1620	13.7500	45.1896
14.0000	16.6500	14.0000	24.6650	14.0000	42.5553
14.2500	15.6537	14.2500	23.1608	14.2500	39.9280
14.5000	14.6982	14.5000	21.7272	14.5000	37.4191
14.7500	14.0661	14.7500	20.7734	14.7500	35.7479
15.0000	13.7291	15.0000	20.2612	15.0000	34.8384
15.2500	13.4995	15.2500	19.9061	15.2500	34.2001
15.5000	13.3014	15.5000	19.5978	15.5000	33.6483
15.7500	13.1113	15.7500	19.3039	15.7500	33.1235
16.0000	12.9233	16.0000	19.0132	16.0000	32.6031
16.2500	12.7339	16.2500	18.7227	16.2500	32.0827
16.5000	12.5436	16.5000	18.4289	16.5000	31.5609
16.7500	12.3508	16.7500	18.1345	16.7500	31.0419
17.0000	12.1564	17.0000	17.8391	17.0000	30.5175
17.2500	11.9612	17.2500	17.5423	17.2500	29.9921
17.5000	11.7648	17.5000	17.2441	17.5000	29.4667
17.7500	11.5667	17.7500	16.9442	17.7500	28.9423
18.0000	11.3683	18.0000	16.6442	18.0000	28.4149
18.2500	11.1674	18.2500	16.3430	18.2500	27.8871
18.5000	10.9665	18.5000	16.0396	18.5000	27.3571
18.7500	10.7647	18.7500	15.7358	18.7500	26.8280
19.0000	10.5604	19.0000	15.4312	19.0000	26.2986
19.2500	10.3572	19.2500	15.1265	19.2500	25.7650
19.5000	10.1510	19.5000	14.8196	19.5000	25.2346
19.7500	9.9459	19.7500	14.5117	19.7500	24.7030
20.0000	9.7376	20.0000	14.2037	20.0000	24.1715
20.2500	9.5293	20.2500	13.8959	20.2500	23.6340
20.5000	9.3209	20.5000	13.5859	20.5000	23.1026
20.7500	9.1113	20.7500	13.2757	20.7500	22.5670
21.0000	8.9017	21.0000	12.9641	21.0000	22.0336
21.2500	8.6903	21.2500	12.6543	21.2500	21.4964
21.5000	8.4787	21.5000	12.3423	21.5000	20.9609
21.7500	8.2673	21.7500	12.0285	21.7500	20.4252
22.0000	8.0537	22.0000	11.7155	22.0000	19.8886
22.2500	7.8413	22.2500	11.4027	22.2500	19.3500
22.5000	7.6267	22.5000	11.0887	22.5000	18.8137
22.7500	7.4123	22.7500	10.7739	22.7500	18.2752
23.0000	7.1977	23.0000	10.4583	23.0000	17.7367
23.2500	6.9823	23.2500	10.1428	23.2500	17.1984
23.5000	6.7667	23.5000	9.8281	23.5000	16.6590
23.7500	6.5503	23.7500	9.5100	23.7500	16.1217
24.0000	6.3337	24.0000	9.1943	24.0000	15.5816

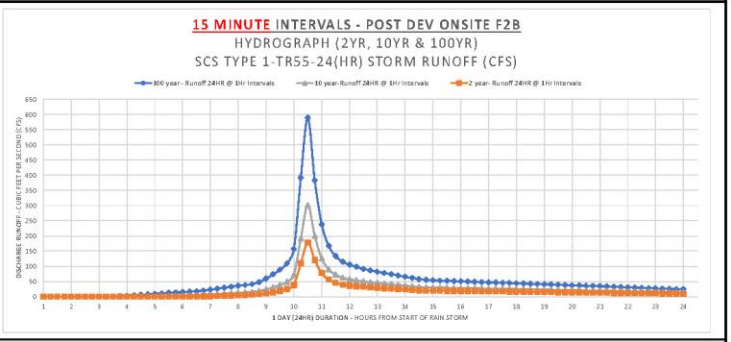


FRAYJi DESIGN GROUP
CIVIL ENGINEERING | PLANNING | SURVEYING

Project No:	28100 - Valleys Edge
Prepared by:	J. Slabakov
Checked by:	T. Frayji
Date:	December 13, 2021

Exhibit 1 — TIME SERIES PLOTS - Post Dev. Onsite F2B (Updated)

24hr / 2 Yr		24hr / 10 Yr		24hr / 100 Yr	
2 year- Runoff 24HR @ 1Hr Intervals		10 year-Runoff 24HR @ 1Hr Intervals		100 year - Runoff 24HR @ 1Hr Intervals	
Time (hrs)	Runoff (cfs)	Time (hrs)	Runoff (cfs)	Time (hrs)	Runoff (cfs)
0.2500	0.0000	0.2500	0.0000	0.2500	0.0000
0.5000	0.0000	0.5000	0.0000	0.5000	0.0000
0.7500	0.0000	0.7500	0.0000	0.7500	0.0000
1.0000	0.0000	1.0000	0.0000	1.0000	0.0000
1.2500	0.0000	1.2500	0.0000	1.2500	0.0000
1.5000	0.0000	1.5000	0.0000	1.5000	0.0000
1.7500	0.0000	1.7500	0.0000	1.7500	0.0000
2.0000	0.0000	2.0000	0.0000	2.0000	0.0000
2.2500	0.0000	2.2500	0.0000	2.2500	0.0000
2.5000	0.0000	2.5000	0.0000	2.5000	0.0000
2.7500	0.0000	2.7500	0.0000	2.7500	0.0000
3.0000	0.0000	3.0000	0.0000	3.0000	0.0000
3.2500	0.0000	3.2500	0.0000	3.2500	0.0687
3.5000	0.0000	3.5000	0.0000	3.5000	0.6797
3.7500	0.0000	3.7500	0.0000	3.7500	1.8732
4.0000	0.0000	4.0000	0.0000	4.0000	3.3096
4.2500	0.0000	4.2500	0.0000	4.2500	4.8618
4.5000	0.0000	4.5000	0.0000	4.5000	6.4800
4.7500	0.0000	4.7500	0.0722	4.7500	8.0656
5.0000	0.0000	5.0000	0.4633	5.0000	9.5891
5.2500	0.0000	5.2500	1.0872	5.2500	11.0672
5.5000	0.0000	5.5000	1.7874	5.5000	12.5024
5.7500	0.0000	5.7500	2.5032	5.7500	13.8966
6.0000	0.0180	6.0000	3.2205	6.0000	15.2650
6.2500	0.1928	6.2500	3.9356	6.2500	16.5915
6.5000	0.5429	6.5000	4.6769	6.5000	18.0109
6.7500	1.0120	6.7500	5.6449	6.7500	20.1720
7.0000	1.6088	7.0000	6.9072	7.0000	23.1273
7.2500	2.3375	7.2500	8.3901	7.2500	26.5541
7.5000	3.1764	7.5000	10.0221	7.5000	30.1882
7.7500	4.0407	7.7500	11.5760	7.7500	33.3461
8.0000	4.8901	8.0000	12.9792	8.0000	35.9688
8.2500	5.7340	8.2500	14.3279	8.2500	38.3780
8.5000	6.7106	8.5000	15.9524	8.5000	41.3989
8.7500	8.5127	8.7500	19.3112	8.7500	48.5991
9.0000	11.3226	9.0000	24.6244	9.0000	60.1554
9.2500	14.8497	9.2500	31.0621	9.2500	73.6065
9.5000	19.1738	9.5000	38.6127	9.5000	88.8351
9.7500	25.2436	9.7500	49.0761	9.7500	109.6173
10.0000	38.8799	10.0000	72.7042	10.0000	156.5343
10.2500	110.1409	10.2500	192.3901	10.2500	392.0803
10.5000	178.8282	10.5000	301.6712	10.5000	589.8563
10.7500	121.3035	10.7500	200.2783	10.7500	383.6224
11.0000	77.9340	11.0000	126.7406	11.0000	238.4429
11.2500	56.3226	11.2500	90.2594	11.2500	167.7278
11.5000	45.7257	11.5000	72.5689	11.5000	133.6111
11.7500	40.0458	11.7500	63.1438	11.7500	115.4281
12.0000	36.8520	12.0000	57.7999	12.0000	105.1966
12.2500	34.6159	12.2500	54.0987	12.2500	98.1310
12.5000	32.5800	12.5000	50.7733	12.5000	91.7990
12.7500	30.8836	12.7500	47.9833	12.7500	86.5460
13.0000	29.4716	13.0000	45.6729	13.0000	82.1852
13.2500	28.1272	13.2500	43.5007	13.2500	78.0892
13.5000	26.7920	13.5000	41.3426	13.5000	74.0821
13.7500	25.4363	13.7500	39.1781	13.7500	70.0773
14.0000	24.0521	14.0000	36.9813	14.0000	66.0414
14.2500	22.6494	14.2500	34.7720	14.2500	62.0003
14.5000	21.3046	14.5000	32.6580	14.5000	58.1506
14.7500	20.4129	14.7500	31.2459	14.7500	55.5588
15.0000	19.9522	15.0000	30.4980	15.0000	54.1661
15.2500	19.6427	15.2500	29.9886	15.2500	53.1966
15.5000	19.3761	15.5000	29.5497	15.5000	52.3574
15.7500	19.1240	15.7500	29.1276	15.7500	51.5636
16.0000	18.8711	16.0000	28.7133	16.0000	50.7772
16.2500	18.6151	16.2500	28.2957	16.2500	49.9836
16.5000	18.3552	16.5000	27.8726	16.5000	49.1932
16.7500	18.0930	16.7500	27.4458	16.7500	48.4006
17.0000	17.8260	17.0000	27.0183	17.0000	47.6009
17.2500	17.5576	17.2500	26.5851	17.2500	46.7972
17.5000	17.2846	17.5000	26.1501	17.5000	45.9950
17.7500	17.0095	17.7500	25.7110	17.7500	45.1879
18.0000	16.7314	18.0000	25.2693	18.0000	44.3794
18.2500	16.4511	18.2500	24.8270	18.2500	43.5687
18.5000	16.1666	18.5000	24.3806	18.5000	42.7524
18.7500	15.8818	18.7500	23.9291	18.7500	41.9401
19.0000	15.5928	19.0000	23.4795	19.0000	41.1235
19.2500	15.3025	19.2500	23.0268	19.2500	40.2987
19.5000	15.0093	19.5000	22.5703	19.5000	39.4789
19.7500	14.7159	19.7500	22.1116	19.7500	38.6583
20.0000	14.4176	20.0000	21.6539	20.0000	37.8323
20.2500	14.1192	20.2500	21.1913	20.2500	37.0026
20.5000	13.8176	20.5000	20.7293	20.5000	36.1769
20.7500	13.5159	20.7500	20.2625	20.7500	35.3459
21.0000	13.2115	21.0000	19.7958	21.0000	34.5162
21.2500	12.9054	21.2500	19.3285	21.2500	33.6842
21.5000	12.5978	21.5000	18.8597	21.5000	32.8481
21.7500	12.2904	21.7500	18.3860	21.7500	32.0163
22.0000	11.9786	22.0000	17.9141	22.0000	31.1806
22.2500	11.6681	22.2500	17.4423	22.2500	30.3408
22.5000	11.3546	22.5000	16.9656	22.5000	29.5027
22.7500	11.0400	22.7500	16.4887	22.7500	28.6672
23.0000	10.7244	23.0000	16.0119	23.0000	27.8230
23.2500	10.4089	23.2500	15.5331	23.2500	26.9832
23.5000	10.0900	23.5000	15.0542	23.5000	26.1424
23.7500	9.7724	23.7500	14.5723	23.7500	25.2982
24.0000	9.4527	24.0000	14.0905	24.0000	24.4554



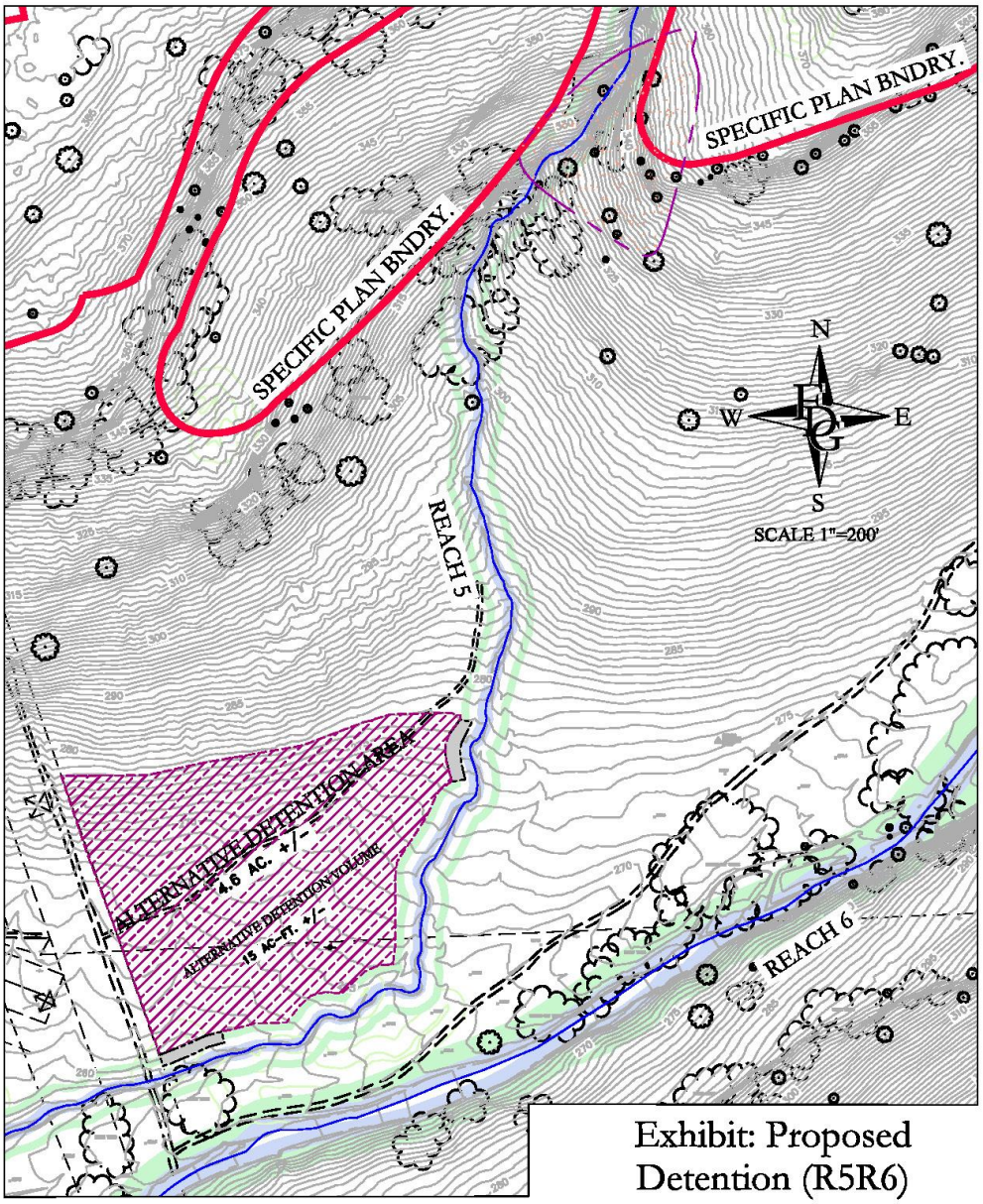


Exhibit: Proposed Detention (R5R6)
December 13, 2021

FRAYJi DESIGN GROUP
CIVIL ENGINEERING | PLANNING | SURVEYING

100 yr Basin Calculations - HEC-RAS (Assuming No Detention)

RD(Humbug)C5C6CE

Time (hrs)	Undeveloped Runoff (cfs)	Developed Runoff (cfs)	Developed - Undeveloped (cfs)	Volume Reqd. per 15 minute interval
0.000	22.18	14.96	-7.2200	-4332
0.167	79.78	61.11	-18.6700	-11202
0.333	79.98	64.96	-15.0200	-9012
0.500	79.99	64.99	-15.0000	-9000
0.667	79.99	64.99	-15.0000	-9000
0.833	80.00	65	-15.0000	-9000
1.000	80.02	64.99	-15.0300	-9018
1.167	80.03	64.99	-15.0400	-9024
1.333	80.04	65	-15.0400	-9024
1.500	80.04	65	-15.0400	-9024
1.667	80.04	65	-15.0400	-9024
1.833	80.04	65	-15.0400	-9024
2.000	80.04	65	-15.0400	-9024
2.167	80.04	65	-15.0400	-9024
2.333	80.04	65	-15.0400	-9024
2.500	80.04	65.03	-15.0100	-9006
2.667	80.04	65.11	-14.9300	-8958
2.833	80.05	65.4	-14.6500	-8790
3.000	80.05	65.86	-14.1900	-8514
3.167	80.05	66.44	-13.6100	-8166
3.333	80.04	67.13	-12.9100	-7746
3.500	80.04	67.97	-12.0700	-7242
3.667	80.05	68.74	-11.3100	-6786
3.833	80.05	70.51	-9.5400	-5724
4.000	80.05	72.1	-7.9500	-4770
4.167	80.03	73.85	-6.1800	-3708
4.333	80.04	75.65	-4.3900	-2634
4.500	80.04	77.51	-2.5300	-1518
4.667	80.04	79.26	-0.7800	-468
4.833	80.05	81.13	1.0800	648
5.000	80.41	83.21	2.8000	1680
5.167	81.66	86.32	4.6600	2796
5.333	85.30	93.23	7.9300	4758
5.500	93.02	104.29	11.2700	6762
5.667	103.75	116.93	13.1800	7908
5.833	114.61	129.16	14.5500	8730
6.000	124.85	141.55	16.7000	10020
6.167	135.65	153.38	17.7300	10638
6.333	146.11	164.97	18.8600	11316
6.500	156.93	176.29	19.3600	11616
6.667	168.02	187.94	19.9200	11952
6.833	179.47	199.56	20.0900	12054
7.000	191.47	211.57	20.1000	12060
7.167	205.24	225.42	20.1800	12108
7.333	220.79	242.83	22.0400	13224
7.500	239.87	264.06	24.1900	14514
7.667	262.57	288.24	25.6700	15402
7.833	286.93	313.51	26.5800	15948
8.000	311.99	339	27.0100	16206
8.167	338.29	365.01	26.7200	16032
8.333	362.47	388.16	25.6900	15414
8.500	385.72	410.11	24.3900	14634
8.667	408.71	430.56	21.8500	13110
8.833	430.99	451.62	20.6300	12378
9.000	453.34	485.76	32.4200	19452
9.167	489.23	539.02	49.7900	29874
9.333	551.76	609.93	58.1700	34902
9.500	633.14	698.74	65.6000	39360
9.667	728.73	805.89	77.1600	46296
9.833	843.64	932.87	89.2300	53538
10.000	992.43	1105.1	112.6700	67602
10.167	1269.02	1447.73	178.7100	107226
10.333	1713.97	2112.7	398.7300	239238
10.500	2687.55	3368.69	681.1400	408684
10.667	4081.32	4839.82	758.5000	455100
10.833	4886.96	5251.75	364.7900	218874
11.000	4941.24	4944.94	3.7000	2220
11.167	4335.76	4108.1	-227.6600	-136596
11.333	3641.78	3333.75	-308.0300	-184818
11.500	2989.36	2724.91	-264.4500	-158670
11.667	2513.32	2284.19	-229.1300	-137478
11.833	2137.68	1946.9	-190.7800	-114468
12.000	1866.46	1716.11	-150.3500	-90210

12.167	1661.31	1542.35	-118.9600	-71376
12.333	1505.55	1413.42	-92.1300	-55278
12.500	1389.06	1317.57	-71.4900	-42894
12.667	1294.98	1238.82	-56.1600	-33696
12.833	1217.91	1173.27	-44.6400	-26784
13.000	1154.17	1117	-37.1700	-22302
13.167	1099.33	1067.78	-31.5500	-18930
13.333	1052.62	1026.92	-25.7000	-15420
13.500	1010.51	990.5	-20.0100	-12006
13.667	972.42	957.05	-15.3700	-9222
13.833	938.38	924.67	-13.7100	-8226
14.000	905.58	892.82	-12.7600	-7656
14.167	873.71	861.3	-12.4100	-7446
14.333	842.39	829.94	-12.4500	-7470
14.500	811.51	798.86	-12.6500	-7590
14.667	780.61	768.25	-12.3600	-7416
14.833	751.17	739.57	-11.6000	-6960
15.000	723.87	713.26	-10.6100	-6366
15.167	699.01	690.34	-8.6700	-5202
15.333	678.64	672.13	-6.5100	-3906
15.500	662.09	657.69	-4.4000	-2640
15.667	649.43	646.66	-2.7700	-1662
15.833	639.11	637.76	-1.3500	-810
16.000	630.29	629.91	-0.3800	-228
16.167	622.51	622.75	0.2400	144
16.333	615.35	615.99	0.6400	384
16.500	608.57	609.48	0.9100	546
16.667	602.03	603.11	1.0800	648
16.833	595.64	596.86	1.2200	732
17.000	589.36	590.56	1.2000	720
17.167	583.06	584.28	1.2200	732
17.333	576.86	578.03	1.1700	702
17.500	570.66	571.84	1.1800	708
17.667	564.43	565.59	1.1600	696
17.833	558.21	559.31	1.1000	660
18.000	552.03	553.04	1.0100	606
18.167	545.76	546.75	0.9900	594
18.333	539.53	540.5	0.9700	582
18.500	533.22	534.23	1.0100	606
18.667	526.91	527.96	1.0500	630
18.833	520.68	521.68	1.0000	600
19.000	514.53	515.42	0.8900	534
19.167	508.43	509.13	0.7000	420
19.333	502.29	502.86	0.5700	342
19.500	496.63	496.54	-0.0900	-54
19.667	490.30	490.12	-0.1800	-108
19.833	483.87	484.03	0.1600	96
20.000	477.37	477.87	0.5000	300
20.167	473.55	471.6	-1.9500	-1170
20.333	467.49	465.08	-2.4100	-1446
20.500	460.21	459.02	-1.1900	-714
20.667	453.23	452.78	-0.4500	-270
20.833	446.35	446.58	0.2300	138
21.000	439.55	440.28	0.7300	438
21.167	432.51	433.88	1.3700	822
21.333	425.41	427.02	1.6100	966
21.500	418.53	419.82	1.2900	774
21.667	411.28	412.8	1.5200	912
21.833	404.42	405.94	1.5200	912
22.000	397.74	399.27	1.5300	918
22.167	391.21	392.66	1.4500	870
22.333	384.58	386.11	1.5300	918
22.500	377.86	379.68	1.8200	1092
22.667	371.20	373.5	2.3000	1380
22.833	364.63	366.67	2.0400	1224
23.000	358.15	360.61	2.4600	1476
23.167	351.55	354.13	2.5800	1548
23.333	344.95	347.65	2.7000	1620
23.500	338.45	341.25	2.8000	1680
23.667	331.86	334.78	2.9200	1752
23.833	325.19	328.55	3.3600	2016
24.000	318.75	322.1	3.3500	2010

605448	FT^3	
13.89917355	AC-FT	
3.474793388	AC	Assumes 4' Deep Basin

Response to Letter 35

Frayji Design Group, Tony Frayji

[Note: Frayji Design Group is a consultant to the project applicant and prepared the Drainage Report for the Project]

35-1 The comment requests that Section 4.9, Hydrology, Water Quality and Drainage of the Draft EIR be updated, as specified in comments 35-2 through 35-5, below.

The text and figures have been revised in response to the comments, as specified below and are shown in Chapter 3, Changes to the Draft EIR.

35-2 The comment requests that Figure 4.9-3 (Draft EIR p. 4.9-37) be updated to indicate that that the Reach R5 Detention Basin is 15 acre-feet, rather than 10 acre-feet. The comment also indicates that *Drainage Report Addendum #1* was updated to clarify unclear language regarding the proposed development area within Reach 6.

Figure 4.9-3 has been updated in response to the comment and the *Amended Drainage Report Addendum #1*, dated December 13, 2021, has replaced Appendix H-5. Page 4.9-1 in Section 4.9 of the Draft EIR has been edited to accurately reflect the appendices in the Final EIR. Please see Chapter 3, Changes to the Draft EIR for the revised figure, updated Drainage Report and other revisions to the text of the EIR. These changes do not alter the conclusions of the Draft EIR. With respect to clarifying language regarding Reach 6, please see Response to Comment 35-4 below.

35-3 The comment requests that the notes under Table 4.9-5 on page 4.9-35 in the Draft EIR be updated to indicate that 15 acre-feet of water would be detained.

The table notes have been updated and are provided in Chapter 3, Changes to the Draft EIR.

35-4 The comment requests that the text on page 4.9-36 of the Draft EIR be revised to update the analysis that 15 acre-feet would be detained and that the detention is being proposed for Reaches 5 and 6. The comment also indicates that proposed development south of Reach 6 is very low density and increased flows are not anticipated in this area in comparison to existing conditions.

Table 4.9-5 on page 4.9-35 and text on page 4.9-36 of the Draft EIR has been updated and is provided in Chapter 3, Changes to the Draft EIR.

35-5 The comment recommends removing all statements indicating that detention is only required for Reach R5, as the September 2021 drainage memorandum provided the needed detention for Reaches R5 and R6 combined.

The text on pages 4.9-36 and 4.9-39 of the Draft EIR has been updated and is provided in Chapter 3, Changes to the Draft EIR.

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Comment Letter 36

gallaway ENTERPRISES

117 Meyers Street • Suite 120 • Chico CA 95928 • 530-332-9909

December 13, 2021

Mike Sawley, AICP
Senior Planner
City of Chico Community Development Dept.
P.O. Box 3420, Chico, CA 95927

RE: Valley's Edge Specific Plan EIR

Mr. Sawley;

I have had the opportunity to review the Draft EIR for the Valley's Edge Specific Plan. Please consider the following comments during your review process.

Page 4.3-19 – Vernal Pool Branchiopods
The draft document indicates potential habitat to be present for Conservancy fairy shrimp. This species requires large, deep clear pools of water of which there is no habitat of that type present within the project site. This species was dismissed from consideration in the Biological Resource Assessment developed for the proposed project. Additionally, this species was not identified during the wet and dry season surveys for invertebrates. 36-1

Figure 4.3-4 – Butte County Meadowfoam Occurrences
This figure incorrectly depicts the presence of Butte County meadowfoam (BCM) occurring in the proposed Primary open Space (P-OS). The western P-OS only contained wooly meadowfoam, not Butte County meadowfoam. 36-2

Page 4.3-51 – Tricolored Blackbird
The habitat evaluation conducted as part of the development of the Biological Resource Assessments for the proposed project did not identify suitable habitat for tricolored blackbird. The species account on page 4.3-20 states: *"Nesting habitat for tricolored blackbird on the project site is marginal to nonexistent due to a lack of standing water and thorny vegetation."*

Page 4.3-51 then contradicts this statement with the following: *"Overall, potential nesting habitat for tricolored blackbird is marginal and generally limited to the riparian woodland in the southern portion of the project site where thorny vegetation may be present in the understory."*

Based on our observations, there is no suitable nesting habitat for tricolor blackbird on-site or off-site. The potential impacts should be revised to "no impact". 36-3

Page 4.3-54 – BIO-1 On-Site Preserves
The mitigation measure described could be revised to describe the presence of wooly meadowfoam in one of the preserves (see comment above regarding Figure 4.3-4 – Butte County Meadowfoam Occurrences). The 2nd sentence should be revised to place the focus of the 250-foot buffer on the resource and not the preserve, for example: "The Butte County meadowfoam and woolly meadowfoam occurrences shall be separated from any development by a minimum of 250 feet....". 36-4

The 2nd sentence should also be revised to allow for an optional approval by the City of Chico and not only the U.S. Fish and Wildlife Service (USFWS) since the USFWS may not have an official method of consulting with the developer if there is no Section 7 Endangered Species Act consultation requirements. 36-5

Additionally, since the buffer and associated preserve will avoid direct impacts, it is suggested to remove the word direct from the 2nd paragraph. Suggested revision: "The Butte County meadowfoam and woolly meadowfoam occurrences shall be separated from any development by a minimum of 250 feet unless site-specific hydrological analysis accepted by the City of Chico or the U.S. Fish and Wildlife Service demonstrates that a reduced separation would still prevent indirect effects to Butte County meadowfoam and/or wooly meadowfoam within the preserve." 36-6

Consider revising the last sentence to "Any construction activities within 500 feet of the on-site Butte County meadowfoam and/or wooly meadowfoam occurrences shall not be allowed until the establishment of the on-site preserves associated with the meadowfoam resources." 36-7

Page 4.3-54 – BIO-2 Nesting Bird Surveys (including and not limited to Loggerhead Shrike, and Yellow Warbler)
Subsection (a) includes a narrow window of two days for conducting the nesting bird survey. This seems to be stricter than most timelines. Based on conversations with the project applicant, CDFW made a comment via consultation regarding a three day timeframe. A seven day window is suggested to be aligned with standard timeframes for conducting nesting surveys, especially since measures for burrowing owls have a 14 day prior survey and Swainson's hawk have a 15 day prior survey timeframe. 36-8

Should you have any questions and need additional information please contact me directly at kevin@gallawayenterprises.com.

Sincerely,

Kevin Sevier, Vice President
Gallaway Enterprises, Inc.

Response to Letter 36

Kevin Sevier, Vice President, Gallaway Enterprises, Inc.
[Note: Gallaway Enterprises is a consultant to the project applicant and prepared numerous biological reports for the project.]

36-1 The comment notes that conservancy fairy shrimp are limited to large, deep and clear vernal pools, which are not present on the project site.

Although most conservancy fairy shrimp are found in pools as described by the commenter, the conservancy fairy shrimp near the Montezuma Hills in Solano County and in Butte County are found in relatively small pools (Vollmar 2002 as cited in USFWS 2005), and conservancy fairy shrimp have also been found in turbid pools. Because the habitat associations of this species remain somewhat unclear, the Draft EIR analysis maintained a Low Potential to Occur for conservancy fairy shrimp.

36-2 The comment states that Figure 4.3-4 incorrectly shows BCM occurring in the Primary Open Space (P-OS) area, and that these should be shown as wooly meadowfoam.

Figure 4.3-4 in the Final EIR has been corrected. Please see Chapter 3, Changes to the Draft EIR for the updated figure.

36-3 The comment states that the Biological Resources Assessment for the project did not identify suitable habitat for tricolored blackbird, and states that the EIR should conclude there would be no impact to the species. The comment also notes that the Draft EIR is inconsistent in its description of potential tricolored blackbird nesting habitat.

The text on page 4.3-20 in Section 4.3, Biological Resources has been revised to remove reference to a lack of "thorny vegetation", because details on presence of thorny vegetation was not available. Refer to Chapter 3, Changes to the Draft EIR for the updated text. The EIR analysis retains a finding of low potential to occur for tricolored blackbird based on some nearby occurrences in thorny vegetation and the potential for thorny vegetation to occur on the subject property.

36-4 The comment states that mitigation measure BIO-1 describes both meadowfoam preserves as containing BCM, when in fact only one does. The comment also suggests that the wording of mitigation measure BIO-1 be revised so that the 250-foot minimum buffer is from the meadowfoam occurrences, which is how they are mapped and designed.

The text of mitigation measure BIO-1 (Draft EIR p. 4.3-54) has been revised to refer to those two preserves as "meadowfoam preserves", and to point out that they contain both BCM and woolly meadowfoam. In addition, the mitigation measure has been revised to clarify the 250-foot minimum buffer. Please see Chapter 3, Changes to the Draft EIR.

36-5 The comment notes that mitigation measure BIO-1 has no pathway for official approval of the site-specific hydrological analysis if the USFWS does not consult on the project and suggests that the City should be able to approve portions of the design for the meadowfoam preserve.

Although it is highly likely that the USFWS will consult on the project under Section 7 of the Endangered Species Act, mitigation measure BIO-1 (Draft EIR p. 3.4-54) has been revised to allow for City approval of the BCM preserve, with consultation from CDFW, in the event there is no official consultation process for the USFWS. Please see Chapter 3, Changes to the Draft EIR for the revised language. Unlike the City, CDFW is the appropriate resource agency with jurisdiction and expertise concerning specific design parameters for a meadowfoam preserve.

36-6 The comment suggests that mitigation measure BIO-1 be revised to state the minimum 250-foot buffer would prevent indirect impacts to meadowfoam, rather than direct and indirect impacts.

Direct impacts would be prevented by avoidance and the buffer would not change that. The suggested edit has been made to mitigation measure BIO-1 (Draft EIR p. 4.3-54) and is included in Chapter 3, Changes to the Draft EIR.

36-7 The comment suggests a revision of the final sentence of mitigation measure BIO-1.

The last sentence under mitigation measure BIO-1 has been removed based on comments received from California Department of Fish and Wildlife and is provided in Chapter 3, Changes to the Draft EIR.

36-8 The comment recommends changing mitigation measure BIO-2 to allow a larger window of time to conduct pre-construction nesting bird surveys.

In response to the comment, the survey timing under mitigation measure BIO-2 has been changed to not more than seven days prior to construction, consistent with standard practices. Please see Chapter 3, Changes to the Draft EIR for the revised language.

Comment Letter 37

From: jesica giannola
To: Mike Sawley
Subject: Opposing valley edge
Date: Monday, December 13, 2021 2:02:07 PM

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

Please reconsider the current environmental input report and consider a 5th alternative for the valley's edge plan. It is important that we build smart and protect our resources, and that means that we have to start out the projects safe and well researched from the begging. 37-1

I live in south Chico and oppose the current push for the Valley's Edge plans. Protect our our land, air, and water before it's too late. We need more studies and answers first. 37-2

Thank you,

Jesica Giannola

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Response to Letter 37

Jesica Giannola

37-1 The comment requests that the City reconsider the EIR and evaluate a fifth alternative but does not provide any supporting information to necessitate reconsideration of the alternatives analyzed in the EIR. The comment also does not recommend or provide any alternatives.

The commenter's concern is noted and will be forwarded to the decision makers for their consideration. The comment does not address the adequacy of the Draft EIR and does not identify where the analysis is deficient or inadequate; therefore, no further revisions are required.

37-2 The comment opposes the project as proposed, and states that the City needs more studies and answers for the VESP project.

The comment does not indicate what studies and answers the commenter believes are required before acting on the project, so no response is possible. As indicated throughout the Draft EIR, a number of studies and technical analyses have been prepared as needed to evaluate the project's environmental effects. The commenter's opposition to the project is noted and will be forwarded to the decision makers for their consideration.

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Comment Letter 38

Valleys Edge Draft EIR Comments

Bryce Goldstein, Planning Commissioner

December 12, 2021

General/Miscellaneous Comments

1. Cover page incorrectly says City of Chino. 38-1
2. Environmental impacts of creating lakes from altering streams on the site should be discussed in the EIR along with proposed mitigation measures. Applicable to sections 4.3 Biological Resources, 4.6 Geology and Soils, 4.7 Greenhouse Gases, and 4.9 Hydrology, Water Quality, Drainage. 38-2
3. Proposed lakes should be included in all relevant project maps. 38-3
4. The term "multi-use" should not be used to describe this development as it is primarily single family homes. Very small amounts of land and units are R3, commercial, or even R2 zoning. The term is misleading. 38-4
5. The reason for having two different R1 zoning types is not explained in the EIR or the VESP. The R1-VE zoning designation has a lower density than the City's R1 minimum of 2.1 units per acre, and therefore should not be considered R1 zoning, especially if this factors into calculations of VMT and associated GHG emissions. Please change the designation to something other than R1, or if needed, explain the reason for including and allowing this zoning. 38-5

4.7 Greenhouse Gases

GHG Compliance with local policy has issues:

1. *Table 4.7-5. Proposed Project Consistency with the City of Chico 2021 CAP Update* claims consistency with the following CAP measures, however, the Proposed Project is inconsistent with the following CAP measures. 38-6
    - T-1: The Proposed Project will only improve active transportation infrastructure on site, while contributing significant vehicle traffic to the rest of Chico, thereby potentially increasing vehicle mode share both by increasing the number of vehicle trips and by making roads less safe for bicyclists. This may hinder the City's efforts to achieve greater than 6% bicycle mode share by 2030 and 12% bicycle mode share by 2045.
    - T-5: The Proposed Project does not promote sustainable infill development and mixed-use development in new growth areas to reduce VMT. 38-7
2. *Consistency with the BCAG's 2016 Regional Transportation Plan*: The following statement is not explained: The 2016 RTP/SCS is not directly applicable to the project because the underlying purpose of the 2016 RTP/SCS is to provide direction and guidance on future regional growth." Explain why the BCAG RTP/SCS is not applicable. 38-8
3. Contrary to the above statement, *Table 4.7-6. Proposed Project Consistency with Scoping Plan GHG Emission Reduction Strategies* Measure T-3 states that "To meet the goals of SB 375, the 2016 RTP/SCS is applicable to the proposed project." 38-9

4.13 Transportation & Circulation

1. City of Chico General Plan
    a. *Action CIRC-2.2.1 (Connectivity in Project Review)* states that "New development shall include the following internal circulation features… A grid or modified grid-based primary street system. Cul-de-sacs are discouraged, but may be approved in situations where difficult site planning issues, such as odd lot size, topography, or physical constraints exist or where their use results in a more efficient use of land, however in all cases the overall grid pattern of streets should be maintained". The spaghetti streets of the proposed project only make sense along ridgelines, and there is no grid pattern maintained in the lower regions of the project. This inconsistency is not explained. 38-10
    b. *Policy CIRC-5.3 (Transit Connectivity in Projects) – Ensure that new development supports public transit*: The Proposed Project will likely not support public transit due to being too low density. This lack of compliance is not explained. 38-11
2. Impact 4.13-4: "The proposed project would construct new roadways to serve planned growth and connect to existing transportation facilities, which could create hazards related to design features (e.g., sharp curves or dangerous intersections)." It is unclear why there are no mitigation measures for increased hazards to bicyclists and pedestrians on existing roadways. 38-12
3. 4.13-6: VMT calculations rely on assumptions that may not be accurate. A detailed summary of the analysis would be helpful.
    a. Land Use Diversity: Project has very little land use diversity. Other than the school on site, almost zero trips would realistically be reduced by the minimal amount of commercial.
    b. Senior Adult Residential: This is an automobile-oriented development and nobody who lives here would be able to survive without driving, or likely even driving half as much as residents of general market housing. Further, more and more folks 55 and over will still be working and commuting for another decade if not the rest of their lives. 38-13
    c. Medium-High Density Residential (Multi-Family): The higher density residential land use with an approximate density of 18 dwelling units per acre is more walkable, but again, residents will still have to drive to most of their usual destinations including work and stores. Additionally, MHDR is a very small portion of the overall project. MHDR likely has a higher potential for VMT reductions than low density senior housing.
4. Part of the VMT reduction mitigation under mitigation measure TRAF-2 is "increase transit accessibility" and "implement subsidized or discounted transit program". If these actions depend on transit serving the site, and it does not, then the TDM may not be adequate. There should be an explanation of how VMT will be reduced in other ways if transit is not accessible/feasible. 38-14

6 - Alternatives

1. Another alternative with higher density and more open space than Alternative 4 should be provided and analyzed. The Proposed Project, Alternative 3 (Increased Commercial), and Alternative 4 (Increased Open Space and Higher Density Alternative) all have greater impacts than Alternative 2 (No Project/2030 General Plan Alternative) due to having a larger portion of the site covered by low density housing. The General Plan should be the standard for project impacts and density, not the exception. 38-15
2. Considering that Alternative 2 would reduce the potential for impacts in 14 out of 15 resource areas compared to the proposed project, the following statement on page ES-54 does not make sense: "Of the alternatives evaluated, Alternative 4 was found to be the environmentally superior alternative because it would slightly reduce the potential for impacts in seven out of 14 (half) of the resource areas evaluated. Alternative also generally meets all of the project objectives." The ranking of alternatives needs to be re-evaluated. 38-16

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Response to Letter 38

Bryce Goldstein, City of Chico Planning Commissioner

38-1 The comment states that the City name on the Draft EIR cover page is incorrectly written as "City of Chino".

This change was corrected to "City of Chico" in the version of the Draft EIR on the City's website and has been corrected in Chapter 3 of this Final EIR.

38-2 The comment states that the environmental impacts of creating lakes from altering streams on the site should be discussed in the Draft EIR with proposed mitigation measures.

The Draft EIR, on page 2-16, notes that the manmade lake in Big Meadows Park would only be included, if feasible. As shown in the VESP, Big Meadows Park includes a lake that would be used for viewing and fishing, and to provide a source of water for wildland fire suppression. Plans to include lakes in these locations are conceptual at this time, but the lakes proposed in these parks are expected to receive some storm water runoff from new impervious surfaces within the project and would only receive water from an existing stream during high flow events. When plans are submitted to the City to develop this park subsequent environmental review and specific separate permitting will likely be required if these park elements are proposed.

38-3 The comment requests that proposed lakes should be included in all relevant project maps included in the Draft EIR.

The figures included in the Draft EIR, specifically Figure 2-3, Land Use and Figure 2-5, Parks Master Plan are high level conceptual land use graphics and it would not be appropriate to include the small lakes within a neighborhood park on these graphics given their scale and conceptual nature. Also see Response to Comment 38-2, these water features are conceptual and it may be determined to be infeasible to include some of these elements. In the future, if manmade lakes are proposed within Big Meadows Park, then those features would be consistent with the VESP, but subject to separate future permitting and CEQA processes.

38-4 The comment states that the term "multi-use" should not be used to describe this development as it is primarily single-family homes with small amounts of land dedicated to R3, commercial, and R2 zoning.

As discussed in Chapter 3, Land Use and Planning, of the Draft EIR, the proposed project fulfills the City's General Plan vision to develop a recreation oriented, mixed-use development that offers a broad range of housing types and densities within the special planning area. Because the project includes a mix of residential and commercial uses, it is accurately described as mixed-use.

38-5 The comment states that the reason for having two different R1 zoning types is not explained in the Draft EIR or the VESP. The comment also states that the R1-VE zoning designation has a lower density than the City's R1 minimum of 2.1 units per acre, and therefore should not be considered R1 zoning, especially if the zoning designation effects VMT and GHG emissions calculations.

Land use consistency with existing applicable regulations is fully described in Chapter 3, Land Use and Planning. As described therein, the project site is currently designated as Special Planning Area (SPA)-5 or the Doe Mill/Honey Run SPA. Upon project approval, the project site would be zoned to include a special overlay zoning district which specifies that the allowable uses and development standards contained in the VESP apply to the site, rather than only those contained in the City's Municipal Code. Per the Chico Municipal Code Section 19.52.010, City overlay zoning districts regulate development and new land uses, in addition to the standards and regulations of the primary zoning districts, where important site, neighborhood, or area characteristics require particular attention for project planning.

In this case, lowering the minimum residential density allowed in the R1-VE district from 2.1 units per acre to 1.4 units per acre is done to allow for irregular shaped lots within the topographically diverse oak woodlands where this zoning is proposed, as well as to protect views along Stilson Canyon Road where deeper rear yard setbacks are required. Implementing VESP requirements, policies, and design guidelines in these areas will necessitate avoiding development on portions of private lots in these areas, thereby reducing their net development potential relative to R1-SF-VE lots planned on flatter areas with fewer trees. Because areas planned for R1-VE zoning include additional environmental constraints (trees and topography, or viewshed), the proposed range of 1.4 to 2.5 units per acre is roughly consistent with the City's Low Density Residential General Plan Land Use Designation which typically ranges from 2.1 to 7.0 units per acre.

Therefore, the VESP would establish new land uses and zoning, as necessary to accommodate proposed development and meet City objectives. The proposed project's land uses and development assumptions are generally consistent with the direction provided in the City's General Plan, including the application of a variety of residential, commercial, and open space uses. The application of this zoning overlay to the project site would ensure that the resulting zoning regulations adopted with the Specific Plan and resulting development is consistent with the General Plan.

38-6 The commenter states that the proposed project in not consistent with some measures included in the Climate Action Plan (CAP) and would only improve active transportation infrastructure on site, thus contributing significant vehicle traffic to the rest of the City which may hinder the City's efforts to achieve a greater than 6% bicycle mode share by 2030 and 12% bicycle mode share by 2045.

It is within the City's purview to decide if the proposed project is consistent or inconsistent with applicable City goals or policies. Because policies contained in the CAP reflect a range of competing interests, the City's decision makers are allowed to weigh and balance the plan's policies when applying them and have broad discretion to construe its policies in light of the plan's purposes.

Please also see Responses to Comments 9-3 and 9-53 regarding consistency with the City's CAP.

38-7 The commenter states that the proposed project does not promote sustainable infill development and mixed-use development in new growth areas to reduce VMT, consistent with the CAP.

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 within the specific plan area and connecting the mix of land uses with a multimodal network of streets and trails, the project

design emphasizes alternative modes of transportation and automotive trip reduction. More specifically, 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 to the urban core. Further, the project 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 the urban core.

The proposed project has generally been designed to be consistent with the City's density expectations as set forth by the General Plan. Furthermore, as discussed under Impact 4.13-6 starting on page 4.13-23 of the Draft EIR, Table 4.13-3 illustrates how total average VMT per service population of the proposed project would compare to 85% of the total average VMT per service population for the region. As shown, the proposed project would generate a total average VMT per service population lower than the region (30.5 miles for the region compared with 26.1 miles for the VESP). The project's lower VMT per service population relative to the regional average would be due to location: the VESP is located closer to downtown Chico which has a lower average VMT relative to other communities in the region. Other factors that contribute to the project's VMT per service population are a diverse land use mix that places jobs, goods, and service located close to where people live; locating commercial services and a school in close proximity to residences; senior adult residential uses (senior adult housing generates about half of the daily trip generation of general market single family residential dwellings); and medium-high density residential. The VESP includes a higher density residential land use, with an approximate density of 18 dwelling units per acre, located within walking distance to the Village Core and Village Commercial land use.

38-8 The commenter questions the statement in the Draft EIR that the Butte County Association of Governments (BCAG) 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) is not directly applicable to the proposed project.

A typographical error was noted on page 4.7-33 of the Draft EIR that indicates the RTP/SCS is not applicable to the project. This is an error and the text has been revised and is included in Chapter 3, Changes to the Draft EIR. The revision does not change the conclusion of the analysis.

The 2016 RTP/SCS is a long-range comprehensive plan for the region's multimodal transportation system. The underlying purpose of the RTP/SCS is to coordinate and facilitate the programming and budgeting of all transportation facilities and services within Butte County and to demonstrate how the region will integrate transportation and land use planning to meet targets established by Senate Bill (SB) 375. Furthermore, the RTP/SCS is intended to show how BCAG will meet the transportation needs of the region through 2040, considering existing and projected future land use patterns, as well as forecasted population and job growth.

38-9 The commenter states that based on information provided in Table 4.7-6 and the 2016 RTP/SCS is applicable to the proposed project.

Please see Response to Comment 38-8.

38-10 The comment refers to General Plan Action CIRC-2.2.1 regarding street layout and states the project is inconsistent with this action because there is no grid pattern to proposed roadways.

The proposed VESP does not include a street layout. Any internal streets other than the main collector roadway are only conceptually depicted at this time. A form of a modified grid circulation pattern is anticipated in the future, with multiple east-west street connections being laterally connected (north-south) with paseo trails/fire access routes, Class I paths, enhanced trails and nature trails. The design of future neighborhood subdivisions would be required to comply with the City's General Plan and VESP policies and actions.

38-11 The comment refers to General Plan Policy CIRC-5.3 requiring new development to support public transit and states the project will not likely be consistent with this policy due to the lack of density.

General Plan Policy CIRC-5.3 (Transit Connectivity in Projects) is followed by two Actions which directs 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. Increase in demand on existing transit providers is addressed under Impact 4.13-3 starting on page 4.13-21 of the Draft EIR. Please also see Response to Comment 9-53.

38-12 The comment refers to Impact 4.13-4 and asks why no mitigation measures are required to address hazards to bicyclists and pedestrians on existing roadways.

The comment does not provide any evidence to support its claim that traffic from the project would substantially increase hazards to bicyclists and pedestrians on existing roadways. Impact 4.13-4 on page 4.13-22 of the Draft EIR addresses impacts of the proposed project due to the creation of hazards related to design features (e.g., sharp curves or dangerous intersections). Roadway improvements in the area would be designed to meet applicable industry standards from the Caltrans Highway Design Manual (HDM), the California Manual on Uniform Traffic Control Devices (CAMUTCD), and the American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets (Draft EIR p. 4.13-22). Designing street improvements to industry standards would ensure that bicycle and pedestrian facilities are included and meet standards for safe use. Since existing and new roadways are designed in accordance with City design criteria and engineering industry standards the proposed project would not substantially increase hazards to bicyclists and pedestrians on existing roadways and traffic safety impacts were considered less than significant. No mitigation is required for impacts found to be less than significant.

38-13 The comment suggests that the VMT calculations may not be accurate and that a summary of the analysis would be helpful. The comment also references land use diversity, age-restricted or senior adult residential, and residential density as potential sources of error for the analysis.

Please see Responses to Comments 9-45, 9-46, and 9-50. Page 17 of the traffic study, provided under Appendix K of the Draft EIR, notes that the project achieves lower VMT relative to the regional average due to its location (near Chico), mixed-use design (good land use diversity), and its inclusion of senior adult residential uses because those dwellings generate about one-half the daily trips as general single-family residential dwellings. Regarding the comment that Medium-High Density Residential has a higher potential to reduce VMT than low-density senior housing, both are lower than single-family detached residential land uses due, in part, to fewer people and workers per household.

As explained starting on page 4.13-17 in the Draft EIR, the VMT analysis was developed using a modified version of the Butte County Association of Governments (BCAG) travel demand forecasting model, which can capture the effects of land use diversity. As the commenter notes, the proposed project includes multi-family residential land use located near employment land uses that will make walking and bicycling more viable options for these land uses, relative to residential land uses located further from these land uses. However, even with this land use mix and location, some of the trips generated by the multi-family land use would be external to the project.

38-14 The commenter questions the feasibility of mitigation measure TRAF-2 which requires increasing access to transit and implementation of a subsidized transit program if transit services are not accessible or feasible.

Mitigation measure TRAF-2 (Draft EIR p. 4.13-25) would require the project to prepare and implement a Transportation Demand Management (TDM) Plan to guide implementation of TDM strategies for residential and commercial development to achieve a reduction in total VMT per service population of at least 1%. The TDM may include a variety of measures depending on the specific project component being advanced. The commenter is correct in that some TDM measures may not be as effective for the project as others. On page 4.13-27, the Draft EIR lists three example TDM measures (a ridesharing program, end-of-trip bicycle facilities, and a trip reduction marketing strategy), that would provide an estimated 1.4% total reduction of project VMT without relying on transit service to the project site. The TDM measures may include strategies listed in Mitigation Measure TRAF-2 or other quantifiable strategies that are supported by substantial evidence to be implemented to reduce project-generated VMT. Therefore, increased transit accessibility is one of many potential strategies that may be available and implemented, as long as the result of the combined strategies is to achieve the 1% reduction.

38-15 The comment suggests including another alternative that provides higher density and more open space than what is assumed under Alternative 4. The comment goes on to note Alternatives 3 and 4 have greater impacts than Alternative 2 and that Alternative 2 (No Project/2030 General Plan) should be the standard to evaluate project impacts.

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 commenter's request to include an alternative that increases the project's density is noted. As explained in Response to Comment 9-84, one of the project's primary objectives is to be consistent with and implement the policy framework of the City's 2030 General Plan, including direction provided for the Doe Mill/Honey Run SPA. The comment does not provide any detail on the level of additional density for this alternative other than "another alternative with higher density and more open space should be provided." Given the project's location along the eastern edge of the City (if annexed) increasing the project's density would also increase the project's vehicle miles traveled generating more vehicle trips on area roadways and contributing to more air emissions. The additional increase in project residents would also increase the overall demand for public services and utilities including water supply, wastewater treatment, schools, and solid waste disposal, Therefore, it is not clear that including this alternative would achieve the goal of reducing project impacts and meeting the project objectives. The Draft EIR provides a reasonable range of alternatives that would avoid or substantially lessen one or more of the significant effects of a project. Of those alternatives, an EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project (Section 15126.6(f) of the CEQA Guidelines). As provided in the guidelines, only a reasonable range of alternatives is required to "permit a reasoned choice" which the Draft EIR provides.

38-16 The comment states Alternative 2 results in fewer impacts than Alternative 4 and generally meets the project objectives; therefore, the ranking of the alternatives needs to be re-evaluated.

The commenter suggests that Alternative 2 should be considered the environmentally superior alternative because it would reduce the potential for impacts in more resource areas as compared to Alternative 4. However, as explained in Chapter 6 of the Draft EIR, Alternative 2 is considered a "No Project Alternative" because it assumes that even without the proposed project, development would occur consistent with the 2030 General Plan. Section 15126.6(e)(2) of the CEQA Guidelines states that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. Therefore, the Draft EIR identifies Alternative 4 as the environmentally superior alternative.

The text on page ES-55 in the Draft EIR Executive Summary has been modified for clarification and is included in Chapter 3, Changes to the Draft EIR.

Comment Letter 39

Department of Geological and Environmental Sciences

California State University, Chico
Chico, California 95929-0205

December 13, 2021

Mike Sawley
Principal Planner
Community Development Department

Mr. Sawley:

I am writing to voice my concerns over the Valley's Edge Specific Plan Draft Environmental Impact Report. I am a geologist and professor at California State University, Chico, in the Department of Geological and Environmental Sciences and I have been studying the Tuscan Formation both in outcrop and the subsurface for 14 years. I have conducted studies in the Tuscan Aquifer both underlying Chico in the valley, including the recently acquired Airborne Electromagnetic (AEM) study both west and south of Chico. I have also guided three Masters students through their projects within the Tuscan Formation both in Big Chico Creek Canyon and Mud Creek Canyon. Although I have not studied in detail the rocks within the Valley's Edge project area, I believe I am qualified to speculate on their potential for recharge to the Tuscan Aquifer. 39-1

In particular, I am concerned about statements made in section 4.9-10 (Hydrology, Water Quality, Drainage): "Beds of poorly cemented granular geologic material were not observed in thicknesses or bedding attitudes conducive for groundwater recharge." By simply overlying the topographic map with Google Earth imagery, it is clear that there are bands of vegetation (green blotches) that cross-cut topography and most likely follow sedimentary bedding along more porous and permeable beds (see blue ovals in the figure below). This is ***not*** the younger alluvial material along the bases of drainages, but is more likely part of the Tuscan Formation. These beds can often act as permeable pathways for recharged groundwater. By placing both MDR and LDR zones against these beds, the chance for contamination into the aquifer is enhanced. 39-2

In addition, the "great thickness of the lahars" that could protect infiltration to deeper zones is not supported by the local well completion reports or the geologic conditions. It is more likely the lahars are not greater than 20 feet thick and that more permeable sandy layers directly underlie the proposed areas of development. Consequently, even small fractures (of which there are many) would probably be able to access these more permeable layers at depth. 39-3

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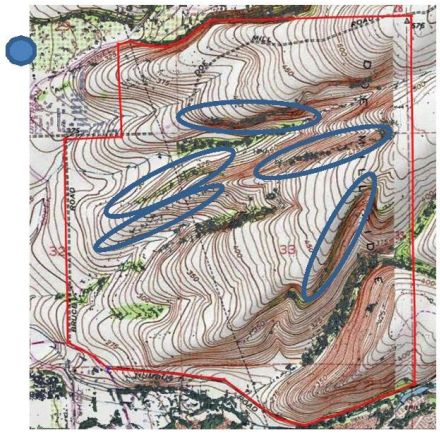

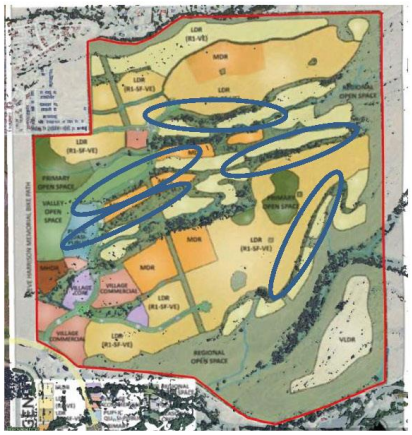

It should also be noted that there have been recent studies on the isotopes of the groundwater in the region (Grimm, 2000). One sample (see blue circle just west of the map above) lies just to the west of the VESP but was sampled at an unknown depth below the surface. The data indicated that "while these values suggest recharge from higher elevation than local precipitation, it is sourced from a lower elevation that that of the shallower formations or *is mixed with more local precipitation.*" If this is the case, the local precipitation is somehow getting to the sampled zone through localized fractures and/or porous beds. If more work was done to map out the geology of the VESP area including detailed cross-sections, I believe a more accurate risk analysis or recharge could be created and add significant value to the project.

39-4

Sincerely,

Todd J. Greene
Professor and Chair

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Response to Letter 39

Todd J. Greene, Professor and Chair of the Department of Geological and Environmental Sciences, CSU Chico

39-1 This comment is an introduction to comments that follow.

The comment provides context on the commenter's technical background and prior research as a geologist and professor at California State University, Chico. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.

39-2 The comment states that bands of vegetation on the project site, most likely follow sedimentary bedding along more porous and permeable beds that act as permeable pathways for groundwater recharge. The comment goes on to state that placement of proposed low- and medium-density housing adjacent to these bands would enhance the chance that the aquifer would be contaminated via these permeable recharge zones.

The site-specific Preliminary Geotechnical Investigation Report (Draft EIR, Appendix E) indicates many of the tree lines visible on the air photo base of Plate 3 generally follow the boundaries between the volcanic rocks or lahar units present on the site. Many of the tree lines are marked by boulder fields and/or lahar ledges indicative of the boundaries between individual lahars. In addition, lenses of conglomerate and channel fill deposits are present across the site. On-site seeps appear to be related to boundaries between individual impermeable lahar units and more permeable sedimentary conglomerate lenses. The geotechnical report indicates that Unit C of the Tuscan Formation has an estimated thickness of 150 feet in the site vicinity.

As summarized on page 14 of the geotechnical report, based on the Preliminary Hydrogeologic Assessment (GeoPlus 2010):

- The predominant geologic material observed at the site is well lithified lahar rock of the Tuscan formation unit C. It is commonly known that the lahar is relatively impermeable and therefore restricts water transmission.
- Fractures observed in the lahar were generally discontinuous, tight and widely spaced which would not suggest the potential for active recharge. It can be expected that limited water migration could occur along these fractures; however, based on the tight fracture apertures and wide spacing between fractures, the volume and rate of water that could reach an underlying aquifer should not have a significant impact to groundwater quality or quantity. This conclusion is further supported by the great thickness of the lahar layers separating the drainage channels from underlying aquifers.
- Unit B of the Tuscan formation which underlies unit C is the primary aquifer unit of the formation and outcrops of this unit were not observed on-site. Furthermore, the basal tuff unit of unit C was not observed on-site either.
- Beds of poorly cemented granular geologic material were not observed in thicknesses or bedding attitudes conducive for groundwater recharge.

Plate 2 of the Preliminary Hydrogeologic Assessment illustrates that, with the exception of Quaternary Upper Modesto Formation mapped at the surface within two on-site drainages (lower portions of Reaches R2/R3 and Reaches R5/R6), the remainder of the site is underlain by impermeable, lithified lahar rock (Unit C) of the Tuscan Formation, which inhibits the percolation

of surface water. Unit C of the Tuscan Formation is estimated to be approximately 150 to 200 feet thick on site, based on the Preliminary Hydrogeologic Assessment. This rock unit also acts as an aquiclude and thus confines groundwater to underlying, more permeable aquifers. This indicates that recharge of the deeper aquifers is very limited at the site.

In addition, as indicated in the Draft EIR on pages 4.9-29 and 4.9-30, the construction stormwater pollution protection plan or SWPPP would require the implementation of best management practices or BMPs that would minimize the potential release of fuels, oil, and/or lubricants from construction vehicles and equipment (e.g., drip pans, secondary containment, washing stations). Project operation (i.e., residential dwellings) would not include the use or transport of substantial quantities of hazardous materials with the potential to result in groundwater contamination. Further discussion of potential impacts associated with use or transport of hazardous materials is provided in Section 4.8, Hazards and Hazardous Materials of the Draft EIR.

The proposed project would tie into the City's sewer system and would therefore result in no impacts to groundwater as a result of septic tank failure or high groundwater septic system interaction. The project's compliance with the City's Phase II MS4 permit would route stormwater runoff through surface and pipe conveyance to water quality treatment features (e.g., vegetated swales) before being discharged to areas treated with erosion protection measures. The water quality treatment features and erosion protection measures would slow the movement of water and filter sediment and other surface water contaminants from the runoff, which then surface flow to adjacent creeks. Therefore, the project would minimize the potential infiltration of contaminants into the groundwater by providing water quality treatment for all runoff before it enters the creeks, where the majority of groundwater infiltration on the project site occurs (GeoPlus 2010 and Draft EIR, Appendix E). Consequently, the potential for groundwater quality degradation to occur during construction and operation of the proposed project would be less than significant.

39-3 The comment states that the assertion in the Draft EIR that the lahar volcanic rock attains great thickness beneath the site is not supported by local well completion reports or geologic conditions. The comment indicates the lahars are more likely no greater than 20 feet thick and underlain by permeable sands directly beneath the site. As a result, even small fractures would provide a conduit to these permeable sands at depth.

The thickness of the lahars is only one of several factors listed on page 4.9-10 of the Draft EIR that support the conclusion that there is limited potential for groundwater recharge at the project site. Although it is recognized that the commenter is well-qualified to provide a geologic/hydrogeologic opinion related to these conditions within the project vicinity, it is also recognized that the preparers of the site-specific Preliminary Geotechnical Investigation Report and site-specific Preliminary Hydrogeologic Assessment are also well-qualified to provide a geologic/hydrogeologic opinion of the site based on their scientific expertise. In addition, the latter have had direct access to the project site, which included geologic mapping and shallow (up to 20 feet) subsurface exploration. In the absence of deep subsurface exploration, there is not sufficient evidence to support the claim of the commenter that the hard lahar unit at the surface is likely no more than 20 feet thick and underlain by permeable sands to the depth of the underlying Unit B of the Tuscan Formation, the primary aquifer unit.

39-4 The comment states that there have been recent studies on groundwater isotopes in the region and that one of the sampling points, which was sampled at an unknown depth, was located northwest of the project site. The comment indicates that although the data suggest recharge from off-site, higher-elevation areas than from on-site precipitation, the sampled groundwater was derived from a lower elevation than the shallow bedrock formations or is mixed with more local precipitation. The comment goes on to state that this suggests that some local recharge is occurring through on-site fractures and/or porous beds. The comment concludes that more hydrogeologic analysis of the project site, including detailed cross-sections, would provide a more accurate risk analysis with respect to groundwater recharge.

The CEQA environmental threshold that pertains to this comment is: "Would the project substantially decrease groundwater supplies or *interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin*." While it is agreed that an exhaustive hydrogeologic analysis would provide a more complete understanding of the potential for groundwater recharge at the site; the CEQA Guidelines require that "the description of the environmental setting shall be no longer than is necessary to provide an understanding of the significant effects of the proposed project and its alternatives." (CEQA Guidelines Section 15125). As indicated on page 4.9-30 of the Draft EIR, both the Preliminary Hydrogeologic Assessment (GeoPlus 2010) and the Preliminary Geotechnical Investigation Report (Draft EIR, Appendix E) support the conclusion that the site is underlain by impermeable bedrock, up to 150 to 200 feet thick. This rock unit also acts as an aquiclude and thus confines groundwater to underlying, more permeable aquifers, indicating that any on-site fractures or permeable beds would allow only very limited groundwater recharge.

Assuming there is limited on-site groundwater recharge to the deeper aquifer, as suggested by the groundwater isotopes study, the data do not suggest (based on the comment) that *substantial* groundwater recharge of the deeper aquifer is occurring, such that the basin cannot be maintained sustainably. Based on the apparent limited amount (if any) of deep aquifer recharge occurring on-site, it cannot be concluded that the basin could not be sustainably maintained as a result of development. In addition, see response to comment 9-56 with respect to recharge of the localized shallow groundwater on-site.

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Comment Letter 40

DON L HANKINS, PH.D.
PO BOX 627, FOREST RANCH, CA 95942

December 13, 2021

Mike Sawley, AICP, Principal Planner
Community Development Department
411 Main Street, 2nd Floor
P.O. Box 3420
Chico, CA 95928
Email: mike.sawley@chicoca.gov

Subject: Comments on Valley's Edge DEIR

Dear Mr. Sawley:

These comments are provided in response to the subject DEIR. I have not had sufficient time to review the DEIR to provide detailed comments. However, these comments are intended to illustrate broader concerns for biodiversity conservation, water, fire, and tribal trust resources. Given the nature of the landscape involved in this project, it is evident adequate consideration of the magnitude of impacts is lacking. 40-1

Biodiversity

California is a global biodiversity hotspot. The threats to regional biodiversity concomitant with the colonization of the state and subsequent conversion of habitat has resulted in severe vulnerability to our ecosystems particularly in grassland, oak woodland, and freshwater ecosystems including the mix of blue oak, valley oak, riparian, and vernal pool ecosystems found on site. Poor land use decisions in the state have lead to a 90-99% loss of these habitats across the state, and all remaining habitats should be protected from further development. The local to global declines in biodiversity is particularly why the state and federal governments as well as the international community are focused on 30 x 30. Conservation and stewardship of underrepresented and rare ecosystems will be a critical component of such efforts, and this site represents one opportunity to make a difference. Conservation and restoration science is clear that conserving intact ecosystems is the best option for achieving conservation needs for species as well as other environmental benefits such as water storage and filtration. Once an ecosystem is destroyed it is nearly impossible to regain functionality through restoration or mitigation activities. It is best to avoid impacts altogether, and focus growth in already converted habitats (e.g., industrial agriculture or urban in-fill). 40-2

Oak woodlands in particular harbor a great richness of species. Aside from losses due to agricultural conversion and urbanization, unseasonal and high severity fires are type converting many valley and blue oak woodlands across the state. In Butte County, this is evident in the footprint of the Wall, Swedes, Camp, Humboldt, Honey, and other fires in the foothill region over the past 15 years. With the conversion of habitat, many common and rare species struggle to find alternative locations to thrive. 40-3

The DEIR inadequately addresses species impacts. While assessment of cultural resources is typically relegated to cultural artefacts, ecocultural species are an important attribute of Indigenous culture often overlooked. Ecocultural species include species of cultural importance as food, fiber, medicine, ceremonial or other significance. Many species identified as occurring or potentially occurring on the project site are of ecocultural importance, but there are many more not addressed. For instance, the site likely plays an important role in roosting, nesting, and foraging habitat for ecocultural species including bald and golden eagles. However, the direct, indirect, and cumulative impacts of this project contribute to a declining baseline for these species locally and regionally. The lack of assessment of pollinator impacts is also concerning. Such oversight is problematic to truly understanding the significance of impacts of the proposed project. 40-4 40-5

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The *Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon* (USFWS 2005) outlines recovery needs for vernal pool ecosystems. While recovery plans outline voluntary actions identified to contribute to achieving conservation objectives the ability to recover a species or ecosystem necessitates conservation actions within designated core areas. This project is situated within and adjacent to the Doe Mill Core Recovery area for the Northeastern Sacramento Valley vernal pool region. The City of Chico and regulatory agencies have failed to protect this core recovery area. It is designated a core recovery area due in part to the unique suite of species occurring on site, and the functionality of habitat. The proposed project represents among the last currently undeveloped lands within this core recovery area. If this habitat is lost, the ability to recover the species is precluded, and the fulfillment of trust responsibilities cannot be achieved. Beyond trust responsibilities the Endangered Species Act requires all federal agencies contribute actions to conserve and recover species. Clearly, as one of the last undeveloped areas within this core recovery unit, this is not a situation where off-site mitigation could achieve a hope of recovery and fulfillment of trust responsibilities.

40-6

Water

Freshwater environments including riparian, emergent wetlands, and vernal pool landscapes are part of nature's water delivery and purification system. While the project may seek to fill vernal pools and other wetlands, it does not negate the fact that the project area is within a natural hydrologic system; it floods, conveys water, and provides habitat. The entirety of these attributes cannot be fully minimized or mitigated through off-site activities. As stated above, it is understood that the best approach to conserving wetlands is to focus on protection and enhancement of existing functioning systems.

40-7

Understanding paleoclimate cycles is critical to understanding the potential future climate. While the colonization of California occurred under a wetter period of time, long-term droughts have and will continue to occur. We are currently in a time of great uncertainty regarding water resources in the region. Persistent long-term drought and changing patterns of precipitation particularly over the past 20 years puts our ecosystems and society at risk. There is no certainty in surface or groundwater supply. This project not only induces demand for a limited supply of water, but also develops on top of a critical recharge area for the Tuscan Aquifer.

40-8

Federal policy may not reflect the entire scope of defining waters and jurisdiction from an Indigenous perspective, but it does recognize tribal water rights. Clean water and unaltered flows are a fundamental aspect of this right. Prior legal precedence demonstrates preeminent rights to surface and ground water (see *Winters v. United States* and *Agua Caliente v. Coachella Valley Water District & Desert Water Agency*). The DEIR should consider the impact of this project in relationship to tribal water rights.

40-9

Fire

The proposed project would develop on ecosystems and within a site that is particularly fire prone. The oak woodland and grassland ecosystems of California require fire for maintenance and ecosystem health. Recent fires to impact this site or areas nearby include the 2007 Honey Fire, 2008 Humboldt Fire, and 2018 Camp Fire. It is not a matter of if, but when fire will occur. The Camp Fire alone illustrates key issues of landscape alignment with wind flow patterns and fire propagation; community and evacuation planning; and, the need for active fire stewardship. In pre-contact times, the ecosystems of this site were fire maintained – i.e., frequent low to moderate intensity fires linked primarily to cultural burning objectives in oak woodlands and grasslands. Indigenous communities traditionally used fire to protect the 'built environment' too. Given the current state of fire suppression, it is difficult to maintain a fire resilient landscape within the wildland urban interface. As interest and support for fire stewardship grows in the state, barriers to burning include smoke impacts to sensitive receptor groups and liability. New development is particularly problematic in that new liability -to homes and infrastructure and an increase in smoke sensitive areas increase. Fire will always be part of this landscape, so it is important to identify how will this project contribute to the solutions or

40-10

40-11

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problems of fire regionally. Following the Camp Fire, it was recognized the wildland and rangeland areas of the foothills (including this site) pose a great opportunity to protect the City of Chico from similar fires, but also the foothill communities from fires originating in the valley and foothills. Ideally, this site would remain part of that 'buffer' zone, and not contribute to the problems of structure protection and evacuation needs that limit the ability for agencies to actively engage with the fire itself. Any development in this region should strive to be a model for integration of fire use, resilience, and adaptation principles established in the National Wildfire Cohesive Strategy and Fire Adapted Communities frameworks. Fire should be part of the landscape maintenance, construction criteria, and other elements of project design. One such design element is considering how to avoid contaminant flow in the event the community burns down, design specifications should ensure contaminants are retained on site rather than into adjacent waterbodies (including the aquifer).

40-11 Cont.

The above represent some of the shortcomings identified in the DEIR. I believe the analysis is inadequate in several key areas, and do not support the proposed development for reasons identified herein.

40-12

Sincerely,

Don L. Hankins

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Response to Letter 40

Don L. Hankins

40-1 This comment is an introduction for comments that follow and does not specifically address the adequacy of the EIR. Please see responses to specific comments, below.

40-2 The comment is describing changes to the biodiversity of the state and the need for conservation and stewardship of resources.

Impacts on biological resources are thoroughly evaluated in Section 4.3, Biological Resources of the Draft EIR.

40-3 The comment observes that oak woodlands have experienced a decline due to agriculture, urban development and wildfire resulting in loss of habitat for a variety of species.

Impacts on biological resources are thoroughly evaluated in Section 4.3, Biological Resources of the Draft EIR. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.

40-4 The comment states that the Draft EIR does not analyze effects to ecocultural species that are of importance to tribes. The two examples identified in the comment are bald and golden eagle.

No golden eagles or bald eagles were observed during biological field surveys conducted at the site. Bald eagle was evaluated for potential to occur in the Biological Resources Assessment prepared for the project (Gallaway 2018) and was found to have no potential to occur, as there was no suitable nesting or foraging habitat for the species within the project site.

40-5 The comment states that the Draft EIR does not evaluate impacts to pollinators.

There are no thresholds under CEQA that direct analysis of impacts to pollinator species specifically, unless they are special-status species or required to complete the lifecycle of a special-status species. Further, although USFWS notes that loss of pollinator species could be factor in the decline of species such as BCM, USFWS has been unable to identify the pollinator species and whether that is or is not a factor. However, text on page 4.3-50 of the Draft EIR has been added to the analysis of impacts for BCM noting the potential for impacts to the species from reduction in pollinator species from site development. Please see Chapter 3, Changes to the Draft EIR for the revised language.

40-6 The comment notes that the project is located in and near the Doe Mill Core Recovery Area for the Northeastern Sacramento Valley vernal pool region.

Although the project site is in and near the Doe Mill Core Recovery Area, the Core Recovery Area classification should not be confused with a designation of "critical habitat," which has regulatory implications. Recovery Plan core areas include hundreds of acres in the southeast Chico area (Doe Mill core area), north Chico area (Chico core area), and thousands of acres stretching north and south of Chico (Vina Plains and Oroville core areas, respectively) where vernal pool habitat exists or has previously existed. Although the project proposes to preserve all known occurrences of BCM in preserves, the Draft EIR finds impacts to the species potentially significant due to the potential for indirect effects. This level of review and the specific mitigation proposed as part of mitigation

measure BIO-1 reflect the narrow occurrence of this species and the importance of preserving existing occurrences, consistent with the Recovery Plan.

40-7 The comment addresses aquatic resources and their role in the larger ecosystem and notes the best way to conserve wetlands is to focus on protection and enhancement and that impacts cannot be mitigated through creation off-site.

The federal and state regulatory entities tasked with protecting aquatic resources (Army Corps of Engineers, Water Quality Control Board, CDFW) focus mitigation on creation and restoration of wetlands in order to ensure no net loss within the broader ecological system. Although this results in impacts in one location being mitigated elsewhere, and a shift in habitat value from one location to another, it does not preclude the creation and persistence of habitat of equal value as the existing wetlands on site.

40-8 The comment generally discusses climate change, drought, changing levels of precipitation and notes the project is located within a critical recharge area for the Tuscan aquifer.

Please see Responses to Comments 9-56 and 39-2 which address the aquifer.

40-9 The comment requests the Draft EIR consider the impact of the project as it relates to tribal water rights.

The City is required to consult with any Native American tribes that have indicated their tribal lands may include the project site. The Mechoopda Indian Tribe of Chico Rancheria (Tribe) was identified as having an interest in the project site. The Tribe has not indicated if they have any tribal water rights that may be affected by the project and the WSA (Draft EIR, Appendix J) does not indicate that the Tribe holds any water rights to water supplies that would serve the project. In addition, natural and environmental features do have the potential to be considered tribal cultural resources under specific conditions, as defined by CEQA. However, these water features have not been identified as areas of specific traditional cultural value and/or potential tribal cultural resources by the Tribe through the consultation process.

40-10 The comment is generally addressing wildfire as it pertains to ecosystem health, noting the wildfires that have occurred in the area, and the role of wildfire to maintain a fire resilient landscape. The commenter concludes it is difficult to maintain a fir resilient landscape in the wildland urban interface or WUI.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. Please see Master Response 1 which provides a thorough review of wildfire issues and concerns.

40-11 The comment discusses challenges to pre-emptive burning due to air quality in smoke sensitive areas but goes on to state that fire is a part of the landscape and recommends the site be used as a buffer zone to protect the City and refers to adaptation principles included in the National Wildfire Cohesive Strategy and Fire Adapted Communities.

Please see Master Response 1 which provides a thorough review of wildfire issues and concerns.

40-12 The comment asserts that the issues identified in the preceding comments identify where the analysis in the Draft EIR is inadequate and does not support the project due to these reasons.

The commenter's opinion is noted and forwarded to the decision makers for their consideration.

Comment Letter 41

From: Jennifer Jewell
To: Mike Sawley
Subject: Valley's Edge Specific Plan Draft Environmental Impact Report
Date: Monday, December 13, 2021 4:53:55 PM

Dear Mike Sawley,

As a resident of Chico for the past 14 years, I am profoundly and fiercely opposed to the Valleys Edge Development as well as the Stonegate development prior to it. 41-1

In this most recent Valleys Edge Development plan there is absolutely no consideration for high density low cost housing. Chico needs low cost, high density, infill housing and not another sprawl development which will decrease our environmental quality of life. There are only 162 medium high density residential housing plots planned in this development and 1739 very low and low density housing units which will be built out as large luxury high priced houses. There is more than enough housing being built all over Chico right now especially "luxury" high price housing. 41-2 The valleys edge development will fragment and degrade, if not fully destroyed, a valuable and intact area of oak Woodland and open country in the urban wildland interface - helping to sequester carbon and mitigate our urban heat island, control stormwater runoff decreasing chances for flooding and groundwater and surface water degradation, allowing for natural wildlife corridor's, and helping to buffer us from the most damaging effects of wildfire. And this is to say nothing of the lack of oversight and mitigation potential for endangered species let alone endangered ecosystems. It is damaging our greatest biological resources for which Chico is known, beloved and valued. 41-3

Finally, water use and the traffic planning is incredibly poorly thought out in this -profit-over-community-planning endeavor. Huge traffic congestion in the southeaster part of town will ensue along with the pollution and poor air quality attendant to that. 41-4 The Development Plan has serious oversight in the way of egress and evacuation planning for this newly overbuilt/underplanned section of town in the event of emergency off of 20th and Bruce. 41-5 And the water use planning for of this continued level of low density housing with only deplete our limited water resources more. Poor planning all the way around, I very much hope the plan is reviewed and reconsidered from all angles. 41-6

Sincerely,

Jennifer Jewell
Chico, CA

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Response to Letter 41

Jennifer Jewell

41-1 This comment is an introduction to comments that follow and states 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.

41-2 The comment states that the VESP does not consider high-density and low-cost housing, which the City needs and claims the project will be developed as large, luxury homes.

Please see Responses to Comments 9-68 and 9-69 that address housing concerns.

41-3 The comment states that the project would fragment and degrade a valuable and intact area of oak woodland, which helps to sequester carbon and mitigate the urban heat island, control stormwater runoff decreasing chances for flooding and groundwater and surface water degradation, allowing for natural wildlife corridors, and helping to buffer surrounding areas from the damaging effects of wildfire. The comment concludes there's a lack of oversight and mitigation for protected species.

Regarding carbon sequestration, please refer to Response to Comment 9-1. As stated in Chapter 2, Project Description, the proposed project would designate approximately 700 acres for parks, preserves, and open space of the 1,448-acre project site. Development of the VESP would permanently convert roughly 569 acres of annual grassland, 200 acres of blue oak foothill pine woodland, and one acre of wetlands. The indirect and direct impacts associated with development of the project site are evaluated in the Draft EIR which addresses stormwater runoff and flooding (Section 4.9, Hydrology, Water Quality and Drainage), impacts to biological resources (Section 4.3, Biological Resources), and effects of wildfire (Section 4.14, Wildfire). Please also see Master Response 1, Wildfire, for a comprehensive response to comments related to wildfire issues and Master Response 2, which addresses concerns regarding the protection and management of Butte County meadowfoam.

41-4 The commenter states that the project will contribute to traffic congestion in the southeastern portion of the City, which will contribute to an increase in air pollutants leading to a decline in air quality.

The Draft EIR evaluates transportation in Section 4.13, Transportation and Circulation. In 2018, the Natural Resources Agency approved changes to the CEQA Guidelines including how traffic is evaluated. Instead of using a standard of level of service (LOS) to understand potential traffic impacts on area roadways and intersections, the decision was made to eliminate the evaluation of LOS impacts in lieu of vehicle miles traveled or VMT. This change was made specifically in response to SB 743, which requires the state to reduce greenhouse gas emissions. Therefore, the traffic impact analysis does not include an evaluation of "congestion" on areas roadways. However, the City's General Plan does contain policies regarding roadway levels of service. The project's consistency with these and other policies is addressed in Chapter 3, Land Use and Planning. Air quality is evaluated in Section 4.2, Air Quality, and the project's indirect and direct impacts associated with construction and operation, including increase in vehicle trips is quantified in this section. Please also see Responses to Comments 9-21 and 9-76.

41-5 The comment references evacuation in the event of an emergency relative to the E. 20th Street and Bruce Road area.

The Draft EIR addresses emergency evacuation in a few different sections. Specifically, Section 4.8, Hazards and Hazardous Materials addresses if the project would impair implementation of an adopted emergency response plan or emergency evacuation plan; Section 4.13, Transportation and Circulation addresses if the project would require emergency access and how the project is proposing to address emergency vehicle access to and around the site and vehicle access off the site in the event of an emergency. Lastly, Section 4.14, Wildfire looks more closely at emergency evacuation in the event of a wildfire. As noted in the analysis starting on page 4.14-21, the project is located along an identified evacuation route in both the City and County's adopted Emergency Evacuation plans. The City's Emergency Evacuation Plan identifies Highway 99 and Highway 32 as the primary evacuation routes in the southeastern portion of the city. The project provides new roadway access at the main project entries on Skyway and E. 20th Street. In addition, the Steve Harrison Memorial Bike Path would provide secondary emergency access and internal fire access road connections would be provided between planning areas in the eastern portion of the site to ensure adequate emergency vehicle access is available to serve those residential neighborhoods. These project features, combined with the VESP Firewise Guidelines and access provisions for Type 3 wildland fire engines, support the Draft EIR's conclusions that the project's impact on evacuations would be less than significant. Further, advancements in emergency notification technologies (widespread use of cell phone alert systems such as CodeRed) and evacuation protocols (the city is now divided into practicable response zones), has greatly enhanced the ability for emergency responders to conduct effective and efficient evacuations relative to pre-Camp Fire conditions. Please also see Master Response 1 which provides additional information specific to wildfire concerns.

41-6 The comment states that the project will increase demand for water, especially due to the project's low density and closes with an opinion that the project is poorly planned and hopes the plan is reviewed and reconsidered.

The Draft EIR evaluates the project's increase in demand for water supply in Section 4.12, Public Utilities. As discussed under Impact 4.12-2 on page 4.12-20, the water purveyor, Cal Water, has indicated adequate water supplies are available to serve the project under all conditions, normal, single dry, and multiple dry years including a 5-year drought period. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

Comment Letter 42

From: John Merz
To: Mike Sawley
Cc: "Elizabeth Devereaux"; "Susan Tchudi"; G Marvin; "Caitlin Dalby"; "Richard Harriman"; "Jon Luvaas"
Subject: Valley"s Edge DEIR
Date: Monday, December 13, 2021 4:44:28 PM

Hi, Mike:

I believe the Chico City Council passed a resolution several years ago that directed that all Special Planning Areas identified in the current City of Chico General Plan (GP) be postponed from further consideration in terms of development until other key elements of the GP addressing infill needs and associated infrastructure issues were implemented. Please clarify. Thanks. 42-1

Due to the size of the DEIR and the holiday season, I would also request that the public comment period be extended for at least an additional 30 days. 42-2

John Merz

P.S. Please include me in all future notices concerning the Valley's Edge project. 42-3

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Response to Letter 42

John Merz

42-1 The comment requests clarification on a City Council resolution adopted by the Chico City Council directing that all Special Planning Areas be postponed from further consideration until other key elements of the General Plan addressing infill needs and associated infrastructure issues are implemented.

This comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. No resolution was adopted by the Chico City Council specific to postponing consideration of development within a Special Planning Area.

42-2 The comment requests an extension of the Draft EIR public comment period by an additional 30 days.

The Draft EIR was released for a 45-day public comment period from October 29 through December 15, 2021. Per CEQA Guidelines Section 15105, the public review period for a draft EIR shall not be less than 30 days nor should it be longer than 60 days except under unusual circumstances. There are no unusual circumstances that would warrant a 30-day extension beyond the 45-day comment period provided. Holidays are not considered unusual circumstances.

42-3 The comment requests receipt of future notices concerning the project.

The commenter has been added to the City's noticing list for the project and will be informed of future notices for public hearings as requested.

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Comment Letter 43

From: Chris Mueller
To: Mike Sawley
Subject: Comments on the Valley"s Edge Specific Plan DEIR
Date: Monday, December 13, 2021 4:59:21 PM

Dear Mr. Sawley,

The Draft Environmental Impact Report for proposed Valley Edge Specific Plan (VESP) project fails to adequately characterize the sprawling nature of the proposed Valley Edge Specific Plan (VESP) project, which has very-low-density and low-density residential scattered throughout the 1,448-acre site. The acreage described as parklands or open space would be divided into ribbons that extend between developed areas substantially degrading the undeveloped area's value as habitat. 43-1

The discussion in Chapter 3, Land Use and Planning, finds the project to be generally consistency with the Butte County 2016 Regional Transportation Plan/Sustainable Communities Strategy 2016-2040's policy to promote "Compact Urban Form and Infill Development." This conclusion is unsupportable. This project appears more accurately to be the definition of sprawl development, the opposite of what the cited policy aims to achieve. 43-2

The analyses in many sections in Chapter 4 of the DEIR rely in part on the guiding principles, goals, and actions found in the Specific Plan itself (the subject of the DEIR) to determine that impacts will be less-than-significant. Since these aspirations identified in the VESP are not mitigation measures, who (what agency) would be responsible for ensuring that the principles, goals and actions of the VESP are in fact implemented? Without adequate oversight by a public agency, such goals and actions may simply be found by the project sponsor, during project implementation, to be "infeasible" for one reason or another. 43-3

Chico needs housing but not this kind - luxury housing in sprawl development on the edge of the city. This project would not alleviate the city's existing housing problems. It would be detrimental to existing habitat important to sensitive species, exacerbate existing traffic problems, and expose residents and workers at the project site to substantial wildfire risks, among other impacts. 43-4

The DEIR analysis identified significant unavoidable impacts from increased GHG emissions and significant unavoidable impacts on the visual character of the area and public views of the site and its surroundings. The project would not provide the kind of housing that Chico needs, as the project's luxury homes are very unlikely to be affordable to most residents in Chico or former residents of Paradise and other Ridge communities displaced by the Camp Fire. Considering the impacts identified in the DEIR as significant and unavoidable and the impacts noted above, the adverse impacts of the VESP would clearly outweigh any benefits and the project therefore should not be approved. 43-5

Thank you for this opportunity to comment.

Sincerely,

Christine Mueller
Chico, CA

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Response to Letter 43

Christine Mueller

43-1 The comment asserts that the Draft EIR fails to adequately characterize the sprawling nature of the very low- and low-density residential. The comment also states that the project's parkland and open space would be divided into ribbons that would degrade the undeveloped area's value as habitat.

Chapter 2, Project Description, in the Draft EIR describes, in detail, what the project is proposing, including tables and exhibits that characterize the type of residential development and distribution of parkland and open space. The commenter's opinion regarding the merits of the project is noted and forwarded to the decision makers for their consideration.

43-2 The comment states that the policy consistency determination regarding the Butte County Association of Governments (BCAG) 2016 RTP/SCS presented in Chapter 3, Land Use and Planning, is unsupported. The comment also states an opinion that the project more accurately represents sprawl than it meets the intent of the RTP/SCS.

The commenter appears to be referring to LAFCo policy 2.6 rather than a policy in BCAG's 2016 RTP/SCS to promote "compact urban form and infill development". As stated on page 3-25 of the Draft EIR, the project is generally consistent with that LAFCo policy because the VESP is designed as a compact land use plan that also maximizes preservation of open space for parks and trails. This comment reveals an error in the heading for Table 3-1 of the Draft EIR, which has been corrected and a revised version of the table is included in Chapter 3, Changes to the Draft EIR. Please also see Response to Comment 21-2 which provides an overview of consistency with plans and policies. The commenter's opinion is noted and forwarded to the decision makers for their consideration.

43-3 The comment states that the analysis in Chapter 4 of the Draft EIR relies on the guiding principles, goals and actions contained in the VESP to address specific impacts, and questions what agency would be responsible for ensuring the principles, goals, and actions of the VESP are complied with during project implementation.

If the project is approved, the VESP will become a City document, similar to the General Plan. The City would be the primary agency responsible for ensuring consistency between the VESP policy framework, development approvals, and on-the-ground construction and operation. Future subdivisions and building permits, for instance, would be reviewed for consistency with VESP policies, as well as adherence to VESP zoning and development criteria. Since these common project entitlements must be processed by the City, the City is well positioned to ensure adequate public oversight of the VESP's goals and actions.

43-4 The comment asserts that the project would not alleviate the City's existing housing problems, would be detrimental to existing sensitive habitat, exacerbate existing traffic problems, and expose residents and workers to wildfire risk.

The commenter's concern is noted and forwarded to the decision makers for their consideration. Please see Responses to Comments to Letter 6 (CDFW) and Letter 8 (Sierra Club) regarding biological resources, and Responses to Comments 41-2 and 41-3, and 9-68 through 9-70, 21-2 and 25-10 regarding housing issues, and Master Response 1 regarding wildfire.

43-5 The comment notes that the Draft EIR identified significant and unavoidable impacts related to GHG emissions and visual resources. The comment also reiterates an opinion that the project would not provide the kind of housing that the City needs and suggests that the significant and unavoidable impacts of the project outweigh any of the benefits.

The commenter's concerns regarding the merits of the project are noted and will be forwarded to the decision makers for their consideration.

Comment Letter 44

From: Chris Nelson
To: Mike Sawley
Subject: Re Draft EIR Valley"s Edge
Date: Monday, December 13, 2021 3:48:41 PM

Noted- No documentation for this project that was prepared prior to the Camp Fire should be admissible due to the environmental effects and implications of the fire.
The Chico General Plan (last updated 2017) is outdated and does not reflect the extreme crisis of climate catastrophe we all must acknowledge. To use a flawed document to guide a project of this size is irresponsible. 44-1

Aesthetics- The viewshed will be permanently altered. What will be visible are homes of very wealthy people overseeing and looking down on the more modest and plebeian Chico. This model is unacceptable in a democratic society and will further divide a divided town. 44-2

Air Quality- The sheer numbers of cars and car trips for day from this project will permanently harm the AQI of Chico which is already marginal and often poor a large part of the year due to our valley bowl sink effect. Allowing this sprawl to occur can never be mitigated. 44-3

Biological Resources/Hydrology- Butte County meadowfoam is rare and endangered.
Removing 1100 rare, hydrologically important blue oaks is not supportable.
The vernal pools are not hydrologically separated from the project. There is no scientific proof for that claim. 44-4

I am seeking the no project alternative. 44-5

Thank you, Chris Nelson
2300 B Estes Rd. Chico 95928

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Response to Letter 44

Chris Nelson

44-1 The comment asserts that the City's General Plan is outdated and does not reflect the magnitude of the current climate crisis, and that no documentation that was prepared prior to the Camp Fire should be relied upon due to the environmental effects of the fire.

The baseline for the Draft EIR is post Camp Fire for a majority of the technical sections in Chapter 4. However, some reports were prepared prior to the Camp Fire, such as the geotechnical evaluations and some of the biological resource reports. A majority of the project site was not affected by the Camp Fire; therefore, the results of the biological resource surveys would not be any different pre or post Camp Fire. This is confirmed in the Technical Memo: Post Fire Conditions within the Valley's Edge Development, prepared by Gallaway Enterprises in 2019 (Draft EIR, Appendix C). In addition, the traffic analysis factored in the change in traffic patterns post Camp Fire, as explained on page 5 in the Traffic Study provided in Appendix K of the Draft EIR. The goals and policies contained in the City's General Plan and recently updated Climate Action Plan reflect the overarching values of the City which did not change as a result of the Camp Fire. Therefore, the City's adopted General Plan remains valid and it is not outdated. The commenter's concerns are noted and will be forwarded to the decisionmakers for their consideration.

44-2 The comment states that the viewshed will be permanently altered and suggests that the layout of the project in relation to the City will cause further economic and social divide.

The project's significant and unavoidable impact to the quality of public views is fully disclosed in Section 4.1, Aesthetics, of the Draft EIR. As described therein, implementation of Mitigation Measure AES-1 may help to minimize impacts to visual character and public views of the project site. However, there are no additional, feasible mitigation measures to reduce the impact to less than significant beyond adherence to the policies and actions contained in the City's General Plan, Chapter 19.52.100 of the City's Municipal Code, and the VESP.

The commenter's concerns related to exacerbating an economic and social divide is speculative, and the visual description of VESP residents "overseeing and looking down on" other Chico residents is overstated. CEQA does not require an analysis of the socioeconomic effects of a project and such effects of a project shall not be treated as significant effects on the environment (CEQA Guidelines section 15131). The commenter's concerns are noted and will be forwarded to the decision makers for their consideration.

44-3 The comment states due to the increase in vehicles the project will adversely affect the region's air quality, which is often marginal in the region.

The Draft EIR evaluates the project's direct and indirect impacts to air quality in Section 4.2, Air Quality. Construction of the proposed project would result in the temporary addition of pollutants to the local airshed caused by on-site sources (i.e., off-road construction equipment, soil disturbance, and VOC off-gassing) and off-site sources (i.e., on-road haul trucks, vendor trucks, and worker vehicle trips). As shown in Table 4.2-7 on page 4.2-30 of the Draft EIR, maximum daily construction emissions associated with the proposed project would not exceed the

BCAQMD significance thresholds for ROG, NO_x, PM_{10} or $PM_{2.5}$. Table 4.2-8 on page 4.3-32 identifies the levels of pollutants that would be generated by due to project operation prior to mitigation and notes if the levels would exceed applicable thresholds. As shown in the table, levels of ROG, NO_x and PM_{10} would exceed the air district's thresholds. As explained on page 4.2-34, 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 the 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_x and PM), as recommended by the BCAQMD CEQA Handbook. With implementation of these measures, the project's net emissions would be below the identified thresholds reducing the impact to less than significant. See Response to Comment 9-21 for additional information regarding the use of offsets within the air basin to mitigate estimated project emissions beyond threshold levels.

44-5 The comment states the BCM is a protected species and asserts that the removal of 1,100 rare and hydrologically important blue oak trees is not supportable. The comment further asserts that the vernal pools are not hydrologically separated from the project and that there is no scientific evidence to support this claim.

The commenter is correct in that BCM is a rare plant species that is technically classified as "endangered." Potential impacts to BCM were addressed in Section 4.3, Biological Resources. Please see Master Response 2 for more details on the maintenance and preservation of this species. Regarding the removal of blue oak woodland, please see Response to Comment 26-8. Blue oaks are considered fairly widespread throughout the Central Valley and are not considered hydrologically important for support of wetlands. Please see Master Response 2 and Response to Comment 49-9 for more information regarding the hydrologic connection of the vernal pools present within the project site.

Comment Letter 45

From: Ann Ponzio
To: Mike Sawley
Subject: Valley"s Edge DEIR public comment
Date: Monday, December 13, 2021 1:28:21 PM

TO: Mike Sawley, Principal Planner
RE: Valley's Edge Draft Environmental Impact Report: Public Comment
DATE: 12/13/2021
FROM: Ann Ponzio

17 Arminta Court
Chico, CA 95928
annpnz@gmail.com

Issues to be addressed:

1. 'Significant and Unavoidable' increase in Greenhouse Gases. The City of Chico has committed to a GHG emissions to 0 by 2021. This is also a California State requirement. Valley Edge cannot go forward unless it is compatible with the goals required by the City and State for GHG reductions. The Final EIR must address this issue. 45-1
2. The loss of carbon sequestration by destruction of biological resources, such as 1,100 oak trees and other plant life, is not quantified. The effects of this loss of carbon sequestration on the City's goal of GHG emissions is not addressed. 45-2
3. Valley's Edge is proposed to be built in the Wildland-Urban Interface with a fire hazard of "moderate". The significance of this finding must be clarified. The risk to neighboring development and further into Chico must be quantified. The potential losses should be specified. 45-3

Thank you for your consideration.

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Response to Letter 45

Ann Ponzio

45-1 The comment states that the Draft EIR identified a significant and unavoidable increase in GHG emissions and asserts that the VESP cannot be approved unless it is compatible with the goals required by the City and the state for reducing GHG emissions.

The City recently adopted an update to its Climate Action Plan (CAP), as discussed on pages 4.7-31 and 4.7-32 in Section 4.7, Greenhouse Gases. The City's CAP identifies a variety of GHG reduction measures to help the City progress towards a carbon neutrality goal by 2045. Table 4.7-5 on page 4.7-31 discusses how the proposed project would meet each of the CAP reduction measures. Although the proposed project would not meet the CAP's efficiency goals of 2.76 MT CO_2e per capita per year by 2030 and carbon neutrality goal by 2045, the project would include many goals, policies, and actions related to reducing GHG emissions. Most of the GHG emissions associated with implementation of the project would be due to vehicle trips. Actions C-1.5, C-1.7, and C-1.8, in addition to Title 24 building code requirements, would promote alternative methods such as walking and biking, which would reduce criteria air pollutant and GHG emissions associated with transportation sources by requiring the proposed project develop EV infrastructure. However, because the extent to which residents, employees, and customers would use these alternative methods are unknown the associated reductions cannot be determined. Therefore, the project's GHG impacts would remain significant and unavoidable.

The project's contribution of GHG 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. Impacts identified as part of the CEQA process are tied to exceeding a specific threshold, which differs from determining consistency with an applicable plan or specific policy. 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 applicable plans including the City's 2030 General Plan goals and policies and CAP. Compliance with every goal and policy is not expected or typically achievable. However, it is within the City's purview to decide if the proposed project is consistent or inconsistent with applicable City goals or policies, which includes the CAP.

45-2 The comment asserts that the loss of carbon sequestration by destruction of biological resources, such as 1,100 oak trees and other plant life, is not quantified and would affect the City's ability to meet its GHG emissions goals.

As discussed in Chapter 2, Project Description, the proposed project would designate approximately 700 acres for parks, preserves, and open space of the 1,448-acre project site. Development of the VESP would permanently convert roughly 569 acres of annual grassland, 200 acres of blue oak foothill pine woodland, and one acre of wetlands. The California Emissions Estimator Model (CalEEMod) includes carbon content values, which are based on Intergovernmental Panel on Climate Change (IPCC) reports, to estimate the loss of sequestered carbon (release of CO_2). For grassland, which would be the closest land use associated with the existing site, removal of grassland would result in a rate of 4.31 MT CO_2/acre. The proposed project would also result in carbon sequestration from the planting of a variety of hardwood tree species, as listed in Appendix B of the VESP. Mixed hardwood trees planted within the project would result

in a sequestration rate of 0.0367 MT CO_2/tree/year assuming growth over 20 years; however, the number of trees to be planted is currently unknown. Assuming a very conservative estimate of two new trees per single-family unit and one new tree per multi-family unit, new trees within the project site would equate to approximately 3,315 MT CO2e of sequestered carbon. Most residential units include one or two street trees and at least two private trees (e.g., in front yards, rear yards and in parking areas), often more. Although planting new trees within the project may offset the loss of grasslands regarding carbon sequestration, these alterations in vegetation would not be sufficient to change the conclusions reached in the Draft EIR. Table 4.7-4 on page 4.7-27 of the Draft EIR presents the operational GHG emissions associated with development of the project site. The proposed project would result in approximately, 17,719 MT CO_2e compared with existing conditions. Therefore, the project was determined to result in a cumulatively considerable contribution of GHG emissions prior to estimating the loss of sequestered carbon and gain in sequestered carbon due to the removal and planting of trees.

45-3 The comment states that the project is proposed within the wildland-urban interface (WUI) area with a fire hazard rating of "Moderate," and requests the significance of this finding be clarified. The comment also states that the risk to neighboring development and the City should be quantified and the potential losses should be specified.

Please see Response to Comment 26-6 and Master Response 1 for a comprehensive discussion of concerns related to wildfire and development within the WUI.

Comment Letter 46

From: mike trolinder
To: Mike Sawley
Subject: Valleys edge EIR
Date: Tuesday, December 14, 2021 3:02:02 PM

Dear Mike
Re Valleys Edge EIR
The project does not analyze its ability to sustain its full cost to maintain its infrastructure and municipal services without further eroding existing city infrastructure and services, leading to a general decline in the cities ability to provide a usable solvent city to its citizens. Please provide how property tax revenue or other revenue sources will cover the project costs going forward. 46-1

Sincerely
Mike Trolinder

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Response to Letter 46

Mike Trolinder

46-1 The comment states that the project does not provide information regarding revenue sources to sustain operational costs without affecting existing City infrastructure and services.

CEQA does not require the cost or economic viability of a project be evaluated in an EIR, including revenue sources to support project operational costs. Section 15131 of the CEQA Guidelines specifies "economic or social effects of a project shall not be treated as significant effects on the environment." However, all new development would be required to pay City fees for utility service connections and other required fees along with property taxes which would help fund and maintain City infrastructure required to support the project. In addition, the project's HOA would also oversee and fund some operational activities of the project, such as maintenance of the Regional Park, Valley Open Space and neighborhood parks. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.

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Comment Letter 47

KD Anderson & Associates, Inc.

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MEMORANDUM

TO: Mike Sawley, City of Chico

COPY TO: Bill Brouhard, Craig Sandberg, Law Offices of Craig Sandberg

FROM: Wayne Shijo, KD Anderson & Associates

SUBJECT: Valley's Edge Specific Plan Draft Environmental Impact Report

DATE: December 13, 2021 **PROJECT:** Valley's Edge EIR (1379-07)

As requested, KD Anderson & Associates (KDA) has completed a review of the Valley's Edge Specific Plan Draft Environmental Impact Report (Valley's Edge DEIR). KDA was asked to provide our opinion of the *Air Quality* and the *Greenhouse Gases* sections of the DEIR. The purpose of this memorandum is to present the results of our review.

The review conducted by KDA focused on the *Air Quality* and the *Greenhouse Gases* sections of the DEIR. The vehicle trip generation estimates and mitigation measures included in these two sections of the DEIR refer to the *Transportation and Circulation* section of the DEIR. As a result, portions of the *Transportation and Circulation* section of the DEIR were also included in our review.

Overall, the analysis of project-related air quality and greenhouse gas (GHG) impacts presented in the DEIR is valid and defensible. While some improvements are recommended below, the analysis appears to meet the requirements of the California Environmental Quality Act (CEQA). The following is a summary of our review: 47-1

- The analysis of air quality and GHG impacts is quite extensive. Overall, the analysis is thorough, and applies industry-standard approaches and assumptions. 47-2
- The list of potential mitigation measures is also quite extensive. The list is in the *Transportation and Circulation* section of the DEIR. Selection of specific measures is to some degree left to future development of individual phases, which is appropriate, to be responsive to changing circumstances and technologies. 47-3

OBSERVATIONS, NOTES AND RECOMMENDATIONS

As noted earlier, KDA conducted a focused review of the *Air Quality* and the *Greenhouse Gases* sections of the DEIR. The review also included portions of the *Transportation and Circulation* section of the DEIR. The following observations, notes and recommendation are based on our review.

Air Quality Section

CEQA Conclusions. The air quality assessment presented in the DEIR is primarily based on quantitative analysis. The quantitative analysis is used to form qualitative CEQA conclusions about the significance of air quality impacts. The following is a summary of the CEQA conclusions presented in the DEIR:

- The impact of the project on conflicts with implementation of air quality plans would be significant without mitigation measures, but would be reduced to a less-than-significant level with implementation of mitigation measures.
- The impact of the project on construction-related emissions would be less than significant.
- The impact of the project on operational emissions would be significant without mitigation measures, but would be reduced to a less-than-significant level with implementation of mitigation measures. Notably, the mitigation measures include purchase of offsite emissions offsets.
- Construction-related impacts of the project on toxic air contaminants (TAC) would be significant without mitigation measures, but would be reduced to a less-than-significant level with implementation of mitigation measures.
- Operational impacts of the project on TAC would be less than significant.
- The impact of the project on carbon monoxide (CO) would be less than significant.
- The impact of the project on health effects would be significant without mitigation measures, but would be reduced to a less-than-significant level with implementation of mitigation measures.
- The cumulative impact of the project on air quality would be significant without mitigation measures, but would be reduced to a less-than-significant level with implementation of mitigation measures.

47-4

KDA

Analysis Software. The air quality analysis presented in the DEIR applies version 2020.4.0 of the CalEEMod emissions model. CalEEMod is the industry-standard software used for air quality analysis of land use development projects in California, and version 2020.4.0 is the latest version of this software.

Motor Vehicle Emission Rates. The CalEEMod emissions model applies emission rates to estimate emissions generated by motor vehicles. Emission rates used in the CalEEMod model are from the EMFAC software package prepared by the California Air Resources Board (CARB). Recently, CARB has updated the EMFAC software every three or four years.

Version 2020.4.0 of the CalEEMod emissions model uses EMFAC2017. EMFAC2017 was the most recent version available at the time version 2020.4.0 of the CalEEMod emissions model was prepared. While version 2020.4.0 is the most recent version of the CalEEMod emissions model, CARB has released a newer version of EMFAC – EMFAC2021.

47-4 Cont.

According to CARB's description of the EMFAC2021 model,

> "This newest model reflects CARB's current understanding of statewide and regional vehicle activities, emissions, and recently adopted regulations such as Advanced Clean Trucks (ACT) and Heavy Duty Omnibus regulations." (https://content.govdelivery.com/accounts/CARB/bulletins/2b62927)

Lag times are unavoidable in the creation and release of new software. So, while the DEIR applies the latest version of the industry-standard software (i.e., CalEEMod), it should be noted there are identifiable improvements in vehicle emissions control that are not included in version 2020.4.0 of the CalEEMod model.

An additional unavoidable aspect of CalEEMod to note is future regulatory changes. Which regulations will be adopted in the future and the nature and magnitude of the regulations cannot be known. But it is quite likely future regulations will be adopted, and the CalEEMod model cannot account for future regulations. For example, CARB is currently considering the Advanced Clean Fleets Regulation. According to CARB's description of this regulation,

47-5

> "CARB is developing a medium and heavy-duty zero-emission fleet regulation with the goal of achieving a zero-emission truck and bus California fleet by 2045 everywhere feasible and significantly earlier for certain market segments such as last mile delivery and drayage applications. . . The goal of this effort is to accelerate the number of medium and heavy-duty zero-emission vehicle purchases to achieve a full transition to zero-emission vehicles in California as soon as possible." (https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets/about)

KDA

As the most recent version of industry-standard software, version 2020.4.0 of the CalEEMod model is appropriate for use in CEQA compliance documents. However, because of unavoidable lag times in developing software and future unknown regulations, it should be recognized that future emissions estimates, and future emissions in reality, may be different.

47-5 Cont.

Land Use Quantities. An important factor in air quality analysis of a land use development project is the set of land use quantities included in the analysis. In an EIR, it is important that the land use quantities used in the air quality analysis (e.g., used in the CalEEMod emissions model) be consistent with the quantities described in the *Project Description* section of the EIR. The land use quantities used in the air quality analysis of the Valley's Edge project are consistent with the quantities described in the *Project Description* section of the EIR.

Vehicle Mix. One of the assumptions used in the CalEEMod emissions model is referred to as "vehicle mix". The vehicle mix is a set of percentages describing the portions of the project-related trips made by various types of vehicles (e.g., automobiles, light-duty trucks, heavy-duty trucks, and busses). CalEEMod provides default vehicle mixes. In some geographic areas, for some land use types, these default values are unrealistic. The vehicle mix used in the air quality analysis of the Valley's Edge project is reasonable.

47-6

Trip Generation. Another important factor in air quality analysis of a land use development project is the number of vehicle trips generated by the project. In an EIR, it is important that the trip generation estimate used in the air quality analysis be consistent with the estimate used in the transportation analysis.

The trip generation estimate used in the CalEEMod model is 23,151.93 trips per weekday. The estimate of net new vehicle trips generation presented in Table 16 of Appendix K of the DEIR, *Traffic Study*, is 23,162 trips per day. The 0.04 percent difference between these two values might be due to rounding. The methods used to calculate and sum trips generated by various land uses might have been different. As a result, the 0.04 percent difference can be considered to be nominal, having no effect on the qualitative conclusions of the analysis.

47-7

The trip generation estimate presented in Table 16 of Appendix K of the DEIR includes adjustments for internal trips, and for external walking, bicycle and public transit trips. Based on the composition and configuration of the Valley's Edge project described in the *Project Description* section of the EIR, this appears to be reasonable.

Vehicle Miles Traveled. CalEEMod reports an annual value for vehicle miles traveled (VMT). This value includes weekdays and weekends. KDA used the data reported by CalEEMod to estimate a weekday value of approximately 170,000 VMT per day.

47-8

KDA

Table 4-13.3 of the *Transportation and Circulation* section of the DEIR reports a weekday value of 195,538 VMT per day. This value is based on the Butte County Association of Governments (BCAG) travel demand model, and includes an adjustment for travel outside of Butte County.

The VMT reported by CalEEMod is approximately 13 percent below the value reported in Table 4-13.3 of the *Transportation and Circulation* section of the DEIR. The 13 percent difference is probably due, at least in part, to the different methodologies (i.e., CalEEMod versus the BCAG model) and the adjustment for travel outside of Butte County applied in the *Transportation and Circulation* section of the DEIR.

47-8 Cont.

While it would be desirable for the VMT estimates used in the *Air Quality* and the *Transportation and Circulation* sections of the DEIR to be consistent, it is unlikely that increasing the VMT estimate used in the *Air Quality* section would change the qualitative conclusions of the analysis.

Mitigation Measures. The *Air Quality* section of the DEIR presents several mitigation measures to reduce the impacts of the project. The following is a very brief summary of the measures, described in more detail in the DEIR.

- **AQ-1.** Implement Mitigation Measures AQ-2 through AQ-5
- **AQ-2.** Idling Restrictions
- **AQ-3.** Energy Conservation
- **AQ-4.** Purchase Offsets
- **AQ-5.** Implement the Transportation Demand Management program included in Mitigation Measure TRAF-2
- **AQ-6.** Construction Equipment Emissions Reductions
- **AQ-7.** Health Risk Assessment Requirements

47-9

Mitigation Measure AQ-4, *Purchase Offsets*, requires the project developer to participate in an Offsite Mitigation Program by paying money to purchase offsite emissions offsets. The amount of money is not specified in the mitigation measure. The amount would be calculated in accordance with the Butte County Air Quality Management District prior to approval of a final map for a project phase.

KDA

Mitigation Measure AQ-5, *Implement the Transportation Demand Management program included in Mitigation Measure TRAF-2*, is addressed below in the *Transportation and Circulation* section of this memorandum.

47-9 Cont.

Greenhouse Gases Section

CEQA Conclusions. Like the air quality assessment, the GHG assessment is primarily based on quantitative analysis, which is used to form qualitative CEQA conclusions about the significance of GHG impacts. The following is a summary of the CEQA conclusions presented in the DEIR:

- The operational impact of the project on GHG emissions would be significant without mitigation measures. Because implementation of mitigation measures would not reduce this impact to a less-than-significant level, this impact is considered significant and unavoidable.
- The impact of the project on GHG plans, policies or regulations would be significant without mitigation measures. Because implementation of mitigation measures would not reduce this impact to a less-than-significant level, this impact is considered significant and unavoidable.

47-10

Analysis Software. The *Greenhouse Gases* section of the DEIR states that version 2020.4.0 of the CalEEMod emissions model was used for the GHG emissions analysis. CalEEMod is the industry-standard software used for GHG analysis of land use development projects in California, and version 2020.4.0 is the latest version of this software.

Transportation and Circulation Section

Background. KDA conducted a detailed review of the *Air Quality* and *Greenhouse Gases* sections of the DEIR. KDA was not tasked with a detailed review of the *Transportation and Circulation* section of the DEIR. However, as noted earlier in this memorandum, mitigation measures presented in the Air Quality section refer to mitigation measures presented in the *Transportation and Circulation* section – Mitigation Measure AQ-5 is *Implement the Transportation Demand Management program included in Mitigation Measure TRAF-2*. The *Transportation and Circulation* section presents a more detailed description of these measures. As a result, KDA reviewed Mitigation Measure TRAF-2, presented in the *Transportation and Circulation* section of the DEIR.

47-11

Vehicle Miles Traveled Mitigation Measure. As described in DEIR Impact 4.13-6, *The proposed project would generate an average total VMT per service population that is 86% of the average total VMT per service population for the region.* The significance threshold for VMT is a project having a VMT per service population that is 85 percent of the average for the region.

47-12

KDA

As a result, a modest one percent reduction in project-related VMT would reduce the impact of the Valley's Edge project to a less-than-significant level.

Mitigation Measure TRAF-2 presents a list of potential mitigation measures to reduce VMT. The source of the list of measures is the California Air Pollution Control Officers Association (CAPCOA) document *Quantifying Greenhouse Gas Mitigation Measures*. Mitigation Measure TRAF-2 presents 22 measures for residential land uses and 26 measures for non-residential land uses.

Mitigation Measure TRAF-2 notes that specific measures should be selected for implementation before each residential tentative map or non-residential use permit. CAPCOA measure numbers TRT-3, TRT-5, and TRT-7 are suggested, but not required.

The DEIR concludes implementation of Mitigation Measure TRAF-2 would reduce the project impact on VMT to a less-than-significant level. While Mitigation Measure TRAF-2 does not identify specific measures, it is reasonable to conclude a one percent reduction in VMT is achievable.

47-12
Cont.

KDA

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Response to Letter 47

Wayne Shijo, KD Anderson & Associates
[Note: KD Anderson is a consultant to the project applicant.]

47-1 The commenter states that the analysis of project-related air quality and greenhouse gas emissions in the Draft EIR is valid and meets the requirements of CEQA.

The comment is noted and forwarded to the decision makers for their consideration. Please see Responses to Comments 47-2 through 47-12.

47-2 The comment states that the Draft EIR's analysis of air quality and GHG impacts is thorough and applies industry standards and assumptions.

The comment is noted and forwarded to the decision makers for their consideration.

47-3 The comment notes the mitigation measures included in the transportation section of the Draft EIR is comprehensive and adequate.

The comment is noted and forwarded to the decision makers for their consideration.

47-4 The comment summarizes the findings of the air quality impact conclusions and discusses the software used to quantify emissions concluding that while the Draft EIR appropriately applies the latest version of industry-standard software, there are improvements in vehicle emissions control that are not included in that version.

The comment is noted and forwarded to the decision makers for their consideration.

47-5 The comment is discussing future versions of the CalEEMod software and noting potential changes to the model under consideration.

The comment is noted. The modeling conducted for the project provides a conservative estimate of air emissions based on current industry standards and, as the commenter noted previously, the Draft EIR uses the most up to date versions of the models.

47-6 The comment is providing background on project-specific information relied upon for modeling, which includes land use, vehicle mix and trip generation information.

The comment is noted and forwarded to the decision makers for their consideration.

47-7 The comment is noting the trip generation estimate used in the CalEEMod model is slightly less than what is provided in Appendix K and wonders if this is due to rounding. The difference is 0.04 percent which, as the commenter notes, is nominal and would have no effect on the analysis.

The commenter is correct, the difference of 10 trips is due to rounding and would have no substantive effect on the analysis.

47-8 The comment notes the vehicle miles traveled or VMT for the project using CalEEMod for the air quality evaluation is approximately 13% less than what was assumed in the traffic analysis.

As the commenter notes the difference is most likely due to the Butte County Association of Governments travel demand model which includes an adjustment for travel outside of the County, thus generating a slightly higher VMT. However, the difference is too small and would not change the quantitative analysis included in the Draft EIR's air quality evaluation.

47-9 The comment summarizes the air quality mitigation measures included in the Draft EIR.

The comment is noted and forwarded to the decision makers for their consideration.

47-10 The comment summarizes the GHG assessment included in the Draft EIR.

The comment is noted and forwarded to the decision makers for their consideration.

47-11 The comment provides a general overview of the air quality and GHG mitigation measures that are also cited in the transportation section.

The comment is noted and forwarded to the decision makers for their consideration.

47-12 The comment confirms information contained in the transportation section of the Draft EIR that the project's VMT would exceed the City's threshold by 1% and summarizes the mitigation measures to address this impact and ultimately concludes it is reasonable to conclude compliance with these measures would achieve a 1% reduction to reduce the impact to less than significant.

The comment is noted and forwarded to the decision makers for their consideration.

Comment Letter 48

MEMORANDUM

Date: December 13, 2021	
To: Mike Sawley	**Organization:** City of Chico 411 Main Street, 2nd Floor P.O. Box 3420 Chico, CA 95928
From: Debbie Rudd, Principal (dlrudd@rrmdesign.com) Rachel Raynor, AICP (rcraynor@rrmdesign.com)	
Topic: Applicant's Reponses to Valley's Edge Specific Plan Project Draft Environmental Impact Report	

RE: Applicant's Reponses to Valley's Edge Specific Plan Project Draft Environmental Impact Report Dated October 2021

Dear Mike Sawley,

This letter and the attachments containing comments and questions comprise the applicant's comprehensive response to the Draft Environmental Impact Report (DEIR) prepared by Dudek dated October 2021 for the Valley's Edge Specific Plan Project (VESP).

We have used a standardized template as a format to organize our questions and comments. The comments and questions are grouped together by EIR sections and issue areas are consistent with the order of topics included in the DEIR Table of Contents. Individual comments under specific EIR section and issue areas are then further identified by page number, figure/table number, and/or section heading from the DEIR document to assist reviewers to locate the source of comments.

48-1

Thank you for the opportunity to comment. Please don't hesitate to contact us if you have any questions about these comments.

Sincerely,

RRM DESIGN GROUP

cc: Bill Brouillard, Brian Spilman

VALLEY'S EDGE DEIR RESPONSES/COMMENTS – 0.0 EXECUTIVE SUMMARY		
Comment #	***Page # / Section / Figure Reference***	***Comment***
Issue Area – 0.0 Executive Summary		
1	Page ES-3, Mitigation Measure AES-1	AES-1 is not clear as to whether this mitigation measure applies to single-family or multi-family residential. As noted in Chapter 4 and Appendix A of the VESP, the Valley's Edge Design Review Committee (DRC) is responsible for design guideline compliance through project review within the planning area. The VESP DRC shall have sole authority for reviewing single-family residential projects and shall utilize City staff for technical concurrence in the review and approval of commercial and multi-family residential projects. AES-1 should be revised to better clarify the appropriate review authority.
2	Page ES-36, Mitigation Measure NOI-2: Operation Noise	What is considered a 'potentially significant noise generating element' and whose discretion is it to determine when a noise study is required? Please provide additional clarification, if possible.

48-2

48-3

VALLEY'S EDGE DEIR RESPONSES/COMMENTS – 2.0 PROJECT DESCRIPTION		
Comment #	***Page # / Section / Figure Reference***	***Comment***
Issue Area – 2.0 Project Description		
1	Page 2-14, Accessory Dwelling Units	Add reference to Junior Accessory Dwelling Units (JADUs).
2	Page 2-14, Parks, Recreation, and Open Space	Revise text to include "bikes and trails constructed for public and quasi public uses".
3	Page 2-16, Big Meadows Park	Add reference for fire suppression and stormwater drainage purpose of the pond proposed in Big Meadows Park. Revise DEIR accordingly.

48-4
48-5
48-6

VALLEY'S EDGE DEIR RESPONSES/COMMENTS – 3.0 LAND USE AND PLANNING		
Comment #	***Page # / Section / Figure Reference***	***Comment***
Issue Area – 3.0 Land Use and Planning		
1	Page 3-28, Table 3-1	Remove reference to 'no man made barriers between project site and lands to the east'. This is incorrect as there is a 5 ft rock wall along the eastern boundary. Revise DEIR accordingly.

48-7

VALLEY'S EDGE DEIR RESPONSES/COMMENTS – 4.1 AESTHETICS		
Comment #	***Page # / Section / Figure Reference***	***Comment***
Issue Area – 4.1 Aesthetics		
1	Page 4.1-51, Mitigation Measure AES-1	Same comment as under Executive Summary, Issue Area 1. Revise DEIR accordingly.

48-8

VALLEY'S EDGE DEIR RESPONSES/COMMENTS – 4.2 AIR QUALITY		
Comment #	***Page # / Section / Figure Reference***	***Comment***
Issue Area – 4.2 Air Quality		
1	Page 4.2-23, Impacts and Mitigation Measures	It is unlikely that the commencement date of April 2022 will occur and the DEIR should acknowledge actual construction will likely be two years later and associated energy emissions are likely overstated.

48-9

VALLEY'S EDGE DEIR RESPONSES/COMMENTS – 4.5 ENERGY		
Comment #	***Page # / Section / Figure Reference***	***Comment***
Issue Area – 4.5 Energy		
1	Page 4.5-8, Local Regulations	The City of Chico's Climate Action Plan (CAP) Update (2021) should be added to the various local regulations / policy documents that the Valley's Edge planning area would be subject to. The City's CAP includes Measure E-2, which mandates that natural gas be eliminated in all new building construction starting in 2025.

48-10

VALLEY'S EDGE DEIR RESPONSES/COMMENTS – 4.14 WILDFIRE		
Comment #	***Page # / Section / Figure Reference***	***Comment***
Issue Area – 4.14 Wildfire		
1	Page 4.14-28, Non-potable and Recycled Water Supply subsection	Recommend revising subsection as follows: *Wells: There are two existing wells onsite. Any maintenance needed on either well would not result in additional temporary or permanent impacts from exacerbating wildfire risk beyond those identified in impact 4.14-2.* There is no intent to provide recycled water as part of the VESP. Recreational pond features proposed in the planning area would provide additional sources of water for wildland fire suppression and should be added to this section.
2	Page 4.14-28, WFIRE-2 Mitigation Measure (third bullet)	Clarify applicability of WFIRE-2; revise WFIRE-2 accordingly: *Ensure building materials and construction methods for all structures are in compliance with California Fire Code Chapter 49, Section 4905, for all <u>residential</u> buildings, not just those residences located along the Wildland Urban Interface perimeter lots.*

48-11

48-12

VALLEY'S EDGE DEIR RESPONSES/COMMENTS – 6.0 ALTERNATIVES		
Comment #	***Page # / Section / Figure Reference***	***Comment***
Issue Area – 6.0 Alternatives		
1	Page 6-9 (second paragraph)	Reference to natural gas; this should be evaluated / revised based on the City's CAP measure to ban / eliminate natural gas from new construction starting in 2025. This reference should be addressed for all proposed alternatives.

48-13

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Response to Letter 48

Debbie Rudd, Principal and Rachel Raynor, AICP, RRM Design Group
[Note: RRM Design Group is a consultant to the project applicant and prepared the Valley's Edge Specific Plan.]

48-1 This comment is an introduction to comments that follow.

Please see Responses to Comments 48-2 through 48-13, below.

48-2 The comment addresses mitigation measure AES-1 and requests clarification if it applies to single-family or multi-family residential projects and the City's role in the review process.

Mitigation measure AES-1 on page 4.1-51 is required to help minimize impacts to visual character and public views of the project site. As stated in the mitigation measure, "[f]uture residential and commercial development would be reviewed pursuant to Chapter 19.18 of the Chico Municipal Code. Review and approval of any site plans and architectural designs would be required prior to the issuance of a building permit by the project's Design Review Committee, City planning staff, and the City's Architectural Review and Historic Preservation Board (if required), unless the proposed development is exempt from design review under Title 19." To clarify, when the City receives an application and site plan for any commercial or residential development (including single family and multi-family) City staff would first review Chapter 19.18 of the Chico Municipal Code (CMC) along with the VESP to ensure consistency with the plan and the design guidelines. Certain types of projects, such detached single-family dwellings, are exempt from review pursuant to CMC 19.18040, and would only be reviewed by City staff to verify conformance with objective development standards. Some other proposals are deemed "minor projects" which are subject to the Chapter but do not require review by the Board (e.g., additional development on a partially developed site, and others listed under CMC 19.18.030). Lastly, there are projects such as new commercial and or multi-family residential projects that are subject to CMC 19.18 and require full review by the City's Architectural Review and Historic Preservation Board. Typically, before any of these City processes, the project's Design Review Committee would review the project for conformance with the VESP design guidelines. Thus, mitigation measure AES-1 applies to both single-family and multi-family residential projects, no revisions to the mitigation measure are required.

48-3 The comment refers to mitigation measure NOI-2 and requests clarification on what entity would determine if a noise report is required.

The City would be responsible for implementing mitigation measure NOI-2, and planning staff would determine if the requirement to prepare an acoustical analysis applies to a future proposed development within the project. The language of the mitigation measure has been modified to clarify, when the City receives an application for any commercial or multi-family use staff will evaluate the application to determine if the project-level impacts were adequately examined in the EIR, or if a noise study is required. See Chapter 3, Changes to the Draft EIR for the updated language.

48-4 The comment requests a revision to the project description to also include "Junior Accessory Dwelling units".

The project description has been updated to include this additional type of ADU. Please see Chapter 3, Changes to the Draft EIR.

48-5 The comment is requesting a revision to the project description to also include "quasi public" in addition to trails constructed for public uses.

The project description has been updated to include this change. Please see Chapter 3, Changes to the Draft EIR.

48-6 The comment is requesting a revision to the project description to add "fire suppression and stormwater retention" to the description of the lake proposed in Big Meadows Park.

The project description has been updated to include this change. Please see Chapter 3, Changes to the Draft EIR. Please also see Response to Comment 38-2.

48-7 The comment is requesting a correction to Chapter 3, Land Use and Planning to remove a reference to "no man made barriers".

Chapter 3 of the Draft EIR has been updated to include this change. Please see Chapter 3, Changes to the Draft EIR.

48-8 The comment is requesting the Summary Table in the Executive Summary be updated to include any changes to mitigation measure AES-1.

Please see Response to Comment 48-2.

48-9 The comment is noting that the commencement date of April 2022 included in Section 4.2, Air Quality is not feasible and is requesting the Draft EIR be revised to acknowledge this update.

As noted in the Draft EIR on page 4.2-23 in footnote 3, the analysis assumed a construction start date of April 2022 because it represents the earliest date construction could start and represents a worst case scenario. To address the comment the footnote will be revised to clarify that 2024 or 2025 are more realistic start dates. Please see Chapter 3, Changes to the Draft EIR for the revised text.

48-10 The comment requests information on the City's recently adopted Climate Action Plan Update be added to the Regulatory Setting in Section 4.5, Energy to reflect Measure E-2, which mandates that natural gas be eliminated in all new building construction starting in 2025.

The analysis in the Draft EIR on page 4.5-18 notes the project would be "all-electric" per Reduction Measure E-2 included in the CAP Update. The requested information is added to the Regulatory Setting, as shown in Chapter 3, Changes to the Draft EIR.

48-11 The comment is recommending language in Section 4.14, Wildfire, be updated to clarify the use of the on-site wells.

The commenter notes that recycled water would not be provided as part of the project; therefore, the discussion regarding wells will be removed from the analysis because it is not relevant as it pertains to providing water in the event of a wildfire. Please see Chapter 3, Changes to the Draft EIR for the revised text.

48-12 The comment is addressing mitigation measure WFIRE-2 and is requesting a minor clarification.

Mitigation measure WFIRE-2 has been updated to include this change. Please see Chapter 3, Changes to the Draft EIR.

48-13 The comment is requesting references to use of natural gas in the alternative analysis in Chapter 6 be corrected.

Chapter 6 of the Draft EIR has been updated to remove references to use of natural gas. The air quality and greenhouse sections also assumed the project would be "all electric" and assumed no natural gas would be provided. Please see Chapter 3, Changes to the Draft EIR.

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Comment Letter 49

December 13, 2021

FROM:
Paul & Kathy Coots
2646 E 20th Street
Chico, CA 95928
pkcoots@comcast.net
(530) 898-1799

TO:
City of Chico Community Development Dept
Mike Sawley, Senior Planner
411 Main Street
PO Box 3420
Chico, CA 95927
mike.sawley@chicoca.gov
(530) 879-6812

RE: Draft EIR for VALLEY'S EDGE

Dear Mr. Sawley,

This letter addresses our concerns about inadequacies of the *Valley's Edge Specific Plan Draft EIR (VESP dEIR)*, dated October 2021. We previously reviewed nearly every page of the *Valley's Edge Specific Plan Project* and related documents as detailed in the *Notice of Preparation* dated August 14, 2019—over 600 pages. We have now reviewed this *VESP dEIR* dated October 2021 and most of the related appendices—over 4,600 pages. 49-1

Use of Previously Prepared Environmental Documentation

We note on page 1-5 (PDF pg 79), the *VESP dEIR* used previously prepared documentation that includes the *Stonegate Final EIR*, dated August 2018. That document was prepared prior to the Camp Fire in November 2018. The significance of the Camp Fire on a variety of environmental elements considered during the environmental review cannot be ignored. If any of the findings of the *VESP dEIR* are dependent on the *Stonegate Final EIR*, the findings are likely quite inadequate. A case in point is noted under the Biological Resources section below regarding numbers of Butte County Meadowfoam located within the Stonegate footprint. 49-2

Along the same concerns, City of Chico last amended its *General Plan* in March 2017. The Camp Fire, climate change, COVID-19 have all impacted various elements of the General Plan. We realize this report cannot reach into a not-yet-updated General Plan, but a concern we hold is that the *Chico General Plan* is woefully outdated. This *Draft EIR* for Valley's Edge uses this outdated plan. In general, the accuracy or the adequacy of the current document may be compromised and therefore inadequate. 49-3

Aesthetics

The photo used to demonstrate the anticipated change in viewshed looking east along E. 20th Street from the flood control channel bridge appears incorrect. [*VESP dEIR* pg. 4.1-33, PDF pg. 191] The area where the future houses are situated in the "anticipated view" appears to be in a designated Primary Open Space (POS), rather than more easterly in an area designated as Low Density Residential (LDR). We believe this POS is due to significant drainage as well as sensitive biological assets located in that area. By incorrectly placing the houses closer to the bike path within that POS, it appears that the viewshed would not be significantly impacted. Because these before-and-after photos are so small, the actual 49-4

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impact to the viewshed is difficult to determine. We also note that the Specific Plan designates the LDR continues well beyond the end of E. 20th, yet there are no houses located in the area in the 'anticipated view' photo. We believe this is an inadequate representation to the actual impact to the viewshed especially for all those traveling along E. 20th in an easterly direction, by car, by bike, and on foot and many traveling by car along Skyway and Bruce Road. If this project continues the numbers of travelers will be significant. The viewshed for all will be forever changed. We respectfully request a revision to the photo that accurately depicts the changes to the viewshed.

49-4 Cont.

Air Quality

To estimate project emissions, this *Draft EIR* assumes construction takes place 5 days per week or 22 days per month (pg. 4.2-23; PDF pg. 237). Based on the current conditions of the build out of Belvedere Heights, construction often takes place more than 5 days per week. We are uncertain how this may or may not impact the results of the analysis. Also, we note that many of the tables included in Appendix B, show a windspeed of 2.2 mph. While the windspeed may often be 2.2 mph, it often reaches much higher speeds in this area of southeast Chico. Again, we are uncertain how this may or may not impact the results of the analysis.

49-5

Additionally, the East Avenue Monitoring Station information included on pages 4.2-10 and 4.2-11 note the impact of the number of days in 2018 where Chico's air exceeded state and national standards for quality. Because this document is dated October 2021 it seems pertinent to include air quality data from 2019, 2020, and 2021. Summer and fall air quality in those years was negatively impacted by wildfires in our region. We likely can count on more very poor-quality air days due to smoke from wildfires. We believe because this *Draft EIR* does not use updated information it is inadequate.

49-6

We did not note any analysis to the air quality associated with Franklin Construction. The odors from this nearby asphalt and paving company can be noted while using the Steve Harrison Memorial Bike Path. The company is located directly south of Valley's Edge outside of Chico city limits. We realize this issue does not fit into the impact Valley's Edge would have to air quality, but it seems the design of the use of the property must consider the existing less-than-pleasing neighbor. Imagine the property owners' desire to move the asphalt plant once they are living across the street.

49-7

Biological Resources/Hydrology

The *VESP dEIR*, page 4.3-49 (PDF page 307) states, "There are thousands of Butte County Meadowfoam mapped just west of the Steve Harrison Memorial Bike Path." *The Stonegate EIR Appendix D-2* titled *Rare Plant Survey and Mapping, WRA 2018* states in the Executive Summary, page i, "Approximately 1,656 individuals of BCM were observed during the April study." Seems to be quite a leap to suggest 1,656 individual plants equal thousands. Thousands of BCM individual plants have been observed over several years. The statement is misleading. This suggests that BCM is abundant, instead it is a threatened species.

49-8

On page 4.3-49 the *VESP dEIR* states: "The vernal pool complexes where BCM occur are hydrologically separated from the project site by the bike path and rock walls, which would prevent indirect effects from the project." We have photographs of water traversing across the bike path from Valley's Edge to Stonegate. The rock walls and bike path do not prevent indirect effects. These photos were taken during two different rain periods as noted in dates.

49-9

2

Steve Harrison Memorial Bike Path, looking south. Valley's Edge on the left, Stonegate Preserve on the right. Water, debris scattered across bike path to and around rock wall.

Photo taken 11/30/2018

Steve Harrison Memorial Bike Path, looking north. Valley's Edge on the right, Stonegate Preserve on the left.

Photo taken 12/12/2018

49-9 Cont.

We do note that improvements to drainage from Valley's Edge to Stonegate are indicated in the proposal. Water however often makes its own path. Climate change is impacting the amount of water received with any storm. At the same time improvements to storm drainage are planned, the additional

'pavement' involved in a project of this scope will promote surface water runoff, rather than permit the water to penetrate the area.

The increased urban runoff containing fertilizers, pesticides and automobile residue from Valley's Edge eventually flows to nearby creeks—negatively impacting the water quality for aquatic creatures. This same chemical-laden water runoff significantly impacts sensitive plant species within the project footprint. Valley's Edge causes the wildlife using this corridor to be squeezed—and these critters lack voices to shout against this use of this land.

49-10

3

We remained confused by this map from Galloway Enterprises dated 05/14/2015, located in Appendix C, PDF page 74:

This map has white cross hairs noting the area NOT surveyed because it was inside a "Preserve Boundary." In the Aesthetics section, this area depicts houses in a LDR area, or is it POS? Also, was this area ever surveyed? The layers of reports make this difficult to determine. The *Draft EIR* does not clarify.

49-11

The lack of survey data from this cross-hatch area appears to make this *Draft EIR* inadequate regarding identification of any species located in this "preserve boundary" and associated impacts and mitigation measures. This cross-hatch area is depicted with houses as discussed in the previous section on Aesthetics.

49-12

The mitigation measures included in VESP *dEIR* to protect BCM are inadequate. The construction buffers and the recommendations for the future BCM preserves within the Valley's Edge footprint must be even more robust. In order to build 2,777 residences, the project proposes to remove 1,100 trees. The allowance for removing 1,100 oak trees is an unacceptable level of oak destruction. These are a keystone species and a critical part of our ecological and hydrological systems.

49-13

Greenhouse Gas Emissions

We are very concerned about the effects of GHG Emissions on our climate and what the future holds for our children, our grandchildren, and our great grandchildren. We want to state that all efforts to reduce GHG Emissions are necessary to protect our future quality of life. This draft EIR illustrates that this proposed project exceeds target goals.

We were advised of the availability of this *Draft EIR* by email on October 29, 2021, included in that upload was *Appendix F Greenhouse Gas*. Page 4.7-26 states: "Emissions from the operational phase … were estimated using CalEEMod Version 2016.3.2. " *Appendix F* uploaded concurrent to October 29, 2021 appears to use CalEEMod Version 2016.3.2. The pages within *Appendix F* uploaded October 29, 2021 have analysis dates in May 2020.

The 'new' *Appendix F for Greenhouse Gases* was not uploaded until November 12, 2021. The pages within this 'new' *Appendix F* are dated June 2021. These pages use CalEEMod 2020.4.0. The introductory

49-14

4

paragraphs state the CalEEMod Version 2020.4.0 were used to prepare this section. Yet in the Operational Phase analysis CalEEMod Version 2016.3.2 were used.

If there are 'new' analyses available to use, that were uploaded beyond the initial 45-day review start date of October 29, 2021 there are two issues.

1) This section of the *VESP dEIR* is inadequate as it either does not use updated information included in the 'new' *Appendix F* or it is misrepresenting the information.
2) Because *Appendix F*, uploaded on November 12, 2021 was not available with the *VESP dEIR* the 45-day review period is lessened by approximately 2 weeks. The public has been given an inadequate time frame to review this very critical component of any EIR.

49-14 Cont.

49-15

49-16

Noise and Vibration

Page 4.10-31 states: "The developer(s) shall fund and construct either a noise protection wall for existing off-site residences along E 20th Street or a portion of E. 20th Street shall be repaved with quiet pavement.... Between Potter and Dawncrest...." Our home along E. 20th just west of Potter and would not be included in the 'repaving' with quiet pavement. Yet the same numbers of vehicles would travel in front of our home as those located on the E. 20th. The Mitigation Measure NOI-6 is inadequate. There is no roadway between Potter and Roth that might allow from some of the vehicles to exit. Therefore, all houses along E. 20th Street, between Potter and Bruce should be included in the 'repaving' efforts. Or at the very least additional noise analysis is required.

49-17

Transportation and Circulation

We examined the tables included in *Appendix K Traffic* to understand the impact to the traffic flow along E. 20th Street immediately in front of our home. The conditions in May 2019 counted 355 vehicles traveling east and westbound, AM and PM. The conditions predicted for 2040 are 2,020 trips per day. That is a 570% increase in the numbers of vehicles traveling along E. 20th east of the Bruce Road intersection. This stretch of roadway includes a well-used bicycle path and bike lanes connecting to the Steve Harrison Memorial Bike Path. This stretch of roadway has sidewalk only on the northern edge for pedestrians. The safety of all travelers is at risk. It is already quite difficult to enter E. 20th from Roth, England, Belgium etc. The 2,020 trips per day in the future is more than north/southbound traffic logged at the Bruce Road/E 20th St intersection in May 2019.

49-18

This *Draft EIR* suggests few changes to E. 20th Street between Valley's Edge and Bruce Road—except add a right turn lane at that intersection, and the addition of noise-calming pavement. There are no suggestions or findings for the safety of all those using E. 20th Street in this area. Children walking to and from school, hard-of-hearing seniors out for a stroll, dog-walkers, bicycle riders are all at risk for safety hazards due to the increase. There are no suggestions for traffic calming, yield signs, stop signs, crosswalks. We do realize this area is outside of the boundaries of Valley's Edge, but E. 20th Street will be greatly impacted by this development. Traffic calming mitigations for the cumulative impact must be included. We view this as section of the *VESP dEIR* as inadequate.

49-19

Wildfire

We recently joined the Little Chico Creek Fire Safe Council (LCCFSC) to find ways to reduce the wildfire danger that lurks along Little Chico Creek, the Butte Creek Diversion Channel and the adjacent

49-20

5

neighborhoods and lands. The LCCFSC has been working with the City of Chico and Butte County Fire Safe Council to fund activities that would clear vegetation along Little Chico Creek. These areas are included in Chico's Vegetative Fuels Management Plans (VFMP), dated April 2021, but there are 'no management plans' adopted for either Hillview/Belvedere Open Space or Little Chico Creek Greenway (VFMP PDF pg. 80). Indeed, the map on PDF page 74 of the same document depicts the Little Chico Creek, Doe Mill, and Belvedere Heights neighborhoods as suffering a torching and crown fire in the event of wildfire. Valley's Edge is situated along Little Chico Creek/Stilson Canyon. While homeowners can maintain defensible space, we are unable to clear property owned by the city—sensitive biological resources could be destroyed.

49-20 Cont.

The *VESP dEIR* explains the plan for the HOA to enforce fire safe actions, yet these actions may result in sensitive biological resources being destroyed. The dilemma faced currently by the LCCFSC. We believe the current draft EIR inadequately resolves the issue of wildfire within the proposed development and importantly the cumulative effects on neighboring existing homes, including the relationship to Biological Resources (particularly BCM and vernal pools) and Transportation (particularly evacuation routes for cumulative impacts).

49-21

Closing Comments

We realize a developer can bring a proposal to the city for approval of how property is to be developed. We also know that the city has a responsibility to turn down a proposal—or at the very least send it back to the drawing board. The Environmental Impact Report is just one of many tools a city uses. We appreciate the opportunity to examine this Draft EIR for Valley's Edge. We have indicated where we believe this draft EIR falls short and is therefore inadequate.

49-22

We hate to see this quiet, aesthetically pleasing valley community, nestled against the foothills disappear and sadly become another example of urban sprawl.

Sincerely,

Paul Coots

Kathy Coots

Response to Letter 49

Paul and Kathy Coots

49-1 The comment provides an introduction to comments presented in their letter and responded to below. The comment does not describe any accuracy or adequacy deficiencies of the Draft EIR; therefore, no further response is required.

49-2 The comment refers to documents listed in the Draft EIR that were reviewed and expresses concern that referencing information from the Stonegate EIR would not be accurate because that document predates the Camp fire. The comment states that an example of this concern is provided below (under Comment 49-8).

The commenter is referring to the list of documents referenced during preparation of the Draft EIR presented on page 1-5 of Chapter 1, Introduction and Scope of the EIR. None of the findings of the Draft EIR depend on findings from the Stonegate EIR. The Stonegate EIR was only used as a reference document that characterizes existing resources and the details of a project on an adjacent site, such as the example provided. The reference to Butte County meadowfoam on page 4.3-49 of the Draft EIR is relevant with respect to characterizing the relative amounts and patterns of Butte County meadowfoam plants in the vicinity of the VESP site. However, the significance findings in the Draft EIR do not rely directly on information from the Stonegate EIR and were developed independent of the significance findings of the Stonegate EIR.

49-3 The commenter asserts that the City's General Plan is outdated and inadequate since it was adopted prior to the Camp fire, climate change, and the COVID-19 pandemic and because of this believes the adequacy and accuracy of the Draft EIR may also be compromised and inadequate.

First adopted in 2011, the Chico 2030 General Plan covers a 20-year planning horizon. This comment provides no details on how the Camp Fire, climate change or COVID-19 have "impacted" the General Plan in a manner that would cause its policy framework to be outdated in a meaningful way. Please also see Response to Comment 44-1.

49-4 The comment questions the accuracy of a photosimulation included in the Aesthetics section of the Draft EIR and believes the view should be of open space and not residential units. The comment further asserts that the Draft EIR does not accurately represent views of the site from this location and requests the photosimulation be corrected.

The commenter is referring to Figure 4.1-9 on page 4.1-33 of the Draft EIR which depicts a view of the project site looking east from the E. 20th Street bridge over the Butte Creek Diversion Channel. The image shows housing units for the project on the right-hand (southerly) side of E. 20th Street, which is adjacent to a portion of the site that would be set aside as Primary Open Space. Since it is lower in elevation and because no improvements are anticipated within the open space area in the foreground of the image, observers from this vantage point would look over the open space and see the homes that are anticipated in the planning area located on the south side of E. 20th Street, and some homes located farther into the project site. Given the existing topography and project layout, the photosimulations appear to be reasonably accurate for showing the visual changes associated with project development.

49-5 The comment questions the project's construction assumptions pertaining to the number of days per week (5) or per month (22) that construction would occur, stating that the Belvedere Heights project is active with construction more frequently, and the comment also questions the assumptions for wind speed (2.2 mph), stating that higher wind speeds are common in the area.

The comments relate to the modeling inputs used in the California Emissions Estimator Model (CalEEMod) which include specific construction assumptions. CalEEMod provides a host of default values for the construction emissions analysis. Construction default values were utilized where proposed project information was not readily available. Default inputs that were updated according to information provided by the applicant include construction schedule phase lengths for major activities (e.g., demolition, grading, building construction, paving, and architectural coating); construction equipment lists for these major activities and hours of usage per day, construction truck and vehicle worker trips, and grading/excavation quantities. The construction methodology assumes construction would occur within the allowable times and days set by the City, in this case, 5 days per week. Information specific to construction provided by the applicant are provided in the Draft EIR beginning on page 4.2-22 in Section 4.2.3, Impacts and Mitigation Measures.

The commenter's statement that the modeling used the CalEEMod default parameter of a windspeed of 2.2 miles per hour is incorrect, when a specific project location is input in the model it automatically fills in the default wind speed for the region. The wind speed in CalEEMod is in units of meters per second (m/s), which is used in the fugitive dust calculations. Specifically, wind speed data in CalEEMod is based on information from the Western Regional Climate Center, which is based on typical wind conditions. The use of CalEEMod default parameters when site-specific information is unavailable is routinely used and is widely accepted as the industry standard model for purposes of quantifying emissions for CEQA impact analyses. Lastly, the BCAQMD includes Rules 200 (Nuisance) and 205 (Fugitive Dust) to control emissions of fugitive dust which require increased watering frequency whenever wind speeds exceed 15 mph to control dust emissions (Draft EIR p. 4.2-31).

49-6 The comment requests updated information from the East Avenue Monitoring station be provided, especially due to the wildfires that occurred in the past few years. The commenter suggests the analysis is inadequate because it does not provide updated information.

Information provided in Table 4.2-2 (see Draft EIR p. 4.2-10) was the most recent information available when the section was drafted and generally represents baseline conditions when the Notice of Preparation was released in August 2019. The data from the monitoring stations is not continually updated in real time so when the analysis was drafted it included the most recent information. Since the Draft EIR was completed information from the monitoring stations has been updated. Revisions are made to Table 4.2-2 in Section 4.2, Air Quality of the EIR, and are provided in Chapter 3, Changes to the Draft EIR. The updates to Table 4.2-2 are very minor would not change the adequacy of the Draft EIR or the impact conclusions in the Draft EIR.

49-7 The commenter asks why odors from the nearby asphalt and paving company, Franklin Construction, were not considered in the analysis.

Franklin Skyway Asphalt was located at 1480 Skyway but the business has since closed. The closest asphalt plant to the project site is Mathews Readymix located at 1619 Skyway. Table 7.1 of BCAQMD's CEQA Air Quality Handbook presents the screening distances for various odor

sources. If a project is proposed within the screening distance indicated in Table 7-1, the Air District should be contacted for information regarding potential odor problems. Although the proposed project would be located approximately 0.3-mile to the south of the Mathews Readymix Asphalt Plant, no odor complaints have been received for the facility within the last 3 years (BCAQMD 2022); therefore, the proposed project would not be located in an area where existing odors are a concern. The proposed project would also not introduce a new source of odors. Impacts related to odors would remain less than significant.

49-8 The comment questions the accuracy of the characterization of BCM plants on the Stonegate site as numbering in the "thousands," when the Rare Plant Survey from the Stonegate EIR states that only 1,656 BCM plants were observed in an April survey.

The comment relates to the discussion of BCM provided on page 4.3-49 of the Draft EIR. The number 1,656, from the Executive Summary of Appendix D-2 of the Stonegate EIR, refers to the BCM plants that were identified during rare plant surveys performed by WRA in April 2016. The Executive Summary also notes that WRA conducted follow-up rare plant surveys in March 2018, shortly before the Stonegate Draft EIR was released for its public comment period. The 2018 rare plant surveys included the 15-acre Doe Mill-Schmidbauer Preserve, which had not been previously surveyed in connection with the Stonegate project. According to Figure 5 of Appendix D-2 of the Stonegate EIR, a total of 8,164 BCM were surveyed on the Doe Mill-Schmidbauer Preserve in 2018, and 16,542 BCM were surveyed on the remainder of the Stonegate site. The characterization that there are thousands of BCM plants present just west of the bike path is accurate and based on substantial evidence. However, despite this local abundance on the Stonegate site, BCM remains an endangered species and is recognized as such by the Draft EIR. Please also see Master Response 2 for more information regarding BCM.

49-9 The commenter disagrees with the statement that the vernal pool complexes on the adjacent Stonegate site are hydrologically separated from the project site due to the Steve Harrison Memorial Bike Path and rock walls and has observed water flowing from the project site towards the Stonegate site.

The commenter is correct in that the VESP project site is hydrologically connected to stream channels on the Stonegate property, but the vernal pools with BCM within Doe Mill-Schmidbauer Preserve are perched higher on that site and drain into the same stream channels on the Stonegate property. The culverts that cross under the Steve Harrison Memorial Bike Path drain into incised channels before flowing into the Butte Creek Diversion Channel. These drainages are below the elevation of the Stonegate BCM preserves and thus runoff from the project site could not enter the sensitive areas of the preserve and would not cause direct or indirect effects. The text on page 4.3-49 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.

49-10 The commenter asserts that with an increase in impervious surfaces more stormwater runoff from the project would flow into nearby creeks, negatively impacting water quality and plant species.

The Draft EIR analyzes potential impacts to streams and protected wetlands in Section 4.9, Hydrology, Water Quality and Drainage and Section 4.3, Biological Resources. As discussed under Impact 4.9 starting on page 4.9-26, the effects of construction and operational activities on water

quality is addressed. As the analysis describes all future development projects are required to prepare a Stormwater Pollution Prevention Program or SWPPP for grading activities. The SWPPP must be developed and implemented by a Construction General Permit Qualified SWPPP Developer/Qualified SWPPP Practitioner. The Qualified SWPPP Developer/Qualified SWPPP Practitioner is tasked with determining the receiving water risks (including beneficial uses and CWA Section 303d impairments), monitoring site activities that could pose risks to water quality, and developing a comprehensive strategy to control construction-related pollutant loads in site runoff. During operations stormwater runoff would be subject to the Low Impact Development (LID) standards described on pages 4.9-16 and 4.9-17 of the Draft EIR, which include source control, site design, treatment control, and hydromodification measures that ensure there is no net increase in runoff rates resulting from development. Therefore, as stated on pages 4.9-28 and 4.9-29, construction and operation of the project would not substantially degrade water in nearby creeks.

49-11 The comment notes that the Biological Resources Assessment (Appendix C to the Draft EIR) shows an area in the west of the project site as not surveyed during the vernal pool branchiopod surveys.

At the time the referenced surveys were conducted, the area shown on the figure was proposed to be preserved and was thus omitted from sampling. The revised proposed preserve boundary excludes one wetland feature that was not sampled for branchiopods and now coincides with a proposed development area located immediately south of E. 20th Street. Changes to the preserve boundary also excluded several wetlands that now coincide with the community park site. This discrepancy was noted during preparation of the Draft EIR and in response the project applicant retained their biological consultant, Gallaway to conduct dry-season sampling of those wetlands to determine if presence of listed large branchiopod species could be detected. That survey was conducted in September 2019 (Appendix C3 to the Draft EIR, starting on PDF page 194 of 767), and the results indicated no presence of listed large branchiopod species in the wetland features that had not previously been sampled. Therefore, the area highlighted by this comment was included in branchiopod survey efforts, and it is properly evaluated in the Draft EIR.

49-12 This comment references Comment 49-11 and questions whether the analysis in the Draft EIR is adequate.

Please see Response to Comment 49-11.

49-13 The comment asserts that the construction buffers and other measures to protect preserved BCM populations are inadequate, and further asserts that the removal of 1,100 oak trees is unacceptable.

The comment does not elaborate as to why the commenter believes measures to protect BCM are inadequate. Please see changes to mitigation measure BIO-1 (Chapter 3, Changes to the Draft EIR) for adjustments that have been made to improve the effectiveness of proposed mitigation. Regarding the removal of blue oak woodland, please see Response to Comment 26-8. It is not accurate to state that the VESP proposes to remove 1,100 trees at the site. Tree removal is addressed under Impact 4.3-2 on page 4.3-58 of the Draft EIR. The commenter's opinion regarding the merits of the project is noted and will be forwarded to the decision makers for their consideration.

49-14 The commenter questions what version of CalEEMod was used to evaluate the project's GHG emissions since the Draft EIR and Appendix F appear to refer to different versions of the software.

The comment also asks if anything more updated has been provided subsequent to close of the 45-day comment period.

The methodology used to estimate the project's GHG emissions and the GHG emissions presented in the Draft EIR in Tables 4.7-3 and 4.7-4 are consistent with CalEEMod Version 2020.4.0. The only difference between the Appendix F versions uploaded onto the City's website was due to the use of the most current version of CalEEMod. The model was updated during preparation of the analysis which required updating the analysis to reflect the most current model. There were no changes to the methodology and assumptions used to estimate the project's criteria air pollutant and GHG emissions between the two versions of Appendix F. Furthermore, CalEEMod Version 2020.4.0 applies emission factors derived from CARB's EMFAC2017 rather than EMFAC2014, so using a later version of the software is expected to produce more-accurate estimates for future mobile emissions.

49-15 The comment asserts that Section 4.7, Greenhouse Gases, is inadequate because it does not rely on the same information provided in the updated version of Appendix F.

The emission calculations and methodology associated with construction and operation of the proposed project uses CalEEMod Version 2020.4.0, which is consistent with the revised version of Appendix F. The use of project-specific data and CalEEMod default values, where appropriate, corresponds with the modeling output presented in Appendix F of the Draft EIR and the Draft EIR's analysis is based on substantial evidence and is adequate as presented. As shown in Table 4.7-4 on page 4.7-27, the proposed project would result in approximately, 17,719 MT CO_2e compared with existing conditions which correlates with the calculations presented in Appendix F. The analysis provided in Section 4.7 of the Draft EIR relies on the updated information contained in Appendix F and does not misrepresent the findings of the modeling. Therefore, the proposed project was determined to result in a cumulatively considerable contribution of GHG emissions. No change to the EIR analysis is required and impacts would remain significant.

49-16 The commenter states that a revised version of Appendix F was uploaded on November 12, 2021, which was after the Draft EIR was released for the 45-day review period. The commenter asserts that the public therefore has not been given adequate time to review this component of the EIR.

The commenter is correct, Appendix F was revised to update the modeling consistent with the release of an updated version of the CalEEMod model. However, the updated information contained in the revised version of Appendix F reflects use of the most current version of CalEEMod (2020.4.0). Notably, there were no changes to the underlying methodology and assumptions between the two versions of Appendix F that were uploaded to the City's website. The updated model outputs included in Appendix F were minor and did not change the Draft EIR analysis; therefore, adequate time was provided for review of this supporting documentation. Please also see Response to Comment 49-14.

49-17 The comment refers to mitigation measure NOI-6 which requires repaving a portion of E. 20th Street with rubberized pavement to reduce vehicle noise and questions the adequacy of the mitigation because it does not go west of Potter Road.

The noise analysis included in Section 4.10, Noise, of the Draft EIR was prepared based on information contained in the transportation impact analysis provided in Section 4.13, Transportation and Circulation. The greatest change in roadway traffic noise that would have the potential to occur, east of Bruce Road, would be at the outdoor activity area (i.e., backyard, side yard) of the residence located on the corner of E. 20th Street and Dawncrest Drive; as such, that was used as the primary driver of whether the proposed project would result in a noise impact due to an increase in vehicles. The proposed project was found to have the potential to generate an impact at the residence adjacent to the intersection of E. 20th Street and Dawncrest Drive. In developing the necessary scope for implementation of the mitigation measures (determine the most appropriate place to implement), a more detailed look into the traffic noise modeling results was necessary. The extent of the traffic volume data provided by the transportation consultant included volumes for six roadway segments along E. 20th (east of Bruce Road) between: Bruce Road and Belgium Avenue; Belgium Avenue and Roth Street; Roth Street and Poppy View Terrace; Poppy View Terrace and Potter Road; Potter Road and Autumnfields Way; and Autumnfields Way and Dawncrest Drive.

Traffic noise levels were calculated using the FHWA TNM 2.5 modeling algorithms at receiver locations representing the outdoor activity area of the noise-sensitive receptors adjacent to each of the roadway segments. Traffic noise levels were calculated for the existing and cumulative scenarios, with and without full build-out of the proposed VESP. For both the existing and cumulative scenarios, the significant increase threshold (+8 dBA Ldn above ambient) was only exceeded for the receiver located on E. 20th Street, between Autumnfields Way and Dawncrest Drive. Therefore, because only this segment of E. 20th Street was affected, application of the mitigation measure would only be necessary for that segment. However, traffic noise modeling for the unmitigated cumulative plus project conditions indicated that the receivers along E. 20th Street, between Potter Road and Dawncrest Drive would potentially be exposed to traffic noise levels exceeding the land use compatibility noise level significance threshold of 65 dBA Ldn (absolute noise exposure level rather than relative increase). For the proposed project to achieve compliance with the City's land use compatibility noise level significance threshold the mitigation measure was applied along E. 20th Street, between Potter Road and Dawncrest Drive. With application of the mitigation measure, the traffic noise levels generated by full build-out of the proposed VESP is predicted to comply with the City's land use compatibility noise level thresholds. Thus, extending the repaving of E. 20th Street west of Potter Road is not supported by the noise modeling and is not required.

49-18 The comment references traffic counts along E. 20th Street and notes the project would increase the volume of traffic relative to existing conditions and notes the presence of bike lanes and an existing bike path in this area. Also, the comment states that the increase in traffic may make access onto E. 20th Street difficult from side roads.

Please see Response to Comment 9-49.

49-19 The comment relates to safety along E. 20th Street and notes that due to the increase in vehicles along this road there are no suggestions for traffic calming; the comment suggests it should be addressed as part of the project's cumulative analysis.

Please see Response to Comment 9-49.

49-20 The comment states that wildfire dangers exist along Little Chico Creek, the Butte Creek Diversion Channel, the adjacent neighborhoods and lands, and that the Little Chico Fire Safe Council has been working to clear vegetation in this area with the City and County per the Chico Vegetation Management Plan. The commenter is concerned with the inability to clear property owned by the City resulting in torching and crown fires, and sensitive biological resources being destroyed.

It is noted that the commenters are part of the Little Chico Creek Fire Safe Council and have concerns regarding hazardous vegetation not being cleared along Little Chico Creek due to a lack of management plans for the Hill View Terrace and Belvedere Heights open space lots. However, Little Chico Creek is not within the project boundary. The map on page 74, referenced in the comment, has been reviewed; however, due to the resolution and quality of the map the information is not clear, and it is difficult to assess the accuracy of the commenter's claim that City parcels in the area are mapped for torching and crown fires. Regardless, the commenter is generally correct in that City-owned open space parcels in the area do not lend themselves to vegetation clearing due to the presence of biological resources. As described in Master Response 1 the VESP project takes a multilayered approach to address wildfire concerns and prevent ignitions, including fuel reduction along waterways within the project site. Further, the impact on biological resources by the project has been analyzed within the Draft EIR, and to determine how a potential project fire may affect biological resources in a fire-adapted ecosystem such as the project area is too speculative to be evaluated under CEQA. Please see Master Response 1 which also addresses concerns regarding wildfire.

49-21 The comment states that sensitive biological resources may be destroyed by enforcing fire-safe actions. The comment further asserts that the Draft EIR inadequately addresses wildfire within the proposed development and the cumulative effects on existing neighborhoods including Biological Resources and Transportation (evacuation).

As indicated in Response to Comment 49-20, the impact on biological resources by the project has been analyzed within the Draft EIR, and to determine how a potential project fire may affect biological resources in a fire-adapted ecosystem such as the project area is too speculative to be evaluated under CEQA. Please see Response to Comment 49-20 and Master Response 1 which addresses concerns regarding wildfire related to biological resource impacts and evacuation.

49-22 The commenter appreciates the opportunity to review the Draft EIR and states that they do not want to see this area become another example of urban sprawl.

The commenter's opinion regarding the project is noted and will be forwarded to the decision makers for their consideration.

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Comment Letter 50

George T. Kammerer
Attorney At Law
P.O. Box 951
Rancho Murieta, CA 95683-0951

12/12/2021

Mr. Mike Sawley, Principal Planner
City of Chico
411 Main Street - 2nd Floor
P.O. Box 3420
Chico, CA 95928

Via E-Mail & First Class Mail

Re: Comments Upon Draft Environmental Impact Report for the Valley's Edge Specific Plan (State Clearing House # 2019089041)

Dear Mr. Sawley:

We submit these comments on behalf of our client, the Drake Revocable Trust of 2001, Virginia Drake, Trustee ("Drake"), a nearby landowner, upon the Draft Environmental Impact Report ("DEIR") for the Valley's Edge Specific Plan Project ("Valley's Edge Project", or "Project") currently released for public comment by the City of Chico ("City"). Drake has a variety of concerns about the Project, and in particular, concerns about the extensive wastewater treatment and wastewater conveyance service (sewer service) demands that the Project will make upon the South East Chico Sewer Assessment District ("SECSAD"), which the DEIR fails to analyze as required by the California Environmental Quality Act. 50-1

South East Chico Sewer Assessment District - District Formation and History

In 1981 and 1982, the City established the SECSAD for the purpose of providing wastewater treatment and wastewater conveyance service to 2,577.51+/- acres of undeveloped lands in the southeast Chico area (see **Exhibit "A" - SECSAD Service Area Map**). (The Valley's Edge Project is not within the SECSAD Service Area and it's wastewater treatment and wastewater conveyance service needs were not taken into account and not provided for as part of the SECSAD design and allocation of wastewater conveyance pipeline capacity or disposal services to be provided by the SECSAD sewer system facilities.)

At the time of SECSAD district formation, every parcel that was within the SECSAD was assigned a City-calculated wastewater flow factor based upon the City's General Plan Land Use Designation and Zoning flow needs for each of those parcels. Bonds were issued by the SECSAD and the parcels therein were assessed a fair share public benefit payment requirement. Bond fund proceeds were used to design, size and install wastewater conveyance main and trunk lines throughout the SECSAD to serve all of the identified parcels. That work was completed in the early 1990s. SECSAD landowners were assigned Assessment Nos. (Drake was No. 705 and No. 706). Over time the other SECSAD landowners and Drake paid off their fair share of the bonded indebtedness. Drake paid its share of sewer bond principal in full ($798,181.00 principal), plus over $200,000.00 in interest payments. Drake was/is the largest landowner in the SECSAD, owning 530.1+/- acres (see **Exhibit "B"- Dan J. Cook Engineer, 1981**). 50-2

South East Chico Sewer Assessment District - Installed Conveyance Capacity

The wastewater conveyance pipelines installed as part of the SECSAD were sized to accommodate the wastewater conveyance capacity needs for the urban density land development requirements of the financially participating landowners located within SECSAD district boundaries. This wastewater conveyance capacity is identified and clearly depicted within the City's Final Sanitary Sewer Master Plan Update, June 2013, by Carollo Engineers, as revised, (see **Exhibit "C" Figure 4.1 Existing Sanitary Sewer Collection System, Carollo Engineers**).

As depicted in Figure 4.1, Drake installed, at Drake's direct expense, from a point starting at Drake's land holdings south of Highway 32, an eight inch (8") sewer trunk line heading west, leading to and including an eighteen inch (18") sewer main line heading south, just west of and paralleling Bruce Road, down to 20th Street. The 18" sewer main line then turns west and runs underneath 20th Street. Nearby, at the point where the Drake-installed 18" sewer main line main meets 20th Street, a separate ten inch (10") Doe Mill trunk sewer line comes in from the east sized to serve the Doe Mill subdivisions.

This Doe Mill trunk line is the Valley's Edge Project north connection to the existing SECSAD sewer conveyance pipelines with an enlarged fifteen inch (15") trunk line as explained in Chapter 4 of the Project DEIR. This will direct wastewater into the SECSAD pipeline system from a sizable segment of the Valley's Edge Project comprised of several hundred residential units (which were not anticipated or planned for within the SECSAD district for wastewater disposal service).

Drake is quite reasonably concerned that approval of an enlarged 15" Valley's Edge Project wastewater connection at this location (Doe Mill trunk line) will adversely impact the ability of the existing 18" SECSAD wastewater conveyance main line to convey that wastewater capacity already paid for and needed by Drake to serve the Drake lands upstream when the expanded 15" Doe Mill trunk line with Valley's Edge sewage will connect to and dump into the SECSAD 18" main line. None of these highly-foreseeable potential adverse impacts were analyzed in the DEIR and must be pursuant to CEQA.

50-3

The likelihood of a significant adverse impact to the SECSAD wastewater conveyance system capacity from a Valley's Edge Project connection at the Doe Mill location is quite high, as the lands of Drake upstream already have existing engineered subdivision plans, previously submitted to the City and reviewed by City staff at length, which are being prepared for re-submittal. As acknowledged by the Chico City Manager in his letter to Drake of March 26, 2021, the "City's planning assumes development of the Drake properties at 100 percent of the capacity provided in the SECSAD Engineer's Report" which amounts to 600 +/- residential dwelling units and up to 40,000 square feet of Commercial / Office space (see **Exhibit "D" Eastgate Site Plan**). The DEIR failed to analyze these SECSAD system capacity needs.

50-4

In fact, in order for the DEIR to be legally adequate, it is imperative that the City actually conduct a SECSAD district-wide engineering study to analyze and determine the potential impact to wastewater disposal conveyance capacity pipelines throughout the entire SECSAD system to all existing SECSAD sewer lines installed by and at the expense of all SECSAD district landowners. The DEIR has some brief cursory discussion of the capacity of the City Water Pollution Control Plant (WPCP), but no meaningful quantitative discussion of potential impacts to sewer line sizing and its capacity to serve other lands within the entire surrounding growth areas that paid for the SECSAD infrastructure which Valley's Edge now plans to tap into, use and consume a very large share of SECSAD sewer conveyance capacity. It is

50-5

essential that the DEIR analyze Valley's Edge impacts to the entire SECSAD conveyance system assuming maximum development by all other SECSAD landowners per the SECSAD Engineer's Report. 50-5 Cont.

The need to conduct this analysis by Valley's Edge, before the project can be approved, is particularly acute because the large neighboring Merriam Park development project's density was dramatically increased (with a commensurate substantial increase in sewer unit hookups and use of SECSAD sewer capacity in this exact location west of Bruce Road and north of 20th Street) above and beyond the density originally assumed for the Merriam Park site by SECSAD when the district was formed. As a result, substantial additional conveyance capacity has been used in this location which will exacerbate impacts from Valley's Edge tying into the SECSAD system. New state law now allows "Granny Flat" ancillary living quarters to be built on lots and tie into sewer. Both were not and must be analyzed in the DEIR. 50-6

South East Chico Sewer Assessment District - Conveyance Capacity Owned By Drake

As the largest landowner in the SECSAD at the time of formation and thereafter, Drake paid a lion's share of the bonded indebtedness, with interest, to install the wastewater conveyance pipeline infrastructure, for the very purpose, and with reasonable investment-backed expectations, of using the maximum wastewater capacity necessary to develop of all of Drake's holdings within the SECSAD. Any excess capacity not used by Drake, based upon Drake's acreage of participation, remains the property of Drake and is saleable on the open market to others who have SECSAD sewer hook-up needs.

As noted above, the Chico City Manager in his letter to Drake of March 26, 2021, confirmed that the "City's planning assumes development of the Drake properties at 100 percent of the capacity provided in the SECSAD Engineer's Report." Drake's engineers, Rolls, Anderson & Rolls ("RAR"), agree with that conclusion after conducting a thorough analysis of the SECSAD Engineer's Report, and the City's consulting engineer, Carollo Engineers' July 26, 2020 memorandum with its new loading polygons which show all of the Drake properties south of State Highway 32 as assumed for 100% development use of SECSAD wastewater conveyance capacity. 50-7

In fact, RAR has numerically quantified the number of sewer units allocated to the Drake properties within Carollo's new loading polygons based upon parcel acreage and zoning, and Drake's bonding and construction cost participation in the SECSAD wastewater conveyance pipeline system to serve Drake's properties. RAR's precise engineered calculations confirm that Drake owns a minimum of 4,165.33 wastewater sewer hook-up units for residential and/or other development (see **Exhibit "E" RAR, April 26, 2021 Drake Owned Sewer Unit Calculation**). The DEIR failed to analyze this SECSAD capacity need. 50-8

This DEIR deficiency is particularly acute because this sewer unit calculation has been known to the City since at least April 25, 2021 (and discussed with the City in additional multiple written correspondence dating back over several years). Inexplicably, the DEIR failed to discuss or even mention the City's well known (fully foreseeable) future Drake development wastewater conveyance system needs and allocation within the City's own SECSAD Engineer's Report. To be legally adequate, the 4,165.33 sewer hook-up unit capacity owned by Drake must be taken into account in the Valley's Edge Project DEIR analysis. 50-9

Further still, this Drake 4,165.33 sewer hook-up units capacity has a priority over the Valley's Edge Project's wastewater disposal needs. The Valley's Edge Project is <u>not</u> within the SECSAD service area. The SECSAD Engineer's Report never took into account development of the Valley's Edge Project 50-10

parcels in designing and sizing adequate wastewater infrastructure conveyance capacity. It is a legal imperative that the City reserve adequate hook up and conveyance capacity within the SECSAD system to serve the entire Drake-owned allocation of 4,165.33 sewer hook-up units, before allowing Valley's Edge to connect to the SECSAD wastewater conveyance system.

50-10 Cont.

The Valley's Edge Project and DEIR are inadequate and legally insufficient to allow for project approval by the City until a SECSAD district-wide sewer system wastewater conveyance system capacity and unit allocation reservation study has been conducted and verified as accurate. This SECSAD-wide study must demonstrate conclusively that there is adequate wastewater disposal capacity in the SECSAD conveyance system to accommodate development of all lands within General Plan-approved growth areas within the SECSAD boundaries, before approving sewer service to projects, like Valley's Edge, located outside SECSAD district boundaries. The paucity of the DEIR data and discussion on this topic fails to meaningfully inform the public and meet CEQA's public information notice and disclosure mandates:

50-11

A SECSAD district-wide sewer system wastewater conveyance system capacity and unit allocation reservation study must be performed as an essential component of the Valley's Edge Project DEIR, in order to legally support any Valley's Edge Project approval that would use any SECSAD facilities.

50-12

Make no mistake, the financial damages of approving the Valley's Edge Project, without sufficient sewer hook-up conveyance capacity to serve all of Drake's holdings at 100% build out is substantial. The current value of Drake's 4,165.33 pre-paid sewer hookup units (recently valued at $1,825.46 per SFR unit and valued at $1,545.80 per MFR unit), is the following:

- 2,763 SFR sewer hookup units (R-1 and R-2) at their current fair market value of $5,044,348; plus,

- 1,400 MFR sewer hookup units (R-3) at their current fair market value of $2,164,120 = $7,208,468.

Any deprivation of Drake's ability to use and/or sell Drake's sewer units will result in immediate requests for judicial relief against the City and the project proponents. And that is solely the value of the sewer units themselves if deprived of their sale or use. This does not include fully foreseeable damages for loss of revenue to Drake for being unable to build and sell actual dwelling units served by those sewer units.

50-13

In this multitude of ways, the Valley's Edge DEIR is legally deficient and inadequate to support project approval until and unless this level of additional significant impact analysis is performed and all feasible mitigation measures are exhausted that mitigate all these significant impacts to less than significant levels.

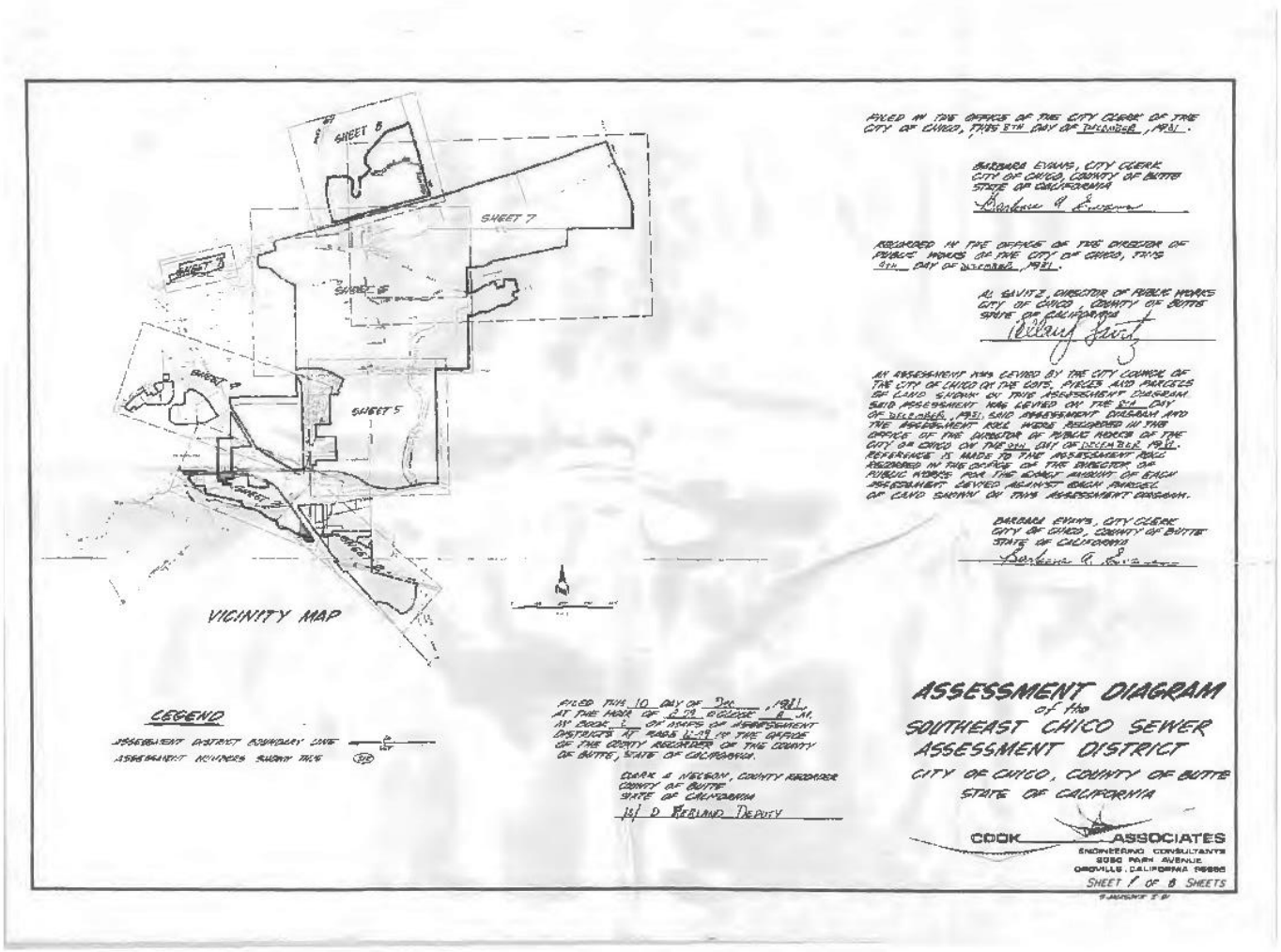
50-14

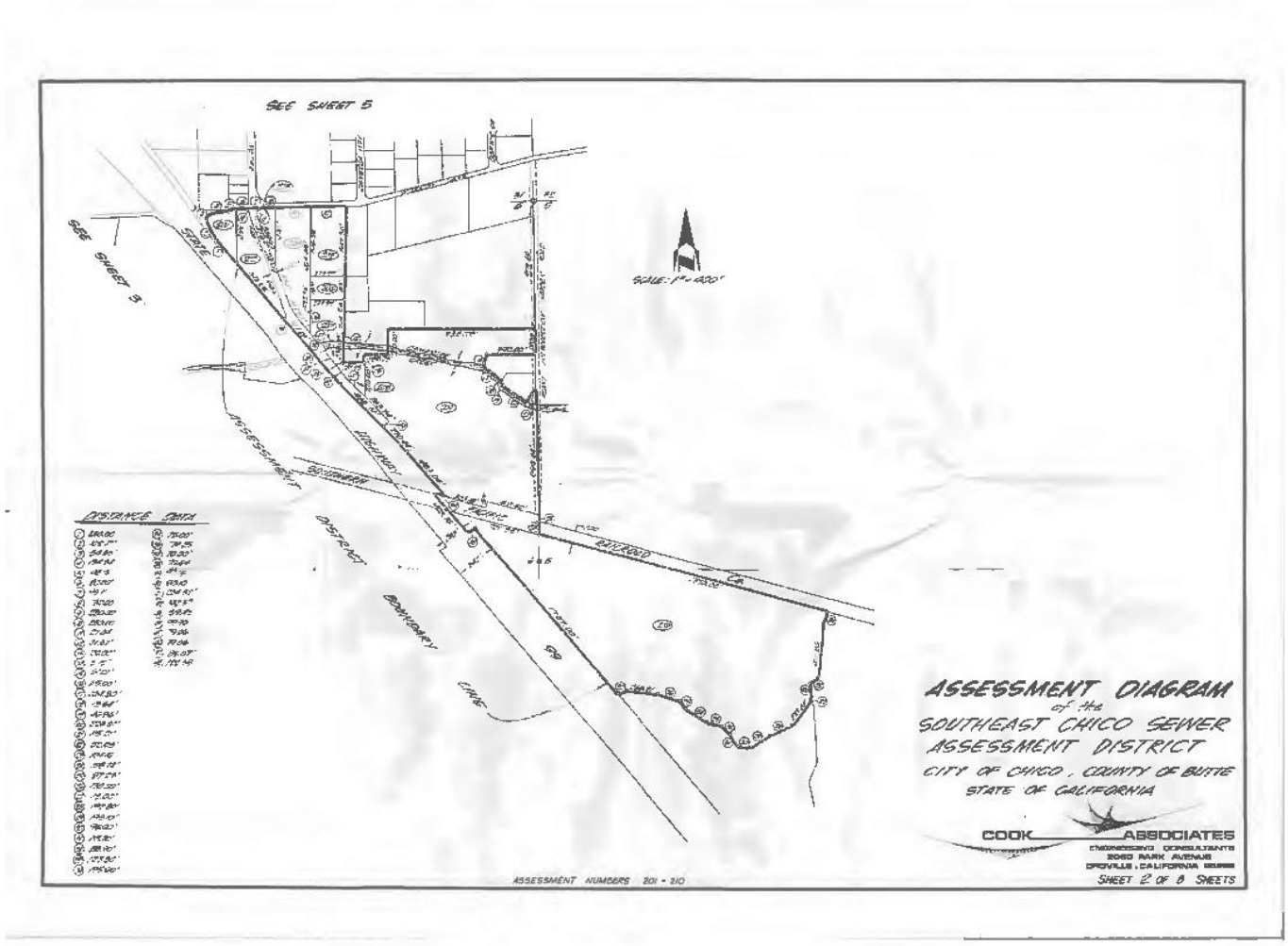
Very truly yours,

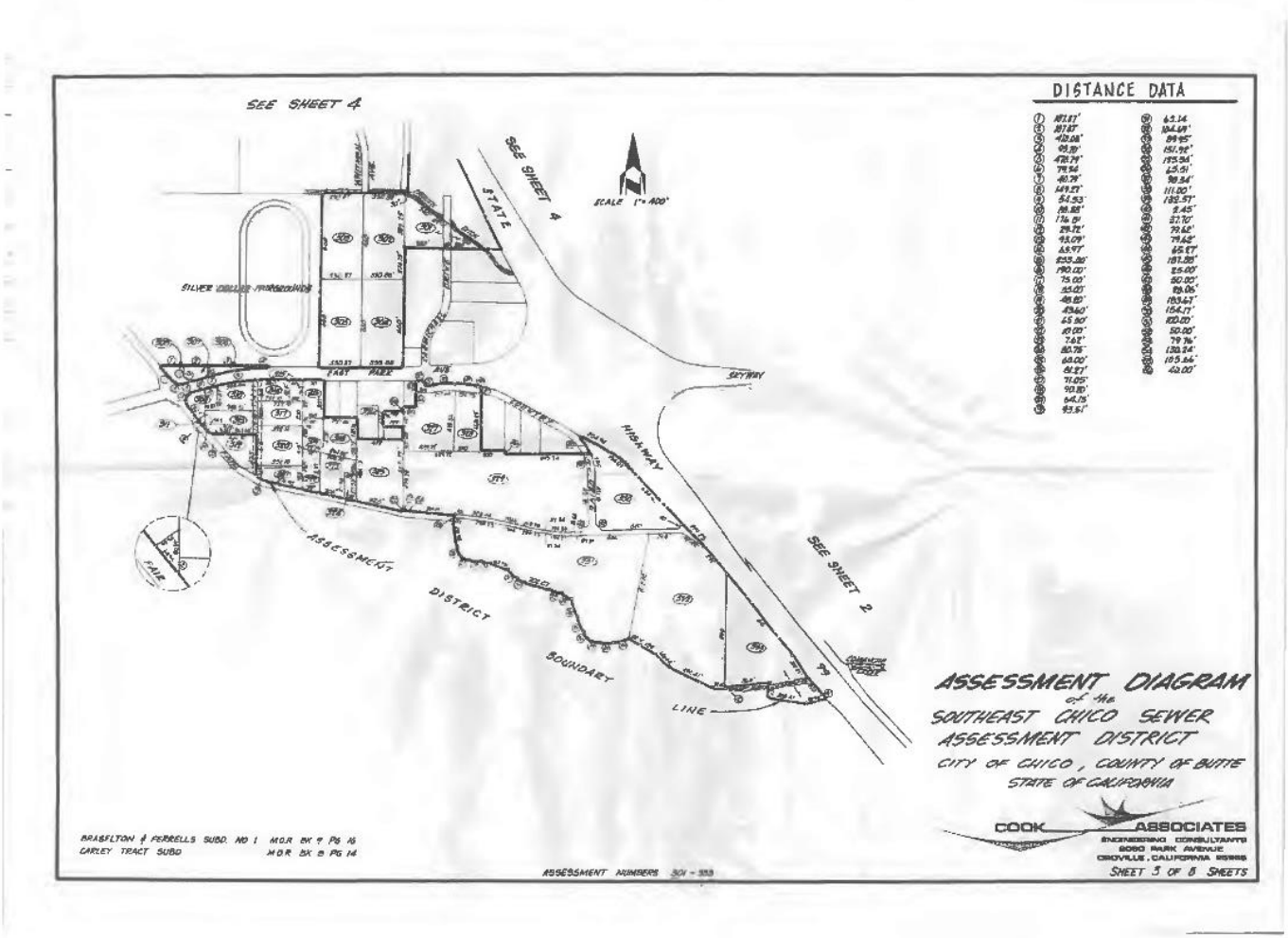
George T. Kammerer, Attorney At Law

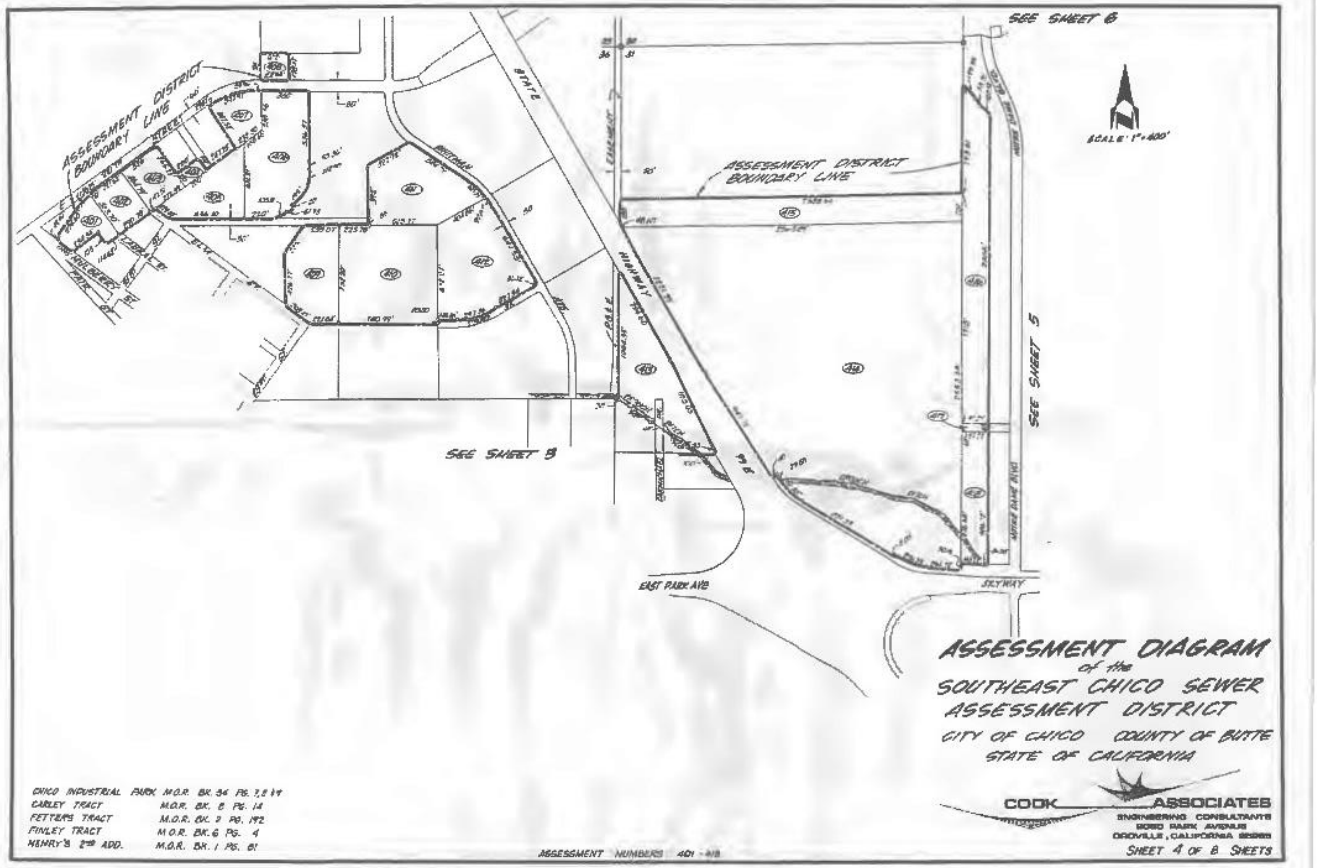
Exhibits A - E attached

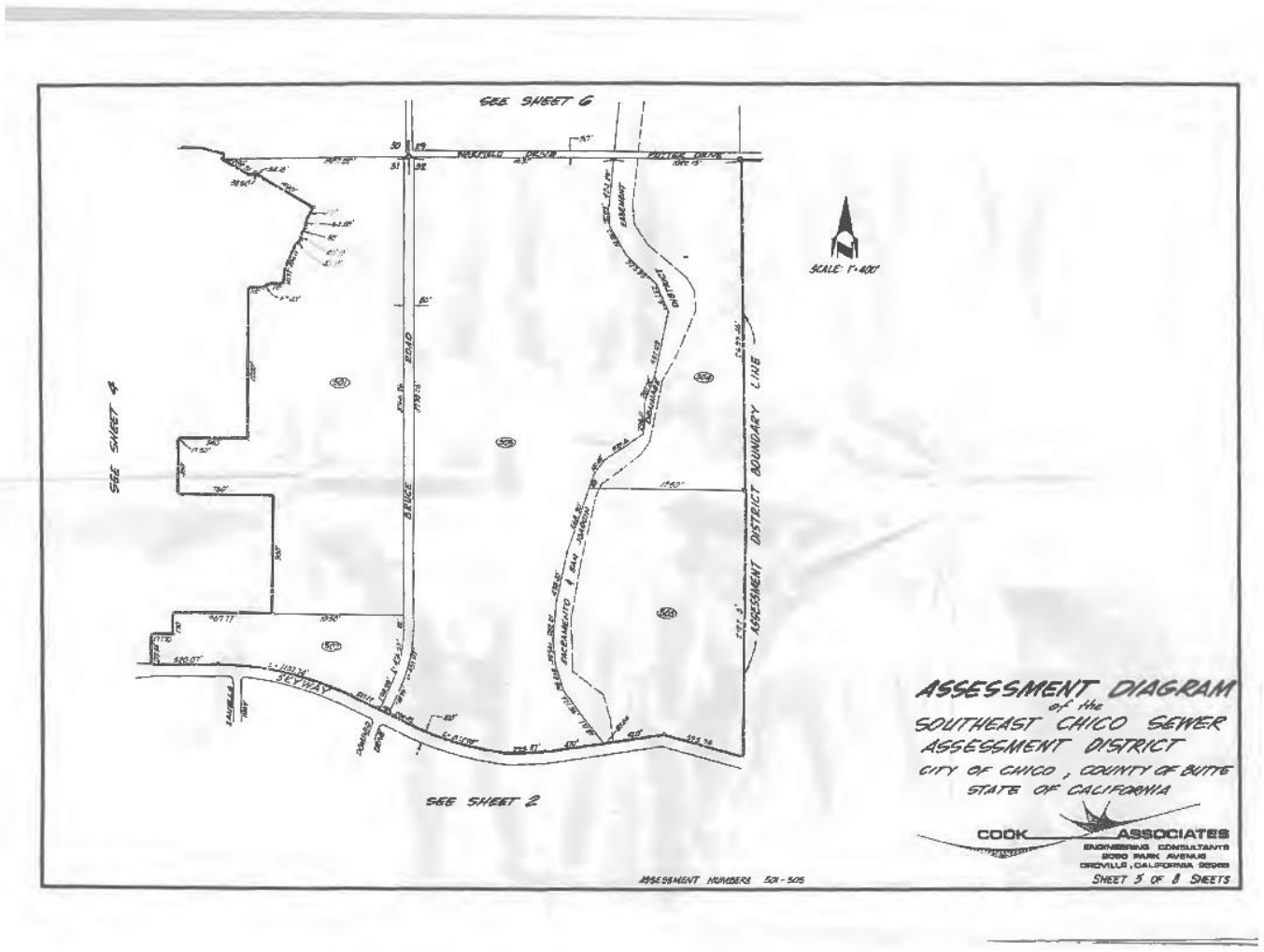
cc: The Drake Revocable Trust of 2001, Virginia Drake Trustee
Kenneth R. Stone, Senior Litigation Attorney, Hefner Law
Rolls, Anderson & Rolls Engineers
Mark Orme, Chico City Manager
Matt Johnson, Chico City Senior Development Engineer

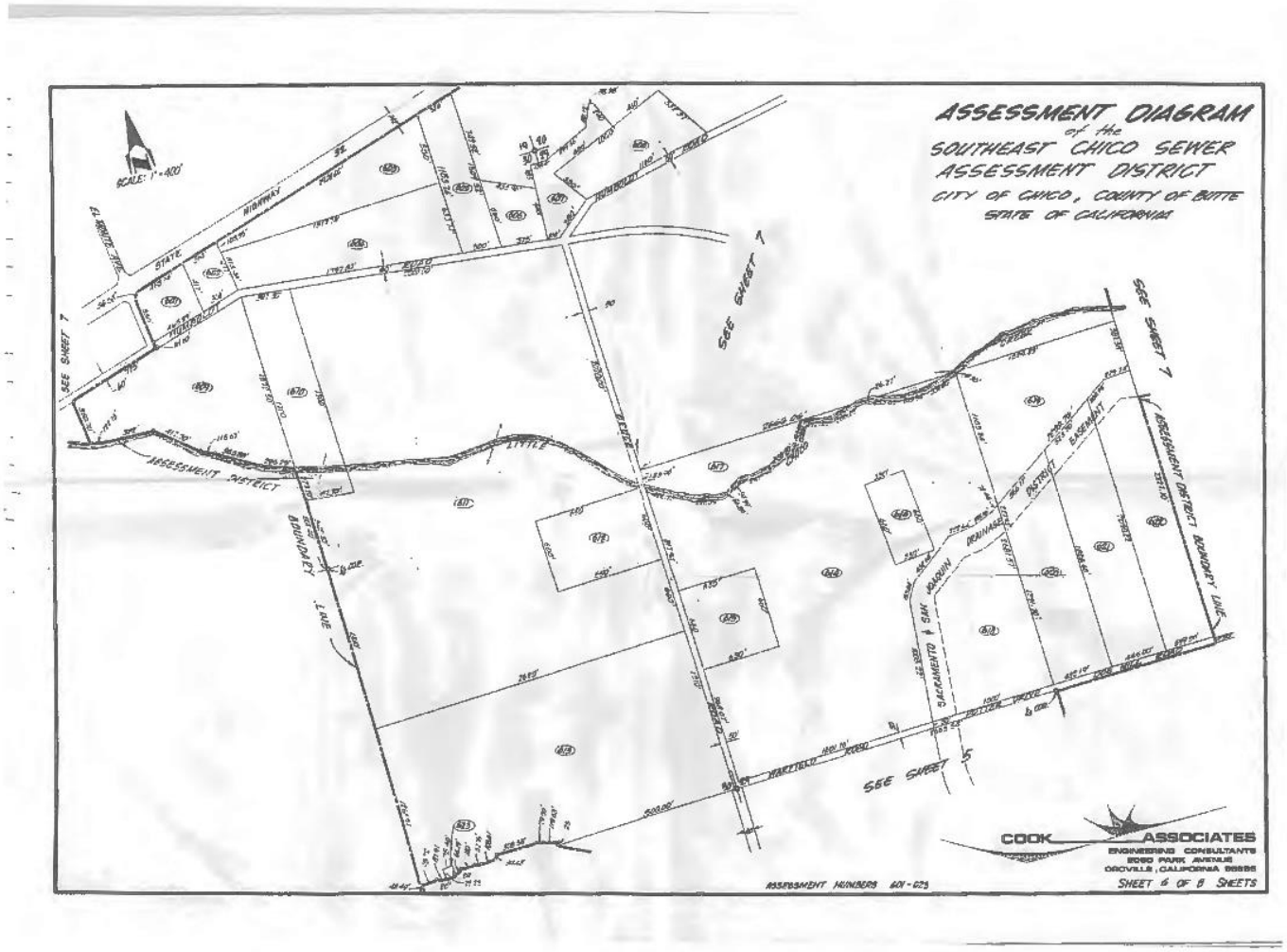

SHEET 8
SHEET 7
SHEET 6
SHEET 9
SHEET 5
SHEET 4
SHEET 3
VICINITY MAP
FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CHICO, THIS 8TH DAY OF DECEMBER, 1981.
BARBARA EVANS, CITY CLERK
CITY OF CHICO, COUNTY OF BUTTE
STATE OF CALIFORNIA
RECORDED IN THE OFFICE OF THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF CHICO, THIS 9TH DAY OF DECEMBER, 1981.
AL DAVITZ, DIRECTOR OF PUBLIC WORKS
CITY OF CHICO, COUNTY OF BUTTE
STATE OF CALIFORNIA
AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF CHICO ON THE LOTS, PIECES AND PARCELS OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM. SAID ASSESSMENT WAS LEVIED ON THE 8TH DAY OF DECEMBER, 1981. SAID ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF CHICO ON THE 9TH DAY OF DECEMBER 1981. REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE DIRECTOR OF PUBLIC WORKS FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.
BARBARA EVANS, CITY CLERK
CITY OF CHICO, COUNTY OF BUTTE
STATE OF CALIFORNIA
LEGEND
ASSESSMENT DISTRICT BOUNDARY LINE
ASSESSMENT NUMBERS SHOWN THUS (32)
FILED THIS 10 DAY OF DEC, 1981
AT THE HOUR OF 2:53 O'CLOCK P M.
IN BOOK 1 OF STATE OF ASSESSMENT DISTRICTS AT PAGES 1-29 FOR THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA.
CLARK A NELSON, COUNTY RECORDER
COUNTY OF BUTTE
STATE OF CALIFORNIA
BY D KERLAND DEPUTY
ASSESSMENT DIAGRAM
of the
SOUTHEAST CHICO SEWER
ASSESSMENT DISTRICT
CITY OF CHICO, COUNTY OF BUTTE
STATE OF CALIFORNIA
COOK ASSOCIATES
ENGINEERING CONSULTANTS
2030 PARK AVENUE
OROVILLE, CALIFORNIA 95965
SHEET 1 OF 8 SHEETS

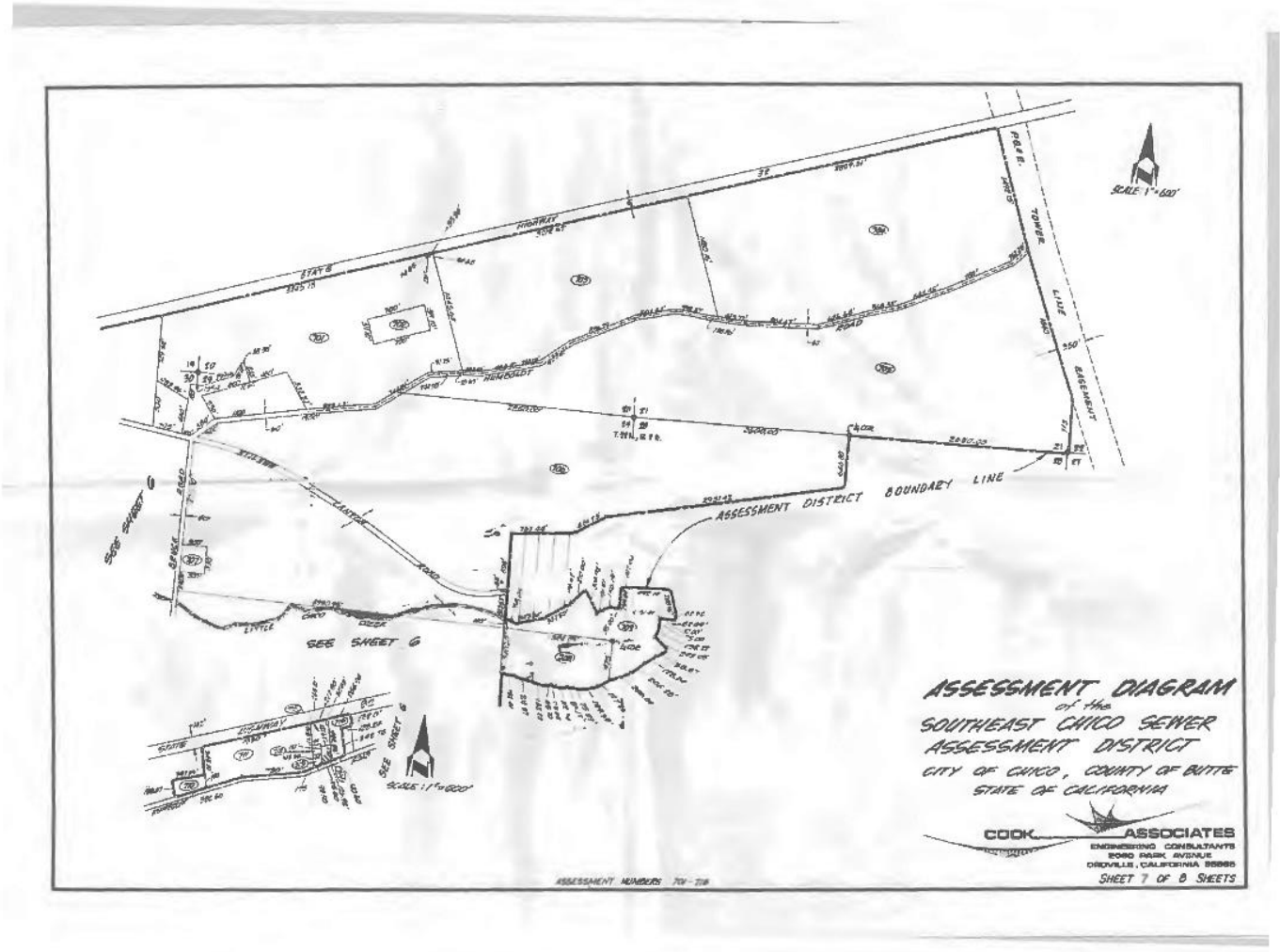

SEE SHEET 5
SEE SHEET 5
SCALE: 1" = 400'
DISTANCE DATA
ASSESSMENT DIAGRAM
of the
SOUTHEAST CHICO SEWER
ASSESSMENT DISTRICT
CITY OF CHICO, COUNTY OF BUTTE
STATE OF CALIFORNIA
COOK ASSOCIATES
ENGINEERING CONSULTANTS
2060 PARK AVENUE
OROVILLE, CALIFORNIA
ASSESSMENT NUMBERS 201 - 210
SHEET 2 OF 8 SHEETS

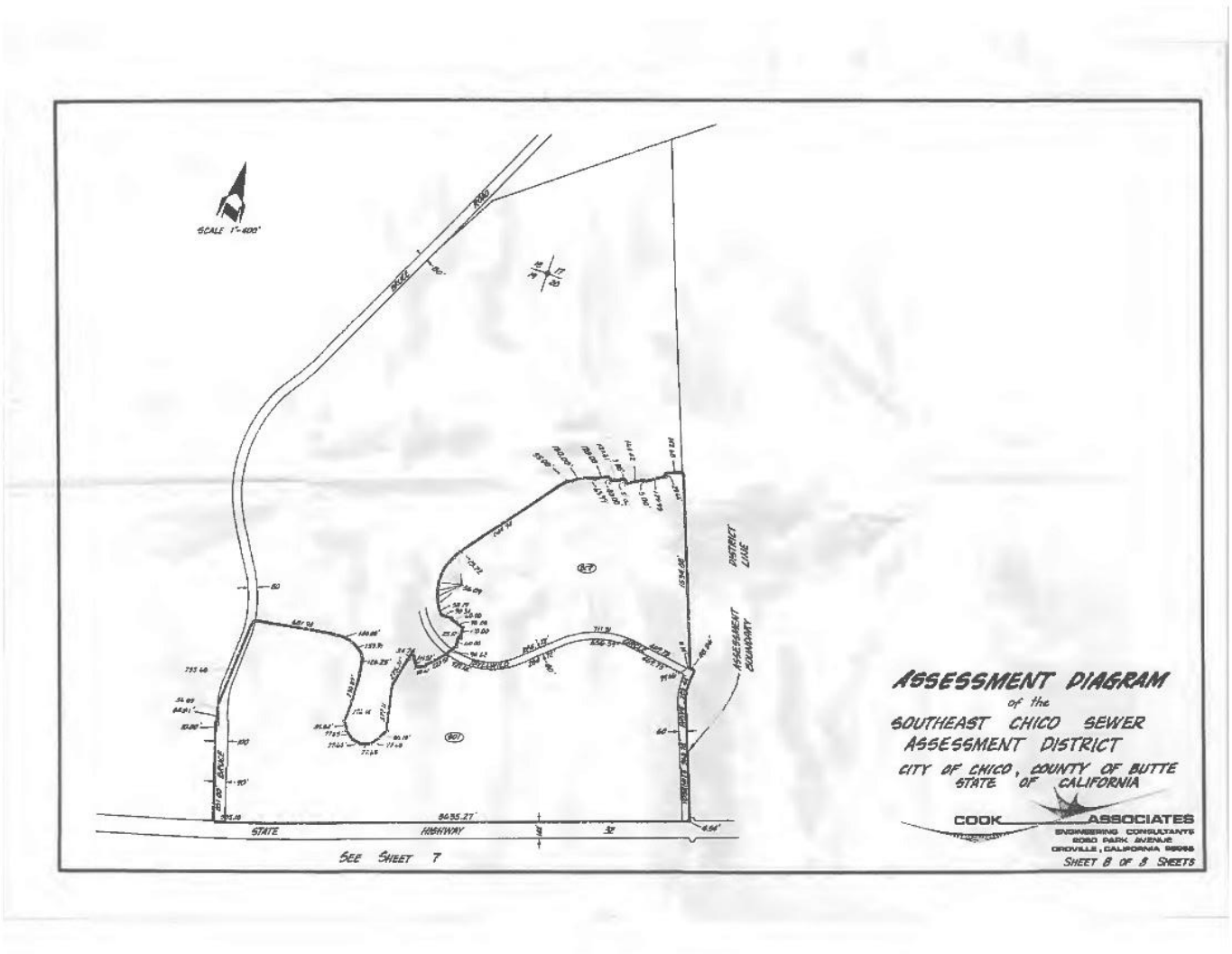

SEE SHEET 4
SEE SHEET 4
STATE
SCALE 1"= 400'
DISTANCE DATA
SILVER DOLLAR FAIRGROUNDS
EAST PARK AVE
HIGHWAY
SEE SHEET 2
ASSESSMENT DISTRICT BOUNDARY LINE
FAIR
BRASELTON & FERRELLS SUBD. NO 1 M.O.R BK 9 PG 16
CARLEY TRACT SUBD M.O.R BK 8 PG 14
ASSESSMENT NUMBERS 301 - 353
ASSESSMENT DIAGRAM
of the
SOUTHEAST CHICO SEWER
ASSESSMENT DISTRICT
CITY OF CHICO, COUNTY OF BUTTE
STATE OF CALIFORNIA
COOK ASSOCIATES
ENGINEERING CONSULTANTS
2060 PARK AVENUE
OROVILLE, CALIFORNIA 95965
SHEET 3 OF 8 SHEETS


SEE SHEET 6
SCALE: 1"=400'
ASSESSMENT DISTRICT BOUNDARY LINE
ASSESSMENT DISTRICT BOUNDARY LINE
SEE SHEET 5
SEE SHEET 3
EAST PARK AVE
SKYWAY
ASSESSMENT DIAGRAM
of the
SOUTHEAST CHICO SEWER ASSESSMENT DISTRICT
CITY OF CHICO COUNTY OF BUTTE
STATE OF CALIFORNIA
COOK ASSOCIATES
ENGINEERING CONSULTANTS
1080 PARK AVENUE
OROVILLE, CALIFORNIA 95965
SHEET 4 OF 8 SHEETS
CHICO INDUSTRIAL PARK M.O.R. BK. 34 PG. 7, 8 & 9
CARLEY TRACT M.O.R. BK. 8 PG. 14
FETTERS TRACT M.O.R. BK. 2 PG. 192
FINLEY TRACT M.O.R. BK. 6 PG. 4
HENRY'S 2ND ADD. M.O.R. BK. 1 PG. 81
ASSESSMENT NUMBERS 401 - 418


SEE SHEET 6
SEE SHEET 4
SEE SHEET 2
SCALE: 1"=400'
ASSESSMENT DISTRICT BOUNDARY LINE
ASSESSMENT DIAGRAM
of the
SOUTHEAST CHICO SEWER
ASSESSMENT DISTRICT
CITY OF CHICO, COUNTY OF BUTTE
STATE OF CALIFORNIA
COOK ASSOCIATES
ENGINEERING CONSULTANTS
2020 PARK AVENUE
OROVILLE, CALIFORNIA 95965
ASSESSMENT NUMBERS 501 - 505
SHEET 3 OF 8 SHEETS


ASSESSMENT DIAGRAM
of the
SOUTHEAST CHICO SEWER
ASSESSMENT DISTRICT
CITY OF CHICO, COUNTY OF BUTTE
STATE OF CALIFORNIA
SCALE: 1" = 400'
SEE SHEET 7
SEE SHEET 5
ASSESSMENT DISTRICT BOUNDARY LINE
COOK ASSOCIATES
ENGINEERING CONSULTANTS
SHEET 6 OF 8 SHEETS


ASSESSMENT DISTEICT BOUNDARY LINE
SEE SHEET 6
SEE SHEET 6
SEE SHEET 6
SCALE 1"=600'
SCALE 1"=600'
ASSESSMENT DIAGRAM
of the
SOUTHEAST CHICO SEWER
ASSESSMENT DISTRICT
CITY OF CHICO, COUNTY OF BUTTE
STATE OF CALIFORNIA
COOK ASSOCIATES
ENGINEERING CONSULTANTS
2060 PARK AVENUE
OROVILLE, CALIFORNIA 95965
SHEET 7 OF 8 SHEETS
ASSESSMENT NUMBERS 701-738


SCALE 1"=400'
ROAD
BASIN
DISTRICT LINE
ASSESSMENT BOUNDARY
STATE HIGHWAY
8035.27'
See Sheet 7
ASSESSMENT DIAGRAM
of the
SOUTHEAST CHICO SEWER
ASSESSMENT DISTRICT
CITY OF CHICO, COUNTY OF BUTTE
STATE OF CALIFORNIA
COOK ASSOCIATES
ENGINEERING CONSULTANTS
2080 PARK AVENUE
OROVILLE, CALIFORNIA 95965
SHEET 8 OF 8 SHEETS

APPORTIONED ASSESMENT
AMENDING ASSESSMENT NOS. 705 AND 706
SOUTHEAST CHICO SEWER ASSESSMENT DISTRICT
CITY OF CHICO, BUTTE COUNTY, CALIFORNIA

1. A request has been filed with the Director of Public Works of the City of Chico requesting an apportionment of assessment within Southeast Chico Sewer Assessment District to conform with a subdivision of land within the district.

2. In accordance with the application, the undersigned hereby apportions to each separate part of the original parcel of land the proportionate part of the assessment that would have been levied thereon if the parcel had been so divided at the time the original assessment was made. The undersigned has assigned a new assessment number to each parcel, as shown on the Amended Assessment Diagram attached to this apportionment.

3. The old assessment numbers, new assessment numbers and apportioned assessments (based in each case on the original amount of assessment) are as follows:

Old Assesment and Diagram No.	New Assesment and Diagram No.	Reapportionment of Original Amount	Assessor's Parcel No.
706	706-A	$199,679.60	46-36-114
705&706	706-B	$ 40,547.59	46-36-115
706	706-C	$136,339.40	46-36-116
705	706-D	$421,614.20	46-36-117 & 46-34-83
		Σ=$798,180.79	

DATED : August 27, 1985.

Cook Associates
Engineer of Work

By _____

EXHIBIT A

ASSESSMENT & DIAGRAM NO.	ASSESSMENT AMOUNT	PROPERTY DESCRIPTION	
610	$ 46,107.84	46-36-02	
611	346,144.22	46-36-80	
612	26,254.90	46-36-04	
613	170,708.78	46-42-02	
614	205,618.90	46-36-85	
615	19,779.40	46-36-84	
616	6,920.78	46-36-83	
617	11,020.85	46-36-06	
618	37,649.06	46-36-31	
619	25,060.15	46-36-~~89~~ 113	
620	22,236.47	46-36-86	
621	23,530.66	46-36-87	
622	23,648.31	46-36-88	
623	.00	46-42-03	DROPPED OUT
701	209,326.79	46-34-34	
702	21,626.68	46-34-16	
703	127,401.91	46-34-35	
704	163,961.62	46-34-36	
→ 705	250,277.53	46-34-38	←
706	547,903.26	46-36-07	
707	6,603.16	46-36-05	
708	13,540.66	46-36-10	
709	10,792.81 ~~22,222.22~~ 1/	46-55-75	
710	~~8,994.54~~	46-56-01	
711	44,971.27	46-26-69	
712	276.84	46-26-117	
713	1,920.01	46-26-116	
714	2,920.60	46-26-118	
715	3,697.77	46-26-119	
716	6,122.25	46-26-183	
801	323,926.74	46-34-58	
802	193,752.96	46-34-57	
	$ ~~XXXXXXXXXXX~~	TOTAL ASSESSMENT	
	56,952.07	REDUCTIONS 1/	
	$4,741,428.05	REVISED TOTAL ASSESSMENT 1/	

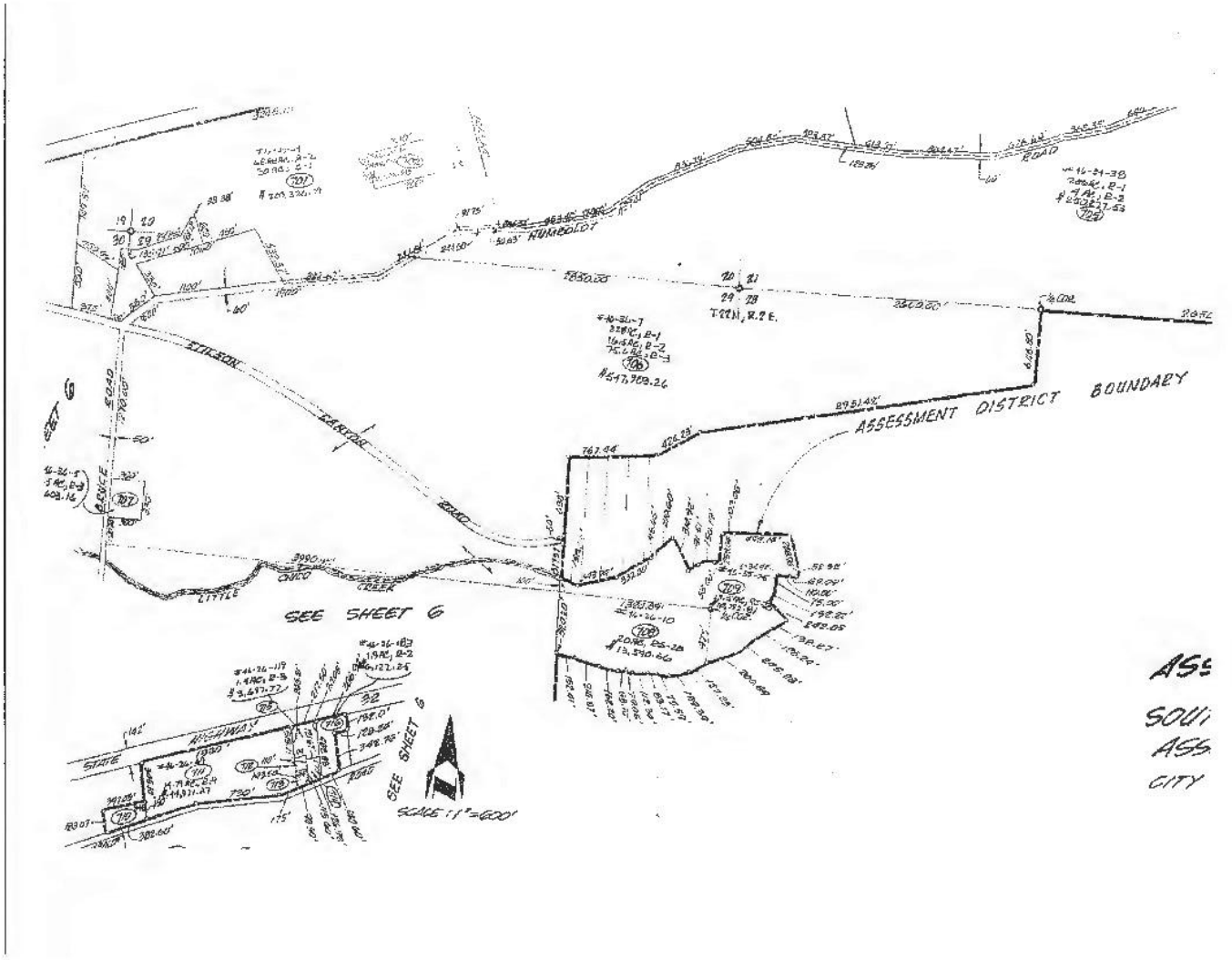
1/ Revised in accordance with the City Council's action taken at continued protest hearing December 8, 1981.

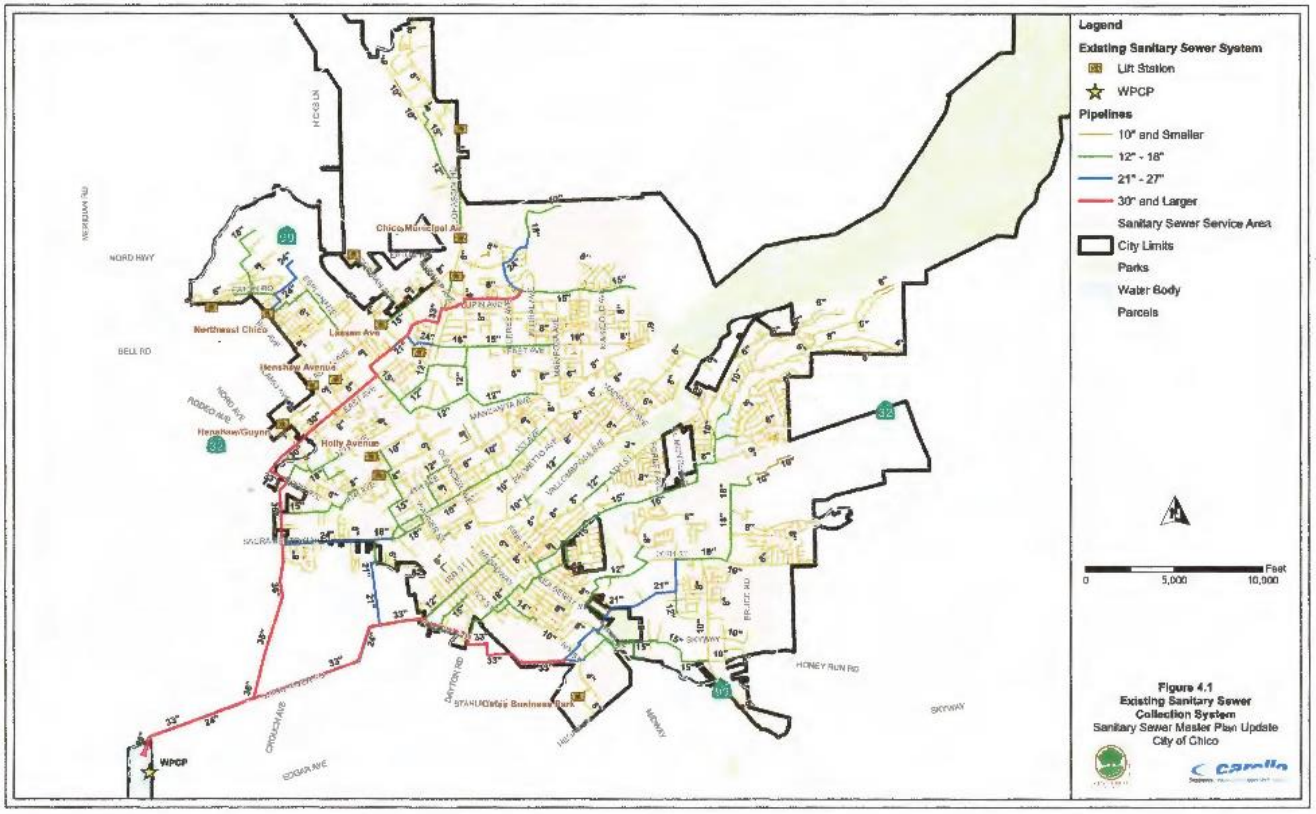
Dan J. Cook, R.C.E. 13062
Engineer of Work

-3-

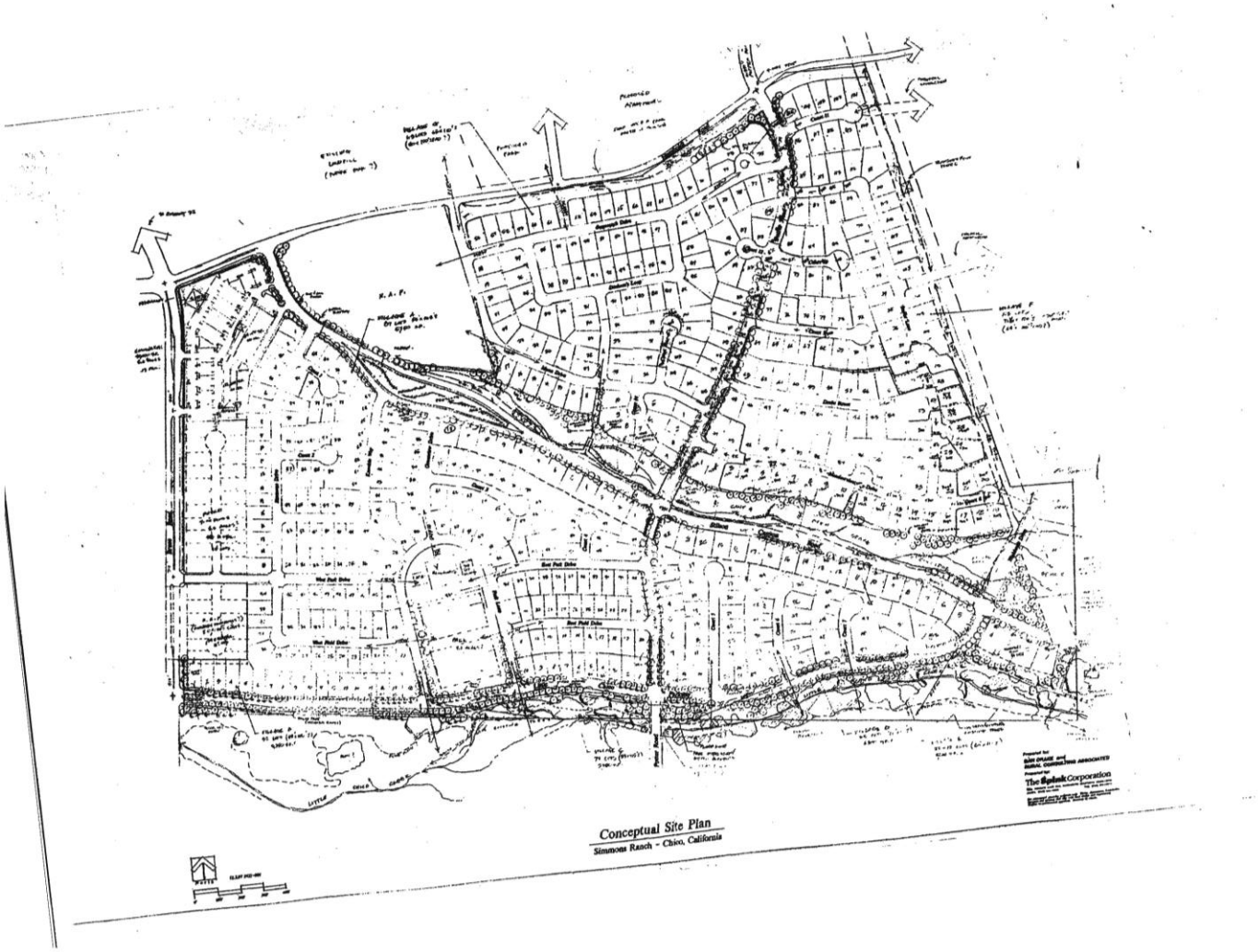
	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
2	LAST	FIRST	ASMT.	BOOK	PAGE	PARCEL	LAND		GROSS	AREA	SEWAGE	FLOW	FRONTAGE	FRONTAGE	FRONTAGE	TOTAL	NET	BASE
3	NAME	NAME	NO.	NO.	NO.	NO.	USE	DUTY	ACRES	SHAPE F	FLOW	FACTOR	DISTANCE	SHAPE F	BENEFIT	COST	COST	ASSMT
4																		
91	WINN	ARLIN	609	46	27	8	R-3	3950	26.52	.9	94278.6	.0155379	1500	1	25500			89417.28
92	WINN	ARLIN	610	46	36	2	R-3	3950	15	1	59250	.0097649	387	1	6579			46748.23
93	SCHMIDBAUER	GEORGE	611	46	36	80	PC/R-1	2070	170	1	368460	.0687254	5950	1	101150			350951.8
94	GOLD EMP	BROADCAST	612	46	36	4	R-1	2070	11.7	1	24219	.0039915	600	1	10200			26619.55
95	SCHMIDBAUER	GEORGE	613	46	42	2	PC/R-1	2070	77.42	1	160259.4	.0264121	3790	1	64430			173879.7
96	SCHLAF	IRVIN	614	46	36	85	PC/R-1	2070	49.46	1	102382.2	.0168735	0	0	0		207806.4	69411.21
97	SCHLAF	IRVIN	614				PC/R-2	2950	15	1	44370	.0073126	0	0	0			30081.16
98	SCHLAF	IRVIN	614				PC/R-3	3950	35	1	138250	.0227848	0	0	0			93728.21
99	SCHLAF	IRVIN	614				NC	2250	10	1	22500	.0037082	0	0	0			15254.14
100	WHITAKER	MARCE	615	46	36	84	R-2	2950	10	1	29500	.0048758	0	0	0			20054.11
101	ALLDRIN	CHARLES	616	46	36	83	PC/R-1	2070	5	1	18350	.0017858	0	0	0			7816.904
102	DAY	DONALD	617	46	36	6	R-3	3950	8.89	0	0	0	0	0	0			11173.92
103	SCHLAF	IRVIN	618	46	36	31	PC/R-1	2070	32	.85	56304	.0092794	0	0	0			38171.96
104	SCHLAF	IRVIN	619	46	36	89	PC/R-1	2070	21.3	.85	37477.35	.0061766	0	0	0			25408.21
105	SCHLAF	IRVIN	620	46	36	86	PC/R-1	2070	18.9	.85	33254.55	.0054806	0	0	0			22545.31
106	SCHLAF	IRVIN	621	46	36	87	PC/R-1	2070	20	.85	35190	.0057996	0	0	0			23857.47
107	SCHLAF	IRVIN	622	46	36	88	PC/R-1	2070	20.1	.85	35365.95	.0058286	0	0	0			23976.76
108	CALIF.	PARK	881	46	34	58	R-1+	2958	113.72	.9	302745.4	.0498951	0	0	0			205249.8
109	CALIF.	PARK	882	46	34	57	R-1+	2958	68.23	.9	181641.9	.0299362	0	0	0			123146.3
110	ROSELLINI	ILDO	701	46	34	34	R-2	2950	68.88	.1	203747.0	.0335793	1207	1	28519		211644.6	158651.7
111	ROSELLINI	ILDO	701				C-1	2250	30	1	67500	.0111246	468	1	7828			53582.42
112	JOHNSON &	WATSON	702	46	34	16	R-2	2958	5	1	14790	.0024375	700	1	11900			21927.85
113	ROSELLINI	ILDO	703	46	34	35	PC/R-1	2070	182.27	.9	190529.0	.0314088	0	0	0			129171.4
114	ROSELLINI	ILDO	704	46	34	36	PC/R-1	2070	148.87	.8	245203.9	.0404117	0	0	0		506187.8	166238.9
115	DRAKE	JOHN	705	46	34	38	R-1	2070	286	.85	362457	.0597361	0	0	0		252948.1	245732.8
116	DRAKE	JOHN	705				R-2	2958	4	1	11832	.0019508	0	0	0			8021.643
117	DRAKE	JOHN	706	46	36	7	R-1	2070	228	1	471960	.0777831	0	0	0		553732.2	319978.8
118	DRAKE	JOHN	706				R-2	2958	16.5	1	48807	.0080438	0	0	0			33089.28
119	DRAKE	JOHN	706				R-3	3950	75.6	1	298620	.0492152	0	0	0		806672.3	282452.9
120	JOHNSON	ELMER	707	46	36	5	R-3	3950	2.5	1	9875	.0016275	0	0	0			6694.872
121	SCHLAF	IRVIN	708	46	36	10	RS-20	1350	20	.75	20250	.0033374	0	0	0			13728.72
122	SCHLAF	IRVIN	709	46	55	75	RS-20	1350	32	.7	30240	.0049838	0	0	0			20501.56
123	ALLEN	MARVIN	710	46	56	1	NC	2250	1.71	1	3847.5	6.341E-4	383	1	6511			9119.458
124	HIGNELL	FRED	711	46	26	69	RP	2250	14.79	1	33277.5	.0054844	1355	1	23035			45595.87
125	STEINSIEK	DONALD	712	46	26	117	R-1	2070	.2	1	414	6.823E-5	0	0	0			288.6762
126	STEINSIEK	DONALD	713	46	26	116	R-1	2070	.2	1	414	6.823E-5	98	1	1666			1946.676
127	WALSVICK	IRVING	714	46	26	118	R-2	2958	.4	1	1183.2	1.958E-4	127	1	2159			2961.164
128	STEINSIEK	DONALD	715	46	26	119	R-3	3950	1.4	1	5530	9.114E-4	0	0	0			3749.128
129	KEMP	MARI AN	716	46	26	183	R-2	2958	1.9	1	5620.2	9.263E-4	141	1	2397	(3)		6207.288
130	TOTALS								2577.51		6867642.				532382.2			4668551

Dan J. Cook
Engineer of Work


ASSESSMENT DISTRICT BOUNDARY
SEE SHEET 6
SEE SHEET 6
SCALE 1" = 600'
HUMBOLDT
ELKHORN
DAVIS
ROAD
CHICO
CREEK
LITTLE
STATE
HIGHWAY
T 22 N, R 2 E.


Legend
Existing Sanitary Sewer System
Lift Station
WPCP
Pipelines
10" and Smaller
12" - 18"
21" - 27"
30" and Larger
Sanitary Sewer Service Area
City Limits
Parks
Water Body
Parcels
0
5,000
10,000
Feet
Figure 4.1
Existing Sanitary Sewer
Collection System
Sanitary Sewer Master Plan Update
City of Chico
Chico Municipal Air
Northwest Chico
Lassen Ave
Henshaw Avenue
Holly Avenue
WPCP
HONEY RUN RD
SKYWAY
BELL RD
NORD HWY


8"
10"
10"
18"
18"
8"
8"
18"
8"
10"


Conceptual Site Plan
Simmons Ranch - Chico, California

EASTGATE PROJECT
Conceptual Site Plan

LAND USE SUMMARY

Area/ Symbol	Description (lot size)	Units or Sq. Ft.	Gross Acres	Density du/ac or FAR
A	Single Family Residential (55' x 105'± = 5,750 s.f.)	87	18.4	4.7
B	Single Family Residential (55' x 105'± = 5,750 s.f.)	52	10.8	4.8
C	Single Family Residential (55' x 105'± = 5,750 s.f.)	77	16.2	4.7
D	Single Family Residential (60' x 110'± = 6,500 s.f.)	53	13.6	3.9
E	Single Family Residential (80' x 110'± = 8,750 s.f.)	34	11.1	3.1
F	Single Family Residential (65' x 110'± = 6,500 s.f.)	125	34.6	3.6
G	Single Family Residential (72' x 110'± = 8,500 s.f.)	119	29.6	4.0
TH	Townhome (Half plex units?)	48	4.5	12.0*
CO	Commerical/Office	40,000 sf	5.4	.17 FAR
OS	Open Space	-	31.8	-
P	Park	-	5.0	-
	Total	595 +40,000sf	181.0	-

Note: Acreages and unit counts are approximate and based on Conceptual Plan. *Asterisk indicates townhomes were calculated on a net acreage.

115 YELLOWSTONE DRIVE • CHICO, CALIFORNIA 95973-5811 • TELEPHONE 530-895-1422 • www.rarcivil.com
RAR ROLLS ANDERSON & ROLLS CIVIL ENGINEERS

April 26, 2021

Ms. Ginger Drake
P.O. Box 1448
Chico, CA 95927

SUBJECT: SECSAD ASSESSMENT DISTRICT SEWER UNITS OWNED BY DRAKE

Dear Ginger:

We have reviewed the letter from City Manager, Mark Orme, of the City of Chico (City) to George Kammerer dated March 26, 2021, and the included Southeast Chico Sewer Assessment District (SECSAD) Sewer Capacity Analysis report dated July 16, 2020 prepared by Carollo Engineers (Carollo) for the City. Additionally, we have reviewed a portion of the original property owner assessment sheets prepared by the City for the SECSAD.

The City's March 26 letter states, "the City's planning assumes development of the Drake properties at 100 percent of the capacity provided in the SECSAD Engineer's Report". The Drake properties within the SECSAD include APN's 018-390-009, 018-390-014, 018-390-017, 018-390-018, 018-390-019 and 018-500-083. The Carollo report provides a summary of the updated results of their analysis of the City's sewer system. It accounts for future anticipated development, including the Drake properties. Based upon our review of the Carollo report, the actual capecity allocated to the Drake properties is not listed numerically but its location is shown in Figure 2 of what Carollo calls a "New Loading Polygon" south of State Highway 32 containing the Drake holdings between Humboldt Road, Little Chico Creek, Bruce Road and the high-powerline lattice steel towers, as shown on Sheet 7 of 8 of the SECSAD Engineer's Report. (ATTACHED)

In order to numerically determine the amount of sewer units within this "New Loading Polygon" allocated to the Drake holdings, we reviewed portions of the original SECSAD district property owner assessment sheets prepared by the City which have been freely available to the public for several years. (ATTACHED)

On that assessment sheet, the Drake properties ara shown in five separate rows numbered # 115, 116, 117, 118 and 119. The assessment sheet dates to 1981 when the sewer bonds were first issued and the sewer line infrastructure installed. As a result some of the Drake APN numbers listed have been changed by the assessor's office. Particularly relevant information on the assessment sheet includes the following:

From Assessment Sheet					
Row "A"	Assessment No. "D"	Land Use "I"	Gross Areas "J"	Sewage Flow "L"	Base Assessment
115	705	R-1	237	490,590	631,272.1
116	705	R-2	4	11,832	15,224.96
117	706	R-1	222.15	721,987.5	929,025.4
118	706	R-2	16	45,434.88	58,463.84
119	706	R-3	70	276,500	355,789.4
			Sum =	1,546,344.38	1,989,775.70

Additionally, this assessment sheet includes hand written notes that identify the precise number of sewer units assumed and allocated by the City for the different land use/zoning categories used for

T:\Data\PROJECTS\2015\169 Applications\Carlgate\Drake-042621.docx

April 26, 2021
Ms. Ginger Drake
Page 2

the SECSAD assessment calculations. (ATTACHED) Relevant to the Drake properties ara the following three land use/zoning categories: R-1 at 5.5 Units/Acre, R-2 at 12 Units/Acre and R-3 at 20 Units/Acre. Utilizing that information we were able to determine that in the SECSAD the City allocated the following number of sewer units to the Drake properties:

From Assessment Sheet					Calculated
Row "A"	Assessment No. "D"	Land Use "I"	Gross Areas "J"	Allocated Density	Number of Units
115	705	R-1	237	5.5	1,303.5
116	705	R-2	4	12	48
117	706	R-1	222.15	5.5	1,221.83
118	706	R-2	16	12	192
119	706	R-3	70	20	1,400
				Sum =	4,165.33

Based upon the City of Chico's SECSAD assessment sheet, the Drake properties were allocated a total of 4,165.33 sewer hook-up units, equivalent to a total sewage flow of 1,546,344.38 gallons per day. The Drake sewer unit hook-up allocation of 4,165.33 units is the "special benefit" conferred upon Drake commensurate with the seven figure sewer line infrastructure installation cost paid for by Drake in full along with substantial interest on the bonds for nearly a decade.

It is incumbent upon the City of Chico to acknowledge in writing the City's long-standing allocation of these 4,165.33 sewer units to Drake dating back to 1961 when Drake was first assessed to pay for them, and thereafter Drake did pay for them in full with interest.

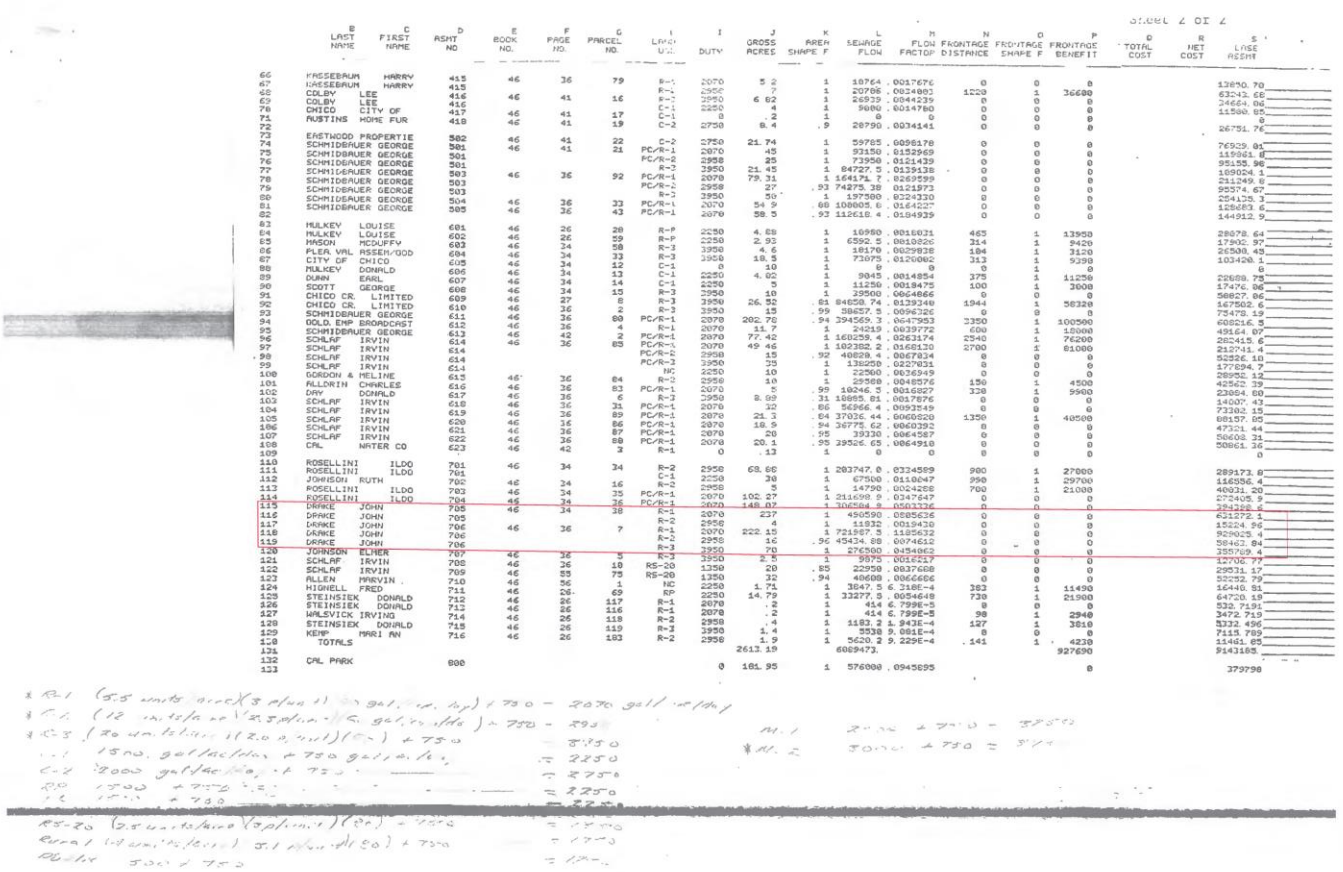
Please contact me if you have any questions or desire additional information.

Sincerely,

ROLLS, ANDERSON & ROLLS

Keith Doglio

Keith Doglio, P.E.



	B LAST NAME	C FIRST NAME	D ASMT NO	E BOOK NO.	F PAGE NO.	G PARCEL NO.	LAND USE	I DUTY	J GROSS ACRES	K AREA SHAPE F	L SEWAGE FLOW	M FLOW FACTOR	N FRONTAGE DISTANCE	O FRONTAGE SHAPE F	P FRONTAGE BENEFIT	Q TOTAL COST	R NET COST	S LAND ASSMT
66	KASSEBAUM	HARRY	415	46	36	79	R-1	2070	5.2	1	10764.	.0017676	0	0	0			13850.70
67	KASSEBAUM	HARRY	415				R-1	2950	.7	1	20706.	.0024003	1220	1	36600			63242.58
68	COLBY	LEE	416	46	41	16	R-1	2950	6.62	1	26939.	.0044239	0	0	0			24664.06
69	COLBY	LEE	416				C-1	2250	.4	1	900.	.0014780	0	0	0			11580.85
70	MUSTINS	HOME FUR	417	46	41	17	C-1	0	.2	1	0.	0	0	0	0			0
71			418	46	41	19	C-2	2750	8.4	.9	20790.	.0034141	0	0	0			26751.76
72																		
73	EASTWOOD PROPERTIE		502	46	41	22	C-2	2750	21.74	1	59785.	.0098178	0	0	0			76929.01
74	SCHMIDBAUER GEORGE		501	46	41	21	PC/R-1	2070	45	1	93150.	.0152969	0	0	0			119961.8
75	SCHMIDBAUER GEORGE		501				PC/R-2	2958	25	1	73950.	.0121439	0	0	0			95153.96
76	SCHMIDBAUER GEORGE		501				R-2	3950	21.45	1	84727.5	.0139138	0	0	0			109004.5
77	SCHMIDBAUER GEORGE		503	46	36	92	PC/R-1	2070	79.31	1	164171.7	.0269599	0	0	0			211249.8
78	SCHMIDBAUER GEORGE		503				PC/R-2	2958	27	.93	74275.38	.0121973	0	0	0			95574.67
79	SCHMIDBAUER GEORGE		503				R-2	3950	50	1	197500.	.0324330	0	0	0			254135.3
80	SCHMIDBAUER GEORGE		504	46	36	33	PC/R-1	2070	54.9	.68	108805.6	.0164227	0	0	0			139983.6
81	SCHMIDBAUER GEORGE		505	46	36	43	PC/R-1	2070	58.5	.93	112618.4	.0184929	0	0	0			144912.9
82																		
83	MULKEY	LOUISE	601	46	26	28	R-P	2250	4.68	1	16980.	.0016021	465	1	13950			28878.64
84	MULKEY	LOUISE	602	46	26	59	R-P	2250	2.93	1	6592.5	.0010826	314	1	9420			17902.97
85	MASON	MCDUFFY	603	46	34	58	R-3	3950	4.6	1	18170.	.0029838	184	1	3120			26530.45
86	FLEA VAL	ASSEM/GOD	604	46	34	33	R-3	3950	18.5	1	73075.	.0120062	313	1	9390			103420.1
87	CITY OF	CHICO	605	46	34	12	C-1	0	10	1	0.	0	0	0	0			0
88	MULKEY	DONALD	606	46	34	13	C-1	2250	4.02	1	9045.	.0014854	375	1	11250			22688.75
89	DUNN	EARL	607	46	34	14	C-1	2250	5	1	11250.	.0018475	100	1	3000			17476.06
90	SCOTT	GEORGE	608	46	34	15	R-3	3950	10	1	39500.	.0064866	0	0	0			50827.06
91	CHICO CR.	LIMITED	609	46	27	8	R-3	3950	26.52	.61	94658.74	.0139349	1944	1	58320			167502.6
92	CHICO CR.	LIMITED	610	46	26	2	R-3	3950	15	.99	58657.5	.0096326	0	0	0			75478.47
93	SCHMIDBAUER GEORGE		611	46	26	80	PC/R-1	2070	282.78	.94	394569.3	.0647953	3350	1	100500			608216.5
94	GOLD. EMP BROADCAST		612	46	36	4	R-1	2070	11.7	1	24219.	.0039772	600	1	18000			49164.07
95	SCHMIDBAUER GEORGE		613	46	42	2	PC/R-1	2070	77.42	1	160259.4	.0263174	2540	1	76200			262415.6
96	SCHLAF	IRVIN	614	46	36	85	PC/R-1	2070	49.46	1	102382.2	.0168120	2700	1	81000			212741.4
97	SCHLAF	IRVIN	614				PC/R-2	2958	15	.92	40828.4	.0067124	0	0	0			52826.16
98	SCHLAF	IRVIN	614				PC/R-2	3950	35	1	138250	.0227031	0	0	0			177694.7
99	SCHLAF	IRVIN	614				NC	2250	10	1	22500.	.0036949	0	0	0			28952.12
100	GORDON & MELINE		615	46	36	84	R-2	2950	10	1	29500.	.0048576	150	1	4500			42562.39
101	ALLDRIN	CHARLES	616	46	36	83	PC/R-1	2070	5	.95	10246.5	.0016827	120	1	3900			23064.60
102	DAY	DONALD	617	46	36	6	R-2	2950	8.69	.31	18855.81	.0017876	0	0	0			14007.43
103	SCHLAF	IRVIN	618	46	36	31	PC/R-1	2070	32	.86	56966.4	.0093549	0	0	0			73302.15
104	SCHLAF	IRVIN	619	46	36	89	PC/R-1	2070	21.3	.64	37026.44	.0060920	1350	1	40500			88157.85
105	SCHLAF	IRVIN	620	46	36	86	PC/R-1	2070	18.9	.94	36775.62	.0060392	0	0	0			47321.44
106	SCHLAF	IRVIN	621	46	36	87	PC/R-1	2070	20	.95	39330.	.0064587	0	0	0			50602.31
107	SCHLAF	IRVIN	622	46	36	88	PC/R-1	2070	20.1	.95	39526.65	.0064910	0	0	0			50861.26
108	CAL	WATER CO	623	46	42	3	R-1	0	.13	1	0.	0	0	0	0			0
109																		
110	ROSELLINI	ILDO	701	46	34	34	R-2	2958	68.66	1	203747.0	.0334589	900	1	27000			289173.8
111	ROSELLINI	ILDO	701				C-1	2250	30	1	67500.	.0110047	990	1	29700			116956.4
112	JOHNSON	RUTH	702	46	34	16	R-2	2958	5	1	14790.	.0024288	700	1	21000			40031.20
113	ROSELLINI	ILDO	703	46	34	35	PC/R-1	2070	102.27	1	211698.9	.0347647	0	0	0			272405.9
114	ROSELLINI	ILDO	704	46	34	36	PC/R-1	2070	148.07	1	306584.9	.0503336	0	0	0			394298.9
115	DRAKE	JOHN	705	46	34	38	R-1	2070	237	1	490590.	.0805636	0	0	0			631272.1
116	DRAKE	JOHN	705				R-2	2958	4	1	11832.	.0019430	0	0	0			15224.96
117	DRAKE	JOHN	706	46	36	7	R-1	2070	222.15	1	721987.5	.1185632	0	0	0			929023.4
118	DRAKE	JOHN	706				R-2	2958	16	.96	45434.88	.0074612	0	0	0			58462.84
119	DRAKE	JOHN	706				R-3	3950	70	1	276500.	.0454062	0	0	0			355769.4
120	JOHNSON	ELMER	707	46	36	5	R-2	2958	2.5	1	9975.	.0016217	0	0	0			12706.77
121	SCHLAF	IRVIN	708	46	26	18	RS-20	1350	20	.85	22950.	.0037688	0	0	0			29531.17
122	SCHLAF	IRVIN	709	46	35	73	RS-20	1350	32	.94	40608.	.0066686	0	0	0			52252.79
123	ALLEN	MARVIN	710	46	36	1	NC	2250	1.71	1	3847.5	6.318E-4	383	1	11490			16446.81
124	HIGNELL	FRED	711	46	26	69	RP	2250	14.79	1	33277.5	.0054648	730	1	21900			64720.19
125	STEINSIEK	DONALD	712	46	26	117	R-1	2070	.2	1	414.	6.799E-5	0	0	0			532.7191
126	STEINSIEK	DONALD	712	46	26	116	R-1	2070	.2	1	414.	6.799E-5	98	1	2940			3472.719
127	WALSVICK	IRVING	714	46	26	118	R-2	2958	.4	1	1183.2	1.943E-4	127	1	3810			5332.496
128	STEINSIEK	DONALD	715	46	26	119	R-2	3950	1.4	1	5530.	9.081E-4	0	0	0			7115.789
129	KEMP	MARIANN	716	46	26	183	R-2	2958	1.9	1	5620.2	9.229E-4	141	1	4230			11461.65
130	TOTALS								2611.19		6089473.				927690			9143185.
131																		
132	CAL PARK		800					0	181.95	1	576000.	.0945695			0			379798
133																		

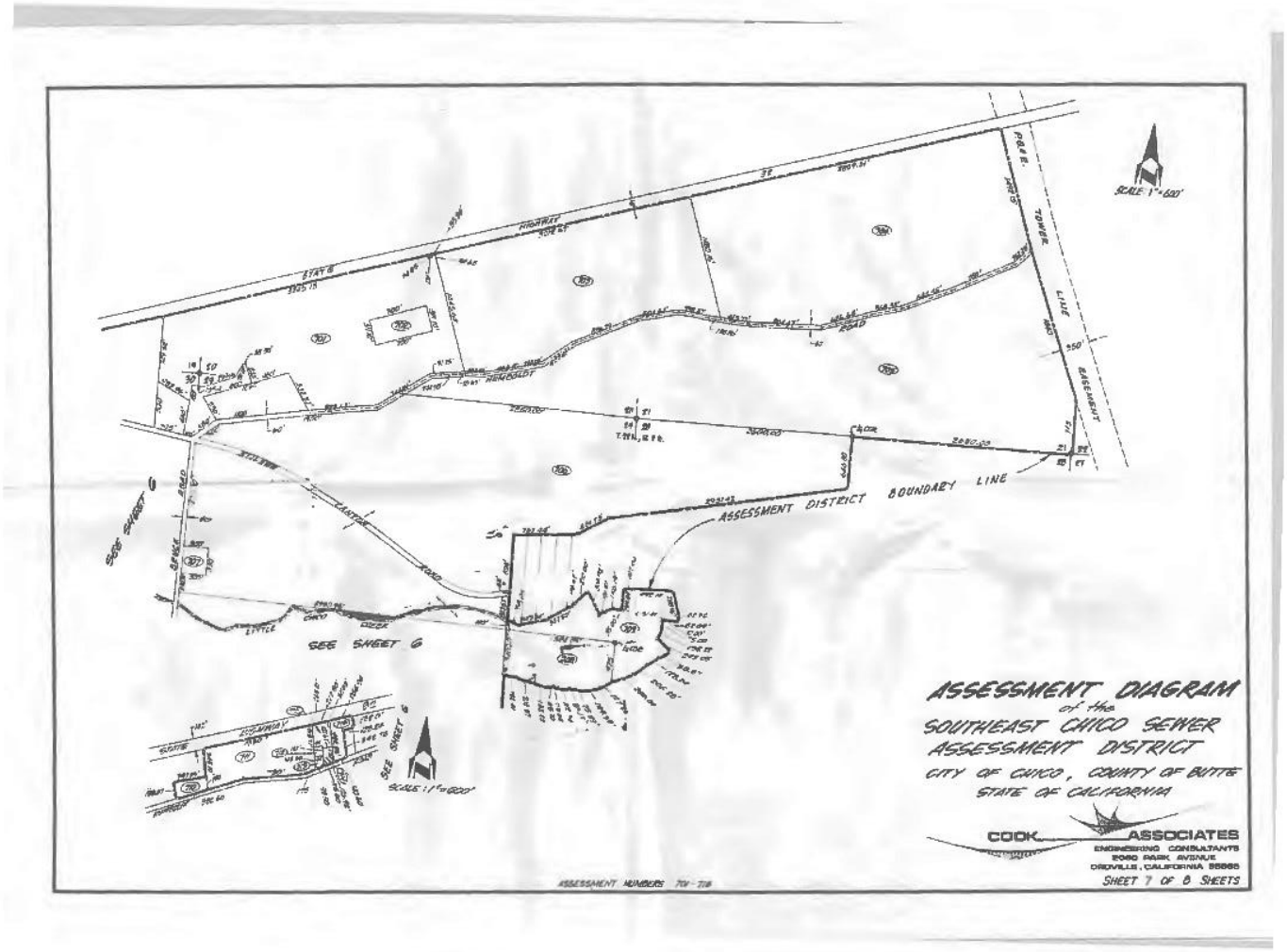
Transcription of the hand written notes at the bottom of page 2 of the PDF from the:

Southeast Chico Sewer Assessment District
Assessment Spread of August 7, 1981 - $9,143,185.00 Gross Amount Spread

---

R-1 (5.5 units/acre)(3 p/unit) 80 gal/cap/day + 750 = 2070 gal/acre/day
R-2 (12 units/acre)(2.3 p/unit)(80 gal/cap/day) + 750 = 2958
R-3 (20 units/acre)(2.0 p/unit)(80) + 750 = 3950
C-1 1500 gal/ac/day + 750 gal/ac/day = 2250
C-2 2000 gal/ac/day + 750 = 2750
RP 1500 + 750 = 2250
NC 1500 + 750 = 2250
RS-20 (2.5 units/acre)(3 p/unit)(80) + 750 = 1350
Rural (4 units/acre)(3.1 p/unit)(80) + 750 = 1750
Public 500 + 750 = 1250
M-1 _____ + 750 = 3750 *(portion not legible)*
M-2 3000 + 750 = 3750

T:\Data\PROJECTS\0315\GS Applications\Eastgate\Assessment Sheet Notes.docx Page 1 of 1 4/26/21


SCALE 1"=600'
ASSESSMENT DISTRICT BOUNDARY LINE
SEE SHEET 6
SEE SHEET 6
SCALE 1"=600'
ASSESSMENT DIAGRAM
of the
SOUTHEAST CHICO SEWER
ASSESSMENT DISTRICT
CITY OF CHICO, COUNTY OF BUTTE
STATE OF CALIFORNIA
COOK ASSOCIATES
ENGINEERING CONSULTANTS
2060 PARK AVENUE
OROVILLE, CALIFORNIA 95965
SHEET 7 OF 8 SHEETS

Response to Letter 50

George T. Kammerer, Attorney at Law (on behalf of the Drake Revocable Trust of 2001, Virginia Drake, Trustee)

50-1 The comment provides an introduction to comments that follow. The commenter expresses concern that the Draft EIR is inadequate regarding its analysis of wastewater treatment and conveyance capacity as those issues relate to the South East Chico Sewer Assessment District (SECSAD).

The adequacy of SECSAD facilities for wastewater conveyance is addressed in detail in the responses below. Note that the SECSAD wastewater facilities only *convey* wastewater and do not *treat* wastewater.

50-2 The comment provides an account for how the SECSAD facilities were developed using a bond process whereby landowners desiring to develop their properties in southeast Chico shared in the cost of extending wastewater infrastructure to the area approximately 40 years ago. The comment notes that the VESP project is not within the SECSAD and asserts that the project's wastewater treatment and conveyance needs were not taken into account and were not provided as part of the SECSAD design and allocation of SECSAD pipeline capacity.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. However, the comment is correct in that the VESP site was not specifically considered when the SECSAD was formed and planned in the early 1980s. However, the comment incorrectly states that the SECSAD conveyance facilities lack capacity to serve properties outside the SECSAD assessment area in addition to serving existing and planned future development of all properties within the SECSAD assessment area. The commenter offers no substantial evidence to support claims that SECSAD facilities lack capacity to serve a portion of the project site as anticipated by the Draft EIR and reflected in the City's infrastructure planning documents.

The Draft EIR cites two documents to support its claims that existing and planned sewer improvements are sufficient to serve the proposed project as well as other existing and planned development in the area: (1) the City of Chico 2013 Sanitary Sewer Master Plan Update ([SSMPU], prepared by Carollo Engineers), and (2) a subsequent memorandum from Carollo Engineers dated July 16, 2020 (Carollo memo), which includes modeling assumptions for "full buildout" (development) of the Drake properties, as well as portions of the proposed project. As described in more detail under Response to Comment 50-7, below, these two documents prepared by the City's wastewater engineering expert represent substantial evidence that supports statements and conclusions in the Draft EIR regarding wastewater capacity and needed off-site improvements.

50-3 The comment repeats the claim that SECSAD conveyance facilities were sized to accommodate the wastewater needs of development on SECSAD properties. The comment describes existing wastewater conveyance facilities shown on Figure 4.1 of the SSMPU, and notes that an existing 18-inch trunk line to serve future development on land owned by Virginia Drake (Drake) confluences with the Doe Mill trunk line (two lines join near the intersection of E. 20th Street and Concord Avenue). The comment expresses concern that approving the enlarged 15-inch Doe Mill trunk line would adversely impact the ability of the existing 18-inch SECSAD trunk line to convey wastewater from future development on land owned by Drake because the 15-inch line would contribute wastewater from hundreds of residential units that were not anticipated or planned for within the SECSAD.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. However, this comment is correct insofar as it claims that SECSAD facilities were designed with adequate conveyance capacity to accommodate the wastewater needs of development of SECSAD properties. However, the finding that SECSAD facilities were designed with enough capacity to serve SECSAD properties does not necessarily mean that there is enough capacity for only those properties.

As discussed under Response to Comment 50-2, the Draft EIR relies upon the 2013 SSMPU, as updated by subsequent modeling results and recommendations provided in the 2020 Carollo memo, to conclude that existing and planned sewer improvements are sufficient to serve the proposed project as well as other existing and planned development in the area. The 2020 Carollo memo uses updated land use assumptions for the hydraulic modeling of city wastewater conveyance facilities in the SECSAD area and includes conveyance from future development of land owned by Drake in an 18-inch pipeline joining with a 15-inch pipeline that would serve the northern portions of the project site as well as the adjacent Stonegate subdivision site. Based upon this professional engineering modeling and analysis. The Draft EIR concludes these facilities would be adequate to handle wastewater conveyance from new development in this portion of the City.

50-4 The comment asserts that there is a high likelihood of adverse impacts to the SCESD facilities and refers to: *"engineered subdivision plans, previously submitted to the City and reviewed by City staff at length, which are being prepared for resubmittal."* The comment further states that the City Manager acknowledged that that Drake properties are planned at 100% of the capacity provided in the SECSAD Engineer's Report and claims that the City Manager's statement amounts to approximately 600 dwelling units and up to 40,000 square feet of commercial space shown on an attached exhibit.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. However, the commenter references "Eastgate Ranch," a subdivision application from 1999 that was withdrawn or abandoned approximately 20 years ago, prior to commencement of an EIR process of its own (City file number "S 99-09"). Numerous rules and regulations have changed over the past 20 years, including the applicable Chico General Plan. Any future proposal to subdivide or develop the land owned by Drake would have to undergo a renewed entitlement process.

It is generally acknowledged that the wastewater capacity assured to Drake by the City Manager's letter relates to some amount of development, however, the specific quantities mentioned in this comment are not confirmed. The commenter is encouraged to submit development applications to seek a detailed review by City engineering staff to support their assumptions for the development capacity of land owned by Drake.

The Draft EIR relies upon the 2013 SSMPU, as updated by subsequent modeling results and recommendations provided in the 2020 Carollo memo, to conclude that existing and planned sewer improvements are sufficient to serve the proposed project as well as other existing and planned development in the area. The 2020 Carollo memo uses updated land use assumptions for the hydraulic modeling of City wastewater conveyance needs in the SECSAD area and anticipates conveyance from future development of Drake lands as well as from the project site. Based upon the professional engineering modeling and analysis relied on for the Draft EIR, which

concludes the existing and recommended facilities would be adequate to handle wastewater conveyance for this portion of the City, the suggested likelihood of the proposed project resulting in a significant adverse impact upon SECSAD capacity is unfounded.

50-5 The commenter asserts that the Draft EIR should include a district-wide engineering analysis of SECSAD capacity and further states that the Draft EIR contains no meaningful quantitative discussion regarding sewer line sizing to serve the project site and other areas of planned growth.

The Draft EIR relies upon the 2013 SSMPU, as updated by subsequent modeling results and recommendations provided in the 2020 Carollo memo, to conclude that existing and planned sewer improvements are sufficient to serve the proposed project as well as other existing and planned development in the area. The 2013 SSMPU is a city-wide engineering analysis of wastewater collection system capacity, which includes and is more comprehensive than the requested district wide SECSAD engineering analysis. Based upon planned future development, the SSMPU includes several capital improvement projects (new sewer lines) that would be needed to accommodate buildout of the city-wide system.

Using the same city-wide model, the 2020 Carollo memo applied updated assumptions for development in the SECSAD area and recommended that the Doe Mill trunk line be 15 inches in diameter instead of 10 inches in diameter (primarily based on the need for the trunk line to serve the nearby Stonegate project). Therefore, the Draft EIR incorporates by reference a city-wide engineering capacity analysis that yielded specific sewer line size recommendations to serve the project site in addition to other areas of planned growth. The portion of this comment concluding that "Valley's Edge now plans to tap into, use and consume a very large share of SECSAD sewer conveyance capacity," is unfounded and is refuted by the analysis provided in the Draft EIR, as well as the 2013 SSMPU and 2020 Carollo memo.

50-6 The comment states that the density for a nearby development, Meriam Park, was increased above the density originally anticipated for that site when the SECSAD district was formed. The comment also notes that new state law allows "granny flat" ancillary living quarters to be built on lots and tie into sewer and claims that neither of these were analyzed in the Draft EIR.

Approved in 2007, Meriam Park is a master planned project located downstream of the land owned by Drake with regard to wastewater conveyance in SECSAD facilities. Page 4.13-14 of the Meriam Park Draft EIR states *"the SECSAD was designed for 10,462 EDU [estimated dwelling units] within and upstream of the [Meriam Park] Project area. A very conservative estimate using maximum potential buildout under the [Meriam Park] Project assigns 5,000 EDU's. The 5,000 EDU's along with planned and existing development totals 8,869 EDU's and allows for an additional 1,600 EDU's before capacity is filled for the SECSAD."* Therefore, the Meriam Park EIR explained in 2007 that the SECSAD facilities contained sufficient capacity for potential maximum Meriam Park buildout as well as development of the Drake land and other nearby landowners that were assured SECSAD capacity.

Actual buildout of Meriam Park is well underway and is significantly less dense than the conservative development assumptions utilized in the Meriam Park EIR. The Meriam Park EIR considered up to 3,200 dwelling units and approximately 1,185,000 square feet of non-residential development for the project. Actual development is on pace toward an anticipated total of 1,650 dwelling units and 900,000 square feet of non-residential development (see Meriam Park EIR and approved subdivision maps S 08-04, 09-01, S 16-03, S 19-04 and S 20-02, respectively).

Therefore, roughly one-half of the wastewater demands anticipated by the Meriam Park EIR will not be realized by the Meriam Park development. Since actual Meriam Park development will be much lower than what was evaluated in its EIR, there is more remaining capacity in SECSAD facilities than stated in the Meriam Park EIR.

In a systemwide analysis of the City's wastewater conveyance system, the SSMPU accounted for anticipated wastewater flows from 196.8 acres of land designated "SMU Special Mixed Use." Meriam Park is the only site in the city with the SMU Special Mixed Use land use designation, therefore the SSMPU considered buildout of Meriam Park based on information available in 2013.

"Granny flats," "second dwelling units" and "accessory dwelling units" (ADUs), all refer to the same type of ancillary living quarters that may be built on lots and connected to sewer as the comment suggests. The Draft EIR, Chapter 2, Project Description, describes ADUs on page 2-14, and notes that these accessory units would be permitted in compliance with state law. The Draft EIR's treatment of ADUs is justified based on the negligible effect these small "accessory" infill units have on overall development. These types of ancillary units are not new to Chico and have been allowed through a ministerial permitting process since 2003. Even with recent changes in state law to streamline the ADU approval process and commencement of the City's ADU incentive program offering pre-approved building plans, production of ADUs remains low. According to City application logs, a total of 138 ADUs have been approved in Chico over the past three years, or an average of 46 per year. Given that there are approximately 41,000 residential units in the City, this equates to an annual increase of approximately 0.11%. For a project like Valley's Edge this equates to approximately 3.1 ADUs per year.

Further, only approximately 12 of the 138 ADUs approved in the City over the past three years occurred within a subdivision that was developed over the past 10 years. By far, most of the ADUs have occurred in older neighborhoods within the numbered Avenues and Streets, around CSU Chico. In sum, these trends support the conclusion that development of ADUs within the project will be a minor feature that will not change the significance of any of the environmental impacts of the proposed project.

50-7 The comment suggests the SECSAD wastewater capacity attributable to the land owned by Drake is a fungible asset owned by Drake that can be sold on the open market by Drake. This comment also references a letter from the Chico City Manager dated March 26, 2021, and states that Drake's engineer agrees with the memo from the City's consulting engineer, Carollo Engineers, dated July 26, 2020, assuming development of the Drake properties at 100% capacity.

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. The commenter's assertions are not pertinent to the CEQA analysis because they are unrelated to the assessment of potential environmental impacts of the project (i.e., whether sufficient wastewater capacity exists in the system to serve the project and/or whether construction of new facilities is required). Moreover, the comment is not correct that SECSAD wastewater capacity attributable to a given property is transferrable to another party separate from transferring the underlying property. In other words, the assured capacity within SECSAD facilities is tied to each of the parcels along the branching network of the system that was installed some 40 years ago. The assured capacity cannot be sold to another property any more readily than the pipe in the ground can be relocated to physically serve another property. Further, Chico Municipal

Code Section 15.36.240 states, in part, that no person may change the use of a sewer connection without first obtaining a connection permit.

The same Carollo memo referred to in the comment is referenced in the project's Draft EIR on page 4.12-11, where the EIR states: "[i]n 2020, the City Public Works Department updated the analysis contained in the SSMPU. The 2020 Sewer Memorandum analyzes revised land use assumptions, particularly in the actively developing southeast portion of the City, and updates recommended pipe sizes associated with the three sewer projects mentioned above (Carollo 2020)."

Also, the Draft EIR states on page 4.12-18: "Existing trunk line capacity for the Doe Mill Trunk replacement, including capital improvements planned and described in the 2013 SSMPU and the memorandum prepared by Carollo Engineers (Carollo 2020) are sufficient to serve the VESP project, as well as all development currently entitled and expected in the vicinity."

These conclusions in the Draft EIR are based on facts and expert analysis contained in the 2020 memo from Carollo with which Drake's engineer concurs, and which refines the system-wide wastewater capacity analysis contained in the adopted 2013 SSMPU, also prepared by Carollo Engineers.

The SSMPU accounts for wastewater flows from the northern portion of the VESP planning area, however, it was identified in 2019 that other development sites in the surrounding area had outdated assumptions. This prompted the City to arrange for Carollo to update the wastewater conveyance capacity analysis for the SECSAD area. The refinements in Carollo's 2020 memo specifically consider approved and planned future growth in the area served by SECSAD facilities. The Carollo memo is the source of the recommendation to upsize the Doe Mill Trunk line from 10 inches to 15 inches to accommodate development of the northern portion of the VESP planning area.

50-8 The comment states that Drake's engineer has numerically quantified the number of units associated with the wastewater capacity documented available for land owned by Drake in Carollo's 2020 memo. This comment also states that this capacity assured to Drake was not analyzed in the Draft EIR.

No review of the numeric quantification of units by Drake's engineer was conducted for the purpose of addressing this comment because, as stated in Response to Comment 50-7, Drake's engineer agrees with Carollo's 2020 memo regarding the wastewater capacity assigned to the Drake land. This, in turn, means that the capacity assured to Drake was analyzed by primary references cited in the Draft EIR (2020 Carollo memo), and Drake's engineer agrees with the modeling inputs used by the City's engineer to verify Drake's assured capacity in SECSAD facilities.

50-9 The comment repeats the claim that the Draft EIR fails to account for capacity assured to land owned by Drake.

As discussed in the responses above, conclusions in the Draft EIR regarding system adequacy for wastewater conveyance were based on the same 2020 memo from Carollo with which Drake's engineer agrees properly accounts for anticipated future development potential of the Drake land, and which builds off analysis in the 2013 SSMPU that accounts for wastewater flows from the northern portion of the VESP site.

50-10 The comment states that land owned by Drake have priority over the project site for hooking into SECSAD facilities, and that the City must reserve adequate capacity within SECSAD facilities to serve Drake's allocation of units.

As discussed under Response to Comment 50-7, above, conclusions in the Draft EIR regarding system adequacy for wastewater conveyance were based on the same 2020 memo from Carollo with which Drake's engineer agrees properly accounts for anticipated future development potential of Drake-owned land, and which builds off the analysis in the SSMPU that accounts for wastewater flows from the northern portion of the VESP site.

Drake has held "priority" access to SECSAD facilities along with other district members for the past 40 years. Existing wastewater conveyance facilities must be serviced, with funding paid by existing residents and active commerce. Existing sewer lines have finite lifespans.

As stated in the March 26, 2021, letter from the City Manager and supported by the 2020 Carollo memo, the assured wastewater conveyance capacity to serve development of land owned by Drake remains available to Drake upon submittal of applications to the City and subsequent development of same.

50-11 The comment asserts that the Draft EIR is inadequate *"until a SECSAD district-wide sewer system wastewater conveyance system capacity and unit allocation reservation study has been conducted and verified as accurate." [emphasis in original]* The comment also asserts that remaining capacity in SECSAD facilities for properties located within the SECSAD must be confirmed before approving a project such as the VESP, which is located outside the district and would utilize SECSAD facilities for a portion of its wastewater conveyance.

As explained under Response to Comment 50-7, above, conclusions in the Draft EIR regarding system adequacy for wastewater conveyance were based on the same 2020 memo from Carollo with which Drake's engineer agrees, and which builds off the comprehensive analysis in the 2013 SSMPU. The refinements in Carollo's 2020 memo specifically consider approved and planned future growth in the area served by SECSAD facilities which were known in 2020 and were not accurately reflected in the 2013 SSMPU. The 2020 Carollo memo thereby reflects an accuracy-verification process similar to the one sought by this comment. As noted above, no "unit allocation reservation" study or other conversion to units is needed, the benefit attributable to land owned by Drake is expressed in terms of sewage flow rates.

50-12 The comment expresses an opinion regarding the importance of the study requested under Comment 50-11, above.

Please see Response to Comment 50-11.

50-13 The comment attempts to place a current market value on the assured capacity for land owned by Drake to use SECSAD facilities and threatens that *"any deprivation of Drake's ability to use and/or sell Drake's sewer units will result in immediate requests for judicial relief against the City and the project proponents."*

The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required. However, as noted above, Drake's ability to use the wastewater capacity attributable to their land remains intact, as supported by the 2020 Carollo memo with which

Drake's engineer concurs. The wastewater capacity reserved for their land does not represent "pre-paid sewer hookup units" that might be sold to others separate from the underlying lands to which SECSAD capacity is attached. The commenter provides no evidence that the terms of participating in the funding and construction of SECSAD facilities matures to a fungible benefit that can be sold on the open market as suggested by the commenter. To the contrary, Chico Municipal Code section 15.36.240 prevents property owners from selling sewer capacity to others by imposing a requirement that a connection permit shall be required for changes in use to sewer connections.

50-14 The comment makes a general claim that the Draft EIR is inadequate and additional analysis and feasible mitigation is necessary to mitigate the significant impacts identified elsewhere in the letter.

This concluding language references assertions made in prior comments. See Responses to Comments 50-1 through 50-13 that address other comments made by this commenter.

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Comment Letter 51

Law Offices of
Richard L. Harriman
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Chico, California 95973-1031
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December 13, 2021

VIA EMAIL TRANSMISSION
[mike.sawley@chicoca.gov]

City of Chico Community
Development Department
411 Main Street, P.O. Box 3420
Chico, CA 95927

Attention: Mike Sawley, Principal Planner

Re: Valley's Edge Specific Plan Draft
Environmental Impact Report
Comments of Northern California
Environmental Defense Center

Dear Mr. Sawley:

Please be informed that the undersigned is submitting the following Comments, regarding the above-referenced Project on behalf of the Northern California Environmental Defense Center, having its principal place of business in Palermo, California.

1. Request for Written Notice of Availability of the Final EIR.

I attended the Scoping Session, signed in on the Sign-in List, and submitted Comments regarding the proposed project, but I was not notified of the availability of the DEIR by mail or email at the address or email address on the letterhead above. PLEASE SEND ME WRITTEN NOTICE OF THE PUBLIC AVAILABILITY OF THE FINAL EIR WHEN IT IS AVAILABLE TO THE PUBLIC AND THE DATE OF ANY PUBLIC HEARINGS INVOLVING THIS MATTER. 51-1

2. The NCEDC joins in all public Comments made regarding the DEIR and/or in opposition to the proposed Project by all other environmental organizations or groups, including, without limitation, the Butte Environmental Council, the Yahi Group of the Motherload Chapter of the Sierra Club of California, Smart Growth Advocates, the California Native Plant Society, 51-2

1

the Altacal Audubon Society, the Planning and Conservation League, AquAlliance, and all other individuals raising objections to the proposed Project.

51-2 Cont.

3. The DEIR for the proposed Special Plan and other Project entitlements fails to provide a stable, finite, and accurate Project Description, due to the failure to disclose, quantify, discuss, and analyze the legal and physical effects of the new state statute adopted by the Legislature as SB 9 and signed into law by the Governor, with respect to the number of Single Family Residential dwellings that may be developed as a matter of right pursuant to this statute. Specifically, neither the City of Chico nor the County of Butte will be allowed to deny the permitting and construction of a total of four (4) dwelling units for every lot and/or parcel which is approved in the Specific Plan and any other zoning, subdivision maps and/or other entitlements that are granted pursuant to the application for the Specific Plan proposed for the Valley's Edge Project. This omission in the DEIR needs to be corrected and included in the Final EIR (FEIR).

51-3

4. As a result of the deficiency in the DEIR referred to in Comment No. 3 above, for the proposed Specific Plan and other land use entitlements sought in for the Project will cause potentially significant adverse effects to the physical environment due to the large increase in the actual number of SFR dwelling units that will be allowed and/or permitted for to the proposed Project, which will result in at least three times more impacts per dwelling unit analyzed in the DEIR, including amount of water required for the Project, adverse environmental impacts to Air Quality, Traffic, Green House Gasses ("GHGs"), and all other adverse environmental impacts identified and analyzed in the DEIR. Also, the Jobs/Housing balance identified and calculated In the DEIR will need to be revised and re-analyzed in the FEIR or, preferably, a Revised DEIR which addresses all of the above-referenced deficiencies in the DEIR and commented on by other Commentators, as a result of the inaccurate and inadequate Project Description set forth hereinabove.

51-4

5. Since the Project Application seeks a Resolution from the City to initiate an Annexation of the proposed Project into the City of Chico, NCEDC notes that one of the Findings that will be required by the Butte County LAFCo for the proposed Project is that the Project be consistent with the City of Chico's General Plan. However, unless the Project Description is changed to disclose the potentially significantly larger number of SFR dwelling units allowed by SB 9, or there are more dwelling units allowed, so that there is substantially greater density per acre in the Project, LAFCo will be unable to approve the City's Application for annexation of the Proposed Project. This inconsistency and defect needs to be addressed and resolved prior to the City's certification of the FEIR and prior to its application to LAFCo for annexation. Otherwise, it would be recommended that the Applicant pursuant development in the County of Butte.

51-5

6. NCEDC's Comments submitted at the Scoping Meeting and after the Scoping Meeting included the issue of requiring all public transportation provided by BCAG and other public providers should be required to by electric busses and/or shuttles, or passenger vans. The City of Santa Barbara has been providing electric shuttle service since 2017 and the

51-6

cost of such electric shuttle vehicles was reported as being $388,000. Santa Barbara's use of such vehicles constitutes substantial credible evidence that such a Mitigation Measure or Condition of Approval is both readily available and also economically feasible. Therefore, they should be included as such in the FEIR and Specific Plan documentation.

51-6 Cont.

For the foregoing reasons, NCEDC respectfully recommends to, and requests the City, as the lead agency for this CEQA review process, to prepare a Revised DEIR for circulation and review by the responsible agencies and the public, in order to correct the procedural and substantive defects and inadequacies in the DEIR for the Project and to give the public a meaningful opportunity to review a legally adequate EIR for the Project, pursuant to CEQA Guidelines Section 15201 and other provisions that require the FEIR to be legally complete and adequate.

51-7

Thank you for the opportunity to submit the foregoing comments for inclusion in the record of proceedings.

Very truly yours,

Richard L. Harriman

RICHARD L. HARRIMAN
General Counsel

cc: Butte County LAFCo
Butte County Counsel
Clients
Other Organizations

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Response to Letter 51

Richard L. Harriman, Law Offices of Richard L. Harriman

51-1 The commenter requests the City provide availability of the Final EIR and any public hearings in writing and states he was not notified of the availability of the Draft EIR.

The commenter's second email address and physical address has been added to the City's list of individuals requesting notice. It appears the City sent a notice to the email address provided by the commenter at the scoping meeting, but that is no longer the commenter's preferred email address. The City has added the commenter's preferred email address to the Interested Parties list to ensure the commenter receives future notices for the VESP project.

51-2 The commenter states that the Northern California Environmental Defense Center (NCEDC) joins in all comments submitted by other environmental organizations or groups in opposition to the project.

Please see all other Reponses to Comments made regarding the Draft EIR and/or in opposition to the project, provided in this chapter. The comment does not address the accuracy or adequacy of the Draft EIR; therefore, no further response is required.

51-3 The comment asserts that the Draft EIR fails to provide a stable, finite and accurate project description because it does not address the physical effects of a recent state law (SB 9) which allows construction, by right, of a total of four dwelling units on land zoned for residential.

The comment references SB 9, which was signed into law by Governor Newsom on September 16, 2021 and took effect on January 1, 2022. SB 9 allows housing development projects of up to two dwelling units on a single-family zoned parcel (RS and R1 zones in the context of the VESP) to be permitted on a ministerial basis (without discretionary review or hearings), if the project satisfies the SB 9 requirements. The City may apply objective development standards, but only as long as each standard doesn't conflict with the provisions of SB 9. Projects that meet the SB 9 requirements and applicable City standards must be approved by a local agency ministerially and are not subject to CEQA. SB 9 also allows for qualifying "urban lot splits" (ULS) to be approved ministerially upon meeting the bill requirements. Each parcel may not be smaller than forty (40%) percent of the original parcel size and each parcel must be at least 1,200 square feet in size unless permitted by local ordinance. There are several limitations included in the SB 9 legislation, including a 3-year owner-occupancy requirement for ULS projects and the ability for the City to deny an application for ULS or two-unit development if approval of the application would result in a specific adverse impact upon public health and safety or the physical environment.

The applicant has indicated that they intend to include a prohibition on the re-subdivision of lots within the VESP as a matter of the Covenants, Conditions and Restrictions (CC&Rs) that would be recorded on resultant development lots within the VESP. Practically speaking, however, the likelihood of re-subdivision pursuant to SB 9 would be remote in most cases because the great majority of R1 lots would be too small to ULS without having a property line going through the existing structure. This is possible, but it requires the installation of fire walls and other separations that can be impractical to install and/or infeasible to pursue due to cost.

The Notice of Preparation for the project was released on August 14, 2019. Preparation of the Draft EIR commenced in the Fall of 2019, well in advance of this recently adopted legislation. The Draft EIR recognizes that Accessory Dwelling Units (ADUs) ADUs would be permitted in compliance with state law (Draft EIR p. 2-14), which would extend to any new laws enacted by the state.

As of August 1, 2022 the City has received 4 ULS applications and just 1 two-unit SB 9 application. The potential for a new homebuyer purchasing a new home to elect to construct additional units on the lot (assuming the lot is large enough to accommodate new detached units) is speculative given new homes are designed to meet the space needs of future homebuyers. In addition, because the residential home builders will be providing specific home models for purchase, the option for a lot split to accommodate development of multiple units would not be a realistic option for the majority of R1 lots in the project. Furthermore, as discussed in Response to Comment 50-6, the City has encouraged the production of ADUs in conjunction with 2018 changes in state law to streamline ADU approvals, but only a small percentage of homeowners have pursued the option. Moreover, most ADUs have been developed in older neighborhoods where owners tend to possess more or full equity in their property (in the Streets and Avenues), and where properties developed under County jurisdiction have hooked up to City sewer and no longer need an outside area dedicated to an on-site septic system. Still, after an initial influx of 69 ADU applications in 2019[1], ADU applications dropped down to 37 and 32 the following two years and were up to 18 on July 1, 2022. ADUs are proving to be a more-attractive option to homeowners than adding a second unit via SB 9 because ADUs under 750 square feet in size are exempt from development impact fees and provide the most economical permitting (and efficient) option. For these reasons, the Draft EIR did not address the potential for the project residents to construct additional accessory units allowed by right under Government Code, Sections 65852.21 and 66411.7. The Draft EIR provides a stable, finite, and accurate project description, it is not agreed that more than 2,777 units would ultimately be constructed within the project, or that a few infill units above that amount added over time would change any results of the Draft EIR. The analysis does not need to be revised to include an analysis of additional residential units.

51-4 The comment alleges that the Draft EIR is deficient because the environmental effects attributed to an increase in units permitted under SB 9 were not evaluated and the impacts would be greater than what was analyzed in the EIR and requests a revised Draft EIR be prepared.

Please see Response to Comment 51-3. It does not follow that the passage of SB 9 invalidates the Draft EIR's description of development of single-family homes within the VESP project, or its analysis of environmental impacts that would result from development of single-family homes that would result from implementation of the specific plan.

51-5 The comment expresses a concern that because the project does not account for a potentially significantly larger number of single-family units (allowed under SB 9) the project is inconsistent with the City's General Plan; therefore, LAFCo would be unable to approve annexation of the project site and development of the project should be processed under Butte County.

[1] Significant state legislation was passed in 2018 which streamlined ADU standards and approvals. The City has data for ministerial approval of ADUs dating back to 2003; however, that data is omitted here because the numbers are much smaller than the uptick seen after 2018.

Consistency with the City's General Plan is addressed in the Draft EIR in each technical section as well as in Chapter 3, Land Use and Planning. Butte County LAFCo includes policy 2.10.1 Consistency with General Plans and Specific Plans, which requires LAFCo to ensure requests for annexation be consistent with the relevant General Plan and Specific Plans (Draft EIR p. 3-6). Policy 2.10.4 Consistency Found Adequate clarifies that a "proposal shall be deemed consistent if the proposed use is consistent with the applicable General Plan designation and text, the applicable General Plan is legally adequate and internally consistent, and the anticipated types of services to be provided are appropriate to the land use designated for the area." (Draft EIR p. 3- 6). The project site is located in the City's Sphere of Influence (SOI) and identified in the City's 2030 General Plan as a Special Planning Area 5 (SPA-5) or the Doe Mill/Honey Run SPA. The City's General Plan assigned a conceptual mix of residential, commercial, parks and open space uses within this area. The land uses assigned to the project site in the General Plan include Very Low Density Residential, Low Density Residential, Medium Density Residential, Medium-High Density Residential, Neighborhood Commercial, Commercial Mixed-Use, Public Facilities and Services and Open Space (Draft EIR pp. 3-3, 3-4). The project has been designed consistent with the City's Doe Mill/Honey Run SPA which calls for "a recreation oriented, mixed-use development offering a broad range of housing types and densities. The SPA will include a village core, retail along Skyway, a variety of residential densities (including very low, low, medium, and medium-high density), open space areas on the SPA's east side, a community park, neighborhood and pocket parks, public uses (potentially an elementary school site), and preserve areas with creek side corridors. Roadways, trails, and bikeways will be integrated into the natural landscape to connect the residential areas to parks, open space, offices, public facilities, and services." (Draft EIR p. 3-9).

The Draft EIR concluded the proposed project's land uses and development assumptions are generally consistent with the direction provided in the City's General Plan, including the application of a variety of residential, commercial, and open space uses. Therefore, it is anticipated LAFCo would be able to make a finding of consistency with the City's 2030 General Plan.

Please see Response to Comment 51-3 regarding concerns raised regarding SB 9.

51-6 The comment requests that all public transportation provided by the Butte County Association of Governments (BCAG) and other providers be electric and cites to the City of Santa Barbara's use of electric shuttle as evidence this should be a mitigation measure or condition of project approval.

The comment does not indicate what impact the commenter believes would require mitigation or a condition of project approval to require electric buses/shuttles be provided. The comment also fails to state or make any connection between the purposes served by Santa Barbara's use of electric shuttle vehicles and how those or similar purposes could be served by using electric shuttle vehicles in the project. Butte Regional Transit currently provides bus service serving the City and Butte County. However, it is not within the purview of the City to impose mitigation on other entities that it has no control over. In other words, the City cannot compel Butte Regional Transit to convert their fleet of buses and other shuttles to run on electricity. Comment 15-4 notes that the state will require all-electric buses by 2029. To facilitate access to transit, the project includes bus stops at the Village Core and elementary school site, and community park. The project is also designed to encourage and accommodate the use of Neighborhood Electric Vehicles or NEVs on all project roadways and proposes Class II on-street routes that are designed to accommodate both NEV and bicycle use on collector streets. In addition, the project includes approximately 20 to 25 miles of trails. The

project's trail system is designed to connect parks and open space corridors with residential areas, commercial areas and the Village Core. Class I bike and pedestrian trails are intended for year-round use as both transportation and recreational corridors.

51-7 The comment requests the City prepare a revised Draft EIR for recirculation to correct the alleged inadequacies in the document claimed in Comments 51-1 through 51-6.

Under Section 15088.5 of the CEQA Guidelines, recirculation of an EIR is required when "significant new information" is added to the EIR after public notice is given of the availability of the Draft EIR for public review but prior to certification of the Final EIR. The term "information" can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative). The Draft EIR adequately evaluated direct, indirect, and cumulative impacts associated with construction and operation of the project and recirculation is not required. In addition, the City released the Draft EIR for a 45-day public review period consistent with CEQA Guidelines Section 15105 and held a public hearing to take verbal comments on the Draft EIR on November 18, 2021. The City has provided the public with opportunities for public participation, pursuant to Section 15201 of the CEQA Guidelines and Section 1.40.570 of the Chico Municipal Code. No further response is necessary.