



ENVIRONMENTAL STEWARDSHIP & PLANNING
INCORPORATED

Memorandum

To: Gary Hyden and Mike Gray

DRAFT

From: Bob Delp and Steve Peterson

Date: September 30, 2003

Re: Bass Lake Regional Park – Summary of Scoping Comments and Issues

Environmental Stewardship and Planning, Inc. (ESP) has reviewed the set of comments provided by County Parks which were received from agencies, organizations, and members of the general public during the Notice of Preparation comment period that ended on August 27, 2003. A total of 82 written comment letters/notes/e-mail messages were forwarded from County Parks to ESP (note that some of these were copies or variations of other comment letters provided by the same individual, organization and/or agency). We have also considered oral (and written note card) comments received at the two project scoping meetings. This memorandum summarizes the comments and issues raised, and provides our preliminary recommendations on approach to addressing. Please review the information contained herein, and confirm your concurrence with the approach or contact us to discuss alternative means of addressing the issues raised.

It should be noted that all comments received and issues raised therein, will be given equal consideration when determining the appropriate method of addressing. As such, the number of times an issue was raised or the number of people expressing concerns or support over a particular issue should not necessarily influence the outcome of the decision to include or method of addressing the issue in the Draft Environmental Impact Report (Draft EIR) that will be prepared for the project. Note, however, that all comments received are part of the administrative record for the project and County decision makers may choose to consider the level of public interest associated with a particular topic/issue.

A range of issues were raised that will be addressed in the Draft EIR. Issues raised are summarized in **Table 1**. Issues of particular note included: 1. concerns of existing unsafe conditions of Bass Lake Road and the need to improve Bass Lake Road prior to constructing the proposed park; 2. support for and opposition to sports field lighting, 3. potential impacts to adjacent residents associated with sports field lighting and associated light pollution, noise, and traffic; 4. the potential presence of asbestos-bearing materials at the project site; and 5. potential impacts on biological resources (i.e., migratory birds, wildlife, wetlands). **Table 1** is intended to provide a general summary of the issues raised, however, the County's consideration of ALL comment letters in their entirety is encouraged.

During the comment period there was both opposition and support expressed for certain aspects of the project. Much of the opposition is associated with adjacent residents who have specific concerns over certain elements of park design; most notably sports field lighting (and associated late evening noise) and the layout/number of sports fields at the park. It should be noted that few, if any, of these residents expressed complete opposition to a park being located at the proposed site, and that addressing Bass Lake Road safety and sports field lighting impacts may alleviate many concerns.

In addition to comments expressing either general support or concerns about the proposed park, a number of specific park design element suggestions were offered. These are listed in **Table 2** for the County's consideration.

Table 1		
List of Issues and Recommended Methods of Addressing		
Issue	Summary of Comments	Method of Addressing
Traffic on Bass Lake Road	Nearly all of the written comments expressed concerns over the safety of Bass Lake Road. Many discussed that Bass Lake Road was already unsafe and needed improvements and that additional traffic resulting from the park would exacerbate an existing problem. Many expressed that Bass Lake Road should definitely take priority and be done prior to development of the park.	Fehr & Peers is conducting a traffic study that will address existing and future traffic volumes with and without the project. The study will consider safety and traffic movement, and will identify mitigation measures. The Traffic Study results will be incorporated into the project EIR with mitigation to address project impacts.
Lighted Ball Fields	Comments received expressed mixed support for lighted ball fields. Those in support referenced the need for increased opportunities for youth and adult play, and felt that the region's short supply of fields make lights a necessity to increase field usage. Most comments expressing opposition to lighted fields were associated with 1. light pollution, 2. park use occurring after dark and associated noise, traffic, safety concerns, 3. effects on property values associated with lights/evening use of the park, and 4. potential impacts on wildlife.	The County has noted that a lighting plan will be developed for the project to allow the EIR to have quantitative information on the intensity, spill and other lighting parameters. Also, we suggest that the County's consultant use the City of Seattle's lighting guidelines (which we have forwarded to Gary Hyden for consideration) or a similar program to set standards for the facility. The EIR will consider both lighted and unlighted field alternatives, and will address each of the impacts/concerns identified at a level commensurate with the degree of impact anticipated.
Serpentine Rock/Asbestos	Discussed potential for asbestos bearing materials on site. Want thorough evaluation and identification of measures to address. Some requested that a "Risk Assessment" be conducted. County Dept. of Env. Management offered specific treatment measures/requirements. State Dept. of Conservation referenced limitations on general serpentine soils mapping (as presented in	County/ESP to consider approach. Recommend pursuing meeting with County Dept. of Env. Management to discuss specific analysis approaches, related issues, treatment, and costs.

	<p>"OPEN-FILE REPORT 2000-02: Areas More Likely to Contain Natural Occurrences of Asbestos in Western El Dorado County, California"), and said shouldn't be relied upon for site-specific data. Referred to SCH CEQA asbestos-related guidelines (Provided as Attachment 1 to this memorandum.)</p>	
Noise	<p>Most concerned with late evening activities at park. Some referenced compliance with County Ordinance 9.16.04 (Loud and Raucous Noises, Definitions), although, 9.16.050 appears to be the more applicable portion. (Both are provided as Attachment 2 to this memorandum.)</p>	<p>Bollard & Brennan acoustical analysts will prepare a noise impact assessment to determine potential impacts associated with activities at the park, and the results will be presented in the Draft EIR.</p> <p>Re: County Noise Ordinance Recommend that County Counsel provide a determination of applicability of County Noise Ordinance Codes 9.16.040 and 9.16.050 to park-related activities. This information would then be discussed in the Draft EIR Noise Section.</p>
Pedestrian Access	<p>Many commenters referenced the need to provide safe pedestrian access to the park, specifically including pedestrian crossings of Bass Lake Road.</p>	<p>Recommend that County design pedestrian access measures into the Project Description (as identified in draft Traffic Study currently under review).</p>
Park Location	<p>Some commenters stated that site was inappropriate for developing sports fields ("sports complex") and that less intensive use park would be more appropriate. Suggested that "sports complex" should be sited in industrial area. Specific suggestion to consider park at Texas Hill Reservoir (Diamond Springs).</p>	<p>County to consider. Off-site alternatives analyses is not currently planned/scoped because the proposed project is the development of the specific Bass Lake parcel.</p>
Water Quality/Drainage/Storm Water Runoff	<p>Concerns that park site run-off could affect fish in Bass Lake. (Comment from California Dept. of Fish and Game and others.)</p>	<p>Biological resources evaluation will address and potential impacts will be identified in the Draft EIR. Note that subsequent meetings with DFG to clarify site characteristics substantially reduced DFG concerns that potential impacts would occur.</p>
Wetlands/Wildlife	<p>Park development could reduce migratory bird use of the site. Need to consider consistency with applicable bio-resources</p>	<p>Biological resources evaluation will address and potential impacts (construction and operation) will be identified in the</p>

	management plans (per DFG). Need Corps review of wetlands impacts. Potential wetlands impacts from use/activities at park.	Draft EIR. Padre to identify applicable management plans and consistency will be determined and discussed in Draft EIR. Preliminary wetlands delineation report has been prepared and submitted to Corps for review.
Water Supply	Question where water supply for park will be secured.	County Parks to develop water budget for the facility (for each phase) and obtain "will serve" commitment from El Dorado Irrigation District.
Crime/Vandalism/Loitering	Commenters expressed concerns over inappropriate/illegal activities at park. Stemmed primarily from comments associated with lights and night usage.	Draft EIR to discuss locked gates on park entrance after closing and County Sheriff Dept. responsibility for policing similar to other public properties.
Property Values	Some expressed concerns over decreases in property values of adjacent residential areas. Others indicated that they felt the park would increase property values.	A determination of the effect of the park on property values would be outside the scope of CEQA and would be speculative. Research indicates that parks (depending on specific design, elements, locations, etc.) may have varying effects on property values; some increasing and some decreasing.
Parking	Some commenters felt that it was important to consider methods for prohibiting park visitors from using residential areas for overflow parking.	Recommend that Fehr & Peers address the adequacy of planning parking capacity to accommodate peak park usage. If parking not sufficient, need to determine opportunities to increase parking capacity, provide on-site "overflow" parking, and provide disincentives to off-site parking.
Zoning	Some commenters discussed the current zoning of the project site (R-5) and questioned how/why the County feels justified to change.	Land use section will identify current zoning and any requirements for rezoning/designating for park development. No Project Alternative will discuss potential future uses of the property should the County decide to not develop Bass Lake Regional Park.
Funding	Some commenters inquired with regard to funding, and suggested that it did not appear that there would be adequate funding to implement the park development project (including additional County Parks staffing requirements, Bass Lake Road	Draft EIR should provide a cost estimate for park development (by phase and various components) and park operation, and should identify intended funding mechanisms.

	improvements, etc.) and were concerned with a partially built park that might not be completed.	
Alcohol	Some commenters felt that alcohol should be prohibited from the park.	County to consider and make a determination regarding prohibiting alcohol consumption on park property.
Scope of EIR/ Consideration of EID Property and Service Roads	Consider including 20 acres of EID property in EIR to include opportunity for easement to EID property. Also should describe and consider other park uses (existing and planned) around Bass Lake. Consider opportunities for joint use of service roads, etc.	Coordinate with EID to become Responsible Agency and participate in the environmental review process. Project description would need to discuss potential easement and use of EID properties. Work with EID to ID existing/planned recreational uses within or adjacent to Bass Lake properties.

Table 2 Specific Design Modification Suggestions	
Element	Comments Summary
Amphitheater	One commenter disappointed that not included, others pleased to see that it had been eliminated.
Tennis Courts	A few noting desire to include (lighted) tennis courts, some pleased to see tennis court eliminated from current plan.
Perimeter Fencing	Requests that specific fencing be identified. Provide security fencing along adjacent properties (specific comment from Green Springs Ranch representative) similar to that being constructed along border with Serrano property (six-foot wrought iron fence).
Number of Sports Fields	Some suggest eliminating or limiting to one ball field and one soccer field. Some suggest limited to two of each. Others would like to see additional sports fields included on site.
Sports Field Use	Some suggested that sports fields should be available for youth use only. Others supported use for both youth and adult sporting events.
Hours of Operation	As discussed, many local residents are opposed to night lighting and urge that the park be closed at dusk. Others support lighting and late evening use of the sports fields.
Sports Field Location	A few suggest reconfiguring park to position sports fields nearer to the northern portion of the property. (Note that residents adjacent to the northern portion of the property expressed concerns of park elements being located in the northern portion of the park.)
Child Play Areas	Commenter suggested including: --separate toddler (2 to 5 yrs) and child (5 to 10 yrs) play areas -- swings in both toddler and child play areas -- water play area -- as much shade as possible.
Bike Paths	Commenter suggested including throughout park.

Bass Lake Integration	Some commenters suggested integrating Bass Lake and shoreline/dikes into the park design, and making use of existing ball fields on west side of Bass Lake.
Swimming Pool	Commenter suggested including a swimming pool (instead of "installing a pond").
Dog Park Location	Suggestion (El Dorado Hills CSD) to consider moving dog park to more central location or southern portion to reduce potential for barking dogs to disturb wildlife in this area since also contains nature center and trail system.

ATTACHMENTS

Attachment 1 State of California Governor's Office of Planning and Research – Memorandum Re: Naturally Occurring Asbestos

MEMORANDUM

**Governor's Office of Planning and Research
State Clearinghouse**

Date: October 26, 2000

To: All CEQA Lead Agencies

From: Terry Roberts, Senior Planner
Governor's Office of Planning and Research

Re: Addressing Naturally Occurring Asbestos in CEQA Documents

1. Purpose

This advisory memorandum provides guidance to Lead Agencies to analyze the impacts of naturally occurring asbestos (NOA) on the environment through the California Environmental Quality Act (CEQA) review process.

2. Background

What it is:

Asbestos is a term used for several types of naturally occurring fibrous minerals that are a human health hazard when airborne. The most common type of asbestos is chrysotile, but other types such as tremolite and actinolite are also found in California. Asbestos is classified as a known human carcinogen by state, federal, and international agencies and was identified as a toxic air contaminant by the California Air Resources Board (CARB) in 1986. All types of asbestos are hazardous and may cause lung disease and cancer.

Serpentinite may contain chrysotile asbestos, especially near fault zones. Ultramafic rock, a rock closely related to serpentinite, may also contain asbestos minerals. Asbestos can also be associated with other rock types in California, though much less frequently than serpentinite and/or ultramafic rock. However, the information available at this time is insufficient to allow such occurrences to be mapped on a regional or statewide basis.

Where it is found:

Serpentinite and/or ultramafic rock are known to be present in 44 of California's 58 counties. These rocks are particularly abundant in the counties of the Sierra Nevada foothills, the Klamath Mountains, and Coast Ranges. These counties are identified in the attached list (Attachment 1). A map of ultramafic and serpentinite rock areas of the state that may contain NOA can be accessed at <http://www.consrv.ca.gov/dmg/minerals/ultramafic/index.htm>. The map also contains definitions for asbestos, serpentine, serpentinite, and ultramafic rock. More detailed quadrangle maps indicating ultramafic rock units in California may be obtained from the Department of Conservation (DOC), Division of Mines and Geology. It should be noted that these geologic maps are *generalized* depictions of the presence and

distribution of rock types for given areas. Consequently, they may not show all potential occurrences of NOA within the areas they cover.

3. The Issue

Although NOA is present in many counties in California, many Lead Agencies are not aware of the environmental effects of NOA or how to analyze and mitigate them in the planning process.

Asbestos can be released from serpentinite and ultramafic rocks when the rock is broken or crushed. At the point of release, the asbestos fibers may become airborne, causing air quality and human health hazards. These rocks have been commonly used for unpaved gravel roads, landscaping, fill projects and other improvement projects in some localities. Asbestos may be released to the atmosphere due to vehicular traffic on unpaved roads, during grading for development projects, and at quarry operations. All of these activities may have the effect of releasing potentially harmful asbestos into the air. Natural weathering and erosion processes can act on asbestos bearing rock and make it easier for asbestos fibers to become airborne if such rock is disturbed.

4. Regulations

Under current regulations, serpentinite and asbestos-bearing ultramafic rock materials used for surfacing applications subjected to vehicular, pedestrian, or non-pedestrian use, such as cycling and horse-back riding, may not contain more than 5% asbestos under the Asbestos Airborne Toxic Control Measure (ATCM) adopted by the CARB in 1990. In July 2000, the CARB amended this ATCM whereby the allowable asbestos content was lowered to less than 0.25% for surfacing applications. This regulation will be effective in the spring of 2001. In addition, the amended rule prohibits the use of surfacing material from ultramafic rock units identified on specific geological maps developed by the DOC, unless testing of the material demonstrates that it is below the 0.25% asbestos content limit (below currently detectable limits). Some limited exemptions are contained in the rule with the requirement that applications for the exemptions be filed with the air pollution control or air quality management districts. The specific geological maps can be purchased through the DOC at the address listed in Section VI of this memo. More information about the CARB's ATCM can be obtained through the CARB web site, or by contacting them directly at the address listed in Section VI of this memo.

The CARB is evaluating the need for a regulation to minimize NOA through the application of best management practices for fugitive dust from construction, grading and quarrying operation in areas of NOA. The CARB staff is tentatively scheduled to present this regulation for its Board's consideration in Spring 2001.

5. Addressing the NOA Issue through CEQA Review

NOA is an environmental issue appropriate for analysis and review under CEQA.

Why CEQA?

The CEQA process provides an opportunity for Lead Agencies to identify whether serpentinite or ultramafic rocks will be disturbed by the proposed project and to investigate ways to avoid, control, or otherwise mitigate the impacts of NOA. In addition, CEQA gives Lead Agencies the authority to require mitigation measures as a condition of the approval of a proposed project. NOA analysis can be logically included in the typical impact analysis for air quality, human health, and geology and soils.

CEQA requires that Lead Agencies evaluate the effects of proposed projects on the environment, including public health and safety impacts such as those resulting from the release of NOA by project activities. CEQA Guidelines Section 15126.2 specifically states: *"In assessing the impact of a proposed project on the environment, the Lead Agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics*

of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced by population distribution, population concentration, the human use of land (including commercial and residential development), health and safety problems caused by physical changes (emphasis added), and other aspects of the resource base such as water, historical resources, scenic quality and public services."

The CEQA process enables early identification of NOA and its associated environmental impacts. This encourages better decision-making by Lead Agencies and strengthens the Lead Agency's ability to protect the public health and welfare. The Lead Agency also benefits from greater protection against legal challenges to the adequacy of the CEQA document, if the NOA impacts and mitigation measures are clearly addressed.

How to Address the NOA Issue in a CEQA Document:

The Lead Agency should address the possibility of human exposure to NOA in the CEQA document for a proposed project. The Lead Agency should identify the nature and extent of exposure to NOA based on the project location and type of development that is being proposed. Even if the presence of NOA is not indicated or suggested by available state maps, it should still be addressed within the CEQA document if NOA is otherwise known to occur in an area.

Analysis of the NOA issue can be incorporated into the CEQA document's sections on air quality, geology and soils, and/or human health, depending on the nature of the project. Thresholds of significance should be developed to determine if the impacts from NOA are significant.

Jurisdictions that are known to have large amounts of NOA may want to develop standardized mitigation measures when those thresholds are reached. The CARB has developed a list of mitigation measures that can reduce emissions during the design, construction, and operation phases of projects. These measures are listed in the attached table (Attachment 2). As mentioned earlier, the CARB staff is evaluating a regulation to minimize NOA emissions from construction, grading, and quarrying operations through the use of best management practices, including those in Attachment 2. Check with the CARB for any updates to these dust mitigation options by checking its web site at <http://www.arb.ca.gov/toxics/asbestos.htm>, or by contacting them directly at the address listed in Section VI. If a Lead Agency considers these mitigation measures to be inadequate, they may develop alternative mitigation measures and/or propose project alternatives.

6. For More Information

The CARB and the DOC have done considerable research on NOA. The DOC is currently developing guidelines for geologic investigations of sites where NOA may be present. The DOC has recently completed several maps related to NOA in California, but such specialized maps are unavailable for most of the state at this time. In their absence, DOC can provide information on the availability and use of existing geologic and soil maps to identify areas in California with the potential for NOA. The following links are provided for access to additional information on NOA.

California Air Resources Board
California Department of Conservation

For more information and technical assistance in addressing this issue in your CEQA documents, please contact:

State Clearinghouse
Office of Planning and Research
1400 Tenth Street, Room 222
P.O. Box 3044
Sacramento, CA 95812-3044
Telephone (916) 445-0613
Web site: www.opr.ca.gov
E-Mail: state.clearinghouse@opr.ca.gov

September 30, 2003

California Air Resources Board (CARB)
Public Information Office
P.O. Box 2815
Sacramento, CA 95812
Telephone: 916-322-2990
Web site: www.arb.ca.gov

California Department of Conservation (DOC)
Division of Mines and Geology
Map Information
801 K Street MS 14-34
Sacramento, CA 95814-3532
Telephone: (916) 445-5716
Web site: www.consrv.ca.gov

Attachment 2
Excerpts of County Ordinance Codes Referenced in Comments

NOISE

9.16.040 Loud and Raucous Noises--Definitions.

The following words when used in section 9.16.050 shall have the meaning ascribed to them in this section unless it clearly appears from the context that a different meaning is intended. All other words and phrases shall be given the ordinary meaning.

A. "County" is the unincorporated area of the county.

B. "Loud and raucous noise" means:

1. Any noise made by the motor of any automobile, truck, tractor, motorcycle, or aircraft of any kind not reasonably required in the operation thereof under the circumstances and shall include but not be limited to backfiring, motor racing, and the buzzing by airplanes;
2. The sound of the discharge of any explosive except by or with the permission of any appropriate state or local licensing agency;
3. The human voice or any record or recording thereof when amplified by any device whether electrical or mechanical or otherwise to such an extent as to cause it to unreasonably carry on to public or private property or to be heard by others using the public highways, public thoroughfares, or public buildings;
4. Any sound not included in the foregoing which is of such volume, intensity, or carrying power as to interfere with the peace and quiet of persons upon public or private property or other users of the public highways, thoroughfares, and buildings.

C. "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.

D. "Public building" means the occupied buildings or structures used by the general public, such as schools, courthouses and/or hospitals owned and maintained in whole or part by the county, the state, or the United States government.

E. "Public highway" means the full width of the right-of-way of any highway or road located in the county, which is maintained in whole or in part by the county or the state.

F. "Public thoroughfare" means the full width of the right-of-way or owned fee of any alley, sidewalk, bridge, or trail owned or maintained in whole or in part by the county or by the state in the county.

G. "Sheriff" is the sheriff of the county. (Ord. 3189 §1(part), 1981: prior code §7581)

9.16.050 Loud and Raucous Noises--Prohibited.

Except as otherwise provided in this chapter, it is unlawful for any person to willfully make, emit, or transmit or cause to be made, emitted, or transmitted any loud and raucous noise upon or from any public highway or public thoroughfare or from any aircraft of any kind whatsoever, or from any public or private property to such an extent that it unreasonably interferes with the peace and quiet of another's private property. (Ord. 3189 §1(part), 1981: prior code §7582)

LIGHTING

17.14.170 Outdoor Lighting. [Note that diagrams are not included in this memorandum.]

A. Policy. It is the policy of the County that the creation of artificial light and glare be controlled to the extent that unnecessary and unwarranted illumination of an adjacent property be prohibited. The creation of light or glare by any person in violation of this Section shall constitute a public nuisance and shall be subject to abatement proceedings in accordance with Chapter 17.12.

B. Lighting Plans Required.

1. Any commercial, industrial, multi-family, civic, or utility project that proposes to install outdoor lighting shall submit plans for such lighting, to be reviewed by the Planning Director as a part of a site plan review. If the project requires a design review, special use permit, or development plan application, said lighting plan shall be included as a part of that application, and shall be subject to approval by the approving authority.

2. Lighting plans shall contain, at a minimum, the location and height of all light fixtures, the manufacturer's name and style of light fixture, and specifications for each type of fixture.

C. Outdoor Lighting Standards. All outdoor lighting shall conform to the following standards:

1. All outdoor lighting, including residential outdoor lighting, shall be hooded or screened as to direct the source of light downward and focus onto the property from which it originates and shall not negatively impact adjacent properties or directly reflect upon any adjacent residential property.

2. Parking lot and other security lighting shall be top and side shielded to prevent the light pattern from shining onto adjacent property or roadways, excluding lights used for illumination of public roads. [See Exhibit 17.14.170(A)]

3. External lights used to illuminate a sign or the side of a building or wall shall be shielded to prevent the light from shining off of the surface intended to be illuminated.

4. Lights that shine onto a road in a manner which causes excessive glare and may be considered to be a traffic hazard shall be prohibited.

5. Outdoor floodlights shall not project above 20 degrees below the horizontal plane. [See Exhibit 17.14.170(B)]

6. Lighting of outdoor display area, including but not limited to vehicle sales and rental, and building material sales, shall be turned off within thirty (30) minutes after the closing of the business. Security lighting, as approved by the Planning Director may remain on after the close of business hours.

7. Lighted signs shall also conform to Section 17.16.070.

D. Exemptions. The following lighting shall be exempt from the provisions of this Section:

1. Airport lighting which is required for the safe and efficient movement of aircraft during flight, take off, landing, and taxiing. All other outdoor lighting at airport facilities shall comply with the provisions of this Section.

2. Lighting used by law enforcement or other emergency personnel.

3. Lighting used for the illumination of the United States flag pursuant to the requirements for nighttime illumination of the United States Flag Code.