

used, as required by the County. The 70th percentile represents the number of peak hour trips that are expected to occur 70 percent of the time.

AI-5 The comment states that the proposed project would result in surface water contamination and that the 72-hour pump test is not appropriate for evaluating impacts of the proposed water usage.

Refer to Response to Comment E-2, which discusses the Draft EIR analysis of potential impacts to water quality and the proposed three-pond drainage collection and treatment system. As noted in Response to Comment E-2, the discussions on pages 6-18 through 6-31 of the Draft EIR have been revised to correct errors in the description of the proposed three-pond drainage collection and treatment system. The proposed system is expected to ensure that pollutants associated with the proposed project do not significantly impact water quality in the project vicinity.

As discussed on page 6-18 of the Draft EIR and required by *Mitigation Measure 6.6c*, the project applicant would be required to obtain Waste Discharge Requirements (WDR) from the Central Valley Regional Water Quality Control Board. In order to obtain the WDR, the project applicant must demonstrate that the process water collection and treatment system would not discharge contaminated water to any surface drainage. The proposed onsite drainage and collection system complies with this requirement by directing all process wastewater to the onsite settling basin and the Enviromatic Recycling System, and by treating any water that cannot be held in the settling basin.

The analysis of Impact 6.6 provides additional consideration of potential for surface water contamination during operation of the proposed project. This analysis identifies the types of pollutants associated with a batch plant, the possible pathways by which these pollutants could enter surface water drainage, and the mechanisms that must be implemented as part of the project to ensure that the project does not have a significant adverse impact on surface water quality. The soils underlying the project site do not allow substantial percolation. Groundwater recharge in the vicinity primarily occurs through major drainageways. By preventing any discharge of contaminated water to surface drainage, the constituents present in the process water would not enter the groundwater basin.

Also refer to Responses to Comments E-5 and E-11, which summarize the Draft EIR analysis of the impacts associated with the proposed use of 10,000 gallons of groundwater daily. The analysis of Impact 6.3 found that the existing onsite well is capable of providing up to 10,000 gallons of water daily based on the results of a 72-hour pump test and compliance with a State of California guideline regarding groundwater use for public water systems. The conclusions in the Draft EIR were based on the state guideline, which was later codified as California Code of Regulations Section §64554. California Code of Regulations §64554 establishes the maximum allowable water pumping rate from public water supply wells drilled in bedrock fracture flow formations. This law states that a 72-hour pump test is sufficient to determine the maximum allowable water pumping rate for these types of wells. Thus, use of the 72-hour pump test to evaluate the impacts of the proposed

project complies with state law and is not speculative. Additionally, as discussed in Response to Comment E-11, the 72-hour pump test and a review of Well Completion Reports for wells in the vicinity determined that there is minimal communication or lateral connectivity between the onsite well and other wells in the vicinity. Based on compliance with California Code of Regulations §64554, it is expected that the proposed pumping rate would be sustainable and would not result in significant impacts to groundwater in the project vicinity.

AI-6 The comment describes the author's connection to the Ophir area.

No comments on the Draft EIR are provided. No response or revision to the EIR is necessary.

AI-7 The comment states that no alternative site for the proposed project is identified, thus the EIR presupposes that the project will be approved.

Refer to Response to Comment E-3, which discusses the alternatives analysis included in **CHAPTER 8 CEQA REQUIRED DISCUSSIONS** of the Draft EIR. Several potential alternatives were considered during preparation of the analysis, including alternative locations for the proposed project. The Draft EIR determined that an offsite alternative was not feasible because the offsite parcels that were identified as potential locations for the proposed project would not adequately support the project, or would result in greater environmental impacts than the proposed site.

The EIR does not recommend approval or denial of the proposed project. As required by CEQA, the EIR evaluates the potential environmental impacts of the project. The EIR analysis along with other information in the record, informs the Planning Commission's determination of whether to approve or deny the project.

AI-8 The comment suggests reasons why the project may be approved and states that the project should not have been "accepted."

As stated above, the EIR does not recommend approval or denial of the proposed project. The project applicant filed a complete project application, and in accordance with state law, the County must process the application at the time it is deemed complete. The Placer County Planning Commission will consider this comment, along with all other comments on the project and the EIR, as part of their deliberations regarding approval or denial of the project.

From: jim_schaefer@mindsync.com
To: Placer County Environmental Coordination Services;
Subject: Livingston
Date: Monday, March 17, 2008 9:30:01 PM

Dear Placer County,

I am very much opposed to the proposed Livingston Concrete Batch Plant which is now being planned for Ophir.

AJ-1

I am very much against this development because it is so opposed to the the current land use aspects of the Ophir community.

AJ-2

I am opposed also because the large and heavy gravel and Concrete trucks will severely damage the existing roads and infrastructure.

AJ-3

I am opposed to the idea of an industrial user pumping 10,000 gallons of water per day from a ground well in Ophir. All of the citizens in Ophir depend upon ground water wells for their drinking water. This development will pose a real danger to this water source.

AJ-4

Please do not approve this development.

Jim Schaefer
7325 Chili Hill Road
Newcastle, CA 95658

RESPONSE TO COMMENT LETTER AJ

Submitted by:
Jim Schaefer

AJ-1 The comment states general opposition to the proposed Livingston's Concrete Batch Plant.

No specific comments on the Draft EIR are provided. No response or revision to the EIR is necessary.

AJ-2 The comment states opposition to the project because it is not compatible with current land uses in the Ophir community.

Refer to Response to Comment E-4, which summarizes the analysis of the compatibility of the proposed project with existing and planned land uses in the project vicinity, including residential land uses. Based on the determinations in the other chapters of the Draft EIR and in the Initial Study that the physical impacts of the proposed project would be less than significant, the analysis of Impact 4.3 concludes that the project would not have a direct impact on nearby residential land uses and the project is considered to be compatible with all existing and planned land uses in the vicinity. As stated on page 4-7, the proposed manufacturing and processing land use is consistent with the land use and zoning designations for the project site. While the EIR concludes that the proposed project is considered generally consistent with the *Placer County General Plan* and *Ophir General Plan*, it is the Placer County Planning Commission who will determine whether the proposed project is consistent with adopted County plans and policies.

AJ-3 The comment states the existing roads and infrastructure will be damaged as a result of trips made by heavy gravel and concrete trucks.

Response to Comment E-20 states that the Cultural Resources section of the Initial Study reports the Placer County Department of Museums determination that the proposed project is not expected to damage Ophir Road because Ophir Road was constructed to support heavy truck traffic. It currently supports heavy truck traffic associated with the existing heavy commercial development in the vicinity.

AJ-4 The comment expresses concern regarding the 10,000 gallon per day water use associated with the proposed project. The comment states the citizens of Ophir depend on ground water wells for their drinking water thus the project poses a real danger to that water source.

Refer to Responses to Comments E-5 and E-11, which summarize the Draft EIR analysis regarding the proposed use of groundwater presented in Impact 6.3 in **CHAPTER 6 HYDROLOGY AND WATER QUALITY** of the Draft EIR. The determination that use of a daily maximum of 10,000 gallons of water would have a less than

significant impact was based on the results of the 72-hour pump test and compliance with a State of California guideline regarding groundwater use for public water systems. The conclusions in the Draft EIR were based on the state guideline, which was later codified as California Code of Regulations Section §64554. Because public water supplies are a long-term use, application of this guideline to the analysis of the proposed project is appropriate for considering both short- and long-term usage.

The 72-hour pump test indicated a yield of 25 gallons per minute, which is equal to 36,000 gallons per day. California Code of Regulations §64554 allows a production capacity of 25 percent of the pumping rate for wells drilled into hard rock formations, such as the existing well onsite, when a 72-hour pump test is conducted. It is expected that the proposed pumping rate would be sustainable and would not result in significant impacts to existing groundwater wells in the project vicinity.

In addition the results of the 72-hour pump test and review of the Well Completion Reports for wells within one-fourth of a mile of the project site indicate that there is minimal communication or lateral connectivity between the existing well on the project site and other wells in the project area, as explained in Response to Comment E-11. While the neighboring well was observed to decrease by seven-tenths of a foot during the 72-hour pump test, the drawdown would have been much greater and proportional to the amount of water pumped during the test if there were substantial communication between the onsite well and the observed well. Because the communication is minimal, pumping from the onsite well is not expected to have a significant effect on the production of any other existing well in the vicinity.

March 17, 2008

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MAR 18 2008

Placer County Planning Commission
Draft EIR Public Review & Comment

ENVIRONMENTAL COORDINATION SERVICES

Livingston Concrete Batch Plant

To Whom It May Concern:

I have been a homeowner in Newcastle for thirty-two years, and I have listened to people more knowledgeable than I regarding environmental issues and concerns with the addition of the Livingston Concrete Batch Plant.

Please consider the objections from us longtime homeowners re this worrisome proposal.

Sincerely,

Jean Schenk Schenk

916-663-2324

7835 Ridge Rd.

Newcastle, Ca.

95658

AK-1

RESPONSE TO COMMENT LETTER AK

Submitted by:
Jean Schenk

AK-1 The comment states that the author has been a homeowner in Newcastle for 32 years and is aware of neighbors' concerns regarding the environmental impacts associated with the proposed project. The comment asks the County to consider the objections from the longtime homeowners regarding the proposed project.

No specific comments on the EIR are provided. No response or revision to the EIR is necessary. The EIR does not recommend approval or denial of the project. The Placer County Planning Commission will consider this comment, along with all other comments made on the project and the EIR, as part of their deliberations regarding approval or denial of the project.

Draft EIR Comments

MAR 10 2008

More information on the project is available on the County web site:

<http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/EnvDocs/EIR.aspx>

ENVIRONMENTAL COORDINATION SERVICES

Project Title: Livingston's Concrete Batch Plant (PEIR T20050072)

Public Hearing Date: February 28, 2008

Public Review Period: February 1, 2008–March 17, 2008

• Your comments must be postmarked by March 17, 2008

• Comments must be written legibly with complete contact information in order to be considered.

• Comments may be sent:

By Fax 530-745-3003

By Email cdraecs@placer.ca.gov

By Mail Environmental Coordination Services
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn CA 95603

• Please attach additional pages if more space is needed.

PLEASE SEE ATTACHED COMMENTS

UNFORTUNATELY, WE HAVE A CONFLICT
THAT WILL NOT ALLOW US TO BE
PRESENT AT THE HEARING.

AL-1

Your Name KURT and GAIL SJOBERG

Mailing Address 284 LOZANOS RD

City NEWCASTLE State CA Zip 95658

Opposition Comments by Kurt and Gail Sjoberg on the Livingston Concrete Batch Plan EIR

We strongly oppose the proposed Livingston Concrete Batch Plant on Ophir Road. Our family has lived on our five-acre home site at 284 Lozanos Road for more than 30 years. We literally live “down stream” from the proposed Livingston concrete batch plant. Also, we drive east and west bound on Ophir Road frequently as it is our only practical route to Auburn or Sacramento.

AL-2

Livingston’s plan to pump 10,000 gallons of water per day from a domestic well will undoubtedly lower the underground aquifer that many homeowners in the area (ourselves included) rely on. Allowing the commercial use of our precious water supply is an unreasonable consumption of the adjacent homeowner’s already limited water source. Because we do not take for granted the domestic water we receive from our 7 gallon per minute well, we currently closely monitor and conserve its usage.

AL-3

Further, allowing a commercial facility to utilize a residential septic system is unsound environmentally. Effluent from the concrete batch process will ultimately affect surface and sub-surface water flows and the “bloom” from such secretions will eventually migrate to dozens of homeowners along both Lozanos and Geraldson Roads.

AL-4

Moreover, the noise caused by the plant will be heard widely and a 57-foot tower will be an ugly backdrop against what is currently a beautiful landscape of Oak and other foothill trees. Both of these sensory intrusions will affect the bucolic and serene nature of the Newcastle/Ophir area – the reason why many of us moved away from the “asphalt jungle” of the Sacramento urban complex in the first place.

AL-5

Finally, the prospect of 120 concrete and gravel trucks driving daily along Ophir Road is frightening. Have you seen how fast these vehicles are driven when they are empty, let alone when they are carrying tons of gravel or wet concrete? Cars, bicyclers, runners, school children and pedestrians who use Ophir Road frequently will be put in jeopardy, and their safety should be Placer County’s primary concern.

AL-6

Consequently, there is only one appropriate action to take on the Livingston Batch Concrete Batch Plan EIR – **A resounding “NO” vote!**

Respectfully submitted,

Kurt and Gail Sjoberg
284 Lozanos Road
Newcastle, CA 95658
(530) 823-8329

March 7, 2008

RESPONSE TO COMMENT LETTER AL

Submitted by:

Kurt and Gail Sjoberg

AL-1 The comment references the attached page of comments.

No comment on the Draft EIR is provided. No response or revision to the EIR is necessary.

AL-2 The comment indicates opposition to the proposed project.

No comment on the Draft EIR is provided. No response or revision to the EIR is necessary.

AL-3 The comment asserts that the proposed water usage would adversely affect existing wells in the vicinity and that the County should not allow commercial uses to consume all the water available in the project area.

The comment provides no evidence to contradict the conclusions of the Draft EIR related to the proposed water usage. Responses to Comments E-5 and E-11 state that Impact 6.3 in **CHAPTER 6 HYDROLOGY AND WATER QUALITY** of the Draft EIR specifically addresses potential impacts to groundwater from operation of the proposed project, including the proposed use of between 7,000 and 10,000 gallons of water from the onsite well. The determination that daily use of a maximum of 10,000 gallons of water would have a less than significant impact on water availability in the area was based on the results of the 72-hour pump test and a State of California guideline regarding groundwater use for public water systems. The conclusions in the Draft EIR were based on the state guideline, which was later codified as California Code of Regulations Section (§) 64554. As noted on page 6-19 of the Draft EIR, the guideline recommended that daily pumping from a well drilled in hard rock formation be limited to 25 percent of the sustained pumping rate determined by a 72-hour pump test. California Code of Regulations §64554 expresses the same recommendation. The 72-hour pump test for the onsite well indicated a sustained yield of 25 gallons per minute, which corresponds to a total pumped volume of 36,000 gallons per day. The Placer County Environmental Health Services Division determined that the proposed use of 7,000 to 10,000 gallons per day, which would represent 19 to 28 percent of the total capacity, is consistent with the state guideline and state law. California Code of Regulations §64554 was promulgated to regulate public water supplies drilled in hard rock fracture formations. Because public water supplies are a long-term use, application of this guideline to the analysis of the proposed project is appropriate for considering both short- and long-term usage. Based on compliance with California Code of Regulations §64554, it is expected that the proposed pumping rate would be sustainable and would not result in significant impacts to groundwater availability in the project vicinity.

The analysis of Impact 6.3 also notes that there is expected to be minimal or no

connection between the onsite well and existing wells in the vicinity. This determination was based on review of the Well Completion Reports for the onsite well and other wells in the vicinity as well as observation of a neighboring well throughout the 72-hour pump test. During the test, the water level in the neighboring well declined by less than one foot. As stated on page 6-2 and explained in Response to Comment E-11, this demonstrates that there is minimal communication or lateral continuity between the onsite well and neighboring wells. While there may be some communication or continuity between wells, usually through fractured intervals within the bedrock mass, which are typically 1 to 2 feet in thickness at various depths, because the communication is minimal, pumping from the onsite well is not expected to have a significant effect on the production of any other existing well in the vicinity.

AL-4 The comment states that the proposed use of a septic system would contaminate surface water in the project area.

Refer to Response to Comment E-5, which summarizes the Draft EIR analysis of the potential for the septic system to contaminate surface water. Also refer to Response to Comment E-2 regarding the Draft EIR analysis of the potential for operation of the proposed project to contaminate surface water. With implementation of mitigation measures, it is expected that the proposed septic system would not contaminate any surface water or groundwater.

AL-5 The comment states that the project would generate substantial noise and create significant aesthetic impacts.

Refer to Responses to Comments E-15, E-31, F-7, and M-3, which summarize and clarify the EIR analysis of noise impacts. The EIR found that operation of the proposed project would not result in a noticeable increase in noise levels in the project vicinity, thus the project's impacts are considered to be less than significant.

Also refer to Response to Comment E-21, which discusses the potential aesthetic impacts of the proposed project. The Initial Study analysis of aesthetic impacts is summarized on pages 1-6 and 1-7 in **CHAPTER 1 INTRODUCTION**. The Initial Study determined that the project's impacts to aesthetics would be less than significant.

AL-6 The comment states that the truck traffic associated with the proposed project would create safety hazards on Ophir Road. The comment concludes by reiterating opposition to the proposed project.

Refer to Response to comment H-4, which summarizes the Draft EIR analysis of traffic impacts as they relate to safety on Ophir Road. The proposed project is not expected to result in a significant increase in hazards in the project vicinity.

The EIR does not recommend approval or denial of the proposed project. This comment, along with all other comments on the project and the EIR, will be considered by the Placer County Planning Commission as part of their deliberations on the project.

From: Sandy Snyder
To: Placer County Environmental Coordination Services;
Subject: Livingston's Concrete Batch Plant (PEIR T20050072)
Date: Friday, March 14, 2008 10:35:08 AM

I would like to see the proposed Livingston Batch Plant site considered for another location. I have lived in Ophir for the last 25 years, and have witnessed numerous accidents at the Lozanos, Ophir Road intersection. Ophir has a large number of Bicyclist, Classic Cars, and Motorcycles using these country roads for enjoyment driving. Ophir is known for its beauty and Historical land marks. There are many areas that can accommodate only one car on the curves. I feel the roads should continue to be used by the tax paying community members for their enjoyment. The thought of adding large commercial trucks for the private gain of a company to this rural setting just does not make sense. Please rethink the proposed usage and consequences of changing the present Rural, Historical Ophir area roads. Thank you in advance for your consideration.

AM-1

AM-2



Sandy Snyder
Sales Representative

11865 Edgewood Road
Auburn, CA 95603

T 530-885-7770
F 530-885-4618

www.ortc.com

RESPONSE TO COMMENT LETTER AM

Submitted by:
Sandy Snyder

AM-1 The comment suggests another location should be considered for the proposed project.

Refer to Response to Comment E-3, which discusses the alternatives analysis included in **CHAPTER 8 CEQA REQUIRED DISCUSSIONS** of the Draft EIR. Several potential alternatives were considered during preparation of the analysis, including alternative locations for the proposed project. The Draft EIR determined that an offsite alternative was not feasible because the offsite parcels that were identified as potential locations for the proposed project would not adequately support the project, or would result in greater environmental impacts than the proposed site

AM-2 The comment expresses concern regarding the roads in the project vicinity. The comment states the commenter has been a residence of Ophir for the last 25 years and has witnessed several accidents at the Lozanos/Ophir Road intersection. The comment expresses concern with safety issues related to the addition of large commercial trucks. The comment states Ophir has a large number of bicyclists, classic cars, and motorcycles that use the area roads for “enjoyment driving.”

As discussed in Response to Comment H-4, Impact 5.4 in **CHAPTER 5 TRANSPORTATION AND CIRCULATION** of the Draft EIR analyzes whether the design of the project (specifically the proposed dual driveways accessing Ophir Road) would result in an increase in traffic hazards from design features. The EIR finds the impact to be potentially significant, however, with implementation of *Mitigation Measure 5.4a* which requires the project applicant to construct a left-turn lane to facilitate access to the “entrance” driveway, the impact is expected to be less than significant. In addition, Impact 5.3 evaluated the potential for the project to negatively affect bicycle and pedestrian travel in the project vicinity. With implementation of *Mitigation Measure 5.3a* which requires the project applicant to construct a Class II bike lane along the project site frontage on Ophir Road, the project’s impacts to bicycle and pedestrian travel (including safety) are expected to remain less than significant. Impacts 5.1 and 5.2 evaluate the potential for the project to affect traffic operations in the project vicinity. Under Impact 5.1, the project is not expected to have a significant impact on traffic operations in the short-term conditions. Under Impact 5.2, with implementation of *Mitigation Measure 5.2a*, which requires the project applicant to contribute a fair share of the funding necessary to complete traffic improvements to accommodate future (year 2025) traffic volumes. Based on the acceptable levels of service that would occur in the project vicinity, the traffic generated by the proposed project is not expected to result in any decrease in roadway safety or any increase in accident rates.

Received
MAR 18 2008
CDRA - Admin.

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MAR 18 2008

ENVIRONMENTAL COORDINATION SERVICES 340

Patricia Stinson
340 Geraldson Road
Newcastle, CA 95658

Community Development Resource Agency
John Marin, Director

Let the record show I am opposed to the
Livingston Concrete Batch Plant being
considered for Ophir Road

As a long standing property owner on
Geraldson Road my concerns are, but not
limited to:

AIR POLLUTION

While air pollution comes in many forms,
ultra fine particles produced by
combustion, and not regulated as certain
other emissions, are emerging as one of
the most dangerous components of air
pollution. Their size allows them to travel
& lodge deep within the lungs.

At most risk are young children, seniors
and those with pulmonary & cardiovascular
problems. However, particles affect everyone.
Residents of Ophir who are tax paying

AN-1

AN-2

private property owners use Ophir, Heraldson, Logans and other area roads for outdoor physical activities such as walking, jogging, running and cycling.

AN-2

NOISE

AN-3

INCREASE IN HEAVY TRUCK TRAFFIC

Ongoing destruction of Ophir Road, and air pollution as cited above.

AN-4

LOT SIZE

The small size of the parcel of land under consideration

AN-5

ZONING

The Ophir Road corridor is zoned Limited Industrial, which this batch plant doesn't fall under. It should be situated in an area more designated toward Heavy Industrial Old Hiway 40, which runs along Ophir Road in this area, has been designated a Scenic Byway. A batch plant would violate such a designation.

AN-6

IMPACT ON PRIVATE WELLS

AN-7

PRIVATE PROPERTY VALUES

the very real potential of creating a serious decline in our property values

AN-8

DESTRUCTION OF THE AMBIANCE OF THE AREA

Ophir has traditionally been a quiet tranquil area. A project such as this would destroy that quality of life for the residents of a large geographical area, many of whom have resided here & paid their property taxes here for decades. The people making their homes and raising their families in this area should be considered, rather than ogling the increased revenue from such a disruptive business

AN-9

Patricia Stinson

RESPONSE TO COMMENT LETTER AN

Submitted by:

Patricia Stinson

AN-1 The comment states general opposition to the proposed project and introduces the specific comments that follow.

No specific comments on the Draft EIR are provided. No response or revision to the EIR is necessary.

AN-2 The comment indicates concern with air pollution, especially small particulates and dust, that would be created by the proposed project.

Refer to Response to Comment F-2, which states that impacts to air quality, including dust emissions, are evaluated in the Initial Study. Mitigation measures are required to minimize emissions during construction and operation of the proposed project. This includes *Mitigation Measure 5.8*, which requires the project applicant to implement dust control measures to ensure that the project remains in compliance with California Health and Safety Code Section (§) 41700 emissions limits and visible emission standards of 20 percent opacity. In addition, emissions from operation of the batch plant would be subject to additional conditions applied to the project through the Air Pollution Control District permitting process. The project would be required to obtain a Permit to Construct prior to construction of the batch plant, and an Authority to Operate permit prior to commencing operation of the batch plant.

AN-3 The inclusion of the word "NOISE" in the letter is understood to mean that the author is concerned about potential noise impacts associated with the proposed project.

No specific comments on the Draft EIR are provided. As stated in Response to Comment F-2, noise impacts are evaluated in **CHAPTER 7 NOISE**, and most impacts are found to be less than significant without mitigation. The proposed project would generate noise levels that are similar to or less than existing noise levels, and would not result in a substantial change from the existing noise conditions. *Mitigation Measure 7.3a* is required to ensure that noise from construction of the proposed project does not significantly impact residents or businesses in the project area.

AN-4 The comment identifies concern that the truck traffic associated with the proposed project would contribute to deterioration of Ophir Road and generate air pollution.

Refer to Response to Comment E-20, which states that the Placer County Department of Museums determined that the proposed project is not expected to damage Ophir Road because Ophir Road was constructed to support heavy truck traffic.

Also, as stated above, refer to Response to Comment F-2 regarding the Initial Study

analysis of impacts to air quality.

AN-5 The comment states that the small size of the proposed project site is of concern.

No specific comments on the Draft EIR analysis are provided. The project site has sufficient room to support the proposed improvements, the 30-foot waterline easement, and the proposed septic system. The Draft EIR did not identify any environmental impacts associated with the size of the project site.

AN-6 The comment states that the project is not consistent with the zoning designation for the project site.

As stated on page 4-2 of the Draft EIR, the zoning designation for the project site is C3-UP-DC. The C-3 zone district is designated for Heavy Commercial land uses, including manufacturing and processing uses. The proposed project is allowed in the C-3 zone district.

AN-7 The comment indicates concern with impacts to existing wells in the project vicinity.

Refer to Responses to Comments E-5 and E-11, which summarize the Draft EIR analysis of impacts to existing wells associated with the proposed water usage for the project. Based on the results of the 72-hour pump test, compliance with state law regulating public water supply wells drilled in bedrock fracture flow formations, and review of the Well Completion Reports for wells in the vicinity, the proposed use of 10,000 gallons of groundwater daily is not expected to adversely affect other wells in the project vicinity.

AN-8 The comment indicates concern that the project would lead to decreased property values in the vicinity.

As discussed in Response to Comment E-37, a change in property values would be considered an economic or socioeconomic effect of the project. CEQA Guidelines §15131(a) states that "economic or social effects of a project shall not be treated as significant effects on the environment." Thus, the EIR is not required to address the potential project impacts on property values in the vicinity. The Placer County Planning Commission will consider this comment, with all other comments made on the project and the EIR, as part of their deliberations regarding approval or denial of the project.

AN-9 The comment states that the proposed project would destroy the existing character of the project area and adversely affect the quality of life for residents.

Refer to Response to Comment E-21, which summarizes the Initial Study analysis of the project's impacts on the aesthetics and character of the project area.

As discussed in Response to Comment M-6, the intent of CEQA to regulate environmental impacts to ensure that a high quality of life is provided for residents of the state is met through the analysis of the project's effects on the physical

environment. The required analysis is provided in the Initial Study and Draft EIR. The project is expected to result in less than significant impacts and significant impacts that can be reduced to less than significant levels with implementation of mitigation measures. Based on the determination that all significant impacts can be mitigated to less than significant levels, the project is not expected to create a significant health hazard in the project vicinity or substantially diminish the quality of life for residents in the area.

Draft EIR Comments

More information on the project is available on the County web site:

<http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/EnvDocs/EIR.aspx>

Project Title: Livingston's Concrete Batch Plant (PEIR T20050072)

Public Hearing Date: February 28, 2008

Public Review Period: February 1, 2008—March 17, 2008

• Your comments must be postmarked by March 17, 2008

• Comments must be written legibly with complete contact information in order to be considered.

• Comments may be sent:

By Fax 530-745-3003

By Email cdraecs@placer.ca.gov

By Mail Environmental Coordination Services
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn CA 95603

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MAR 17 2008

ENVIRONMENTAL COORDINATION SERVICES

• Please attach additional pages if more space is needed.

My CONCERN WITH THE LIVINGSTON CONCRETE BATCH PLANT IS THEIR USE OF 10,000 GALLONS PER DAY OF WATER FROM A WELL ON THEIR PROPERTY AND HOW IT WILL EFFECT OTHER WELLS IN THE AREA, INCLUDING MY OWN WELL LOCATED AT 270 N. HILLBROOK ROAD WHICH IS LOCATED NEAR THE PROPOSED BATCH PLANT.

AO-1

THERE IS IRRIGATION WATER IN THE AREA THAT COULD BE USED IN THEIR PROCESS WITHOUT GAMBLING WITH LONG ESTABLISHED HOME OWNERS SUPPLY OF WATER TO THEIR HOMES.

AO-2

I URGE THE PLANNING DEPARTMENT TO PROTECT NEIGHBORS FROM THIS POSSIBLE LOSS OF OUR WATER SUPPLY

AO-3

Your Name JAMES STUCK

Mailing Address 270 N. HILL BROOK ROAD

City AUBURN State CA Zip 95603

RESPONSE TO COMMENT LETTER AO

Submitted by:
James Stuck

AO-1 The comment expresses concern regarding the project's use of 10,000 gallons of water daily and how that use would affect other wells in the area.

Refer to Responses to Comments E-5 and E-11, which discuss the proposed use of a daily maximum of 10,000 gallons of water from the onsite well and the impacts related to that use. The analysis in the EIR determined that use of a daily maximum of 10,000 gallons of water would have a less than significant impact on groundwater. That determination was based on the results of the 72-hour pump test and state guidance regarding groundwater use for public water systems. Based on compliance with the State guideline (which was adopted as state law after publication of the Draft EIR), it is expected that the proposed pumping rate would be sustainable and would not result in significant impacts to groundwater in the project vicinity. Impact 6.3 in the EIR also notes that there is expected to be minimal or no connection between the onsite well and existing wells in the vicinity, as explained in Response to Comment E-11. This determination was based on review of the Well Completion Reports for the onsite well and other wells in the vicinity as well as observation of a neighboring well throughout the 72-hour pump test.

AO-2 The comment states there is irrigation water in the area that could be used for the project. The comment suggests the use of irrigation water for project operations would not interfere with the groundwater supplies in the area.

CHAPTER 6 HYDROLOGY AND WATER QUALITY of the Draft EIR explains that there is no public source of water currently available in the project vicinity. There is no mechanism by which irrigation water supplies can be transferred from existing landowners in the project area to the proposed project site. As discussed above, the analysis in the Draft EIR determined that the proposed use of groundwater would not adversely affect groundwater supplies in the area.

AO-3 The comment requests the Planning Commission protect the project's neighbors from the possible loss of their water supply.

No specific comments on the EIR are provided. The analysis in the Draft EIR demonstrates that the proposed project is not expected to adversely affect water supply for existing wells in the project vicinity. The Placer County Planning Commission will consider this comment, with all other comments made on the project and the EIR, as part of their deliberations regarding approval or denial of the project.

Community Development Resource Agency
John Marin, Agency Director
3091 County Center Dr.
Auburn, CA 95603

Received
MAR 18 2008
CDRA - Admin.

LIVINGSTON CONCRETE PEIR T20050072

RECEIVED

MAR 18 2008

March 17, 2008

ENVIRONMENTAL COORDINATION SERVICES

Dear Sirs,

These are my comments concerning this project, which I would like included in the record.

AP-1

A new NOP should be prepared for this project as well as a new EIR. The current EIR fails to take into consideration the Ophir General Plan stating the goals for the Ophir area and the particular desire to keep heavy industrial such as this plant out of our area. (Please note Ophir General Plan of 1983, which you must have on file in your office).

AP-2

Your own policy requires that infrastructure be in place before putting in a project of this nature. The Ophir Community Plan is very specific and should have been addressed in the EIR. Many items that would be hazardous were set aside as unimportant or no impact. The very nature of this business is hazardous to employees and to the surrounding neighborhood.

AP-3

Using a well tested for only 72 hours with a requirement of 10,000 gallons a day is unrealistic for this area. No mitigation measures are made for possible dry wells because of the volume of water to be used, I believe it was contemplated for a three year period., that was when PCWA was to have treated water to the site. However, PCWA has put off this project to some future date as yet unknown.

AP-4


Local residents will be subjected to loud noises, heavy truck traffic, polluted unhealthy air quality and lighting of the large tower to be put in place in a Scenic Corridor area.

AP-5

There are other areas in Placer County, suitably zoned and away from rural residential areas. Common sense should indicate that rural Ophir is not suitable.

AP-6

Yours truly,


Barbara Van Riper
270 Geraldson Road
Newcastle, CA 95658

Resident of this area for 58 years

RESPONSE TO COMMENT LETTER AP

Submitted by:

Barbara Van Riper

AP-1 The comment provides an introduction for the comments to follow and requests they be included in the record.

No comments on the EIR are provided. All public comments received are included as part of the Final EIR. The Placer County Planning Commission will consider all comments on the project and the EIR during their deliberations.

AP-2 The comment states a new Notice of Preparation (NOP) and EIR should be prepared for the project. The comment states the EIR fails to consider the *Ophir General Plan* goal of keeping heavy industrial operations out of the area.

No specific comment on the NOP is included. The impact analysis in the Draft EIR is consistent with the NOP and there is no need to publish a new NOP.

The EIR includes an analysis of the project's consistency with County plans and policies. CEQA does not require the inclusion of an analysis of a project's consistency with community goals. A discussion of the proposed project's consistency with the General Plan policies is included in Appendix B of the EIR and a summary of that analysis is provided in Impact 4.4. Response to Comment E-4 also discusses the compatibility of the proposed project with existing and planned land uses in the project vicinity. As stated on page 4-7 of the Draft EIR, development of manufacturing and processing uses at the project site is consistent with the land use and zoning designations for the project site. The proposed project is considered a heavy commercial land use, not a heavy industrial land use, as described in this comment. Based on the determinations in chapters 5 through 7 of the Draft EIR that the physical impacts of the proposed project would be less than significant, the analysis of Impact 4.3 concludes that the project would not have a direct impact on nearby residential land uses and the project is considered to be compatible with all existing and planned land uses in the vicinity. While the EIR concludes that the proposed project is considered generally consistent with the *Placer County General Plan* and *Ophir General Plan* for the purposes of the environmental impact analysis, it is the Placer County Planning Commission who will determine whether the proposed project is consistent with adopted County plans and policies.

AP-3 The comment states that the County has a policy of requiring infrastructure to be in place before allowing constructing a project of this nature. The comment states the *Ophir General Plan* is very specific and should have been addressed in the EIR. The comment states the nature of the business is inherently hazardous to employees and the surrounding neighborhood.

Refer to Response to Comment E-5, which notes that public water and sewage collection services are not currently available at the project site. Mitigation measures

in the EIR require the project to connect to these services when they are available. As discussed in Response to Comment E-5, no significant and unavoidable environmental impacts would result from the proposed reliance on well water and an onsite septic system. Based on the determination that no significant and unavoidable environmental impacts would occur, the proposed infrastructure is considered adequate in the context of the environmental impact analysis. While the EIR concludes that the proposed project is considered generally consistent with the *Placer County General Plan* and *Ophir General Plan*, it is the Placer County Planning Commission who will determine whether the proposed project is consistent with adopted County plans and policies.

Refer to Response to Comment E-22 which states that if the project is approved and constructed, the operators of the batch plant would be required to obtain a Permit to Construct prior to construction of the batch plant, and an Authority to Operate permit prior to commencing operation of the batch plant and would be required to implement a Hazardous Materials Business Plan approved by the Placer County Environmental Health Services Division (EHS). The Air Pollution Control District can apply additional conditions to the project in issuance of the Permit to Construct and Authority to Operate approvals to ensure that the project does not create a public health impact from air pollutant emissions. The Hazardous Materials Business Plan is required to address handling and storage practices to minimize the risk of releases of hazardous materials. With approval of the Hazardous Materials Business Plan by EHS and proper implementation of that plan during operation of the proposed project, it is expected that hazardous materials used in concrete production would not be released into the environment and would not have a significant negative impact on air and water quality, residents, animals, and crops.

Also refer to Response to Comment F-2 which states that impacts to air quality, including dust emissions, are evaluated in the Initial Study. Mitigation measures are required to minimize emissions during construction and operation of the proposed project. This includes *Mitigation Measure 5.8*, which requires the project applicant to implement dust control measures to ensure that the project remains in compliance with California Health and Safety Code Section (§) 41700 emissions limits and visible emission standards of 20 percent opacity.

AP-4 The comment states that the 72-hour pump test of the onsite well was insufficient for the batch plant's daily requirement of 10,000 gallons of water. The comment states that the EIR fails to include mitigation measures for wells that may go dry, and notes that the timing for extension of PCWA water to the site is unknown.

Refer to Responses to Comments E-5 and E-11, which summarize the analysis in Impact 6.3 of the impacts to existing wells from the proposed use of groundwater. Based on the results of a 72-hour pump test and compliance with a State of California guideline related to public water supplies drilled in the same type of formation that exists in the project vicinity, the proposed project is not expected to have an adverse impact on existing wells. As discussed in Response to Comment E-5, the conclusions in the Draft EIR were based on the state guideline, which was later codified as

California Code of Regulations Section §64554. California Code of Regulations Section (§) -64554 allows a production capacity of 25 percent of the pumping rate for wells drilled into hard rock formations, such as the existing well onsite, when a 72-hour pump test is conducted. Based on the state law recognition of a 72-hour pump test as appropriate for determining the capacity of a public water supply well, application of this standard to the proposed project is appropriate. The 72-hour pump test and a review of Well Completion Logs indicate that there is minimal communication or lateral connectivity between the well on the project site and other wells in the vicinity. Because the pumping rate would comply with state law and because there is minimal communication between the onsite well and other wells in the vicinity, it is expected that the proposed pumping rate would be sustainable and would not result in significant impacts to existing groundwater wells in the vicinity.

Response to Comment E-5 also discusses the consistency of the proposed project with General Plan Policy 1.E.1, which requires “adequate infrastructure” for projects in the C-3 zone district. This policy is typically interpreted as requiring public water and sewer services, neither of which are available at the project site. Response to Comment E-5 summarizes the EIR analysis which demonstrates that use of groundwater and an onsite septic system would not result in any significant and unavoidable environmental impacts. Based on the determination that no significant and unavoidable environmental impacts would occur, the proposed infrastructure is determined adequate as it relates to the environmental impacts analysis. While the EIR concludes that the proposed project is considered generally consistent with the *Placer County General Plan* and *Ophir General Plan*, the Placer County Planning Commission will determine whether the proposed project is consistent with adopted County plans and policies.

AP-5 The comment states that residents would be subjected to loud noises, heavy truck traffic, polluted air, and lighting in a Scenic Corridor.

Refer to Responses to Comments E-15, E-31, F-7, and M-3 which summarize the EIR analysis of noise impacts and clarify the conclusion of Impact 7.4 that the proposed project would not substantially increase noise levels in the vicinity.

Refer to Response to Comment H-2, which states that the Cultural Resources section of the Initial Study reports the Placer County Department of Museums determination that Ophir Road was constructed to support heavy truck traffic and would not be adversely affected by the proposed project. It currently supports heavy truck traffic associated with the existing heavy commercial development in the vicinity. Also refer to Response to Comment F-2, which summarizes the analysis of impacts to transportation and circulation provided in **CHAPTER 5 TRANSPORTATION AND CIRCULATION**. The analysis of Impact 5.1 finds that the project would have a less than significant impact on traffic operations under short-term conditions, and no mitigation is necessary. The analysis of Impact 5.2 finds that the project would contribute to significant impacts on traffic operations under the long-term or cumulative conditions. Mitigation is required to ensure that the project pays a fair share proportion of funding necessary to implement improvements to provide

acceptable traffic conditions.

Refer to Response to Comment F-2 which summarizes the Initial Study analysis of potential air quality impacts. Mitigation measures are required to minimize emissions during construction and operation of the proposed project. This includes *Mitigation Measure 5.8*, which requires the project applicant to implement dust control measures to ensure that the project remains in compliance with California Health and Safety Code §41700 emissions limits and visible emission standards of 20 percent opacity. In addition, emissions from stationary sources within the project site (operation of the batch plant) will be subject to additional conditions applied to the project through the Air Pollution Control District permitting process. The project would be required to obtain a Permit to Construct prior to construction of the batch plant, and an Authority to Operate permit prior to commencing operation.

Page 1-7 of the EIR summarizes the Initial Study analysis of aesthetic impacts. This analysis recognizes that the project would be subject to the Design Review process, which would include review of building design and configuration, landscaping plans, and lighting plans. During Design Review, lighting and photometric plans would be reviewed to ensure that no significant amount of light is allowed to be emitted beyond the project site boundaries, particularly to ensure that no light is allowed to shine towards eye level of drivers on I-80. As necessary, the Design Review process would identify conditions of approval for the project to ensure that light and glare impacts remain less than significant. As stated on page 1-7, because the Initial Study found that aesthetics impacts are expected to remain less than significant, no further analysis of these considerations is necessary in the EIR.

AP-6 The comment suggests that there are other areas in Placer County suitably zoned for the project and away from rural residences. The comment states that Ophir is not a suitable area for the project.

Refer to Response to Comment E-3 which discusses the alternatives analysis in **CHAPTER 8 CEQA REQUIRED DISCUSSIONS** of the Draft EIR. A review of land use designations for vacant lands in the Auburn area was conducted to evaluate other locations for the proposed project. These sites are discussed on pages 8-9 and 8-10 of the Draft EIR. Based on site visits conducted by the EIR preparers, it was determined that an offsite alternative was not feasible because the offsite parcels identified as potential locations for the proposed project would not adequately support the project or would result in greater environmental impacts than the proposed site.

Also refer to Response to Comment E-4, which summarizes the Draft EIR analysis of the compatibility of the proposed project with existing and planned land uses in the vicinity. As stated in that response, based on the determinations in chapters 5 through 7 of the Draft EIR that the physical impacts of the proposed project would be less than significant, the analysis of Impact 4.3 concludes that the project would not have a direct impact on nearby residential land uses and the project is considered to be compatible with all existing and planned land uses in the vicinity.

Draft EIR Comments

More information on the project is available on the County web site:

<http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/EnvDocs/EIR.aspx>

Project Title: Livingston's Concrete Batch Plant (PEIR T20050072)

Public Hearing Date: February 28, 2008

Public Review Period: February 1, 2008—March 17, 2008

- Your comments must be postmarked by March 17, 2008
- Comments must be written legibly with complete contact information in order to be considered.
- Comments may be sent:

By Fax 530-745-3003

By Email cdraecs@placer.ca.gov

By Mail Environmental Coordination Services
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn CA 95603

RECEIVED

MAR 17 2008

ENVIRONMENTAL COORDINATION SERVICES

- Please attach additional pages if more space is needed.

I am opposed to the Cement Plant Proposed on Ophi - EIR totally has not supported a reason for a business to be constructed in a rural neighbor, and subjecting the community to hazard to travel - trucking trips - Dust - noise low water level in surrounding homes. It will displace a rural Historical scenic route. The General Plan fully states business compatible to rural settings. There are several parcels that Livingston could acquire that would be compatible to such an industrial feat. They need to find an alternate building site away from Ophi Rd.

Your Name Victoria A. Webster
Mailing Address 307 Perry Ranch Rd
City Auburn State Ca Zip 95603

AQ-1

AQ-2



And I also would like to state that residents have not been properly contacted by said officials. I believe they have to post in public a meeting of said project so many days in advance of said agenda and provide in writing proposal of said project; which was not done. It is a violation to try and railroad these residents. Some of whom have been in a family many generations.

AQ-3

How will we protect our residents & surrounding schools from the board of this monster?

AQ-4

I believe the residents have spoken and the city/co. need to follow the agenda of the General Plan (83) that was set to protect this marvelous area.

AQ-5

RESPONSE TO COMMENT LETTER AQ

Submitted by:

Victoria A. Webster

AQ-1 The comment expresses opposition to the proposed project. The comment states that the EIR fails to provide reasons to support construction of the proposed business in a rural residential area. The comments suggests construction of the proposed project in the area would subject the community to hazards associated with travel and heavy truck trips, dust, noise, and low water levels for existing wells.

The EIR does not recommend approval or denial of the proposed project, nor does it include reasons to support or deny the project. The EIR provides an analysis of the potential environmental impacts associated with the proposed project. However, this comment, along with all other comments on the project and the EIR, will be considered by the Placer County Planning Commission as part of their deliberations on the project.

Impacts associated with traffic are analyzed in **CHAPTER 5 TRANSPORTATION AND CIRCULATION** of the Draft EIR. The analysis concluded that the project would result in less than significant impacts to traffic in the short term and would contribute to significant impacts under the cumulative scenario. Mitigation is required to reduce the project's contribution to significant cumulative impacts to a less than significant level. As discussed in Response to Comment E-20, the Cultural Resources section of the Initial Study states that the Placer County Department of Museums determined that the proposed project is not expected to damage Ophir Road because Ophir Road was constructed to support heavy truck traffic. It currently supports heavy truck traffic associated with the existing heavy commercial development in the vicinity.

Impacts relating to air quality are discussed in Response to Comment F-2. Impacts to air quality, including dust emissions, are also evaluated in the Initial Study. Mitigation measures are required to minimize emissions during construction and operation of the proposed project. This includes *Mitigation Measure 5.8*, which requires the project applicant to implement dust control measures to ensure that the project remains in compliance with California Health and Safety Code Section (§) 41700 emissions limits and visible emission standards of 20 percent opacity. In addition, emissions from stationary sources within the project site (operation of the batch plant) would be subject to additional conditions applied to the project through the Air Pollution Control District permitting process. The project would be required to obtain a Permit to Construct prior to construction of the batch plant, and an Authority to Operate permit prior to commencing operation of the batch plant.

Refer to Responses to Comments E-15, E-31, F-7, and M-3, which summarize and clarify the EIR analysis of noise impacts. The EIR found that operation of the proposed project would not result in a noticeable increase in noise levels in the project vicinity and would therefore have a less than significant impact on the

existing noise environment.

The analysis in the Draft EIR demonstrates that the proposed project is not expected to adversely affect water supply for existing wells in the project vicinity. Refer to Responses to Comments E-5 and E-11, which summarize the Draft EIR analysis of impacts to existing wells associated with the proposed water usage for the project. Based on the results of the 72-hour pump test, compliance with a State of California guideline regarding public water supply wells drilled in bedrock fracture flow formations (which was later codified as California Code of Regulations Section §64554), and review of the Well Completion Reports for wells in the vicinity, the proposed use of 10,000 gallons of groundwater daily is not expected to adversely affect other wells in the project vicinity.

- AQ-2** The comment states that the project would deface a rural, historic scenic route. The comment states the General Plan requires businesses compatible with rural settings and the comment suggests the plant would be more suitable in an alternative location, away from Ophir Road.

Refer to Response to Comment E-4, which discusses the project's compatibility with surrounding land uses. The proposed project is consistent with the land use and zoning designations for the site and the site is located in the vicinity of land uses that are complementary to and compatible with the proposed concrete batch plant. Refer to Responses to Comments E-21 and H-3 regarding the analysis of aesthetic impacts of the proposed project. The Initial Study recognized that Interstate 80 is designated as a scenic highway and that the project site is within a scenic corridor. The analysis in the Initial Study determined that addition of the proposed project to the vicinity would not substantially change the character of the area because the project would be similar in nature and appearance to the existing businesses west of the site. The project is expected to have less than significant impacts to aesthetics in the area.

Also refer to Response to Comment E-3, which discusses the alternatives analysis included in the EIR. This analysis includes a discussion of alternative site locations considered for the proposed project. It was determined that an offsite alternative was not feasible because the offsite parcels that were identified as potential locations for the proposed project would not adequately support the project, or would result in greater environmental impacts than the proposed site.

- AQ-3** The comment asserts that residents have not been properly notified of public meetings or of the proposed project.

Placer County mailed notices of availability of the Draft EIR and notices regarding the Planning Commission meeting to all landowners within 300 feet of the project site, as required by Placer County Code. No comments on the Draft EIR are provided, and no response or revision to the Draft EIR is necessary.

- AQ-4** The comment questions how residents and surrounding schools would be protected from the project.

No specific comment on the EIR is provided. The proposed project is not expected to result in a significant increase in hazards in the project vicinity. The Initial Study evaluates potential impacts to air quality and related to hazards and hazardous materials, while the Draft EIR evaluates potential traffic impacts, including roadway safety. Refer to Response to Comment E-22 for additional discussion of these potential impacts and the mechanisms that would be implemented to avoid impacts. All impacts would be mitigated to less than significant levels.

AQ-5 The comment states the residents have provided their feedback and the County must comply with the General Plan that was adopted to protect the area.

No specific comments on the EIR are provided. As discussed in Response to Comment E-4, the project is not expected to have a negative impact in the Ophir area. The Draft EIR analysis of Impact 4.3 concludes that the project would not have a direct impact on nearby residential land uses and the project is considered to be compatible with all existing and planned land uses in the vicinity. While the EIR concludes that the proposed project is considered generally consistent with the *Placer County General Plan* and *Ophir General Plan*, it is the Placer County Planning Commission who will determine whether the proposed project is consistent with adopted County plans and policies.

Draft EIR Comments

More information on the project is available on the County web site:

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Project Title: Livingston's Concrete Batch Plant (PEIR T20050072)

Public Hearing Date: February 28, 2008

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 3091 County Center Drive, Suite 190
 Auburn CA 95603

RECEIVED

MAR 17 2008

ENVIRONMENTAL COORDINATION SERVICES

- Please attach additional pages if more space is needed.

* Please see attached pages -

I don't feel that this proposed business cares about the
 Open Space plan as of 1983, and they care little about
 the Robin Community -

AR-1

They should not use well water - they should import
 water by water trucks daily -

Our water table will drop and these wells of homes
 that are just capable of putting out 1-3 gallons
 of water per minute will be in jeopardy. What
 will the County Board of Supervisors do then?

AR-2

Your Name Nola Witt Nola Witt

Mailing Address P.O. Box 641 (9230 Hatterway Rd)

City Newcastle State Ca Zip 95658

3/10/08

Our opposition to the "Livingston's Concrete Batch Plant"

The location planned to be at the corner of Ophir Road and Geraldson Road, near American River Propane Company

We have many questions concerning this planned operation and we are completely against this business being allowed to operate in our community.

1. Why is there a need for this type of business in our area?
We already have a small batch plant with the business named "A & A Stepping Stone", on Ophir Road. And Joe Chevreaux is located out on Hwy 49 in Auburn.
2. Is this the same business that is located in the Sacramento area, and also near the city of Olivehurst?
As far as we are concerned, they should stay in those areas.
3. Why does the County of Placer feel they should allow another batch plant here in the Ophir/Newcastle area?
4. Who owns the property that this proposed concrete batch plant is to be situated on? And who owns "Livingston's Concrete"?
5. As we understand, this batch plant would be pumping 10,000 gallons of water daily from an existing domestic well. What affect will that have on the surrounding residential wells in the Ophir area? I am sure that our water table will be affected!! This just shows that this business doesn't care about the people who live in this area.
6. We are very concerned about the amount of concrete trucks, and material trucks, that would be on Ophir Road daily. Ophir Road is always in need of repair, and this would really make it worse. Our cars and small trucks would be

AR-3

AR-4

AR-5

exposed to more loose rocks and potholes that damage our vehicles. Is "Livingston's Concrete" going to pay for all the damage caused by rock chips, spilled wet concrete, etc?

7. We don't want an eyesore of a 57-foot tower, more dust, gravel spills, congestion and noise. Just what kind of detriment will this have on property values in the Ophir/Newcastle area?
8. We have lived in this area since 1975, and we are definitely against the County of Placer approving this plan for a concrete batch plant at the proposed site. We love our country area, and do not want it spoiled.
9. We pay our property taxes, take good care of our property, and hope that the County of Placer employees that we have elected will not let this kind of business locate in our area when we don't want it. Please listen to the people!!!!

Thank you, Nikki Witt
530-823-2280
P.O. Box 641
9230 Hathaway Rd.
Newcastle, CA. 95658



RESPONSE TO COMMENT LETTER AR

Submitted by:
Nikki Witt

AR-1 The comment expresses concern that the project applicant does not care about the Ophir community.

No comments on the Draft EIR are provided. No response or revision to the EIR is necessary.

AR-2 The comment states that the proposed project should not use well water. The comment expresses concern that the proposed water usage would decrease production rates in existing wells in the vicinity.

Refer to Responses to Comments E-5 and E-11, which summarize the analysis of impacts from the proposed water usage. Based on the results of the 72-hour pump test, compliance with a state guideline (which was later codified as California Code of Regulations Section (§) 64554), and review of the Well Completion Logs for wells in the vicinity, the proposed project is not expected to decrease production rates in other wells.

AR-3 The comment expresses opposition to the proposed project, and questions the need for the proposed project at the proposed location. The comment also questions whether the project applicant operates other batch plants in the region. The comment references A&A Stepping Stone and Chevreaux as existing batch plants in the vicinity. The comment questions the ownership of the project site and of the Livingston's Concrete company.

The EIR does not recommend approval or denial of the proposed project, nor does it include reasons to support or deny a particular project. The EIR provides an analysis of the potential environmental impacts associated with the proposed project. As discussed in Response to Comment E-37, CEQA does not require an EIR to evaluate economic effects or to consider the business model or community involvement of the project applicant. It is noted that A&A Stepping Stone is a landscape supply company, and does not engage in concrete production. The Placer County Planning Commission will consider this comment, along with all other comments on the project and the EIR, as part of their deliberations on the project.

Page 4-4 of the Draft EIR states that the project site is owned by Livingston's Concrete Services, Inc. The Draft EIR also states that Livingston's Concrete Services, Inc. operates three other batch plants in the greater Sacramento area.

AR-4 The comment states that the project would pump 10,000 gallons of water daily from an existing well and states that this water usage would reduce water availability for

other existing wells in the vicinity.

Refer to Responses to Comments E-5 and E-11, which summarize the analysis of impacts from the proposed water usage. Based on the results of the 72-hour pump test, compliance with a State of California guideline regarding groundwater use for public water systems (which was later codified as California Code of Regulations §64554), and review of the Well Completion Logs for wells in the vicinity, the proposed project is not expected to decrease production rates in other wells. The project proposes to use 10,000 gallons of water daily from the well. The 72-hour pump test conducted for that well identified a sustained pumping rate of 25 gallons per minute, which yields 36,000 gallons per day. California Code of Regulations §64554 requires that the maximum allowable pumping rate for a public water supply well drilled in consolidated formation should be no greater than 25 percent of the sustained pumping rate determined by a 72-hour pump test. The Placer County Environmental Health Services Division determined that the proposed water usage is within an acceptable range of this requirement and the proposed water usage would not adversely affect groundwater supplies in the vicinity. The comment provides no evidence to contradict the conclusions in the Draft EIR.

AR-5 The comment expresses concern regarding damage to Ophir Road as a result of the truck traffic that the project would generate.

As stated in Response to Comment E-20, the Cultural Resources section of the Initial Study states that the Placer County Department of Museums determined that the proposed project is not expected to damage Ophir Road because Ophir Road was constructed to support heavy truck traffic. It currently supports heavy truck traffic associated with the existing heavy commercial development in the vicinity.

AR-6 The comment expresses opposition to the 57-foot tall tower, dust, gravel spills, congestion, and noise that would be associated with the proposed project and questions how the project would affect property values in the vicinity.

No comments on the Draft EIR are provided. The impacts to aesthetics from the proposed tower are evaluated in the Initial Study and found to be less than significant because the tower would not substantially change the character of the project area which currently supports light industrial and heavy commercial land uses. Impacts to air quality, including from dust emissions, are evaluated in the Initial Study and mitigation measures are identified to ensure that the project's impacts would be less than significant. Impacts to traffic are evaluated in **CHAPTER 5 TRANSPORTATION AND CIRCULATION**, and one mitigation measure is identified to ensure that the project does not significantly contribute to congestion in the area. Noise impacts are evaluated in **CHAPTER 7 NOISE** and primarily found to be less than significant. One mitigation measure is identified to ensure that noise generated during construction of the proposed project does not create any significant impacts.

As discussed in Response to Comment E-37, a change in property values would be considered an economic or socioeconomic effect of the project. CEQA Guidelines §15131(a) states that "economic or social effects of a project shall not be treated as

significant effects on the environment.” Thus, the EIR is not required to address the potential project impacts on property values in the vicinity. The Placer County Planning Commission will consider this comment, with all other comments made on the project and the EIR, as part of their deliberations regarding approval or denial of the project.

AR-7 The comment states that the author has lived in the area since 1975 and is opposed to the project.

The EIR does not recommend approval or denial of the proposed project. The Placer County Planning Commission will consider this comment, along with all other comments on the project and the EIR, as part of their deliberations regarding approval or denial of the project.

RESPONSE TO VERBAL COMMENTS

Comments provided at:

Newcastle/Ophir Municipal Advisory Council meeting on February 21, 2008 (VC-1 through VC-4)

and

Placer County Planning Commission hearing on February 29, 2008 (VC-5 through VC-9)

VC-1 Commenter Eleanor Petuskey asked how the mitigation measures in the EIR would be enforced.

The Mitigation Monitoring and Reporting Program is provided in chapter 9 of the Draft EIR. Page 9-1 states that mitigation measures in the EIR would be enforced through the County's standard Mitigation Monitoring Program, which requires that each of the mitigation measures in the EIR and Initial Study be included in the Conditions of Approval for the proposed project and that compliance with the Conditions of Approval is monitored through the County's permit procedures. Refer to Response to Comment E-32 for additional discussion of the monitoring and enforcement of mitigation measures and Conditions of Approval.

VC-2 Commenter Eleanor Petuskey asked whether the EIR considers long-term use of the well and whether long-term use would cause impacts different from short-term use.

Refer to Response to Comment E-5, which summarizes the Draft EIR analysis of impacts associated with the proposed water usage. The proposed water usage would comply with state guidance that was later adopted as state law regarding the allowable production capacity of public water supply wells drilled in bedrock fracture flow formations, such as occur at the project site. Because public water supplies are a long-term use, application of this guideline/regulation to the analysis of the proposed project is appropriate for considering both short- and long-term usage. Based on compliance with California Code of Regulations Section (§) 64554, it is expected that the proposed pumping rate would be sustainable and would not result in significant impacts to groundwater in the project vicinity under either a short-term or long-term scenario.

VC-3 Commenter John Gillmore questioned why no soundwalls are required.

CHAPTER 7 NOISE of the Draft EIR presents the analysis of the project's potential noise impacts, and concludes that noise from operation of the batch plant and noise associated with traffic generated by the batch plant would not result in a noticeable change in the existing noise environment. Because the project would not result in a noticeable change, the impacts of the project are considered less than significant. CEQA does not require mitigation measures for less than significant impacts. As discussed in Response to Comment E-16, because the impact is less than significant, a mitigation measure requiring the project to construct soundwalls would violate

CEQA Guidelines §15126.4(4)(B), which states that mitigation measures must be roughly proportional to the impacts of the proposed project.

- VC-4** Commenter Ida Granata stated that the noise study is inadequate because it does not reflect that cement plants generate substantial amounts of noise. The commenter questioned whether noise levels from other cement plants was used to predict noise levels for the proposed project, and asked how noise issues would be enforced.

As discussed in Response to Comment E-15, the noise impacts analysis was based on file data for similar batch plant facilities, which is considered reasonably representative of the noise generation of the proposed facility. As noted on page 7-11 of the Draft EIR, the County's noise consultant discussions with Livingston's Concrete staff served to inform the noise consultant about the operations of the proposed plant (i.e., daily production capacity, hours of operation, use of equipment). The noise consultant then applied the appropriate file data for batch plant facilities to the operational characteristics of the proposed project to determine the likely noise generation associated with the project.

As discussed in Response to Comment VC-3, no mitigation measures are required for noise impacts because the analysis determined that the proposed project would have a less than significant impact to the existing noise environment. The project would be subject to the requirements of Placer County Code Article 9.36, which establishes maximum noise emission limits. Any violation of Placer County Code would be addressed through the Placer County Code Enforcement Division.

- VC-5** Commenter Debby Peterson identified herself as a resident in the project vicinity who obtains water from an existing well south of the project site. The commenter expressed concerns that the proposed project would negatively affect water quality and quantity in her well.

As discussed in Response to Comment VC-2, a summary of the Draft EIR analysis of impacts associated with the proposed water usage is provided in Response to Comment E-5. The proposed water usage would comply with state law regarding the allowable production capacity of public water supply wells drilled in bedrock fracture flow formations, such as occur at the project site. Based on compliance with California Code of Regulations §64554, it is expected that the proposed pumping rate would be sustainable and would not result in significant impacts to groundwater in the project vicinity under either a short-term or long-term scenario. In addition, refer to Response to Comment E-2, which summarizes the Draft EIR analysis of potential impacts to water quality. With implementation of the mitigation measures included in **CHAPTER 6 HYDROLOGY AND WATER QUALITY**, the proposed project is not expected to contaminate surface water or groundwater.

- VC-6** Commenter Debby Peterson stated that she submitted a letter regarding the project, dated February 16, 2006.

No comment on the Draft EIR is provided. The commenter's letter was received as part of the public comment on the Notice of Preparation (NOP) for this EIR. All

comment letters on the NOP are included in Appendix A of the Draft EIR.

- VC-7** Commenter Debby Peterson stated that she did not receive appropriate notice of the public hearing.

No comment on the Draft EIR is provided. Placer County mailed notices of availability of the Draft EIR and notices regarding the Planning Commission meeting to all landowners within 300 feet of the project site, as required by Placer County Code.

- VC-8** Commenter Debby Peterson stated that air quality is her primary concern, particularly with respect to the potential that dust emissions from the project site would negatively affect the health of her family.

Also refer to Response to Comment F-2 which states that impacts to air quality, including dust emissions, are evaluated in the Initial Study. Mitigation measures are required to minimize emissions during construction and operation of the proposed project. This includes *Mitigation Measure 5.8*, which requires the project applicant to implement dust control measures to ensure that the project remains in compliance with California Health and Safety Code §41700 emissions limits and visible emission standards of 20 percent opacity. In addition, emissions from operation of the batch plant would be subject to additional conditions applied to the project through the Air Pollution Control District permitting process. The project would be required to obtain a Permit to Construct prior to construction of the batch plant, and an Authority to Operate permit prior to commencing operation of the batch plant.

- VC-9** Commenter Debby Peterson stated that she can see the project site from her kitchen window, and questioned the conclusion of the Initial Study that the aesthetic impacts of the proposed project would be less than significant.

Refer to Response to Comment E-21 which discusses the Initial Study analysis of the aesthetic impacts of the proposed project when viewed from Ophir Road and from I-80. The Initial Study analysis of aesthetic impacts is summarized on pages 1-6 and 1-7 in **CHAPTER 1 INTRODUCTION**. The analysis concluded that while portions of the project would be visible from Ophir Road, I-80, and surrounding residence, the addition of the batch plant would not represent a significant change from existing conditions because the project would be similar in nature and appearance to existing businesses in the vicinity.

Page 1-7 of the Draft EIR also discusses views of the Sutter Buttes from I-80, stating that the proposed plant tower could block or encroach on views of the buttes but that the existing view from I-80 lacks vividness and exposure (because of the constrained opportunities to see the buttes from the highway), thus the introduction of the tower to this viewshed is considered less than significant. This analysis uses the standards of the Federal Highway Administration to determine the significance of this impact.

Additionally, as discussed on page 1-7, the Initial Study recognizes that the project would be subject to the Design Review process, which would include review of

building design and configuration, landscaping plans, and lighting plans. The Initial Study found that the project would have less than significant impacts to the aesthetics in the vicinity because structures would be setback from Ophir Road and generally lower in elevation than I-80, the project site plan includes a 30-foot wide easement along Ophir Road that would provide additional screening of the proposed facility, and the proposed facility is similar in nature to existing businesses immediately west of the project site. As stated on page 1-7, because the Initial Study found that impacts to aesthetics are expected to remain less than significant, no further analysis of these considerations is necessary in the EIR.