

Letter 26

November 7, 2013

Tyler Barrington, Principal Planner
County of Nevada
Community Development Agency
Planning Department
950 Maidu Avenue, Suite 170
Nevada City, CA 95959

RECEIVED
NOV 12 2013
Nevada County Community
Development Agency

EIR FOR HOUSING ELEMENT REZONE IN PENN VALLEY

My name is Mark Frederick and I am retired from United States Department of Fish and Wildlife Services (USFWS) and United States Department of Agriculture (USDA) as a Wildlife Biologist and Disease technician working over 31 of service in Alameda, Butte, Los Angeles, Nevada, Riverside, San Bernardo, San Luis Obispo and Yuba Counties.

Penn Valley is not Alameda, Los Angeles, Butte or Yuba County; Yuba County has Linda, Olivehurst or Marysville. They have low-income areas within the county; crime rates are higher in those areas. There are several irrigation districts with ditches that lead water to Reclamation District 784 that maintains levee and pumps that pump water into Feather River.

26-A

I have gone visited the three (3) sites in Penn Valley, mostly looking at sites 10, 11 and 13. In Penn Valley we have a drainage problem in some areas, with decomposed granite under the surface of the soil, ranging from three (3) to 10 feet in some areas along with large boulders. Every year we get a very heavy rain that causes Squirrel Creek to rise over it banks. Last year it was on December 2, 2012. The mobile home park next to the Tack Room off Penn Valley Drive had a number of residents evacuated from their homes due to Squirrel Creek and Clear Creek going over its banks flooding a few homes. Water levels raised over 23 inches around two homes. In past years, the residences in that area have been evacuated on both sides of the creek. In Butte County I have seen higher water flows and flooding when they built the Chico Mall just east of Highway 99, and built new subdivisions just to the east of the Mall. Mosquito levels also increased in the late spring through the fall.

Comments on EIR Attachment

- 26-B

Page 3-61 EIR states site 13 assures two wetland crossings to be made for access, and that traffic assess will be made off of Highway 20?
 Comments- Will the US Fish and Wildlife Service sign off on these crossings? (Beale AFB works with USFWS on their wetlands). Will the Army Corps of Engineers approve working so close to Penn Valley's major drainage for the area, and Caltrans approve another intersection so close to Penn Valley Drive and Pleasant Valley Drive?
- 26-C

Page 4.3-15 EIR refers to scenic vistas
 Comments- Adverse effect if sound walls are constructed along Hwy 20? Has California Department of Fish and Wildlife been contacted about this Black Tail Deer Migration area?
- 26-D

Page 4.4 Replacement of oak trees on site?
 I did not see anything on replacement of trees removed. When they are replaced, trees of two to four years old should be used not seedlings. There are nurseries that can supply them.
- 26-E

Page 4.4-27 Special-Status Wildlife
 Comments- Missing are Beaver, River Otters, Muskrats, Mink, Bear and Mountain Lion.
 I and other wildlife specialists and Nevada County Agriculture Biologists have seen the above species. The California quail population has dropped to very low levels since the early 90's, due to new growth in low elevation scrub and mixed chaparral habitats, Feral cats and the Red Fox in the East Bay, Freemont and Union City areas have predated on quail for years until the quail population was eliminated.
- 26-F

Page 4.4-19 I did not see anything that covers winter rains and flooding of property on Site 13.
 Comments-
 When looking at Squirrel Creek from Rough and Ready Road past the shell gas station to Western Gateway Park, I noticed many areas that will easily flood due to the bends in the creek. There are many low areas where when heavy rains like December 2, 2012 Squirrel Creek and Clear Creek crested its banks and the creek

26-F
CONT'D

width was over 100 feet wide, going straight instead of following the normal creek bed. In the mobile home park 11 residences were evacuated with water levels over 23 inches according to the mobile home manager. Squirrel Creek is like Hutchinson Creek and Best Slough in Yuba County off Highway 65 south of McGowan Parkway. (You can check with Yuba County Water Agency who funded me for several years.) Both Penn Valley's Squirrel Creek and Yuba County's creek flood regularly and these areas are in the flood plane and the residence must pay for flood insurance. If any large subdivision were built in this area, the flooding would increase five or six times due to years of experience of watching this happen.

Due to all these circumstances, I cannot support this proposal for Penn Valley.

Sincerely,



Mark Frederick
10680 Devonshire Circle
Penn Valley, CA 95946
530-432-1739

cc: Hank Weston, Chairman of Nevada County Board of Supervisors
Doug Donesky, Nevada County District Planning Commissioner

Letter 26 – Mark Frederick

Response 26-A Section 4.10 of the Draft EIR evaluated potential hydrological impacts from Squirrel Creek on Sites 10 and 13. The 100-year floodplain was placed within an Environmentally Sensitive Area (ESA). Mitigation Measure 4.10-1a states that structures on Sites 10 and 13 must avoid the floodplain ESA. However, should a structure such as a crossing or bridge be required, then as stated in Mitigation Measure 4.10-1a, “Should development within the floodplain ESA be required, then the developer shall obtain a discretionary use permit for any development within the floodplain and a ministerial management plan for any development within the floodplain 100 foot setback.” The use permit review by County staff would ensure that any development within the floodplain was designed to not impede or impair the flow of water within the floodplain.

Response 26-B Potential impacts to wetland are discussed in Section 4.4 of the Draft EIR. Mitigation Measure 4.4.3b requires the developer of Sites 10 and 13 to prepare a formal wetland delineation to determine the extent of the wetland area. The developer is also required to demonstrate that they have acquired the applicable permits from the US Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife. Please see Response 2-B regarding Site 13 access onto Highway 20.

Response 26-C No sound walls are proposed on Site 13 along Highway 20. The California Department of Fish and Game was sent a copy of the Draft EIR and technical appendices during the public review period.

Response 26-D Oak trees and Oak woodlands are protected under the County’s Tree Protection Ordinance. As such, avoidance of oak trees and oak woodland is the required mitigation through the establishment of Environmentally Sensitive Areas (ESAs). The ESAs require avoidance unless avoidance is infeasible. If avoiding oak trees or oak woodlands is not feasible then a management plan is required. Mitigation Measure 4.4-5 in Section 4.4 of the Draft EIR requires a management plan to be prepared if oak woodlands are impacted as a result of the proposed development. The Management Plan provides different options for oak woodland mitigation that range from onsite preservation (avoidance), enhancement of degraded oak woodlands, or paying in lieu fees into a County approved fund used to purchase and preserve comparable oak woodland communities in the region. Pursuant to Section L-II 4.3.15.C.3 of the County’s Land Use and Development Code:

A Management Plan shall be prepared by a certified arborist, registered forester, qualified biologist or botanist, or landscape architect. Said Plan shall evaluate the impact of the project on defined trees and groves and recommend project modifications that avoid or minimize impacts. Emphasis shall be placed on protecting groups of trees rather than individuals. Defined trees that must be removed shall be replaced on an inch for an inch replacement of the removed tree(s). The total of replacement trees shall be required to have a combined diameter of the tree(s) removed. The Plan shall provide for the long-term maintenance of the replacement trees.

Response 26-E The animals listed in the comment are not included in the list of special status species because of their low likelihood to occur on the project sites due to lack of suitable habitat or suitable foraging areas. The species listed in the comment were not identified in the California Natural Diversity Data Base as being special status species requiring protection. Sites are adjacent to existing development including roadways. None of the 18 projects

sites have been identified as a wildlife corridor area. Mitigation Measures 4.4-2b and 4.4-2c require the developer to prepare preconstruction plant and animal surveys before final development plans are approved.

Response 26-F Please see response 26-A.

Letter 27

18581 Jayhawk Drive
Penn Valley, CA 95946

November 6, 2013

Mr. Tyler Barrington, Principal Planner
County of Nevada
Community Development Agency
Planning Department
950 Maidu Avenue
Nevada City, CA 95959

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NOV 07 2013

Nevada County Community
Development Agency

RE: DRAFT EIR HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION

Dear Mr. Barrington,

27-A

It is our understanding that Nevada County is required by the State Department of Housing and Community Development to accommodate the future development of high-density housing and it is important for Nevada County to fulfill the requirement. In response to the state the County is proposing changes to the General Land Use and Zoning Designation for 18 selected properties to Urban Hi Density/hi density residential zoning and add the Regional Housing Need Combining District, including approximately 40% of the total need being located in Penn Valley. While this may solve the state requirement, the direction abandons important elements of sound community planning and has significant potential to negatively impact Penn Valley on multiple levels.

27-B

The importance of planning how each of Nevada County's communities grows and incorporates a housing and jobs balance cannot be overlooked. The Regional Housing Need Assessment presented by the Planning Department lists "Promoting an improved intraregional relationship between jobs and housing" as an important County objective. The proposed rezone would isolate a population that needs jobs without the costs associated with a long commute. At this time Penn Valley is able to offer very little job opportunities and not nearly enough to even marginally support the number of units/increased population in the Penn Valley Village Center. Thus the proposed rezone project will fail to provide the safety net to a population that needs both reduced housing expense and a job that is nearby.

27-C

The County of Nevada bifurcated the Penn Valley area into two communities, the Penn Valley Village Center (south/west) and the Lake Wildwood side of Penn Valley (north/east) of HWY 20. The application of US Census data and SB244 criteria resulted in the Penn Valley Village Center being designated a "disadvantaged unincorporated legacy community (DUC). This designation verifies that the Village Center already has a disproportionately high share of households in lower income categories as compared to the countywide distribution of households in that category. Adding to this population is not consistent with Regional Housing Need Assessment objectives and places an additional burden on a community that is already struggling to grow economically. Businesses look at the local income levels as part of their analysis when determining where to locate. A surplus of low-income units will further reduce income levels thereby further inhibiting the area's ability to attract viable commerce and jobs.

27-D

Furthermore, the County will be challenged to accommodate the support services most often required by the low-income population, if that population is isolated in a rural area of the County. With an increase in high-density low-income units, more emergency, law enforcement, fire and other services will be required without a commensurate increase in the tax base. These services will either fall short of serving the community or will necessitate additional costs to the entire community in order to support increases generated by a population that is unable to help offset the additional expense. Will the County be able to adequately service this area given the reduction in revenues over the last few years and the State's propensity for realigning services back to the Counties?

We have studied the proposed rezone project and believe the issues raised at by the Penn Valley community are of valid concern. While the proposed project may satisfy the State requirement to accommodate the future development of high-density housing, it fails to incorporate sensible planning practices that will serve both current and future residents of Penn Valley, regardless of their income level.

Sincerely,

Jeff and Susan George
Jeff and Susan George

Letter 27 – Jeff and Susan George

Response 27-A Please see Master Response #1 regarding why the County is proposing the project. The County does not concur that the project includes approximately 40% of the total units in Penn Valley. Please see Response 10-D. The County does not concur that the project abandons sound community planning or results in significant impacts to Penn Valley. Please see Response 22-G regarding why sites in Penn Valley are appropriate for the proposed project.

Response 27-B Please see Master Response #2. The distance between Penn Valley and the City of Grass Valley is approximately 10 miles or less which is a commute that many current residents of Penn Valley and Lake Wildwood make on a daily basis. Please see Response 22-G regarding the services available in the Penn Valley area.

Response 27-C Please see Response 19-E.

Response 27-D The County does not concur with this comment. Please see Response 22-G. Please see Master Response #4 and Response 10-NN regarding the future developers' responsibilities to provide required infrastructure and to ensure adequate fire and sheriff services are available to accommodate the future development.

Letter 28

Date: November 11, 2013

From: Kim Williamson
18403 Siesta Drive
Penn Valley, CA 95946



To: Tyler Barrington, Principal Planner
Nevada County Community Development Agency
950 Maidu Ave. Suite 170
Nevada City, CA 95949

Subject: Public Comment Regarding the Environmental Impact Report (EIR) for the Housing Element Rezone Program Implementation

Thank you, Tyler Barrington for the recent presentation regarding the Environmental Impact Report (EIR) for the Housing Element Rezone Program. I have grave concerns along with other the Penn Valley residents regarding the changes purposed in the EIR.

I have called Penn Valley home since 1970, growing up in Penn Valley going to school in our small Ready Springs School I have seen many changes over the years. The laid back safe and friendly community is rare. It is these wonderful qualities that brought my family here to Penn Valley and will be lost with the proposed zoning changes contained in the EIR.

While the EIR has already pointed out some of my concerns regarding the rezoning in the Penn Valley area (sites 9-12), I would like to further examine a few and to further explain what I feel are my and many of my fellow resident's sentiments regarding the changes contained in the EIR.

Public Services & Utilities:

Sewer:

28-A

As mentioned in the EIR report Penn Valley's sewer treatment plant has already been flagged for deficiencies by the Water Quality Control Board who has issued a cease and desist order. Penn Valley Wastewater treatment facility has a plan in the works: however, I doubt there enough capacity to increase the level to develop sites (9-12). We have current residents with houses that were built in the early 60 whom are still on septic systems that desperately need to be on the sewer system. Their current septic systems are breaking down or deteriorating, thus, adding pullulates to the water runoff in the area that flows into our drinking water, lakes, rivers, and streams but yet we are worried about bringing new residents/apartments on board and forgetting the current residents. I would much rather see any increase in sewer capacity used to offer the existing residents not currently on the sewer system the option of being able to move off their older polluting septic systems; rather than being used on any new high density development.

28-A
CONT'D**Police:**

Another major concern that the community and myself have with the proposed changes is the lack of police force to cover our area of the county. Being that Penn Valley is unincorporated means that we much rely solely on the California Highway Patrol (CHP) and the Nevada County Sheriff's office to act as our town's police force. This service has suffered in recent years due to county and state budget constraints and cuts. The Penn Valley area has seen its call response time increase, as well as the number of officers assigned to patrol the Penn Valley area decline. High density housing complexes of any nature will put an increase stain on these services for the area; which as of right now and for the immediate future I believe cannot be accommodated. The Penn Valley area has already experienced a high density development project off of Broken Oak Court; which in its short time has already increased the amount services required for the area, and has had a negative impact on the community overall.

Fire:

Another potentially public service that could suffer is the Penn Valley Fire Protection District (PVFPD). The PVFPD like most of the other government services in the area have already had to find ways to trim their budgets as taxes and fee revenue has decreased. It is difficult to see how this vital public service will be able to handle a proposed 52% increase in its population size if these four sites (9-12) were to be developed as R-3 housing.

- With 327 units being built at an average of 2.58 residents per unit that equates to 843.66 new residents for the Penn Valley area; which represents a 52.06% increase in population (2.58 multiply 327 new units equals 844 new residents; 844 divided by 1,621 equals 0.5206, take .05206 multiply by 100 equals 52.06%).

Economic Factors:**Lack of Jobs:**

The majority of the people in the area already have to commute up to Auburn, Grass Valley, or Nevada City areas to find work. Over the years we have had successful business such as: True Value hardware store, the Tack Room, and Blue Cow Deli restaurants. However, a vote to approve these rezoning changes for the Penn Valley area will be crippling the Penn Valley area of any future commercial development as you will be removing all of the available commercial zoning in the heart of Penn Valley's town center. Given that there aren't many currently available jobs in the area, and a vote in favor of these changes would be removing all our communities' ability to develop jobs in the future. We need businesses, jobs in Penn Valley not future commercial development being taken from us.

28-A
CONT'D**Environmental:**

Development of any size does have an impact to our local environment regardless of the amount of migrating factors deployed. Any increases in water runoff for the four sites (9-12) proposed for the Penn Valley area will contain new pollutants which will flow directly into Squirrel Creek. Squirrel Creek also runs through Western Gateway Park which is Penn Valley's only public park and sits immediately downstream from the proposed sites. What guarantees can be given to the community and business owners that if these sites are developed as R-3 housing with 16 units an acre that there would not be any negative impacts to the local environment and park downstream from the sites?

Public Safety:**Roadways:**

We prefer our rural country roads, and our big two lane streets; over the larger three or more lane roadways. The only signal lights in town are on the highway. These four proposed sites would all need to feed off Penn Valley Drive, as already mentioned in the EIR that it is unlikely that CalTrans will allow access to site 12 from Hwy 20. Haven worked for Public works widening of this road would require the removal of our recently installed bike trail that runs from the intersection of Spencerville Road and Penn Valley Drive to Western Gateway Park. This is a great asset to our families and our community. The current EIR states that this road would not require widening, but does it take into account a 52% population increase? The newly installed bike trail crosses from one side of Penn Valley Drive to the other. If the roadway was to be widened what would happen to this new bike trail? Where would it be moved to given that it's presently located in the road easements of the properties along its route?

As mentioned above in this letter these zoning changes will remove all of our available commercial zoned land resulting in a negative economic factor on the area as a whole; as well as severely limiting any future economic development projects for the Penn Valley area. As was brought up in the community meeting held in October the idea that these sites might not be developed for many years into the future was and is a complete lie as was admitted at the meeting by county staff. Sites 9, 10, and 12 are already owned by an LLC with the intention of developing the sites immediately if the rezoning is approved. We implore you not to go through with these purposed zoning changes.

Thank you for your consideration to this important issue,

Kim Williamson

Letter 28 – Kim Williamson

Response 28-A The contents of this letter are the same as Letter 15. Please see the responses to Letter 15 regarding the comments raised in this letter.

Letter 29

RECEIVED

November 7, 2013

NOV 12 2013

Nevada County Planning Dept.
950 Maidu Avenue
Nevada City, CA 95959

Nevada County Community
Development Agency

Re: Penn Valley Re-zoning plans

Dear Sirs,

29-A | We are writing to express our opinion regarding the recent discussions of rezoning Penn Valley with more high density housing. As business and homeowners in this community we strongly oppose this proposed plan to develop low cost housing in Penn Valley. The original plan called for commercial, business retail and industrial issues for the lots in question in downtown Penn Valley. This community needs jobs and businesses, not more low income housing.

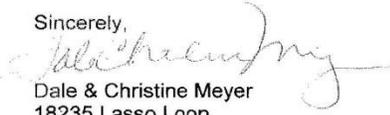
29-B | We are concerned the proposed rezoning will not only eliminate the opportunities to create more jobs in this community, but further stress the public services in the area. The low income apartments on Broken Oak (which we also opposed) have already resulted in more crime and fire service calls. We do not have the Sheriff's or Fire Department's presence to handle more service calls.

29-C | We also do not understand with the current discharge water issues how more high density housing can be built. There are already not enough EDU's available and these lots are in the "pink zone" and should not be on septic systems either. The system is already overwhelmed in it's current state and does not need to be taxed further.

29-D | We are requesting that the Planning Department and the County Board of Supervisors take into account the concerns and opinions of the residents who will be directly affected by this decision. We are not a dumping ground for the county. If you must build these types of units, build them in the "city" where work and transportation is more available. We bought our home and business in this community because of it's lack of apartments and big city problems. It's a lovely rural area with large parcels of open land and that's how it should remain. Placing low income housing a rural setting, you are not accounting for a greener environment. Lack of services (grocery stores, drug stores, physicians, etc.) means more gas consumed in order for these residents to obtain services. There is no viable transportation system to get these people to the services they will require.

In conclusion, although we live in an unincorporated area of Nevada County, we are voters in this county and our objections and voices should be heard.

Sincerely,



Dale & Christine Meyer
18235 Lasso Loop
Penn Valley, CA 95946
(530)432-5977

Letter 29 – Dale and Christine Meyer

Response 29-A Please see Master Responses #3 and #6. It should be noted that the RH Combining District regulations allow property owners to decide what type of housing they will build on any site that is rezoned. Future development will be based on market conditions. The overlay zone was structured this way to provide the greatest amount of flexibility for creating a variety of housing types based on the need of the community at the time that the sites are actually developed.

Response 29-B The project does not propose to displace or remove any existing development that currently offers employment. Please see Master Response #2 and #3 regarding jobs related to the project and the potential retention of commercial zoning on Sites 10 and 11. Potential impacts to public services and utilities are evaluated in Section 4.13 of the Draft EIR. The project proposed mitigation measures to address potential impacts on fire and Sheriff services. Please see Response 10-NN.

Response 29-C Please see Master Response #4 regarding future developers' responsibility to ensure adequate sewer service is available at the project site prior to development. None of development proposes to use septic systems. All project sites would be connected to the public sewer system. Nevada County Sanitation District No. 1 has recently secured funds to complete improvements to the wastewater collection system in Penn Valley and construct a 4.3 mile pipeline to the Lake Wildwood Wastewater Treatment Plant. Upon the completion of the pipeline in late 2014, the new wastewater disposal system would be able to more efficiently accommodate the Standby EDU's allowing for appropriate build-out in the Penn Valley service area.

Response 29-D Please see response 22-G that describes the existing conditions that makes development with the RH Combining District a compatible use in Penn Valley. Please see Response #6 regarding low income housing.

Letter 30

Tyler Barrington, Principal Planner
Nevada County Planning Department, 950 Maidu Avenue, Suite 170 Nevada City, CA 95959
Telephone: (530) 470-2723 Email: tyler.barrington@co.nevada.ca.us

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Nevada County
Development Community

Please reconsider re-zoning sites 10, 11 and 13 in Penn Valley Center.

30-A | If done correctly the addition of housing and residents to Penn Valley should improve the economy and vitality of the community. But if the wrong sites are developed it will cause long term harm to the community, its economy and the environment.

To Penn Valley, small things matter. A short sidewalk/bike trail did a great deal to enhance Penn Valley Drive and Penn Valley Center. Taking commercial land away from Penn Valley center could do a great deal to harm our very small commercial center and community. Projects must be done in Penn Valley in a way that will attract people and business to the area.

30-B | It must be kept in mind that Penn Valley is already disadvantaged and does not have the retail and commercial appeal of Grass Valley and Nevada City. The proposed sites will further disadvantage Penn Valley. These sites do not serve the individuals moved here, the community as a whole or the intent of the requirement to provide affordable housing. It is bad for the environment to place high density housing in Penn Valley without supporting the local retail, services and employment opportunities.

Site 10 & 11 C2

30-C | Sites 10 and 11 are next to and behind the Post Office in the heart of Penn Valley Center. This is the commercial land that needs to provide the business, services and jobs for the people you would like to move in. It is essential to our community. You cannot say that a site has potential for employment opportunities and retail when the commercial land is the very land you are re-zoning.

Site 13 IDR

30-D | This site is highly visible from Route 20 and is the public face of Penn Valley. High density housing on this site will depress the appeal of Penn Valley to both commercial and future housing development. Grass Valley and Nevada City have established commercial and retail areas. Penn Valley is struggling to get its share of retail and employment opportunities. It is critical that this highly visible land is developed appropriately. The current plan will do more to scare away businesses and further reduce Penn Valley as a destination. Again it makes no sense to move people here and discourage retail and employment at the same time. For the sake of both the environment and the economy, the goal should be to encouraged a self-sufficient community with a balance of housing, retail, services and employment.

Thank you for your time.

Linda Marshall, Penn Valley, CA



Letter 30 – Linda Marshall

Response 30-A The County acknowledges and appreciates this comment. Please see Master Response #3.

Response 30-B The County does not concur with this comment. Please see Master Response #2, Master Response #3 and Response 22-G.

Response 30-C The County does not concur with this comment. Please see Master Response #3.

Response 30-D The County does not concur with this comment. Site 13 is not currently zoned for commercial uses, and the project would not displace any existing commercial uses. There is no evidence that high density housing would discourage retail uses in the Penn Valley area. The County concurs that self-sufficient communities with a balance of housing, retail, services, and employment are preferred. Please see Response 22-G.

Letter 31

Tyler Barrington

To: Brian Foss
Subject: RE: Penn Valley Rezoning

From: David Bartow [mailto:d.bartow@yahoo.com]
Sent: Tuesday, October 29, 2013 8:43 AM
To: bdofsupervisors
Subject: Penn Valley Rezoning

31-A | I am writing you to express my concern regarding the proposal for rezoning downtown Penn Valley. I am a local contractor that bids on federal and state housing projects. A lot of the projects I work on are for low income housing through Nevada, Sutter Regional Housing Authority. I get to see the kinds of communities the low income housing create. This is not an area suitable for low income housing.

31-B | If the low income housing is brought into Penn Valley it will not only lower the quality and safety of the local community but it will also prove to be an area that can not sustain the kind of jobs these people need. The community dose not have any sort of jobs that will accommodate families that need jobs and assistance in trying to find local work. Penn Valley has very little bus traffic and no taxi cabs to allow for transportation back and forth to jobs in the larger city. Paying a taxi cab from Grass valley or Yuba City is a large portion of a days pay to go round trip.

31-C | If we allow the low income housing to move in to Penn Valley we provide a situation that people will be dependent on the government for life. The lack of jobs and affordable rentals or houses will make it so the low income families will be forced to stay in the houses and not have the chance to move up.

31-D | The Penn Valley community is primarily a commuter, ranching and retirement community. The retired people have moved up from the surrounding cites to retire and have invested into the high cost of homes in order to feel safe and enjoy the local community with out living in the large city. The younger generations move to the area for safety and are willing to make the long commute off the hill for work. As for the ranching families they are primarily hard working families that enjoy the community and still have to commute to the city for work.

I vote no for rezoning down town Penn Valley
David Bartow
530-559-1184

Letter 31 – David Bartow

Response 31-A The County does not concur with this comment. Please see Master Response #6 and Response 22-G.

Response 31-B The County does not concur with this comment. Please see Master Responses #2 and #6. The County does not concur that transportation opportunities are not available in Penn Valley. Nevada County administers a door-to-door paratransit service for persons with disabilities for trips within the Grass Valley/Nevada City area and nearby communities. The service is provided by Gold Country Telecare, a private non-profit organization, under a contract with the County of Nevada. All paratransit vehicles are equipped with wheelchair lifts and other accessibility features.

Gold Country Stage Route 6 has a bus stop at Penn Valley Drive and Spencerville Road (approximately 0.2 mile from the sites) and connects to the main depot in Grass Valley, which provides access to other destinations such as Sierra College and other businesses in Grass Valley and provides a connection to Route 5. Route 5 travels to Auburn Station which connects with Placer County Transit (which serves Auburn, Rocklin, Sierra College, Roseville Galleria and Sacramento Light Rail), Auburn Transit and Amtrak Thruway bus service as connecting schedules allow.

Response 31-C The County does not concur with this comment. Please see Master Response #6. There is no evidence that residents of high density housing would be dependent on government for life. Please see Master Response #2.

Response 31-D The County acknowledges and appreciates this comment. However, the comment is not at variance with the content of the EIR and further response is required.

Letter 32

Tyler Barrington

From: Doug and Shirley <moon.henry1@gmail.com>
Sent: Tuesday, October 29, 2013 8:43 PM
To: Tyler Barrington
Subject: EIR Public Review

Dear Mr. Barrington,
We attended the meeting in Penn Valley this evening and wanted to thank you for presenting the information as well as you did. We left at 7:15pm; long enough to obtain quite a lot of information.

We would like to address the fact that we believe the whole EIR process is flawed.

32-A

Out of the 80 sites originally identified as suitable as these types of projects, the county should have selected the sites that were best suited to this high density type of development. That is, areas with the proper infrastructure, services, retail, transportation, Fire and Police; not RURAL horse country.

Thank you for your time and attention to this important matter.

Sincerely,

Douglas and Shirley Moon
11889 Kingbird Ct
Penn Valley, CA 95946
530-205-9554

Letter 32 – Douglas and Shirley Moon

Response 32-A The County does not concur with this comment. The County does not concur that the EIR process is flawed. The EIR was prepared consistent with the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000 et seq.), and the *CEQA Guidelines* (California Code of Regulations [CCR] Title 14, Section 15000 et seq.). Please see Master Response #1 regarding the site selection process and Responses 10-NN and 22-G.

Letter 33

Tyler Barrington

From: Lindsay <missionaryhere@aol.com>
Sent: Tuesday, November 12, 2013 1:44 PM
To: Tyler Barrington
Subject: Rezoning Concerns



To Mr. Barrington,

- 33-A Thank you for taking the time to read this email. As I'm sure you have heard and seen, I have also called and written a letter regarding the potential rezoning in Penn Valley. I want to reiterate again, as I have in these three messages as well as at the meeting, how much I am opposed to the rezoning. Seems like all of Penn Valley is. This is our home, and rezoning threatens so many of the qualities we love about Penn Valley: the low crime rate, the scenery, the small population, etc. We are not an urban area. We are a rural area, and we love that. High density urban housing does not belong here. Especially when one of the parcels surrounds the water treatment plant. No one gets a good deal on that! We don't want a huge increase in low income housing, and I doubt anyone wants to live in a smelly field.
- 33-B At least one parcel is on an "environmentally sensitive" area, but it seems as though that doesn't matter anymore. And the number of proposed housing units will stress our current resources: everything from sewers, roads, employment, law enforcement, schools, everything. We're already stretched in all these areas in Penn Valley. We can't handle this many more people.
- 33-C Please, remember there are families here wanting to raise their kids in a beautiful, safe town. Please, please consider what we've all been telling you. Please do not move forward on this housing. The only reason I've really heard to move forward on it is because the state says so, and they've designed this mandate for places like L.A. We are not L.A. We have a community, and we need to stand up for it.
Please read the letters, the emails, and listen to the calls.
Please listen to our people and our families.
We won't stop fighting this.

Thank you.

-- Lindsay Betz
P.O. Box 696
Penn Valley, CA, 95946

MissionaryHere@aol.com

Letter 33 – Lindsay Betz

Response 33-A The County does not concur with this comment. Please see Master Response #6. The County does not concur the proposed project would adversely conflict with the low-crime rate, the scenery, or the small population.

Response 33-B The Environmentally Sensitive Areas (ESAs) are identified for the each of the project sites that have sensitive resources and are shown in Figures 3-15 through 3-24 of the Draft EIR. The ESAs indicate the areas within the project sites where future development is restricted in order to avoid and minimize impacts to sensitive resources. The enforcement will occur as future developers submit grading plans, site plans, and building permits and must demonstrate that the proposed development has avoided the ESAs.

Mitigation Measure 4.1-1a states that structures on Sites 10 and 13 must avoid the floodplain ESA. However, should a structure such as a crossing or bridge be required for access to Site 13, then as stated in Mitigation Measure 4.10-1a, “Should development within the floodplain ESA be required, then the developer shall obtain a discretionary use permit for any development within the floodplain and a ministerial management plan for any development within the floodplain 100 foot setback.” The encroachment into the floodplain would require the developer obtain a Conditional Use Permit from the County.

Please see Master Response #4 and Response 10-NN regarding the future developers’ responsibilities to provide required infrastructure and to ensure adequate fire and sheriff services are available to accommodate the future development.

Response 33-C The County does not concur with this comment. Please see Master Response #1 regarding the County’s purpose for proposing on the project.

Letter 34

Tyler Barrington

From: Valorie Wilcock
Sent: Tuesday, November 12, 2013 8:05 AM
To: Steven DeCamp; Brian Foss; Tyler Barrington
Subject: FW: Penn Valley re-zoning

From: Tim Robinson [mailto:reicatshop@yahoo.com]
Sent: Sunday, November 10, 2013 6:18 PM
To: CommunityDevelopment
Subject: Penn Valley re-zoning

Hello Steve,

34-A

I would like to express my concern about the lack of information being given to the community of Penn Valley regarding the high-density low-income housing projects being planned. I am a lifelong resident of Penn Valley. I cannot ignore what is about to happen. Please note my objection. I understand the state is requiring all to have a particular amount of low income housing. Penn Valley cannot be the main solution to this requirement.

I am not against those in poverty but I am against what this kind of housing brings. I used to be for the low income apartments until I have witnessed what it has done to this community. It is not all bad but there is enough bad that I don't want any more of it.

Tim Robinson
10760 Baker Downs Rd
Penn Valley, CA 95946
530-432-4234 h
530-265-5844 w
530-559-5633 c

Letter 34 – Tim Robinson

Response 34-A The County does not concur with this comment. Please Response 10-D.

Letter 35

Tyler Barrington

From: Valorie Wilcock
Sent: Tuesday, November 12, 2013 8:07 AM
To: Tyler Barrington; Brian Foss; Steven DeCamp
Subject: FW: High Density Housing Proposals

-----Original Message-----

From: David Adams [mailto:ctrarcht@nccn.net]
Sent: Monday, November 11, 2013 8:17 PM
To: Tyler Barrington
Cc: Hank Weston; doug.donesky@co.nevada.ca.us; mike@ministoragepennvalley.com; CommunityDevelopment
Subject: High Density Housing Proposals

Dear Tyler Barrington, County of Nevada Planning Department,

- 35-A | I would like to protest the recent selection of thirty-some acres in Penn Valley for potential high-density housing development. First, not enough advance notice was given to concerned and adjacent residents before the community meeting last Tuesday night.
- 35-B | In addition, the increased density of population (over 2000 new, mainly low-income residents in such a small, rural town), increased automobile traffic (more than 1,000 trips daily), and need for new services (e.g., police and fire) could be devastating for such a small town and would greatly decrease the quality of life that we who live in Penn Valley value above all when we invested in our own properties here.
- 35-C | I am further concerned about the loss of both potential commercial sites and heavily wooded land (with accompanying detrimental affects to existing wildlife and creek water quality).
- 35-C | It seems clear that the kind of rezoning and development fostered at the state level for such changes is directed at much more populous urban areas and is obviously out of place in small, rural communities like Penn Valley. Please reconsider your plans.

Thank you for your consideration,

David and Janet Adams
14487 Burlington Parkway
Penn Valley, CA 95946

Letter 35 – David and Janet Evans

Response 35-A The County does not concur with this comment. Please see Response 10-D regarding the number of units proposed in the Penn Valley Area. Please see Response 10-NN regarding fire and sewer service.

With regards to traffic, as shown in Tables 4.15-9 and 4.15-10 of the Draft EIR, the proposed project does not reduce the level of service at any of the intersections in Penn Valley below the threshold of minimum level of service. Table 4.15-1 provides an explanation of the different levels of service. More specifically, the level of service only changed for two intersections in Penn Valley. The intersection of SR 20/Penn Valley Road went from an existing LOS B to LOS C which is an acceptable level of service for Caltrans as noted on page 4.15-45 of the Draft EIR. The other intersection to have a change in Penn Valley is the intersection of Penn Valley Drive/Broken Oak Court. As an unsignalized intersection, this intersection would change for LOS A to LOS B. LOS B does not exceed the County's minimum level of service threshold of LOS D. For these reasons, potential traffic impacts on intersections in Penn Valley are considered less than significant and no mitigation is required.

Response 35-B Please see Master Response #3. Potential impacts to wildlife are addressed in Section 4.4 of the Draft EIR. None of the 18 projects sites have been identified as a wildlife corridor area. Mitigation Measures 4.4-2b and 4.4-2c require the developer to prepare preconstruction plant and animal surveys before final development plans are approved. Please see Response 15 regarding water quality impacts.

Response 35-C Please see Response 22-G regarding the existing conditions that make the proposed housing units compatible with the surrounding Penn Valley Area.

Letter 36

Tyler Barrington

From: THORGRUN ODDEN <thorgrun@sbcglobal.net>
Sent: Tuesday, November 12, 2013 3:20 PM
To: Tyler Barrington
Cc: Hank Weston
Subject: RE-Zoning

Principle Planner,

I am one of the un-fortunate people to have received a letter stating that my residence will be impacted by the proposed re-zoning of land that is next to my home.

36-A | I am a retired General Contractor and have extensive background in zoning and building situations from past experience. Saying this, I find that the re-zoning of a mostly rural land to R-3 zoning to be extreme. I have lived here in Penn Valley for seven years and have watched the lack of police and fire budgets as it impacts my safety. We have a real situation with petty crime and theft and frankly a poorly covered patrol area for Penn Valley. Most times there is no police coverage here at night. I have personally had petty theft, trespass and lately an attempt at stealing my vehicle, which cost me \$1000.00 in repair bills.

36-B | I have seen this before in Santa Cruz County, Ca. with re-zoning and under staffed police and fire and also ill prepared infrastructure, only to be laid at the tax payers later in the form of bonds for sewer and road assessments.

Frankly, I think it is time to say no to those that mandate from Sacramento as to just what we do in our own counties. If that means a fight with the State, so be it.

Sincerely,

Thorgrun Odden



Letter 36 – Thorgrun Odden

Response 36-A Please see Responses 10-NN 22-F and 22-G and Master Response #5.

Response 36-B Please see Master Response #4 regarding the developers responsibilities for ensuring adequate water and sewer facilities are in place prior to construction. The project does not propose any form of bonds or sewer or road assessments. Please see Response 10-NN.