

2 MASTER RESPONSES

The following section contains master responses to environmental comment issues raised by multiple commenters for several topics: alternatives (Master Response 1), Ponderosa Staging Terminus (Master Response 2), and user conflicts/safety of the trail (Master Response 3). The intent of a master response is to provide a comprehensive response to an issue or set of interrelated issues raised by multiple commenters, so that all aspects of the issue can be addressed in a coordinated, organized manner in one location. Where appropriate, responses to individual comments on these three topics are directed to the master responses. For example, if a comment addresses the alternatives analysis addressed by a master response, the response will include the statement, “See Master Response 1.”

2.1 ALTERNATIVES ANALYSIS

Several commenters questioned the adequacy of the alternatives analysis that was presented in Chapter 16.0, “Other CEQA-Required Sections,” of the DEIR. Specifically, commenters were concerned that the alternatives analysis presented in the DEIR did not consider a reasonable range of alternatives that would reduce or avoid the project’s significant environmental impacts. The response that follows describes the reasons for the selection of the range alternatives presented in the DEIR, requirements for analyzing alternatives under CEQA, and court rulings on alternatives analyses. Where issues related to the alternatives analysis are raised, the commenter is referred to Master Response 1.

MASTER RESPONSE 1

The DEIR evaluated a sufficient number of alternatives to the proposed project (see Chapter 16.0, “Other CEQA-Required Sections”). Placer County rigorously reviewed the North Fork American River Trail alignment, design, and mitigation measures, and concluded that the project as proposed would not result in any significant impacts.

The alternatives presented in the DEIR were selected to provide the County with the environmental information necessary to make a decision on the proposed trail project. As described in Section 16.1.1 of the DEIR, the following alternatives were considered in the planning stages of the proposed project: the North Side of River Alternative, the 4-foot Trail Alternative, the Revised Alignment Alternative, and the Ridgetop Alternative. These alternatives represent a reasonable range of alternatives, including alternative locations for the trail, an alternative trail alignment, and an alternative width for the trail. However, because these alternatives did not meet the goals and objectives of the proposed project and in some cases would result in more severe impacts than the proposed project, they were not considered at the same level of detail as the proposed project.

Two other alternatives were considered in Section 16.1.2 of the DEIR at an equal level of detail as the proposed project. The No Project Alternative was analyzed according to Section 15126.6(e) of the State CEQA Guidelines to allow the County to compare the impact of approving the proposed project with the impact of not approving the proposed project. The Original Alignment Alternative was analyzed as proposed in the Initial Study/ Environmental Assessment for the North Fork American River Trail to provide a comparison at an equal level of detail between the proposed project and the previously proposed alignment for the trail. Because the Original Alignment Alternative would have increased impacts on soils, geology, and seismicity, and hydrology and water quality compared to the proposed project this alternative is not the preferred alternative.

The following regulations provide guidance on preparation of alternatives analyses.

California Code of Regulations (CCR) section 15126.6(a)

(a) *Alternatives to the Proposed Project.* An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376).

CCR section 15126.6(c)

(c) *Selection of a range of reasonable alternatives.* The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

CEQA requires that a range of reasonable alternatives be evaluated that could avoid or substantially lessen one or more of the project's significant effects (CCR 15126.6[a] and CCR 15126.6[c]). "There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376)" (CCR 15126.6[a]). The California Appellate Court (Court) first confirmed this principle in its decision on *Village Laguna of Laguna Beach v. Board of Supervisors* (Fourth District 1982).

In *Marin Municipal Water District v. KG Land California Corporation* (First District 1991), the Court questioned if an EIR, and therefore an alternatives analysis, was required for a project that did not have any significant impact. Because the Water District embarked on an EIR on its own volition, the Court found that the evaluation of the "no project" alternative was sufficient to satisfy CEQA even though the Water District evaluated another project alternative in addition to the "no project" alternative. Given the Court's decision, it stands to reason that the County was required to evaluate only the "no project" alternative.

There is no practical benefit for environmental decision-making to pick a number of alternatives simply to arrive at some reasonable range of alternatives especially if the alternatives result in greater or essentially the same level of impacts. In *Sequoiah Hills Homeowners Association v. City of Oakland* (First District 1993), the Court affirmed that the City of Oakland was correct to dismiss alternatives presented by the Homeowners Association, because they resulted in the same impact as the approved project. According to the Court, the City correctly evaluated the proposed project with projects that had fewer impacts and approved the project based on its merits in relation to the City's land use goals and policies with a statement of overriding considerations. The County evaluated project alternatives including an alignment on the north side of the North Fork American River, in addition to the "no project" alternative, and none resulted in any appreciable environmental benefit over the proposed alignment.

A lead agency is required to evaluate alternatives to a project as a whole, not to its various parts (*Rock Mesa Property Owners Association v. Board of Supervisors* [Second District 1977]). The lead agency is not required to evaluate alternate details of a project, such as different grading plans. The County needed only to consider alternatives to the trail as a whole project. The County evaluated both alternative trail alignments and narrower trail cross-section. The narrower trail cross-section was rejected, because it would not comply with the Auburn State Recreation Area Interim Resources Management Plan standards for multiple-use trails and would have increased safety issues for users. As a result, it would not meet the basic project objectives related to providing opportunity for multiple trail uses.

Based on the State CEQA guidelines, because of the absence of significant environmental impacts from the proposed project, the County's evaluation of the "no project" alternative for the North Fork American River Trail DEIR would have been sufficient (*Marin Municipal Water District v. KG Land California Corporation* [First District 1991]). The DEIR did not stop there, and instead examined other alternatives to provide the County with good environmental information for its decision on the proposed project. Therefore, recognizing the rule of reason (*Village Laguna of Laguna Beach v. Board of Supervisors* [Fourth District 1982]), the County evaluated a sufficient number of project alternatives.

2.2 PONDEROSA STAGING TERMINUS

Several commenters expressed concern about the location and safety of the proposed Ponderosa Staging Terminus. Specifically, commenters were concerned about the safety of the Ponderosa Staging Terminus for horse trailers. Other commenters expressed concern about increased traffic on the roadways surrounding the proposed Ponderosa Staging Terminus. Where issues related to the Ponderosa Staging Terminus are raised, the commenter is referred to Master Response 2.

MASTER RESPONSE 2

As described in Section 3.4.8 of the DEIR, the Ponderosa Staging Terminus would be constructed on Ponderosa Way approximately 400 yards east of the Ponderosa Bridge on the south side of the canyon. The area would be constructed by cut and fill of a road bank and a ledge below the roadway. After final grading, the staging terminus would be approximately 150 feet long and 100 feet wide. Section 8.1.1 of the DEIR, describes Ponderosa Way as an U.S. Forest Service (USFS) road that extends southeasterly from the town of Weimar into the North Fork of the American River canyon, where it crosses the river at Ponderosa Bridge. Ponderosa Way just north of Foresthill Road carries 1,495 average daily traffic (ADT) and is operating at level of service (LOS) B (kd Anderson Transportation Engineers 2003).

Concerns were raised that Ponderosa Way and Ponderosa Bridge are not safe for vehicles pulling horse trailers. Commenters indicated that vehicles pulling horse trailers would not have adequate room to turn around or pass other vehicles because of the narrow width of Ponderosa Way and the small number of turnouts. There was also concern about safe lines of sight along Ponderosa Way.

The roadway conditions at the Ponderosa Way terminus could pose a safety hazard to horse trailers and other vehicles, as acknowledged in the DEIR in Impact 8-4. As part of the proposed project, the County would include appropriate safety signage throughout the trail and staging area facilities, where needed. State Parks would also increase maintenance of Ponderosa Way. Safety signage would include warning signs placed at both ends of Ponderosa Way describing the condition of the roadway and/or advising against travel by vehicles pulling horse trailers. The County is considering prohibiting use of the Ponderosa Way Staging Terminus by horse trailers and only allowing automobile access at this location to address public safety concerns that have been raised. This will be considered by the Board of Supervisors when they address their decision on the proposed project.

Restricting horse trailer access at the Ponderosa Way Staging Terminus would not result in any new significant or more severe environmental impacts. Horse trailer access to the trail would still be available at the Foresthill

Bridge Staging Terminus, where the size of the parking facility and access to the road are more conducive to vehicles hauling trailers.

2.3 TRAIL SAFETY/TRAIL USER CONFLICTS

Several commenters provided comments on trail safety and potential user conflicts. For purposes of this response, user conflict is defined as when two or more users encounter each other on the trail, requiring one to yield the right-of-way to the other(s) or interrupt their travel. The comments focused on potential conflicts between different types of users, such as hikers and mountain bikers or equestrians. Some commenters requested that the proposed trail be wider than 6 feet and other commenters requested that the proposed trail be narrower than 6 feet. Commenters noted that trail safety and reduction of potential for user conflicts needs to be a high priority for the trail. Additional design and management considerations to maintain safety were suggested including incorporating switchbacks that have a good radius, alternating days between bikes and equestrians, reducing speeds of mountain bikes, and maintaining safe lines of sight. Where issues related to trail safety or user conflicts are raised, the commenter is referred to Master Response 3.

MASTER RESPONSE 3

Multiple-use trails have been developed in numerous locations throughout the State Park system of California. The State Parks Trail Handbook sets specific guidelines for the design and construction of these trails that take into account terrain, soil types, drainage, safety of users, and protection of the resource (State Parks n.d.). The proposed North Fork American River Trail would be consistent with the State Parks handbook. Multiple-use trails in many locations around the state have been and continue to provide access to diverse user groups. Because of limited resources, and the overall impact to park resources from trails that are developed for exclusive use by various users, multiple-use trails provide the best opportunity for a number of user groups to be accommodated. Also, a multiple-use trail that serves the demands of a combination of user groups requires less landscape disturbance and; therefore, less environmental impact than construction of separate, single-use trails in a park or recreation area.

A combination of education among user groups of proper trail etiquette and enforcement of trail regulations can prevent most conflicts between user groups and maintain trail safety. As described on page 14-8 of the DEIR, the proposed trail would incorporate several measures to reduce user conflicts, including a 6-foot trail width and informational signage. The proposed trail width would reduce potential user conflicts compared to a narrower trail width, and signage with trail etiquette and appropriate emergency notification information would be posted at trail entrances. To further reduce user conflicts, up to 15 feet may be cleared where needed to promote safe lines of sight, such as near trail curves or where the trail grade changes. As a condition of the construction and maintenance license between Reclamation and the County, the County would be responsible to maintain the North Fork American River Trail. This includes maintenance of tread width, signage, and safe lines of sight.

Additionally, this trail project design is consistent with the current Auburn State Recreation Area Interim Resource Management Plan (Reclamation 1992), and State Parks, as the management authority over use of the trail, will continue to respond to operational issues including user conflicts. User conflicts will also be one of the topics addressed in the updated Auburn State Recreation Area General Plan, currently in preparation.