March 14, 2014

Attached find a working draft of the Sierra Watch comment letter for the Village at Squaw Valley Specific Plan Project Revised Notice of Preparation.

The draft comments are a great example of the expertise our legal counsel at Shute, Mihaly & Weinberger brings to the public planning process – and a reminder of what’s at stake in Squaw.

But don’t just read our letter – write your own! The deadline for comments is March 24, 2014.

It’s really your first chance to get involved in the environmental review process. The ‘N’ in NOP is for ‘Notice’ – a Notice to you; the ‘P’ is for ‘Preparation’ – the Preparation of a full environmental assessment. Its official purpose is to “solicit guidance from members of the public agencies as to the scope and content of the environmental information to be included in the EIR.”

You can find the NOP at:
http://www.placer.ca.gov/~media/cdr/ECS/EIR/VSVP/Revised%20NOP.pdf

Submitting a comment letter is your way of pointing out what’s important to you and what merits scrutiny in the impending environmental assessment.

You don’t need to cite legal cases or use technical jargon. Just speak from the heart.

And if you like the points we make, you can include the phrase, "Comments made by Sierra Watch are hereby incorporated into this letter."

You can send your own letter directly to Placer County:
Placer County, Planning Services Division
Attention: Maywan Krach, Community Development Technician
3091 County Center Drive Suite 190

Auburn, CA 95603

Telephone: (530) 745-3132; Fax: (530) 745-3080

Email: cdraecs@placer.ca.gov

And please don't hesitate to call us with any questions: (530) 265-2849.

Sincerely,

Tom Mooers
Executive Director
March 14, 2014

Via Email and U.S. Mail

Maywan Krach, Community Development Technician
Placer County Planning Services Division
3091 County Center Drive
Auburn, CA  95603

Re: Village at Squaw Valley Specific Plan Project Revised Notice of Preparation

Dear Ms. Krach:

On behalf of Sierra Watch, we thank you for the opportunity to provide comments on the revised Notice of Preparation (“NOP”) of an Environmental Impact Report (“EIR”) for the Village at Squaw Valley Specific Plan (“Project”).

I. Introduction

Our letter on the initial NOP identified numerous deficiencies in the NOP and Initial Study (collectively referred to as “NOP”) and requested that the County revise and recirculate its NOP. See letter from Shute, Mihaly & Weinberger LLP, November 9, 2012, hereby incorporated by reference into this letter. We explained that, in numerous instances, the NOP lacked adequate and reliable information regarding the nature of the Project and its probable environmental impacts making it almost impossible to solicit guidance from members of the public as to the scope and content of the information to be included in the EIR.

We anticipated that the revised NOP, in addition to identifying changes to the Project, would have incorporated the public’s comments on the initial NOP. The revised NOP does not, however, provide much, if any, of the information or analysis we...
requested. Each of the comments that we raised previously are legitimate issues pertaining to the environmental review process. The County’s failure to address these issues is concerning, as the California Environmental Quality Act (“CEQA”) requires a good faith, reasoned analysis in response to comments. CEQA Guidelines § 15088 (c).¹ We hope that the County will give serious consideration to these and other public comments as the administrative process for the Project review continues.

In addition, the revised NOP consistently compares the current Project with KSL’s prior proposal. While such comparative information might be interesting to certain members of the public, the NOP must assess the environmental impacts of the proposed Project alone. The applicant published a summary of changes, comparing the major revisions and adjustments from the prior proposal to the current proposal. See The Village at Squaw Valley January 2014 Specific Plan Summary of Changes. We can find no logical explanation for the NOP’s continued comparison of the current and prior project. The prior proposal is “off-the-table.” By comparing the new proposal to the prior proposal, the public is given the misleading impression that the current project is somehow environmentally beneficial. This is not the case. It is to avoid such confusion that CEQA prohibits comparing environmental impacts to a plan rather than to existing conditions. Woodward Park Homeowners Ass’n v. City of Fresno, 150 Cal App 4th 683, 707 (2007) (EIR must “compare what will happen if the project is built with what will happen if the site is left alone.”). The fact that a prior proposal may have been more impactful is irrelevant to the analysis of whether the current project would have significant or cumulatively significant environmental impacts. The County must evaluate the proposed Project on its merits, not in comparison to an irrelevant prior proposal.

II. The NOP Lacks Necessary Information Regarding the Project and its Probable Environmental Impacts.

The purpose of an NOP is to “solicit guidance from members of the public agencies as to the scope and content of the environmental information to be included in the EIR.” CEQA Guidelines § 15375; see also CEQA Guidelines § 15082. In order to effectively solicit such guidance, the NOP must provide adequate and reliable

¹ Although this CEQA Guideline pertains to a lead agency’s response to comments on a draft environmental impact report (“EIR”), the County should make a good faith effort to address all environmental issues raised by the public.
information regarding the nature of the Project and its probable environmental impacts. As the following discussion illustrates, the County’s NOP does not meet the minimum standard for adequacy in this regard. We respectfully request that the County again revise and recirculate its NOP in order to remedy this serious problem.

A. Project Description and Setting Information

One of CEQA’s fundamental requirements is that an EIR contain an accurate and complete project description. See County of Inyo v. City of Los Angeles, 71 Cal. App.3d 185 (1977); see also CEQA Guidelines § 15124. A clear and comprehensive project description is the sine qua non for meaningful public review. Without it, the public cannot be assured that the environmental impacts of the entire Project have been considered in the EIR.

To be adequate, an NOP must provide enough information describing the proposed project in sufficient detail to enable members of the public to prepare a meaningful response to the NOP. CEQA Guidelines § 15082(a)(1)(A)&(B). Unfortunately, the County’s NOP fails to meet this basic standard. Critical details about the Project remain undefined. Those aspects of the Project that the NOP attempts to describe are depicted with so little detail that a reader is left with virtually no idea of what the Project would look like at build-out or how or whether its components will function at maximum capacity. A few of the most egregious deficiencies in the Project Description are set forth below.

- **Proposed Land Use Development and Design.** The NOP provides no detail about the proposed land use plan other than simply identifying the number of bedrooms and units and the maximum height of buildings. It provides only one graphic (Exhibit 4) and explains that this graphic illustrates “one scenario of how the Specific Plan could be implemented.” NOP at Exhibit 4. Until the Project is actually planned by the applicant, it is premature to prepare an NOP and solicit public comment.

- **Total Visitor Use.** The NOP must identify the maximum number of visitors that will be accommodated by the proposed Project. Moreover, because the Project would also generate day users, the EIR must identify the total number of visitors to the Project expected upon build-out. This data should be identified for each facility and by season.
• **Mountain Adventure Camp.** The Project includes an indoor amusement park yet this facility is barely described at all. The prior NOP states that the Mountain Adventure Center was to include a summer performance area indicating that this facility could be a venue for concerts and plays, yet the revised NOP does not describe the uses of this Project component. Details relating to the amusement park must be included in the NOP.

• **Height of Structures.** The NOP states that the plan area would be developed with several buildings ranging in height from 35 to 108 feet tall. NOP at 2. The NOP also states that the Project allows podium parking that would be 21 feet above ground level. *Id.* The NOP must disclose the total number of stories that could be allowed within the Specific Plan area and the height of each structure.

• **Transit Center.** The Project includes a Transit Center (NOP at 7) but the NOP does not describe this important facility.

• **Emergency Access Routes.** The NOP states that a potential Emergency Vehicle Access connection to the Resort at Squaw Creek “is being considered.” NOP at 8. Emergency access to Squaw Valley is critical for public safety. The NOP must explain why emergency access routes may not be included in the Project and examine the public safety impacts if such a route is not developed. Further, if such a route is included, the NOP must include sufficient detail to enable the public to assess the safety aspects of the proposal and thoroughly assess the biological, growth inducing, and other impacts of a new road.

• **Parking.** The NOP does not identify the amount or location of parking that would be provided by the Project.

• **Water Supply.** The NOP mentions the possibility of the creation of a new water supplier being established to provide water for the Project (NOP at 8) but provides no further information. According to the Tahoe Daily Tribune, a 2009 study concluded that supplying water from the Martis Valley appears to be an option that will likely be considered.² The NOP must disclose potential sources

of water and identify the potential environmental impacts from each proposed source.

- **Water Infrastructure.** The Project would include either a 0.7 or a 1.5 million gallon water storage tank depending on whether the 0.7 million gallon tank is capable of being connected to, and work in unison with, the existing 1.0 million gallon tank. NOP at 9. The size of the new water tank must be resolved and disclosed now as there is the potential for a massive increase in water storage. In addition, if the new tank does have the capacity of 1.5 million gallons, the NOP must disclose whether the existing 1.0 million gallon tank would be decommissioned. If not, the Project has the potential to be tremendously growth-inducing.

- **Public Services and Utilities.** As discussed below, critical Project components relating to wastewater service and storm drainage remain undefined.

- **Snow removal.** The Project includes the potential for active melting of snow in bunkers using various heat sources. NOP at 9. The NOP must identify the potential energy sources that would be required to melt snow and evaluate the environmental impacts associated with this energy use.

- **Actions and Entitlements.** The NOP states that the Project would include amendments to the Placer County General Plan, the Squaw Valley General Plan and Land Use Ordinance, and a rezoning of the proposed Specific Plan area. NOP at 14. The NOP does not provide any insight as to the purpose and need or the specific nature of the amendments and rezoning. These issues must be comprehensively addressed in the NOP in order to understand the implications for Squaw Valley and the region.

In sum, the NOP is inadequate in that it fails to describe the size, type, and number of uses and activities proposed, their timing, or their exact location. Indeed, inasmuch as this Project appears to be at the earliest stages of planning, we question the value in releasing an NOP prior to the applicant identifying specifically what is contemplated for the Project site.

**B. Analysis of the Project’s Probable Environmental Effects.**
An EIR must provide a degree of analysis and detail about environmental impacts that will enable decision-makers to make intelligent judgments in light of the environmental consequences of their decisions. CEQA Guidelines § 15151; *Kings County Farm Bureau v. City of Hanford*, 221 Cal.App.3d 692 (1990). To this end, the lead agency must make a good faith effort at full disclosure of environmental impacts. In order to accomplish this requirement, it is essential that the Project is adequately described and that existing setting information is complete. *See County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 199 (1977). Both the public and decision-makers need to fully understand the implications of the choices that are presented related to the Project, mitigation measures, and alternatives. *Laurel Heights Improvement Ass’n v. Regents of University of California*, 6 Cal.4th 1112, 1123 (1988).

Here, the NOP explains that the separate Phase I Project component is no longer included in the proposed Project and that the Project will be considered in its entirety without separate analyses of early phases. NOP at 1. It is not clear from this statement whether the County will be preparing a programmatic or project-specific EIR for the Project. The County must clarify its approach to environmental review.

In the event that the County is contemplating preparation of a program EIR, this approach does not justify a lack of detailed analysis. Numerous CEQA provisions clarify that “tiering [e.g., preparing a program EIR followed by a project-level EIR] does not excuse the lead agency from adequately analyzing reasonably foreseeable significant environmental effects of the project and does not justify deferring such analysis to a later tier EIR or negative declaration.” Guidelines §15152(b); *see also id.* §15152(c). Rather, “[t]he degree of specificity required in an EIR must correspond with the degree of specificity of the proposed project. An EIR on a construction project will necessarily be more detailed in the specific effects of the project . . . .” *Id.* §15146. This rule persists regardless of “any semantic label accorded to the EIR.” *Friends of Mammoth*, 82 Cal.App.4th at 534. Given that the County intends to allow project level approvals—not simply *study* the planning for Squaw Valley—in reliance on this document, the EIR is obligated to analyze all foreseeable impacts of development projects anticipated under the proposed Specific Plan.3

1. **Biological Resources**

3 The Project applicant requests, among other actions and entitlements, the approval of a development agreement. NOP at 14.
Numerous biological communities and habitat types occur in the Project area. The Initial Study acknowledged that there are about 18 acres of mixed coniferous forest, 9 acres of creek/riparian habitat and about 2 acres of meadow habitat. IS at 2-18. The NOP asserts that most of the plan area is already developed with parking lots and scattered buildings (at 11), but it does not disclose the status of East Parcel. According to the 2014 Specific Plan, East Parcel has a perennial stream, seep, wetland swale and seasonal wetlands. See Figure 7.8 at page 7-11. The NOP does not provide any indication as to the extent of impacts to these communities and habitats. The NOP also does not identify the proposed study areas (which will differ by species), the thresholds of significance, or potential mitigation measures.

A full analysis of the Project-specific and cumulative effects on biological resources impacts will be essential to development of alternatives and measures to eliminate or substantially reduce the Project’s significant impacts. This detailed analysis must be prepared by a qualified, independent biologist with expertise in upland and riparian habitats. The biological resources study must be based on surveys and detailed field studies that are completed at appropriate times of the year for each species potentially in the area. A search of the California Natural Diversity Database (“CNDDB”) maintained by the California Department of Fish & Wildlife is a good starting point, but it is not sufficient to provide the level of detail necessary for the EIR. The EIR must also assess whether any wetlands are present on the Project site, including but not limited to any existing or anticipated wetland delineations completed by the U.S. Army Corps of Engineers.

Mitigation measures for impacts to biological resources must be supported by the U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife, and the U.S. Army Corps of Engineers.

2. Hydrology and Water Quality

The EIR must determine whether development of the proposed Project would result in the violation of any water quality standards, result in substantial new amounts of polluted runoff, deplete groundwater supplies or interfere with groundwater recharge, alter the existing drainage pattern of the site, or place within a 100-year flood zone structures that would impede or redirect flood flows.

Significant impacts to the hydrologic regime and water quality are likely as a result of the construction and operation of the proposed Project. Impacts to water quality
and groundwater supplies would occur both from construction activities and the ongoing development projects. Although portions of the Project area are located in a 100-year floodplain (NOP at 13), the NOP does not disclose whether structures would be placed within the floodplain that could impede or redirect flows. The EIR should provide an exhaustive and detailed analysis of the Project’s hydrological and water quality impacts and identify feasible mitigation for any impacts determined to be significant.

3. Water Supply

The NOP does not identify the amount of water that would be required to service the proposed Project or whether adequate supplies exist within the Project area. The EIR must include a comprehensive water supply assessment that takes into account long-term availability of water supplies. This analysis must identify the water supply for peak day under build-out conditions, fire flows, and cumulative development while demonstrating that adequate flows will be maintained for Squaw Creek, Truckee River, and all other water bodies. The analysis must evaluate whether the Project can be adequately served by existing water supplies and entitlements or whether it would require construction of new water facilities or expansion of entitlements. As discussed above, it is our understanding that one potential source of water for Squaw Valley is the Martis Valley aquifer. Should the applicant rely on this source, it would be a massive infrastructure project. The Squaw Valley EIR must provide a comprehensive analysis of the environmental impacts associated with this infrastructure project.

With respect to water supply facilities, the NOP’s discussion is cursory and vague. It asserts that water would be delivered to the plan area from “strategically placed wells that would work in concert with existing wells in the Valley.” NOP at 9. The EIR must clearly identify and describe the water supply facilities that would need to be constructed to serve the proposed Project and analyze the environmental impacts associated with this infrastructure.

4. Visual Resources

The EIR must analyze the impacts of the proposed Project on aesthetics including scenic vistas, scenic resources (including trees), and the juxtaposition of the proposed development with the existing community, much of which consists of low-rise structures. This analysis must include clear graphics showing pre- and post-Project visual conditions. Given the Project’s substantial increase in height and mass, it will be particularly important to use appropriate techniques to disclose the Project’s aesthetic
impacts. To this end, the EIR’s analysis must include the use of story poles as well as photographic simulations.

5. Cultural Resources

The Project site is considered archaeologically sensitive with at least one recorded prehistoric site in the Project vicinity. NOP at 11. In addition, two buildings located in the Project area and proposed for demolition as part of the proposed Project were constructed for the 1960 VIII Olympic Winter Games. Id. at 12.

The EIR must provide a comprehensive inventory of archaeological and cultural sites and evaluate impacts to those resources caused by construction of facilities and infrastructure, as well as any potential operational impacts to accessible cultural resources caused by the increase in use caused by the Project. Such an assessment is critical in order to identify effective mitigation measures needed to protect those resources.

6. Land Use and Planning

In the NOP’s discussion of potential land use planning conflicts, the document focuses almost exclusively on the Project’s conflicts with the existing Squaw Valley General Plan and Land Use Ordinance (“Existing Ordinance”). According to the CEQA Guidelines (§ 15125(c)), knowledge of a project’s regional setting is critical to the assessment of environmental impacts, especially in regions with rare or unique resources. While technically not located within the Tahoe Basin, Squaw Valley clearly cannot be separated from its larger regional context. See id. at § 15125(d) (an EIR must evaluate any inconsistencies between the Project and regional plans for the protection of the Lake Tahoe Basin). To this end, the EIR should identify all relevant regional plans, including applicable plans within the neighboring Lake Tahoe Basin, and include a detailed assessment of the Project’s inconsistencies with these plans.

As mentioned above, the NOP acknowledges that amendments will be required for the General Plan and Existing Ordinance. The NOP does not, however, identify the specific amendments that are contemplated. The EIR must provide this information.

It is our understanding that the County is in the process of updating its General Plan/Community Plan for the Tahoe Basin. The County had been holding workshops to develop zoning, development standards and design guidelines for each area within the
Basin. Given the Project’s potential inconsistencies with the County General Plan and the need for amendments to the Plan, we strongly encourage the County to defer further action on the proposed Project until such time as the County completes its General Plan Update. The update of the General Plan would give the County an important opportunity to comprehensively evaluate the amount, type, and location of new development that should occur in Squaw Valley consistent with community values, environmental constraints, and the availability of essential services and public facilities.

7. Population and Housing

The NOP acknowledges that the Project would increase the population of Squaw Valley (NOP at 11), but it provides insufficient information to allow for informed comments. It will be important for the EIR to identify the existing population of permanent Squaw Valley residents, the number of existing daily visitors and the same figures upon implementation of each phase of the proposed Project. The EIR must also disclose the maximum amount of development proposed and compare that to the maximum allowable under the Existing Ordinance.

Finally, the Project could result in substantial growth in the area or in nearby communities and the EIR must analyze the impacts of such induced growth. The growth inducing analysis in the EIR must include, inter alia: (a) an estimate of the amount, location, and time-frame of growth that may occur as a result of the Project and (b) identification of mitigation measures or alternatives to address significant direct and indirect impacts.

8. Transportation

The EIR must provide a comprehensive analysis of the Project’s traffic impacts. It will be important for the EIR consultants to accurately identify trip generation data for each of the Project’s uses, e.g., day visitors to the mountain, including day skiers, indoor amusement park visitors, retail shoppers, and restaurant customers. For the Project’s residential uses, the consultants will need to identify the trip generation by unit and by bedroom. If these figures vary, it will be important that the highest numbers be used in the transportation impact analysis. Using these trip generation figures, the EIR must then

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4 http://www.laketahoenews.net/2012/07/placer-county-reports-on-general-plan/
analyze traffic levels for each phase of development and buildout. Separate analyses must also be conducted for summer and winter peak seasons since roadway conditions in the winter will be constrained by snow and ice and associated snow removal equipment. The EIR must also conduct these analyses for cumulative conditions.

As discussed above, the EIR should clearly identify the amount of existing parking and the amount of parking that would be provided upon each phase and upon build-out of the Project. The document must also distinguish between the parking expected to handle day skiers/visitors, the parking associated with residential uses and the parking intended for employees.

The EIR must describe the Project’s Transit Center. An effective transit network serving the Project site has the potential to reduce many of the Project’s significant environmental impacts including traffic, air quality, greenhouse gas emissions, noise, and water quality. If the Project does not include a robust transit program—and it’s entirely unclear whether it does—one should be developed as mitigation for the Project’s many significant environmental impacts.

The Initial Study explained that the Project may be unable to fully mitigate its potential traffic impacts. IS at 2-58. Failure to consider feasible mitigation measures would violate CEQA’s clear provision requiring the identification of feasible mitigation measures for a project’s significant impacts. San Franciscans for Reasonable Growth v. City and County of San Francisco (1984) 151 Cal.App.3d 61, 79.

9. Air Quality

The Initial Study acknowledged that Placer County is designated as a nonattainment area for the state and national ambient air quality ozone standards, and the state PM$_{10}$ standards. IS at 2-13. For this reason, it will be important that the EIR contain a thorough analysis of Project-related and cumulative impacts to air quality. Particular attention must be paid to comprehensively identifying each source of emissions that would be generated by the Project, including motor vehicle traffic, maintenance equipment, stationary sources of emissions such as boilers, and area sources, including wood-burning fireplaces. The EIR must also carefully identify and analyze construction-related increases in toxic air contaminants and criteria air pollutant emissions. The NOP states that construction-related air pollutant emissions would be temporary and intermittent, despite the fact that the Project proponents anticipate a 25-year construction
period. NOP at 10. In any event, CEQA requires analysis of temporary impacts. Guidelines § 15126.2(a) (agency must analyze both short- and long-term impacts).

10. **Greenhouse Gas Emissions and Climate Change**

The EIR must address climate change impacts and specifically analyze how the Project would comply with AB 32, the Global Warming Solutions Act of 2006 and Executive Order S-3-05. The Initial Study acknowledged that the proposed Project could potentially conflict with the goals of AB 32 and other applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas (“GHG”) emissions. Yet, the NOP still does not identify the thresholds of significance the EIR would rely upon, or the methodology for analyzing the Project’s increase in GHG emissions. Nor does the NOP even identify the applicable plans, policies or regulations that the Project would be required to be consistent with.

EO S-3-05 committed the state to reduce emissions to 2000 levels by 2010, to 1990 levels by 2020, and to 80 percent below 1990 levels by 2050. The proposed Project must be designed with this goal in mind. Therefore, the County must ensure that the applicant does everything within its means to, at a minimum, result in a no-net-increase in GHG emissions.

In addition, we strongly urge the County to examine the likely effects of climate change on the Project. For example, climate change will likely reduce snowpack and therefore limit water supplies. It is not possible to adequately evaluate the Project’s impacts on water availability without taking into account the potential for reduced water supplies. We urge the County and EIR consultants to seek appropriate guidance on conducting GHG impact analyses and incorporate all climate change adaptation strategies applicable to the Project.

11. **Wildland Fire, Emergency Response and Evacuation**

According to the Initial Study, the Project site is located in a wildland area that may contain substantial forest fire risks and hazards. IS at 2-35. The Project would generate additional vehicle trips (both during construction and long-term Project operation) and could result in construction-related road closures. Id. at 2-34,35. NOP at 12. Although the increase in traffic and road closures would result in a potentially significant impact, the NOP does not identify any thresholds of significance or suggested methodology for analyzing this critical public safety impact.
Nor does the NOP disclose that access to Squaw Valley is provided via a single two-lane highway. State Route 89 is the only egress for the entire Valley. In the event of a wildfire, it may be impossible for emergency response vehicles to access the Project site or for area residents or resort visitors to evacuate. A thorough analysis of this issue is particularly important in light of the Initial Study’s assertion that it may not be possible to mitigate the Project’s significant traffic impacts. IS at 2-58. The analysis should include any fire simulations that have been conducted for Squaw Valley.

The EIR must also provide information about current and projected levels of service and response times for fire, police and emergency services. A detailed analysis of Project and cumulative development demands must be included in order to determine whether there will be a need for expansion of services. Where expansion of services would entail environmental impacts, the EIR must analyze those impacts as well.

For each service, the EIR should provide the following information: (a) present capacity of the service including all relevant facilities, (b) current demand, (c) current remaining capacity or deficit, (d) projected need under cumulative conditions, and (e) planned expansions of services or facilities.

12. Utilities and Services

The EIR must identify the increased demand for all essential public services and utilities (e.g., police, fire, schools, parks, the wastewater treatment system, solid waste, and propane service) resulting from the proposed Project (under each phase and upon build-out) and compare this increase in demand with available capacity. The document must determine whether capacity exists to serve allowable development without reducing existing services.

Of particular concern is the applicant’s proposal to store propane on the East Parcel. Unfortunately, the NOP provides no information about the Project’s increase in propane use or where and how this propane would be stored. In addition to the physical impacts resulting from the installation of propane tanks (e.g., loss of sensitive habitat), the use of propane can result in a significant increase in criteria air pollutants and GHG emissions. Propane storage tanks can also pose a tremendous public health and safety risk.
resulting from tank explosions and associated wildland fires as the recent propane tank explosions in Redwood City and Florida demonstrate.\textsuperscript{56}

The EIR must identify the increase in demand for services, utilities and facilities and the environmental impacts from these services and utilities.

13. Cumulative Impacts.

An EIR must discuss the cumulative impacts of a project when the incremental effects of a project are considerable when viewed in connection with the effects of other past, current, and probable future projects. CEQA Guidelines §§ 15130(a), 15065(c). The analysis of cumulative impacts is particularly important in the context of long-range planning documents because the growth allowed under such plans is often substantial and because they set forth the policies that will guide the development of future, individual projects for many years. As noted in the CEQA Guidelines, one requirement of an EIR for planning documents is that they provide a more thorough analysis of cumulative impacts than is required for individual projects. See CEQA Guidelines § 15168.

A legally adequate cumulative impacts analysis must consider the impacts of the Project combined with other past, present, and probable future projects. CEQA Guidelines § 15130(b)(1). Projects currently under environmental review clearly qualify as reasonably probable future projects to be considered in a cumulative impacts analysis. See San Franciscans for Reasonable Growth v. City & County of San Francisco, 151 Cal. App. 3d 61, 74 n.13 (1984). In addition, projects anticipated beyond the near future should be analyzed for their cumulative effect if they are reasonably foreseeable. See Bozung v. Local Agency Formation Comm’n, 13 Cal. 3d 263, 284 (1975).

The EIR’s discussion of cumulative impacts should address any other pending proposals for development within the Project vicinity that would threaten impacts of the sort promised by the Squaw Valley Project.


C. The EIR Should Identify and Analyze a Reasonable Range of Alternatives.

CEQA emphasizes that an EIR must analyze a range of reasonable alternatives to the project. The alternatives must feasibly attain most of the basic project objectives while avoiding or substantially lessening the project’s environmental impacts. (See Public Resources Code § 21100(b)(4); see also CEQA Guidelines § 15126.6(a).) The CEQA Guidelines state that the selection and discussion of alternatives should foster informed decision-making and informed public participation. (See CEQA Guidelines § 15126(d)(5).)

Given the extraordinary natural resources in Squaw Valley and the Tahoe region, the County should consider several alternatives to the proposed Project. Unfortunately, the NOP does not identify any Project alternatives. Although the NOP does not provide sufficient detail about the severity and extent of the Project’s environmental impacts, what little information that is presented makes clear that the Project would result in extensive environmental impacts. Accordingly, the EIR must consider a less intensive level of development on the Project site.

III. Conclusion

Thank you again for the opportunity to provide these comments. Sierra Watch looks forward to working with the County as environmental review for the Project proceeds. Please keep this office informed of all contracts, notices, hearings, staff reports, briefings, meetings, and other events related to the proposed Project.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Laurel L. Impett, AICP, Urban Planner

LLI:erc

cc: Tom Mooers, Executive Director, Sierra Watch
Maywan Krach
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Peter Van Zant, Field Director, Sierra Watch

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