

We Advocate Thorough Environmental Review
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City of Mt. Shasta
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Submitted via email:
jlucchesi@mtshastaca.gov

Dear Ms. Lucchesi:

We Advocate Thorough Environmental Review (W.A.T.E.R.) is a California 501(c)(3) non-profit corporation incorporated to promote quality local and regional planning, land use and development, as well as to preserve a healthy human and natural environment within the Siskiyou County area.

We are responding to a request for public comment on the Freeze Mini-Storage and Car Wash Project Initial Study/Mitigated Negative Declaration prepared by Michael Baker International, June 2017. Please note that there are two attachments and please acknowledge receipt of these documents.

We find the IS/MND to be inadequate in multiple ways: the project description is vague, leaving out much relevant information, and is insufficient to inform the public about the project; the IS/MND ignores many important environmental aspects of the project; and the document inadequately describes or ignores relevant City, County, State and Federal Codes and requirements. This is a very poorly written study that needs significantly more input and analysis and will require redesign of many of the project components.

3.0 Project Description

The Project Description is inadequate to allow full environmental analysis -- there are only two pages of descriptive text, one table, and eight poorly labeled figures. Most notably, page 3.0-1, last paragraph describes a holding pond that will collect stormwater to be discharged into the City's drainage system--no further description of the collection system and pond is given anywhere in the document. The significance of this inadequacy and others will be addressed throughout the analyses below.

4.1 Aesthetics

Surprisingly, the IS/MND concludes there will be no aesthetic impacts of this project. Ask the people living in the homes around the proposed project: would they prefer an empty lot with regenerating vegetation (as existed before Mr. Freeze illegally cut down trees and bull-dozed the lot) or a carwash and storage facility? Ask the people who hike on the Spring Hill Trail: would they like the view from the trail to include 29,000+ sq. ft of rooftop? Ask the people who approach Mt. Shasta from southbound I-5 via Mt. Shasta Blvd: is the first thing they want to see as they enter the City a large storage facility? The Mt. Shasta Community Action Plan 2020 Community Vision states, "Visitors to Mt. Shasta approaching on Interstate 5 and entering the area are impressed by how well the physical development of this dynamic community is harmonized with the beautiful mountain setting." Is the Freeze project consistent with this vision? No.

Page 4.01 states: "Building will be oriented so that the gabled ends with veneer finishes are visible to the public." This is not so, the buildings are designed to be parallel Mt. Shasta Blvd, so the sides and roofs of the buildings, not the ends, will be visible along Mt. Shasta Blvd.

"The roll-up doors of the mini-storage and all trash bins/enclosures will be shielded from view." Shielded by what?? A six-foot-tall security fence with slats? That will not be an improvement in the view.

"The majority of the site's western boundary is shielded from Mt. Shasta Boulevard by existing trees and vegetation." Although there is existing vegetation along Mt. Shasta Blvd, it is not dense enough to block the view from the street. "A six-foot-tall perimeter security fence with slats" will NOT be attractive. There is no way to block the view through the emergency entrance that is proposed along N. Mt. Shasta Blvd. where trees and other vegetation cannot be used because it would block the road way.

Page 4.0-2, paragraph a) states, "Mt. Shasta General Plan does not specifically address scenic views and viewsheds and does not identify any scenic vistas. Therefore the project will have no impact." The General Plan DOES specifically address scenic views and view shed in the Open Spaces and Conservation Element. Spring Hill is mapped by the General Plan (p. 5-30) as a "scenic view shed area". And the mandate to protect view sheds and areas in the vicinity of a view shed is stated on page 5-28, #4: "The City will need to be prepared to respond to development proposals and timber management plans in the vicinity that would significantly diminish the value of scenic resources within the City's General Plan planning area." The Freeze project, as designed, would most certainly "diminish the value" of the scenic resources around Spring Hill.

Page 4.0-2, paragraph b). The IS/MND erroneously states that "Interstate-5 is not designated as a scenic highway..." Interstate-5 IS designated as a Volcanic Legacy Scenic Byway between Highways 89 and 97. The IS/MND must acknowledge this designation and evaluate the potential impact of the project on I-5 as a Volcanic Legacy Scenic Byway.

Page 4.0-2, paragraph c). Would the project "substantially degrade the existing visual character or quality of the site and its surroundings?" The IS/MND says there will be no impact. However, there is a vast difference in visual impact between an "empty lot" that was re-growing vegetation (that was illegally removed by Mr. Freeze) and the large buildings that will fill it. More importantly, as stated above, this project represents a huge negative impact to the site's surroundings, especially the residents to the east and south, hikers on the Spring Hill Trail to the north, and visitors entering the City on Mt. Shasta Blvd to the west. The IS/MND must acknowledge these significant impacts, present a true evaluation of the visual impacts, and design appropriate mitigations if the project is to be acceptable.

Page 4.0-2, paragraph d), about glare: no matter what color the roofs are, 43,699 square feet of asphalt and 29,858 square feet of roof area will NOT look pretty from the trail on Spring Hill and other higher-elevation viewing areas.

Even if security lights point down, there will be stray light reflecting off of surfaces, including snow banks and the walls of the buildings (I do not see a statement of what color the walls will be), and disturbing the nearby residents at night. It is not necessary for the facility to operate 24 hours per day requiring full night time lighting. Night time lighting could be greatly reduced by limiting hours, for example, 7 am to 9 pm.

4.3 Air Quality

The IS/MND refers to a holding pond for stormwater run-off (page 3.0-1, last paragraph). However, there is no information about how this pond will be built and there appears to be no consideration of the air quality impacts of its construction. The IS/MND must evaluate this air quality issue.

Related to estimates for emissions associated with the project (Tables 4.3-1, 4.3-2, 4.3-3), the first paragraph on page 4.0-7, last two sentences, states "CalEEMod contains default values for much of the information needed to calculate emissions. However, project-specific, user-supplied information can also be used when it is available." It is very difficult to determine what parameters were actually used in the calculations. Appendix 4.3 does not indicate which default values were used and how their use was justified, or what user-supplied parameters were used and how they were justified. The project description gives no indication of what energy requirements will be for the project: How much energy will be needed for 24/7 lighting? Will water for the car wash be heated? Will car wash bays be heated in the winter? This lack of information makes the air quality section impossible to evaluate.

Page 4.0-6, paragraph d): The sensitive receptor discussion ignores the significant odors produced during paving. Asphalt really stinks and contains volatile organic compounds that most certainly will impact the neighbors. The IS/MND indicates the closest sensitive receptor is adjacent to the property, which is true, however the analysis ignores the other residences across the street that will also be impacted.

Table 4.3-3 indicates daily emissions of NO_x during operation could be as high as 12.57 pounds per day. Although this may fit within NCUAQMD guidelines, it is significant enough to

negatively impact the quality of life of the neighbors (See Attachment 1). The City should stipulate stricter maximum emission levels that would protect the neighbors. Who will compensate the neighbors for their decreased quality of life and drop in their property values because of this project?

The analysis does not consider the cumulative impacts that will result from operation of the proposed Crystal Geyser Water Company plant, clearly a foreseeable impact.

4.4 Biological Resources

A biologist surveyed the project site on April 21, 2017 and found, "Non-native grassland is the only vegetative community on the project site..." (page 4.0-9). This statement ignores the fact that prior to the survey the property owner had removed much of the vegetative community, including large cedar trees (see Attachment 2). On page 4.0-12 it states, "The non-native annual grassland shows signs of disturbance from vehicle activity..." Of course it does, significant disruption occurred on the site when the trees were illegally removed! It is disingenuous to give the impression that disruptive impacts have not already occurred because of this project. A valid biological analysis would take as the starting point the state of the property before Mr. Freeze illegally altered it, not its state on April 21, 2017.

Several special-status species with the potential to occur in the project area were identified by the query of USFWS, CNPS and CNDDDB databases. However, potential special-status plant species were eliminated by the following argument:

"While annual grasslands are typically capable of supporting a variety of special-status plant species, the non-native grassland on the project site is dominated by invasive weedy grasses and forbs and has a history of disturbance from vehicles and other human traffic. This limits the possibility of special status plant species to occur on the project site. In addition, the small strip of mature trees in the western portion of the site is not a large enough continuous portion of habitat to be considered a forest or woodland. Therefore, special-status plants associated with forest or wood lands are not anticipated to occur on the project site."

What is wrong with this argument? The historical disturbance of the site most recently was the illegal activity of the property owner, with significant disruption of the grasslands and removal of trees (see Attachment 2). The grasslands existing before that disruption may have been suitable to support special-status plant species. Perhaps before illegal removal of the trees there would have been enough continuous portion of habitat to be considered a forest or woodland.

Although the illegal activity on the property cannot now be undone, because of it, it is inappropriate to use the argument above to declare there is no potential for special-status plant species to exist on the property.

The IS/MND says on page 4.0-14, paragraph b) "There is a potential jurisdictional roadside drainage along the southern portion of the project site...This would be considered a sensitive habitat..." Then Mitigation Measure 4.4.8 is proposed to "require a wetland delineation to be

conducted to define the boundaries of the feature and the level of potential impact resulting from the proposed project implementation." This is not a mitigation, this is what needs to be done for this IS/MND to effect full disclosure, or else the public is not allowed full evaluation of the project. Again on page 4.0-15 paragraph c), "The proposed project has a potentially jurisdictional feature which will require a wetland delineation to be conducted prior to project approval." Again, wetland delineation must be done before IS/MND approval.

4.6 Geology and Soils

On page 4.0-28, paragraph d), it states: "The City of Mt. Shasta requires a soils report if it has been determined by the City Building Department that a significant expansion potential exists at the site." The City's determination as to whether or not a soil test is needed, and the results of the test if needed, must be included in the IS/MND for full disclosure.

4.7 Greenhouse Gases

As with Appendix 4.3, Appendix 4.7 is indecipherable. There is not enough explanation to determine if parameters used are reasonable--more explanatory detail is required. The project description says there will be a holding pond for stormwater drainage, however, there is no description of how this pond will be built. Thus it appears that GHGs from construction of the pond have not been included--this needs to be included in the analysis. We see no information about the wastewater recycle system--are its energy requirements and GHG emissions included in the calculations? There is no indication this is so.

The threshold of significance for GHG is that from San Luis Obispo Air Pollution Control District with no rationale for that choice (other than that Siskiyou County APCD does not have a standard). Why that choice?

There is no indication that any attempt was made to REDUCE greenhouse gas emissions from the project, as mandated by CA AB 32, which sets a goal of reducing GHGs 25% below the "business as usual" threshold. No such effort has been done for this project.

4.8. Hazards and Hazardous Materials

On page 4.0-33, paragraph b), it states,

"The mini-storage would use and store limited amounts of hazardous materials. The car wash systems would create wastewater containing oil and grease, which could include hazardous materials such as benzene, lead, zinc, chromium, arsenic, pesticides, herbicide, nitrates, and other metals. Detergents, phosphates and chemical such as such as (*sic*) hydrofluoric acid and ammonium bifluoride products (ABF), and solvent-based solutions could also be discharged to the wastewater."

The list of hazardous materials must be more specific: What hazardous materials would be used and stored in the mini-storage area? How will those materials be disposed of after use? What pesticides and herbicides will be used? What detergents, why hydrofluoric acid and ABF

products? What solvent-based solutions of what? Is the wastewater system adequate for handling these hazardous materials?

The IS/MND goes on to describe all the regulations that businesses are supposed to comply with, but who comes to check? Will the City be able to monitor the waste coming out of the carwash into the City sewer system and shut it down if it is negatively impacting the City WWTP?

4.9 Hydrology and Water Quality

The bulk of this section discusses only construction related impacts, little is said about operational impact, which must be analyzed because there is potential for significant impacts, especially related to surface drainage. Other than the indication that there will be drains in the asphalt, there is no information about the drainage system that will drain the 84% of the surface area that will be impermeable; there is reference to a holding pond but no description of where it will be and how it will be constructed and no analysis of whether it would be adequate to handle heavy rain storms and extreme wet weather events. There is no indication of how the carwash system will be drained--it is stated that it will go to the City sewer system, but there are no plans shown for how that will be piped.

Page 4.0-36 paragraph a) only describes how stormwater discharge is handled during construction. There is no discussion about how stormwater will be handled once construction is complete and the facility is operating. Thus the prompt "Would the project violate any water quality standards or waste discharge requirements" (page 4.0-35) is NOT fully addressed. A full description of how stormwater is handled during operations must be completed. It states in Table 3.0-1 that 50% of the project site surface area will be covered by asphalt and 34% by buildings. That means 84% of the 2.77 acres will be covered with impermeable surfaces. In a heavy precipitation event, a lot of rain water would have to be drained from the project site. Can the project handle that? We cannot tell from the IS/MND. The schematics provided show drain gratings, but there is no information about the pipe system that would carry that water to the holding pond. There is no discussion of how much water this drainage system will be able to handle in a heavy rain storm or an extreme weather event. A one-inch rain storm would drop approximately 63,000 gallons of water. Is the system designed to handle that much rain? This is an important omission because of the proximity of the site to Big Springs in City Park-- overflow from the site could contaminate waters there and in the surrounding wetlands.

Page 4.0-36, paragraph b) indicates the water for the project will come from the City. In past drought years, the City has had to put restrictions on water use by residents and other businesses, including restrictions on car washing. Will the City be able to shut down operation of the car wash in the next drought? This needs to be addressed.

Page 4.0-37, paragraph c) again mentions a detention pond that will collect on-site drainage and allow metered release of the water into the City's existing storm drain system. Yet there is NO description of where the pond will be, what its capacity will be, how it will be designed, what its surrounding watershed area will be: in a heavy rain or an extreme weather event water would be collected not only from the surface area of the site but also the area surrounding the pond. Will it be able to handle an extreme weather event? We don't know because there is no information

about the retention pond. If the pond is near the project site, it would have to be sealed so contaminated water would not percolate through the very porous Deetz soil. Could it overflow and contaminate Big Springs and the surrounding wetlands? Will it create odor problems for neighbors?? None of this is discussed.

Page 4.0-37, paragraph e). The prompt here is, "would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of pollution," (page 4.0-35). The response refers only to what happens during construction, does not address what happens during operations, and nowhere in the IS/MND is there a description of "... the capacity of existing or planned stormwater drainage systems..." This is a glaring deficiency of the IS/MND that must be addressed.

Page 4.0-37, paragraph f) states there will be no degradation of water quality, but again this ignores potential extreme weather events, that have occurred in the past and will most assuredly occur in the future. The potential for overflow in a heavy storm must be assessed and mitigated, since such an occurrence could contaminate the Headwaters and surrounding wetlands. In addition, it appears herbicides and pesticides will be used on the landscaped areas. The underlying Deetz soils may allow percolation of these toxic compounds into the underlying aquifer, a possibility that is not mentioned. How will this be prevented?

4.10 Land Use

A mini-storage facility is a type of warehouse, which is allowed in E-C zoned areas, not under C-2 zoning and not as a conditional use under C-2 zoning.

The warehouses total square footage is over 29,000 square feet, making it a large scale operation and subject to City of Mt. Shasta Municipal Code section 18.70.080 - Standards for commercial and industrial structures and for "large scale" development. This adds on another level of requirements that are completely ignored in the IS/MND. For example, City code (18.70.080) states: "In addition to other required landscaping, a landscape buffer 30 feet in width shall be provided adjacent to the site property line where it adjoins residential zones. The landscape buffer shall include canopy trees of at least 30-foot intervals to provide noise, light, and visual screening. No other uses, such as, but not limited to, parking or storage, are permitted within the landscape buffer area, except for snow storage." Figures 3.0-3, 5, 6, and 8 all show there is less than a 30 foot landscape buffer around the adjoining residence, particularly on the north side of the residence, part of the northwest side, and to the south. Within that 30 foot region surrounding the adjacent residence property line are paved driveways, buildings and parking, clearly in violation of the code.

4.12 Noise

Four 10-minute noise measurements were taken between 11:15 am and 12:30 pm. This does not constitute a complete base line noise study. Night time noise levels are likely to be much less and must also be considered.

Discussion of stationary noise generation during project operation (page 4.0-45) must also include a study of the four vacuum stations which will be in the open.

Mitigation 4.12.2 describes a permanent, 6 foot high noise barrier that will be constructed to block operational noise from the neighboring residences. This is not shown in the schematics of the project site design. It is also not considered in the aesthetics section, and without more detail in the IS/MND it is not possible to evaluate its impact on the surrounding residences and hikers of the Spring Hill Trail.

4.14 Public Services

The IS/MND admits the existing water infrastructure cannot support fire protection (page 4.0-50, second paragraph under a): "The analysis [conducted by PACE Engineering] estimated that approximately 2,000 feet of 20 inch main supply line would be needed to be installed to meet minimum fire flow requirements." Yet there is no indication in the IS/MND that this upgrade will happen, or who would pay for it. The IS/MND goes on to say that "The City is responsible for providing adequate fire flows to the site prior to project approval," which is an acknowledgement that the City can deny project approval if it cannot provide the needed fire flow.

4.16 Transportation

The intersection of N. Mt. Shasta Blvd, Ski Village Drive to the east, and Nixon Road to the west is already heavily traveled and problematic. N. Mt. Shasta Blvd brings traffic to and from I-5 and will be heavily impacted by the 100 truck trips per day from the proposed CGWC plant. There are no turning or merging lanes along N. Mt. Shasta Blvd for Ski Village Drive and Nixon Road, no stop signs, no lights, nothing to direct traffic in a safe way, all posing risks to pedestrians and cyclists. Ski Village Drive already carries traffic to residential areas, schools, the mountain, a Church, and potentially the CGWC employee parking lot. Nixon Road provides access to Mt. Shasta City Park, which is heavily used and has frequent, heavily attended special events. These traffic issues are ignored in the IS/MND and must be addressed.

4.17 Tribal Cultural Resources

The City of Mt. Shasta is obligated to apply the AB52 law to the CEQA process in this case because of the project's proximity to Spring Hill and the Headwaters of the Sacramento River at the Spring, areas that are significant cultural resources for Tribes.

4.18 Utilities and Service Systems

Wastewater Collection and Treatment:

The IS/MND says it will recycle auto-car wash water, recovering 76% of the water, but there is no information about this system. Will the concentrated waste create a problem for the City wastewater treatment plant? How much energy will it require? How much greenhouse gas equivalents and air pollutants will be generated by running the system? There is no indication operation of the recycle system has been included in the calculations for sections Air Quality or

Greenhouse Gases. Why not also recycle waste water from the self-wash bays -- why only the auto-car wash waste water?

It is common for RVs, trailers, and camping vans to dispose of their raw sewage down car wash drains. Will the system ensure such dumping will go into the sanitary sewer system and not contaminate the surrounding area?

Water Service

There are water pressure problems on the north end of town. How will the project's water use affect water pressure in not only the surrounding neighborhoods but also neighborhoods at higher elevation that are on that same line? This potential problem needs to be evaluated in the IS/MND.

On page 4.0-59, paragraph b) it says, "Additional water supply line improvements may be required to provide adequate fire flows to the project site." But as noted previously, the report from PACE Engineering is summarized as, "The analysis estimated that approximately 2,000 feet of 20 inch main supply line **would be needed to be installed** to meet minimum fire flow requirements." Since the City just recently replaced 2000 feet of line with 12 inch main supply line, is it likely another upgrade will happen soon? Does the City have the resources to do so? Or must the City deny approval of this project?

Page 4.0-59, paragraph c) addresses availability of the City water supply. In past periods of draught, the City has banned residents from using water for washing cars. In future periods of draught, will the City have the authority to shut down the carwash?

Storm Drainage

Page 4.0-59, paragraph c) states: "...stormwater would drain to multiple onsite drainage inlets, be piped underground to a holding pond, and then discharged into the city's existing storm drainage system." Nowhere in the document does it indicate where this holding pond is, how it is or will be constructed, what it's capacity is and whether it could contain a heavy rainstorm and extreme weather event. Why the mystery? This pond must be described in this document and assurances made that waters could not overflow this entire drainage system and contaminate the Big Springs area and surrounding wetlands.

4.19 Mandatory Findings of Significance

Because of the many problems with the project outlined above, the Mandatory Findings of Significance are invalid and must be reassessed after a more serious study is completed. There certainly will be significant cumulative negative impacts to surrounding residences from noise, air pollution, light pollution, and aesthetics. The study ignores the impacts of the proposed CGWC project. It ignores the historical context of a property owner who illegally altered the property before the initial study could be done. A much more thorough IS/MND must be done.

One other point; What is the penalty for removing City trees without permission, as was done? If it is just a monetary fine, that is hardly adequate; a fine could just be considered by the developer as another cost of construction. For a penalty to have a deterrent effect on this and

future scofflaw developers, this developer should not be rewarded with approval but instead denied approval.

We offer these comments with a genuine interest in the development of a healthy local community, economy, and environment.

We would like to have responses to our questions/comments/concerns in writing. Please let us know what the timeline will be for obtaining your response.

Respectfully Submitted by

Geneva M. Omann, Ph.D. (Biochemistry)
Secretary
for We Advocate Thorough Environmental Review