

CHAPTER 3

Responses to Comments on the Draft EIR

3.1 Introduction

The Lead Agency has evaluated each comment on the Draft EIR identified in Chapter 2. This chapter provides the written responses to those comments. None of the comments received, or the responses provided here, constitute “significant new information” by CEQA standards (CEQA Guidelines Section 15088.5).

3.2 Response to Comments

The following responses correspond to the numbers for each comment presented in Chapter 2 “Comments on the Draft EIR”.

Where changes to the Draft EIR text result from these responses to comments, those changes are presented in Chapter 4 “Minor Changes and Edits to the Draft EIR” of this document, with changes shown by underlining new text (e.g., new text) and striking out text to be deleted (e.g., ~~deleted text~~). Comments which present opinions about the project unrelated to environmental issues or which raise issues not directly related either to the substance of the Draft EIR or to environmental issues are noted without a detailed response.

Agency Letters

Letter A1 – United States Department of Navy - NAVFACSW

Response to Comment A1-1:

The commenter indicates that the Final EIR and General Plan Update should include a map depicting the Military Operating Areas.

SB 1468 calls for local jurisdictions to assess impacts of development on military readiness near military installations and under military training routes or restricted airspace, and to incorporate methods to assess these impacts into their General Plans. A map of the MOA (Military OpArea) is shown as **Figure 3-1** and will be included as part of the County’s General Plan Update in order to support the existing policies regarding potential development in MOAs.

The issue of coordination with the military is important to the County, with Goal 1.4 “Coordination with the Military” and the associated policies addressing the need to coordinate and resolve land use conflicts within Military Operations Areas and Military Training Routes. These policies are also supported with the following implementation measure, which is corrected shown on page 60 of the Goals and Policies Report:

- **Land Use Implementation Measure #7:** Amend the zoning ordinance, including but not limited to special use permit and variance provisions, to establish discretionary review of all proposed development projects within the MOAs.

Establishment of development review procedures will be written into the zoning ordinance.

Letter A2 – United States Department of Agriculture – Forest Service

Response to Comment A2-1:

The commenter provides an introductory statement to their letter and indicates their participation throughout the General Plan Update process. Comment noted.

Response to Comment A2-2:

The commenter provides a detailed summary of the objectives and policies identified in the Goals and Policies Report of the General Plan Update. Comment noted.

Response to Comment A2-3:

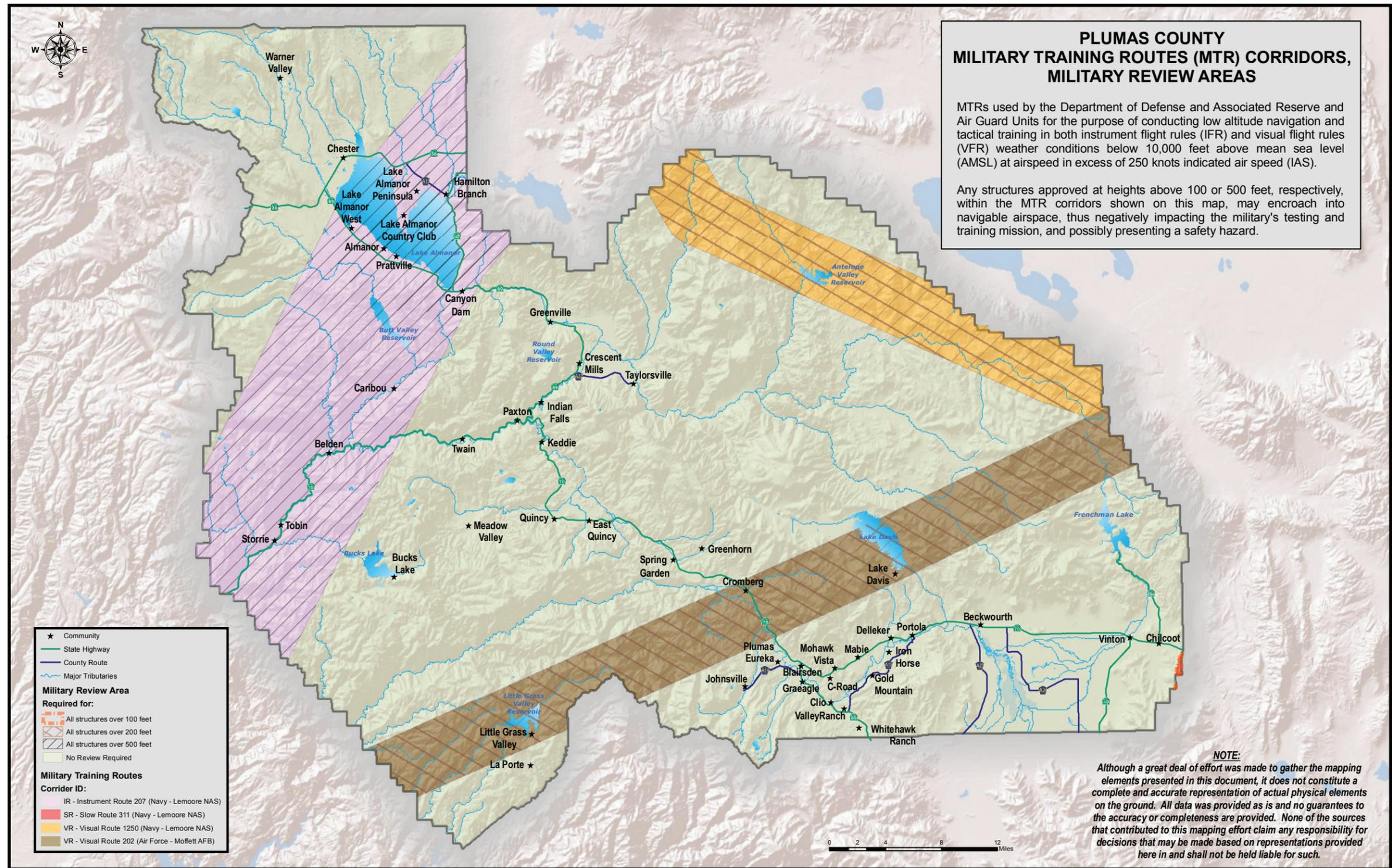
The commenter recommends that the General Plan Update include policy guidance for collaborative resource management among land management agencies (General Plan Goal: COS 7.1.3) during discretionary project planning.

The County believes that the commenter is actually referring to Policy COS-7.1.3 which includes the recommended policy guidance suggested by the commenter. The policy is provided below:

- **COS-7.1.3 Collaborative Open Space Land Use Management.** The County will promote collaborative resource management among land management agencies, including State and Federal agencies and private entities, monitor the resource quality over time, and engage in public processes with management agencies to advance the County’s interest in land management in those processes.

Response to Comment A2-4:

The commenter indicates that additional growth envisioned under the General Plan Update (in particular the Almanor (including Dyer Mountain Project) and Mohawk Valley areas could increase the demand for recreation and access to public lands. The commenter is correct. This is one of the key reasons to update the County’s general plan as it provides guidance for the range of demands associated with the County’s future growth.



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Response to Comment A2-5:

The commenter indicates that the climate change policy guidance provided in the General Plan Update is consistent with the climate change policies on National Forest Service lands. Comment noted.

Response to Comment A2-6:

The commenter indicates that the land use coordination and compatibility considerations in the General Plan update are consistent with those on National Forest Service lands. Comment noted.

Response to Comment A2-7:

The commenter recommends the inclusion of a policy statement that would require agency coordination in the permitting process for discretionary projects adjacent to National Forest Service lands.

The County believes that the requested policy statement is currently provided in Policy COS 7.1.3 as shown below:

- **COS-7.1.3 Collaborative Open Space Land Use Management.** The County will promote collaborative resource management among land management agencies, including State and Federal agencies and private entities, monitor the resource quality over time, and engage in public processes with management agencies to advance the County's interest in land management in those processes.

Additionally, as part of existing legal requirements and County practice to coordinate with any responsible agencies and/or stakeholders as part of the County approval and permitting process for discretionary projects.

Response to Comment A2-8:

The commenter indicates support for the land use policies of the General Plan Update. The comment is noted.

Response to Comment A2-9:

The commenter again provides support to the General Plan Update, based on its land use policies which call for orderly growth patterns and based on community input received on the general plan update process. The comment is noted.

Response to Comment A2-10:

The commenter indicates that the proposed project helps to retain the important environmental and socioeconomic qualities of Plumas County. The comment is noted.

Response to Comment A2-11:

The commenter provides a closing remark of support for the proposed project. The comment is noted.

Letter A3 – California Department of Forestry and Fire Protection***Response to Comment A3-1:***

The commenter provides no additional comments on the Draft EIR or General Plan. Attached is a copy of recommendations to the General Plan originally sent on October 13, 2011.

Comments were originally considered and incorporated to the extent feasible during preparation of the Draft General Plan. The California Department of Forestry and Fire Protection received a response to their letter from County Planning staff at that time the letter was first submitted to the Plumas County Planning Commission. A copy of the Draft Public Health and Safety Element (from the Goals and Policies Report) was sent to the California Department of Forestry and Fire Protection for review back in December 2012. No additional comments were received on the draft element.

Letter A4 – California Department of Transportation***Response to Comment A4-1:***

The commenter indicates that Impact 4.2-1 (from the Draft EIR) should not be considered significant and unavoidable, as future cooperation between the State, County and other entities could address necessary roadway improvements as they become warranted.

The Draft EIR was prepared applying a very conservative standard regarding the level of funding commitment necessary to reasonably ensure that future improvements are feasible. As funding for the improvements needed to mitigate Impact 4.2-1 are not currently fully identified and programmed, the impact was initially considered to be significant and unavoidable. Mitigating these impacts would require a combination of additional passing lanes along SR 36 and/or full widening of roadway segments to three or four lanes (specific details of the necessary improvements would require a detailed engineering study). However, the commenter is correct in stating that, given continuation of current state and federal transportation funding programs and sufficient locally-generated funding along with continuing coordination between state and local programs, it is reasonable to expect that the improvements can be funded. Adequate evidence of future funding are inclusion of specific project funding in a financially constrained program of projects within a Regional Transportation Plan, or in an adopted Traffic Impact Fee program.

The current status of plans and funding availability for roadway improvements to mitigate the identified impacts are as follows:

- Widening of SR 36 is identified in the Caltrans *SR 36 Transportation Concept Report* as a Potential Future 20-Year Project. However, there are no near-term Caltrans plans with identified funding sources to accomplish these improvements.
- Various roadway improvements on SR 36 east of Chester are included in the *Plumas County Regional Transportation 2010* “Long Term Projects 20+ Years (unconstrained)” table. No improvements west of Chester are included.
- The Lake Front Traffic Impact Fee Program was established in April 2012 as part of the *Development Agreement By and Between the County of Plumas and Lake Almanor Associates LP*. It imposes a schedule of fees (either one-time or annually) that generates fair-share funds for roadway improvements along SR 36 (east of Chester), SR 147 and County roadways, as well as for non-motorized improvements.
- The Almanor Regional Transportation Assessment was prepared in partnership by Lassen County, Plumas County, and Caltrans District 2. It identifies a long list of roadway improvements needed to provide adequate LOS, assuming very substantial growth in the region. It does not identify funding sources.
- The *RECIRCULATED DRAFT EIR: Dyer Mountain Resort Environmental Impact Report* (Northfork Associates, July 6, 2006) identifies numerous transportation-related significant impacts on the regional roadway network, including elements in Plumas County (including those identified in the General Plan traffic analysis). The document also identifies improvements needed to address impacts in Plumas County. However, it concludes that:

“The improvements described above would result in acceptable LOS at the study intersections. However, these improvements are located outside of Lassen County, and the County has no authority to implement roadway improvements in another jurisdiction. As discussed above, Lassen County can and will take steps to ensure funds would be available and to work with other jurisdictions to implement the improvements, Lassen County cannot require or implement the improvement or guarantee that it will be implemented. Because the implementation of improvements outside Lassen County is uncertain, this EIR assumes that the improvements are infeasible and that the impact would remain significant and unavoidable.” (p 6-30)

The document does identify Mitigation Measure 6.1b, stating (in part):

The project applicant/developer(s) shall contribute a fair share amount for all needed improvements, both within Lassen County and outside of Lassen County. The fair share contribution shall be determined by the Lassen County Roads Department based on the Traffic Monitoring and Transportation System Improvements Program. The fair share contribution funds will be held by the Lassen County Transportation Commission (LCTC). (p 6-116)

In addition, the current draft of the Plumas County General Plan includes the following policies that address development funding of roadway improvements:

- **CIR-4.1.4 Developer Participation in Roadway Improvements.** The County shall require all developments which are directly benefited by a precise planned road to dedicate land and/or pay a sum of money equal to the prorated share of the benefit

received by such roadway and/or to construct a portion or all of such roadway and provide for on-going maintenance.

- **CIR-4.1.6 Roadway Elements Eligible for Developer Fee Programs.** The County shall expand the ability to fund roadway improvements from developments by defining “major thoroughfare” to include only arterials and major collector roads in Plumas County.

To summarize, current plans and funding agreements along with the policies included in the proposed General Plan Update are a start to ensuring adequate funds are available to implement long-term roadway improvements to address the significant impacts. In particular, the Lake Front developer agreement provides a mechanism for funding an additional “fair share”. While policies CIR 4.1.4 requires fair-share funding for improvements on “precise planned roads” (those County roadways not a “major thoroughfare”) and CIR 4.1.6 modifies the definition of “major thoroughfare” to exclude minor collectors (thus allowing fair-share agreements for roadways such as A15 in the Portola area), these policies do not ensure sufficient, equitable funding for arterial, minor arterial or major collector roads in Plumas County (including state highways). As such, these policies do not adequately ensure that mitigation measures associated with future General Plan circulation impacts can be fully funded.

To provide adequate assurance of future funding availability, the proposed General Plan should be modified to establish a traffic impact fee program for the Lake Almanor area. Adoption of this program will assist the County in providing uniform guidance on development of a fair and comprehensive Traffic Impact Fee Program. Funds collected through this program shall be combined with State and Federal sources to improve travel conditions as needed.

Consequently, in consideration of the suggestion described by the commenter, the County shall add the following new Policy CIR-4.1.8 “Lake Almanor Area Traffic Impact Fee Program” and Implementation Measure #11 to the Circulation Element of the Goals and Policies Report:

Circulation Element of the Goals and Policies Report

Add the following:

- **CIR-4.1.8 Traffic Impact Fee Program for the Lake Almanor Area.** The County shall require that future development proposals in the Lake Almanor area pay their “fair share” of circulation fees established through a Traffic Impact Fee District. Determination of these fees shall consider a variety of applicable data sources including those prepared for the Almanor Regional Transportation Assessment (ARTA) and previous traffic studies prepared for the local area (i.e., Lake Front Development).
- **Implementation Measure #11.** Develop and periodically update a Traffic Impact Fee Program to ensure that new development contributes toward necessary transportation infrastructure improvements. The Program shall include provisions to examine and develop specific fee programs for unique areas of the County, as appropriate.

However, even with these additional policy statements, Caltrans (the agency with jurisdiction over SR 36) has no plans to widen this segment and the Plumas County RTP does not include this project under the RTP’s constrained project list. Therefore, the County cannot guarantee construction

of this roadway improvement. Therefore, no additional mitigation is currently available to reduce the significance of this impact to a less than significant level. Therefore, this impact remains a significant and unavoidable impact.

Response to Comment A4-2:

The commenter notes similar concerns with the significance conclusion identified in the Draft EIR for Impact 4.5-1.

As described on page 4.5-28 of the Draft EIR, implementation of the proposed project would result in the generation of additional vehicle trips within the various Planning Areas of the County, which could result in the exposure of persons to traffic noise in excess of County noise standards. While future traffic volumes are not anticipated to be substantial and while the County's General Plan Update provides a variety of policies designed to reduce noise impacts, it is noted in the Draft EIR that the ability to mitigate this potential impact is contingent upon a variety of factors including the severity of future project-specific noise impacts, existing land use conditions, and the technical feasibility of being able to implement any proposed mitigation measures. Given the uncertainty as to whether future noise impacts could be adequately mitigated for all the individual projects that will be implemented as part (i.e., establishment of setbacks near at-grade railroad crossings, etc.) of the proposed project, a significant and unavoidable impact was concluded. The County will continue to discourage the siting of sensitive land uses near mobile and stationary noise sources. In addition, the County will ensure that future CEQA documentation be prepared for individual projects (with project-specific data) that will (if technically possible) mitigate any potential noise impacts to a less-than-significant level.

Letter A5 – California Department of Fish and Game (Wildlife)

Response to Comment A5-1:

The commenter provides an introductory statement highlighting their role as an agency, their understanding of the General Plan Update process, and their general support for the proposed project. Comment noted.

Response to Comment A5-2:

The commenter recommends that the following statements be added to Policy COS-7.2.13: *“Measures necessary to avoid, mitigate and/or compensate for impacts to special-status species and sensitive natural communities shall be incorporated into the project as part of the permitting process”* and *“The maps should be used as a first step, combined with consultation with knowledgeable experts, to assist with the identification of potential impacts”*.

The intent of Policy 7.2.13 is to focus on a very specific aspect (i.e., mapping and field surveys) of biological resource management. The suggested policy language is currently provided as part of several other policies including 7.2.1 “Habitat Protection”, 7.2.2 “Species and Habitat Avoidance”, and 7.2.14 “Natural Landscapes in Site Design”. Additionally, the Conservation and

Open Space Element includes Policy 7.2.18 “Inter-Agency Coordination” which addresses the issue of consultation with a variety of knowledgeable experts.

No additional changes required.

Response to Comment A5-3:

Commenter recommends that the following statement be added to Policy COS 7.2.2: *“The County shall require new discretionary projects to avoid impacts to special-status species and special-status habitats as defined by appropriate State and federal agencies, to the maximum extent feasible. Where impacts cannot be avoided, projects shall include the implementation of site-specific mitigation measures developed by qualified professionals in consultation with appropriate State and federal resource agencies”.*

The County is tasked with a number of objectives including future economic development and protecting sensitive natural resources in the County. The overall intent of both Policy COS-7.2.2 and the recommended revised text are to require new development projects to avoid or minimize adverse impacts to threatened, rare, or endangered species and critical, sensitive habitat, as defined by appropriate local, state, and federal agencies, through proper project location and design. The County prefers the existing policy which requires “no-net-loss” but provides flexibility on how the biological resource impacts are mitigated (both on site or offsite). The commenter’s reference to site specific mitigation may be infeasible depending on several factors including the specific location of the affected resource, surrounding land uses, and the type of project.

No additional changes required.

Response to Comment A5-4:

Commenter recommends that the following statement be added to Policy COS-7.2.7: *“Criteria for developing buffer width standards shall be developed in consultation with the DFW”.*

The Commenter also recommends that the following text in Policy COS-7.2.7 is confusing and should be clarified: *“The County shall continue to identify areas as Open Space and Significant Wetlands as an ongoing process when those areas are identified”.*

In consideration of these suggestions described by the commenter, the County shall make the following revisions to Policy COS-7.2.7 “Wetland and Riparian Habitat Buffers” (identified as mitigation in the Draft EIR) from the Conservation and Open Space Element of the Goals and Policies Report:

Conservation and Open Space Element of the Goals and Policies Report

Modify the following policy:

- **COS-7.2.7 Wetland and Riparian Habitat Buffers.** The County shall require new development that is subject to review under the California Environmental Quality Act to identify wetlands and riparian habitat areas and designate a buffer zone around each area

sufficient to protect these habitats from degradation, encroachment, or loss. As appropriate, criteria for the development of buffer width standards shall be developed in coordination with all appropriate resource agencies and the County will continue to identify these areas as Open Space and Significant Wetlands under the General Plan. The County shall continue to identify areas as Open Space and Significant Wetlands as an ongoing process when those areas are identified.

Response to Comment A5-5:

Commenter recommends that the following statement be added to Policy COS-7.2.9: *“Fencing in rural areas shall incorporate wildlife friendly fencing standards in project development, as identified by the DFW, in order to avoid negative impacts to movement of wildlife and prevent injury or death to deer and other wildlife”.*

In consideration of these suggestions described by the commenter, the County shall make the following revisions to Policy COS-7.2.9 “Wildlife Fencing” (identified as mitigation in the Draft EIR) from the Conservation and Open Space Element of the Goals and Policies Report:

Conservation and Open Space Element of the Goals and Policies Report

Modify the following policy:

- **COS-7.2.9 Wildlife Fencing.** The County shall discourage the use of fencing in rural areas that is exclusionary or dangerous to wildlife, except when necessary for property protection, human safety, crop protection, or domestic animal containment through its discretionary project review and implementation process. Where fencing is necessary, wildlife friendly standards will be considered to the extent feasible.

Response to Comment A5-6:

Commenter recommends that the following statement be added to Policy COS-7.2.10: *“Any ‘compensating areas’ shall be reviewed and approved by the DFW. Compensating areas shall be clearly mapped and designated in the County’s mapping system, and deed restrictions shall be recorded on any such parcels”.*

The wording of Policy COS-7.2.10 is from the existing General Plan and was developed in consultation with California Department of Fish and Wildlife staff at the time the plan was adopted. In consideration of these suggestions described by the commenter, the County shall make the following revisions to Policy COS-7.2.10 “Lake Davis Area” (identified as mitigation in the Draft EIR) from the Conservation and Open Space Element of the Goals and Policies Report:

Conservation and Open Space Element of the Goals and Policies Report

Modify the following policy:

- **COS-7.2.10 Lake Davis Area.** Within the Lake Davis Deer Fawning Area, the County shall establish a 20-acre minimum parcel size until a compensating area is provided, whether naturally or artificially, within the Lake Davis subunit range. Development of a

future compensating area shall be developed in coordination with DFW and other appropriate agencies. Any designated compensating areas shall be clearly mapped and designated in the County's mapping system.

Response to Comment A5-7:

Commenter recommends that the Conservation and Open Space Element of the General Plan include additional biological resource implementation measures.

In consideration of these suggestions described by the commenter, the County shall add the following new implementation measures (Implementation Measures #23 through #25) to the Conservation and Open Space Element of the Goals and Policies Report:

Conservation and Open Space Element of the Goals and Policies Report

Add the following implementation measures:

- **Implementation Measure #23.** The County shall maintain best available data in the form of GIS maps for the location and extent of wetlands, critical habitats, streamside management areas, rookeries, and ranges of species identified in the California Natural Diversity Database and in consultation, through data sharing, with other resource management agencies including the California Department of Fish and Wildlife, United States Fish and Wildlife, and the United States Forest Service.
- **Implementation Measure #24.** The County shall maintain efficient and timely procedures for project referral to state and federal agencies for biological review and consultation.

Response to Comment A5-8:

Commenter recommends that the Conservation and Open Space Element of the General Plan include additional biological resource implementation measures.

Commenter is directed to the response prepared for Comment I5-7.

Response to Comment A5-9:

Commenter provides an opinion that the environmental setting section of the Draft EIR does not provide accurate or adequate information for the Project, in particular Table 4.11.

The CDFW, as Trustee agency, did not provide a response to the Notice of Preparation, when baseline data was being developed and assistance requested. As described in the CEQA Guidelines:

CEQA Guidelines Section 15082(b)

“(b) Response to the Notice of Preparation. Within 30 days after receiving the notice of preparation under subdivision (a), each responsible and trustee agency and the Office of Planning and Research shall provide the lead agency with specific detail about the scope

and content of the environmental information related to the responsible or trustee agency's area of statutory responsibility that must be included in the draft EIR.

“(1) The response at a minimum shall identify:

“(A) The significant environmental issues and reasonable alternatives and mitigation measures that the responsible or trustee agency, or the Office of Planning and Research will need to have explored in the draft EIR; and

“(B) Whether the agency will be a responsible agency or trustee agency for the project.”

Section 65301(c) of the Government Code addresses the appropriate “level of detail” for General Plans and Section 15146 of the CEQA Guidelines discusses the appropriate “level of detail” for preparation of the EIR. Government Code Section 65301(c) establishes that, as long as the content and scope of the General Plan meets the minimum requirements of State law, the degree of specificity and level of detail must reflect local conditions and circumstances. A General Plan is by definition intended to be broad, or “general,” in scope. Relegation of more specific regulatory details and requirements to implementing plans, regulations, and ordinances is common practice. As discussed in the Government Code, the Legislature recognized that the level of detail in the General Plan will vary. “The Legislature recognizes that the capacity of the California cities and counties to respond to state planning laws varies due to the legal differences between cities and counties, both charter and general law, and to differences among them in physical size and characteristics, population size and density, fiscal and administrative capabilities, land use and development issues, and human needs...recognizing that each city and county is required to establish its own appropriate balance in the context of the local situation when allocating resources to meet these purposes (see Gov. Code § 65300.9; see also Gov. Code § 65301(c)). As further discussed in the Governor’s Office of Planning and Research (OPR) General Plan Guidelines; “given the long-term nature of a general plan, its diagrams and text should be general enough to allow a degree of flexibility in decision-making as times change” (Office of Planning and Research, 2003 General Plan Guidelines, page 14).

The General Plan Update and Draft EIR address plans and policies covering over 1,670,400 acres in Plumas County (approximately 2,610 square miles). How and where (within individual parcels) development will proceed is generally unknown and cannot be practically and feasibly addressed or analysis in detail at this level of planning. Within the context of Section 15146 of the CEQA Guidelines, analysis of development of specific individual parcels is neither feasible nor required. Thus, development in the county is considered more generally (e.g., a specific number of homes will be developed in a certain market area producing a calculated number of vehicle trips, air emissions, etc.). This conforms to the guidance provided by CEQA, as described in CEQA Guidelines Section 15125 “the description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.” The data provided is representative of existing conditions and is adequate to serve as a baseline against which impacts can be analyzed.

Development of the information provided in the environmental setting (and Table 4.11-3) was compiled using data provided by a variety of sources including the California Department of Fish and Wildlife, although, as stated above, it was not provided to the Lead Agency by the CDFW at

the time of the Notice of Preparation. Future development contemplated by the General Plan Update will be required to comply with State and Federal permitting regulations concerning biological and other resources, as well as existing County regulations. The County and future project applicants will utilize appropriate State and Federal permitting regulations in developing specific mitigation measures for future projects. As individual projects or specific plans are considered, more detailed information will be generated regarding size and placement of buffers and the particular measures needed.

Response to Comment A5-10:

Commenter recommends that the updated General Plan include policies and implementation measures to address wildlife and black bear conflicts with Plumas County residents.

The Plumas County Zoning Code (Section 6.10.104) adequately addresses these types of wildlife conflicts and no further changes are required in the General Plan Update.

Response to Comment A5-11:

Commenter provides a closing statement. Comment noted.

Letter A6 – Beckwourth Fire District

Response to Comment A6-1:

The commenter indicates that the fire district map is incorrect.

The commenter is correct. Several minor corrections have been made to the Geographic Information System (GIS) layer after consultation with the Plumas Local Agency Formation Commission.

Commenter is advised that any change of organization to any special district will result in a change to the District boundaries. The map is intended to provide general information on conditions at the time of the Notice of Preparation to help generate input on the proposed project.

Response to Comment A6-2:

The commenter asks the question regarding the lack of policy indicating that all new construction must be within a Fire District.

The main issue, as determined throughout the public scoping/engagement process of the General Plan Update, was subdivisions being allowed outside of fire protection districts. The patchwork of fire protection district boundaries does not cover all existing parcels, although it covers most of the areas where there is a permanent year-round population. A requirement that a parcel be in a fire protection district prior to building would leave some parcels with residential, recreational, and agricultural zoning unable to be used for their intended purposes. The following policies were developed as part of the General Plan Update process to address this issue.

- **LU-1.1.4 Land Divisions.** The County shall ensure that zoning and subdivision regulations protect agricultural and ranching lands, open space, and natural resources which include: grazing, forests and wildlife habitat lands, by not allowing land divisions that convert the primary land use to residential to be developed in areas which are not specifically designated as residential in the General Plan, for which appropriate long-term planning has not been completed as outlined within the General Plan. The County shall require the following findings for land divisions outside of Planning areas:
 - The resulting development will have structural fire protection;
 - Land division does not result in any conflict with zoning and density standards; and
 - Any clustering of parcels does not convert the primary land use to residential and is part of an overall integrated plan for resource protection.
- **PHS-6.3.4 New Development Requirements.** As a requirement for approving new development, the County must find, based on information provided by the applicant and the responsible fire protection district that, concurrent with development, adequate emergency water flow, fire access and fire-fighting personnel and equipment will be available in accordance with applicable State, County, and local fire district standards.

Letter A7 – Plumas Local Agency Formation Commission

Response to Comment A7-1:

The commenter provides an introductory statement to the letter. Comment noted.

Response to Comment A7-1:

The commenter requests several editorial changes to the Draft EIR.

The commenter is referred to Chapter 4, “Minor Revisions to the Draft EIR”, of this Final EIR which includes the revised text of the Draft EIR. This revision does not change the analysis or conclusions presented in the Draft EIR.

Letter A8 – Plumas County Public Works Department

Response to Comment A8-1:

The commenter indicates that many of the following comments provided in the letter have previously been submitted. Comment noted.

Response to Comment A8-2:

The comment indicates that the Plumas County Public Works Department believes that the General Plan should include a policy stating that Plumas County is responsible for coordinating with federal and state agencies.

Comment noted. The General Plan includes a variety of policies that demonstrate coordination with a variety of local, federal, and State agencies. Several of these key policies are summarized in Table 4.1-3, originally provided on pages 4.1-14 and 4.1-15 of the Draft EIR.

**TABLE 4.1-3
MITIGATING POLICIES**

Land Use(LU), Economics(E), Circulation(CIR), Conservation/Open Space (COS), Noise (N), Public Health/Safety (PHS), Water Resources (W) Elements			
Policies designed to promote compatible land use development and patterns that minimize impacts to surrounding land uses (including open space uses) include the following:			
LU-1.2.2	Land Use Compatibility	N- 3.1.3	Noise / Land Use Compatibility Standards
LU-1.3.1	Working with the City of Portola	COS-7.1.2	Conservation and Open Space Program
LU-1.3.2	County and City of Portola’s General Plan Consistency	COS-7.1.3	Collaborative Open Space Land Use Management
LU-1.3.3	Development and Design in City of Portola’s Sphere of Influence	COS-7.2.14	Natural Landscapes in Site Design
Policies designed to promote development compatible with local airport land use compatibility plans, include the following:			
N-3.1.5	Development Surrounding Airports	PHS-6.6.1	Consistency with the Airport Land Use Compatibility Plan
CIR-4.5.1	Compatibility of Airports with Adjacent Land Uses	PHS-6.6.2	Compliance with Federal Aviation Administration (FAA) Regulations
Land Use(LU), Economics(E), Circulation(CIR), Conservation/Open Space (COS), Noise (N), Public Health/Safety (PHS), Water Resources (W) Elements			
Policies designed to minimize this impact through the continued coordination with federal, State, and other local agencies (regulatory and non-regulatory) responsible for addressing regional environmental issues include the following:			
CIR-4.6.4	Climate Action Plan	COS-7.9.1	Cooperation with Other Agencies
E-5.1.9	Maintain Strong Working Relationships with United States Forest Service	COS-7.10.3	Support Statewide Climate Change Solutions
E-5.8.2	State and Federal Energy-Planning Processes	W-9.1.1	Groundwater Management
PHS- 6.4.1	Coordination with Federal Emergency Management Agency, United States Army Corps of Engineers, and Department of Water Resources Division of Flood Management		
PHS-6.7.1	Emergency Response Services Coordination with Government Agencies		

Response to Comment A8-3:

The commenter provides comments regarding the adequacy of the County’s roadway classification system.

Existing roadway classification system based on a hierarchy of 11 roadway classes based on daily traffic volumes and adjacent land uses. Concern that the roadway system needs to be evaluated on an on-going basis to reflect modern transportation engineering practices.

To address this issue, the County shall consider the following revision to Policy 4.1.1 and a related new implementation measure.

In consideration of these suggestions described by the commenter, the County shall make the following revisions to Policy CIR-4.1.1 “Roadway Classification System” (identified as

mitigation in the Draft EIR) and add the following new implementation measure to the Circulation Element of the Goals and Policies Report:

Circulation Element of the Goals and Policies Report

Modify the policy and add the following implementation measure:

- **CIR-4.1.1 Roadway Classification System.** The County shall maintain and annually update a road classification and condition status report which identifies road standard class, ~~and~~ existing deficiencies, and incorporates modern transportation engineering practices.
- **Implementation Measure #12.** Evaluate LOS and roadway classification standards for County roadways on a periodic basis to coincide with annual review of the General Plan.

Response to Comment A8-4:

The commenter requests that Section 4.2 of the Draft EIR include an explanation of the Caltrans funding process.

A summary of the very complicated state funding process will be included in the Draft EIR. The commenter is referred to Chapter 4, “Minor Revisions to the Draft EIR”, of this Final EIR which includes the revised text of the Draft EIR. This revision does not change the analysis or conclusions presented in the Draft EIR.

The commenter goes on to state that “The statement that the mitigation measures for this single segment of SR 36 will never be implemented is incorrect”. This misses the original point of the Draft EIR, which is that there are not current identified funding sources to adequately ensure that the mitigation measures will be implemented. However, as discussed with regards to Comment A4-1, an expanded policy will establish a traffic impact fee program in the Lake Almanor area, which will strive to establish future funding.

Response to Comment A8-5:

The commenter is asking why mitigation is required for the segment of SR 36 west of Chester, when the project does not change the LOS from the existing LOS of D. While the LOS does not change, the traffic analysis indicates that additional land use under the General Plan Update will add traffic to this segment, which is currently not achieving LOS standards. By exacerbating an existing deficiency, the proposed project would have a signification impact (even though the LOS classification does not change, and even though the proposed General Plan Update would result in slightly less traffic growth than under the existing General Plan.

Response to Comment A8-6:

The commenter first correctly notes that the recent Caltrans Transportation Concept Report for SR 36 does include widening of SR 36. The commenter then correctly indicates that the LOS impacts are limited in scope, and correctly describes the recent efforts to generate roadway improvement funds at the local level.

The commenter correctly points out that population growth in Plumas County forecast to be very limited. It bears noting, however, that second-home development is expected to occur, which will yield increases in traffic volumes (particularly during the summer season). Development outside of Plumas County will also increase traffic within the county.

Response to Comment A8-7:

The commenter requests that the RTP adoption date of January 2011 be reflected in the Draft EIR. This correction will be made.

The commenter is referred to Chapter 4, “Minor Revisions to the Draft EIR”, of this Final EIR which includes the revised text of the Draft EIR. This revision does not change the analysis or conclusions presented in the Draft EIR.

Response to Comment A8-8:

The commenter questions what the term “available and convenient rail service” means. This is a direct quote from the 2010 RTP (p. 44), and the reader is referred to that document. The commenter also indicates a policy “discussing the preservation of rail corridors” be included in the General Plan. This policy is already included in the proposed General Plan Policy 4.5.2, stating “The County shall support efforts to expand privately-owned rail service and support preservation of railroad rights-of-way in the County for future uses.”

Response to Comment A8-9:

The commenter requests that additional details specifying the LOS deficiency be included. This modification will be made.

The commenter is referred to Chapter 4, “Minor Revisions to the Draft EIR”, of this Final EIR which includes the revised text of the Draft EIR. This revision does not change the analysis or conclusions presented in the Draft EIR.

Response to Comment A8-10:

The commenter requests that the correct county be referenced in the footnote. This correction will be made.

The commenter is referred to Chapter 4, “Minor Revisions to the Draft EIR”, of this Final EIR which includes the revised text of the Draft EIR. This revision does not change the analysis or conclusions presented in the Draft EIR.

Response to Comment A8-11:

The commenter requests that the term Portola Valley be corrected in the Draft EIR. The term Portola Valley was obtained from the source materials describing local air quality conditions. No changes are proposed.

Response to Comment A8-12:

The commenter requests several additions to the regulatory section provided on page 4.6-2. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-13:

The commenter requests several additions to the setting section provided on page 4.6-5. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-14:

The commenter requests several additions to the setting section provided on page 4.6-5. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-15:

The commenter requests several additions to the setting section provided on page 4.6-11. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-16:

The commenter requests several additions to the regulatory setting section provided on page 4.8-2. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-17:

The commenter requests several additions to the regulatory setting section provided on page 4.8-3. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-18:

The commenter requests several additions to the regulatory setting section provided on page 4.8-4. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-19:

The commenter requests several additions to the setting section provided on page 4.8-6. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-20:

The commenter requests several additions to the setting section provided on page 4.8-7. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-21:

The commenter requests several additions to the setting section provided on page 4.8-7. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-22:

The commenter requests several additions to the setting section provided on page 4.8-7. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-23:

The commenter requests several additions to the setting section provided on page 4.8-8. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-24:

The commenter requests several additions to the setting section provided on page 4.8-7. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Response to Comment A8-25 through A8-36:

The commenter requests several clarifications to the Goals and Policies Report. The suggestions are noted. The suggestions do not affect the analysis or adequacy of the Draft EIR and no further change is required.

Individual Letters

Letter I1 – Heather Kingdon

Response to Comment I1-1:

The comment provides several comments and opinions specific to the content of the Water Resources Element of the Goals and Policies Report. This comment is noted; however it does not provide any specific comments related to the adequacy of the Draft EIR. No further response required.

Letter I2 – Todd and Terri Dabney-Anderson

Response to Comment I2-1:

The comment provides an opinion that the existing Integrated Regional Water Management Plan (IRWMP) for the Upper Feather River Watershed (dated 2005) has misleading and outdated information specific (section 4.7, page 64, Indian Valley Groundwater Basin).

The comment is noted. In developing the proposed project and the Draft EIR, a variety of reference materials (including State databases and the existing IRWMP) were used to characterize countywide baseline conditions. The County's use of generalized data from these reference materials is appropriate and considered standard practice in describing countywide conditions at the program level. The County understands that the commenter has questions regarding the validity of specific aspects of the IRWMP; however, these details are not considered relevant (or affect the adequacy of the Draft EIR) to the programmatic nature of the proposed project and the Draft EIR. No further response required.

Letter I3 – Richard Floch, Richard Floch and Associates

Response to Comment I3-1:

The comment is from an email (dated January 2, 2013) indicating that the attached letter is the commenter's official comment on the Draft EIR and is similar to previous comments submitted to the County. No further response required.

Response to Comment I3-2:

The commenter provides the history of the Almanor Regional Transportation Assessment (ARTA) and the subsequent Development Agreement between the County of Plumas and Lake Almanor Associates LP regarding the Lake Front at Walker Ranch development. This narrative does not provide a comment on the adequacy of the Draft EIR and no further response is required.

Response to Comment I3-3:

The commenter indicates that the Draft EIR should include a detailed review of the ARTA traffic analysis, including discussion of the differences between the results of the ARTA analysis and the traffic analysis prepared for the Draft EIR. The traffic analysis provided in the Draft EIR is for an update to the existing Plumas County General Plan. As more fully described in the Draft EIR, the traffic analysis presents a full discussion of the methodology and environmental impacts conclusions resulting from implementation of the proposed project. It is not the intended purpose of the Draft EIR to provide a review and comparison of the proposed project to other traffic studies. Key differences between the analysis conducted for the proposed project and the ARTA traffic analysis include the following:

1. The ARTA analysis assumed a much greater level of residential (primary as well as second home) development, apparently unconstrained by the market for new units. In comparison, the Draft EIR traffic analysis (20-year land use forecasts) is based on a

market analysis of the number of units that can be expected to be actually built and occupied by 2035 (see Chapter 2 “Project Description” of the Draft EIR). Consequently, this analysis yields substantially lower growth in traffic volumes.

2. The ARTA analysis reflected full buildout of the Dyer Mountain development, while the Draft EIR traffic analysis assumes that Phase I of the Dyer Mountain development has occurred by 2035, reflecting the very low existing potential that full development will occur by 2035.
3. While the ARTA study focuses solely on the Lake Almanor area, the Draft EIR traffic analysis must consider impacts throughout the extent of Plumas County. As there is not a full computerized traffic model for Plumas County, traffic forecasting is a time-intensive process. It was therefore necessary for the Draft EIR traffic analysis to focus on a limited number of the myriad of roadway segments and intersections across the County, as a means of assessing those roadway elements most likely to experience significant impacts.

Despite these differences, the two traffic studies do agree on the key finding that development in the Lake Almanor area will result in the need for roadway improvements in the region, at a minimum along SR 36. Additional discussion regarding how to mitigate this impact and address cumulative traffic issues is provided in the following response.

Response to Comment I3-4:

The commenter asserts that the Draft EIR fails to address cumulative traffic impacts in any serious way for future development. To clarify this point, the Goals and Policies Report and the Draft EIR have been revised to include a new implementation measure that requires the formation of a traffic impact fee program in the Lake Almanor area, as more described above in the response to Comment A4-1. This will include preparation of a detailed traffic analysis for the area, updated to reflect current land use forecasts in the region.

Response to Comment I3-5:

The commenter discusses the potential for future development in the Lake Almanor area, and concludes that an area wide fee program is necessary for equitable consideration of all developments in the area. Implementation of a traffic impact fee program, as detailed in the response to Comment A4-1, will ensure that various developments in the Lake Almanor area are treated equitably with regarding to local funding of transportation improvements.

Letter I4 – George Terhune

Response to Comment I4-1:

The commenter indicates that the proposed project and the Draft EIR address the Airport Land Use Compatibility Plans for all three public airports. However, the proposed project needs to address the possible development of a private use airport or heliport.

Comment I4-1 provides introductory remarks regarding this topic. No further response required.

Response to Comment I4-2:

The commenter is correct in that a variety of Federal and State regulations govern the development of private and public air fields, with the Plumas County Airport Land Use Commission addressing land use compatibility issues within the Airport Influence Areas around existing public airports.

To clarify the County's role in the future consideration of a private airport or heliport (should the need arise), the County shall add the following new Policy PHS-6.6.3 "Private Airfields and Land Use Compatibility" to the Health and Safety Element of the Goals and Policies Report:

Health and Safety Element of the Goals and Policies Report

Add the following policy:

- **PHS-6.6.3 Private Airfields and Land Use Compatibility.** The County shall ensure that the development of future private airstrips and helipads address land use compatibility issues. As part of the approval process of these private facilities, the County shall consult and coordinate with the Plumas County ALUC to address any setback, height, or land use restrictions associated with operation of the private airfield/helipad.

Letter I5 – Larry A Fites**Response to Comment I5-1:**

The commenter provides introductory comments indicating that the Draft EIR fairly appraises the potential impacts and provides suitable mitigation measures. This introductory comment is noted. No further response required.

Response to Comment I5-2:

The commenter provides several suggestions to improve the readability of the land use maps included in the General Plan Update and the Draft EIR. As more fully described below in the response to Comment I8-5, the land use maps have been revised and will be included as part of the Final Goals and Policies Report.

The commenter is also referred to Chapter 4, "Minor Revisions to the Draft EIR", of this Final EIR which includes the revised land use maps. This revision does not change the analysis or conclusions presented in the Draft EIR.

Response to Comment I5-3:

The commenter provides a suggestion regarding Figure 3.6 of the Draft EIR and Mohawk Meadows. The commenter is referred back to the response prepared for Comment I5-2.

Response to Comment I5-4:

The commenter suggests that recently prepared population projections issued by the California Department of Finance should be incorporated into Table 3.8 of the Draft EIR. The comment is noted. Consistent with CEQA Guidelines, the most current population projections (along with other baseline data for Plumas County) available during the issuance of the NOP were used in preparation of the Draft EIR.

Response to Comment I5-5:

The commenter suggests that a circulation diagram should be included for Mohawk Valley. At the present time, the General Plan Circulation Diagrams (Figures 4.2-1 through 4.2-6) provide known existing and planned improvements at the program-level. It is the County's intent to maintain and update the proposed project as necessary to reflect additional information of importance to the County and its decision makers as part of annual reporting and monitoring activities associated with the General Plan Update. The commenter's suggestion is noted and will be considered by County decision makers.

Response to Comment I5-6:

The commenter indicates that the Eastern Plumas Healthcare District provides ambulance service within its boundaries.

Page 4.9-4 of the Draft EIR will be revised to include this information. The commenter is referred to Chapter 4, "Minor Revisions to the Draft EIR", of this Final EIR which includes the revised text the Draft EIR. This revision does not change the analysis or conclusions presented in the Draft EIR.

Response to Comment I5-7:

The commenter indicates that Station #2 of the Graeagle Fire Protection District has not been constructed.

Commenter is correct. The building itself has not been constructed; however, a Special Use Permit has been approved for the site and for future building construction. The commenter is referred to Chapter 4, "Minor Revisions to the Draft EIR", of this Final EIR which includes the revised text the Draft EIR. This revision does not change the analysis or conclusions presented in the Draft EIR.

Response to Comment I5-8:

The commenter indicates that the policies referenced on page 4.9-16 of the Draft EIR should clearly articulate that fair share funding will apply to the provision of all warranted facilities and services for all affected districts. The comment is consistent with the intent of the County's policies as referenced on page 4.9-16 of the Draft EIR.

Response to Comment I5-9:

The commenter indicates that the level of significance should be noted for each affected species identified in Table 4.11-3. The commenter is referred to the impact discussion shown on pages 4.11-21 through 4.11-28 which clearly identifies the impacts, significance conclusions, and mitigation measures (mitigating policies) specific to biological resources.

Letter I6 – Mark Nicholson, Lake Almanor Associates, LP**Response to Comment I6-1:**

The commenter provides an introductory comment asserting that the Draft EIR has serious deficiencies and should not be certified. Specific comments are provided in subsequent comments to this letter.

Response to Comment I6-2:

The commenter notes that the analysis of traffic impacts is limited to nine (9) highway segments. As there is not a full computerized traffic model for Plumas County, traffic forecasting is a time-intensive process, including spreadsheet-based analysis of land use growth and associated traffic growth throughout the extent of Plumas County, distribution and assignment of traffic growth throughout the county, and evaluation of impacts under five difference scenarios. It was therefore necessary for the General Plan Update Traffic Analysis to focus on a limited number of the myriad of roadway segments and intersections across the County, as a means of assessing those roadway elements most likely to experience significant impacts. The purpose of the analysis was therefore not to identify all potential roadway elements that could exceed standards, but rather to focus the analysis on those roadway elements (based on previous traffic evaluations and the locations of relatively high potential for traffic growth) that have the highest potential for future conditions to exceed standards. This allows identification of the areas that will warrant additional detailed traffic analysis in the future, as specific land use proposals are defined.

The Draft EIR prepared for the proposed project is a program-level EIR. A program EIR is not expected to analyze site-specific traffic/circulation impacts nor provide the level of detail found in a site specific project EIR. The proposed project consists of goals and policies that will guide future development decisions. It does not include site-specific development proposals. General Plan policies and mitigation measures should be consistent with the geographic scope of the project (a diverse geographic area encompassing approximately 2,610 square miles of mountain geographic areas), population size and density, fiscal and administrative capabilities, and economic, environmental, legal, social, and technological factors (Government Code Sections 65300.9 and 65301(c); CEQA Guidelines Sections 15143, 15146, 15151, and 15204). Accordingly, this EIR proposes goals, policies, and mitigation measures at a programmatic level. An attempt to examine traffic and circulation impacts on a site-specific basis and to provide mitigation measures for those project level impacts would be speculative given the lack of information about future site-specific development.

It should be noted that the Vehicle-Miles of Travel analysis included in the Traffic Analysis does reflect additional traffic activity of all future development expected by 2035, as the basis for air quality and Greenhouse Gas emissions analysis.

Response to Comment I6-3:

The commenter indicates that the Almanor Regional Transportation Assessment (ARTA) was used as a “primary basis” for the traffic analysis. This statement is incorrect. While the ARTA was used as one basis for the selection of those segments most likely to fail, the season of analysis and existing directional distribution of traffic and growth in traffic on SR 36 passing entirely through Plumas County, the methodology of land use forecasting, traffic generation, distribution, assignment and impact assessment was conducted in a wholly independent manner. The commenter is referred to the response prepared to address Comment I3-3, which indicates the differences between the two studies. The commenter further indicates that the ARTA analysis identified additional roadway elements that will require improvements in the future. This is true, and the focused Traffic Impact Fee formation traffic study will address these additional elements.

Response to Comment I6-4:

The commenter indicates that the Draft EIR does not identify a mechanism for mitigation of significant traffic impacts. To address this concern, a new policy and implementation measure (Policy CIR- 4.1.8 “Traffic Impact Fee Program for the Lake Almanor Area” and Circulation Element Implementation Measure #11) will included as part of the Final Goals and Policies Report, as discussed in the response prepared to address Comment A4-1.

Response to Comment I6-5:

The commenter is referred to the response prepared to address Comment A4-1.

Response to Comment I6-6:

The commenter indicates that the Traffic Analysis (Appendix C) was not available in a timely manner. Consistent with the CEQA Guidelines, the Draft EIR was made available for a 45 day public review period. The Draft EIR (and appendices) was made available to interested parties on a CD and was posted on the County’s website.

Response to Comment I6-7:

The commenter indicates that the proposed project does not provide a mechanism to address cumulative traffic impacts. The commenter is referred to the response prepared to address Comment A4-1. Implementation of a Traffic Impact Fee program in the Lake Almanor area will provide this mechanism, for this region with the highest potential for traffic deficiencies in the future and the necessary concentration of development projects needed for a Traffic Impact Fee program to be effective. As key roadway elements in the remainder of the county are not forecast to exceed LOS standards, the existing County and Caltrans encroachment permitting process and planning review processes will be adequate to address impacts of individual development projects elsewhere in the county as they occur.

Letter I7 – Todd and Terri Dabney-Anderson

Response to Comment I7-1:

The commenter indicates that the letter is a follow up to Todd Andersen’s verbal comments on December 13, 2012, and additional questions for the General Plan Draft EIR. The commenter is asking specific questions related to their parcel. These comments are not considered relevant to the adequacy of the Draft EIR or to the programmatic nature of the proposed project and the Draft EIR. No further response required.

Letter I8 – High Sierra Rural Alliance

Response to Comment I8-1:

The comment provides a summary of the issues and concerns (that are more fully described in the body of the letter) specific to the Draft EIR and the proposed project.

Comment noted. In this initial portion of its letter, the commenter does not specifically address the content or adequacy of the Draft EIR or the proposed project. No further response is required. Individual issues are addressed in the comments and responses that follow.

Response to Comment I8-2:

As an introduction to the comment letter, the comment provides a summary of the various documents (i.e., Briefing Report, Goals and Policies Report, etc.) that comprise the proposed project, identifies the purpose and function of a programmatic EIR, and identifies the intent of the Draft EIR.

Comment noted. The commenter does not specifically address the content or adequacy of the Draft EIR or the proposed project. No further response is required.

Response to Comment I8-3:

The comment provides a summary of various general plan requirements citing information from a variety of sources, as quoted by the California Attorney General’s office in a comment letter on an EIR for another General Plan proposed by another county.

Comment noted. The commenter provides information on the requirements for a general plan and does not specifically address the content or adequacy of the Draft EIR or the proposed project. The County acknowledges the authority of the statutes and court cases directly quoted in the Attorney General’s letter. No further response is required.

Response to Comment I8-4:

The comment provides a summary of several requirements from the CEQA guidelines specific to the preparation of an EIR, again as quoted by the California Attorney General’s office in a comment letter on an EIR for another General Plan proposed by another county.

Comment noted. The commenter provides general information on the requirements for an EIR and does not specifically address the content or adequacy of the Draft EIR or the proposed project. Again, the County acknowledges the authority of the statutes, CEQA Guidelines sections, and court cases directly quoted or cited in the Attorney General's letter, though statements and summaries in the letter that go beyond those direct sources of legal authority are not binding on the County, as they represent some amount of advocacy and interpretation. Advocacy letters from the Attorney General's office lack the level of persuasiveness of formal legal opinions issued by the Attorney General's office, which in turn are less authoritative and persuasive than statutes, regulations, or the holdings of court cases. No further response is required.

Response to Comment 18-5:

The comment asserts that inadequacies of the General Plan Update confound the analysis of the Draft EIR. Specifically, the comment states that the General Plan Update lacks the required land use designations for substantial areas within the County's jurisdiction. The comment further states that lands outside of the Planning Areas lack designation on the Land Use Maps (Figures 9-15 in the General Plan Goals and Policies Report) and that the General Plan Update lacks building intensity standards. Because, according to the commenter, "the GPU is the Project Description for the DEIR," it follows that "the project description if curtailed or distorted and the objectives of the reporting process of the DEIR is diminished."

The commenter is correct in its statement that land use designations outside of Planning Areas were missing from the maps that were included in the Draft EIR and the General Plan Update. When this one-time oversight was identified, the correct maps were uploaded to the Plumas County website (on March 20, 2013), and these included all designations for lands under Plumas County's jurisdiction. The correct maps will also be included as part of the Final General Plan Update. The commenter is referred to Chapter 4, "Minor Revisions to the Draft EIR", of this Final EIR which includes the correct maps. In addition to the corrected maps, a general countywide land use map is also provided as Figure 3-2, with the corrected maps shown as Figures 3-3 through 3-9. These corrected maps do not change the analysis or conclusions presented in the Draft EIR.

The complete land use maps have been discussed as part of various general plan update meetings held in the County, as documented in the minutes of several Planning Commission meetings (March 17, 2011, April 7, 2011, May 5, 2011, and July 21, 2011). The land use map (including land use designations) was also included in the Notice of Preparation (for the Draft EIR), dated January 9, 2012. Population and housing build-out assumptions (see Tables 3-5, 3-6, and 3-9 in Chapter 3 "Project Description" of the Draft EIR) developed for the Draft EIR analysis were based on land use acreages referenced in the correct land use maps and no further changes are necessary to the Draft EIR.

Building intensity standards have also been defined for a variety of open space uses. These details are incorporated into Table 1.3 "Land Use Designations and Permissible Densities" of the Goals and Policies Report (beginning on page 42). Population and housing build-out assumptions (see Tables 3-5, 3-6, and 3-9 in Chapter 3 "Project Description" of the Draft EIR) developed for the

Draft EIR analysis were based on land use acreages referenced in the correct land use maps and no further changes are necessary to the Draft EIR.

The commenter is also incorrect in its assumption that the County intends to defer designation of Open Space lands to an unrevealed later date. The assumption made by the commenter is based on the literal text of policies COS-7.1.1 and COS-7.1.2, read in isolation. The intent, as referenced by the text of the policy, directs the County to include designations that indicate the available inventory of lands which serve as the “open space land” and to protect these lands through the *administration* of the General Plan Update policies. The text of the policy directs actions that shall be complied with once the General Plan Update is adopted. The purpose and intent of this policy is to codify in the General Plan the requirement to include and protect Open Space designated lands through the duration of the life of the plan. The initial designation of land for various uses, including Open Space, has already been accomplished, and the updated General Plan, at the time of adoption, will include land designated for Open Space.

The commenter is also incorrect in its assumption that, by including implementation measures AG/FOR 2a, 12, 13, and 14, the County intends to apply new criteria to determine what lands are eligible for Open Space designation. The General Plan Designations and proposed maps include Open Space. The implementation measures are proposed to insure that the proposed policies in the General Plan Update are supported through adopted language in implementation documents such as the zoning ordinance. Policy COS-7.1.1 identifies particular land use designations that “are considered open space lands.” COS-7.1.2 provides that the County’s commitment to the preservation of open space, consistent with these General Plan designations, “will be implemented through applicable zoning districts and other mechanisms including stream and watercourse restrictions, wetland restrictions, natural hazards constraints and planned development dedications.”

Because the commenter was incorrect in assuming that the County intended to defer the identification of Open Space lands until after approval of the General Plan, the commenter’s attack on the EIR Project Description as being inadequate under CEQA is also incorrect. In any event, the CEQA standards for project descriptions, as found in section 15124 of the CEQA Guidelines, are not the same as the requirements for a General Plan, even where an EIR has been written for a proposed General Plan. Importantly, the County has *not* taken advantage of the opportunity created by CEQA Guidelines section 15166 to write its General Plan in a manner that obviates the need for a separate EIR. Rather, the County has written a stand-alone program EIR consistent with CEQA Guidelines sections 15152 and 15168, as explained on pages 1-2 and 1-3 of the Draft EIR. The General Plan is a wholly separate document. The EIR therefore must be judged against the standards found in CEQA, not the standards for general plans in the Planning and Zoning Law.

Response to Comment 18-6:

The comment indicates that the General Plan Update does not include required density and intensity standards for several of the land use designations (“Lake, Open Space-Significant Wetlands, Scenic Area, Scenic Road, Historic Road, Historic Building, Historic Road, and Public Facilities”) established in Policy LU-1.2.1.

The General Plan satisfies the requirement of the Planning and Zoning Law, as set forth in Government Code section 65302, subdivision (a), that the Land Use Element include “a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan.” This requirement is satisfied because the *base* land use designation (i.e., residential, commercial, etc.) will define the density/intensity standards, as identified in the updated Table 1.3 of the Goals and Policies Report. The specific land use designations mentioned by the commenter – “Lake, Open Space-Significant Wetlands, Scenic Area, Scenic Road, Historic Road, Historic Building, Historic Road, and Public Facilities” – are “*overlays*” that identify specific features of importance to the County. No specific density/intensity standards are associated with these overlay categories. The overlay category of “Public Facilities” is intended to identify existing public facilities in the County, and does not apply to privately owned land. See also the response prepared for Comment I8-5.

Response to Comment I8-7:

The comment asserts that the reader cannot determine the location and designation of parcels of property zoned for timberland production pursuant to the California Timberland Productivity Act and this renders the General Plan Update inadequate.

As stated in the response to Comment I8-5 above, the Land Use maps were made available for review and all land uses and their locations are identified in the General Plan Designations-Proposed Maps found on the Plumas County Website.

The commenter’s assertion that the General Plan Update does not contain a table indicating the general location, extent and type of land uses that could occur in the various geographic areas of the County is inaccurate. On page 40 of the Goals and Policies Report and beginning with PolicyLU-1.2.1 “Land Use Designations”, the policy text specifically establishes the land use designations for lands under the County’s jurisdiction. This policy text is then followed and illustrated by land use information provided by in Table 1.3 “Land Use Designations and Permissible Densities” and Table 1.4 “Land Use Designation Matrix”, which identifies specific zoning districts to be found under specific land use designations. The specificity of this information, along with the General Plan Designation-Proposed Maps, provides clear articulation of location and designation of land uses.

The commenter is also incorrect regarding its assumptions regarding the Draft EIR analysis. The Draft EIR incorporates the above mentioned information in Tables 3-5, 3-6, 3-7, 3-8 and 3-9 Existing Land Use, Future Capacity, Projected Population and Projected Growth by Geographic and Planning Areas (see Chapter 3 “Project Description”).

Response to Comment I8-8:

The commenter expresses an opinion that the proposed project is primarily a wish not a plan and that the Draft EIR is fundamentally flawed because it assumes without any compelling reason that substantial development will not occur outside of Planning Areas.

The commenter's lack of understanding regarding the factual basis for the planning approach embodied in the General Plan Update is important to note. The assumption in both the General Plan Update and Draft EIR that future growth will be focused within County Planning Areas was based on a combination of historic development patterns (demonstrating a majority -- over 90% -- of total issued building permits, of historic growth occurring within County Planning Areas) and a recognition from County stakeholders, confirmed during the proposed project's extensive public outreach process, that the concept of focused growth within County Planning Areas was a crucial objective from the existing General Plan policies that would continue to serve as one of the primary objectives of the General Plan Update. The County recognizes that some amount of new development will occur outside these planning areas, though the amounts at issue are likely to be very modest due to (i) historical trends and (ii) restrictive new (proposed) policies, as described below.

Based on historic land use data gathered and summarized by the Plumas County Planning Department, only 88 parcels were created outside of designated Planning Areas between the years 2000 and 2010. Of the total number of building permits for dwelling units during that same period (1,656 permits), only 55 permits were issued outside designated Planning Areas. With this recent historic information on County growth (from a time period that included both "boom" and recession real estate development patterns), goals and policies developed for the General Plan Update reflected this land use pattern; and the growth projections developed for the proposed project reflected a continued focus on growth within County Planning Areas (see Chapter 2 "Project Description" of the Draft EIR. There was no evidentiary basis or reason to assume an abrupt change in consumer preferences favoring a growth shift outside of identified County Planning Areas going forward, with new policies from the Land Use Element of the General Plan Update (see Goal 1.1 "General Land Use") reinforcing these preferences. Importantly, most of the above-referenced 88 parcels (including maps) approved in the last decade could not be approved under the proposed General Plan Update due to a lack of fire protection infrastructure, as will be required under various policies and implementation measures referenced in the updated Health and Safety and Land Use Elements (specifically Policy LU-1.1.4 "Land Divisions", as more fully described below).

This approach to focused growth reflects something of a community consensus, which has consistently been identified as an important objective (supporting existing towns and communities, protecting Plumas County's rural character, and protecting natural and historic resources) for the General Plan Update process from the very first community visioning session to the more recent community working group sessions. This and other objectives of the General Plan Update were developed through a very robust community engagement and education process that included 10 public meetings (throughout the five supervisorial districts), 15 citizen working group sessions, more than 20 Planning Commission work sessions, and presentations before the Board of Supervisors at key milestones and guidance points in the process (at least eight (8) specifically agenda item Board of Supervisor meetings), as documented in the records of the Plumas County Planning Department and reports filed with the Governor's Office of Planning and Research (OPR) regarding the Plumas County OPR Extension. In addition to the General Plan Update process, the County held two (2) public scoping sessions for the Draft EIR and a public comment session to solicit comments on the Draft EIR. Had the commenter actively participated during some of the

earlier of these sessions, the commenter may have had a better understanding of the primary goals and objectives and policy direction that drove the preparation of the update.

As noted on page 8 of the Goals and Policies Report:

The General Plan is a reflection of the words and shared visions expressed by the residents of Plumas County.

The General Plan serves as a planning roadmap for elected County decision makers, appointed County officials, County staff, and staff of other agencies that operate within the County, residents, permit applicants, and the public at large. The General Plan serves as the foundation for other planning documents including: the County Zoning Ordinance; the County Regional Transportation Plan; community plans; master plans;

The General Plan Update does serve as an expression of the wishes of the community. However, its foundation (as referenced in its objectives, policies, and implementation measures) and the growth assumptions assumed in the Draft EIR are based on the unique environmental, demographic, and economic conditions of Plumas County that have and will continue to influence the majority of future growth patterns within key Planning Areas of the County.

The commenter incorrectly asserts that Policy LU-1.1.1 would allow for an unlimited number of new planned communities in undisclosed locations. The commenter should not review the individual policies of the General Plan Update in a vacuum. As the courts have indicated, “portions of a general plan should be reconciled if reasonably possible,” as is the case with the interpretation of statutes (*No Oil, Inc. v. City of Los Angeles* (1987) 196 Cal.App.3d 223, 244). Here, the County has proposed all of the goals, policies, and implementation measures as part of a comprehensive system (i.e. the entire General Plan) and individual policies will be interpreted in relationship to the other goals, policies, and implementation measures contained in the proposed project. Consequently, when considering Policy LU-1.1.1, one must also consider the intent of Policy LU-1.1.4, which states that the County shall ensure that zoning and subdivision regulations protect agricultural and ranching lands, open space, and natural resource lands by not allowing land divisions that convert the primary land use to residential where residential is not specifically designated.

The commenter has provided an incorrect perspective of the policy language as it pertains to the unique landscape and ownership patterns that make up Plumas County. The context within which the policy language applies is crucial. Developable land within the County is limited. First, one must consider that Plumas County has jurisdiction over less than 30% of the total land area within the County boundaries. For example, the U.S. Forest Service manages approximately 65% of the lands in Plumas County, lands on which private development cannot occur. As an additional constraint to development, much of Plumas County consists of landscapes that are identified for protection from development (see Policy COS-7.1.2), such as ridgelines, hazard areas, wetlands, lakes, rivers and riparian corridors, forests and other landscapes that are critical to the continuation of the County’s rural character (see Policy COS-7.1). Policies requiring no net-loss of Wetland habitats/other sensitive habitats (see policies COS-7.2.6 and COS-7.2.2), prohibiting uses that are incompatible with long-term agricultural production (see Goal 8.2 and associated policies), and requiring the preservation of visual resources (see policies COS-7.6.1 and COS-7.6.2) are all

examples of constraints on development that, when viewed in total (see previous paragraph), limit where and how much development can occur on the private lands within the County.

There is no data that would support the commenter's stated concern that the land use policies allow for an *unlimited* number of new communities outside of Planning Areas in undisclosed locations. As described in Chapter 3.0 "Project Description (Draft EIR, page 3-5), one of the primary objectives of the General Plan Update is to direct new development to the County's Planning Areas in order to support future economic growth and to facilitate the efficient provision of new infrastructure and public services. However, the County has only limited control over growth and cannot control external factors such as population growth (i.e. birth rates and death rates), existing infrastructure constraints, and the intent of individual property owners, businesses, and citizens. Additionally, other Federal, State, and local regulations will shape the way development occurs within the County. However, the proposed project is a policy document that is designed to provide a long term, comprehensive plan for the physical development of the County by generally describing the type, intensity, and location of development that may occur within the County, and by providing policies that will guide the design and provide basic standards for that development. Table 3.9 "Allocation of Future Plumas County Dwelling Units and Population Growth by Geographic Area (Note; not all within Planning Areas) and Planning Areas" (in the Draft EIR) provides anticipated build-out numbers based on land use acreages, existing development capacity within each geographic area, a 2035 planning year horizon, and proposed policies that would limit new subdivisions to areas that are served by fire protection, which is one of the key criteria included in Policy LU-1.1.4. The policy is provided below:

- **Policy LU-1.1.4 Land Divisions.** The County shall ensure that zoning and subdivision regulations protect agricultural and ranching lands, open space, and natural resources which include: grazing, forests, and wildlife habitat lands, by not allowing land divisions that convert the primary land use to residential to be developed in areas which are not specifically designated as residential in the General Plan, for which appropriate long-term planning has not been completed as outlined within the General Plan. The County shall require the following findings for land divisions outside of Planning areas:
 - The resulting development will have structural fire protection;
 - Land division does not result in any conflict with zoning and density standards, and
 - Any clustering of parcels does not convert the primary land use to residential and is part of an overall integrated plan for resource protection.

As the language of this policy makes clear, the GPU would allow growth outside the Planning Areas, but would require fire protection for any subdivisions outside these areas, which will have the predictable effect of greatly limiting the number of subdivisions that could occur in remote areas. This new requirement, combined with landowners' above-described historical tendencies to seek to develop lands within the Planning Areas, justifies the County's expectation that the vast majority of new development will occur in the Planning Areas.

Response to Comment I8-9:

The commenter again asserts there are no land use designations outside of Planning Areas identified in the plan and therefore misleads the reader into thinking there will be no development outside of Planning Areas. This incorrect assertion is clarified in the response prepared to Comments I8-5 and I8-8.

The commenter also asserts incorrectly that by allowing the use of clustering for residential units within agricultural designated land uses, Policy LU-1.1.4 could allow land divisions outside of Planning Areas on land not specifically designated for residential uses.

As noted in the response to comment I8-8, general plan policies should not be reviewed in a vacuum, but should be construed against the backdrop of the entire general plan. Thus, specific goals and policies must be interpreted in relationship to the other goals, policies, and implementation measures contained in the General Plan Update. Overall, the goal of the County is to balance individual property rights with the General Plan Update objectives of promoting focused growth and the protection of open space resources within the County. Implementation of the General Plan Update may include a variety of proposals for smaller lot splits to subdivisions. These proposals will be reviewed for their overall consistency with the policies of the General Plan Update, including Policy LU-1.1.4 and the additional policies contained in the Conservation and Open Space and Agriculture and Forestry elements. The commenter's focus on the text of one specific policy and its application to a general statement regarding the intent of the entire General Plan Update is therefore misleading and incorrect.

The commenter makes additional reference to the unenforceability of implementation measures contained in the General Plan Update. The commenter is referred to the response prepared for Comment I8-15 regarding the issue of enforceability.

Response to Comment I8-10:

The comment states that the use of some colors on the land use map is difficult to determine and provides an example with the use of colors for both the Agricultural Preserve and Forest Service lands.

Although this comment does not address the adequacy of the Draft EIR, the County will consider this suggestion, as it wants the GPU to be as easy to understand and implement as possible. It is important to note, however, that the various colors used in the land use maps for the Update are consistent with those used in the maps in the County's existing General Plan, thereby providing continuity between the current General Plan and the proposed Update. Additionally, the colors are consistent with planning industry standards, such as those identified under DeChiara and Koppelman's book, *Urban Planning and Design Criteria*, second edition.

Response to Comment I8-11:

The comment asserts that the General Plan Update is a plan to allow market-driven growth to occur according to a developer's wishes.

The commenter's opinion regarding the General Plan Update is incorrect. The commenter is referred to the responses prepared for Comments I8-5, I8-8, and I8-9.

Response to Comment I8-12:

The comment states that the General Plan Update does not include the Housing Element and therefore the Draft EIR is inadequate.

Under state law, housing elements are typically updated on schedules set by statute (see Gov. Code, § 65588), separate and apart from comprehensive general plan updates, which need only occur “as necessary” (*id.*, § 65103, subd. (a)). The commenter is directed to page 10 of the Goals and Policies Report, which describes the current state of the Housing Element for the Plumas County General Plan. As stated on page 10, the Housing Element is required (mandated by State of California law) to be updated at least every five years and must be approved by the State Department of Housing and Community Development (HCD). Plumas County's Housing Element was updated and approved in 2009. The Housing Element includes a section on the Summary of Needs and Constraints, a Housing Program with goals and policies, and a background report highlighting demographics, resources, and a review of the accomplishments in implementing the previous Housing Element. Plumas County's Housing Element was completed and certified by HCD (in 2009) in a separate process from the rest of the General Plan Update.

Because there is no need for a Housing Element update as part of the current Update process, there can be no violation of any law, including CEQA, due to the County's decision not to update the Housing Element yet again as part of the current process. Even if the County had erred under the Planning and Zoning Law, however, by failing to update the Housing Element, such an error under that statute would by no means translate into a violation of CEQA. Nothing in CEQA suggests that a violation of another body of law necessarily amounts to a violation of CEQA.

Response to Comment I8-13:

The commenter asserts that Economic Element Implementation Measures #16 and #17 are illegal in their consideration of granting variances for in-fill development.

The commenter is apparently assuming that the term “variance,” as used in the Economics Element of the General Plan Update, has a meaning identical to that of the term “variance,” as used in California Government Code section 65906, which allows waivers from certain zoning requirements in certain limited circumstances (i.e., when “the strict application of the zoning ordinance deprives . . . property of privileges enjoyed by other property in the vicinity and under identical zoning classification”). The County's use of the term “variance” in Implementation Measures #16 and #17, two similar measures supporting two different economic policies (ECON-5.6.1 and ECON-5.6.2), is not intended to have precisely the same meaning, but is intended to be more flexible. As used by the County in this context, a “variance” is a legal tool that can be used to achieve stated planning goals, such as facilitating infill or transit-oriented development, when consistency can otherwise be found among all other General Plan policies. Although such variances would allow the County not to waive the application of certain development standards,

the standards at issue are those deriving from a code of ordinances or zoning code, and not the General Plan itself.

Nevertheless, the County understands that the implementation measures as currently developed may be confusing in their intent. Consequently, the implementation measures have been modified to remove the term “variance” and to reference instead existing County permitting requirements that strive to maintain the intent of the original measure. Consequently, in consideration of the comment, the County has revised the following new Implementation Measure #16 and Implementation Measure #17 from the Economics Element of the Goals and Policies Report:

Economics Element of the Goals and Policies Report

Revise the following:

- **Economics Implementation Measure #16:** The County shall consider using the existing Modifications and Planned Development Permit process as a means of modifying ~~granting variances from~~ development standards, reducing or waiving modifications to impact fee requirements, ~~expedited~~ expediting permit processing and providing other types of incentives in order to encourage transit-oriented development.
- **Economics Implementation Measure #17:** The County shall consider using the existing Modifications and Planned Development Permit process as a means of modifying ~~granting variances from~~ development standards, reducing or waiving modifications to impact fee requirements, ~~expedited~~ expediting permit processing and providing other types of incentives in order to encourage infill development.

Response to Comment I8-14:

The comment indicates that the proposed project is internally inconsistent; however, no specific examples are provided in the comment. The following discussion from a leading court case is relevant to this topic, however, insofar as it underscores the fact that general plans, by their very nature, tend to include disparate policies with differing emphases and some tension between them:

A general plan must try to accommodate a wide range of competing interests – including those of developers, neighboring homeowners, prospective homebuyers, environmentalists, current and prospective business owners, jobseekers, taxpayers, and providers and recipients of all types of city-provided services – and to present a clear and comprehensive set of principles to guide development decisions.

(Sequoiah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704, 719.)

The comment further states that the Draft EIR is incorrect in reaching a conclusion of ***less-than-significant*** for potential conflicts with adopted land use plans because the proposed project is internally inconsistent. The commenter errs in this assertion that the Draft EIR (Impact 4.1-2) is incorrect. As clearly stated on pages 4.1-13 through 4.1-15 of the Draft EIR, the impact analysis begins by guiding the reader through several of the key non-County land use plans (other than the County’s General Plan) in Plumas County, including:

- City of Portola General Plan.
- Airport Land Use Commission Plan (ALUCP).
- Plumas County Regional Transportation Plan (RTP).
- Plumas National Forest Land and Resource Management Plan (FLRMP).
- Upper Feather River Watershed Integrated Regional Water Management Plan.

The analysis continues by demonstrating how the various General Plan Update policies were drafted to ensure consistency with these local and regional plans. For example, to address compatibility issues with the City of Portola, the Land Use Element includes a specific goal with policies addressing coordination issues with the City of Portola. As part of this goal, Policy LU-1.3.1 requires the County to coordinate future planning efforts with the City. Policy LU-1.3.2 requires the County to work with the City to address land use consistency issues with the City’s sphere of influence. Policy LU-1.3.3 requires discretionary projects within the City’s sphere of influence to coordinate design, development standards, and funding programs. Finally, Land Use Implementation Measures 6a and 6b (shown below) are included in the General Plan Update to help guide the implementation of these policies.

- **Implementation Measure 6a.** Within the City’s Sphere of Influence, discretionary development projects shall first be referred to the City for possible annexation. If the City does not choose to annex, the City’s review and comments shall be considered by the County in processed the discretionary development project.
- **Implementation Measure 6b.** Should the Plumas Local Agency Formation establish an Area of Concern or interest to the City, applications for discretionary land use projects shall be referred to the City for review and comment.

Similar analysis is provided on pages 4.1-13 and 4.1-14 describing the proposed project’s compatibility with ALUCP and the FLRMP. A summary table of key policies demonstrating compatibility with these various land use planning documents is provided on page 4.1-14 and 4.1-15 of the Draft EIR and is also included below.

**TABLE 4.1-3
MITIGATING POLICIES**

Land Use(LU), Economics(E), Circulation(CIR), Conservation/Open Space (COS), Noise (N), Public Health/Safety (PHS), Water Resources (W) Elements			
Policies designed to promote compatible land use development and patterns that minimize impacts to surrounding land uses (including open space uses) include the following:			
LU-1.2.2	Land Use Compatibility	N- 3.1.3	Noise / Land Use Compatibility Standards
LU-1.3.1	Working with the City of Portola	COS-7.1.2	Conservation and Open Space Program
LU-1.3.2	County and City of Portola’s General Plan Consistency	COS-7.1.3	Collaborative Open Space Land Use Management
LU-1.3.3	Development and Design in City of Portola’s Sphere of Influence	COS-7.2.14	Natural Landscapes in Site Design
Policies designed to promote development compatible with local airport land use compatibility plans, include the following:			
N-3.1.5	Development Surrounding Airports	PHS-6.6.1	Consistency with the Airport Land Use Compatibility Plan
CIR-4.5.1	Compatibility of Airports with Adjacent Land Uses	PHS-6.6.2	Compliance with Federal Aviation Administration (FAA) Regulations

Policies designed to minimize this impact through the continued coordination with federal, State, and other local agencies (regulatory and non-regulatory) responsible for addressing regional environmental issues include the following:

CIR-4.6.4	Climate Action Plan	COS-7.9.1	Cooperation with Other Agencies
E-5.1.9	Maintain Strong Working Relationships with United States Forest Service	COS-7.10.3	Support Statewide Climate Change Solutions
E-5.8.2	State and Federal Energy-Planning Processes	W-9.1.1	Groundwater Management
PHS- 6.4.1	Coordination with Federal Emergency Management Agency, United States Army Corps of Engineers, and Department of Water Resources Division of Flood Management		
PHS-6.7.1	Emergency Response Services Coordination with Government Agencies		

For these reasons, the Draft EIR came to the conclusion that Impact 4.1-2 “Conflicts with Land Use Plans, Policies, and Regulations” was *less than significant*.

It is also worth noting that the County is actively working to implement key objectives of the General Plan Update. For example, Policy W-9.4.4 “Regional Water Management” has the County supporting regional watershed planning efforts through the Upper Feather River Integrated Regional Water Management Plan. The Plumas County Flood Control and Water Conservation District has received a grant to update the existing Integrated Regional Water Management Plan, with the County actively participating in the update process.

Response to Comment I8-15:

The comment restates the intent of the Draft EIR analysis, which includes the use of General Plan Update policies and implementation measures to mitigate impacts resulting from implementation of the proposed project. The comment asserts that many of the mitigating policies cited do not have (1) a corresponding implementation measure or (2) the implementation measure is unenforceable. These issues are described below.

The Relationship of Implementation Measures to General Plan Policies

In compliance with State law, the General Plan consists of a statement of development policies and includes diagrams and text setting forth objectives, principles, standards, and plan proposals (see Gov. Code §65302). These policies are then implemented by the County and its staff through various other actions, such as the adoption of new zoning ordinances, area plans, and community plans, which are more detailed and specific (see Gov. Code §§ 65359, 65400, 65455, and 65860). Some of these actions, such as the adoption or revisions to County Ordinances, are outlined in the “Implementation” Sections of the proposed project (for example: see Noise Element). However, this is not an exclusive list of implementation measures. While the County has listed numerous implementation measures in the Goals and Policies, and noted in the Draft EIR, it is simply not feasible to list every potential implementation measure which will be adopted over the 25 year horizon of the proposed project, nor to provide the text of every potential ordinance that will be adopted as a result of General Plan implementation. In other instances, such as the adoption of Community Plans, subdivisions, and special use permits, the projects are reviewed by the Board of Supervisors, Planning Commission, and various other County agencies and staff, for consistency with the General Plan.

Contrary to the commenter’s assertion, nothing in the Planning and Zoning Law (Gov. Code, § 65000 et seq.) requires that each and every General Plan policy have an implementation measure. Instead, that Act emphasizes the flexibility available to agencies in writing their general plans, as long as the plans contain the required elements and as long as the required elements contain the required contents (as generally set forth in sections 65302, 65560 [open space element], and 65583 [housing element]). Thus, Government Code section 65301, subdivision (a), provides that “[t]he general plan may be adopted in any format deemed appropriate or convenient by the legislative body.” Subdivision (c) of that statute provides, in pertinent part, that “[t]he general plan shall address each of the elements specified in Section 65302 to the extent that the subject of the element exists in the planning area. The degree of specificity and level of detail of the discussion of each element shall reflect local conditions and circumstances.”

Section 65302, which sets forth the requirements of all general plan elements other than the open space and housing elements, states generally that “[t]he general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals.” Note the absence of any reference to “implementation measures.” Within the various subdivisions of section 65302, however, there are references to “implementation measures.” But these provisions are the exception, not the rule. To the extent that the *General Plan Guidelines* published by the Governor’s Office of Planning and Research (OPR) *recommend* the use of implementation measures for each and every general plan policy, such a recommendation falls short of a legal mandate, as the General Plan Guidelines are purely advisory and have no force of law. (See 2003 General Plan Guidelines, p. 8 [“[T]he *General Plan Guidelines* is advisory, not mandatory”]; and Gov. Code, § 65040, subd. (c) [“[t]he guidelines shall be advisory to each city and county in order to provide assistance in preparing and maintaining their respective general plans”].)

Nor does anything in CEQA require that, to function as an adequate de facto mitigation measure, General Plan commitments must take the form of implementation measures carrying out broader policy objectives. Notably, Public Resources Code section 21081.6, subdivision (b), provide as follows (*italics added*):

A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. *Conditions of project approval may be set forth* in referenced documents which address required mitigation measures or, *in the case of the adoption of a plan*, policy, regulation, or other public project, *by incorporating the mitigation measures into the plan*, policy, regulation, or project design.

As is obvious, this formulation does not require that measures incorporated into a general plan must take the form of implementation measures. In fact, CEQA Guidelines section 15097, subdivision (b), seems to assume that “policies” can function perfectly well not only as de facto mitigation measures, but also as a mechanism by which the enforcement of such policies can be monitored:

Where the project at issue is the adoption of a general plan, specific plan, community plan or other plan-level document (zoning, ordinance, regulation, policy), the monitoring plan shall apply to policies and any other portion of the plan that is a mitigation measure

or adopted alternative. The monitoring plan may consist of policies included in plan-level documents. The annual report on general plan status required pursuant to the Government Code is one example of a reporting program for adoption of a city or county general plan.

Notwithstanding the foregoing, not every General Plan policy in the General Plan Update will function effectively as de facto mitigation. Whether any particular policy can properly serve that function depends on the specific language of the policy.

For a complete list of all implementation measures associated with the General Plan Update, the author of the comment is referred to the Goals and Policies Report (basis of project description for the Draft EIR), which clearly identifies the various implementation measures (by general plan element) and the individual policies that correspond to each implementation measure. As with key policies identified in the Draft EIR, implementation measures from the proposed project are also identified as “mitigation” for impacts analyzed in the Draft EIR. For example, Table 4.5-12 (found on page 4.5-31 of the Draft EIR) refers to Noise Element Implementation Measure #2 Noise Ordinance. Implementation measures state which policy (ies) the measure supports, which County departments are responsible for seeing that this implementation is achieved, and provides an anticipated timeline for completion of the implementation measure (see Goals and Policies Report, page 83). As noted above, each policy need not have its own individual implementation measure, and a single implementation measure may be used to implement a set of related policies i.e., policies and implementation measures do not have (and do not require) a one to one correspondence. Because implementation measures will take time and County staff resources, the County will need to prioritize implementation measures. It is contemplated that this ongoing process is part of the County’s annual general policy-making and budget cycle functions.

The timing of implementation measures may be adjusted over time, without amending the proposed project (i.e., General Plan), based on new information, changing circumstances, and evaluation of their effectiveness, as long as the result remain consistent with the intent of the General Plan and adopted mitigation measures. In addition, California Government Code Section 65300.5 requires the General Plan and its Elements to have “an integrated, internally consistent and compatible statement of policies...” Goals and policies within each element are consistent with one another and each element is consistent with the other elements of the General Plan.

While the County has listed numerous implementation measures in the General Plan, and noted in the Draft EIR, it is simply not feasible (i.e., accomplished within a reasonable period of time) to list every potential implementation measure which will be adopted over the 25 year horizon of the General Plan, nor to provide the text of every potential ordinance that will be adopted as a result of General Plan implementation. Government Code Section 65400 recognizes that implementation of the General Plan will take time. Furthermore, CEQA Guidelines Section 15097(b) recognizes this General Plan implementation requirement is appropriate to implement the General Plan.

Enforceability of Policies and Implementation Measures

The comment expresses skepticism that certain words used in policies would result in enforceable policies. Words such as “encourage”, “require”, and “shall consider” were specifically

mentioned. The comment continues to state that these advisory statements to plan do not constrain or direct growth in an enforceable manner. This is not the case.

As discussed in the advisory OPR *General Plan Guidelines*, “given the long-term nature of a general plan, its diagrams and text should be general enough to allow a degree of flexibility in decision-making as times change” (Office of Planning and Research 2003 General Plan Guidelines, page 14). This statement recognizes the value in maintaining flexibility to address unforeseen or evolving circumstances. While some of the policies may have flexibility, CEQA does not require the County to assume a worst case scenario (i.e., that they will not be implemented); (*Towards Responsibility in Planning v. City Council* (1988) 200 Cal.App.3d 671; *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437; *CEQA Guidelines Sections 15064 and 15358*; see similar NEPA requirements *Robertson v. Methow Valley Citizens Council* (1989) 490 U.S. 332).

Similarly, flexibility is needed to address the peculiarities of specific parcels and specific projects as they are proposed. The County will need to balance numerous planning, environmental, and policy considerations in the proposed project based upon the specific parcels of land and projects. Mandatory language or outright bans on development in certain areas, while beneficial for one resource area, could potentially have unintended consequences for other resources areas. While the County has addressed these impacts to the greatest extent feasible in the Draft EIR, there could be unknown circumstances and parcels of property with peculiar features which warrant some flexibility. For example, an outright ban on development on an unknown parcel in a flood zone or open space area could force development into other areas with greater geologic, fire, or other hazards. Flexibility is needed to allow decision makers to balance all of these concerns once specific projects on specific parcels are proposed.

The proposed project itself is not intended to provide the level of detail that is found in an ordinance or special use permit condition. Consequently, general plan policies should not be reviewed in a vacuum. All of the goals and policies have been proposed as part of a comprehensive system (i.e., the entire General Plan) and these policies will be interpreted in relationship to the other goals, policies, and implementation measures contained in the proposed project. Additionally, development (i.e. build out) under the proposed project will also have to comply with existing Federal, State and local regulations which are also outlined in the individual “Regulatory Setting” sections of the Draft EIR (for example, see Draft EIR pages 4.1-2 through 4.1-4). CEQA case law also supports the use of compliance with regulatory requirements to help reduce or avoid impacts (see *City of Long Beach v. Los Angeles Unified School District* (2009) 176 Cal.App.4th 889, 913, 914 [*discussing compliance with Safe School Plan requirements under Education Code Sections 32282 et seq. to help avoid hazardous material impacts*]; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308 [*“compliance [with environmental regulations] would indeed avoid significant environmental effects”*]); see also CEQA Guidelines Sections 15002(h)(3), 15064(h)(3), and 15130(c.)).

As described above, the General Plan’s goals and policies will be implemented and realized through County ordinances and future County decisions on specific development projects. As discussed in the OPR Guidelines, the General Plan should “be general enough to allow a degree of flexibility in decision-making as times change.”

Adequacy of Mitigation Measures

The comment also asserts that the mitigation measures are infeasible and unenforceable.

These mitigation measures will become part of the proposed project and should also be read in conjunction with the goals, policies, and implementation measures that are part of the proposed General Plan. Mitigation Measures are components of the Draft EIR and are subject to the same requirements regarding their level of detail required for a programmatic document (see CEQA Guidelines Section 15126.4; see also CEQA Guidelines Sections 15143, 15146, 15151, 15204). A program EIR is not expected to analyze site-specific impacts nor provide the level of detail found in a site specific project EIR. The proposed project consists of goals and policies that will guide future development decisions. It does not include site-specific development proposals. General Plan policies and mitigation measures should be consistent with the geographic scope of the project (a diverse geographic area encompassing approximately 2,610 square miles of mountain geographic areas), population size and density, fiscal and administrative capabilities, and economic, environmental, legal, social, and technological factors (Government Code Sections 65300.9 and 65301(c); CEQA Guidelines Sections 15143, 15146, 15151, and 15204). It is important for General Plan policies and mitigation measures, which cover such a large and diverse area, to be flexible enough to accommodate the individual environmental and planning needs of each area of the County. Accordingly, this EIR proposes goals, policies, and mitigation measures at a programmatic level. An attempt to examine impacts on a site-specific basis and to provide mitigation measures for those project level impacts would be speculative given the lack of information about future site-specific development.

While the County strives to provide as much detail as possible in the mitigation measures and policies, some flexibility must be maintained to provide a General Plan capable of covering the County's 4,840 square miles. Additionally, as discussed by the Court of Appeal, "a first-tier EIR may contain generalized mitigation criteria and policy-level alternatives" (*Koster v. County of San Joaquin* (1996) 47 Cal.App.4th 29). CEQA case law has also held that deferral of the specifics of mitigation is permissible where the lead agency commits itself to mitigation and, in the mitigation measure, either describes performance standards to be met in future mitigation or provides a menu of alternative mitigation measures to be selected from in the future (*California Native Plant Society v. City of Rancho Cordova* (2009) 172 Cal.App.4th 603 [the details of exactly how the required mitigation and its performance standards will be achieved can be deferred pending completion of a future study]; *Endangered Habitats League Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 793 [deferred mitigation acceptable when performance standards are included]; see also, *Riverwatch v. County of San Diego* (1999) 76 Cal.App.4th 1428, 1448-1450 [a deferred approach may be appropriate where it is not reasonably practical or feasible to provide a more complete analysis before approval and the EIR otherwise provides adequate information of the project's impacts]; *Sacramento Old City Assn. v. City Council of Sacramento*, *supra*, 229 Cal.App.3d at p. 1028-1029 [deferral of agency's selection among several alternatives based on performance criteria was appropriate]). Furthermore, the Government Code and other statutory and regulatory requirements provide mechanisms to implement the goals and policies of the General Plan and to ensure future projects will be consistent with the General Plan (see Government Code Sections 65359, 65400, 65455, and

65860). This includes the annual report required by Government Code Section 65400. Under CEQA, this reporting requirement is considered appropriate to implement the General Plan (see CEQA Guidelines Section 15097(b)).

Consistent with these legal authorities and principles, the updated Goals and Policies Report does include several policies and implementation measures that clearly include a variety of performance standards to ensure their ability to mitigate impacts identified in the Draft EIR. Several examples for the Draft EIR are identified below:

- **LU-1.1.4 Land Divisions.** The County shall ensure that zoning and subdivision regulations protect agricultural and ranching lands, open space, and natural resources which include grazing, forests, and wildlife habitat lands, by not allowing land divisions that convert the primary land use to residential to be developed in areas which are not specifically designated as residential in the General Plan, for which appropriate long-term planning has not been completed as outlined within the General Plan. The County shall require the following findings for land divisions outside of Planning Areas:
 - The resulting development will have structural fire protection;
 - Land division does not result in any conflict with zoning and density standards, and
 - Any clustering of parcels does not convert the primary land use to residential and is part of an overall integrated plan for resource protection.

Policy LU-1.1.4 is referenced on pages 4.1-12, 4.8-15, 4.8-16, 4.10-8, and 4.12-15 of the Draft EIR.

- **N-3.1.3 Noise / Land Use Compatibility Standards.** When considering a discretionary project, the County shall refer to the Noise Land Use Compatibility Standards, as shown in Figure 21, as a guide to ensure compatibility of land uses. New development of noise sensitive land uses will not be permitted in areas exposed to existing or projected levels of noise which exceed the levels specified in Figure 21 unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified in Figure 21.

Policy N-3.1.1 is referenced on pages 4.1-12, 4.1-14, 4.5-27, 4.5-31, 4.5-32, 5-12, 6-5 of the Draft EIR.

- **CIR-4.1.2 Level of Service Standard.** The County shall maintain a minimum Level of Service standard of LOS D in areas for which Community Plans or Specific Plans have been prepared, and LOS C in other areas of Plumas County. For signalized intersections, LOS standards should be applied to the total intersection LOS. For roundabouts and stop-sign controlled intersections, Level of Service standards shall be applied to the worst approach Level of Service.

Policy CIR-4.1.2 is referenced on pages 4.2-18 and 4.2-21 of the Draft EIR.

- **PHS-6.2.2 Design Measures.** The County shall require earthquake resistant designs consistent with the requirements of the California Building Standards Code for all critical

structures, such as fire stations, emergency communication centers, private schools, high occupancy buildings, and non-highway bridges.

Policy PHS-6.2.2 is referenced on pages 4.7-18, 4.7-19, 4.7-20, 4.7-21, 4.7-22, and 4.7-25 of the Draft EIR.

- **COS-7.2.2 Species and Habitat Avoidance.** The County shall require new development projects to avoid or minimize adverse impacts to threatened, rare, or endangered species and critical, sensitive habitat, as defined by appropriate local, state, and federal agencies, through proper project location and design. In the event that avoidance is not feasible, the County shall require a “no-net-loss” of these sensitive natural plant or habitat communities. Wildlife habitat will be preserved and managed in a manner that will not lead to the listing of additional species as threatened and endangered or negatively impact listed threatened or endangered species.

Policy COS-7.2.2 is referenced on pages 4.11-22, 5-14, and 6-18 of the Draft EIR.

- **COS-7.2.6 No Net-Loss of Wetland Habitats.** The County shall require new development that is subject to review under the California Environmental Quality Act to achieve a “no-net-loss” of wetland habitat through avoidance or appropriate mitigation in consultation with the appropriate resource protection agencies.

Policy COS-7.2.6 is referenced on pages 4.11-22, 4.11-24, and 6-19 of the Draft EIR.

- **AG/FOR-8.12.1 Development Application Findings for Timber Resource Lands.** The County shall evaluate discretionary development applications involving identified Timber Resource lands and parcels adjoining those lands. Prior to granting an approval, the approving authority shall make all of the following findings:
 - The proposed use will not significantly detract from the use of the property for, or inhibit, growing and harvesting timber on that parcel or to adjoining parcels for long-term timber resource production value or conflict with timber resource production in that general area,
 - The proposed use will not intensify existing conflicts or add new conflicts between adjoining proposed uses and timber production and harvesting activities,
 - The proposed use will not create an island effect wherein timber production lands located between the project site and other non- timber production lands are negatively affected,
 - The proposed use will not hinder timber production and harvesting access to water and public roads or otherwise conflict with the continuation or development of timber production harvesting, and
 - The proposed use will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjoining timber production lands.

Policy AG/FOR-8.12.1 is referenced on pages 4.10-7, 4.10-8, and 6-17 of the Draft EIR.

Mitigation Measures are components of the Draft EIR and are subject to the same requirements regarding their level of detail consistent with a program level analysis/program EIR (See CEQA Guidelines CEQA Guidelines Sections 15126.4(a) (2), 15143, 15146, 15151, 15204.). A program EIR is not expected or required to analyze site-specific impacts. The proposed project consists of goals and policies that will guide future development decisions. It does not include site-specific development proposals.

Response to Comment I8-16:

The comment asserts that none of the mitigating policies identified on page 4.7-23 of the Draft EIR have implementation measures. The comment also asserts that Policy COS-7.4.2 will allow mining to occur anywhere within the County, that the proposed project provides no explanation as to where mining will be permitted (other than Mining Resource Zones), or as to how incompatibility issues will be minimized except through broad and inconsistent policy statements.

See the response to Comment 18-15 for a discussion as to why the commenter is incorrect in asserting that state law requires an implementation measure for each general plan policy.

As previously described above in the response prepared for Comment I8-12, the general plan policies should not be reviewed in a vacuum, as the proposed project itself is not intended to provide the level of detail that is found in an ordinance or special use permit condition. Consequently, all of the policies identified on page 4.7-23 of the Draft EIR (and summarized below in Table 4.7-9 from the Draft EIR) have been proposed as part of a comprehensive system (i.e. the entire General Plan) and these policies will be interpreted in relationship to the other goals, policies, and implementation measures contained in the proposed project. For example policies from both the Conservation/Open Space and Land Use elements are listed and described as work congruently to help ensure that important mineral resource areas of the County are protected and that incompatible land use issues are minimized to the extent feasible. As described in both the proposed project and the Draft EIR, policies LU-1.2.1 and COS-7.1.1 provide for an appropriate range of land use types and densities within the County and limit the development of incompatible land uses adjacent or near identified or potential mineral deposits. Policy COS-7.4.2 identifies “mining resource production areas” whose location have accessibility, surrounding land uses, and environmental setting that will permit extraction of materials without major adverse environmental impacts. Policy COS-7.4.7 requires that new mineral resource transportation routes avoid incompatible areas, including residential, recreational, and school areas. Additionally, other policies (see COS-7.4.3, COS-7.4.5 and COS-7.4.6) ensure that mineral extraction operations are performed in a manner compatible with land uses on the site and surrounding area and do not adversely affect the surrounding environment.

**TABLE 4.7-9
MITIGATING POLICIES AND IMPLEMENTATION PROGRAMS**

Conservation and Open Space (COS) Elements			
Policies designed to promote environmental practices and the efficient use of mineral extraction resources include the following:			
COS-7.4.1	Mineral Resource Area Identification	COS-7.4.4	Mineral Resource Preservation
COS-7.4.2	Mining Resource Production Areas	COS-7.4.5	Mineral Resource Operations
COS-7.4.3	Resource Permitting	COS-7.4.6	Mining Site Reclamation
Policies designed to minimize future land use conflicts associated with mineral extraction activities include the following:			
LU-1.2.1	Land Use Designations	COS-7.4.5	Mineral Resource Operations
COS-7.4.1	Mineral Resource Area Identification	COS-7.4.7	Location and Maintenance of Resource Transportation Routes
COS-7.4.2	Mining Resource Production Areas		

Regarding implementation of the various policies, the commenter is incorrect. Policy COS-7.4.2 “Mining Resource Production Areas” does identify the following implementation measures on page 189 of the Goals and Policies Report:

- Implementation Measure 21.** The County shall develop criteria to identify and map areas in the County for exclusion of certain size mineral extraction operations. The intent is to identify areas based on resource sensitivity and land use incompatibilities for mineral extraction operations of a certain size.

Additionally, future development (including any future mineral resource/extraction projects) contemplated under the guidance of the proposed project will be required to comply with State and Federal permitting regulations concerning various environmental issues, as well as existing County regulations. The County and future project applicants will utilize appropriate State and Federal permitting regulations in developing specific mitigation measures for future projects. As individual projects or specific plans are considered, more detailed information will be generated regarding project site, size, placement of landscaping/buffers, and the particular measures needed. Given the variety of field conditions within the various geographic areas of the County (mountainous, timberland, meadow, watercourse, etc.), pre-determining the most effective measures for any given setting would be speculative and not based upon any of the detailed information that will be acquired in the future concerning site specific resources and the design objectives of a site specific project.

Mining Resource areas are mapped under the existing General Plan, based on historical use and availability of resources. No new Mining Resource areas are proposed for designation under the General Plan Update (proposed project).

Response to Comment 18-17:

Comments Related to Water Resources Implementation Measure #2

The comment identifies a typographical error with Water Resources Implementation Measure #2. The comment also requests additional information as to how Water Resources Implementation Measure #2 will mitigate all the potential impacts identified in Section 4.6 of the Draft EIR and indicates that channelization of water is known to result in additional impacts that have not been addressed in the Draft EIR.

The comment is correct in stating that Water Resources Implementation Measure #2 contains a typographical error. The correct wording of the implementation measure is identified below and will be made to the Final Goals and Policies Report.

Water Resources Element of the Goals and Policies Report

Revise the following:

- **Water Resources Implementation Measures #2.** The County shall develop and maintain a grading ordinance that maintains existing terrain and channels vegetation to the extent feasible, in order to minimize the disruption of natural systems and soil erosion.

The intent of the implementation measure is to have the County develop a grading ordinance that maintains existing site conditions (for both land and water course areas) by minimizing grading and vegetation removal to the extent feasible. The intent of the implementation measure is not to promote the channelization of water courses and the implementation measure is not specifically referenced in Section 4.6 “Hydrology, Water Quality, and Drainage” of the Draft EIR. No change to the Draft EIR is necessary.

Comments Related to Policy W-9.1.2 Groundwater Recharge Area Protection

The comment asserts that Policy W-9.1.2 does not include an implementation measure and that it only covers projects within Planning Areas.

Although, as explained in the response to comment I8-15, state law does not require an implementation measure for each general plan policy, the comment is incorrect that, in this instance, no such implementation measure exists. It does. As indicated on page 231 of the Goals and Policies Report, Water Resources Implementation Measure #1 has been identified as an implementation measure for policies W-9.1.1, W-9.1.2, and W-9.1.3. Water Resources Implementation Measure #1 takes a comprehensive approach to groundwater water protection and management, as follows:

- **Water Resources Implementation Measure #1.** The County shall work with local water agencies to develop a regional groundwater management plan and basin-specific plans for priority groundwater basins. The plan should include the following:
 - Computer models of groundwater recharge, storage, flows, usage and sustainable yield.
 - Assessment of water quality contaminants.
 - Analysis of resource limitations and relationships to other users for wells serving public supply systems and other large users.
 - Opportunities for changing the sources of water used for various activities to better match the available resources and protect groundwater.
 - Possible funding sources for monitoring, research, modeling and development of management options.
 - Groundwater elevation monitoring to address the requirements of the California Statewide Groundwater Elevation Monitoring program.

- Groundwater quality monitoring to address the requirement of the Irrigated Lands Regulatory Program.
- Provisions for applicant fees and other funding of County costs.

The County has an existing grant from the Department of Water Resources that funds various Upper Feather River watershed studies and watershed improvements (see **Appendix A** of this Final EIR). The projects in this grant include the following:

- Last Chance Creek Restoration Phase II-Feather River Coordinated Resource Management.
- Upper Middle Fork Project- California Hydrologic Research Laboratory-University of California Davis-Upper Middle Fork of the Feather River-physically-based water management simulation tool.
- Quincy Wetlands Treatment Project-Feather River Coordinated Resource Management.
- National Forest Water Quality Improvement-Plumas National Forest.
- Genesee Valley Integrated Water Management Project-Feather River Land Trust.
- Sierra Valley Well Inventory, Capping, and Sealing Project-Plumas County.
- Sierra Valley Integrated Water Management Project-Feather River Land Trust.

The commenter is incorrect in its assertion that Policy W-9.1.2 only addresses development within Planning Areas. The goals, policies, and implementation measures of the proposed project apply to all areas of the County equally. Additionally, while the Draft EIR population projections focus growth within the various Planning Areas of the County (consistent with the objectives of the General Plan Update), the environmental analysis addresses all countywide development.

Finally, it is important to note, that the County has considered and incorporated all feasible mitigation measures for significant environmental impacts as part of the General Plan Update and referenced these measures in the Draft EIR to adequately protect groundwater recharge areas and resources. Impact 4.6-4 “Groundwater Supplies and Recharge” (see page 4.6-22) specifically addresses this impact, with a summary of mitigating policies (from the Goals and Policies Report) identified in Table 4.6-11. The mitigating policies are comprehensive and include Policy 9.1.1, which addresses preparation of a regional groundwater management plan to support sustainable management of groundwater resources. Policies W-9.1.2 and AG/FOR-8.6.1 support the preservation of areas that provide important groundwater recharge benefits. Other policies from the Conservation and Open Space Element (policies COS-7.1.3 and 7.1.4) support the preservation of key open space areas to promote habitat preservation and groundwater recharge. Policy W-9.8.3 requires the County to support compact forms of development that minimize the conversion of additional open space areas and to support continued groundwater recharge activities.

As more fully described below in the response to Comment I8-29, the County is mindful of balancing the preservation of the County’s natural resources (e.g., open space resources, timber resources, groundwater recharge areas, etc.) with the various needs of its constituents, including land owner concerns regarding individual property right restrictions (possible regulatory takings).

The County is also mindful of the limitations that currently exist in terms of its own resources (and those of other State agencies responsible for mapping and monitoring groundwater resources) to determine the full extent of groundwater resources and conditions within the County. Consequently, the commenter is incorrect in its assertion that the County should consider prohibiting future development as a further mitigation measure in the Draft EIR. The County has already considered and incorporated all feasible measures addressing any significant environmental effects relating to groundwater recharge and management. Stopping short of a complete ban on future development in the County, the General Plan Update provides a comprehensive approach to addressing the protection of groundwater resources, with the inclusion of the following key policies:

- **W-9.1.1 Groundwater Management.** The County shall support the development and implementation of a regional groundwater management plan and shall work with water resource agencies, such as the Sierra Valley Groundwater Management District, water users and other affected parties to develop basin-specific plans for high priority groundwater basins to ensure a sustainable, adequate, safe and economically viable groundwater supply for existing and future uses within the County. As appropriate, the groundwater management plans should include the following:
 - Computer models of groundwater recharge, storage, flows, usage and sustainable yield;
 - Assessment of water quality contaminants;
 - Analysis of resource limitations and relationships to other users for wells serving public supply systems and other large users;
 - Opportunities for changing the sources of water used for various activities to better match the available resources and protect groundwater;
 - Possible funding sources for monitoring, research, modeling and development of management options;
 - Provisions for applicant fees and other funding of County costs;
 - Groundwater elevation monitoring to address the requirements of the California Statewide Groundwater Elevation Monitoring Program (CASGEM); and
 - Groundwater quality monitoring to address the requirement of the Irrigated Lands Regulatory Program.
- **W-9.1.2 Groundwater Recharge Area Protection.** The County shall require new development projects to adequately protect groundwater recharge areas.

Response to Comment I8-18:

The comment asserts that the first 34 policies of the Conservation and Open Space Element do not have implementation measures and therefore are not effective in reducing impacts associated with the proposed project. Furthermore, policies COS-7.2.2, COS-7.2.3, and COS-7.2.4 would only protect areas within identified Planning Areas due to a limited definition of development.

The comment is incorrect and is directed to pages 185 through 189 of the Goals and Policies Report, which include the entire list of implementation measures and policies for the Conservation and Open Space Element. Additionally, as previously described in the response to Comment I8-8,

there is no data that would support the commenter's stated concern that the land use policies allow for an unlimited number of new communities outside of Planning Areas in undisclosed locations. In considering these various measures, it is also important to note that the goals, policies, and implementation measures of the proposed project apply to all areas of the County equally. Additionally, while the Draft EIR population projections anticipate that a majority of future growth will occur within the various Planning Areas of the County (consistent with the objectives of the General Plan Update); the environmental analysis provided in the Draft EIR addresses all countywide development.

As more fully described above in the response to Comment I8-15, contrary to the commenter's assertion, nothing in the Planning and Zoning Law (Gov. Code, § 65000 et seq.) requires that each and every General Plan policy have an implementation measure. Instead, that Act emphasizes the flexibility available to agencies in writing their general plans, as long as the plans contain the required elements and as long as the required elements contain the required contents (as generally set forth in sections 65302, 65560 [open space element], and 65583 [housing element]). The General Plan Update meets these objectives and in the case of biological resources, the updated Goals and Policies Report does include several policies and implementation measures that clearly include a variety of performance standards to ensure their ability to mitigate biological resource impacts identified in the Draft EIR. Several examples for the Draft EIR are identified below:

- **COS-7.2.2 Species and Habitat Avoidance.** The County shall require new development projects to avoid or minimize adverse impacts to threatened, rare, or endangered species and critical, sensitive habitat, as defined by appropriate local, state, and federal agencies, through proper project location and design. In the event that avoidance is not feasible, the County shall require a "no-net-loss" of these sensitive natural plant or habitat communities. Wildlife habitat will be preserved and managed in a manner that will not lead to the listing of additional species as threatened and endangered or negatively impact listed threatened or endangered species.
- **COS-7.2.6 No Net-Loss of Wetland Habitats.** The County shall require new development that is subject to review under the California Environmental Quality Act to achieve a "no-net-loss" of wetland habitat through avoidance or appropriate mitigation in consultation with the appropriate resource protection agencies.

Response to Comment I8-19:

The comment asserts that the proposed project (and EIR) allow development in areas of very high fire risk and increases the potential capacity of such development to occur by allowing residential development and subdivisions of Open Space land, in particular Timber Resource lands. The commenter continues by stating that consolidating development in communities rather than increasing the wildland/urban interface would manage the fire risk and the Draft EIR must consider this option. Additionally, the comment states that the Draft EIR does not include CalFire's map identifying Very High Fire Hazard Severity Zones in Plumas County. The commenter further states that use of this map (as an overlay) would assist in avoiding the placement of new housing in very high fire hazard zones, thus satisfying the objectives of the General Plan Update and mitigating potentially significant environmental impacts.

Regarding the use of the CalFire map identifying Very High Fire Hazard Severity Zones in Plumas County, the commenter is referred to pages 4.8-7 and 4.8-8 of the Draft EIR. As clearly indicated on these pages, the Draft EIR reviewed and incorporated fire hazard data from CalFire. Page 4.8-8 indicates that a majority of the County is currently mapped as having a “Moderate” to “High” threat of wildland fire. With the understanding that a majority of the County is clearly mapped as having a “Moderate” to “High” threat of wildland fire risk, the proposed project considered a comprehensive approach to minimizing this risk by developing policies that focused new growth closer to existing fire protection infrastructure (near community areas), by promoting local/regional emergency response planning, and through the implementation of fire/fuel management practices (see Table 4.84, below, from page 4.8-16 of the Draft EIR). However, even with this comprehensive approach to fire protection, the addition of some level of new development within the County (which is predominately identified as having a moderate to high threat of wildland fire risk) would still expose people or structures to a significant risk of loss, injury or death involving wildland fires. **Figures 3-2a** and **3-2b** identify the extent of high and very high fire hazard severity zones in Plumas County. These areas are extensive and (as indicated in the Draft EIR) cover a majority of the County area including portions of the designated Planning Areas.

As more fully described below in the response to Comment I8-29, the County is mindful of balancing the public health and safety concerns of County residents with the various needs of its constituents, including land owner concerns regarding individual property right restrictions (possible regulatory takings). Consequently, the commenter is incorrect in its assertion that the County should consider prohibiting future development as a mitigation measure in the Draft EIR, and that the County should consider a policy of “[c]onsolidating development in communities.” The County has considered and incorporated all feasible measures addressing any significant environmental effects relating to wildfire hazards. Stopping short of a complete ban on future development in the County or in areas outside formal Planning Areas, the General Plan Update provides a comprehensive approach to addressing public safety and structural concerns associated with wildfire protections, with the inclusion of the following key policy (and those summarized in Table 4.8-4):

- **LU-1.1.4 Land Divisions.** The County shall ensure that zoning and subdivision regulations protect agricultural and ranching lands, open space, and natural resources which include: grazing, forests, and wildlife habitat lands, by not allowing land divisions that convert the primary land use to residential to be developed in areas which are not specifically designated as residential in the General Plan, for which appropriate long-term planning has not been completed as outlined within the General Plan. The County shall require the following findings for land divisions outside of Planning Areas:
 - The resulting development will have structural fire protection;
 - Land division does not result in any conflict with zoning and density standards, and
 - Any clustering of parcels does not convert the primary land use to residential and is part of an overall integrated plan for resource protection.

**TABLE 4.8-4
MITIGATING POLICIES**

Land Use (LU), Public Health and Safety (PHS), Water Resources (W), and Conservation and Open Space (COS) Elements			
Policies designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following:			
LU-1.1.4	Land Divisions	PHS-6.3.11	Regional Cooperation
LU-1.5.1	Use of Existing Infrastructure	PHS-6.3.12	Fire Prevention Education
LU-1.5.3	Provision of Fire and Life Safety Services	PHS-6.7.1	Emergency Response Services Coordination with Government Agencies
PHS-6.1.3	Hazard Awareness and Public Education	PHS-6.7.2	Mutual Aid Agreement
PHS-6.1.4	Public Safety Programs	PHS-6.7.3	Maintenance of Emergency Evacuation Plans
PHS-6.3.3	Structural Fire Protection	PHS-6.7.4	Streets and Highways Upgrades
PHS-6.3.4	New Development Requirements	PHS-6.7.5	Search and Rescue
PHS-6.3.5	Emergency Access	PHS-6.7.6	Joint Exercises
PHS-6.3.6	Fire Protection and Roadside Maintenance	W-9.5.6	Consistent Fire Protection Standards
PHS-6.3.7	Rural Fire Protection Water System		
PHS-6.3.8	Fire Protection Facility Upgrades		
Policies designed to minimize this impact through the implementation of land and fuel management practices that minimize wildfire risk include the following:			
PHS-6.3.1	Defensible Space	PHS-6.3.13	Landscape-Scale Fuel Modification
PHS-6.3.2	Limitations in Fire Hazard Areas	W-9.2.4	Wildfire and Water Quality Controls
PHS-6.3.9	Fuel Modification	W-9.3.2	Forest Management
PHS-6.3.10	Prescribed Burning	COS-7.2.16	Controlled Fuel Management

The Draft EIR analysis concluded that this wildland fire impact would result in an irreversible consequence associated with implementation of the proposed project, as no feasible mitigation (beyond that identified in Draft EIR) is available to reduce the significance of this impact to a level of less than significant. Therefore, the Draft EIR concluded that the wildland fire impact remains a *significant and unavoidable* impact.

Regarding the commenter’s mention of the land use maps, the commenter is referred back to the response prepared to Comment I8-5. Population and housing build-out assumptions (see Tables 3-5, 3-6, and 3-9 in Chapter 3 “Project Description” of the Draft EIR) developed for the Draft EIR analysis were based on land use acreages referenced in the correct land use maps and no further changes are necessary to the Draft EIR. Population and housing build-out assumptions are clearly stated on pages 3-29 through 3-31 of the Draft EIR. Additionally, as more fully described in the response to Comment I8-8, goals and policies developed for the General Plan Update reflected land use patterns and growth projections with a continued focus on growth within County Planning Areas. The General Plan Update and the Draft EIR address plans and policies covering over 1,670,400 acres in Plumas County (approximately 2,610 square miles). How and where (within individual parcels) development will proceed is generally unknown and cannot be practically and feasibly addressed or analysis in detail at this level of planning. Within the context of Section 15146 of the CEQA Guidelines, analysis of development of specific individual parcels is neither feasible nor required. Thus, development in the county is considered more generally (e.g., a specific number of homes will be developed in a certain market area producing a calculated number of vehicle trips, air emissions, etc.). This practical approach conforms to the guidance provided by CEQA.



PLUMAS COUNTY

FIRE HAZARD SEVERITY ZONES IN SRA

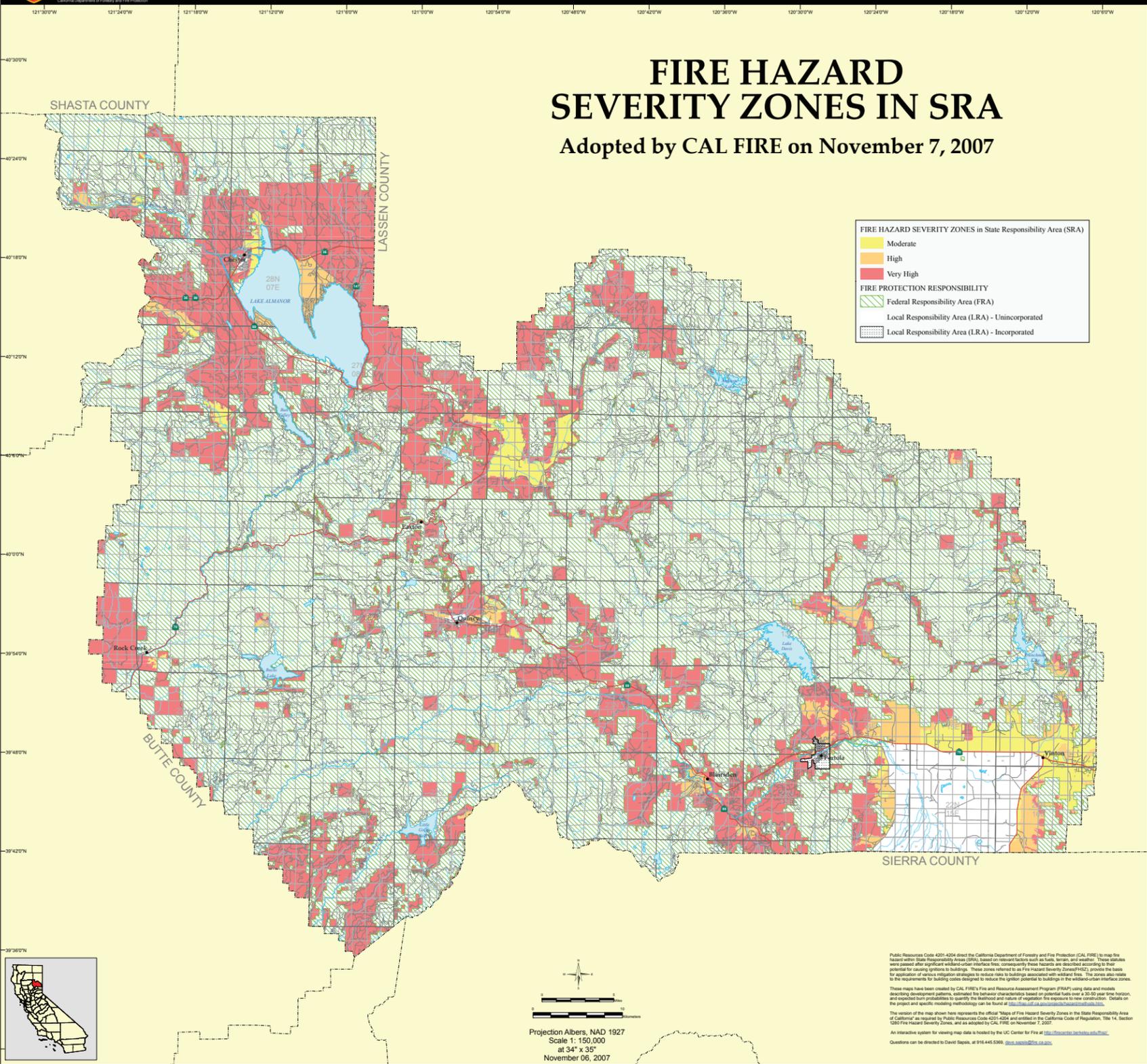
Adopted by CAL FIRE on November 7, 2007

FIRE HAZARD SEVERITY ZONES in State Responsibility Area (SRA)

- Moderate
- High
- Very High

FIRE PROTECTION RESPONSIBILITY

- Federal Responsibility Area (FRA)
- Local Responsibility Area (LRA) - Unincorporated
- Local Responsibility Area (LRA) - Incorporated



Public Resources Code 4201-4204 direct the California Department of Forestry and Fire Protection (CAL FIRE) to map the hazard within State Responsibility Areas (SRA), based on relevant factors such as fuels, terrain, and weather. These studies were prepared after significant wildfire events. Consequently, these hazard maps are developed according to their potential for causing significant damage. These zones represent the fire hazard severity zones (FHSZ), provide the basis for application of various mitigation strategies to reduce risks to buildings associated with wildfire fire. The zones also relate to the requirements for building codes designed to reduce the potential for buildings in the wildfire-prone interface zones.

These maps have been created by CAL FIRE's Fire and Resource Assessment Program (FRAP) using data and models describing development patterns, estimated fire behavior characteristics based on potential fuels over a 30-50 year time horizon, and reported burn probabilities to quantify the likelihood and nature of vegetation fire exposure to new construction. Details on the project and specific modeling methodology can be found at <http://www.fire.ca.gov/development/development.htm>.

The version of the map shown here represents the official Maps of Fire Hazard Severity Zones in the State Responsibility Area of California as required by Public Resources Code 4201-4204 and certified in the California Code of Regulations, Title 14, Section 0207 Fire Hazard Severity Zones, and as adopted by CAL FIRE on November 7, 2007.

An interactive system for viewing map data is hosted by the UC Center for Fire at <http://www.firecenter.ucdavis.edu/Plumas>.
 Questions can be directed to David Rapak, at 916.445.5266, david.rapak@ucdavis.edu.

The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

Obtain FRAP maps, data, metadata and publications on the Internet at <http://frap.cdf.ca.gov>
 For more information, contact CAL FIRE-FRAP, PO Box 944246, Sacramento, CA 94244-2460, (916) 327-3939.

Arnold Schwarzenegger, Governor,
 State of California
 Mike Chrisman, Secretary for Resources,
 The Resources Agency
 Ruben Grijalva, Director,
 Department of Forestry and Fire Protection

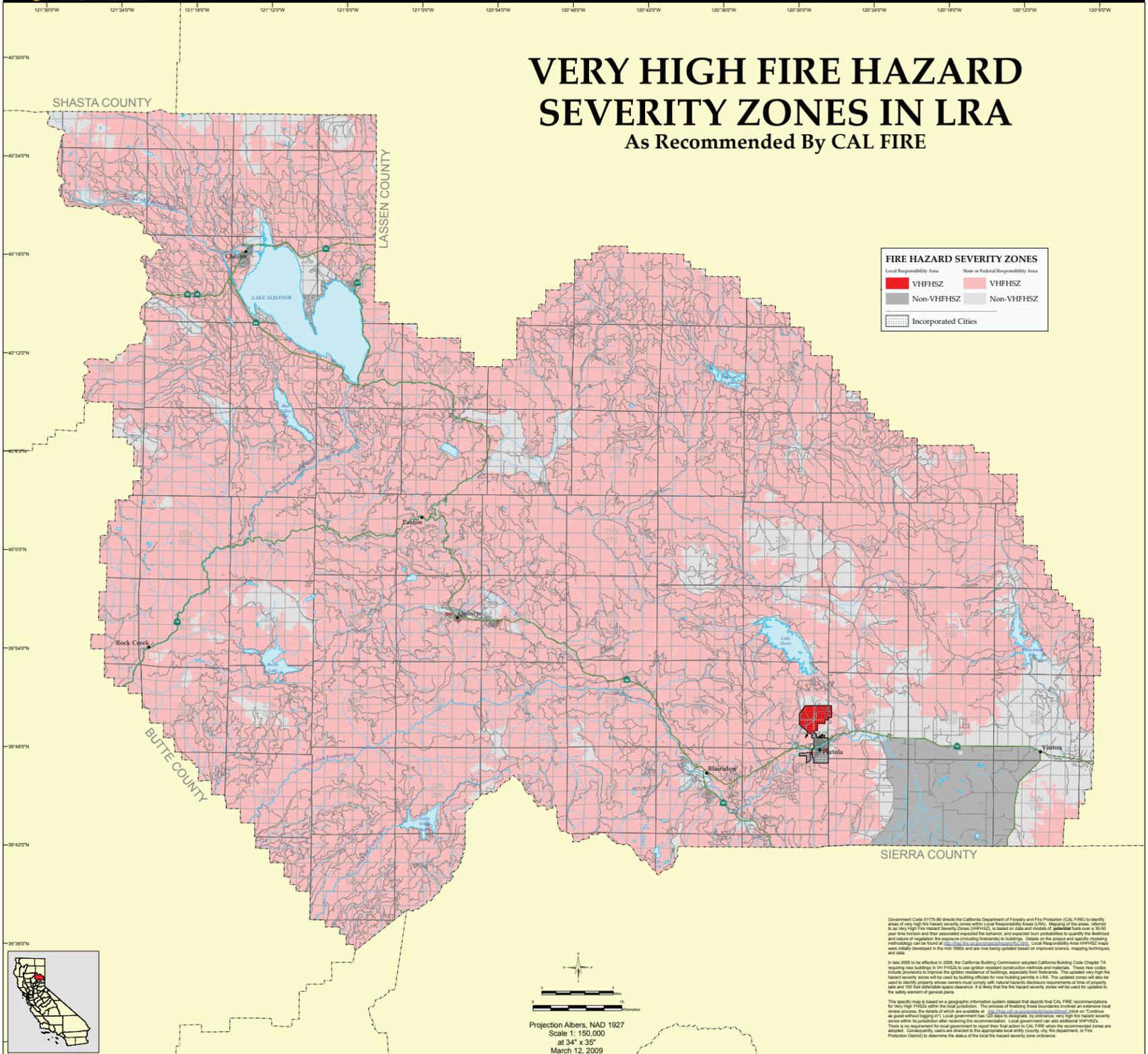
MAP ID: FHSZS_MAP
 DATA SOURCES
 CAL FIRE Fire Hazard Severity Zones (FHSZ06_3)
 CAL FIRE State Responsibility Areas (SRA05_5)
 CAL FIRE Incorporated Cities (Incorp07_3)
 PLSS (1:100,000 USGS, Land Grants with CAL FIRE grid)



PLUMAS COUNTY

VERY HIGH FIRE HAZARD SEVERITY ZONES IN LRA

As Recommended By CAL FIRE



FIRE HAZARD SEVERITY ZONES	
Local Responsibility Area	State of Federal Responsibility Area
■ VHFHSZ	■ VHFHSZ
■ Non-VHFHSZ	■ Non-VHFHSZ
 Incorporated Cities	

Government Code 0175.80 directs the California Department of Forestry and Fire Protection (CAL FIRE) to identify areas of very high fire hazard severity zones within Local Responsibility Areas (LRA). Mapping of the areas, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), is based on data and models of predicted fire over a 100-year time horizon and their associated expected fire behavior, and expected burn probabilities to quantify the likelihood and nature of expected fire exposure (including firebrands to buildings). Details on the product and specific modeling methodology can be found at <http://www.fire.ca.gov/very-high-fire-hazard-severity-zones>. Local Responsibility Area VHFHSZ maps were initially developed in the mid 1990s and are now being updated based on improved science, mapping techniques, and data.

In late 2008 to effective in 2009, the California Building Commission adopted California Building Code Chapter 7A requiring new buildings in VHFHSZ to use system resistant construction methods and materials. These new codes include provisions to improve the ignition resistance of buildings, especially from firebrands. The updated very high fire hazard severity zones will be used by building officials for new building permits in LRA. The updated zones will also be used to identify property where owners must comply with natural hazards disclosure requirements at time of property sale and 100-foot defensible space clearance. It is likely that the fire hazard severity zones will be used for updates to the safety element of general plans.

This specific map is based on a geographic information system dataset that depicts final CAL FIRE recommendations for Very High Fire Hazard Severity Zones within the local jurisdiction. The process of finalizing these boundaries involved an extensive local review process. The dataset of local jurisdictions is available at <http://www.fire.ca.gov/very-high-fire-hazard-severity-zones>. All local jurisdictions within the State of California are encouraged to update their local fire hazard severity zones within its jurisdiction after reviewing the recommendations. Local government can add additional VHFHSZs. There is no requirement for local government to report final action to CAL FIRE when the recommended zones are adopted. Consequently, users are directed to the appropriate local entity (county, city, fire department, or Fire Protection District) to determine the status of the local fire hazard severity zone ordinance.

The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

Obtain FRAP maps, data, metadata and publications on the Internet at <http://frap.cdf.ca.gov>
 For more information, contact CAL FIRE-FRAP, PO Box 944246, Sacramento, CA 94244-2460, (916) 327-3939.

Arnold Schwarzenegger, Governor,
 State of California
 Mike Chrisman, Secretary for Resources,
 The Natural Resources Agency
 Del Walters, Director,
 Department of Forestry and Fire Protection

MAP ID: FHSZL_MAP
 DATA SOURCES
 CAL FIRE Fire Hazard Severity Zones (FHSZL06_3)
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 PLSS (1:100,000 USGS, Land Grants with CAL FIRE grid)

Response to Comment I8-20:

The comment asserts that none of the mitigating policies cited in Table 4.4-5 (Draft EIR page 4.4-18) have enforceable implementation measures.

As previously described above in the response to Comment I8-15, it is noted that each policy need not have its own individual implementation measure, and a single implementation measure may be used to implement a set of related policies. Consequently, policies and implementation measures do not have (and do not require) a one to one correspondence.

The commenter is also incorrect in the assertion that none of the mitigating policies cited in Table 4.4-5 (Draft EIR page 4.4-18) have enforceable implementation measures. The commenter is referred to pages 58 through 64 (Land Use Element), 97 through 98 (Circulation Element), 123 through 134 (Economics Element), and 185 through 189 (Conservation and Open Space Element) of the Goals and Policies Report for a complete description of all implementation measures included as part of the proposed project.

Regarding the commenter's statement regarding the enforceability of the implementation measures, the commenter is also referred to the response prepared for Comment I8-15 (above). As described above, the proposed project includes goals, policies, and implementation measures that are enforceable and will be implemented and realized through County ordinances and future County decisions on specific development projects. As discussed in the OPR Guidelines, the General Plan should "be general enough to allow a degree of flexibility in decision-making as times change." It is also important to note that the County takes the issue of enforceability seriously and will incorporate several additional implementation measures (including Circulation Implementation Measure #11, as more fully described above in the responses prepared for Letter A4, Caltrans and A5, California Department of Fish and Wildlife) into the Final Goals and Policies Report.

Response to Comment I8-21:

The commenter makes a general statement regarding the water quality impact conclusions (Impacts 4.6-1 through 4.6-3) from a reference made on page 4.6-8 of the Draft EIR, which describes impaired water bodies monitored by the State Water Resources Control Board. The comment also asserts that the Draft EIR analysis does not consider construction setbacks as a mitigation measure for development activities.

As more fully described on page 4.6-8 of the Draft EIR, surface water quality conditions within Plumas County are considered good, overall. The Draft EIR does indicate, however, that there are several water bodies in the County that are currently on the Clean Water Act's 303(d) list of impaired waters (listed constituents include mercury, copper, temperature, and toxicity), as shown in Table 4.6-3 of the Draft EIR. The section continues by stating that water quality constituents of general concern include temperature, dissolved oxygen, sediment, and bacteria, with most impacts resulting from a variety of common land and water use practices in the watershed. The description of water quality impacts beginning on page 4.16-6 of the Draft EIR, acknowledges these water quality concerns, but also identifies a number of policies (as summarized in Table 4.6-7, below, page 4.6-

18 of the Draft EIR) from the Water Resources Element of the Goals and Policies Report that are specifically designed to address construction and operation-related water quality impacts, including Policy W-9.2.5, which relates specifically to monitoring construction activities through NPDES enforcement, requiring the use of BMPs.

TABLE 4.6-7 MITIGATING POLICIES AND IMPLEMENTATION PROGRAMS

Public Health and Safety (PHS) and Water Resources (W) Elements	
Policies designed to minimize both construction and operation-related water quality impacts:	
PHS-6.5.4 Contamination Prevention	W-9.2.5 Wastewater Standards and National Pollutant Discharge Elimination System (NPDES)
W-9.2.1 Participation in Water Quality Objectives	W-9.2.6 Erosion and Sediment Control Measures
W-9.2.2 Background Water Quality	W-9.7.4 Runoff Quality
W-9.2.3 County Facilities	W-9.7.5 Best Management Practices
W-9.2.4 Wildfire and Water Quality Controls	

The Draft EIR indicates that implementation of the proposed policies and implementation measures under the proposed project (in addition to current local, state, and federal stormwater, grading, and erosion control regulations described above) would ensure that water quality impacts resulting from nonpoint source pollution runoff related to residential, commercial, industrial, and public uses consistent with the proposed project would be reduced to a *less-than-significant* level.

The County does acknowledge the importance of maintaining riparian buffers (including the use of construction setbacks) as a way to protect water resources, with the following policies:

- **Policy COS-7.2.4 Stream Corridor Development.** The County shall only permit new development within stream corridors when there is no lesser environmentally damaging feasible alternative and where the best feasible mitigation measures have provided to minimize adverse environmental effects. This policy is not intended to affect the cleaning of stream channels to avoid the flooding or erosion of existing developed lands, stream restoration projects or permitted mining operations consistent with CEQA and the SMARA.
- **Policy COS-7.2.7 Wetland and Riparian Habitat Buffers.** The County shall require new development that is subject to review under the California Environmental Quality Act to identify wetlands and riparian habitat areas and designate a buffer zone around each area sufficient to protect these habitats from degradation, encroachment, or loss. The County shall continue to identify areas as Open Space and Significant Wetlands as an ongoing process when those areas are identified.
- **Policy COS-7.2.14 Natural Landscapes in Site Design.** The County shall encourage the integration of natural landscapes, such as rivers streams, lakes, ponds, wetlands, and riparian areas, into new development in such a way as to enhance the aesthetic and natural character of individual sites while avoiding the destruction, disturbance, and fragmentation of these natural landscapes.
- **Water Resources Implementation Measures #2.** The County shall develop and maintain a grading ordinance that maintains existing terrain and channels vegetation to the extent feasible, in order to minimize the disruption of natural systems and soil erosion.

No further changes to the Draft EIR or Goals and Policies Report are recommended.

Response to Comment I8-22:

The comment asserts that the Draft EIR is misleading and disingenuous because it assumes development will occur primarily within Planning Areas (not countywide) and because the General Plan Update contains no enforceable implementation measures.

The commenter is referred to the response prepared for Comment I8-8 regarding the various development assumptions of the proposed project and to the response prepared for Comment I8-15 regarding the enforceability of the General Plan Update implementation measures and for a discussion of why implementation measures are not required for every policy and are not always necessary to reduce impacts to less than significant levels.

Response to Comment I8-23:

Similar to Comment I8-21, the comment asserts that the Draft EIR growth analysis only considers and predicts growth with Planning Areas.

The commenter is referred to the response prepared for Comment I8-8 regarding the various development assumptions of the proposed project. Consistent with historic development patterns, the County recognizes that some level of new development will continue to occur outside Planning Areas. However, the primary assumption in developing the growth projections for the proposed project (and analyzed in the Draft EIR) is that a majority of future growth will continue to be focused within County Planning Areas. This assumption is based in large part on evidence derived from historic development patterns, which has demonstrated that over 90% of total issued building permits within the last 10 to 15 years have been approved for lands within County Planning Areas. Additionally, County stakeholders confirmed during the proposed project's extensive public outreach process, that the concept of focused growth within County Planning Areas was a primary objective of the General Plan Update. There is simply no empirical basis for assuming that, contrary to past patterns and ongoing community expectations, the upcoming planning period for the County will see an unprecedented explosion of growth outside the Planning Areas.

The Draft EIR provides a programmatic analysis resulting from implementation of the proposed project to the entire County, with growth both within and outside Planning Areas addressed. To further illustrate this point, the commenter is directed to several examples specifically addressing growth outside of Planning Areas, including Impact 4.1-3 "Scenic Vistas" (describing potential impacts from growth to various scenic resources located throughout the County) and Impact 4.10-1 "Loss of Important Farmland or Timber Resource Lands" (describing potential impacts to farmland, timber land, and open space areas County wide).

Response to Comment I8-24:

Similar to Comment I8-21 and I8-22, the comment asserts that the Draft EIR growth analysis only considers and predicts growth with Planning Areas and that the General Plan Update contains no enforceable implementation measures.

The commenter is referred to the response prepared for Comment I8-8 regarding the various development assumptions of the proposed project and to the response prepared for Comment I8-15 regarding the enforceability of the General Plan Update implementation measures. The commenter's assertion that the General Plan Update is growth inducing because it facilitates single family residential development on all Timber Production Zone parcels 160 acre or larger is misleading. As more fully described in the response to Comment I8-8, the commenter has provided an incorrect perspective of the policy language as it pertains to the unique landscape and ownership patterns that make up Plumas County. First, one must consider that Plumas County has jurisdiction over less than 30% of the total land area within the County boundaries. For example, the U.S. Forest Service manages approximately 65% of the lands in Plumas County, lands on which private development cannot occur. As an additional constraint to development, much of Plumas County consists of landscapes that are identified for protection from development (see Policy COS-7.1.2) such as ridgelines, hazard areas, wetlands, lakes, rivers and riparian corridors, forests and other landscapes that are critical to the continuation of the County's rural character (see Policy COS-7.1). Policies requiring no net-loss of sensitive habitats (see policies COS-7.2.6 and COS-7.2.2), prohibiting uses that are incompatible with long-term agricultural production (see Goal 8.2 and associated policies), and requiring the preservation of visual resources (see policies COS-7.6.1 and COS-7.6.2) are all examples of constraints that, when viewed in total, limit where and how much development can occur on the private lands within the County. Finally, while the General Plan Update would allow some growth outside the Planning Areas, Policy LU-1.1.4 "Land Divisions" requires fire protection for any subdivisions outside these areas, which will have the predictable effect of greatly limiting the number of subdivisions that could occur in remote areas. This new requirement, combined with landowners' above-described historical tendencies to seek to develop lands within the Planning Areas, justifies the County's expectation that the vast majority of new development will occur in the Planning Areas. Consequently, the growth-inducing potential of the General Plan Update is very limited, contrary to the commenter's opinion.

Response to Comment I8-25:

Similar to Comment I8-21 and I8-22, the comment asserts that the Draft EIR growth analysis only considers and predicts growth with Planning Areas and that the General Plan Update contains no enforceable implementation measures.

The commenter is referred to the response prepared for Comment I8-8 regarding the various development assumptions of the proposed project and to the response prepared for Comment I8-15 regarding the enforceability of the General Plan Update implementation measures. To the extent that the commenter implies that CEQA case law requires lead agencies, in updating general plans, to address the worst possible development scenario, the commenter errs. Case law does not require EIRs to assume that every unit of development that in theory could be built under a land use plan will actually be built; rather, an EIR need only address "reasonably anticipated future development." (*Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437, 1453, quoting *City of Redlands v. County of San Bernardino* (2002) 96 Cal.App.4th 398, 409.)

Response to Comment 18-26:

The commenter asserts that the Draft EIR does not analyze how removing certain constraints under the existing General Plan will encourage new growth in open space lands, specifically by allowing new development in floodplains. The commenter also asserts that, while the existing General Plan does not allow new development in floodplains, or alteration of secondary flood hazard areas to accommodate new development, the General Plan Update (proposed project) not only allows development in floodplains but also allows creation of new residential parcels in areas which lie entirely within Special Flood Hazards (PHS 6.4.3, GPU p. 146).

The commenter has made a number of mistaken assertions. The commenter is directed to read the entire text of Policy PHS-6.4.3. The policy reads as follows:

- **Policy PHS6.4.3 New Parcels in Floodplain.** The County shall strongly discourage the creation of new residential parcels which lie entirely within Special Flood Hazard Areas as identified on the most current version of the Flood Insurance Rate Maps provided by the Federal Emergency Management Agency. Proposals for new parcels that are partially located within designated Special Flood Hazard Areas must be evaluated to determine if sufficient land is available outside the Special Flood Hazard Area to support residential development and that potential flood impacts can be sufficiently mitigated.

As is evident, this policy not only “strongly discourage[s]” the creation of new parcels within Special Flood Hazard Areas, but also requires “that potential flood impacts . . . be sufficiently mitigated.” The definition of “Special Flood Hazard Areas” is provided on page 141 of the Goals and Policies Report. The definition reads as follows:

“Identified by the Federal Emergency Management Agency (FEMA) through the designation of approximate flood hazard areas as the land in the flood plain within the County subject to a one percent chance or greater chance of flooding in any given year, also known as the 100-year flood plain or flood hazard area. Some areas in the County have been mapped with Base Flood Elevation data. These are shown as AE zones on the FEMA Flood Insurance Rate Maps (FIRM).”

Special Flood Hazard Areas include not only “approximate” 100-year flood plains, but also flood plains that have Base Flood Elevations determined (AE zones). State and federal law and local ordinance allow dwelling units to be constructed in AE zoned areas. Therefore, construction in Special Flood Hazard areas is currently allowed in Plumas County, consistent with state and federal law. Residential construction must be elevated above the base flood elevation and non-residential construction must be protected from flood events through the use of special construction techniques.

As this is an update to an existing general plan, changes in policy and procedure since the last update of the County’s existing General Plan are being incorporated into this document. The use of the terms “primary” and “secondary” flood hazard areas are not in use anywhere in State or federal law. The current county code has incorporated the State model floodplain ordinance. Any further updates to the zoning code will follow the State’s most recent version of the model floodplain ordinance. An issue arises between the use of “primary flood hazard area” and “FEMA Zone A”

or “100-year flood hazard area”. Commenter is directed to Plumas County Code Section 9-2.407.5(c). (Flood):

“(c) 100-year flood hazard areas shall be administered as primary flood hazard areas until an engineered analysis based on a uniform procedure prescribed by the County Engineer has been completed, submitted to the County Engineer, reviewed and approved by the County Engineer...”

The commenter is incorrect in the assertion that the General Plan Update increases potential for dwelling units within the 100-year floodplain due to the fact that federal, state law, county code and the General Plan Update prohibits (and, conversely allows) dwelling units within the 100-year floodplain in the same manner. 100-year floodplains are administered as primary flood hazard areas.

Additionally, the program EIR does not analyze site-specific impacts (including those related to flood issues) at the level of detail found in a site specific project EIR. The proposed project consists of goals and policies that will guide future site specific development decisions, including those that involve development within hazardous areas or conditions (including wildland fires, unstable soils, as well as flooding concerns, etc.).

Commenter also asserts that the proposed project inconsistently allows development to occur in floodplains as a component of the Open Space Element and the Open Space Action Plan. This criticism misses the mark because state law directs floodplains to be included in the Open Space Element. State and federal law, as incorporated into Plumas County Code, allows very limited types of construction in certain categories of flood hazard areas. No further response is required.

Response to Comment I8-27:

The commenter asserts that the General Plan Update removes constraints to new secondary suburban designation and allows new development outside of Planning Areas whenever a development proposal is submitted. The commenter also indicates that the Draft EIR fails to fully describe changes to baseline conditions proposed by the General Plan Update and thus is inadequate.

The commenter is referred to the response prepared for Comment I8-8 regarding the various development assumptions of the proposed project. Additionally, the commenter is incorrect in their assertion regarding the baseline condition. Consistent with CEQA Guidelines, the baseline for the Draft EIR analysis reflects existing conditions on the ground at the time of the issuance of the Notice of Preparation. This is clearly indicated on pages 4-4 and 4-5 of the Draft EIR. If the County had used “what is envisioned” in the current General Plan as its baseline, such an approach would have been contrary to CEQA case law. (See, e.g., *Environmental Planning and Information Council v. County of El Dorado* (1982) 13 Cal.App.3d 350, 354-355.)

Response to Comment I8-28:

The commenter asserts that the Draft EIR does not analyze development which leads to the loss of Open Space because the General Plan Update narrowly defines the term development.

As more fully described above in the response to Comment I8-8, the commenter continues to misrepresent the analysis provided in the Draft EIR. The commenter's lack of understanding regarding the factual basis for the planning approach embodied in the General Plan Update is important to note. The assumption in both the General Plan Update and Draft EIR that future growth will be focused within County Planning Areas was based on a combination of historic development patterns within Plumas County and existing General Plan policies, as well as new objectives and policies that were developed after an extensive public involvement process associated with the General Plan update. The County recognizes that some amount of new development will occur outside these planning areas, though the amounts at issue are likely to be very modest due to (i) historical trends and (ii) restrictive new (proposed) policies.

The Draft EIR provides a programmatic analysis resulting from implementation of the proposed project to the entire County. The project description provides both a detailed methodology of where this growth is anticipated to occur (i.e., Planning Areas) and a rationale for the build-out assumptions identified on pages 3-31 through 3-32 of the Draft EIR. To further illustrate this point, the commenter is directed to several examples, including Impact 4.1-3 ("Scenic Vistas"), which describes potential impacts from growth to various scenic resources located throughout the County, and Impact 4.10-1 ("Loss of Important Farmland or Timber Resource Lands"), which describes potential impacts to farmland, timber land, and open space areas County wide.

Response to Comment I8-29:

The comment asserts that the Draft EIR's alternatives analysis does not meet CEQA standards.

The Draft EIR considers a reasonable range of potentially feasible alternatives, as required by CEQA Guidelines Section 15126.6. This "reasonable range" of alternatives discussed is governed by the "rule of reason" (CEQA Guidelines §15126.6(f)).

CEQA requires an EIR to "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" (CEQA Guidelines, §15126.6; Pub. Res. Code, §21001). The selection of alternatives is governed by the rule of reason (CEQA Guidelines, §15126.6). This means that "an EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible" (CEQA Guidelines, §15126.6(a)). The lead agency has the discretion to determine the number of alternatives necessary to constitute a legally adequate range, which will vary from case to case depending on the nature of the project (*Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal. 3rd 553*). In addition, an alternative need be environmentally superior to the project in only some respects (*Sierra Club v. City of Orange (2008) 163 Cal. App. 4th 523, 547*).

The Draft EIR analyzes three alternatives to the proposed project, as more fully described in Chapter 5 of the Draft EIR. The alternatives were developed in large part with public input received during community workshops and through discussions with County staff. These alternatives have been

analyzed at the appropriate level of detail for a General Plan under CEQA. The alternatives analysis requires less detail than the analysis of the project's impacts and it need not be exhaustive (CEQA Guidelines, § 15126.6(d); *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523). It is sufficient if it allows the relative merits and impacts of the project and the alternatives to be comparatively assessed (*Del Mar Terrace Conservancy, Inc. v. City Council* (1992) 10 Cal.App.4th 712; *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.App.4th 1143). The Draft EIR provides a narrative description of each alternative and a discussion of the impacts of each as compared to the proposed project, as well as several tables comparing the alternatives with the proposed project (Draft EIR Chapter 5). The Draft EIR's level of analysis for each alternative, including the no project alternative, is sufficient to allow meaningful evaluation, analysis, and comparison with the proposed project and therefore meets the requirements of CEQA (CEQA Guidelines, §15126.6(d)).

The alternatives selected for consideration in the Draft EIR represent a reasonable range of alternatives. They were selected from a longer list of alternatives based on their ability to feasibly attain most of the basic project objectives as well as reduce the significant impacts of the project (see Draft EIR Section 5.2). As stated above, the lead agency has the discretion to determine the number of alternatives necessary to constitute a legally adequate range, which will vary from case to case depending on the nature of the project (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3rd 553). The proposed project is an update to the general plan for Plumas County. Consequently, the alternatives to the proposed project represent similar or broad planning level actions and are evaluated at an appropriate level of specificity in the Draft EIR. These alternatives are considered within a context of whether they reduce or avoid significant impacts as compared to the proposed project and in the light of the constraints of feasibility. Alternatives need not reduce all impacts compared with the proposed project (*Sierra Club v. City of Orange* (2008) 163 Cal. App. 4th 523, 546-547.).

As indicated by the commenter, the County did consider the merits of the Restrictive Growth Alternative (as indicated on page 5-2 and 5-3 of the Draft EIR); however, the County dropped the alternative from further consideration as being infeasible due to its potential conflict with existing property rights. The sole objective of the proposed project is not to “discourage” or “encourage” future growth in Plumas County. Rather, the intent of the proposed project is to guide future development decisions in the County. In consideration of the Restrictive Growth Alternative, County staff gave careful thought to the possible range of political and economic outcomes resulting from reducing land use densities throughout the County. With an understanding of the County's constituents and property owners, who have historically worked with County staff to subdivide their lands consistent with previous land use policies in efforts to achieve their individual economic objectives, the range of possible outcomes associated with a down-zoning effort over a majority of the County was considered undesirable as it would likely lead to land owner concerns regarding individual property right restrictions (possible regulatory takings) and possible litigation by unhappy property owners that would tie the hands of County staff for many years to come. Recent issues regarding Agenda 21 objectives in the General Plan Update (including unnecessary government control over the County) are examples of concerns brought by County constituents that could become greatly magnified should the County determine that more restrictive land use directives

become part of the currently proposed General Plan Update. In consideration of these concerns and the County's relatively low historic rate of growth (as more fully described in the response prepared for Comment I8-8), the County seriously considered this alternative, but rejected the alternative from further consideration.

Regarding the Focused Growth Alternative, the County is in the process of considering comments on the proposed project and the Draft EIR. The County has not adopted the proposed project or alternative at this time. As previously described above, alternatives need not reduce all impacts compared with the proposed project. The ultimate decision of whether the Focused Growth Alternative is "feasible" within the meaning of CEQA will be made by the elected Board of Supervisors. As defined in the CEQA Guidelines (section 15364), "feasible" means "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal. App. 4th 957, 1001; *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166.) Moreover, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors." (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) Thus, the Board will have the discretion to determine whether the Focused Growth Alternative represents a desirable policy outcome, consistent with project objectives.

Finally, the commenter again suggests that the Draft EIR does not evaluate an alternative that would actually limit growth to the Planning Areas. The commenter is incorrect. Both the proposed project and the Focused Growth Alternatives address limiting growth to varying degrees within the Planning Areas. Additionally, careful consideration was given to the Restrictive Growth Alternative; however, this alternative was eliminated from further consideration for the reasons provided above.

Response to Comment I8-30:

The comment provides concluding remarks that summarize the previously identified comments. The commenter is referred back to the responses prepared for Comments I8-1 through I8-29.

Letter I9 – Plumas Audubon Society

Response to Comment I9-1:

The comment provides an opening statement to their letter describing the General Plan Update process to date. Comment noted.

Response to Comment I9-2:

The commenter provides positive comments regarding the range of alternatives considered in the Draft EIR, the objectives of the Water Element of the proposed project, and the Wildland Fire policies. Comment noted.

Regarding the commenter's statement specific to climate change issues, the County has developed a comprehensive (yet tailored) approach to addressing GHG and climate change issues specific to the unique nature of the County. The climate change policies balance the need to reduce GHG emissions (as feasible, given the rural nature of the County) yet protect the economic interests (i.e., forestry, open space, and agriculture) of the region by providing policy guidance that maintains the carbon sequestering potential of the County's natural resources.

The comment regarding the ranking of impacts and mitigations (see Tables 2-1 and 5-1 of the Draft EIR) is noted. The intent of the summary of alternatives (as provided in the tables) is only intended to provide a comparison between the various alternatives to the proposed project. These alternatives have been analyzed at the appropriate level of detail for a General Plan under CEQA, which states that the alternatives analysis requires less detail than the analysis of the project's impacts and it need not be exhaustive (CEQA Guidelines, § 15126.6(d); *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523). Consequently, it becomes more difficult for the Draft EIR to provide additional quantitative analysis regarding the alternatives without developing additional detail (such as land use maps and population assumptions) specific to each alternative. This level of detail, while interesting and informative, is beyond the current scope of the proposed project and the Draft EIR.

Letter I10 – Patricia A. Wormington**Response to Comment I10-1:**

The comment provides an opening statement to their letter describing Plumas County. Comment noted.

Response to Comment I10-2:

The commenter provides several concerns and opinions as to why the open space areas and scenic resources of the County should be protected. The commenter is referred to the various goals and policies of the Land Use and Conservation and Open Space Elements of the Goals and Policies Report which are designed to protect a variety of open space resources. Additionally, the commenter is referred to the Water Resources and Agriculture and Forestry Elements, which are two optional elements that were identified by the County as necessary to include in the General Plan Update given the importance of these issues to the County and the region.

Letter I11 – Alicia Knadler

Response to Comment I11-1:

The commenter identifies a concern regarding the land use element/flood zones and the expansion zone depicted on the Indian Valley map in the General Plan Update. The comment is noted. It is important to note, that the maps reflect a fairly broad scale given the size of each Planning Area within the County. Additionally, the program EIR does not analyze site-specific impacts (including those related to flood issues) at the level of detail found in a site specific project EIR. The proposed project consists of goals and policies that will guide future site specific development decisions, including those that involve development within hazardous areas or conditions (including wildland fires, unstable soils, flooding concerns, etc.). For individual site conditions where hazardous conditions are identified, specific mitigation measures would be recommended to address any identified impacts.

Letter I12 – Jack McLaughlin

Response to Comment I12-1:

The commenter provides an opinion that the entire General Plan Update includes several references to the U.N. Agenda 21 Sustainable Development and American Planning Associated guidelines per Executive Order 12852. This comment is noted; however it does not provide any specific comments related to the adequacy of the Draft EIR. No further response required.

Letter I13 – Daniel Salvatore

Response to Comment I13-1:

The commenter provides an opinion that the entire General Plan Update includes several references to the U.N. Agenda 21. This comment is noted; however it does not provide any specific comments related to the adequacy of the Draft EIR. No further response required.

Letter I14 – Centella Tucker

Response to Comment I14-1:

The commenter provides an opinion that the entire General Plan Update includes several references to the U.N. Agenda 21 and that the Economic Development includes several goals and policies that are vague. This comment is noted; however it does not provide any specific comments related to the adequacy of the Draft EIR. No further response required.

Letter I15 – Carol Viscarra, Indian Valley Citizens for Private Property Rights

Response to Comment I15-1:

The commenter provides an opinion that the entire General Plan Update includes several references to the U.N. Agenda 21. The commenter also identifies several concerns regarding the GHG Inventory along with various goals/policies provided in the Agriculture and Forestry Element. The commenter does not provide any specific recommendations (for consideration by the County) for individual concerns to the various goals and policies identified in the Goals and Policies Report. This comment is noted; however it does not provide any specific comments related to the adequacy of the Draft EIR. No further response required.

Letter I16 – Sierra Nevada Alliance

Response to Comment I16-1:

The commenter provides an introduction to the letter. Comment noted.

Response to Comment I16-2:

The commenter provides an option regarding the definition of the term “development” in the Land Use element and the Draft EIR.

As more fully described above in the response to Comment I8-5, the County has corrected the oversight regarding the land use maps which now reference all designated land uses in the County. The correct maps will be included as part of the Final General Plan Update and are referenced in Chapter 4 of this Final EIR. Population and housing build-out assumptions (see Tables 3-5, 3-6, and 3-9 in Chapter 3 “Project Description” of the Draft EIR) developed for the Draft EIR analysis were based on land use acreages referenced in the correct land use maps and no further changes are necessary to the Draft EIR.

Regarding the use of the term “development” in the Draft EIR, the Draft EIR’s definition of development closely resembles the definition of development as provided by the commenter. The commenter’s definition is identified below:

- Define development as “any building, construction, renovation, mining, extraction, dredging, filling, excavation, or drilling activity or operation; any material change in the use or appearance of any structure or in the land itself; the division of land into parcels; any change in the intensity or use of land, such as an increase in the number of dwelling units in a structure or a change to a commercial or industrial use from a less intensive use; any activity that alters a shore, beach, river, stream, lake, pond, canal, marsh, meadow, woodlands, wetland, endangered species habitat, aquifer or other resource area, including clearing of natural vegetative cover (with the exception of agricultural activities).

The definition of “development” in the Draft General Plan Update is the existing General Plan definition of “development”. There have been no specific comments submitted as to how the definition is problematic or why it should be changed. The definition was previously accepted by

the Board of Supervisors after much public input. This definition is not to be confused with the analysis of development as presented in the Draft EIR, as discussed above.

Commenter asserts that, by leaving out the land use definitions that constitute open space, such as Agriculture and Grazing, Agricultural Preserve, Timber Resource, Mining Resource, Resort and Recreation, etc., the Draft General Plan Update may allow extensive development on open space lands. Projects that require additional entitlements issued by the County (recreational projects, special use permits, etc.) must be found consistent with the General Plan, regardless of whether or not division is involved. Projects approved by the County must also follow zoning ordinance guidelines, which directly correspond with, and are designed to be consistent with, the General Plan.

The Draft EIR provides a programmatic analysis resulting from implementation of the proposed project to the entire County. While the project description does provide a detailed methodology of where this growth is anticipated to occur (i.e., Planning Areas), the Draft EIR acknowledges that some level of development is also likely to occur countywide. Although as more fully described in the response to Comment I8-8, this level of development outside of Planning Areas is likely to be very limited, based on historic patterns. To illustrate this evaluation of countywide growth, the commenter is directed to several examples in the Draft EIR that reference a broad definition of development including those outside of designated Planning Areas. These examples include Impact 4.1-3 “Scenic Vistas” (describing potential impacts from growth to various scenic resources located throughout the County) and Impact 4.10-1 “Loss of Important Farmland or Timber Resource Lands” (describing potential impacts to farmland, timber land, and open space areas County wide).

Response to Comment I16-3:

The commenter requests that additional information regarding the economic effects of climate change be included in the Draft EIR. References to the range of possible climate change effects which could affect both local (Plumas County) and regional economic conditions are mentioned on page 4.4-11. These include the following:

- Extreme-heat conditions, such as heat waves and very high temperatures, which could last longer and become more frequent;
- An increase in heat-related human deaths, infection diseases and a higher risk of respiratory problems caused by deteriorating air quality;
- Reduced snow pack and stream flow in the Sierra Nevada Mountains, affecting winter recreation and water supplies;
- Potential increase in the severity of winter storms, affecting peak stream flows and flooding;
- Changes in growing season conditions that could affect California agriculture, causing variations in crop quality and yield; and
- Changes in distribution of plant and wildlife species due to changes in temperature, competition from colonizing species, changes in hydrologic cycles, changes in sea levels, and other climate-related effects.

Response to Comment I16-4:

The commenter suggests providing clarification in the Goals and Policies Report regarding two related policies (COS 7.10.2 and CIR 4.6.4). Also suggests updating the policies to identify a responsible party and to create a binding timeline for development of a county-wide Climate Action Plan and a GHG reduction target.

To help clarify and provide a consistent approach to the County's response to climate change issues, the County proposes to consolidate these closely related policies. As part of the Final Goals and Policies Report, the County will remove Policy CIR-4.6.4 from the Circulation Element and incorporate key policy concepts (from Policy CIR-4.6.4) to Policy COS-7.10.2. Additional details, requested by the commenter, regarding the identification of a binding timeline are not considered necessary for the policy statement, as the policies are intended to reflect key climate change regulations (including AB 32) which inherently include the important reduction timelines and thresholds requested by the commenter.

In consideration of the suggestions described by the commenter, the County shall make the following revisions to Policy CIR-4.6.4 "Climate Action Plan" (identified as mitigation in the Draft EIR) from the Circulation Element and Policy COS-7.10.2 "Climate Action Plan" from the Conservation and Open Space Element of the Goals and Policies Report:

Circulation Element of the Goals and Policies Report

Delete the following policy:

- ~~**Policy CIR 4.6.4 Climate Action Plan.** The County shall establish a Plan that identifies strategies for increasing energy efficiency, carbon sequestration, GHG emissions reductions, and land use and transportation strategies that are consistent with the State of California's Global Warming Solutions Act.~~

Conservation and Open Space Element of the Goals and Policies Report

Replace the existing Policy COS-7.10.2 with the following:

- ~~**Policy COS-7.10.2 Develop a Climate Change Strategy**~~ **Climate Action Plan.** ~~The County shall integrate climate change planning and program implementation into County decision making by developing a climate change strategy that implements requirements adopted by the California Air Resources Board and/or the Northern Sierra Air Quality Management District. Components of the strategy may include the establishment of a GHG emissions qualitative and quantitative threshold of significance, establishment of GHG reduction targets and, wherever feasible and appropriate, incorporation of SB 375 Sustainable Communities Strategy measures.~~ The County shall establish a Climate Action Plan that identifies strategies for increasing energy efficiency, carbon sequestration, GHG emissions reductions, and land use and transportation strategies that are consistent with appropriate climate change regulations (i.e., State of California's Global Warming Solutions Act.).

Response to Comment I16-5:

The commenter asks the question why the County cannot prohibit new development to reduce potential impacts to important farmland/forest land conversion in regards to the impact conclusion for Impact 4.10-1: Loss of Important Farmland or Timber Resource Lands.

The commenter is referred back to the response to Comment I8-29, which describes the objectives of the General Plan Update and the County's opinion regarding potential conflicts with existing property rights.

Response to Comment I16-6:

Commenter suggests that policies 8.1.1, 8.2.1, 8.2.6, and 8.3.2 (from the Agriculture and Forestry Element) provide additional detail regarding specific allowed, conditionally allowed, and not-allowed uses in order to effectively mitigate the loss of agricultural land in Plumas County. The commenter provides a range of examples (including allowed uses for secondary structures - associated residences based on permitted lot size; agricultural uses, including production of timber; and animal husbandry, etc).

The comment is noted. The County has reviewed the commenter's suggestions and has determined that the level of detailed provide by the commenter is consistent with the details current provided in the County's Zoning Code. The suggestions provide by the commenter will be further considered when the County reviews and begins developing the various implementation measures (including updates to the County's Zoning Code) associated with the General Plan Update.

Response to Comment I16-7:

Commenter suggests that Agriculture and Forestry Implementation Measure #17 be revised to also include "forestry support uses" and incorporate the use of the suggested policy text (or very similar) as that described above in Comment I16-6 and similar to the required Zoning Code.

As described above under the response to Comment I16-6, the suggested revisions are best reflected for use in the County's Zoning Code. However, in consideration of the suggestions described by the commenter, the County shall make the following revisions to Implementation Measure #17 (identified as mitigation in the Draft EIR) from the Agriculture and Forestry Element of the Goals and Policies Report:

Agriculture and Forestry Element of the Goals and Policies Report

Modify the following implementation measure:

- **Implementation Measure #17.** Amend the Zoning Code to address the use of ministerial permitting of agricultural and forestry support uses.

Response to Comment I16-8:

Commenter suggests that Agriculture and Forestry Element Policy AG/FOR-8.9.1 “Minimal Parcel Size for Timber Resource Lands”, be clarified to address the management of timber resources.

In consideration of the suggestion described by the commenter, the County shall make the following revisions to Policy AG/FOR-8.9.1 “Minimal Parcel Size for Timber Resource Lands” (identified as mitigation in the Draft EIR) from the Agriculture and Forestry Element of the Goals and Policies Report:

Agriculture and Forestry Element of the Goals and Policies Report

Modify the following policy:

- **Policy AG/FOR-8.9.1 Minimal Parcel Size for Timber Resource Lands.** The minimum parcel size for Timber Resource lands shall be 40 acres. Timber Resource Lands include those lands identified as General Forest and as Timberland Production Zone. Limitations provided by the zoning include a restriction of the allowable density of dwelling units in the Timberland Production Zone. Only parcels 160 acres in size or greater are allowed a residence or structure as necessary for the management of the timber resource.

Response to Comment I16-9:

Commenter suggests that Agriculture and Forestry Element Policy AG/FOR-8.9.2 “Multiple Use Purpose for Timber Resource Lands”, be strengthened to clarify compatible uses on timber resource lands.

In consideration of the suggestion described by the commenter, the County shall make the following revisions to Policy AG/FOR-8.9.2 “Multiple Use Purpose for Timber Resource Lands” (identified as mitigation in the Draft EIR) from the Agriculture and Forestry Element of the Goals and Policies Report:

Agriculture and Forestry Element of the Goals and Policies Report

Modify the following policy:

- **Policy AG/FOR-8.9.2 ~~Multiple Use Purpose~~ Compatible Uses for Timber Resource Lands.** Timber Resource lands ~~are reserved for multiple use~~ shall only be used for purposes that are compatible with timber production such as the production of other wood products, bio-mass, mineral resource extraction, grazing, recreation, carbon sequestration and wildlife habitat/migratory corridors.

Response to Comment I16-10:

Commenter suggests that policies 8.1.1, 8.2.1, 8.2.6, and 8.3.2 (from the Agriculture and Forestry Element) provide additional detail regarding specific allowed, conditionally allowed, and not-allowed uses in order to effectively mitigate the loss of agricultural land in Plumas County.

The comment is noted. The County has reviewed the commenter's suggestions and has determined that the level of detail provided by the commenter is consistent with the details currently provided in the County's Zoning Code. The suggestions provided by the commenter will be further considered when the County reviews and begins developing the various implementation measures (including updates to the County's Zoning Code) associated with the General Plan Update.

Response to Comment I16-11:

Commenter provides suggestions to modify Agriculture and Forestry Element Implementation Measure #17. The commenter is referred back to the response prepared for Comment I16-7.

Response to Comment I16-12:

Commenter provides suggestions to modify Policy AG/FOR-8.9.1 "Minimal Parcel Size for Timber Resource Lands". The commenter is referred back to the response prepared for Comment I16-8.

Response to Comment I16-13:

Commenter provides suggestions to modify Policy AG/FOR-8.9.2 "Multiple Uses Purpose for Timber Resource Lands". The commenter is referred back to the response prepared for Comment I16-9.

Response to Comment I16-14:

Commenter provides a summary of concerns (more fully described in the comments I16-15 through I16-18) regarding the impact conclusion for Impact 4.6-4: Groundwater Supplies and Recharge.

Comment noted. The commenter is directed to the responses to Comments I16-15 through I16-18.

Response to Comment I16-15:

Commenter suggests that Policy W-9.1.1 "Groundwater Management" (from the Water Resources Element) identify specific areas of the County that may require future groundwater studies and provide details on methodologies that should be used to conduct groundwater studies.

In consideration of the suggestion described by the commenter, the County shall make the following revisions to Policy W-9.1.1 "Groundwater Management" (identified as mitigation in the Draft EIR) from the Water Resources Element of the Goals and Policies Report:

Water Resources Element of the Goals and Policies Report

Modify the following policy:

- **Policy W-9.1.1 Groundwater Management.** The County shall support the development and implementation of a regional groundwater management plan and shall work with water resource agencies, such as the Sierra Valley Groundwater Management District, water users and other affected parties to develop basin-specific plans for high priority groundwater basins to ensure a sustainable, adequate, safe and economically viable groundwater supply for existing and future uses within the County. As appropriate, the groundwater management plans should include the following:
 - Computer models of groundwater recharge, storage, flows, usage and sustainable yield for appropriate water years (both wet and dry years) and growth scenarios (existing and future year);
 - Assessment of water quality contaminants;
 - Analysis of resource limitations and relationships to other users for wells serving public supply systems and other large users;
 - Opportunities for changing the sources of water used for various activities to better match the available resources and protect groundwater;
 - Possible funding sources for monitoring, research, modeling and development of management options; ~~and~~
 - Provisions for applicant fees and other funding of County costs;
 - Groundwater elevation monitoring to address the requirements of the California Statewide Groundwater Elevation Monitoring Program (CASGEM); and
 - Groundwater quality monitoring to address the requirement of the Irrigated Lands Regulatory Program.

The County prefers to keep the policy flexible and open to respond to all geographic areas of the County rather than identify specific areas in the policy.

Response to Comment I16-16:

Commenter suggests that Policy W-9.1.2 and Policy AG/FOR-8.6.1 be combined and provide further definition of the terms “adequately protect” and “areas identified as significantly contributing to groundwater recharge”.

The County prefers to keep the policy open to all applicable geographic areas of the County. However, in consideration of the suggestion described by the commenter and to further clarify how the policy intends to “adequately protect” important groundwater resources, the County shall make the following revisions to Policy W-9.1.2 “Groundwater Recharge Area Protection” (identified as mitigation in the Draft EIR) from the Water Resources Element of the Goals and Policies Report:

Water Resources Element of the Goals and Policies Report

Modify the following policy:

- Policy W-9.1.2 Groundwater Recharge Area Protection.** The County shall require ~~new development that all projects be designed to maintain or increase the site's pre-development absorption of rainfall (minimize runoff), and to recharge groundwater where appropriate to adequately protect groundwater recharge areas.~~ Implementation would include standards that could regulate impervious surfaces, provide for water impoundments (retention/detention structures), protecting and planting vegetation, use of permeable paving materials, bioswales, water gardens, and cisterns, and other measures to increase runoff retention, protect water quality, and enhance groundwater recharge.

Response to Comment I16-17:

The commenter states that Policy W-9.8.3 has no clear enforcement mechanisms and suggests adding language to cap development outside of Planning Areas and Expansion Areas annually at a percentage of development approved within these areas.

To help with implementation of Policy W-9.8.3, Water Resources Implementation Measure #9 has been developed as part of the Goals and Policies Report. The commenter is referred back to the response prepared for Comment I16-5.

Response to Comment I16-18:

Commenter suggests adding text to Policy COS-7.1.4 "Conservation Easements" (from the Conservation and Open Space Element) that places a higher priority on the placement of conservation easements on lands identified as groundwater recharge areas.

While the preservation of a variety of open space uses is important to County decision makers, the County has a limited role on how conservation easements are developed and implemented on lands outside the direct jurisdiction of the County. The County intends to limit future policies that could affect individual private property rights and intends to maintain flexibility in their support of conservation easements in Plumas County. No further change is recommended.

Response to Comment I16-19:

Commenter suggests removing the terms "critical" or "high-occupancy structures" and indicates that no development should be allowed in floodways or dam inundation areas.

The intent of the policy is to balance State/Federal law that does regulate development within flood plain areas and individual private property rights. Additionally, the program EIR does not analyze site-specific impacts (including those related to flood issues) at the level of detail found in a site specific project EIR. The proposed project consists of goals and policies that will guide future site specific development decisions, including those that involve development within hazardous areas or conditions (including wildland fires, unstable soils, flooding concerns, etc.). For individual site conditions where hazardous conditions are identified, specific mitigation

measures would be recommended to address any identified impacts. No further change is recommended.

Response to Comment I16-20:

Commenter suggests making all residential parcels partially within or contiguous to Special Flood Hazard Areas obtain proof that potential flood impacts can be mitigated before development is allowed.

Similar to the response to Comment I16-19, the intent of the policy is to balance State/Federal law that does regulate development within flood plain areas and individual private property rights. No further change is recommended.

Response to Comment I16-21:

Commenter asks if the County will create policies and implementation measures, with timelines.

The commenter is correct and is directed to the various timelines identified in the Goals and Policies Report for each implementation measure. The various implementation measures are organized at the end of each element.

Response to Comment I16-22:

Commenter suggests the addition of policy language to control the use of wood burning stoves as a method to reduce criteria pollutants in Plumas County.

The commenter is directed to the existing Policy COS-7.9.6 (from the Open Space and Conservation Element) in the updated General Plan (see below). No further change necessary.

- **Policy COS-7.9.6 Wood Burning Fireplaces.** The County shall regulate wood-burning fireplaces and stoves in all new development. EPA-approved stoves and fireplaces burning wood, natural gas or propane are allowed. The County shall discourage the use of non-certified wood heaters and fireplaces and develop plans for their ongoing replacement as practicable.

Letter I17 – Warren and Kristine Gorbet

Response to Comment I17-1:

The commenter provides several opinions regarding the text in the General Plan update. The commenter does not provide any specific recommendations (for consideration by the County) for individual concerns to the various goals and policies identified in the Goals and Policies Report. This comment is noted; however it does not provide any specific comments related to the adequacy of the Draft EIR. No further response required.

Letter I18 – Heather Kingdon

Response to Comment I18-1:

The commenter provides an opinion regarding the inclusion of the optional elements of the General Plan Update (including Agriculture and Forestry Element) and recommends their removal from the General Plan Update.

The comment is noted. Removal of the suggested policies and implementation measures would remove several important mitigation measures for the Draft EIR which would affect the adequacy of the EIR. No further change is recommended.

Response to Comment I18-2:

The commenter indicates that the GHG section of the General Plan Update is flawed in its use of data and sources.

The comment has been considered by the County and the feasibility of using local data sources to characterize local GHG emissions will be addressed prior to the completion of any future updates of the GHG Inventory. As the baseline GHG inventory data (currently under review) was only used to characterize environmental setting (or baseline data) conditions, and was not used to develop General Plan Update policies (or mitigation measures under the Draft EIR), the evaluation of local GHG emissions and sources (in particular those from agricultural production, which are considered relatively minor) is not expected to affect the existing conclusions of the Draft EIR. As indicated on pages 4.4-19 and 4.4-22, climate change impacts resulting from implementation of the General Plan Update are considered to be *less-than-significant*. As the percent of overall emissions resulting from agricultural operations is considered relatively small (compared to other operation or mobile sources), updates to these emission estimates are not expected to result in substantial changes to the significance conclusions in the Draft EIR.

To date, the Upper Feather River Watershed Group has been researching the availability of more specific agricultural data for use in determining baseline GHG inventory data. Working with the University of California Cooperative Extension Intermountain Farm Advisors, additional data specific to Plumas County regarding local fertilizer application has been obtained. **Appendix B** (of this Final EIR) provides this information collected to date.

Response to Comment I18-3:

The commenter indicates that the County must ensure that any plan can be repealed should it affect individual property rights.

The comment is noted. The commenter does not provide any specific recommendations (for consideration by the County) for individual concerns to the various goals and policies identified in the Goals and Policies Report. This comment is noted; however it does not provide any specific comments related to the adequacy of the Draft EIR. No further response required. The

commenter's concern over individual property rights has been considered by the County. The commenter is also referred back to the response prepared for Comment I8-29.

Letter I19 – Steve Lindberg, Plumas-Sierra Bicycle Club

Response to Comment I19-1:

The commenter provides an introductory statement to their letter. Comment noted.

Response to Comment I19-2:

The commenter identifies several administrative corrections (typographical and policy numbering errors) for the Circulation Element of the Goals and Policies Report. Comment noted. These administrative corrections will be addressed as part of the Final Goals and Policies Report.

Response to Comment I19-3:

The commenter notes that there may be mechanisms for mitigating traffic impacts, not considered in the Draft EIR. The commenter is correct. See the response to Comment A4-1 for the mitigation that will establish a local funding program to implement transportation improvements. Specific programming of these funds will be conducted as part of the Traffic Impact Fee program development, in accordance with the General Plan policies.

Response to Comment I19-4:

The commenter indicates that pedestrian and bicycle facilities must be required, rather than recommended as development occurs. Policy CIR-4.4.2 states that “The County will amend the County Code to include standards for safe pedestrian and bicycle accommodations, including ... bicycle and pedestrian access requiring new development and redevelopment projects to include bicycle facilities, as appropriate with the new land use...” Policy CIR-4.4.3 also states that the County shall include safe and convenient bicycle and pedestrian access, where feasible and warranted, in all transportation improvement projects. Given the substantially expanded policies for new bicycle and pedestrian facilities, and given that implementation of the proposed General Plan Update would result in a slight reduction in overall traffic levels compared with the existing General Plan, this impact is sufficiently mitigated so long as these policies are fully implemented.

Response to Comment I19-5:

The commenter correctly quotes the Draft EIR. No further response is required.

Response to Comment I19-6:

The commenter identifies several administrative corrections (typographical and policy numbering errors) for the Circulation Element of the Goals and Policies Report. Comment noted. These administrative corrections will be addressed as part of the Final Goals and Policies Report.

Response to Comment I19-7:

See the response to Comment I19-6.

Response to Comment I19-8:

See the response to Comment I19-6.

Response to Comment I19-9:

See the response to Comment I19-6.

Response to Comment I19-10:

See the response to Comment I19-6.

Response to Comment I19-11:

See the response to Comment I19-6.

Response to Comment I19-12:

See the response to Comment I19-6.

Response to Comment I19-13:

See the response to Comment I19-6.

Response to Comment I19-14:

The commenter requests details and a timeline for implementation of a countywide traffic impact fee, and coordination with a regional traffic impact fee, and that a proportion of fees be dedicated to bicycle and pedestrian infrastructure construction and maintenance. As shown in the response prepared for Comment A4-1, a regional traffic impact fee will be established in the Lake Almanor area. Considering the costs of implementing impact fees, the forecast traffic conditions, and the expected pattern of development, regional impact fee programs are not expected to be effective in other portions of Plumas County. Considering the small level of traffic interchange within the primary developed areas of Plumas County and the legal requirements for a “rational nexus” between development and impacts, a countywide impact fee program would not be viable or effective. Setting a timeline on implementing a fee program or defining a set-aside for bicycle/pedestrian facilities are matters of County policy, not pertinent to the Draft EIR.

Response to Comment I19-15:

See the response to Comment I19-6.

Response to Comment I19-16:

See the response to Comment I19-6.

Letter I20 – Cedric Twight, Sierra Pacific Industries

Response to Comment I20-1:

The commenter requests clarification specific to the General Plan Update Land Use Maps. The commenter is referred back the response prepared for Comment I8-5.

Response to Comment I20-2:

The commenter suggests providing additional details regarding the Federal management documents and annual reports that guide Federal activities. The comment is noted. The focus of the Draft EIR is to assess the environmental impacts associated with implementation of the General Plan Update. The Draft EIR provides sufficient information to characterize the role of the Federal government in the General Plan Update process. The Goals and Policies Report provides numerous examples of how the County intends to coordinate its efforts with all stakeholders in the County, including other Federal and State agencies.

Response to Comment I20-3:

The commenter identifies conflicts between the extent of USFS land ownership between the Goals and Policies Report and Draft EIR. These conflicting statements will be corrected as part of the Final Goals and Policies Report.

Response to Comment I20-4:

The commenter requests that a distinction be made between private and public lands identified under the land use category “Timber Resource Lands” identified in Table 3-5 of Chapter 3 of the Draft EIR. Comment is noted. The intent of the table is to provide a summary of the various land use designations within Plumas County. The referenced land use category does include both public and private lands. Future development capacity is identified in Table 3-7 of the referenced section. It is important to note that overall development capacity was estimated at a broad programmatic scale consistent with the intent of the General Plan Update. The calculation of development potential at more refined levels (i.e., private versus public lands, parcel level, etc.) would be considered highly speculative at this point in time and was considered further as part of the proposed project.

Response to Comment I20-5:

The commenter identifies several concerns regarding growth assumptions for areas outside of identified Planning Areas. Growth assumptions have been developed using historical county data. The commenter is referred back to the response prepared for Comment I8-8.

Response to Comment I20-6:

The commenter provides an option that the Draft EIR include more detailed information regarding the effectiveness of the Quincy Library Group and the Sierra Nevada Forest Plan. While these are important distinctions, the Draft EIR provides sufficient information to

characterize the role of the Federal government in the General Plan Update process. The commenter is referred back to the response to Comment I20-2.

Response to Comment I20-7:

The commenter indicates that the Draft EIR incorrectly defines the California Timberland Productivity Act. This correction will be addressed.

The commenter is referred to Chapter 4, “Minor Revisions to the Draft EIR”, of this Final EIR which includes the revised text of the Draft EIR. This revision does not change the analysis or conclusions presented in the Draft EIR.

Response to Comment I20-8:

The commenter indicates that the Draft EIR provides an incorrect figure on page 4.10-3. This correction will be addressed.

The commenter is referred to Chapter 4, “Minor Revisions to the Draft EIR”, of this Final EIR which includes the revised text of the Draft EIR. This revision does not change the analysis or conclusions presented in the Draft EIR.

Response to Comment I20-9:

The commenter indicates that the Draft EIR provides incorrect information regarding timber harvest volumes. This correction will be addressed.

The commenter is referred to Chapter 4, “Minor Revisions to the Draft EIR”, of this Final EIR which includes the revised text of the Draft EIR. This revision does not change the analysis or conclusions presented in the Draft EIR.

Response to Comment I20-10:

The commenter indicates that the Draft EIR should clarify and provide citations for data referenced in Figure 4.11-2, in particular the data identifying deer migration corridors. The data provided in Figure 4.11-2 was developed using the County’s GIS data set which includes compiled data from a variety of sources includes those provided by the California Department of Fish and Wildlife. The data is provided at a broad program-level consistent with the objectives of the proposed project and the programmatic nature of the EIR.

Response to Comment I20-11:

The commenter indicates that the Draft EIR incorrectly uses the term urbanized, when it should indicate rural development. The choice to use the term urbanize in the Draft EIR coincides with the intent of the commenter and is intended to indicate all forms of residential/commercial development anticipated under the proposed project (including rural development).

Response to Comment I20-12:

The commenter indicates that the Draft EIR incorrectly uses the term conversion of lands in various sections of the document. Consistent with the programmatic approach of the Draft EIR, the document correctly references the potential land use changes that could occur from a change or conversion of an existing open space use to a more developed or urbanized use. As future projects are implemented under the General Plan Update, greater distinctions will be made regarding the actual level of urbanization/rural development and the actual conversions of open space lands that would occur as part of each specific project.

Response to Comment I20-13:

The commenter provides several suggestions regarding the text provided on pages 5-19 and 5-20 of the Draft EIR. The text on page 5-20 will be revised.

The commenter is referred to Chapter 4, “Minor Revisions to the Draft EIR”, of this Final EIR which includes the revised text of the Draft EIR. This revision does not change the analysis or conclusions presented in the Draft EIR.

Letter I21 – Maria Van Fleet**Response to Comment I21-1:**

The commenter provides an opinion that the entire General Plan Update includes several references to the U.N. Agenda 21 and that text in the Goals and Policies Report will adversely affect individual property rights. These general opinions are noted; however they do not provide any specific comments related to the adequacy of the Draft EIR. No further response required.

Letter I22 – Joyce Wangsgard**Response to Comment I22-1:**

The commenter indicates that the General Plan Update process has been flawed due to a lack of public noticing and opportunities for public comment. The commenter also identifies several policy statements that they find troubling.

The County has provided an extensive public outreach program as part of the General Plan Update with various public workshops organized throughout the County over the past several years. Additionally, the various documents associated with the General Plan update process (including the Draft EIR) have been adequately noticed, posted on the website, and made available at various locations throughout the County. No further response required.

Letter I23 – Jason Moghaddas**Response to Comment I23-1:**

The commenter provides an introductory statement to their letter. Comment noted.

Response to Comment I23-2:

The commenter provides a suggestion regarding Figure 3-5 “Indian Valley General Plan Designations and Planning Areas”. The suggestion is noted and will be addressed as part of the Final Goals and Policies Report.

Response to Comment I23-3:

The commenter requests clarification between the General Plan Update Land Use Maps and the intent of Policy LU-1.1.1 “Future Development”. The commenter is referred back the response prepared for Comment I8-5.

Response to Comment I23-4:

The commenter asks if land owners will be compensated for the potential loss of property values should implementation of the General Plan Update render existing subdivided and buildable parcels unbuildable. This comment is considered a very speculative outcome of the proposed project. It must be noted, contrary to the commenter’s interpretation of text in the General Plan Update, that there is no down-zoning proposed in the General Plan Update. This comment is noted; however, it does not provide any specific comments related to the adequacy of the Draft EIR. No further response required.

Response to Comment I23-5:

The commenter provides an opinion that the General Plan Update should facilitate the expansion of home based businesses to the extent possible, in particular local businesses. The comment is noted. The County considers its future economic conditions of extreme importance and has included an Economic Development Element as part of the General Plan Update process.

The true amount of fertilizer N put on fields is unknown, but these estimates are closer to real numbers than 140 lbs N/ac figure from the Sacramento County GHG Inventory that consultants used for Plumas and Sierra Counties. I worked with UCCE colleagues to come up with figures then consulted with a few local growers as well as two major fertilizer salesmen who have serviced the area for years. It is important that nitrogen use efficiency be looked at, not just rate. –Holly George, University of California Cooperative Extension, Plumas-Sierra Counties, April 2013.

Agriculture Sector Notes for Plumas and Sierra County 2005 Community-Wide GHG Inventory Reports

CROP	# AC in Plumas County *	# AC in Sierra County*	Estimated Average #/ac N fertilizer **	Notes
Alfalfa Hay	6,000	1,200	10	N amount from fertilizers is estimate of the annual application of P fertilizers (across all fields) with 11-52-0 being applied. Not applied every year to all fields, with many fields receiving zero for many years. (Range 0-25 #N/ac/yr)
Meadow Hay	3,000	1,600	10	Most (~90%) of this acreage isn't fertilized as it is low quality forage; estimate ~10% of acreage receives 100#N/ac (Range 0-100#N/ac/yr)
Grain Hay	1,000	700	70	Range 0-150#N/ac/yr
Irrigated Pasture	35,000	11,445	25	Some improved irrigated pastures (~10%) are fertilized; but much of the acreage is a grass/sedge/rush mixture with the majority of the acreage (~90%) not being fertilized. (Range 0-80#N/ac/yr)

*Source of figures is 2005 Crop & Livestock Report prepared by Plumas-Sierra County Department of Agriculture

** Source of Estimated fertilizer application, UCCE Intermountain Farm Advisors (Holly George-Plumas-Sierra Counties, Steve Orloff-Siskiyou County, Rob Wilson-Intermountain Research and Extension Center-Tulelake) and Dan Putnam, Statewide Alfalfa-Forage Specialist, UC Davis.

Footnotes

1. These estimates may be high due to the widespread lack of inputs on some of these more marginal grounds, common practice for economic reasons.
2. Rate is only one of the factors when it comes to either water quality impacts or atmospheric gas emissions. Timing (single vs multiple), method of application (surface, knifing in, etc.), and source of fertilizer, plus use of nitrification inhibitors are at least as important if not more important. **This is an important message for the water regulators as well as the air boards.**