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Agenda Item: 9d.

Meeting Date: December 7 2017

From: George Williamson, Executive Officer

Subject: Draft EIR comments for the proposed Tierra Robles Planned Development Project (Zone Amendment 10-002, Tract Map 1996)

Background:

The Tierra Robles Planned Development project proposes Tierra Robles Community Services District formation as a means to provide wastewater treatment system operation and maintenance, maintenance of improved subdivision streets, open spaces management, including preservation and fire management operations, and drainage improvements maintenance. Pursuant to GC § 56375, Shasta LAFCO must review proposals that request Community Services Districts (CSD) formation, which makes Shasta LAFCo a responsible agency under the California Environmental Quality Act (CEQA).

At the Tierra Robles Planned Development property owner's request, Shasta LAFCo entered into a pre-application agreement to advise the property owner and representatives on the LAFCo filing and review process. The proposed Draft EIR comments have been prepared as part of that agreement.

Discussion:

Shasta County has released the Tierra Robles PD Draft EIR. This includes analysis of the proposed Community Services District that would be responsible for planned development management, facilities oversight and implementation of and/or operating and managing the following:

- Tierra Robles Design Guidelines;
- Tierra Robles Oak Woodland Management Plan;
- Tierra Robles Wildland Fuel/Vegetation Management Plan,
- Open Space Management, and Resource Management Area Management and Oversight;
- Road and Storm Drain Maintenance; and
- Waste Water Collection, Treatment and Dispersal Facilities.

Recommendation:

Review the Draft EIR Comments, provide any comments to staff, and direct that the attached letter, with comments as provided by the Commission, be submitted to. Kent Hector, Senior Planner Shasta County Department of Resource Management, Planning Division. Comments on this document due December 7, 2017.

Attachments: Tierra Robles Planned Development Project Draft EIR comments

Kent Hector, Senior Planner
Shasta County Department of Resource Management, Planning Division
1855 Placer Street, Suite 103,
Redding, CA 96001

Subject: Tierra Robles DEIR comments

Shasta LAFCO is providing Draft EIR comments for the proposed Tierra Robles PD Project including residential Planned Development requiring a Zone Amendment (Z10-002) from RR-BA-5, RR-BA-3 and U to PD, establishing a conceptual development plan covering the entire site; and TR 1996 to divide the 715.4-acre property into 166 residential parcels ranging from 1.38 - 6.81 acres in size, and six open space parcels totaling 192.7 acres.

The project proposes Tierra Robles Community Services District (TRCSD) formation as a means to provide wastewater treatment system operation and maintenance, maintenance of improved subdivision streets, open spaces management, including preservation and fire management operations, and drainage improvements maintenance. Pursuant to GC § 56375, Shasta LAFCO must review proposals that request Community Services Districts (CSD) formation. Documentation in support of Tierra Robles PD plans and facilities oversight and implementation include the following:

- Tierra Robles Design Guidelines;
- Tierra Robles Oak Woodland Management Plan;
- Tierra Robles Wildland Fuel/Vegetation Management Plan,
- Open Space Management, and Resource Management Area Management and Oversight;
- Road and Storm Drain Maintenance; and
- Waste Water Collection, Treatment and Dispersal Facilities.

TRCSD approval is subject to separate application and Shasta LAFCO approval, which makes Shasta LAFCo a responsible agency under the California Environmental Quality Act (CEQA).

CSD's are formed and operated in accordance with California Government Code § 61000 et seq. A CSD is a government agency endowed with a range of powers, which is specifically designed to provide urban or suburban services within unincorporated areas. A CSD is also considered a special district with its own independent powers and authority and may share boundaries with other special districts providing different services.

Shasta LAFCo appreciates the early opportunity to review the range of potential services proposed for the CSD. Our comments are intended to clarify how these services would be managed by a CSD in an application filed with LAFCo.

Comments

1. **Shasta County LAFCo Consistency** (Section 5.10/Page 5.10-14 & Section 6.2 Page 6.4)
Pursuant to GC § 56375, Shasta LAFCo must review CSD formation proposals, the required formation is subject to separate application and Shasta LAFCO approval. A Plan for Services must be submitted along with the CSD formation application and many of the comments below address Plan for Services content and supporting funding so that the CSD, if formed, understands the revenues needed to offset management, operations, and administrative expenses.

2. **Tierra Robles Design Guidelines;** (Section 3.4/Page 3-12)

The DEIR states that the proposed project is planned as a unique community of custom homes and proposes Design Guidelines to direct future architecture and site layout of individual lots, construction drawings and specifications preparation (Appendix 15.2.1, Design Guidelines). Design Guidelines oversight and enforcement would be the responsibility of TRCSD Tierra Robles Architectural Review Committee (TRARC) in coordination with Shasta County. Modifications are considered on a case-by case basis.

The TRARC is proposed to have three or more members responsible for reviewing building and landscaping plans. In addition the EIR states that there will also be processing of residence designs, home-site drainage plan and easement reviews and verifying trash removal or clean-up. Deposit & processing fees to be billed to contractor and paid during design phase. Clarify how the TRARC will be appointed as (Appendix 15.2.1, p. 3) states that is appointed by the TRCSD and (page 41) states that it is a group of professionals appointed by the landowner. Also, reflect TRARC costs in Fee Schedule.

3. **Tierra Robles Oak Woodland Management Plan;** (Section 3.4/Page 3-14)

The Tierra Robles Oak Woodland Management Plan (OWMP) provides direction for preserving oak woodland habitat (Appendix 15.2.3, TR Oak Woodland Management). The TRCSD would be responsible for OWMP implementation and approving any OWMP changes. Landowners will conduct OWMP prescribed vegetation management under TRCSD oversight. The DEIR states that TRARC is responsible for reviewing all building and landscape plans to ensure oak trees outside of the established building envelope are not removed. Trees removed over the baseline basal area will be assessed based on size (Appendix 15.2.1, Design Guidelines).

The Draft EIR also describes Offsite Conservation Easements (Section 9.0/Page 9-3) MM 5.4-1a: Subject to review and approval by the Shasta County Resource Management Department Director, the applicant shall establish an offsite conservation easement covering a minimum of 137.8 acres of blue oak woodland in Shasta County. A conservation-oriented third-party entity acceptable to Shasta County shall hold the conservation easement and be responsible for ongoing site monitoring and management. Management activities shall be funded through an endowment account established by the project applicant or through TRCSD fees. Please clarify applicable fee amounts, how assessed and all TRCSD responsibilities for interacting with the proposed conservation-oriented third-party.

The TRCSD would also be responsible for identifying trees that provide bat roosting habitat and keeping bird survey reports on file. Please clarify what expertise the TRCSD would need to implement these services in the Plan for Services and include mitigation measure oversight amounts in Fee Schedule. Please incorporate all OWMP expenses that the CSD may incur into Fee Schedule/CSD Budget so there are adequate TRCSD revenues for this service. Please describe all OWMP expertise needed in the Plan for Services.

4. **Tierra Robles Wildland Fuel/Vegetation Management Plan,** (Section 3.2/Page 3-14)

The Tierra Robles Wildland Fuel/Vegetation Management Plan (TRWF/VMP) provides direction for flammable vegetation reduction of from around buildings, roadways and driveways in accordance with the California Department of Forestry and Fire Protection/Shasta County Fire Department (CAL FIRE/SCFD) requirements. The proposed project would strategically reduce hazardous fuels (Section 5.8, HAZARDS AND HAZARDOUS MATERIALS, and Appendix 15.2.2). TRWF/VMP management would be a TRCSD responsibility, and this would include managing grazing activities in the project area, monitoring fire prescription activities within RMAs 1-4 as each residential lot is developed, and providing annual fire fuel monitoring to the

Shasta County Fire Department. Clarify what specific reporting methods for fire fuel monitoring should be used in the Plan for Services. Include RMA fire prescription monitoring costs in Fee Schedule/CSD Budget.

5. Open Space Management, (Section 3.4/Page 3-21)

The Open Space managed through an Open Space Management Plan (OSMP) covers 192.7 acres, 26.9% of the total project area. The OSMP would ensure that undeveloped areas continue as a means of fire protection and open space preservation (Appendices 15.2.1 and 15.2.2). The Shasta County Board of Supervisors will review and approve the OSMP prior to final subdivision map approval. The TRCSD would be responsible for OSMP management, including maintaining Resource Management Areas (RMA's) established as open space (Appendix 5.2.3 OWMP). Shasta County is applying mitigation credits towards onsite preserves and open space preservation and enhancement. Please clarify who holds the mitigation credits and TRCSD responsibilities for mitigation measure monitoring and reporting.

6. Resource Management Area (RMA) Management and Oversight; (Section 3.4/Page 3-20)

The proposed project site was subdivided into five RMA's representing distinct habitat types. Management guidelines for RMA 1 through RMA 4 cover individual residential lots while RMA-5 is specific to the Open Space parcels as described below. (Appendix 15.2.2 TRWF/VMP & 15.2.3 OWMP).

According to the EIR, TRCSD would be the enforcing agency to ensure residents implement their part of the fuel management plan, as well as managing the RMA areas outside home owner responsibility. Annual monitoring and reporting will be a TRCSD responsibility as approved by the County. Please clarify in the Plan for Services how this monitoring will be conducted by the TRCSD and any expected costs.

7. Storm Drain and Road Maintenance; (Section 3.4/Page 3-15)

The Preliminary Hydrology Analysis (Section 5.9, HYDROLOGY AND WATER QUALITY & Appendix 15.6), recommends onsite Best Management Practices (BMP) that would be inspected and maintained by TRCSD and distributed to each lot owner as site development planning is started on each lot. TRCSD would be required to review and approve these BMP's. Each lot owner will be required to maintain the individual BMP's, but TRCSD would be tasked with an annual inspection procedure to ensure these facilities are functioning. Clarify TRCSD storm drain inspections responsibilities and annual procedures in the Plan for Services and include in fees for these activities in the Fee Schedule/CSD Budget.

Approximately 15 roadway segments would be constructed onsite, along with an emergency access easement across Lot No. 81 and Lot No. 98 and a 5.23-acre offsite extension of the proposed new access road to Old Alturas Road (refer to Figure 3-8). A total of 46.48 acres would be dedicated for public roadway right-of-way. The roadway network would include Clough Creek bridge crossings at two locations, each designed as 40-foot span bridges to ensure bridge pier placement outside the stream channel riparian zone limits.

Other smaller crossing of natural onsite drainages will require shorter precast concrete structures. Primary project access would be from Boyle Road at the project site southern end, with a north-south oriented arterial roadway (Tierra Robles Parkway) connecting to Old Alturas Road at the project site north end. The internal street network would be designed and constructed to meet applicable local standards, including bridge crossings, water, sewer, electricity, telephone easements, and storm-drain improvements within the road right-of-way.

Please clarify all TRCSD transportation system responsibilities in the Plan of Services, including scheduled inspection and maintenance. Include road maintenance, repair and replacement schedule costs in the CSD Budget.

8. Waste Water Collection, Treatment and Dispersal Facilities (Section 3.4/Page 3-15)

The Planned Development will be served by a waste water treatment facility designed and constructed with necessary facilities required to operate at a level of service meeting Regional Water Quality Board (RWQCB) issued Waste Discharge Permit requirements. The facility is proposed to be phased to develop additional treatment modules to facilitate increased loading as development occurs. Dispersal areas are proposed within the road way medians as they are developed with infrastructure also being installed in order to accommodate the additional phases. Proposed wastewater collection, treatment and dispersal system details are described in the Draft EIR and are proposed to be a key TRCSD management responsibility.

The individual lot owner will be responsible for installing the onsite tanks and pump, as specified by TRCSD and the pressure line up to the point of connection to the TRCSD force main. The ongoing maintenance of the facilities on each lot will be the responsibility of the lot owner.

TRCSD would have annual septic tank inspection responsibility and to require home owners to pump tanks. TRCSD would also be responsible for the force main from the connection point at the road right-of-way, operating and maintaining the collection force main to the treatment plant, treatment plant and the dispersal system operation and daily testing requirements. TRCSD would need a qualified operator on staff or contract this service. Please describe these qualifications and staffing levels in the Plan for Services. Include annual septic tank inspection fees, maintenance costs and operational expenses in Fee Schedule/CSD Budget.

9. Project Alternative – CSA 8 (Section 7.3/Page 7-4)

The project applicant previously proposed the annexation of the entire 715.4-acre site into CSA No. 8 for sewage treatment but this alternative did not include the other services proposed as part of the PD. The broader range of services could be accomplished by the CSA reorganizing into a CSD, which would have the authority to provide a higher level of resource management and environmental stewardship and avoid the formation of an additional special district.

George Williamson
Executive Officer