

# 1 INTRODUCTION

## 1.1 TYPE OF EIR

This environmental impact report (EIR) evaluates the impacts of the *Yuba County 2030 General Plan (2030 General Plan)*. The 2030 General Plan EIR is a program EIR, as described under the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq. [14 CCR 15000 et seq.]).

According to the State CEQA Guidelines (Section 15168[a]), a state or local agency should prepare a program EIR, rather than a project EIR, when the lead agency proposes the following:

- ▶ a series of related actions that are linked geographically;
- ▶ logical parts of a chain of contemplated events, rules, regulations, or plans that govern the conduct of a continuing program; or,
- ▶ individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways.

A program EIR “may be prepared on a series of actions that can be characterized as one large project and are related...in connection with the issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program” (State CEQA Guidelines Section 15168[a][3]). In this case, the program EIR will address the 2030 General Plan, which is the proposed “project,” as defined by CEQA. This program EIR considers a series of actions related to implementation of the 2030 General Plan.

As a program EIR, this document focuses on the overall effect of the 2030 General Plan. The analyses in this EIR do not examine the effects of site-specific projects that may occur within the overall umbrella of this program. The nature of general plans is such that many proposed policies are intended to be general, with details to be worked out during implementation. As a result, many of the impacts and mitigation measures in this EIR can be described only in general or qualitative terms.

This EIR does, however, quantify impacts related to transportation, drainage, air quality, noise, and other topics, making reasonable assumptions as to the amount, type, and character of land use change under the General Plan. The General Plan describes existing conditions information and some of the environmental consequences associated with its implementation and is hereby incorporated by reference.

### 1.1.1 TIERING AND STREAMLINING

The County intends to use the 2030 General Plan EIR to streamline approval of private and public projects. The County will make full use of existing streamlining provided by CEQA, and will make full use of emerging streamlining techniques, such as those related to implementation of the Sustainable Communities Strategy (Public Resources Code [PRC] Section 21155). The County will identify and incorporate other streamlining techniques as they become available in the future. The County has invested substantial resources in the 2030 General Plan and wants to promote fiscally prudent use of this EIR, once it is certified, to accommodate development consistent with the 2030 General Plan.

Although the legally required contents of a program EIR are the same as those of a project EIR, in practice, there are differences in level of detail. General Plans by their nature are broad, long-range, and conceptual. Program EIRs are typically conceptual and abstract. They contain a more general discussion of impacts, alternatives, and mitigation measures than do project-level EIRs. This is appropriate since the 2030 General Plan is meant to guide

long-term development within the County. The 2030 General Plan does not dictate specific site-planning requirements, internal transportation networks, or other project-level details. The County acknowledges and intends to make best use of the advantages to the programmatic approach to environmental analysis and reporting in this EIR. As noted in CEQA Guidelines Section 15168(b):

“Use of a program EIR can provide the following advantages. The program EIR can:

- (1) Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action;
- (2) Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis;
- (3) Avoid duplicative reconsideration of basic policy considerations;
- (4) Allow the Lead Agency to consider broad policy alternatives and programwide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts; and
- (5) Allow reduction in paperwork.

The analysis in this program EIR is considered the first tier of environmental review and creates the foundation upon which future, project-specific CEQA documents can build. Tiering refers to the concept of a multi-level approach to preparing environmental documents set forth in the PRC Section 21083.3 and the State CEQA Guidelines Section 15152.

Project-level environmental analysis can be streamlined to limit the scope of site-specific approvals following the preparation of an EIR for a general plan.<sup>1</sup> This streamlining provision applies to site-specific approvals for projects that are consistent with the general plan. This program EIR will, in practice, help determine the need for subsequent environmental documentation, as well as dictate the scope of project level CEQA review.

A program EIR can be incorporated by reference into subsequently prepared environmental documents to address cumulative impacts and growth-inducing impacts, allowing the subsequent documents to focus on new or site-specific impacts (State CEQA Guidelines Section 15168[d]).

Public Resources Code Section 21083.3 allows a lead agency to narrow the focus of project level analysis to effects upon the environment which are peculiar to the parcel or project (PRC Section 21083.3.(a)) The Code also limits the effects that can be considered peculiar in project-level analysis under the program EIR.

Section 15152 of the CEQA Guidelines provides that where a first-tier EIR has “adequately addressed” the subject of cumulative impacts, such impacts need not be revisited in second- and/or third-tier documents. According to Section 15152(f)(3), significant effects identified in a first-tier EIR are adequately addressed, for purposes of later approvals, if the lead agency determines that such effects have been either:

“mitigated or avoided as a result of the prior [EIR] and findings adopted in connection with that prior [EIR]”; or

“examined at a sufficient level of detail in the prior [EIR] to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.”

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<sup>1</sup> This section of the Public Resources Code also refers to consistency with community plans and zoning, but the above discussion is tailored to this General Plan EIR.

The PRC provides streamlining coverage to the County and other public agencies that have authority to implement General Plan EIR mitigation measures. Public agencies can use uniformly applied policies or standards to mitigate effects of future projects, avoiding the need to analyze these effects, unless new information arises that changes the impact analysis (PRC Section 21083.3 (d)). For this reason, this EIR includes references to draft General Plan policy and actions, where appropriate, to address environmental impacts. Future CEQA documents can reference the same General Plan policies and actions, where appropriate, to demonstrate less-than-significant impacts.

The County will consider specific plans, area plans, corridor plans, or other documents to implement the General Plan. Later adopted plans are also provided streamlining potential:

“(e) Where a community plan is the basis for application ... any rezoning action consistent with the community plan shall be a project subject to exemption from this division [CEQA]... a “community plan” means a part of the general plan of a city or county which (1) applies to a defined geographic portion of the total area included in the general plan... and (3) contains specific development policies adopted for the area included in the community plan...” (PRC Section 21083.3. (c))

## 1.2 PURPOSE AND INTENDED USES OF THE EIR

This EIR was prepared in compliance with the CEQA of 1970 (PRC Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). ~~This~~ The programmatic draft environmental impact report (DEIR) evaluates the environmental impacts that could result from implementation of the 2030 General Plan.

The purpose of an EIR is neither to recommend approval nor denial of a project. An EIR is an informational document used in the planning and decision-making process by the lead agency and responsible and trustee agencies. An EIR describes the significant environmental impacts of a project, potentially feasible measures to mitigate significant impacts are identified, and potentially feasible alternatives to the project that can reduce or avoid significant environmental effects. CEQA requires decision-makers to balance the benefits of a project against its unavoidable environmental effects in deciding whether to carry out a project.

The State CEQA Guidelines charge public agencies with the responsibility of avoiding or minimizing environmental damage that could result from implementation of a project, where feasible. As part of this responsibility, public agencies are required to balance various public objectives, including economic, environmental, and social issues.

The lead agency is the public agency with primary responsibility over the proposed project. In accordance with State CEQA Guidelines Section 15051(b)(1), “the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose.” The County, as the lead agency, has prepared this EIR to evaluate the environmental impacts of implementation of the 2030 General Plan.

The EIR was prepared under the direction of the County and is provided for review by both the public and public agencies, as required by CEQA. The County Board of Supervisors must certify the final EIR (FEIR) before adopting the 2030 General Plan.

If significant environmental effects are identified, the lead agency must adopt “Findings” indicating whether feasible mitigation measures or alternatives exist that can avoid or reduce those effects. If the significant environmental impacts are identified as significant and unavoidable, the lead agency may still approve the project if it determines that social, economic, legal, technological, or other factors override the unavoidable impacts. The lead agency would then be required to prepare a “Statement of Overriding Considerations” that discusses the specific reasons for approving the project, based on information in the EIR and other information in the record.

In making its decision about the proposed project, the County considers the information in this EIR, comments received on the DEIR, and responses to those comments, along with other available information and technical analysis.

## 1.3 SCOPE OF THE EIR

### 1.3.1 GEOGRAPHIC SCOPE

The “project site,” as defined by CEQA) includes all areas within the County, with a focus on unincorporated areas. Impact analysis is keyed, to some extent, to the Valley Growth Boundary and rural community areas. The 2030 General Plan addresses development and conservation within new growth areas, as well as land use change and reinvestment within the existing developed areas.

This EIR analyzes impacts of the 2030 General Plan relative to current conditions, including possible land use changes from existing conditions within unincorporated County areas. In some instances, this analysis of impacts in Marysville and Wheatland will be included in the EIR. For example, the transportation analysis conducted to support this EIR made use of a regional traffic model, and impacts outside the unincorporated areas were studied and are reported. The geographic scope of analysis, in summary, is dependent upon the topic being analyzed. While geologic and soils impacts are generally localized, air pollutant emissions can have regional or even global impacts. Please refer to the topic-specific chapters of this EIR for a detailed description of the geographic scope of analysis.

### 1.3.2 ENVIRONMENTAL ISSUES ADDRESSED

Environmental review in compliance with CEQA (PRC Sections 21000 et seq.) is required as part of the County’s consideration of the 2030 General Plan. The EIR has been prepared in accordance with CEQA, including the CEQA statutes (Public Resources Code Sections 21000–21178.1), State CEQA Guidelines (14 CCR Sections 15000–15387), and relevant court decisions. This EIR includes an evaluation of all required environmental resource areas, as well as other CEQA-mandated sections and climate change, as presented below:

- ▶ 4.1 Aesthetics
- ▶ 4.2 Agricultural and Forest Resources
- ▶ 4.3 Air Quality
- ▶ 4.4 Biological Resources
- ▶ 4.5 Cultural Resources
- ▶ 4.6 Geologic, Soils, Mineral, and Paleontological Resources
- ▶ 4.7 Climate Change
- ▶ 4.8 Hazards and Hazardous Materials
- ▶ 4.9 Hydrology and Water Quality
- ▶ 4.10 Land Use Planning, Population, and Housing
- ▶ 4.11 Noise and Vibration
- ▶ 4.12 Public Services and Facilities
- ▶ 4.13 Transportation and Traffic
- ▶ 4.14 Utilities and Service Systems
- ▶ 4.15 Energy
- ▶ 5 Alternatives to the Proposed Project
- ▶ 6 Other CEQA Considerations

Chapter 5 includes an analysis of alternatives to the proposed project (which is also referred to as the “Preferred Plan” and “2030 General Plan”), as required by Section 15126.6 of the State CEQA Guidelines. Other CEQA-mandated issues discussed within the context of this EIR are cumulative impacts, growth-inducing impacts, and significant and unavoidable adverse impacts (Chapter 6). [Chapter 7 lists the preparers of the EIR and Chapter 8](#)

identifies the references and citations used in drafting the EIR. Chapter 9 includes all comments on the DEIR and the County's written responses to comments that pertain to environmental impacts.

To assist the County in determining the focus and scope of analysis for this EIR, the County sent a Notice of Preparation (NOP) dated June 18, 2010 to government agencies, special service districts, organizations, and individuals with an interest in or jurisdiction over the project. This step ensured early consultation on the scope of the EIR. The County held a public scoping meeting for the project on July 7th, 2010. Please see Appendix A for the NOP and responses to the NOP.

## 1.4 ENVIRONMENTAL REVIEW PROCESS

The State CEQA Guidelines has specific requirements for EIRs related to descriptions of the project, the environmental setting, and certain types of impacts. Table 1-1 identifies the required elements of an EIR (with State CEQA Guidelines sections referenced) and the corresponding chapters or sections in which each element is discussed in this document.

<b>Table 1-1 Analyses Required by the State CEQA Guidelines</b>	
Required Description and Analysis	EIR Chapter or Section
Summary (Section 15123)	2
Description of the Project (Section 15124)	3
Description of the Existing Setting (Section 15125)	3
Environmental Impacts (Sections 15126 and 15143)	4
Alternatives to the Proposed Project (Section 15126.6)	5
Cumulative Impacts (Section 15355)	6
Growth-Inducing Impacts (Section 15126[d])	6
Irreversible Environmental Effects (Section 15126.2[c])	6
Significant Environmental Effects Which Cannot be Avoided (Section 15126.2[b])	6

## 1.5 NOTICE OF PREPARATION

As noted, pursuant to the provision of Section 15082 of the CEQA Guidelines, the County circulated a NOP of the General Plan EIR to public agencies and interested members of the public. The NOP was delivered to the Governor's Office of Planning and Research State Clearinghouse on June 17, 2010, anticipating a NOP review period starting June 18, 2010. The NOP is a brief notice sent by the lead agency to inform responsible agencies, trustee agencies, and potentially affected federal, state, and local agencies that the lead agency plans to prepare an EIR. The NOP also seeks comments regarding the scope and content of the EIR. The NOP and all comments received on the NOP are included as Appendix A to this DEIR.

The County received NOP comment letters from the following:

- ▶ California Emergency Management Agency
- ▶ California Department of Transportation (Caltrans)
- ▶ Jenny Cavaliere (resident of Oregon House)
- ▶ California Public Utilities Commission (CPUC)
- ▶ California Rural Legal Assistance (CRLA)
- ▶ California Department of Fish and Game (DFG)

- ▶ Dobbins/Oregon House Action Committee
- ▶ D/OH Planning Committee
- ▶ Gregory A. Forest (representative of Magnolia Ranch Specific Plan proponent)
- ▶ Erik Johnson
- ▶ Yuba Local Agency Formation Commission (LAFCO)
- ▶ Wheatland Fire Authority
- ▶ City of Marysville
- ▶ Laurie Oberholtzer (representative of No on Yuba Highlands Committee)
- ▶ Olivehurst Public Utilities District (OPUD)
- ▶ Placer County
- ▶ Nicholas Spaulding
- ▶ Central Valley Regional Water Quality Control Board
- ▶ City of Wheatland

The County held a scoping meeting on July 7, 2010, to receive comments on the NOP. The County has also conducted public outreach in various formats and settings to support the 2030 General Plan and has received substantial email and website input from citizens and agencies. Although social and economic issues were raised during this outreach, many environmental issues were also raised.

The NOP comment letters and comments at the scoping meeting suggest that the following topics related to adverse physical environmental impacts are particular areas of focus for the EIR (please refer to Appendix A for a complete summary):

- ▶ flood hazards;
- ▶ hazardous materials;
- ▶ access management for state highway system;
- ▶ alternatives to the state highway system for local trips;
- ▶ impacts to state highway system intersections, ramps, ramp intersections, mainline segments;
- ▶ land use strategies to reduce travel demand;
- ▶ wildfire risk in foothill areas;
- ▶ soil stability and erosion;
- ▶ water quality;
- ▶ transportation safety related to conflicts between travel modes;
- ▶ safety at at-grade railroad crossings;
- ▶ loss of agricultural and forest lands;
- ▶ air quality, including airborne toxics, and greenhouse gas emissions;
- ▶ availability of public transportation;
- ▶ water supply;

- ▶ waste disposal;
- ▶ drainage, including impacts to OPUD facilities;
- ▶ direct, indirect, and cumulative impacts to biological resources, including rare species;
- ▶ evacuation in the case of wildfire;
- ▶ effects of extending utilities to the Magnolia Ranch Specific Plan Area;
- ▶ energy conservation measures;
- ▶ deer herds;
- ▶ orderly provision of urban services in the unincorporated areas;
- ▶ analysis of environmental impacts associated with providing public services;
- ▶ traffic impacts to Marysville;
- ▶ impacts to the Highway 70 bridge;
- ▶ impacts to the Spenceville Recreation and Wildlife Preserve;
- ▶ visual impacts of foothills development;
- ▶ encroachment on existing mining operations;
- ▶ incorporating low impact development and smart growth concepts in order to mitigate impacts related to urbanization;
- ▶ provision of fire, emergency medical, and other public safety services;
- ▶ traffic impacts within Wheatland Fire Authority's service area that could impact emergency response;
- ▶ fire flow;
- ▶ impacts related to increased vehicle miles traveled;
- ▶ land use planning and population and housing impacts;
- ▶ traffic impacts to major roads in and around the City of Wheatland;
- ▶ groundwater supplies;
- ▶ impacts of future wastewater treatment needs;
- ▶ solid waste and landfill capacity;
- ▶ alternative that focuses on areas with existing municipal services;
- ▶ impacts to mineral resources, especially aggregate operations; and

- ▶ impacts to species using rice lands.

The County received a letter on the NOP from the Native American Heritage Commission (NAHC) dated August 23, 2007. This letter offers guidance and direction to the County regarding cultural resource regulations and consultation. The NAHC letter specifies Native American contacts for the County to use in consultation. The County used this same contact list (based on correspondence from NAHC earlier in the General Plan process) to circulate a letter providing the opportunity to participate in the local land use planning process to ensure consideration of cultural places in the context of broad local land use policy. As of December 7, 2010, none of the Native American contacts ~~have~~ responded.

## 1.6 ORGANIZATION OF THE EIR

This EIR is organized as follows:

- ▶ **Chapter 1, “Introduction,”** describes the type of EIR prepared for the 2030 General Plan; the purpose, intended uses, and geographic and environmental scope of the EIR; the environmental review process; the relationship of the EIR to other County plans and zoning; subsequent actions required; the type of mitigation proposed in this EIR; the EIR comment process; and other agencies expected to use this EIR.
- ▶ **Chapter 2, “Executive Summary,”** provides an overview of the findings and conclusions of this EIR.
- ▶ **Chapter 3, “Project Description,”** describes the project’s location, purpose, and history; the framework of the 2030 General Plan; and the relationship of the 2030 General Plan to area and regional plans.
- ▶ **Chapter 4, “Environmental Impact Analysis,”** evaluates the topics listed above in Section 1.3.2, “Environmental Issues Addressed,” and includes a discussion of the existing conditions; regulatory framework; less than significant, potentially significant, and significant environmental effects; mitigation for potentially significant and significant effects; and a discussion of impacts remaining after incorporation of mitigation.
- ▶ **Chapter 5, “Alternatives Analysis,”** provides a comparative analysis between the 2030 General Plan as described in Chapter 3, “Project Description,” and three alternatives. This chapter also describes alternatives that were considered but eliminated from detailed consideration in the EIR and identifies the “environmentally superior” alternative.
- ▶ **Chapter 6, “Other CEQA Considerations,”** describes the impacts of implementing the 2030 General Plan in combination with the impacts of related past, present, and reasonably foreseeable projects. Chapter 6 also discusses the growth inducement potential of the 2030 General Plan, significant irreversible environmental changes associated with the plan, and significant and unavoidable effects of the plan.
- ▶ **Chapter 7, “Report Preparation,”** lists the individuals who contributed to preparation of the EIR.
- ▶ **Chapter 8, “References,”** lists the sources of information cited throughout the EIR.
- ▶ **Chapter 9, Comments and Responses to Environmental Issues,** includes all comments on the DEIR and the County’s written responses to comments that pertain to environmental impacts.
- ▶ **Appendices** provide background and technical information.

## 1.7 RELATIONSHIP TO OTHER PLANS AND REGULATIONS

The adoption of the 2030 General Plan may lead to revisions to the County's Codes, including the zoning, grading, subdivision, and environmental health regulations, as well as other existing plans and programs. A number of future actions may be based, in whole or in part, on the environmental evaluation undertaken as part of the 2030 General Plan and this EIR.

Review and approval of subsequent development projects may require review and approval by agencies, including, but not limited to:

- ▶ the County, which has jurisdiction over amendments to 2030 General Plan, zoning changes, property subdivisions, conditional use permits, and other discretionary development approvals;
- ▶ U.S. Fish and Wildlife Service (Section 7 consultation or Section 10a Habitat Conservation Plan/Section 9 incidental take permit pursuant to the federal Endangered Species Act);
- ▶ the federal Department of Defense for decisions affecting Beale Air Force Base (Beale AFB);
- ▶ Yuba LAFCO, which would approve ~~changes in the establishment or updates of~~ spheres of influence, ~~sphere planning areas, and jurisdictional boundaries in~~ changes of organization for special districts and cities throughout Yuba County;
- ▶ the U.S. Army Corps of Engineers, which issues federal Section 404 permits for individual development projects and public works projects;
- ▶ the California Department of Transportation (Caltrans) for changes related to the State Highway system, as well as collaborative land use and transportation planning efforts between the County and Caltrans;
- ▶ California Public Utilities Commission for approval of activities related to provision of electricity, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation;
- ▶ the Sacramento Area Council of Governments (SACOG) for regional plans, transportation improvements, housing allocations, and other actions;
- ▶ the Feather River Air Quality Management District (FRAQMD) for plans, regulations, rules, permits, and other actions related to regional air quality;
- ▶ the Central Valley Regional Water Quality Control Board, which issue state National Pollutant Discharge Elimination System permits for individual private development projects and public projects;
- ▶ the California Department of Fish and Game, which issues state Section 1600 et seq. permits for individual private development projects and public works projects; and
- ▶ other agencies and private organizations.

### 1.7.1 COUNTY PLANS, POLICIES, ACTIONS, AND REGULATIONS

State law places the General Plan atop the hierarchy of land use planning regulations. Several local ordinances and other County plans must conform to General Plan policy direction and work to implement the General Plan. The General Plan provides a governing basis for all other plans and planning documents of the County and all codes, ordinances, and policies of the County related to land use change, transportation, environmental resources, infrastructure, and other related topics.

Cities and counties must make a “consistency” finding with the general plan for any subdivision map, zoning action, public facility plans, and other functions of local government. Court decisions have concluded that these “consistency” determinations cannot be made if the local jurisdiction does not have a legally adequate general plan. In effect, local governments cannot issue development permits or perform many vital public functions without a legally adequate general plan.

The 2030 General Plan and the accompanying General Plan EIR both make reference to laws, plans, and regulations administered by other public agencies. In many instances, the County’s policies are specifically designed to achieve consistency with regulations of another public agency. In other cases, the County commits to seeking input from other agencies on issues that may arise over the course of implementing the 2030 General Plan.

Various other federal, state, regional, and local plans and other laws will affect the land use and development consistent with the 2030 General Plan. In some cases, compliance with these plans and/or laws will provide additional reduction of the impacts of future land uses and development.

## **1.7.2 FEDERAL GOVERNMENT**

There are no federal plans that directly affect local land use decisions, but federal laws, such as the Endangered Species Act, can affect individual land uses in a significant way. When federal approval is involved regarding road and highway projects or other public infrastructure, the projects must comply with the National Environmental Policy Act, as well as the federal Endangered Species Act. The U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the U.S. Department of Housing and Urban Development are examples of federal agencies that exercise jurisdiction over many such projects.

Although no federal plans directly control local land use policies, a number of federal laws have significant impacts on land use decisions at the municipal and private levels. Examples of such regulations include the Endangered Species Act, Section 404 of the Clean Water Act, and in the case of federally funded transportation and infrastructure projects, the National Environmental Policy Act. Numerous agencies have jurisdiction and exert influence on local land use processes.

Beale AFB is located in southern Yuba County 13 miles east of Marysville. Beale AFB is situated on 22,944 acres of federally-owned land consisting of base buildings, base housing, and one active concrete runway. The General Plan includes several important areas of communication and coordination between the County and the AFB related to ensuring compatibility of surrounding land uses, as well as pursuing mutual goals for infrastructure and economic development.

## **1.7.3 STATE GOVERNMENT**

The State of California influences local policy decisions through a variety of regulations and procedures. Individual topic areas of this EIR will include a discussion of relevant state plans, policies, and regulations. However, only two agencies review and certify general plans. The California Department of Housing and Community Development assess the contents of the County’s housing element. The Central Valley Flood Protection Board (CVFPB) has jurisdiction over flood control issues within the Sacramento-San Joaquin Drainage District, which includes the portions of the County. The updated Safety Element is subject to review and comment by the CVFPB prior to adoption.

The General Plan is closely linked to the State’s environmental laws. CEQA recognizes the authority of the local general planning process in several areas. In law and in practice, the environmental review process is an integral part of the local planning, development review, and decision making process. Defined as a “project” under CEQA, the general plan adoption process is subject to environmental analysis and disclosure. As a policy

document, the general plan provides guidance and sets standards for several areas of mandatory environmental review for other “projects” undertaken by local governments and the private sector.

#### **1.7.4 STATE AND REGIONAL GOVERNMENT**

State and regional agencies also exert strong influence on local land use and development decisions. In some cases, these agencies have adopted plans. In other situations, the influence is accomplished primarily through funding of public infrastructure. In some matters, however, the State of California exercises direct control. An example is the requirement for certification of housing elements by the California Department of Housing and Community Development. State law also dictates much of the content of general plans and related zoning regulations.

In addition, state requirements are often implemented through regional planning and regulatory agencies. Examples include:

- ▶ the regional water quality control boards’ Basin Plans and point- and nonpoint-source water quality regulations;
- ▶ the Sacramento Area Council of Governments’ Metropolitan Transportation Plan;
- ▶ the Sacramento Area Council of Governments’ distribution of regional housing needs allocations;
- ▶ the Feather River Air Quality Management District’s attainment planning efforts, control measures, and permit requirements;
- ▶ Yuba County Local Agency Formation Commission (LAFCO) decisions on the formation and organization of special districts that provide public services and regarding the geographical area served by special districts and cities through spheres of influence and annexation.

#### **1.7.5 REGIONAL PLANS AND REGULATIONS**

Regional governmental agencies, such as the Sacramento Area Council of Governments (SACOG), the Feather River Air Quality Management District (FRAQMD), and the Regional Water Quality Control Board (RWQCB), have been established in recognition of the fact that planning issues extend beyond the boundaries of individual cities. Efforts to address regional planning issues, such as air and water quality, transportation, affordable housing, and habitat conservation have resulted in the adoption of regional plans. The policies adopted by Yuba County will be affected by these plans, and will in turn have effects on these other plans.

#### **1.7.6 WHEATLAND AND MARYSVILLE**

The incorporated cities of Marysville (the County seat), and Wheatland are located in Yuba County. As noted elsewhere, the 2030 General Plan applies only to unincorporated areas of the County. However, coordination with the cities will be required to implement several General Plan policies and actions.

### **1.8 SUBSEQUENT ACTIONS REQUIRED**

Further actions or procedures required to allow implementation of the 2030 General Plan would include revisions to zoning, tentative maps, site plans, building permits, grading permits, and other actions. Future development project proposals, public investments, and other actions, would also be subject to CEQA requirements.

## 1.9 MITIGATION MEASURES

The State CEQA Guidelines define mitigation to include:

- ▶ avoiding the impact altogether by not taking a certain action or parts of an action;
- ▶ minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- ▶ rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- ▶ reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; or
- ▶ compensating for the impact by replacing or providing substitute resources or environments.

In this case, because the proposed project is the 2030 General Plan, mitigation to accomplish the above outcomes could take the form of:

- ▶ goals, policies, or actions included as part of the 2030 General Plan;
- ▶ land use, circulation, or other policy diagrams in the 2030 General Plan capable of minimizing or eliminating a potentially significant impact; and
- ▶ other actions (e.g., actions performed by another agency).

The 2030 General Plan's policies take into account many of the impacts discussed in this EIR, and many potential mitigation measures are included as part of the proposed project itself, with the intention that the General Plan would be self-mitigating.

CEQA requires the adoption of a mitigation monitoring program for all adopted mitigation measures. The mitigation monitoring plan must be designed to ensure compliance during project implementation (PRC Section 21081.6, State CEQA Guidelines Section 15097). Many mitigation measures identified for the 2030 General Plan take the form of goals, policies, and implementation programs.

Mitigation measures that are built into the General Plan are adopted by the County and will be implemented and enforced through the application of the 2030 General Plan to land use and planning decisions and the implementation of actions directed by the plan. The County is required by Section 65400 of the Government Code to monitor and report on an annual basis to the Board of Supervisors and to the Governor's Office of Planning and Research and the State Department of Housing and Community Development on General Plan implementation. The monitoring plan for policies in the General Plan that mitigate impacts is the General Plan itself. The reporting program for these mitigating policies is the County's annual reporting process (see CEQA Guidelines Section 15097 (b)).

## 1.10 AVAILABILITY OF THE EIR

Copies of the 2030 General Plan and this EIR ~~are~~were made available through the Yuba County Community Development Department.

The County has ~~and will continue to circulate~~d the document widely to public agencies, other public and private organizations, property owners, developers, and other interested individuals. Information on the General Plan and EIR is also available on the County's website (<http://www.yubavision2030.org/>).

Comments on the EIR ~~may be submitted~~were invited in writing or via email to:

Yuba County Planning Department  
Dan Cucchi, Project Planner  
915 8th Street, Suite 123  
Marysville, CA 95901  
Phone: (530) 749-5470  
E-mail: DCucchi@co.yuba.ca.us

To keep the document succinct and useful as a decision-making tool, the State CEQA Guidelines charge that an EIR focus on a project's significant environmental impacts and not address every imaginable less-than-significant effect. Comments should be focused on the adequacy and completeness of the DEIR, or should address questions about the environmental consequences of project implementation. In this case, "adequacy" is defined as the thoroughness of the EIR in addressing significant environmental effects, identifying mitigation measures for those impacts, and supplying enough information for public officials to make decisions about the merits of the project.

After the close of the public review period, a Final Environmental Impact Report (FEIR) is prepared, containing all the comments received by the County during the public review period and responses to those comments. This document ~~will be~~is made available to public agencies and the general public so those parties can review the FEIR before the County certifies it as complete.

## 1.11 AGENCIES EXPECTED TO USE THIS EIR

As the lead agency for this "project," the County ~~will be~~is responsible for considering certification of the EIR and adoption of the 2030 General Plan. The County may utilize this EIR as a program EIR, tiered EIR, or project EIR in subsequent actions on 2030 General Plan implementing programs, general plan amendments or elements, the County's Codes, community plans, other area plans, or other relevant County actions.

The County is the CEQA lead agency for the proposed project. In conformance with Sections 15050 and 15367 of the State CEQA Guidelines, the lead agency is the "public agency which has the principal responsibility for carrying out or disapproving a project." The County is responsible for approving the 2030 General Plan.

In addition to the lead agency, State CEQA Guidelines Section 15124 states that an EIR should contain a statement briefly describing the intended uses of the EIR and, to the extent that it is known to the lead agency, a list of agencies expected to use the EIR in their decision making, permits or other approvals implementing the project, and related environmental review and consultation required by law or regulation.

A wide variety of federal, state, regional, and local agencies may use this EIR in their planning process, issuance of their permits, or exercise of their regulatory authority over resources or jurisdictional actions within the County. Agencies may use the EIR as a program EIR for subsequent parts of their program actions subject to CEQA, tiering their project CEQA studies to the EIR, or utilizing the EIR in whole or part to apply to a required CEQA study in conjunction with specific agencies' project approval actions.

A number of other jurisdictional and permit-granting agencies have control over specific environmental concerns in the County. The following is a listing of agencies that may utilize this EIR. Because it is not practical or possible for the County to know or ascertain all of the possible specific uses for which other agencies may subsequently utilize this EIR, the listing attempts to provide a brief summary disclosure of the applicable types of actions or authorities for which the cited agency may use this EIR as follows:

- ▶ Feather River Air Quality Management District (monitors air quality and has permit authority over certain types of facilities);

- ▶ California Department of Conservation, Division of Mines and Geology (expertise in evaluating geologic and seismic hazards, as well as mineral resource issues);
- ▶ California Department of Fish and Game (streambed alteration agreement pursuant to Section 1600 of the California Fish and Game Code);
- ▶ California Department of Transportation (encroachment permits);
- ▶ California Department of Housing and Community Development (reviews the adequacy of housing elements and funding for affordable housing programs);
- ▶ California Public Utilities Commission (certificate of public convenience and necessity);
- ▶ Central Valley Regional Water Quality Control Board (water quality certification pursuant to Section 401 of the Clean Water Act, National Pollutant Discharge Elimination System permit);
- ▶ Yuba Local Agency Formation Commission (annexations or other service boundary changes);
- ▶ Sacramento Area Council of Governments (transportation planning and financing); and
- ▶ Native American Heritage Commission (mandated to preserve and protect places of special religious or cultural significance pursuant to Section 5097 et seq. of the Public Resources Code).

| In addition to these agencies, the following federal agencies may use environmental information in ~~this the~~ DEIR for permitting decisions, in addition to other federal agencies:

- ▶ U.S. Army Corps of Engineers (Section 404 of the Clean Water Act permit), and
- ▶ U.S. Fish and Wildlife Service (Section 7 consultation or Section 10a Habitat Conservation Plan/Section 9 incidental take permit pursuant to the federal Endangered Species Act).