The Responses to Comments chapter includes responses to each of the comment letters submitted regarding the Johnson Rancho and Hop Farm Annexation Draft EIR. Each bracketed comment letter is followed by numbered responses to each bracketed comment. Any change to the Draft EIR text required in response to a comment is identified as double underlined for new text and strikethrough for deleted text. All text changes are presented in Chapter 2, Revisions to the Draft EIR Text, of this Final EIR.
Pursuant to the State Clearinghouse's 1 June 2011 request, the Central Valley Regional Water Quality Control Board (central Valley Water Board) has reviewed the Draft Environmental Impact Report for the Johnson Rancho and Hop Farm Annexation Project, located in Yuba County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwater of the state; therefore our comments will address concerns surrounding those issues.

Construction Storm Water General Permit:
Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit). Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermiis.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits:
The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards.

1 Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 10,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.
also known as Low Impact Development (LID)/post-construction standards that include a
hydromodification component. The MS4 permits also require specific design concepts for
LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA
process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central
Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

**Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations
contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley
Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_per
mits/index.shtml.

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or
wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed for the
United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the
USACOE, the Central Valley Water Board will review the permit application to ensure that
discharge will not violate water quality standards. If the project requires surface water
drainage realignment, the applicant is advised to contact the Department of Fish and Game for
information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact
the Regulatory Division of the Sacramento District of USACOE at (916)557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE permit, or any other federal permit, is required for this project due to the
disturbance of waters of the United States (such as streams and wetlands), then a Water
Quality Certification must be obtained from the Central Valley Water Board prior to initiation of
project activities. Water Quality Certification must be obtained prior to initiation of project
activities. There are no waivers for 401 Water Quality Certifications.

**Waste Discharge Requirements**

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal"
waters of the State) are present in the proposed project area, the proposed project will require a
Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board.
Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the
State, including all wetlands and other waters of the State including, but not limited to, isolated
wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central
Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/
If you have questions regarding these comments, please contact me at (916) 484-4745 or gsparks@waterboards.ca.gov.

Genevieve (Gen) Sparks
Environmental Scientist
401 Water Quality Certification Program

cc: State Clearinghouse Unit, Governor's Office of Planning and Research, Sacramento
LETTER 1: GENEVIEVE SPARKS, CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

Response to Comment 1-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 1-2

Mitigation Measure 4.10-3 in Chapter 4.10, Hydrology and Water Quality, of the Draft EIR states that the City shall require that, as a condition of approval on each tentative map application for any development within the Johnson Rancho and Hop Farm Annexation area, the applicant(s) obtain a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the Regional Water Quality Control Board (RWQCB). A Storm Water Pollution Prevention Plan (SWPPP) shall be included, as well as other documents required by the General Permit.

Response to Comment 1-3

The comment provides information regarding Phase I and II Municipal Separate Storm Sewer System (MS4) Permits. The project will be required to comply with appropriate requirements in effect at the time of construction. In addition, as stated on page 4.10-13 of Chapter 4.10, Hydrology and Water Quality, of the Draft EIR, the project would implement extensive Low Impact Development (LID) measures to provide hydromodification benefits and meet the new NPDES General Construction permit standards. As stated in the Draft EIR, the goal of LID is to mimic a site’s pre-development hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to the source of rainfall. The comment does not address the adequacy of the Draft EIR.

Response to Comment 1-4

A detailed description of the proposed project, including proposed land uses, is presented in Chapter 3, Project Description, of the Draft EIR. Industrial land uses or sites are not proposed for the project. Therefore, an Industrial Storm Water General Permit would not be required. However, it should be noted that a NPDES Construction General Permit would be obtained, as stated in Response to Comment 1-2, above.

Response to Comment 1-5

Mitigation Measure 4.6-13(a) in Chapter 4.6, Biological Resources, of the Draft EIR states that the City shall require that, as a condition of approval on each tentative map application for any development within the Johnson Rancho and Hop Farm Annexation area, the project applicant(s) consult with the USACE with respect to potential impacts to any on-site wetlands. If the USACE determines that the project may impact jurisdictional waters on- or off-site, the appropriate Clean Water Act (CWA) Section 404 permit shall be acquired by the applicant. In addition, if applicable, CWA Section 401 water quality certification or waiver would also be required.
Response to Comment 1-6

See Response to Comment 1-5.

Response to Comment 1-7

Because the proposed project site has jurisdictional waters present on-site and would require an NPDES Construction General Permit, as well as possibly a CWA Section 404 and/or 401 permit), a Waste Discharge Requirement (WDR) permit would not be necessary.

Response to Comment 1-8

The comment does not address the adequacy of the Draft EIR.
July 15, 2011

VIA EMAIL: timranev@raneymanagement.com
Mr. Tim Raney
City of Wheatland
111 C Street
Wheatland, CA 95692

Subject: DEIR for the Johnson Rancho and Hop Farm Annexation
- SCH# 2008082127

Dear Mr. Raney:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the DEIR for the Johnson Rancho and Hop Farm Annexation. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

2-1

Project Description:

The proposed project is located east of the City of Wheatland, outside of the City limits, and within the Wheatland Sphere of Influence. The proposed project is approximately 4,149 acres and includes the development of 14,396 residential units on approximately 3,187 acres of land.

The existing parcels on the Johnson Rancho portion have various Yuba County agricultural zoning designations, including Agricultural Exclusive with a 10-acre minimum, Agricultural Exclusive with a 40-acre minimum, and Agricultural Exclusive with an 80-acre minimum. The proposed project involves a request to prezone the Johnson Rancho portion to Planned Development (PD) District. The Johnson Rancho portion of the project site was designated as Urban Reserve in the 2006 City of Wheatland General Plan Update. The DEIR states that, while the proposed Johnson Rancho portion of the project is generally consistent with the relevant General Plan policies, development of this portion of the project would require the City Council to approve a requested Annexation and General Plan Amendment. The general and off-site with urban uses.

The Hop Farm portion of the project site is already designated for urban development in the Wheatland General Plan and the applicant is not requesting a General Plan Amendment for this portion of the project.

The Department of Conservation's mission is to balance today's needs with tomorrow's challenges and foster intelligent, sustainable, and efficient use of California's energy, land, and mineral resources.
Johnson Rancho and Hop Farm Annexation
July 15, 2011
Page 2 of 4

Portions of the proposed project site, such as the Hop Farm property, have historically been
used for agricultural operations and are currently being farmed. A large portion of the Johnson
Rancho property has been and is being used for cattle grazing. This area is not considered
Prime Farmland. However, it is mentioned on page 4.2-18 of the DEIR that, “the majority of the
remaining project site is composed of prime farmland soils. The City of Wheatland is located
within an area largely composed of prime farmland soils; thus, urban expansion of the City
would, to some extent, necessarily result in the conversion of prime agricultural land.”

Division Comments:
The Department’s data on land use conversion shows that Yuba County lost a total of 8,219
acres of important farmland from 1988 to 2008, with an annual average loss of 411 acres per
year. This cumulative loss represents a significant and permanent impact to the agricultural
resources of the County and the State, and shows why the remaining agricultural resources in
the County should be protected whenever feasible. In 2009, approximately $195,576,000 in
farm sales was generated in Yuba County. That value demonstrates the significance of
agriculture to the economy of Yuba County. The City of Wheatland is adjacent to large areas of
Prime Farmland, and any loss of this agricultural land should be avoided or mitigated whenever
possible.

Project Impacts on Agricultural Land:
Because implementation of the proposed project would convert Prime Farmland to non-
agricultural uses, a significant impact would result. On page 4.2-69, the DEIR states,

“Potential mitigation for impacts related to the conversion of Prime Farmland to urban
uses could include purchasing agricultural conservation easements outside the project
area. However, it should be noted that this mitigation would not create new agricultural
land; rather, the mitigation would simply preserve existing agricultural land elsewhere.
Consistent with the Wheatland General Plan EIR, feasible mitigation measures do not
exist to reduce the above impact to a less-than-significant level. Therefore, the impact
would remain significant and unavoidable.”

The Division does not agree with this assessment. The Department recommends the use of
permanent agricultural conservation easements on land of at least equal quality and size as
partial compensation for the direct loss of agricultural land. Conservation easements protect a
portion of those remaining land resources and lessen project impacts in accordance with CEQA
Guideline §15370. The Department highlights this measure because of its acceptance and use
by lead agencies as an appropriate mitigation measure under CEQA and because it follows an
established rationale similar to that of wildlife habitat mitigation.

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1 Department of Conservation. “Important Farmland Data Availability Land Use Conversion Table”
http://directed.conservation.ca.gov/dhp/Yump/county_farmland_2009landuseconversion.xls

2 California Agricultural Resource Directory 2010-2011
Mitigation Measures

The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. If growth inducing or cumulative agricultural impacts are involved, the Department recommends the use of permanent agricultural conservation easements at a ratio of 1:1.

Although direct conversion of agricultural land is often an unavoidable impact under California Environmental Quality Act (CEQA) analysis, mitigation measures must be considered. The adoption of a Statement of Overriding Consideration does not absolve an agency of the requirement to implement feasible mitigation that lessens a project's impacts. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation. Rather, the criterion is feasible mitigation that lessens a project's impacts. Pursuant to CEQA Guideline §15380, mitigation includes measures that "avoid, minimize, rectify, reduce or eliminate, or compensate" for the impact.

All measures allegedly feasible should be included in the DEIR. Each measure should be discussed, as well as the reasoning for selection or rejection. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible based on its elements.

Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

One source that has proven helpful for regional and statewide agricultural mitigation banks is the California Council of Land Trusts, which can be found at:

http://www.calandtrusts.org

The California Council of Land Trusts deals with all types of mitigation banks. It is suggested that the County contact them to get an understanding of the fees associated with mitigation banking and the options available.

Another source is the Division's California Farmland Conservancy Program (CFCP), which has participated in bringing about conservation easements throughout the State of California involving Land Trust Alliance, the California Council of Land Trusts, and the American Farmland Trust. The establishment of an easement in the County is potentially feasible. If the County were not able to make arrangements for easement mitigation through one of these or many other land trusts operating in California, the Department would be glad to help. The CFCP is also authorized to accept donations to its efforts. We recommend that the FEIR consider agricultural conservation easement mitigation for this project. Of course, the use of
Thank you for giving us the opportunity to comment on the DEIR for the Johnson Rancho and Hop Farm Annexation. Please provide this Department with the date of any hearings for this particular action, and any staff reports pertaining to it. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Mert Merez, Environmental Planner, at 891 K Street, MS 18-01, Sacramento, California 95814, or by phone at (916) 445-9411.

Sincerely,

[Signature]

John M. Lowrie
Program Manager
Williamson Act Program

cc: State Clearinghouse
LETTER 2: JOHN M. LOWRIE, DEPARTMENT OF CONSERVATION

Response to Comment 2-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 2-2

The comment is a summary of the proposed project and does not address the adequacy of the Draft EIR.

Response to Comment 2-3

On pages 4.2-68 and 4.2-69 of Chapter 4.2, Land Use and Agricultural Resources, of the Draft EIR is a discussion of the project’s impacts related to the conversion of Prime Farmland to urban uses and the cumulative loss of agricultural land. As stated on the bottom of page 4.2-68, approximately one-third of the site is composed of Prime Farmland.

The project would be consistent with the goals and policies related to the preservation of local and regional agricultural land in both the Wheatland General Plan and the Yuba County General Plan, as stated on the top of page 4.2-69. The Wheatland General Plan EIR concludes that the implementation of the goals and policies in the General Plan would minimize impacts to agriculture. Yet, impacts to agricultural land would remain significant and unavoidable because buildout of the General Plan would permanently convert Prime Farmland to non-agricultural uses, and the proposed project, in conjunction with other development in the Wheatland area, would have a significant cumulative impact related to the permanent loss of agricultural land.

Response to Comment 2-4

The comment is an excerpt from the Draft EIR and does not address the adequacy of the Draft EIR.

Response to Comment 2-5

The commenter expresses disagreement with the impact assessment related to conversion of Prime Farmland to non-agricultural uses, as discussed in Response to Comment 2-3, above. Potential mitigation for impacts related to the conversion of Prime Farmland to urban uses, including purchasing agricultural conservation easements outside the project area, was considered during preparation of the EIR. However, it should be noted that this mitigation would not create new agricultural land; rather, the mitigation would simply preserve existing agricultural land elsewhere. Therefore, the impact would remain significant and unavoidable. It should be noted that, ultimately, the final determination of the significance of impacts and the feasibility of mitigation measures will be made by the City as part of the City’s EIR certification action.
The Wheatland General Plan contains policies to maintain agricultural uses as long as possible, but it recognizes that as the community develops agricultural land inevitably will convert to urban uses. The City has chosen not to adopt a mandatory conservation easement program or similar program. Yuba County likewise has not adopted a conservation easement program and there is no such program in the County. Yuba County also has chosen not to participate in the state Williamson Act program; therefore, that program is not available for conservation of agricultural land.

Preservation of agricultural land also is a larger County issue. The new 2030 Yuba County General Plan contains policies and actions to reduce impacts to agricultural resources and conserve areas for ongoing agricultural production. Significantly, the County General Plan adopts a “Valley Growth Boundary,” which reduces the overall footprint of future urban development in the County unincorporated areas and reduces the potential conflicts at the urban-rural edge as part of the County’s overall strategy for agricultural and open space preservation. Through the County’s planning approach, the Valley Growth Boundary sets the long-term limits of urban development in the valley portion of the County to accommodate most development needs between present and buildout of the 2030 General Plan. The Valley Growth Boundary protects important farmland, natural resources and rural landscapes. Rather than to develop a costly Wheatland-only program for the purchase of conservation easements or payment of development fees, the City supports the County-wide preservation of agricultural land through the Valley Growth Boundary and policies and actions of the County General Plan.

That being said, the City has determined that it is appropriate to include within the EIR mitigation that requires the project applicant to preserve agricultural land through a farmland conservation mechanism. It should be noted, however, that the impact would remain significant and unavoidable.

Therefore, page 4.2-69 of Chapter 4.2, Land Use and Agricultural Resources, of the Draft EIR is hereby revised as follows:

**Mitigation Measure(s)**

*The followingPotential mitigation requiring for impacts related to the conversion of Prime Farmland to urban uses could include the purchasing purchase of agricultural conservation easements outside the project area. However, it should be noted that this mitigation would not create new agricultural land; rather, the mitigation would simply preserve existing agricultural land elsewhere. Consistent with the Wheatland General Plan EIR, feasible mitigation measures do not exist to reduce the above impact to a less than significant level. Therefore, the impact would remain significant and unavoidable.*

**4.2-7** Prior to recording any final map for portions of the project site located on Prime Farmland, the project applicant shall obtain and dedicate a conservation easement for the purposes of ensuring continued agricultural viability of lands equal in acreage to the amount of land removed from agricultural operation within the project site. The lands covered within this easement or easements shall be
within Yuba County, and shall have equal or greater ratings under the Soil Classification System of the California Department of Conservation or its equivalent in the event that a County-wide program is developed. This easement shall remain in effect in perpetuity and shall be dedicated to Yuba County or a non-profit agricultural conservation association approved by the County. The location and amount of agricultural acreage would also be subject to the review and approval of the City Council.

The above changes are for clarification purposes only and do not alter the conclusions in the Draft EIR.

In addition, based on the above revision, page 4.2-70 of Chapter 4.2, Land Use and Agricultural Resources, of the Draft EIR is hereby revised as follows:

**Mitigation Measure(s)**

The following feasible mitigation measures do not exist to **would** reduce the above impact, **but not to a less-than-significant level**. Therefore, the impact would remain **significant and unavoidable**.

4.2-8 **Implement Mitigation Measure 4.2-7.**

The above changes are for clarification purposes only and do not alter the conclusions in the Draft EIR.

**Response to Comment 2-6**

See Response to Comment 2-5.

**Response to Comment 2-7**

See Responses to Comments 2-3, 2-5, and 2-6.

**Response to Comment 2-8**

The comment consists of closing statements and does not address the adequacy of the Draft EIR.
July 15, 2011

Mr. Tim Raney, Planning Director
City of Wheatland
111 C Street
Wheatland, CA 95692

Re: Comments on the Johnson Rancho and Hop Farm Annexation Draft Environmental Impact Report

Dear Mr. Raney,

Thank you for the opportunity to review the Draft EIR for this Project. Placer County provides the following comments on the proposed project and the DEIR for your consideration.

**Land Use & Planning and Noise**
During the Notice of Preparation for this Program EIR, Placer County provided comments to the City of Wheatland to disclose that CEMEX Construction Materials L.P. operates a 736-acre off-channel surface mine located near Camp Far West Road approximately three miles northeast of Sheridan, and approximately two miles east of the City of Wheatland's current city limits. For reference, the mine is located north and south of the Bear River with approximately 486 acres of the mine property located in Placer County and 240 acres of the mine property located in Yuba County. The mine has been in continuous operation since 1956.

In 2004, Placer County and Yuba County executed a Memorandum of Understanding, which designated Placer County as the CEQA lead agency for a proposed expansion of the mine, including designation of Placer County as the lead agency for project review of portions of the mine located in Yuba County. Subsequent to the MOU, in October 2007 the Placer County Board of Supervisors took action to certify the project Final EIR, approve a Conditional Use Permit and Development Agreement to expand the mine reclamation area from a single-phase 326-acre mine to a six-phase 681-acre mine, and to extend the mine reclamation period from 2028 to 2045. Following project approval, CEMEX Construction Materials L.P. has made significant financial commitments to Placer County in accordance with the requirements of the Development Agreement in order to vest the permit and to ensure that the long-term productivity of this mine is protected.

As proposed, the Johnson Rancho and Hop Farm Annexation project would establish Low Density Residential and Low-Medium Density Residential land uses to within one-half mile of...
the current Phase 1 mine reclamation area, and to within approximately 600 feet of the Phase 2, 3, and 4 mine reclamation areas. Additionally, a public park and an elementary school are proposed to be located within one-quarter mile of the Phase 4 reclamation area.

Placer County strenuously objects to the establishment of these land uses within such close proximity to this mine. The specific operational needs of the mine to supply construction aggregates in direct response to industry demand and the unique operational characteristics of the mine make it incompatible with nearby public assembly uses and residential development, even at low densities. Those existing characteristics include levels of noise, odor, dust and vibration that occur as a result of mine blasting, aggregate processing, transport, and reclamation activities. Mining and processing activities are permitted year-round, Monday through Saturday, between the hours of 7:00 a.m. to 10:00 p.m. and may be authorized by the Planning Director to exceed such limitations in response to a local, state, or federally-declared emergency when materials from the mine are needed in response to such an emergency.

The Land Use & Planning and Noise Sections of the DEIR do not include any analysis of these issues, nor does the Initial Study. Consequently, the DEIR is inadequate as it has not correctly identified or evaluated the proposed project’s impacts and the significance of the impacts in accordance with CEQA Sections 15063 and 15064. Placer County requests that the City of Wheatland revise its DEIR to include analyses of the proposed project’s potential impacts that would occur as a result of locating these land uses within such close proximity to the CEMEX mine. Placer County also requests to consult with the City of Wheatland on the implementation of appropriate project modifications and mitigation measures to address these issues. Those modifications and mitigations should include decreasing residential densities within one-half mile of the mine’s northerly boundary to match existing residential densities specified in the Yuba County General Plan, increasing the width of the project’s southerly open space buffer, extending the open space buffer along the mine’s entire northerly boundary, implementation of buyer’s awareness deed disclosures for properties located within one-mile of the mine, and other mitigations as appropriate.

Water Supply

Background

The City of Wheatland public water supply is supplied by groundwater pumped from the South Yuba Sub-basin, which is a sub-basin of the larger Sacramento Valley Groundwater Basin. In 1960, the Department of Water Resources determined that groundwater levels in the sub-basin showed a well-developed cone of depression with water levels in the center of the depression below sea level (DWR Bulletin 118, as referenced in the DEIR). Further analysis by the DWR in 1984 determined that the sub-basin water level continued to fall and that the center of the cone depression had fallen to more than 30 feet below sea level. The lowering water level of the sub-basin was determined to have occurred due to a heavy reliance on groundwater pumping. The basin was further determined to be in overdraft condition. By 1990, the sub-basin level was recorded to have recovered to 10 feet above sea level, and the recovery was attributed to increased surface supply of agricultural water and decreased reliance on groundwater.

The City of Wheatland Public Water System, which is operated by the City of Wheatland Public Works Department (WWPD), is developed as a system of public water wells,
treatment facilities, storage tanks and transmission pipelines. The public water system currently provides domestic water service to 1,058 retail customers whose average annual consumption is calculated to be 923 acre feet annually (AFA).

The Camp Far West Irrigation District (CFWID), which has water rights for 13,000 acre-feet of water from Camp Far West Reservoir annually, provides surface supplies of agricultural water to areas west of the reservoir and within the City of Wheatland General Plan boundary. However, CFWID does not supply water within the existing City Limits nor is it projected to supply surface water to the City in the future.

Existing General Plan
Under the recently approved City of Wheatland General Plan Update, the City projects development of 16,195 dwelling unit equivalents over the next 20 years. All domestic water needs for General Plan build-out will be supplied by the WWPD, which will augment the existing public water system by development of additional public water wells, increased above-ground water storage, extension of existing water transmission and service lines, and construction of new water transmission and service lines. Total annual water consumption at General Plan build-out is projected to be 21,873 acre-feet annually.

Proposed Project
The Johnson Rancho and Hop Farm Annexation Project, which also includes a projected 20 year development horizon, would add an additional 14,551 dwelling unit equivalents to the City of Wheatland bringing the total dwelling unit equivalents to 30,756. Build-out of the proposed project is proposed to rely exclusively on further development of groundwater for domestic water supply. At build-out, the project would require 12,730 acre-feet of water to serve the project, annually. The total combined 2030 water demand for the existing General Plan build-out plus project is projected to be 34,603 acre-feet of water, and all water is proposed to be supplied exclusively by pumping groundwater from the South Yuba Sub-basin.

In 2010, the Camp Far West Irrigation District supplied an estimated 3,045 acre feet of its 13,000 acre-feet of agricultural water from the Camp Far West Reservoir to the proposed Johnson Rancho and Hop Farm Annexation project area. It is anticipated that as the project develops, the amount of water supplied to the project area would diminish as groundwater supplies are increased. In 2030, the CFWID is projected to supply no water to the project area, as all water would be provided from the sub-basin.

Project Impacts
According to the DEIR (4.13-30), "If groundwater alone is used to supply the 20-year build-out sustainable demand for water needed for existing uses, the Johnson Rancho and Hop Farm Property project, and the other projects identified in the GPU, WPWD would likely need [to] extract groundwater from geographic areas within and extending beyond (emphasis added) the aerial extent of the current WPWD service area, the Johnson Rancho and Hop Farm Properties area and the other developments listed in the GPU. Without the construction and installation of additional water supply infrastructure to serve the project, a potentially significant impact to water supply delivery will occur."

CHAPTER 3 — RESPONSES TO COMMENTS
The analysis goes on to list a series of mitigation measures, such as a requirement to receive approval of a Groundwater Monitoring Plan and to update the City of Wheatland Public Facilities Financing Plan, which are proposed to mitigate impacts to a less than significant level. However, no analysis or conclusions are provided to state the type of impacts to the long-term South Yuba Sub-basin water supply, whether the potential exists to overdraft the sub-basin, or whether overdraft of the sub-basin could create a cone of depression that would affect the Sacramento Valley Groundwater Basin, which supplies water to the community of Sheridan in Placer County and to rural Placer County farmlands.

Furthermore, the Water Supply Assessment states that the project would likely need to extract groundwater from outside the project footprint and other developments within the City of Wheatland updated General Plan boundary, but additional groundwater pumping locations are not identified and the impacts are not analyzed.

In absence of further information to address this regionally significant water supply issue, Placer County must object to this proposal. Placer County does not agree that adequate analysis of a long term water supply and its regional impacts has been performed. Several potential project impacts to long-term water supply are not analyzed, and consequently the DEIR is inadequate as it has not correctly identified or evaluated the proposed project’s impacts and the significance of the impacts in accordance with CEQA Sections 15063 and 15064. Placer County requests that the City of Wheatland revise its DEIR to include analyses of the proposed project’s potential impacts to the long-term water supply of the South Yuba Sub-basin, and whether drawdown of the basin has the potential to create a cone of depression in outlying areas, such as the community of Sheridan and outlying Placer County agricultural areas.

**Biological Resources**

As discussed in Placer County comments on the Notice of Preparation for this Program EIR, Placer County and the City of Lincoln have undertaken significant efforts to receive approval from the federal wildlife agencies for a comprehensive county-wide Habitat Conservation Plan, also known as the Placer County Conservation Plan (PCCP). Placer County remains deeply engaged on the Plan and is currently preparing a Draft Policy Document and Draft EIR for the project. When approved and implemented, the PCCP will establish an interconnected open-space preserve system in Western Placer County that is designed specifically to offset impacts to special status species and protected habitats that will occur as a result of the planned growth of Placer County and the City of Lincoln. Consequently, the PCCP will also figure significantly in directing the future urban growth and development of Placer County and the City of Lincoln over the next 50 to 100 years. Similarly, Yuba County and Sutter County are working together to receive approval of the Yuba-Sutter Natural Community Conservation Plan/Habitat Conservation Plan.

The program analysis for the Johnson Rancho and Hop Farm Annexation Program DEIR correctly identifies potential impacts to several special status plant and animal species, as well as to protected habitat types such as vernal pools. The DEIR also identifies mitigation measures to offset the project impacts, including establishment of a Resource Corridor Conservation Plan within the project area, and/or participation in the Yuba/Sutter NCCP/HCP if it is approved prior to approval of future project entitlements.
Placer County concurs with this approach and further requests that the project not allow acquisition of mitigation lands or credits within Placer County, as such acquisitions could interfere with the ability of Placer County to fully implement the PCCP and ensure that growth opportunities in Placer County can be fully realized.

Should you have any questions or wish to discuss these matters further, please call me at (530)745-3000 or you may contact me by email at M.Johnson@placer.ca.gov.

Respectfully,

Michael Johnson, AICP
Agency Director

cc: Robert Weygandt, District 1 Supervisor
    Loren Clark, Assistant Agency Director
    Paul Thompson, Deputy Planning Director
    Alex Fisch, Associate Planner
Response to Comment 3-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 3-2

The comment provides information regarding the nearby surface mine and does not address the adequacy of the Draft EIR.

Response to Comment 3-3

The Draft EIR does include analysis of impacts related to the Patterson Sand and Gravel operations. The Land Use and Agricultural Resources chapter of the Draft EIR, Chapter 4.2, discusses potential incompatibilities with the mine area on page 4.2-38. As noted by the commenter, the mine reclamation activities would occur through 2045, but the actual mining and reclamation activities would only occur in response to the market demand for the mine materials. Similarly, the proposed project would be built out in response to the market, which is also unpredictable. At this point, it is unclear as to the extent the southern area of the proposed project would be built out at the time mining activities would be occurring in phases 2, 3, and 4 of the mine. The mining activities may be complete prior to development of the southern portion of the Johnson Rancho project, or it may not. Thus, it is important to note that the Draft EIR is a program-level document assessing the proposed land uses. At such time in the future that specific project applications are submitted to the City, additional review would occur and any modifications needed to any future plans would be required at that time.

For clarification purposes, page 4.2-38 of the Draft EIR is hereby revised as follows:

Patterson Sand and Gravel is also located south of the southeastern corner of the Johnson Rancho property (i.e., the Johnson’s Crossing property) at 8705 Camp Far West Road. However, currently, at its closest point, Patterson Sand and Gravel is located just over 0.6 miles from the southern boundary of the Johnson Rancho property. However, the Patterson Sand and Gravel mining plan would extend mining operations to within 600 feet of the proposed project boundary.

The Stage 1 Development Plan prepared for the Johnson Rancho portion of the project, which provides general development standards for the Planned Development zoning that will be applied to the overall project site, includes language requiring the careful design of future on-site development to ensure that adequate buffers and/or setbacks are included in the development’s design to minimize incompatibilities with adjacent uses. In addition, as noted in the Johnson Rancho Stage One Development Plan (page 1-4), the southern portion of the proposed project area is anticipated to include an open space area to serve as a buffer from adjacent land uses to the south. In addition, the actual mining and
reclamation activities would only occur in response to the market demand for the mine materials. Similarly, the proposed project would be built out in response to the market. It is important to note that future project applications within the Johnson Rancho project would undergo further review at the City to ensure land use compatibility with surrounding uses. Therefore, the additional review of future project plans, the current planning for open space buffers, and distance to mining activities, which would be more than sufficient to eliminate any potential incompatibilities resulting from operational dust and noise associated with this facility.

The above text has been added to the Draft EIR for clarification purposes and does not change any of the conclusions presented therein. As stated in the text presented above from the Draft EIR, the distance between project land uses and the mine area would be sufficient to eliminate any potential incompatibilities resulting from noise associated with mining activities. Because noise impacts related to the mine would not occur, the analysis of such is not necessary and was not included in the Noise chapter of the Draft EIR.

Response to Comment 3-4

See Response to Comment 3-3. In addition, it should be noted that the Draft EIR is a program-level document assessing the proposed land uses. Specific individual project designs have not been submitted at this time. As such, actual locations of residences are not currently known. At such time in the future that specific project applications and tentative maps are submitted to the City, additional review would occur and any modifications needed to any future projects and tentative maps would be required at that time. The City is open to future consultation with Placer County regarding potential modifications and mitigation measures of future individual projects.

Response to Comment 3-5

The commenter summarizes water supply in the project area and reiterates the proposed project impacts, as identified in the Draft EIR, related to water supply. The comment provides background for comments 3-6 through 3-8 below, and does not specifically address the adequacy of the Draft EIR.

Response to Comment 3-6

The Water Supply Assessment that was prepared for the project by Geocon states that, based on the anticipated demand from the currently proposed projects, the project would need additional infrastructure to supply the necessary water, but the basin as a whole has sufficient excess water to supply the project if additional wells were sited outside the current Wheatland Sphere of Influence (page 19). Therefore, based on the available information, Geocon concluded that the project would not cause the sub-basin to go into overdraft and the project is not anticipated to result in a measurable adverse impact to water supplies in the Sacramento Valley Groundwater Basin.

In addition, water supply is addressed in Chapter 4.13, Public Services and Utilities, of the Draft EIR. As noted on page 4.13-29 of the Draft EIR:
The California Department of Water Resources Bulletin 118-80 documents that the South Yuba Sub-basin is not considered to be in overdraft and that groundwater levels within the sub-basin are continuing to increase to near historic high elevations due to increasing surface water irrigation supplies and reduced groundwater pumping. The South Yuba Sub-basin appears to have sufficient groundwater to meet regional demands.

The Draft EIR provides an extensive discussion of water supply, including groundwater and determines that adequate supply exists to serve the proposed development. In addition, Mitigation Measure 4.13-1(a) requires the applicant to submit a long term groundwater monitoring plan for the project wells to ensure that the new concentration of urban supply wells is not causing groundwater depletion. In addition, Mitigation Measure 4.13-1(b), in compliance with SB 221, requires additional water supply verification at the time of each tentative map application.

Response to Comment 3-7

As noted on page 4.13-30, adequate water supply exists within the groundwater basin to supply the proposed project and that additional wells would be required to serve the proposed project in conjunction with the other projects identified in the City’s General Plan Update. Given the uncertainty of timing of future projects within the existing City planning area as well as within the proposed project, it is unknown at this time whether a new well will be required to serve a given future project. Therefore, the Draft EIR included mitigation measures for the proposed project to require groundwater monitoring, a Water Supply Verification, and payment (and update of) the City’s Water Impact Fee. Any future wells needed to serve the City as a whole would undergo separate CEQA review, if needed, and would be treated as a capital improvement project. Furthermore, as stated in the Water Supply Assessment, in no case will the City approve a subdivision within the Johnson Rancho and Hop Farm Properties development without demonstrating compliance with City’s policy for long term reliable supply and verification of water supply in accordance with SB 221.

Response to Comment 3-8

The Water Supply Assessment addresses regional long-term water supply in Appendix U of the Draft EIR, which was additionally presented in the Draft EIR page. As noted in the Draft EIR, adequate water supply exists within the groundwater basin to supply the proposed project in conjunction with planned development within the City planning area. In addition, please refer to Response to Comment 3-6, where it states that Mitigation Measure 4.13-1(a) requires the applicant to submit a long term groundwater monitoring plan for the project wells to ensure that the new concentration of urban supply wells is not causing groundwater depletion. Furthermore, Mitigation Measure 4.13-1(b), in compliance with SB 221, requires additional water supply verification at the time of each tentative map application.
Response to Comment 3-9

The commenter summarizes the Placer County Conservation Plan (PCCP) and mentions the future Yuba-Sutter Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP), as well as highlights Mitigation Measures 4.6-1(b) and (c) in Chapter 4.6, Biological Resources, of the Draft EIR. The comment does not address the adequacy of the Draft EIR.

Response to Comment 3-10

The commenter states Placer County’s concurrence with Mitigation Measures 4.6-1(b) and (c) in Chapter 4.6, Biological Resources, of the Draft EIR and further requests that the acquisition of mitigation lands or credits within Placer County not be allowed, as such acquisition could interfere with implementation of the PCCP. The comment is noted and will be forwarded to the decision-makers for their consideration.
MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER

TO: Maywan Krach, CDRA
FROM: Michelle White, Facility Services / Env. Engineering
SUBJECT: Johnson Rancho & Hop Farm Properties Annexation – Draft EIR

DATE: July 13, 2011

Thank you for the opportunity to review and comment on the above mentioned document. We are interested in this project due to the potential impacts to the Community of Sheridan.

Background Sheridan Water Supply Improvement Project

In the Community of Sheridan, Placer County is working the Sheridan Water Supply Improvement Project to comply with the State Waterworks Standards and provide approximately 85 additional water system connections. The project includes the construction of a water well and storage tank (180,000 gallon estimated capacity) to meet State Standards and fire flow requirements. The project is in the design phase and scheduled for completion in 2012.

Johnson Rancho & Hop Farm Properties Annexation – Draft EIR

According to the Draft Environmental Impact Report (DEIR) Section 4.10-4, the proposed project could potentially adversely affect groundwater recharge in the Sheridan area; specifically the DEIR states, "...the Bear River channel has been identified as a significant groundwater recharge area for Yuba County (as well as Sheridan, which is located south of the City, in Placer County)."

Section 4.13, Utilities, states that "additional sources of groundwater inside and outside of the City of Wheatland’s sphere of influence could also be developed (page 4.13-27)" and that "without the construction and installation of additional water supply infrastructure to serve the project, a potentially significant impact to water supply delivery will occur."

Finally, Mitigation Measure 4.13-1(a) requires a groundwater monitoring plan to ensure no adverse affects to the City’s water supply.

County Comment: The DEIR and proposed mitigation measures should demonstrate that this project will not adversely affect the groundwater supplies to surrounding areas as well, including the Community of Sheridan.

County Comment: Section 4.10-4 also references back to Section 4.8 (Figure 4.8-3 on page 4.8-15) to show groundwater recharge area. However, this information doesn’t explain groundwater recharge.

Should there be any questions about our comments, or the Sheridan Water Supply Improvement Project, please feel free to contact me at (530) 886-4923.
LETTER 4:  MICHELLE WHITE, PLACER COUNTY DEPARTMENT OF FACILITY SERVICES

Response to Comment 4-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 4-2

The comment describes the Sheridan Water Supply Improvement Project, but does not address the adequacy of the Draft EIR.

Response to Comment 4-3

The comment quotes sections of the Draft EIR, but does not address the adequacy of the Draft EIR.

Response to Comment 4-4

See Response to Comment 3-6.

Response to Comment 4-5

The reference to Figure 4.8-3 on page 4.8-15 of the Wheatland General Plan EIR in Impact Statement 4.10-4 on page 4.10-30 in Chapter 4.10, Hydrology and Water Quality, of the Draft EIR is intended to present the source for determining that the noted portion of the project site is located within the surrounding significant groundwater recharge areas. The figure is not intended to explain groundwater recharge. As stated in the Draft EIR, although the project includes the development of new impervious surfaces, which have the potential to affect groundwater recharge within a significant groundwater recharge area, the project would include a drainage system to allow water from the Bear River Tributaries area to ultimately flow into Bear River. Thus, the Draft EIR determined that the project would not result in a net loss of recharge from the Bear River channel and, therefore, would not result in impacts to groundwater recharge.

Response to Comment 4-6

The comment concludes the letter and does not address the adequacy of the Draft EIR.
July 14, 2011

Tim Raney  
City of Wheatland  
111 E Street  
Wheatland, CA 95692

Re: Notice of Completion, Draft Environmental Impact Report (DEIR)  
Johnson Rancho and Hop Farm Annexation  
SCH# 2008082127

Dear Mr. Raney:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian traffic at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

We have completed our review of the DEIR and find the document to be adequate in addressing the concerns with regard to the at-grade railroad crossings in the City of Wheatland. The proposed mitigation measures as outlined in the summary of impacts and mitigation measures section 4.3-2 (a) and (b) are appropriate and acceptable to the CPUC staff. We recommend the addition of a General Order (GO) 88-B for the proposed project mitigation measures, which is a requirement for improvements to the at-grade crossings.

Thank you for your consideration of these comments. If you have any other questions, please contact me at (415) 713-0092 or email at mss2@cpuc.ca.gov.

Sincerely,

Moses Stites  
Rail Corridor Safety Specialist  
Consumer Protection and Safety Division  
Rail Transit and Crossings Branch  
180 Promenade Circle, Suite 115  
Sacramento, CA 95834-2939
LETTER 5:  MOSES STITES, PUBLIC UTILITIES COMMISSION

Response to Comment 5-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 5-2

The comment states that the CPUC finds the Draft EIR analysis and mitigation measures regarding at-grade railroad crossings to be adequate. The recommendation of a General Order 88-B is noted.
Letter 6

July 14, 2011

Tim Rainey, Planning Director
City of Wheatland
313 Main Street
Wheatland, CA 95692

Subject: Comments on Johnson Rancho and Hop Farm Annexation Draft Environmental Impact Report (SCH#2009092127)

Dear Mr. Rainey:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Proposed Annexation of the Johnson Rancho and HOP Farm Properties. The project consisting of 4,149 acres proposes annexation into the City of Wheatland and development of approximately 14,329 residential units. In addition, development of the project would include other land uses such as Employment/Office, Commercial, Civic Center, Elementary and Middle Schools, Parks and Open Space, and a potential hospital.

The property is unincorporated land that is designated on the County of Yuba General Plan Land Use Plan as Natural Resources. The intent of the Natural Resources designation is to "conserv[e] … agricultural and forest resources..." The project area is zoned "AE-10", "AE-20", and "AE-80" Exclusive Agriculture (10, 20, and 80 acre minimum lot sizes). The project site is primarily agriculture and, with exception of the westerly portion, is in a rural setting with surrounding agricultural uses.

The proposed project will have both a significant environmental impact on the County of Yuba and the region which should be addressed in the DEIR. In response to the Notice of Preparation, the County, in our letter of October 10, 2008, requested that the DEIR should fully address concerns expressed by the Board of Supervisors at their meeting of October 7, 2008, and in the attached letters and memorandum from County Departments. Staff also requested that the DEIR should provide the necessary data and information to support analysis and conclusions to address County’s concerns.

County staff has reviewed the DEIR and forwards the following comments for your consideration:
1. The DEIR should address the project within the context of SB 375 (Steinberg) regarding regional transportation planning and specific land use strategies to reduce the carbon impact of the proposed project.

Comment: Chapter 4.4 - Air Quality and Climate Change provides a brief description of SB 375 and its importance in meeting AB 32 goals to reduce carbon impacts through the use of regional transportation, land use planning, and sustainable communities' strategies. The DEIR relies on a number of Wheatland General Plan policies to implement SB 375 goals; however, there is minimal discussion as to how the policies will implement SB 375 goals and the SACOG regional blueprint.

2. Please provide an analysis as to the cumulative impacts of the project taking into consideration projects recently approved or being considered by both the City of Wheatland and Yuba County. The projects include but are not limited to Nichols Ranch, Heritage Oaks, Jones Ranch (City of Wheatland), County Club Estates, and Bear River (Yuba County) and the Enterprise Rancheria Casino.

Comment: The DEIR provides minimal information and no mitigation as to cumulative impacts taking into consideration projects recently approved or being considered for approval by Yuba County.

On June 7, 2011, the Yuba County Board of Supervisors certified the Final EIR for the 2030 General Plan Update and adopted the 2030 General Plan. Although this DEIR was released prior to adoption of the Yuba County Plan, the DEIR does not acknowledge or take into consideration significant discussion and information contained in the 2030 General Plan. In particular, there are significant policies pertaining to protection of agricultural lands and orderly growth within the county.

Given previous County experience with build-out of large projects similar to Johnson Ranch etc., staff suggests that the project proceed in a phased, orderly concentric manner to maximize the efficient and logical provision of public services and infrastructure. Leaping development within the project could have a significant impact on the City's ability to provide adequate police, fire, public works, and school services.

Chapter 4.2 Land Use and Agricultural Resources identify County zoning for the project area and adjacent properties; however, discussion is limited to development projects in the Wheatland SOD. The DEIR should provide additional discussion regarding cumulative impacts relative to development projects in the County and surrounding area.

3. Please provide an analysis of how the project will impact the jobs/housing balance in the region.

Comment: Impact 4.12-1 Impact to jobs-to-housing ratio (Less-than-Significant). Table 4.12-7 indicates 96.8 employees per acre ratio for commercial land use. Please document the source for the number of employees per acre; this ratio appears to be high for typical commercial/retail in the Yuba area which is approximately one employee/400
square feet or 55 employees per commercial acre assuming a 0.5 Floor Area Ratio (South Yuba County Land Needs Report, September 20, 2006).

4. The project will require significant infrastructure improvements and costs. The DEIR should identify project infrastructure requirements and the costs and funding mechanisms required to put the infrastructure into place.

Comment: Chapter 4.13 Public Services and Utilities identifies a number of public services including water, wastewater collection and treatment, solid waste, law enforcement, fire protection, schools, parks and public utilities that will be impacted by the project and will require significant improvements including facilities, back-bone infrastructure, and additional employees. The DEIR does not provide adequate discussion other than the future adoption and update of various fees, as to the costs or funding of infrastructure improvements. We recommend that DEIR mitigation require that adopted and updated fee schedules cover anticipated infrastructure costs, including maintenance and operation of the facilities and services.

In addition to basic services, the proposed project should include funding for regional facilities and services such as the Wheatland Bypass, regional park system, or services such as those addressed in the attached Sheriff Department comments. It is recommended that the City adopt a Capital Impact Fee which would support a fair share of regional facilities and services.

5. Please provide an analysis of potential impacts of Beale AFB operations on the project. This analysis should utilize the existing adopted Comprehensive Land Use Plan for Yuba County and Beale AFB and not the 2005 Air Installation Compatible Use Zone Report which has not yet been adopted by the County or the Yuba County Airport Commission.

Comment: Impact 4.5-7 Impacts … from Beale AFB that would cause sleep disturbance (Potentially Significant). Mitigation measure 4.5-7 requires tentative maps approval to be conditioned on notification of potential buyers about “...existing and on-going noise generating aviation activities...” The DEIR fails to demonstrate how the mitigation measure will lessen Beale AFB aviation operation impacts on residential areas from Potentially Significant to Less-than-Significant.

The Beale Air Force Base Land Use Compatibility Plan (adopted March 17, 2011) depicts a portion of the project site as being within Review Area 2 of the Airport Influence Area. Additional mitigation should be provided requiring that projects within Review Area 2 be submitted to the Airport Land Use Commission for review.

6. Sheriff’s Department (see attachment): The increase in population will create a greater demand and have a significant impact on law enforcement services, the jail, Coroner/Public Administration, civil process, animal care services, and capital facilities/equipment, as well as other ancillary services.
6-15
Cont'd

Comment: As noted in the attached memorandum dated June 8, 2011, the DEIR did not address the concerns expressed by Yuba County Sheriff Department relative to projects impact on the ability of the Department to provide adequate law enforcement services.

7. Agricultural Commissioner (see attachment): The EIR needs to provide a comprehensive inventory of agricultural land including soils, production acreage, and loss of revenue; an analysis of impacts on the agricultural community including workers, processing facilities, agricultural related sales; address what type of mitigation measures will be used for the loss of agricultural land. [What type of “buffer zones” will be established between urban and agricultural uses?] Will the project create transportation issues for production and processing of agricultural commodities? How will the project boundaries mitigate agricultural practices such as pesticide applications, noise, dust, night time operations, agricultural burning, trespassing, vandalism, theft, bee complaints, and similar conflicts between the land uses?

Comment: As noted in the attached memorandum dated June 26, 2011, the DEIR did not address a number of issues raised by Yuba County Agriculture Commissioner. Although the project will significantly impact over 4,000 acres of land currently in agricultural production the DEIR does not provide or suggest any mitigation for the loss of agricultural lands. Additional analysis should be provided as to why potential mitigation such as agricultural easements is not feasible.

8. Public Works: The EIR needs to address drainage impacts to Dry Creek, Bear River, and Best Slough if applicable [traffic impacts to County roads north of the city (i.e. Marysville Bypass Yuba River Parkway), South Beale Road (at grade intersection or future interchange), McGowan Parkway, etc., as well as County roads east and west of the city (Jasper Lane, Camp Far West Road, Wheatland Road).] The City will need to accept Spenceville Road and the remaining portion of State Street for maintenance within the annexed area.

Comment: The following comments are relative to traffic and Yuba County Public Works concerns:

a. The Traffic Impact Study (TIS) does not analyze the intersection of SR 65 at South Beale Road as requested in our comments on the NOP. The TIS needs to analyze the impacts to this intersection for current and future volumes.

b. Pg 4.3-2, the description for Camp Far West Road needs to be revised to indicate that Camp Far West Road continues northerly behind Beale AFB and provides a link to SR 20. The description stops at where Camp Far West Road intersects Blackford Road and only discusses the connection into Placer County across the Blackford Road. There is no analysis on impacts from the project for travel northward towards SR 20 along Camp Far West Road, Waldo Road, Chuck Yeager Road, and Hammonton-Smartsville Road.

c. Various tables in Section 4.3 show that the roadway segment of Wheatland Road from Forty Mile Road (Pleasant Grove Road) to the City of Wheatland is under
Yuba County jurisdiction. The tables should be amended to reflect that a portion of this roadway segment is located in and maintained by Yuba County and a portion is located in and maintained by Sutter County.

d. Various tables in Section 4.3 show that the roadway segment of Forty Mile Road (Pleasant Grove Road) from Bear River to Wheatland Road is in Yuba County's jurisdiction. This segment is in Sutter County's jurisdiction and the tables should reflect this.

e. The TIS used SACMET for modeling the traffic and land uses near the project area. During the NOP we stated that the Tri-County model or the model generated with the County's General Plan Update (GPU) should be used. Please indicate in the DEIR the reason why the Tri-County or the County's GPU models were not used. The DEIR should provide analysis as to if the SACMET model is as accurate for the area surrounding the project as the Tri-County or County's GPU models which were expressly developed for the Yuba County area.

f. Table 4.3-14 indicates that a roundabout should be installed at the Spenceville Road and Camp Far West Road intersection to improve the Level of Service. However, in that this intersection will remain within the County and the surrounding land uses will remain rural in nature it is doubtful that the speed limit will be reduced sufficiently to have entrance speeds considered safe for roundabouts. The DEIR should provide analysis for alternatives to the roundabout for this intersection.

i. Mitigation 4.3-12 states that needed improvements outside of the City's jurisdiction could be included in a regional impact fee if the City is a participant of any regional impact fee with either Yuba or Placer counties. The DEIR should require that projects will participate in a “fair share” of any regional impact fee.
The DEIR states that flows from the detention basins will not increase from existing conditions. Although the DEIR shows detention basins at all outlets from the City and project area before runoff goes into the Bear River and Dry Creek, it is difficult to verify flow rates based on information provided in the DEIR. The DEIR should provide additional flow rate information needed to confirm the conclusion that flows will not increase.

The DEIR indicates the project will have an impact on the Ostrom Road landfill however mitigation measure 14.13-3 addresses only the recycling of construction materials from development within the project site.

Comment: Please provide analysis and data as to the tonnage and type of waste materials that will be produced by the project and the impact on the Ostrom Road [landfill]. Also, discuss existing or proposed policies relative to “green waste” and potential solid waste disposal alternatives.

In addition to the above comments, please note that the proposed project will require a wide range of public services that could have a significant fiscal impact on the County’s ability to provide those services. A tax sharing agreement must be reached prior to annexation.

Again, thank you for the opportunity to comment on the DEIR and your consideration of our comments. We look forward to discussing the above comments with you. Please feel free to contact the Planning Department should you need additional information regarding County concerns.

Sincerely,

Kevin Mallen
Director, Community Development & Services Agency

Attachments:

1. Sheriff Department Comments
2. Agricultural Commissioner Comments
3. Other comments

CC: Yuba County Board of Supervisors
    Wendy Hartman, Planning Director
    Louie Mendoza, Agricultural Commissioner
    Jerry Read, Undersheriff
Memorandum

Yuba County Sheriff's Department

"Building a Safe Community"

June 8, 2011

To: Ed Palmer, Asst. Planning Director

From: Undersheriff Jerry Read

Re: Johnson Rancho and Hop Farm Properties

We have reviewed the Draft Environmental Impact Report (EIR) for the proposed annexation of the Johnson Rancho and Hop Farm Properties. As stated in our comments to the Notice of Preparation for this project, the Public Services section is of particular interest to the Sheriff's Department. We submitted the concerns outlined below and in our review of the Draft EIR, did not see that any were addressed or mitigated. We would like to renew the following issues to ensure they are properly considered.

Law Enforcement Service: The EIR document states that the Wheatland Police Chief will be consulted concerning the provision of law enforcement services. This area is currently served by the Sheriff's Department and likely will be for the foreseeable future. In other jurisdictions experiencing annexation, there is often a substantial delay between annexation and assumption of law enforcement services. The Sheriff's Department anticipates there will be a measurable impact on law enforcement services in the area as it is being developed. Experience has shown that thieves will target construction sites and without a significant law enforcement presence/response, losses could result. As the population of the area begins to grow, additional impact will develop. Though crime is often low among residents in new developments, they expect a high level of service. A recent staffing study set a minimum patrol staffing level for the Yuba County Sheriff's Department at 1.13 patrol staff to every 1,000 residents. While this is a minimum number, it can be used to measure impact.

Jail

The Sheriff is responsible for the operation of the county jail. The increased in population resulting from this project will clearly impact the number of inmates housed in the Yuba County Jail. This impact will adversely affect the jail operation. There are a finite number of beds in the jail and when capacity is reached, there are only two methods to reduce that number: make fewer arrests or release inmates early. Consideration for jail capital improvements, jail staffing, food, clothing, programming and medical needs for the inmates will also need to be considered.

Coroner/Public Administrator

In Yuba County, the Sheriff is responsible for performing both Coroner and Public Administrator duties. The increase in population will increase the number of deaths requiring the services of...
the Coroner/Public Administrator and that impact should be addressed.

Civil Process
The Sheriff has the responsibility to serve civil processes and execute certain civil actions. There are a wide variety of processes served from the simple subpoena to the more complex civil actions such as garnishments, evictions, bank levies, personal property levies, and real property levies. The civil office serves or enforces approximately 6,000 civil actions per year. Many of these services are fee-based, however, not all costs are considered and the impact of new development on the Civil Division should be considered.

Animal Care Services
Animal Care Services is a division of the Yuba County Sheriff’s Department. Animal Care Services provides service for the unincorporated areas of Yuba County. Animal Care Services does far more than caring for lost, injured and abandoned animals in our community. We provide a variety of services that protect both citizens and animals including: transporting stray injured animals to veterinarians for emergency care; rescuing animals from locked vehicles and abusive or negligent conditions; providing assistance locating services for wild animal removal; impounding loose and stray animals; administering a rabies control program; helping citizens resolve nuisance problems such as complaints about barking dogs; investigating dog bite complaints; assisting other agencies such as the Fire Departments and California Highway Patrol; educating pet owners on the importance of spaying or neutering their cats and dogs and addressing and responding to animals in disaster situations. Some of these services are fee-based; however, we do not recover all costs and the impact of the new development on the provision of Animal Care Services should be considered.

Capital Facilities/Equipment
There are a host of capital facilities/equipment expenditures that need to be considered. The fee-based services described above only take into consideration the personnel costs associated with the delivery of the services. Capital facilities include the jail, animal care services, and other space needs, dispatch center, information technology needs, vehicles, etc.

Other
There are other ancillary services provided by the Sheriff’s Department that will be impacted, but those described above need the greatest consideration.
The Yuba County Agricultural Commissioner is taking this opportunity to provide the following comments on the Johnson Rancho and Hop Farm Annexation Project Draft EIR.

1. Executive Summary page 2-4 states:
   Conversion of Prime Farmland to urban use for the proposed project is considered a significant impact. Although mitigation could include purchasing agricultural conservation easements outside of the project area, such mitigation would not create new agricultural land; it would only preserve agricultural land elsewhere. Therefore, consistent with the Wheatland General Plan EIR, feasible mitigation measures do not exist to reduce the impact to a less-than-significant level and the impact would remain significant and unavoidable. The cumulative loss of agricultural land in the area would be considered a significant impact. Feasible mitigation measures do not exist to reduce the impact to a less-than-significant level and the impact would remain significant and unavoidable.

The Agricultural Commissioner recommends obtaining agricultural conservation easements outside of the project area within Yuba County to preserve agricultural land.

2. In table 2-1 (summary of impacts and mitigation measures) 4.2 Land Use and Agricultural Resources
   4.2.1 Compatibility with surrounding agricultural operations
   The project applicant shall inform and notify prospective buyers in writing, prior to purchase, about existing and on-going agriculture activities in the immediate area in the form of a disclosure statement. The notifications shall disclose that the Wheatland area is an agriculture area subject to ground and aerial applications of chemical and early morning or nighttime farm operations, which may create noise, dust, etc., and provide that such agricultural operations shall not be considered a nuisance. The language and format of
such notification shall be reviewed and approved by the City Attorney prior to recording the first final map. Each disclosure statement shall be acknowledged with the signature of each prospective property owner.

The Agricultural Commissioner recommends amending the mitigation measure to read as follows:
The project applicant shall inform and notify prospective buyers in writing, prior to purchase, about existing and on-going agriculture activities in the immediate area in the form of a disclosure statement. The notifications shall disclose that the Wheatland area is an agriculture area subject to ground and/or aerial applications of pesticides, fertilizers and other chemicals, spraying, noise, dust, et cetera, and provide that such agricultural operations shall not be considered a nuisance. The language and format of such notification shall be reviewed and approved by the City Attorney and the County Agricultural Commissioner prior to recording the first final map. Each disclosure statement shall be acknowledged with the signature of each prospective property owner.

3. In table 2-1 (summary of impacts and mitigation measures) 4.2 Land Use and Agricultural Resources
4.2.7 Conversion of Prime Farmland to urban uses and 4.2.8 Cumulative loss of agricultural land are listed as significant impacts prior to mitigation; with no feasible mitigation measures and are listed as significant and unavoidable after mitigation

The Agricultural Commissioner believes that mitigations measures have not been considered to the greatest extent possible. The Agricultural Commissioner recommends obtaining agricultural conservation easements outside of the project area within Yuba County to preserve agricultural land. The Agricultural Commissioner believes that this option is a feasible mitigation measure.

4. Chapter 4.2 Land Use and Agricultural Resources, page 4.2-30 states:

_Agriculture_

Goal 1.1 To maintain the productivity and minimize developments affects on agricultural lands surrounding Wheatland.

Policy 1.1.1 The City shall discourage leapfrog development and development in peninsulas extending into agricultural lands to avoid adverse effects on agricultural operations.

Policy 1.1.2 The City shall support the local agricultural economy by encouraging the location of agricultural support industries in the City, establishing and promoting marketing of local farm products, exploring economic incentives, and support for continuing agricultural uses adjacent to the City, and providing its fair share of adequate housing to meet the needs of agricultural labor.

Policy 1.1.3 The City shall promote good neighbor policy between residential property owners and adjacent farming operations by supporting the rights of farmers and ranchers to conduct agricultural operations in compliance with State laws.

The Agricultural Commissioner concurs with these policies and would further recommend that development on prime farmland on “prime” soil be developed lastly within the project.
5. **Chapter 4.2 Land Use and Agricultural Resources, page 4.2-34 states in part:**

"Regarding the agricultural lands east of the Hop Farm project site, given that these lands are part of the Johnson Rancho portion of the project, any potential land use incompatibilities resulting from these agricultural lands would be considered temporary, as the entirety of the Johnson Rancho portion of the project site is anticipated to be developed in the long-term. However, in the short-term, active agricultural operations on the lands east of the Hop Farm property (i.e., AKT Ranch), could result in the generation of dust, noise, and drift of agricultural chemicals, which could create incompatibilities with the sensitive land uses proposed for the Hop Farm Property. However, the Yuba County Agricultural Commissioner has indicated that in order for farmers to get clearance on spraying pesticides, they first need to request and obtain a permit from the Agricultural Commissioner. As part of this process, the Agricultural Commissioner reviews the proposed types of agricultural chemicals and application methods as well as the uses surrounding the agricultural lands that would be sprayed. The Agricultural Commissioner uses a variety of conditions that he can apply to any pesticide permit, such as only permitting pesticide applications during favorable wind conditions, or restricting aerial application within a certain distance of nearby residential receptors and only allowing ground spraying. In summary, if the Hop Farm property precedes the development of the AKT Ranch portion of the Johnson Rancho property, the AKT orchard operator would need to obtain a pesticide permit from the Yuba County Agricultural Commissioner, who would ensure that appropriate restrictions are placed on AKT’s permit to ensure that the limited residential uses on the Hop Farm property are not adversely affected."

The Agricultural Commissioner would like to clarify the above statement. The Agricultural Commissioner issues pesticide permits for Restricted Materials or Operator Identification Numbers for non-restricted pesticides. Only restricted material pesticides may be “conditioned” to be used under certain conditions or in a certain manner. All pesticide applications must be made in accordance with the product label. Under Title 3 of the California Code of Regulations (division 6, chapter 3, subchapter 2, Article 1) section 6600 (General Standard of Care) states:

- Each person performing pest control shall:
  - (a) Use only pest control equipment which is in good repair and safe to operate.
  - (b) Perform all pest control in a careful and effective manner.
  - (c) Use only methods and equipment suitable to insure proper application of pesticides.
  - (d) Perform all pest control under climatic conditions suitable to insure proper application of pesticides.
  - (e) Exercise reasonable precautions to avoid contamination of the environment.

6. **Executive Summary page 2-4 states in part:**

Implementation of mitigation measures included in the Land Use and Agricultural Resources chapter would inform prospective residents of the potential for a nuisance from adjacent agricultural operations, but would not reduce or remove the potential for conflict. Therefore, the project would result in a short-term significant and unavoidable impact. Eventual build out of the Johnson Rancho portion of the property, as well as the overall General Plan area, would replace the existing agricultural
operations with urban uses which would not conflict with the proposed residences; therefore, under the long-term scenario, impacts would be less-than-significant.

The Agricultural Commissioner believes mitigation measures should be implemented to the fullest extent possible. "Eventual build out" could be years in the future, leaving the possibility of conflicts between agricultural operations and urban uses during the term of the build out. The Agricultural Commissioner recommends the implementation of buffer zones that would help minimize the conflicts caused by the inadvertent drift of pesticides, dust, odor, noise, etc from agricultural operations.

The Yuba County Agricultural Commissioner provided the following comments on the scope and content of the EIR, in regards to the City of Wheatland NOR - EIR Proposed Annexation of the Johnson Rancho & Hop Farm Properties on September 5, 2008. To date, as part of the Johnson Rancho and Hop Farm Annexation Project Draft EIR; the following items have or have not been addressed:

1. What is the current inventory of agricultural land that is involved with this proposed project such as:
   a. Soil types and soil classifications [Addressed]
   b. Prime farmland, unique farmland and farmland of statewide importance [Addressed]
   c. Current agricultural practices [Addressed]
   d. Percentage of agricultural production land within the whole project [Addressed]
   e. Estimated amount loss of agricultural production land in the project area [Addressed]
   f. Projected loss (if any) of value in dollars of the agricultural land in the proposed project [Not Addressed]

2. If agricultural land is taken out of production due to this project, what are the impacts to the agricultural community; specifically agricultural workers, processing facilities, agriculture related sales? [Not Addressed]

3. What mitigation measures will be used (if any) for the loss of agricultural land within the project area? [Addressed but not satisfactory. See Agricultural Commissioners comments in #3, page 2]

4. Will there be an establishment of an Ag-Urban “buffer zone” for the proposed project adjacent to agricultural land to help mitigate Ag-Urban issues?
   a. Establishment of an appropriate Ag-Urban buffer zone (distance in feet), if needed
   b. Establishment of specific criteria that would allow for the reduction of a proposed buffer zone if needed
   c. Approving official or agency for the reduction of a proposed buffer zone [Addressed but not satisfactory. See Agricultural Commissioners comments in #6 page 3]

5. Will this project create any transportation issues for production or processing of agricultural commodities in and around the proposed project area? [Not Addressed]

6. If the project is adjacent to agricultural producing properties or properties that have the potential to produce an agricultural commodity, how will the project boundaries mitigate the following agricultural practices:
   a. Pesticide applications (odor, timing)
b. Noise, dust and night time lighting

c. Agricultural burning (smoke)

d. Trespass/vandalism/theft/litter/liability to the surrounding agricultural land and land owners

e. Bee complaints - if apiaries are in proximity to residences

f. Other sources of land use conflict unique to certain situations

(A-F addressed but not satisfactory. See Agricultural Commissioners Comments in #2, page 1)

Thank you for your time and consideration in this matter
LETTER 6: KEVIN MALLEN, YUBA COUNTY

Response to Comment 6-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 6-2

Senate Bill (SB) 375 directs the California Air Resources Board (CARB) to work with California's 18 metropolitan planning organizations to align regional transportation, housing and land use plans, and to prepare a "sustainable communities strategy" in order to reduce the amount of vehicle miles traveled (VMT) in the respective regions, and demonstrate the region's ability to attain GHG reduction targets. Although the Draft EIR does not present a direct, side-by-side comparison of the project's compliance with SB 375, the Draft EIR does present how the project would be consistent with regional and local plans, transportation goals set forth to reduce VMT, and GHG reduction goals. Compliance with such plans and goals is inherently compliant with SB 375.

For example, SB 375 requires the CARB to establish GHG emission reduction targets on a regional scale. As stated on page 4.4-38 of Chapter 4.4, Air Quality and Climate Change, of the Draft EIR, the required mitigation measures to reduce the project's incremental contribution to global climate change are consistent with Wheatland General Plan Goal 8.G and Policies 8.G.1. through 8.G.5., which encourage energy conservation in new and existing developments. The aforementioned policies, as shown on page 4.4-22, set forth specific strategies to reduce GHG and the carbon impact of the proposed project that would help implement the goals of SB 375. Mitigation Measures 4.4-6(a) through 4.4-6(c) proceed to require the development of a Climate Action Plan that would include measures to reduce emissions consistent with regulatory measures developed under Assembly Bill (AB) 32, as well as the preparation of a GHG reduction strategy describing specific measures to achieve the GHG reduction required in the Climate Action Plan. Therefore, the mitigation measures required in the Draft EIR would implement the goals of SB 375.

In addition, the Wheatland General Plan includes goals and policies, to which the proposed project would be required to conform, that encourage a sustainable community and aim to reduce VMT, which is directly consistent with the goals of SB 375. For example, Goal 8.F and Policies 8.F.1. through 8.F.4., presented on page 4.4-21 and 4.4-22 of the Draft EIR, require the integration of air quality planning with the land use and transportation process. In addition, various transportation-related goals and policies of the General Plan, such as Goal 2.E and associated policies on page 4.3-15 and Goal 2.F and associated policies on page 4.3-16 of the Draft EIR, implement the SB 375 goal to reduce VMT by promoting transit systems and providing non-motorized transportation facilities.
Response to Comment 6-3

Page 6-4 of Chapter 6, Statutorily Required Sections, of the Draft EIR includes the following statement regarding the approach to analyzing cumulative impacts and the cumulative setting of the project area:

The geographic scope of the area for the Johnson Rancho and Hop Farm Annexation EIR cumulative analyses includes the City of Wheatland General Plan Study Area. These boundaries have been chosen because the impacts of the project would occur within these planning boundaries of the City of Wheatland. However, it should be noted that the traffic and noise analyses evaluate both the buildout of the General Plan and additional local growth within the City of Wheatland Sphere of Influence. Other Wheatland projects included in the cumulative traffic, air, and noise analyses are Jones Ranch, Heritage Oak Estates, Almond Estates, and Settler’s Village. Cumulative impacts are analyzed in each technical chapter and summarized below.

As indicated, Chapter 6 goes on to summarize the cumulative impacts of the proposed project related to each environmental issue area and associated mitigation measures, as presented in each technical chapter of the Draft EIR.

In addition, Table 4.3-4 in Chapter 4.3, Transportation and Circulation, of the Draft EIR indicates numerous Yuba County traffic facilities were evaluated in the Draft EIR for the cumulative scenario. In addition, as explained on page 4.3-25 of the Draft EIR, development projects being considered by Yuba County were factored into the cumulative traffic analysis through the consultant’s use of SACOG’s SACMET traffic model. The SACOG SACMET traffic model includes regional land use development assumptions made by individual planning agencies and circulation system improvements identified in the Regional Transportation Plan.

In recognizing the difficulties of trying to successfully mitigate impacts outside jurisdictional boundaries where fee programs are not yet fully established to ensure needed improvements are implemented commensurate with the point in time that the traffic impact is expected to occur, Impact 4.3-12 identified the project’s traffic impacts to Yuba County roadways would be significant and unavoidable. However, consistent with Wheatland’s desire to work with the County to identify feasible ways of addressing the need for future traffic improvements, the following mitigation measure has been included in the Draft EIR:

4.3-12 At the time of submittal of the first tentative map application within the Johnson Rancho and Hop Farm Annexation area, if the City of Wheatland is a participant in any new Yuba County and/or Placer County regional traffic fee program(s) and the new fee program(s) include the improvements identified in the Traffic and Circulation Master Plan as necessary to mitigate the significant impacts to roadways in the region(s) generated by the project, the project applicant(s) shall pay the applicable fees toward the improvements prior to final map approval.
Response to Comment 6-4

As the commenter states, the Johnson Rancho and Hop Farm Annexation Draft EIR was released prior to the adoption of the Yuba County 2030 General Plan. The notice of preparation of the Johnson Rancho and Hop Farm Annexation Draft EIR was published on August 29, 2008, well before the June 7, 2011 adoption of the new County General Plan Update. The Johnson Rancho and Hop Farm Annexation EIR properly evaluated the Project, where appropriate, against the County General Plan that was in effect at the time the NOP was published. (CEQA Guidelines section 15125[a], [d]-[e])

It should be noted, however, that the Draft EIR does in fact take into consideration information contained in the 2030 General Plan. For example, Impact Statement 4.1-3 on page 4.1-16 of Chapter 4.1, Aesthetics, of the Draft EIR takes into consideration the land use designations of the Draft General Plan Update. In addition, page 4.2-69 of Chapter 4.2, Land Use and Agricultural Resources, states, “It should be noted, however, that the Yuba County General Plan is currently being updated and when the General Plan Update is complete, the Johnson Rancho and Hop Farm Annexation project area is expected to be designated as City of Wheatland urban development, not as agricultural land.” Furthermore, Mitigation Measure 4.3-12 on page 4.3-51 of Chapter 4.3, Transportation and Circulation, of the Draft EIR is stated to be “[…] consistent with the goals and policies in regard to regional transportation planning in the Yuba County General Plan Update, and implementation would reduce the above impact, but not to a level that is less-than-significant.”

Response to Comment 6-5

The City recognizes the importance of agricultural lands and orderly growth within the County, as evidenced by the detailed discussion included in Table 4.2-4, Wheatland General Plan Update Policy Discussion, and Table 4.2-5, Yuba LAFCo Policy Discussion, in the Chapter 4.2, Land Use and Agricultural Resources, of the Draft EIR. As explained in the agricultural policies section of Table 4.2-5,

The proposed project is immediately adjacent to the existing southern/southeastern boundary of the City of Wheatland, and is within the Wheatland SOI. As described below in Impact Statement 4.2-6, the majority of the project site is composed of prime farmland soils. The City of Wheatland is located within an area largely composed of prime farmland soils; thus, urban expansion of the City would, to some extent, necessarily result in the conversion of prime agricultural land. As discussed in Chapter 4.10, Hydrology and Water Quality, and shown in Figures 4.10-1 through 4.10-3, portions of the City and the majority of the surrounding areas are within flood hazard zones due to nearby levees. Although urban expansion to the east of the existing City of Wheatland would have developmental constraints related to flooding, the constraints would be significantly less than those of the areas to the north and west of the City, as shown in Figures 4.10-1 through 4.10-3. Therefore, even though development of the project would result in the conversion of prime agricultural land, the proposed project location is the most logical and orderly option for expansion of the urban area.
Response to Comment 6-6

As presented in Chapter 3, Project Description, on page 3-24 of the Draft EIR, the proposed project includes the following two objectives related to development of the project:

7. Establish a comprehensive development implementation framework that provides long-term guidance and direction for future development, and includes mechanisms for properly anticipating infrastructure improvements and mitigation requirements.

11. Provide a single, coordinated and comprehensive development plan with a high level of consistency and quality for a large area in order to avoid the piecemeal, parcel by parcel development that would likely develop in the absence of a unified development plan, thereby enhancing the image and character of Wheatland and supporting the adopted Wheatland Community Vision.

These objectives are meant to ensure phased, orderly development of the proposed project and encourage sustainable community planning.

In addition, in Table 4.2-4 on Page 4.2-42 and 4.2-43, in Chapter 4.2, Land Use and Agricultural Resources, in the discussion regarding the project's consistency with Policy 1.A.3 of the Wheatland General Plan Update, the Draft EIR states the following:

In addition, it is important to note that the proposed project is not envisioned to be built out all at once; rather, once the program-level entitlements, which are the subject of this EIR, are approved by the City, it is anticipated that buildout of the project would occur in phases, as the market will support. Each phase will require subsequent discretionary project-level approvals, including Stage 2 Development Plans and tentative maps.

Furthermore, the Wheatland General Plan Update includes the following policy, with which the project would be required to comply:

Policy 1.G.6. The City shall require that proposed commercial, employment, and residential development is phased in order to insure the continuation of an adequate tax base to fund necessary infrastructure and City services.

Response to Comment 6-7

The Cumulative Impacts land use discussion evaluates the project's incremental contribution to land use changes within the Wheatland SOI, which includes County lands. It is not necessary to expand the cumulative land use impact discussion to the greater region as the City of Wheatland has no jurisdiction over land use decisions within these areas. To the extent that land use changes occurring in other jurisdictions may cause physical impacts related to those of the Johnson Rancho and Hop Farm Annexation project, these impacts have been evaluated within the Johnson Rancho and Hop Farm Annexation Draft EIR (i.e., cumulative traffic analysis – see Response to Comment 6-3, above).
Impact 4.2-6, "Increases in the intensity of land uses in the region due to the proposed project and all other projects in the Wheatland area," determined that, while the proposed project, along with reasonably foreseeable projects within the City of Wheatland, would change the intensity of land uses within the region, the type and intensity of development for the Hop Farm portion of the project site would be consistent with the intensity of land uses anticipated by the General Plan Update. In addition, long-term plans for the City of Wheatland have designated the Johnson Rancho portion of the project site for urban development. Furthermore, the environmental impacts, such as traffic, air, and noise impacts, that could be created due to implementation of the proposed project have been analyzed in this Draft EIR, and mitigation has been provided for those cumulative impacts, where necessary. Given the land use controls, General Plan goals and policies, and development standards presently in use within Wheatland, the project’s incremental contribution to cumulative land use impacts would be minimized to a level that is considered less-than-significant.

Response to Comment 6-8

Impact Statement 4.12-1 on page 4.12-8 in Chapter 4.12, Population, Employment, and Housing, of the Draft EIR discusses the project’s impacts to the jobs-to-housing ratio in the City of Wheatland. The Draft EIR determined the following:

The jobs/housing ratio of the Johnson Rancho and Hop Farm Annexation area would be consistent with the ratio anticipated in the General Plan Update. In fact, the proposed project would be expected to slightly improve the jobs-to-housing ratio, as compared to what is expected under buildout of the General Plan. Therefore, the project would be consistent with the Yuba County LAFCo policy (as well as the City of Wheatland policy) that addresses the jobs-to-housing ratio, and the impact related to the jobs-to-housing ratio within the City of Wheatland would be less-than-significant.

Response to Comment 6-9

For clarification purposes, Table 4.12-7 on page 4.12-8 of Chapter 4.12, Population, Employment, and Housing, of the Draft EIR is hereby revised as follows:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Acres</th>
<th>FAR</th>
<th>Employees per Acre</th>
<th>Jobs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>131.0</td>
<td>0.5</td>
<td>96.8 48.4</td>
<td>6,340</td>
</tr>
<tr>
<td>Employment/Office</td>
<td>274.3</td>
<td>-</td>
<td>25</td>
<td>6,857</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>405.3</strong></td>
<td></td>
<td></td>
<td><strong>13,197</strong></td>
</tr>
</tbody>
</table>

The above change is for clarification purposes only and does not alter the conclusions of the Draft EIR. As stated on page 4.12-8, a Floor Area Ratio (FAR) of 0.5 and a conservative density of one employee per 450 square feet of commercial (48.4 employees per acre), was utilized to determine the buildout jobs-to-housing ratio of the project area. This was determined using the procedures for deriving standards of population density for non-residential uses on page 1-2 of Chapter 1, Land Use and Community Character, of the City of Wheatland General Plan. The
FAR of 0.5 is the maximum allowable FAR for Commercial land use designations, as stated on page 1-4 of Chapter 1, Land Use and Community Character, of the General Plan. In addition, the average employee density (square feet per employee) for commercial land uses for the City of Wheatland, according to the General Plan (Table 1-1 on page 1-5 of the General Plan), is 400. Thus, as stated above and in the Draft EIR, a conservative density of one employee per 450 square feet was utilized.

Response to Comment 6-10

Given the program-level analysis contained in the Johnson Rancho and Hop Farm Annexation Draft EIR, it is not necessary for the Draft EIR to identify the costs of infrastructure improvements. What needs to be identified in this program-level analysis is the mechanism by which fees will be collected to ensure that the infrastructure improvements needed for the proposed project can be successfully constructed. The Draft EIR mitigation measures (See Mitigation Measure 4.13-1(c,e) regarding water supply improvements; Mitigation Measure 4.13-2 (c,e) regarding sewer improvements; Mitigation Measure 4.13-4(a,b) regarding police services; and Mitigation Measure 4.13-5 (a,c) regarding fire services). As explained in these mitigation measures, for the Hop Farm portion of the project, where backbone infrastructure improvements and police and fire equipment have already been included in the City’s Public Facilities Financing Plan as part of the General Plan Update process to serve buildout of this property, the fee mechanism is payment of the City’s applicable development impact fees. For the Johnson Rancho portion of the project, the fee mechanism included in the above-referenced mitigation measures is an update of the existing Public Facilities Financing Plan to include the infrastructure and equipment costs associated with Johnson Rancho. Additional detailed infrastructure information will be required with each tentative map submittal.

Response to Comment 6-11

The City’s traffic impact fees are based upon the circulation improvements identified in the Circulation Diagram of the City’s General Plan. Therefore, the existing City Traffic Impact Fee collects money towards the Wheatland Expressway (i.e., “Wheatland Bypass” as identified on the GP Circulation Diagram). Per Mitigation Measure 4.3-1(a) of the Draft EIR, each future applicant will be required to pay the City’s Traffic Impact Fee.

As explained in Impact 4.13-7 of Chapter 4.13, Public Services and Utilities, of the Draft EIR, the Johnson Rancho and Hop Farm Annexation project includes a substantial amount of park space and linear park space. The Land Use Matrix (See Table 3-1 in Chapter 3, Project Description, of the Draft EIR) indicates that for both the Hop Farm and Johnson Rancho portions of the site adequate park space would be provided, if active park area is considered in combination with proposed linear parkway and open space/drainage areas. Given the project’s provision of adequate park acreage and the mitigation measures included (4.13-7(a,b)) to ensure that future tentative map applications include adequate park acreage and pay applicable park fees, it is not anticipated that the project would result in substantial use of regional parks, thereby necessitating contribution of funding to such a system. In addition, see Response to Comment 6-15, below.
Furthermore, Mitigation Measure 4.3-12 on page 4.3-52 of Chapter 4.3, Transportation and Circulation, of the Draft EIR (also presented in Response to Comment 6-3) requires that “[…] if the City of Wheatland is a participant in any new Yuba County and/or Placer County regional traffic fee program(s) and the new fee program(s) include the improvements identified in the Traffic and Circulation Master Plan as necessary to mitigate the significant impacts to roadways in the region(s) generated by the project, the project applicant(s) shall pay the applicable fees toward the improvements.”

Response to Comment 6-12

The Draft EIR evaluated potential impacts to the project resulting from Beale AFB. Because the potential impacts to the project resulting from Beale AFB are restricted to noise, the analysis of Beale AFB in the Draft EIR is limited to Chapter 4.5, Noise, of the Draft EIR. The Draft EIR did evaluate the potential noise impacts from Beale utilizing the latest contours set forth in the 2011 Beale AFB Land Use Compatibility Plan, as evidenced by the contours shown in Figure 4.5-2 of the Noise chapter of the Draft EIR (Chapter 4.5). Inadvertently, the discussion in Impact 4.5-6, still references the 2005 Air Installation Compatible Use Zone Report. As a result, Impact 4.5-6, starting on page 4.5-29 of the Draft EIR is hereby clarified as follows:

4.5-6 Impacts related to exposure of sensitive receptors to aviation noise from the Beale AFB that exceeds the acceptable noise standards.

The Beale AFB Airport Land Use Compatibility Plan (ALUCP) is associated with several jurisdictions and their associated plans and regulations, including the City of Marysville, the City of Wheatland, Yuba County, and Sutter County. The ALUCP utilized the “current mission” CNEL contours to represent the long-range (20+ years) noise impacts of Beale AFB. The contours are identified by the following four CNEL ranges: 75+ dB CNEL, 70-75 dB CNEL, 65-70 dB CNEL, and 60-65 dB CNEL (as presented in the 2005 Air Installation Compatibility Zone [AICUZ] Beale Air Force Base Land Use Compatibility Plan that was prepared for Beale AFB). As discussed above, the Beale AFB safety zones and noise contours depicted on Figure 4.5-2 indicate that the entire proposed project site would be located well outside the 60 dB CNEL noise contour, and the project site would not be exposed to exterior noise levels exceeding 60 dB CNEL. Therefore, impacts related to exposure of sensitive receptors to aviation noise from Beale AFB that exceeds the acceptable noise standards would be less-than-significant.

Response to Comment 6-13

As explained above in Response to Comment 6-12, the entirety of the project site is outside of the projected long-term 60 dB CNEL noise contour for Beale AFB per Map 2 of the Land Use Compatibility Plan (LUP). As a result, noise impacts would not occur to the project from aircraft operations at Beale AFB. The analysis in Impact 4.5-7 of the Draft EIR was conducted out of an abundance of caution to consider whether single event noise levels from aircraft operations could affect sleep disturbance even though noise levels experienced at the project site would be below
the relevant standard of 60 dB CNEL (see the criteria set forth in Table 1, Noise Compatibility Criteria, of the Beale AFB LUP, which sets the noise threshold for residential uses at 60 dB CNEL). It is important to note that an established threshold of significance for sleep disturbance does not exist. The disclosure statement mitigation included in the Draft EIR (Mitigation Measure 4.5-7) is consistent with the requirements set forth in the 2011 Beale AFB LUP for Review Areas 1 and 2.

Response to Comment 6-14

According to Map 1 of the Beale AFB LUP, Compatibility Policy Map, Airport Influence Area, the majority of the project site is located within Review Area 2, with the far northeastern corner of the project site being located in Review Area 1. As a result, the following mitigation measure is hereby added to the mitigation already included for Impact 4.5-7:

4.5-7(a) The City shall include the following as a condition of approval on each tentative map application for any development within the Johnson Rancho and Hop Farm Annexation area:

“The applicant shall inform and notify prospective buyers, prior to purchase, about existing and on-going noise generating aviation activities in the immediate area. The notice shall be in the form of a note recorded with the Deed for each property. The notifications shall disclose that the project area is south of the Beale Air Force Base and is subject to aircraft overflights, which may cause sleep disturbance. The language and format of such notification shall be reviewed and approved by the City Attorney prior to recording final map.”

Compliance with this condition shall be ensured by the Community Development Department prior to the recording of any Final Map.

4.5-7(b) Prior to approval of any tentative map applications for properties within Review Area 1 of the 2011 Beale AFB CLUP, the project applicant shall submit the application to the Airport Land Use Commission for consistency review.

The above changes to the existing Draft EIR analysis of Beale AFB noise impacts do not change the previous conclusion because no new noise impacts have been identified.

Response to Comment 6-15

As stated on page 4.13-43 of Chapter 4.13, Public Services and Utilities, of the Draft EIR, upon annexation to the City of Wheatland, the Johnson Rancho and Hop Farm Annexation project would be located within the jurisdiction of the Wheatland Police Department. Per Mitigation Measure 4.13-4(a, b), prior to issuance of building permits the applicant will be required to pay towards additional needed law enforcement personnel and equipment to ensure that the
Wheatland Police Department will have the ability to adequately provide the law enforcement needs of the project. Though the project could still create some demand on the Yuba County Sheriff’s Department (e.g., potential use of jail, coroner), as explained in the discussion concerning the revenue neutrality LAFCo policy (See Table 4.2-5 of the Land Use and Agricultural Resources chapter), the City of Wheatland will continue to work with Yuba County to negotiate a tax-sharing agreement satisfactory to both parties prior to seeking approval of the annexation application by LAFCo.

Response to Comment 6-16

The existing setting section as well as Impact 4.2-7 of Chapter 4.2, Land Use and Agricultural Resources, of the Draft EIR includes a detailed assessment of the project site soils. As explained in these sections, according to the USDA NRCS, Yuba County Soil Survey, the soil complexes found on the project site include Columbia fine sandy loam, 0 to 1 percent slopes; Columbia fine sandy loam, 0 to 1 percent slopes, occasionally floods; Conejo loam, 0 to 2 percent slopes; Holillipah loamy sand, 0 to 1 percent slopes, occasionally floods; Horst sandy loam, 0 to 1 percent slopes; Horst silt loam, 0 to 2 percent slopes; Perkins loam, 0 to 2 percent slopes and Redding gravelly loam, 3 to 8 percent slopes. The majority of the site is composed of Horst silt loam, 0 to 2 percent slopes, which is designated as Prime Farmland soil that is well suited for irrigated crops and Redding gravelly loam, 3 to 8 percent slopes, which is not well suited for agriculture but is primarily used for range, pasture, and woodland. The Yuba County Candidate Listing for Prime Farmland and Farmland of Statewide Importance also identifies the following soils as being soils that meet the criteria for Prime Farmland: Columbia fine sandy loam, 0 to 1 percent slopes; Columbia fine sandy loam, 0 to 1 percent slopes, occasionally flooded; Conejo loam 0 to 2 percent slopes; Holillipah loamy sand, 0 to 1 percent slopes, occasionally flooded; Horst sandy loam, 0 to 1 percent slopes; and Perkins loam 0 to 2 percent slopes. Overall, approximately one-third of the site is composed of Prime Farmland.

It is not necessary to provide crop yields, farm gate sales values, and other types of data mentioned by the commenter in order to provide an adequate assessment of the potential physical environmental impacts resulting from the project on agricultural lands.

Regarding the commenter’s reference to agricultural mitigation, it is noted that development of agricultural lands designated by the Wheatland General Plan for urbanization was found to be significant and unavoidable in the General Plan EIR. As part of the adoption of the General Plan and certification of the General Plan EIR, Wheatland City Council made certain Findings of Fact and adopted a Statement of Overriding Considerations for all of the significant and unavoidable impacts (e.g., loss of agricultural lands) that would result from the implementation of the General Plan, determining that the benefits of the project would outweigh its adverse effects. Similarly, the Johnson Rancho and Hop Farm Annexation Draft EIR determined that loss of Prime Farmland resulting from the project would be considered a significant and unavoidable impact. As noted on page 4.2-69 of the Land Use and Agricultural Resources chapter, potential mitigation for impacts related to the conversion of Prime Farmland to urban uses could include purchasing agricultural conservation easements outside the project area. It should be noted that this mitigation would not create new agricultural land; rather, the mitigation would simply
preserve existing agricultural land elsewhere (See also Response to Comment 2-5, which discusses mitigation for impacts to agricultural land).

Response to Comment 6-17

Impact 4.2-1, Compatibility with surrounding agricultural operations, discusses the buffers that exist or will exist between the project and agricultural operations. It is important to note that Raney Planning & Management consulted with the commenter (i.e., Yuba County Agricultural Commissioner) during the preparation of the agricultural resources section of the Draft EIR (see endnote 6 in Chapter 4.2). The following select discussion excerpted from Chapter 4.2 reflects input from the Agricultural Commissioner, as amended in this Final EIR in Response to Comment 6-52, and describes the existing/proposed buffers,

Regarding the agricultural lands east of the Hop Farm project site, given that these lands are part of the Johnson Rancho portion of the project, any potential land use incompatibilities resulting from these agricultural lands would be considered temporary, as the entirety of the Johnson Rancho portion of the project site is anticipated to be developed in the long-term. However, in the short-term, active agricultural operations on the lands east of the Hop Farm property (i.e., AKT Ranch), could result in the generation of dust, noise, and drift of agricultural chemicals, which could create incompatibilities with the sensitive land uses proposed for the Hop Farm Property. However, all pesticide applications must be made in accordance with the product’s label. In addition, Title 3 of the California Code of Regulations (Division 6, Chapter 3, Subchapter 2, Article 1, Section 6600 [General Standard of Care]) states that each person performing pest control shall follow certain procedures including the following:

- Use only pest control equipment which is in good repair and safe to operate;
- Perform all pest control in a careful and effective manner;
- Use only methods and equipment suitable to insure proper application of pesticides;
- Perform all pest control under climatic conditions suitable to insure proper application of pesticides; and
- Exercise reasonable precautions to avoid contamination of the environment.

Furthermore, the Yuba County Agricultural Commissioner has indicated that in order for farmers to get clearance on spraying restricted material pesticides, they first need to request and obtain a permit from the Agricultural Commissioner. As part of this process, the Agricultural Commissioner reviews the proposed types of agricultural chemicals and application methods as well as the uses surrounding the agricultural lands that would be sprayed. The Agricultural Commissioner uses a variety of conditions that he can apply to any pesticide permit, such as only permitting pesticide applications during favorable wind conditions, or restricting aerial application within a certain distance of nearby residential receptors and only allowing ground spraying. In summary, if the Hop Farm property preceedes the development of the AKT Ranch portion of the Johnson Rancho property, the AKT orchard operator would need to obtain a pesticide permit from the Yuba County Agricultural Commissioner, if applicable, and follow product labeling and the California Code of Regulations procedures, which would ensure the limited residential uses on the Hop Farm property are not adversely affected.
It should also be noted that Bear River and the Bear River levee bound the Hop Farm’s southern boundary. These physical land features would act as an adequate buffer between the project’s sensitive receptors and the agricultural operations to the south of Bear River in Placer County. More specifically, the proposed residential uses on the Hop Farm property would be located a minimum of 0.13 miles, or approximately 690 feet, from the nearest agricultural lands in Placer County to the south. This distance is nearly 190 feet more than the most strict buffer (i.e., 500 feet) often employed by regulatory agencies between sensitive receptors and those agricultural lands receiving the most intense type of pesticide applications (i.e., aerial).

The active agricultural operations on the lands south of the Johnson Rancho property could result in the generation of dust, noise, and drift of agricultural chemicals, which could create incompatibilities with the sensitive land uses proposed for the Johnson Rancho Property. As a result, the Land Use Plan for the project, as illustrated in Figure 4.2-2[...], includes a large open space/drainage corridor along much of the southern boundary of the Johnson Rancho property. This open space/drainage corridor would provide a substantial buffer between the agricultural lands and the proposed LMDR uses for the project. In addition, potential interim incompatibilities would be made known to prospective homebuyers through the use of disclosure statements. Included in the disclosure statement will be language regarding the fact that Placer County has a right to farm ordinance, which seeks to retain and promote the agricultural industry within the County.

The active agricultural operations on the parcel north of the Dave Browne property (north of Spenceville Road), which is within the Johnson Rancho portion of the project could also result in the generation of dust, noise, and drift of agricultural chemicals. As a result, until such time that the agricultural land located north of the Dave Browne property is developed, potential interim incompatibilities could result and therefore would be made known to prospective homebuyers through the use of disclosure statements. Included in the disclosure statement will be language regarding the fact that Yuba County has a right to farm ordinance, which seeks to retain and promote the agricultural industry within the County.

The above discussion excerpted from the Draft EIR demonstrates that the residential areas proposed for the project would be adequately separated from adjacent agricultural operations either by use of existing/proposed buffer areas, or by restrictions placed on pesticide permits received from the Yuba County Agricultural Commissioner.

Response to Comment 6-18

See Response to Comment 6-17. Regarding the comment pertaining to bee complaints, page 4.2-38 of the Draft EIR states the following:

It should also be noted that bee boxes are sometimes utilized on the agricultural properties that make up the Johnson Rancho property. These bee boxes are part of a very small operation by which the farmers harvest the honey and wax from the bees’ activities. These bee boxes would not generate any incompatibilities with future residents within the Johnson Rancho property because they would be removed prior to any construction work occurring on-site.
Response to Comment 6-19

See Responses to Comments 2-5 and 6-16.

Response to Comment 6-20

The Hydrology and Water Quality chapter of the Draft EIR, Chapter 4.10, describes existing drainage patterns for the project site and the region and evaluates potential impacts of the project with respect to drainage and water quality concerns. The chapter is based on the technical reports prepared for the City by Civil Engineering Solutions, who has extensive experience evaluating the drainage facilities in and around the City of Wheatland (see Appendices R and S of the Draft EIR for the technical Master Drainage Study and Background, Constraints and Opportunities Analysis for Drainage, respectively). More specifically, Impact Statement 4.10-1 in Chapter 4.10 discusses the proposed project’s impacts from surface runoff on Bear River, Dry Creek, Grasshopper Slough Tributaries, and Grasshopper Slough. The program-level analysis concludes that construction of 17 detention facilities would lower peak flow increases generated by buildout of the Johnson Rancho and Hop Farm Annexation project to at or below pre-project conditions. Mitigation Measure 4.10-1(a-d) has been included in the Draft EIR to ensure that the recommendations in the Master Drainage Report are implemented as site-specific tentative map applications come forward in the future.

As part of the hydrology analysis for the Nichols Grove project that was recently approved by the City of Wheatland, a hydraulic analysis was conducted by MBK Engineers (the Reclamation Districts’ Engineer) to determine if the proposed project would result in an increase in total water volume that would be sufficient to materially raise the downstream water surface elevation. The maximum water surface increase during a 100-year storm event due to Wheatland General Plan buildout would be 0.0058 feet at mile 2.68 on Dry Creek and 0.032 feet at mile 5.91 on the Bear River (see Table 4.10-3 of Chapter 4.10, Hydrology and Water Quality, of the Nichols Grove Draft EIR). The increase due to the Nichols Grove development on the Bear River was determined to be less than 0.002 feet, and would result in a maximum increase of 0.006 at RM 5.162 on Dry Creek. According to MBK, calculated water surface changes below 0.01 feet are typically considered beyond the ability of the hydraulic model used to resolve and are, therefore, considered negligible. Although the Johnson Rancho project is considerably larger than the Nichols Grove project, given the negligible increase in surface water change predicted for the Nichols Grove project, which was well under the 0.01-foot criterion, as well as the fact that the Johnson Rancho project has been designed with sufficient detention to ensure that post-development flows are equal to or less than pre-development flows, Best Slough would not be affected by the project.

Response to Comment 6-21

Contrary to the comment, the Draft EIR does in fact address traffic impacts to County Roads, including those listed by the commenter (i.e., Marysville Bypass – Yuba River Parkway from SR 70 to North Beale Rd, McGowan Parkway, Jasper Land, Camp Far West Road, and Wheatland Road). Table 4.3-4 in Chapter 4.3, Transportation and Circulation, of the Draft EIR, presents the
roadways segments analyzed for impacts, which include the aforementioned roadways as well as various other County roads surrounding the City.

Response to Comment 6-22

The City of Wheatland will assume the responsibility of maintaining State Street and Spenceville Road once the project is annexed to the City. It should be noted that State Street has been annexed into the City as part of a separate project.

Response to Comment 6-23

The Draft EIR traffic impact analysis did not evaluate the operation of intersections outside of Wheatland, but the analysis did identify daily traffic volumes on major roads in Yuba County. Information regarding the effects of the Johnson Rancho and Hop Farm Annexation project on South Beale Road has been assembled from the traffic models used for the analysis and from the Yuba County GPU FEIR.

Information regarding South Beale Road and the SR 65 / South Beale Road intersection is available from the Yuba County GPU FEIR, which indicates that under “current” conditions the intersection operated at level of service (LOS) C in the AM peak hour and LOS D in the PM peak hour, with the peak hour volume on South Beale Road identified as 220 vehicles per hour (vph). That hourly volume would suggest a daily volume of roughly 2,300 average daily trips (ADT).

The SACMET traffic model employed to identify impacts to locations beyond the Wheatland Sphere of Influence identified the future daily traffic volume on South Beale Road at 2,560 ADT without the Johnson Rancho and Hop Farm Annexation project and 2,890 ADT with buildout of the proposed project. These forecasts are similar to the projection contained in the Yuba County GPU FEIR for Scenario 1 (Alt 2) (i.e., 3,100 ADT). These projected volumes are within the County’s LOS C and D thresholds for a rural major collector (i.e., 7,000 and 10,000 ADT). Thus the project’s impact to South Beale Road is not significant.

The primary issue associated with the SR 65 / South Beale Road intersection is the eventual construction of a grade-separated interchange. The Yuba County GPU FEIR notes that a grade-separated interchange on SR 65 will serve South Beale Road and the Wheatland Bypass. However, precise plans for the alignment of the Bypass (Wheatland Expressway) do not exist and the configuration of the future interchange is not known. Thus analysis of the operation of this interchange in the future is speculative.

Response to Comment 6-24

For clarification purposes, in response to the comment, page 4.3-2 of Chapter 4.3, Transportation and Circulation, of the Draft EIR is hereby revised as follows:

Camp Far West Road / McCourtenay Road. Camp Far West Road is a rural road that links Placer County with Yuba County via Spenceville Road in the area east
of the project near the Beale AFB's south gate. Camp Far West Road originates at an intersection on Spenceville Road and continues southerly to the Camp Far West Reservoir dam, south of which the route becomes McCourtney Road. McCourtney Road extends for another 15 miles to the Lincoln city limits. In the northerly direction, Camp Far West Road ultimately connects to SR 20. New traffic counts conducted for this study in 2009 revealed that Camp Far West Road carried 630 ADT between Spenceville Road and the Placer County line. McCourtney Road carried 770 ADT between the Yuba County line and Riosa Road, with the volume rising to 1,600 ADT between Riosa Road and the Lincoln city limits.

The above change is for clarification purposes and does not alter the conclusions in the Draft EIR.

Response to Comment 6-25

A combination of rural roads links the Wheatland area with the east side of Beale AFB, the Spenceville Wildlife Refuge and, ultimately, SR 20. These roads are in varying conditions and range from improved Yuba County roads to lightly maintained gravel roads. The Yuba County GPU FEIR indicates that the peak hour traffic volumes on these roads range from 50 to 80 vph in the area beyond Spenceville Road. Improvements to these roads were discussed in the past when the Yuba Highlands Master Plan and River Highlands Community Plan were processed. However, the Yuba Highlands Master Plan was rejected and the residential density in this area of the County was reduced in the Yuba County GPU.

Future daily traffic volumes on these rural roads that are identified in the Yuba County GPU FEIR range from 1,000 to 1,400 ADT, and the roads are not listed among those where the County's LOS D threshold would be exceeded. The SACMET traffic model indicates that the Johnson Rancho and Hop Farm Annexation project would increase the daily volume on this route by 60 ADT. This increment would not have an appreciable impact to the roads.

It should be noted that the SACMET traffic modeling tool includes regional land use development assumptions made by individual planning agencies and circulation system improvements identified in the Regional Transportation Plan. Because the SACMET model land use data set does not include full buildout of the current Wheatland General Plan, the SACMET model had to be modified to include all of the land uses inherent to the current Wheatland General Plan to create the No Project baseline. Subsequently, the land uses contained in the Johnson Rancho and Hop Farm Annexation area were added to the SACMET model to generate Plus Project forecasts.

Response to Comment 6-26

See Response to Comment 6-27, below.

Response to Comment 6-27

The reference to Forty Mile Road in the Draft EIR is incorrect. Wheatland Road follows the Yuba County/Sutter County line, and Pleasant Grove Road is the extension of Forty Mile Road...
south of Wheatland Road within Sutter County. In order to reflect the correct street name and jurisdiction, Table 4.3-11 on page 4.3-32 and Table 4.3-13 on page 4.3-47 in Chapter 4.3, Transportation and Circulation, of the Draft EIR are hereby revised as shown on the following pages.

Although Sutter County has different LOS thresholds for roadway segments than those identified for Yuba County in the Draft EIR, the Sutter County thresholds are higher. Based on the LOS thresholds contained in the Sutter County General Plan Update Draft EIR, the portion of Pleasant Grove Road in question would operate at LOS E in 2025 with and without the proposed project, as opposed to the LOS F identified in the Draft EIR for the proposed project. Therefore, the significance of identified impacts, prescribed mitigation measures, and resulting mitigated LOS identified in the proposed project Draft EIR would remain applicable.

Response to Comment 6-28

The traffic consultant and the City of Wheatland contacted Yuba County and Placer County during May 2009 through August 2009 to discuss traffic modeling issues and resources relating to this study. At that time, various traffic models were reviewed. Placer County specifically requested that the SACMET model be used. Yuba County identified year 2030 and year 2050 versions of the Tri-County model, but noted modifications to each model would be needed and that using the Yuba County General Plan Update (GPU) traffic model was their preference. The parties involved discussed the land use scenarios that could be part of the pending County GPU and noted problems using either of the Tri-County models, due to the level of land uses in each (i.e., 2030 version lacked some projects and 2050 version exaggerated development potential compared to the approach being discussed for the GPU). Due to the GPU schedule, the model was not available for use for the proposed project. Therefore, the City of Wheatland elected to proceed using the SACMET model as the basis for forecasts outside of Wheatland.

It should be noted that Yuba County’s October 10, 2008 response to the Draft EIR NOP identified County roadways of concern to be addressed in the Draft EIR, but did not specifically request that the Tri-County traffic model be used.

Response to Comment 6-29

Because the Wheatland Expressway and SR 65 south of the expressway are roadways within the Wheatland SOI, traffic volumes on these roadways were determined using the City of Wheatland GPU version of the Tri-County traffic model. Traffic volumes on SR 65 beyond the expressway were determined using the SACMET model. At some locations, the two tools utilized do not yield the same forecasts due to differing land use assumptions, variation in the model link network layout, and differences in the geographical distribution of attractions/activity. Thus, differences could occur where the two models meet and the SACMET model’s volumes north of Wheatland are lower.