
1.0 INTRODUCTION

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This Draft Environmental Impact Report (Draft EIR) examines the potential environmental effects of the Draft Sutter County General Plan (proposed General Plan). The term “proposed project,” as used in this Draft EIR, refers to the Sutter County General Plan (SCH #2010032074). The proposed General Plan is described in detail in Chapter 3, Project Description. The project background and the legal basis for preparing an EIR are described below.

Project Background

In late 2007, Sutter County (County) initiated a comprehensive update of its General Plan. The prior County General Plan was adopted in 1996. Various elements of the General Plan have been updated and amended in the intervening years, but the plan has not been comprehensively revised since that time. A new General Plan is necessary to reflect the current vision of the community’s values and quality of life, priorities for resource protection, and manner of future growth within the county over the next 20 years.

A Technical Background Report (TBR) and a Planning Issues Report were completed in February 2008, and was the first major technical product of the general plan process. The purpose of the TBR was to provide a profile and analysis of existing conditions in and around the county. Existing physical, social and economic conditions were described for the baseline date of year 2008. The TBR serves as the foundation for the development of subsequent goals, policies and programs, contained in the General Plan and also as the basis for preparing the “Existing Setting” section for each environmental issue area addressed in this Draft EIR. The Planning Issues Report identifies and describes the key physical, environmental, economic, cultural, and social issues to be considered in the General Plan.

The TBR is available electronically on the County’s website (www.co.sutter.ca.us) and on CD at the back of this document.

In June 2008, the County Board of Supervisors adopted the guiding principles and vision for the future which provides the foundation for the General Plan goals and policies. In late 2009 and into early 2010, the Board of Supervisors gave staff direction to develop the Draft General Plan and prepare the required environmental documentation based on the Preferred Land Use Map and draft goals, policies and implementation programs.

ENVIRONMENTAL SETTING/DEFINITION OF THE BASELINE AND EIR ASSUMPTIONS

According to section 15125 of the California Environmental Quality Act (CEQA) Guidelines, an EIR must include a description of the existing physical environmental conditions in the vicinity of the project to provide the “baseline condition” against which project-related impacts are compared. Normally the baseline condition is the physical condition that exists when the Notice of Preparation (NOP) is published.¹ The NOP for the General Plan EIR was published on March 22, 2010. However, the CEQA Guidelines recognize that the date for establishing an environmental baseline cannot be rigid. Because physical environmental conditions may vary over a range of time periods, the use of environmental baselines that differ from the date of the NOP is reasonable and appropriate when doing so results in a more accurate or conservative environmental analysis.

For analytical purposes, impacts associated with implementation of the proposed General Plan are derived from the existing environmental setting provided in the 2008 TBR prepared for the General Plan. In general, the existing conditions have not significantly changed in the county since 2008 and the data from the TBR is the best available background information available. Where it was feasible to present more current information, the information is provided and analyzed in each technical section of the Draft EIR.

The level of development evaluated in this Draft EIR is based on reasonable assumptions for development activity anticipated to occur over the next 20 years within the proposed project boundaries, referred to as the “policy area,” which includes the existing county boundaries. To determine what would be reasonable assumptions for the amount of new residential, commercial, and population growth the County considered a range of factors, including the physical capacity of the General Plan Preferred Land Use Map, the projected growth assumed in the Sacramento Area Council of Governments (SACOG) Blueprint (2050), the specific policy direction in the plan, growth assumptions provided by the California Department of Finance (DOF), the California Employment Development Department (EDD), and the California Department of Transportation (Caltrans) and socioeconomic trends. The results of this analysis include forecasts of the number of new residences, amount of new employment, and increase in population anticipated to occur during the Plan horizon. A more detailed discussion of the development assumptions is included in Chapter 3, Project Description, Chapter 4, Population, Employment and Housing and section 6.1, Introduction to the Analysis.

This Draft EIR presents a conservative analysis based upon the potential development that could occur within the County and adjacent areas from 2010 through 2030. As a practical matter, as illustrated under the current General Plan, actual development in any city or county is typically less than the theoretical limit of development. This is a result of market

1 State CEQA Guidelines, section 15125 (a).

forces, as well as building and zoning restrictions when applied to specific sites which often dictate the construction of less than the maximum allowable development. The EIR also analyzes the theoretical holding capacity or maximum level of development that could occur based on the land use designations; see section 6.1, Introduction to the Analysis for more information.

Purpose of the Environmental Impact Report

This Draft EIR has been prepared in conformance with the CEQA of 1970 (as amended) to evaluate the environmental effects of implementation of the General Plan.

CEQA requires that a local agency prepare an EIR on any project it proposes that requires some type of discretionary approval that may have a significant effect on the environment. The purpose of an EIR is not to recommend approval or denial of a project, but to provide decision-makers, public agencies, and the general public with objective information regarding the range of the potential environmental effects that could result from a proposed action. The EIR process is specifically designed to objectively evaluate and disclose potentially significant direct, indirect, and cumulative impacts of a proposed project; to identify alternatives that could reduce or eliminate a project's significant effects while continuing to achieve the major objectives of the project; and to identify potentially feasible mitigation measures that reduce or avoid the significant effects of a project. In addition, CEQA requires that an EIR identify those adverse impacts that remain significant after mitigation.

This document is a Program EIR for the General Plan and may also support a project-level environmental analysis for later projects that are proposed within the county and consistent with the General Plan. However, additional environmental review may still be required for subsequent projects seeking a discretionary approval. The County will review each development proposal on a project-by-project basis and will determine if additional environmental review is required based on the details and specifics of the project and/or the project site. It is anticipated that the County and other public agencies will use information provided in this Program EIR to evaluate future development proposals and to focus subsequent CEQA review on project-related impacts (if any) that were not specifically addressed in this EIR. Projects that are consistent with the new general plan and have been fully accounted for in the analysis contained in the Draft EIR will not, in most cases, require extensive additional environmental review before they are reviewed and/or approved. Projects that are within the scope of the EIR, but whose effects were not analyzed in the EIR would be addressed in a subsequent CEQA document.

The Sutter County General Plan includes goals, policies and implementation programs designed to mitigate potential impacts associated with implementation of the General Plan. This EIR relies on the proposed General Plan goals, policies, and implementation

programs to mitigate environmental impacts that could occur as a result of future planned development in the county. In many cases, adherence with proposed General Plan goals, policies and implementation programs would result in less-than-significant environmental effects. However, in some instances, additional mitigation measures may be needed that extend beyond specific policies and implementation programs included as part of the proposed General Plan.

EIR Process

In accordance with CEQA regulations, a NOP was released on March 22, 2010 for agency and public review (and is contained in Appendix A). The NOP comment period closed on April 20, 2010. The NOP was distributed to responsible agencies and interested parties. The purpose of the NOP was to provide notification that an EIR for the project was being prepared and to solicit guidance on the scope and content of the document. Comment letters received on the NOP are included in Appendix B. A public scoping meeting was held on April 8, 2010. Responsible agencies and members of the public were invited to attend and provide input on the scope of the EIR.

The NOP included specific growth assumptions for the number of new residential units and increase in population associated with buildout of the General Plan (see Appendix A). However, since release of the NOP the growth assumptions have been refined and are now represented as the Adjusted Buildout Assumptions (see Table 3-2 in Chapter 3, Project Description). The theoretical full buildout of the General Plan is addressed in the cumulative analysis included in each technical section of the EIR.

This Draft EIR is being circulated for public review and comment for a period of 45 days. During this period, the general public, organizations, and agencies can submit comments to the lead agency on the Draft EIR's accuracy and completeness.

Upon completion of the public review period, a Final EIR will be prepared that will include all written comments on the Draft EIR received by the County during the public review period and the County's responses to those comments. The Final EIR will present any revisions to the Draft EIR made in response to staff changes or public comments. The Draft EIR and Final EIR together will comprise the EIR for the proposed project.

Before the County can consider approval of the Sutter County General Plan, it must first certify that the EIR has been completed in compliance with CEQA, that the Board of Supervisors (decision-making body) has reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the County. The Board of Supervisors also would be required to adopt Findings of Fact for any impacts determined to be significant as well as a Statement of Overriding Considerations.

LEAD, RESPONSIBLE AND TRUSTEE AGENCIES

Lead Agency

Sutter County is the lead agency for preparation of the Sutter County General Plan environmental analysis. In conformance with sections 15050 and 15367 of the State CEQA Guidelines, the County is the “lead agency,” defined as the “public agency which has the principal responsibility for carrying out or disapproving a project.” The County, as lead agency, is responsible for scoping the analysis, preparing the EIR and responding to comments received on the Draft EIR.

Responsible Agencies

Responsible agencies are state and local public agencies, other than the lead agency, that have authority to carry out or approve a project or that are required to approve a portion of the project for which a lead agency is preparing or has prepared an EIR or Initial Study/Negative Declaration. Because the proposed project is a general plan, there are no agencies other than Sutter County that have approval or permitting authority for the plan’s adoption. Implementation of the General Plan would involve many additional responsible agencies depending upon the specifics of subsequent projects. The following are some of the agencies that could be required to act as responsible agencies for subsequent projects:

- Caltrans
- California Air Resources Board
- State Department of Housing and Community Development
- State Office of Historic Preservation
- State Reclamation Board
- Feather River Air Quality Management District
- Sutter County Local Agency Formation Commission (LAFCo)
- State Department of Fish and Game
- State Lands Commission
- State Department of Parks and Recreation
- State Water Resources Control Board
- Central Valley Regional Water Quality Control Board

Trustee Agencies

Trustee agencies under CEQA are public agencies with legal jurisdiction over natural resources that are held in trust for the people of California and that would be affected by a project, whether or not the agencies have authority to approve or implement the project. It is anticipated that development under the General Plan would not directly affect any lands under the jurisdiction of a Trustee Agency; however, the Trustee Agencies with jurisdiction that could be affected by subsequent projects consistent with the Sutter County General Plan include the California Department of Fish and Game, the California State Lands Commission, and the California State Department of Parks and Recreation.

REQUIRED PERMITS AND APPROVALS

Project approval requires the following actions by the Board of Supervisors:

- Certification of this EIR
- Approval of the General Plan
- Adoption of a Mitigation Monitoring Plan
- Adoption of Project Findings

The EIR will be used to support subsequent actions, including:

- Rezones
- Subdivision maps
- Community Plans
- Specific Plans
- Special Planning Districts
- Special Permits
- Design Review Actions
- Zoning Administrator Actions
- Preservation Actions
- Planning Actions
- Infrastructure and Public Facilities siting and project approvals
- Other related actions

PUBLIC REVIEW OF DRAFT EIR AND LEAD AGENCY CONTACT

Upon publication of this Draft EIR, the County will provide public notice of the document's availability for public review and invite comment from the general public, agencies, organizations, and other interested parties. Copies of the Draft EIR and the Draft General Plan will be available on the County's website at www.co.sutter.ca.us and at the following locations:

- Sutter County Community Services Department, 1130 Civic Center Boulevard, Yuba City
- Sutter County Main Library, 750 Forbes Avenue, Yuba City
- Sutter County General Plan Website:
http://suttercounty.org/doc/government/depts/cs/ps/gp/gp_documents

The public review and comment period is 45 days from September 9, 2010 through October 25, 2010. All written public comments on the Draft EIR must be received no later than 5:00 p.m. on Monday, October 25, 2010. All written comments or questions regarding the Draft EIR should be addressed to:

Steve Geiger, Principal Planner
Sutter County Community Services
1130 Civic Center Blvd., Suite A
Yuba City, CA 95993
530.822.7400
sgeiger@co.sutter.ca.us

Following the public review period, a Final EIR will be prepared. The Final EIR will respond to written comments received during the public review period. The County Board of Supervisors will review and consider the Final EIR prior to their decision to approve, revise or reject the proposed project.

SCOPE OF THIS DRAFT EIR

As lead agency, the County determined that this Draft EIR will address the following technical issue areas:

- Aesthetics and Visual Resources
- Agricultural Resources
- Air Quality
- Biological Resources
- Climate Change

- Cultural Resources
- Geology, Seismicity, and Mineral Resources
- Hazards and Hazardous Materials
- Hydrology, Flooding and Water Quality
- Noise
- Public Services, including Police, Fire, Parks and Recreation, Schools, and Emergency Services
- Public Utilities, including Water Supply, Wastewater, Solid Waste, and Dry Utilities
- Transportation and Circulation

Potential land use inconsistencies or incompatibilities and changes in population, housing and employment are addressed in Chapter 4, Land Use Consistency and Compatibility, and Chapter 5, Population, Employment, and Housing. These issue areas are not considered technical; therefore, changes in land use policies and population, employment and housing associated with the General Plan are not addressed in the environmental analysis contained in Chapter 6.

How to Use this Report

This report includes 10 principal parts: Summary of Environmental Effects; Project Description; Population, Employment, and Housing; Environmental Analysis (Setting, Impacts, and Mitigation Measures); Other CEQA Required Considerations; Alternatives; Acronyms; References; Report Preparation; and Appendices.

Summary of Environmental Effects (Chapter 2) presents an overview of the results and conclusions of the environmental evaluation. This section identifies impacts of the proposed project and available mitigation measures as well as the Summary table that provides an overview of the impact and the level of significance both before and after mitigation.

Project Description (Chapter 3) describes the boundaries of the project area and the general project location, the project background, existing conditions present within the project boundaries, and the nature and location of specific elements of the proposed project, as well as requested project entitlements and/or approvals.

Land Use Consistency and Compatibility (Chapter 4) describes the various land uses and identifies if there are any consistency issues with proposed policies or any potential land use incompatibilities between adjacent land uses.

Population, Employment, and Housing (Chapter 5) identifies, estimates, and evaluates population, employment and housing changes that would be caused by future growth or

buildout of the general plan and that have the potential to cause physical environmental effects. The physical environmental effects will be evaluated in the technical sections contained in Chapter 6 (i.e., noise, traffic, etc.).

The **Environmental Analysis** (Chapter 6) includes a topic-by-topic analysis of impacts that would or could result from implementation of the proposed project. The analysis is organized in 13 topical sections (i.e., Air Quality, Public Services, etc.). Each section is organized into two major subsections: Environmental Setting and Regulatory Setting (existing conditions), and Impacts and Mitigation Measures, including cumulative impacts and mitigation measures.

Other CEQA Required Considerations (Chapter 7) discusses issues required by CEQA: unavoidable adverse impacts, irreversible environmental changes, growth inducement, and a summary of cumulative impacts.

Project Alternatives (Chapter 8) includes a description of the project alternatives. The impacts of the alternatives are qualitatively compared to those of the proposed project. This chapter also identifies the environmentally superior alternative.

The **Acronyms and Abbreviations** (Chapter 9) used through the Draft EIR are included in this chapter.

The **References** (Chapter 10) used throughout the Draft EIR are included in this chapter.

Report Preparation (Chapter 11) includes a list of preparers of the Draft EIR.

The **Appendices** contain a number of reference items providing support and documentation of the analyses performed for this report and are included on CD in the inside back cover of this document.