



We Advocate Thorough Environmental Review

P.O. Box 873, Mount Shasta, California 96067 * (530) 918-8805 * mountshastawater@gmail.com * www.cawater.net

Frank Toriello
President
Bruce Hillman
Treasurer
Geneva M. Omann
Secretary
Dan Axelrod
Board Member
Mark Kennedy
Board Member

Sent to Mt. Shasta City Planning Commissioners via email March 20, 2023

Subject line: Comments on Final ISMND for Mountain Townhomes Project

Dear Planning Commissioners and Contract City Planner:

On behalf of We Advocate through Environmental Review, I submitted comments regarding the Draft Initial Study Mitigated Negative Declaration (ISMND) for the Mountain Townhomes Project. I am here submitting additional comments on the proposed Final ISMND, Volumes I and II.

There has been a lot of community input on this--43 different individuals have commented with a total of 51 letters being recorded in Volume I of the proposed final ISMND. Although many commenters acknowledged the need for affordable housing, no one expressed support for the project as is. All of that input identified problems with the project—parking/traffic hazards, building set-back safety issues, wetland delineation problems, noise issues, architectural design issues, storm water drainage issues, and others. There were many sound recommendations for changes related to parking and traffic, wetland and riparian habitat protections, wildlife protections, storm water drainage, noise, architectural design, etc. In spite of all this input, there were few changes to the proposed Final ISMND.

The responses to comments (written by the consulting firm that wrote the ISMND) was quite concerning as they pretty much evaded or blew off most of the publics’ concerns. We find this disrespectful of the legislated role of the public in the CEQA process. It is far from representing a “good faith” effort to respond to the public that is mandated by CEQA guidelines.

Here are just a few examples:

California Department of Fish and Wildlife provided comments and specifically called out the original MMBIO-04 “Regulatory Permitting”, because it was not really a mitigation measure (Volume I, pdf page 218). That mitigation measure had now been completely re-written as MM BIO-04 “Regulatory Permitting for Riparian Habitat” (Volume II, page 43), with significantly different content, which the CDFW now has no opportunity to review.

The letter from CalTrans/Department of Transportation (Vol 1, pdf page 337) expressed concern about drainage from the impervious surfaces, noting the lack of capacity of the City's storm drainage system, but no changes to the project were made. CalTrans also noted that the project has designs for water retention and penetration into the soil, but in Mt. Shasta that may only result in the water resurfacing

elsewhere and causing problems. The “Response to Comments” (Vol 1, pdf pages 132-133) was simply to describe the very sections that CalTrans found inadequate (siting sections 6.X). Again, no change was made. CalTrans stated that a Storm Drainage report was **needed** and gave a detailed description of what such a document should contain (Vol I, pdf page 338-339): The “Response to Comments” (Vol I, pdf page 134) sites section 3.3, but no changes were made in that section. No Storm Drainage Report is included in the proposed final ISMND. **None of CalTrans’ issues have been addressed in the proposed Final ISMND.**

Several letters commented on the traffic hazards of diagonal parking along Chestnut and Ivy. (For example, Michael Williams (Vol I, pdf pages 141-142; his full letter is not included in the document), Peggy Risch (Vol. I, pdf page 350-356), and others. Whereas the diagonal parking along Ivy has been replaced by parallel parking (perhaps because a planning commissioner submitted comments calling out the hazard on Ivy Street: Vol. I, pdf page 428), the concerns regarding the hazard of diagonal parking on Chestnut Street are not addressed. The “Response to Comments” states, “The commenter has requested changes to the diagonal parking spots on Chestnut Street. This comment requesting a design change does not raise any environmental issues related to the specific content of the ISMND” (Vol. I, pdf page 141-142). This is not a very convincing deflection of the safety issues posed. And if this is true, why change the parking along Ivy Street?

One letter questioned whether the address, 735, was correct since all other addresses along the east side Chestnut Street are even. The “Response to Comments” says, “The correct address of the project site is 735 Chestnut Street, Mt. Shasta, CA 96067, as stated in the ISMND” (Vol I, pdf page 130-131). However, the staff report in the agenda packet says the address will be changed to 740 Chestnut Street. Clearly, the “Response to Comments” is wrong on this issue.

These are just a few examples of the numerous ways the “Response to Comments” deflects, distracts from, and/or ignores public and agency input. The shocking lack of respect for community input demonstrated in the “Response to Comments” and the proposed Final ISMND is not consistent with the “good faith” mandate of CEQA guidelines. It is not reflective of the community at large. We encourage the Planning Commissioners to review these documents carefully and make your own careful analysis as to whether they reflect a “good faith” effort to address community input, and whether the proposed Final ISMND reflects the good faith and commitment of the Planning Commission to work for the safety and wellbeing of the community.

We submit these comments in the interest of making this project the safest and most beneficial for the community at large and the future residents of the facility.

Sincerely,
Geneva M. Omann
for We Advocate Thorough Environmental Review