

CITY OF ORLAND
RESPONSE TO COMMENTS ON THE
SKP RANCH, LLC. PROJECT
FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Lead Agency:

CITY OF ORLAND
815 FOURTH STREET
ORLAND, CA 95963

Prepared by:

Michael Baker
INTERNATIONAL

140 INDEPENDENCE CIRCLE, SUITE C
CHICO, CA 95973

MARCH 2017

1.0 INTRODUCTION

1.1 Background of Environmental Review Process for the Project 1.0-1
1.2 Intended Uses of the IS/MND 1.0-1
1.3 Organization and Scope of this Document 1.0-2

2.0 COMMENTS AND RESPONSES TO COMMENTS

2.1 List of Commenters 2.0-1
2.2 Comments and Responses 2.0-1

TABLE OF CONTENTS

This page is intentionally left blank.

This document, in conjunction with the draft Initial Study/Mitigated Negative Declaration (IS/MND) responds to comments made on the proposed City of Orland SKP Ranch, LLC. Project. While the State California Environmental Quality Act (CEQA) Guidelines do not require a final initial study or the preparation of formal responses to comments on draft initial studies/mitigated negative declarations, in order to provide further disclosure of the project's impacts, the City has determined to provide responses to the comments it has received.

1.1 BACKGROUND OF ENVIRONMENTAL REVIEW PROCESS FOR THE PROJECT

INITIAL STUDY

The IS/MND was released for public and agency review on January 6, 2017, with the 30-day review period ending on February 6, 2017. The City received three comment letter during this review period.

RESPONSE TO COMMENTS

This document provides a response to comments received on the IS/MND and is included as Section 2.0 of this document.

1.2 INTENDED USES OF THE IS/MND

The IS/MND in its final form will be used by the City of Orland in considering approval of the proposed project. In accordance with CEQA Guidelines Section 15074, the IS/MND will be used as the primary environmental document in consideration of all subsequent planning and permitting actions associated with the project, to the extent such actions require CEQA compliance and as otherwise permitted under applicable law.

CONSIDERATION OF COMMENTS

Prior to taking action on the proposed project, the City will consider the IS/MND, this response to comments document, and any additional comments or testimony. Negative declarations and mitigated declarations are considered and adopted per CEQA Guidelines Section 15074, which reads as follows:

15074. CONSIDERATION AND ADOPTION OF A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

- (a) Any advisory body of a public agency making a recommendation to the decision-making body shall consider the proposed negative declaration or mitigated negative declaration before making its recommendation.
- (b) Prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.

1.0 INTRODUCTION

- (c) *When adopting a negative declaration or mitigated negative declaration, the lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.*
- (d) *When adopting a mitigated negative declaration, the lead agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects.*
- (e) *A lead agency shall not adopt a negative declaration or mitigated negative declaration for a project within the boundaries of a comprehensive airport land use plan or, if a comprehensive airport land use plan has not been adopted, for a project within two nautical miles of a public airport or public use airport, without first considering whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area.*
- (f) *When a non-elected official or decision making body of a local lead agency adopts a negative declaration or mitigated negative declaration, that adoption may be appealed to the agency's elected decision making body, if one exists. For example, adoption of a negative declaration for a project by a city's planning commission may be appealed to the city council. A local lead agency may establish procedures governing such appeals.*

Upon review and consideration of the IS/MND, the City may take action to adopt, revise, or reject the proposed project. A decision to approve the proposed project would be made in a resolution recommending certification of the IS/MND as part of the consideration of the proposed project. The City of Orland has prepared this IS/MND and has determined that the environmental impacts of the proposed project have been reduced to a less than significant level through mitigation measures adopted as part of a Mitigation Monitoring and Reporting Program (MMRP).

1.3 ORGANIZATION AND SCOPE OF THIS DOCUMENT

This document is organized in the following manner:

SECTION 1.0 – INTRODUCTION

Section 1.0 provides an overview of the environmental review process to date and discusses the CEQA requirements for consideration and adoption of a mitigated negative declaration.

SECTION 2.0 – COMMENTS AND RESPONSES TO COMMENTS

Section 2.0 provides a list of commenters, copies of written comments (coded for reference), and the responses to those comments made on the IS/MND.

2.0 COMMENTS AND RESPONSES TO COMMENTS

2.1 LIST OF COMMENTERS

The following individuals and representatives of organizations and agencies submitted written comments on the IS/MND.

Letter	Agency, Organization, or Individual	Date
A	Scott Zaitz, Environmental Scientist, California Water Boards	January 26, 2017
B	Scott Morgan, Director, Governor's Office of Planning and Research	February 7, 2017
C	Kevin Yount, North Branch Chief, Department of Transportation	February 6, 2017

2.2 COMMENTS AND RESPONSES

RESPONSES TO COMMENT LETTERS

Written comments on the draft IS/MND are reproduced on the following pages, along with responses to those comments. CEQA does not require lead agencies to provide formal responses to comments received on initial studies supporting proposed mitigated negative declarations; however, the City prepared this response to comments document to provide responses to comments received on the IS/MND in order to provide comprehensive information and disclosure for both the public and City's decision-makers.

Where changes deemed necessary to clarify the draft IS/MND text result from responding to comments, those minor changes are included in the response and demarcated with revision marks (underline for new text, ~~strikeout~~ for deleted text).

Letter A



Central Valley Regional Water Quality Control Board

26 January 2017

Mr. Scott Friend
City of Orland
815 Fourth Street
Orland, CA 95973

COMMENTS ON THE NEGATIVE DECLARATION FOR PROPOSED SKP RANCH, LLC. PROJECT, ASSESSORS PARCEL NUMBER 046-170-003, ORLAND, GLENN COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On 11 January 2017, we received your request for comments on the Mitigated Negative Declaration for the SKP Ranch, LLC Project.

The project requires the approval of a Zone Change from Open Space (O-S) to Highway Service Commercial (C-H) to allow for commercial land uses to occur on the project site, as well as a proposed Site plan to allow for the construction of a new 45,910 sq. ft., four-story hotel with 80 guest rooms and an accompanying 6,000 sq. ft., high-turnover, sit-down restaurant. In addition, the project is proposing to demolish an existing residence on the site. At completion, the project site would be totally covered with a hotel building, restaurant building, ±118 parking spaces, internal circulation driveways, and several landscaped areas.

A-1

Based on our review of the information submitted for the proposed project, we have the following comments:

Isolated wetlands and other waters not covered by the Federal Clean Water Act

Some wetlands and other waters are considered "geographically isolated" from navigable waters and are not within the jurisdiction of the Clean Water Act. (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high water mark). Discharge of dredged or fill material to these waters may require either individual or general waste discharge requirements from the Central Valley Water Board. If the U.S. Army Corps of Engineers determine that isolated wetlands or other waters exist at the project site, and the project impacts or has potential to impact these non-jurisdictional waters, a Report of Waste Discharge and filing fee must be submitted to the Central Valley Water Board. The Central Valley Water Board will consider the information provided and either issue or waive Waste Discharge Requirements. Failure to obtain waste discharge requirements or a waiver may result in enforcement action.

A-2

Any person discharging dredge or fill materials to waters of the State must file a report of waste discharge pursuant to Sections 13376 and 13260 of the CWC. Both the requirements to submit a report of waste discharge and apply for a Water Quality Certification may be met using the same application form, found at: http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/wqc_application.pdf

KATH E. LONCEY SoD, P.E., QWR | PAMELA G. GREEN P.E., BQDF, EXECUTIVE OFFICER

864 900 Street Drive, Suite 206, Redding, CA 96002 | www.waterboards.ca.gov/centralvalley



Letter A Continued

City of Orland
SKP Ranch, LLC Project

- 2 -

26 January 2017

Application/Report of Waste Discharge

If it is determined that there will be a discharge of waste to land, a Report of Waste Discharge (ROWD), Form 200 and supporting information must be submitted at least 140 days prior to discharge. The Central Valley Water Board will consider the information submitted and either issue or waive Waste Discharge Requirements. Information can be found at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

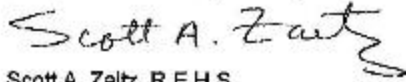
A-3

General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP)

Construction activity, including demolition, resulting in a land disturbance of one acre or more must obtain coverage under the CGP. The SKP Ranch, LLC Project must be conditioned to implement storm water pollution controls during construction and post-construction as required by the CGP. To apply for coverage under the CGP the property owner must submit Permit Registration Documents electronically prior to construction. Detailed information on the CGP can be found on the State Water Board website:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/gen_const.shtml

A-4

If you have any questions or comments regarding this matter, please contact me at (530) 224-4784, or by email at Scott.Zaitz@waterboards.ca.gov.



Scott A. Zaitz, R.E.H.S.
Environmental Scientist
Storm Water & Water Quality Certification Unit

SAZ: lm

cc w/o

enclosures: Ms. Kathy Norton, U.S. Army Corps of Engineers, Sacramento
Department of Fish and Wildlife, Region 2, Rancho Cordova

2.0 COMMENTS AND RESPONSES TO COMMENTS

Comment Letter A – Scott Zaitz, Environmental Scientist, California Water Boards

- Response A-1: Comment noted. The commenter does not comment on the adequacy of the Draft EIR analysis.
- Response A-2: A discussion of wetlands is included on page 4.0-12 of the IS/MND. This discussion identifies that there are no wetlands on the project site. However, the comment is noted.
- Response A-3: Comment noted. The commenter does not comment on the adequacy of the IS/MND analysis.
- Response A-4: Comment noted. The commenter does not comment on the adequacy of the IS/MND analysis.

Letter B



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

February 7, 2017

Scott Friend
City of Orland
815 Fourth Street
Orland, CA 95973

Subject: SKP Ranch, LLC Project
SCH#: 2017012016

Dear Scott Friend:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 6, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21109(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

B-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET, P.O. BOX 3044, SACRAMENTO, CALIFORNIA 95812-3044
TEL: (916) 445-0613 FAX: (916) 445-0618 www.oqa.ca.gov

2.0 COMMENTS AND RESPONSES TO COMMENTS

Letter B continued
Document Details Report
State Clearinghouse Data Base

SCH#	2017012016		
Project Title	SKP Ranch, LLC. Project		
Lead Agency	Orland, City of		
Type	MND Mitigated Negative Declaration		
Description	The project requires the approval of a zone change from open space to highway service commercial to allow for commercial land use to occur on the project site, as well as a proposed site plan to allow for the construction of a new 45,510 sf, four-story hotel with 80 guest rooms and an accompanying 6,000 sf, high-turnover, sit down restaurant. In addition, the project is proposing to demolish an existing residence on the site. At completion, the project site would be totally covered with a hotel building, restaurant building, +/- 118 parking spaces, internal circulation driveways, and several landscaped areas.		
Lead Agency Contact			
Name	Scott friend		
Agency	City of Orland		
Phone	(530) 565-1608	Fax	
email			
Address	815 Fourth Street	State	CA
City	Orland	Zip	95973
Project Location			
County	Glenn		
City	Orland		
Region			
Lat / Long	39° 44' 59" N / 122° 12' 33" W		
Cross Streets	Commerce Lane and Ide St		
Parcel No.	046-170-003		
Township	22N	Range	3W
		Section	21
		Base	NDM
Proximity to:			
Highways	I-5, HWY 32		
Airports			
Railways			
Waterways			
Schools			
Land Use	vacant land/open space/highway service commercial		
Project Issues	Aesthetic/Visual; Agricultural Land; Air Quality; Archeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Wetland/Riparian; Landuse		
Reviewing Agencies	Resources Agency; Department of Fish and Wildlife; Region 2; Department of Parks and Recreation; Central Valley Flood Protection Board; Department of Water Resources; California Highway Patrol; Cadtrans, District 3 N; Native American Heritage Commission; Regional Water Quality Control Bd., Region 5 (Redding)		
Date Received	01/06/2017	Start of Review	01/05/2017
		End of Review	02/06/2017
Note: Blanks in data fields result from insufficient information provided by lead agency.			

Comment Letter B – Scott Morgan, Director, Governor’s Office of Planning and Research

Response B-1: The comment letter confirms the City has complied with the State Clearinghouse public review requirements pursuant to CEQA and states no state agencies have provided comments. The City acknowledges the confirmation and no other response is required.

Letter C

STATE OF CALIFORNIA - CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BRIDEN, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 3
702 B STREET
MARYSVILLE, CA 95901
PHONE (530) 741-4286
FAX (530) 741-5345
TTY 711
www.dot.ca.gov



Serious drought,
help save water!

*clear
4/6/17*

Governor's Office of Planning & Research

FEB 06 2017

STATE CLEARINGHOUSE

February 6, 2017

GIS# 03-GLE-2016-00010
03-GLR-32
SCH# 2017012016

Scott Friend
City Planner
City of Orland
815 Fourth Street
Orland, CA 95973

SKP Ranch

Dear Scott Friend:

Thank you for including California Department of Transportation (Caltrans) in the Initial Study/Mitigated Negative Declaration (IS/MND) review for SKP Ranch. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the state's mobility goals that support a vibrant economy, and build communities, not sprawl.

The SKP Ranch project requires the approval of a zone change from Open Space to Highway Service Commercial to allow for commercial land uses to occur on the project site, as well as a proposed Site Plan to allow for the construction of a new 45,910 square-foot (sqft), four story hotel with 80 rooms and an accompanying 6,000 sqft, high turnover, sit down restaurant. In addition, the project is proposing to demolish an existing residence on the site. At completion, the project site would be totally covered with a hotel building, +/- 118 parking spaces, internal circulation driveways, and several landscaped areas. The project is located south of Newville Road and to the west of Commerce Lane (formerly Road Hh). The following comments are based on the IS/MND received.

C-1

VMT

In response to the provisions of Senate Bill 743, we encourage the integration of transportation and land use in a way that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions by facilitating the provision of more proximate goods and services to shorten trip lengths, as well as achieve a high level of non-motorized travel and transit use. As such, we

C-2

"Provide a safe, sustainable, integrated, and efficient transportation system to advance California's economy and livability."

Letter C continued

Mr. Scott Friend, City of Orland
February 6, 2017
Page 2

encourage the evaluation of the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. The Department also seeks to reduce serious injuries and fatalities, as well as provide equitable mobility options for people who are economically, socially, or physically disadvantaged. Therefore, we encourage the evaluation of the project site for access problems, VMT, and service needs that may need to be addressed.

C-2
cont.

Hydraulics

As this is a planning level document, there are no project specific details provided. Concurrence with this document does not imply consent or approval for any future specific project.

A drainage report addressing the following details should be included for review.

- No net increase in discharge shall be directed to State right of way as a consequence of future development. Any work performed within or from State right of way will require an encroachment permit. Conveyance facilities within State's right of way shall not have their capacity reduced as a consequence of development, resulting in run-off encroachment into the traveled way.
- All grading and/or drainage improvements must perpetuate, maintain or improve existing drainage pathways, both within and outside of the State's highway R/W, and may not result in adverse hydrologic or hydraulic conditions within the State's highway R/W or to Caltrans drainage facilities.
- In order to adequately evaluate project impacts upon the State's right of way and Caltrans drainage facilities, we recommend the following documents from the project proponent. Send them to the above address for review and comment prior to final project approval: detailed drainage plans, drawings or calculations, hydrologic/hydraulic study or report, or plans showing the "pre-construction" and "post-construction" coverage quantities for buildings, streets, parking, etc.
- Runoff from the proposed project that may enter the State's highway right of way and/or Caltrans drainage facilities must meet all Central Valley Regional Water Quality Control Board water quality standards prior to entering the State's highway right of way or Caltrans drainage facilities. Appropriate storm water quality BMPs (i.e., oil/water separators, clarifiers, infiltration systems, etc.) may be applied to ensure that runoff from the site meets these standards (i.e., is free of oils, greases, metals, sands, sediment, etc.). Once installed, the property owner must properly maintain these systems.

C-3

"Provide a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability"

Letter C continued

Mr. Scott Friend, City of Orland
February 6, 2017
Page 3

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any question regarding these comments or require additional information, please contact David Smith, Intergovernmental Review Coordinator for Glenn County, by phone (530) 634-7799 or via email to david.j.smith@dot.ca.gov.

Sincerely,



KEVIN YOUNT, North Branch Chief
Office of Transportation Planning
Regional Planning Branch—North

C-4

"Provide a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability."

Comment Letter C – Kevin Yount, North Branch Chief, Department of Transportation

- Response C-1: Comment noted. The commenter does not comment on the adequacy of the IS/MND analysis.
- Response C-2: Comment noted. The City appreciates the use of Vehicle Miles Traveled (VMT) instead of a Level of Service (LOS) in a traffic analysis. However, the use of VMTs for traffic analysis is a fairly recent occurrence and the traffic consultant chose to use an average daily trip (ADT) and (LOS) analysis, rather than VMT. This analysis is considered adequate to identify the proposed project's traffic impacts. A discussion of traffic impacts is included on page 4.0-41-45 of the IS/MND. This discussion identifies all traffic/ transportation impacts have no impact, are less than significant, or are less than significant with mitigation incorporated.
- Response C-3: The Project is located at the northwest corner of Commerce Lane and Ide Street, approximately 700 feet from the closest CalTrans roadway (on-ramps to Interstate 5). Neither of these roads are within CalTrans right-of-way, near a CalTrans facility or would affect Caltrans drainage features. As discussed on page 4.0-47 of the IS/MND, the project proposes to construct an on-site drainage system that would collect drainage at various points throughout the site and route it through a new on-site drainage system that will prevent a net increase in water flow from pre- to post-development. The ultimate discharge point is into an existing system on Commerce Lane. All proposed drainage improvements would be constructed on the project site. Therefore, a Drainage Report is not required for the project.
- Response C-4: Comment noted. The commenter does not comment on the adequacy of the IS/MND analysis.