

# CHAPTER 1.0

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## Introduction

### 1.1 Purpose and Use of the EIR

The California Environmental Quality Act (CEQA) requires that all state and local government agencies consider the environmental consequences of programs and projects over which they have discretionary authority before taking action on them.

This Draft Environmental Impact Report (DEIR) assesses the environmental impacts of the proposed 2035 Plumas County General Plan Update (proposed project or GPU). The County of Plumas (County) is the CEQA lead agency for all components of the proposed project and the Plumas County Board of Supervisors, as the lead agency's decision-making body, will consider the information presented in this EIR before taking discretionary action on the proposed project.

This DEIR has two primary purposes:

- The DEIR will assist the County in complying with CEQA requirements for the analysis of environmental impacts by including a complete and comprehensive evaluation of the physical impacts of the project and its alternatives.
- The DEIR will inform interested stakeholders (including local residents) and members of the Board of Supervisors and Planning Commission of the environmental impacts prior to the Planning Commission making its recommendations and the Board of Supervisors taking action on the proposed project.

Additionally, the DEIR is intended to identify ways to minimize significant effects of the proposed project and describe reasonable alternatives to the project that would avoid or reduce the proposed project's significant effects (State CEQA Guidelines Section 15121[a]).

As readers will see in reviewing this document, various chapters refer readers to documents that are incorporated by reference that includes the General Plan Briefing Report (Briefing Report) and the 2035 General Plan Goals and Policies Report (Goals and Policies Report) itself. The Briefing Report is a highly informative document that includes information relevant to the environmental settings for various impact topics, in addition to providing relevant information to the DEIR impact discussions. The updated Goals and Policies Report includes goals, policies, and implementation programs that guide future development, and help to mitigate many of the impacts described in this document. In order to avoid repetition and to avoid creating a large document for members of the public and decision-makers to sort through, this document frequently incorporates by reference or briefly summarizes information from both these resource

documents. Because of the interrelatedness of the DEIR and these resource documents, readers should consider all three documents as contributing to the County's CEQA compliance for the proposed project.

Section 15150 of the CEQA Guidelines permits documents of lengthy technical detail to be incorporated by reference in an EIR. Specifically, Section 15150 states that an EIR may "incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public..." Consequently, the Briefing Report and the Goals and Policies Report are incorporated by reference.

Additionally, Section 15146(b) of the CEQA Guidelines states that an EIR on a project such as the adoption or amendment of a local general plan "should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow." The purpose of this DEIR is to provide analysis on the effects that can be expected from implementation of the proposed project, but will not provide detail on the impacts of specific construction projects that might follow.

## Future Use of this EIR

After certification by the County Board of Supervisors, this DEIR may be used by the County and other agencies as a "first tier" document for later projects, as authorized by Section 15183 (projects consistent with a community plan or zoning) of the State CEQA Guidelines (Title 14, California Code of Regulations, Section 15000, et seq.). These later projects are not known at this time. However, they may include County actions such as:

- Rezoning undertaken to make zoning consistent with the 2035 Plumas County General Plan Update
- Adoption of plans for Planning Areas, to the extent that such plans are consistent with the 2035 Plumas County General Plan and recognizing that there will be site-specific impacts needing additional CEQA analysis.
- Adoption of infrastructure-related plans set out under the 2035 Plumas County General Plan, with the understanding that site-specific impacts will require additional CEQA analysis.

Other agencies may also utilize this DEIR for their decisions. The extent to which the EIR is relied upon will depend upon whether the actions are consistent with the 2035 Plumas County General Plan, there are new project-specific impacts requiring additional CEQA review, and whether the other agency chooses to use the EIR. There are no such proposed actions by other agencies currently known.

## 1.2 Type of EIR

The CEQA Guidelines identify several types of EIRs, each applicable to different types of circumstances. This EIR will function as a program EIR for the proposed project.

According to the CEQA Guidelines (Section 15168[a]), a local agency may prepare a program EIR that can be characterized as one large project or a series of actions that are linked geographically; logical parts of a chain of contemplated events; rules, regulations, or plans that govern the conduct of a continuing program; or individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways.

Under CEQA, a program EIR can function as a first-tier environmental document that assesses and documents the broad environmental impacts of a program with the understanding that a more detailed site-specific review may be required to assess future projects implemented under the program. As described above, the analysis contained in this EIR may also be used as a reference for subsequent environmental review of development projects, infrastructure improvements, zoning amendments, impact fees, and other development plans and proposals within the County of Plumas.

With respect to the processing of subsequent, more site-specific projects, the County, in making optimal use of this EIR once it is certified, intends to avail itself of two separate, but complementary processes authorized by CEQA that are intended to streamline the review of projects consistent with approved general plans. First, as noted above, this program EIR also functions as a first-tier EIR. Thus, the scope of future site-specific approvals may be narrowed, pursuant to the rules for tiering set forth in CEQA Guidelines Section 15152. That section provides, for example, that where a first-tier EIR has “adequately addressed” the subject of cumulative impacts, such impacts need not be revisited in second- and/or third-tier documents. According to subdivision (f)(3) of Section 15152, significant effects identified in a first-tier EIR are adequately addressed, for purposes of later approvals, if the lead agency determines that such effects either (a) “have been mitigated or avoided as a result of the prior [EIR] and findings adopted in connection with that prior [EIR]” or (b) “have been examined at a sufficient level of detail in the prior [EIR] to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.”

Second, future environmental review can also be streamlined pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183. These provisions generally limit the scope of necessary environmental review for site-specific approvals following the preparation of an EIR for a general plan. For such site-specific approvals, CEQA generally applies only to impacts that are “peculiar to the parcel or to the project” and that have not been disclosed in the general plan EIR, except where “substantial new information” shows that previously identified impacts will be more significant than previously assumed. Notably, impacts are considered **not** to be “peculiar to the parcel or to the project” if they can be substantially mitigated pursuant to previously adopted “uniformly applied development policies or standards.”

The program environmental analyses are presented in this document within each technical chapter in Sections 4.1 through 4.12.

### 1.3 EIR Process

In preparing this EIR and considering approval of the project, the County has completed, or will complete, the activities identified in **Table 1-1**. Each of these activities is further described below.

**TABLE 1-1  
STATUS OF 2035 PLUMAS COUNTY GENERAL PLAN UPDATE EIR**

Activity	Status
Notice of Preparation - Preparation and Circulation	✓ Completed (1/9/12 through 2/8/12)
Public Scoping Meetings and/or Workshops	✓ Completed (1/12/12 and 5/17/12)
Draft EIR – Preparation	✓ Completed
Draft EIR – Circulation - 45 Day Public Review and Comment	November-December 2012
Final EIR – Preparation	To be completed
Final EIR – Circulation	To be completed

### Notice of Preparation

In accordance with Section 15082(a) of the CEQA Guidelines, the County prepared and circulated a Notice of Preparation (NOP) of a DEIR for the project. The NOP was circulated for a 30-day comment period, which began on January 9, 2012, and ended on February 8, 2012. **Appendix A** of this DEIR contains a copy of the NOP; and copies of the comment letters received during the 30-day comment period, as well as letters that were received after the close of the comment period. All letters were considered in preparation of this DEIR.

### Notice of Preparation Public Scoping Letters

A summary of the comment letters received during the NOP public review period is provided below in **Table 1-2**. The table identifies the letters received (by February 8, 2012), the commenter, and provides a summary of the CEQA-related comments contained in the letter. Additionally, as part of the NOP public review period a public scoping meeting was held in Quincy at the Mineral Building of the Plumas-Sierra County Fairgrounds on January 12, 2012. At the meeting, the scope of the environmental document was discussed and public input on the possible range of alternatives to be analyzed in the DEIR was discussed. A follow-up public workshop was also held on May 17, 2012 to further discuss the range of alternatives in the DEIR.



**TABLE 1-2  
SUMMARY OF COMMENT LETTERS RECEIVED DURING THE NOP SCOPING PERIOD**

<b>Date</b>	<b>Commenter</b>	<b>Summary of CEQA-Related Comments</b>
<b>Agency Letters</b>		
10/13/11	CAL FIRE – Lassen Modoc Plumas Unit	Review mitigation recommendations specific to health and safety issues addressed in the EIR.
1/13/12	California Emergency Management Agency	EIR to include a summary table identifying where specific issues are addressed in the EIR/General Plan.
1/17/12	State of California – Native American Heritage Commission	Recommendations on addressing archaeological and cultural resource issues.
2/2/12	Plumas Local Agency Formation Commission	EIR to address agricultural impacts, ability to provide public services (structural fire, water, and wastewater), and cumulative impacts to local service providers.
2/6/12	State of California - Central Valley Flood Protection Board	EIR to address hydraulic impacts and cumulative impacts.
2/8/12	U.S. Department of Agriculture – Plumas National Forest	EIR to address These areas include hazards (fire, flood, air); public services (fire protection, law enforcement, emergency response); encroachments (structures, roads, trails, and utilities); species and habitat fragmentation; cultural resources; water and land uses; and planned growth (Timber Protection Zone conversion).
<b>Organization and Individual Letters</b>		
1/11 & 2/8/12	Todd and Terri (Dabney) Anderson	Groundwater issues.
1/11/12	Kristi Jamason	Suggests that a more restrictive development alternative be reviewed as part of the EIR. Alternative to address the large number of lots currently zoned to allow housing but not yet built out.
1/15 & 1/16/12	William Powers	No specific CEQA-related comments.
1/19/12	Trent Saxton	No specific CEQA-related comments.
1/25 & 2/7/12	Plumas Audubon Society	The EIR for the General Plan Update should consider the 17 environmental topic areas identified in the NOP. The required No Project Alternative should clearly identify the impacts of not adopting the General Plan Update. If analyzed, a “Less Restrictive” alternative should address the issues of habitat fragmentation and the social/economic impacts associated with development outside of existing utility/public service areas.
2/5/12	Pat Wormington	Concern over changing the Timber Production Zones from 160 acres to 40 acres. Fire risk impacts.
2/6/12	Gavin Feiger and Craig K. Breon	Suggests addressing a development-constrained alternative in the EIR similar to policies currently provided in Sierra County regarding lot splits. EIR to evaluate impacts of larger-scale ancillary uses on existing agricultural lands. Suggest that mitigation measures be proposed similar to those currently active in Sierra County.
2/7/12	Larry Fites	No specific CEQA-related comments.
2/8/12	Len Fernandes	Impacts to pedestrian and bicycle trails.
2/10/12	Jerry Hurley	EIR needs to address fire protection for public safety. Fuel modification treatments prior to development. Alternatives to improve emergency services and fire protection.
Undated	Gary Romano: Sierra Valley Farms	Various policy-related suggestions to address land use, agricultural, and mineral resource issues.

## Summary of Oral Comments from Public Scoping Meeting

A summary of the public comments provided that the public scoping meeting held in Quincy at the Mineral Building of the Plumas-Sierra County Fairgrounds on January 12, 2012 is provided below.

- Betsy Schramel: Importance of response time for all emergency services (for those that need the service as well as those that are responding).
- Mark Dotta: Alternatives looked at in terms of fire protections.
- Mr. Anderson: Working groups used IRWMP which is incorrect /inaccurate information. Can't base General Plan on IRWMP (2005). Evaluate any conflicts between IRWMP and facts that might incorrectly influence General Plan Goals & Policies
- Michael Jackson: CA Sports Fishing Alliance, CA Water Impact Alliance. Good hard look in the area for alternatives. Idea – Take a look at development that has no boundaries (anywhere) to help inform the preferred project by showing conflicts with fire protection, water quality, and other resources (i.e. sedimentation on hydro projects). Responsible use of water - water rights are in the hands of the people of CA. CRM not infringement of water rights.
- Harry Reeves: Plumas Audubon – Plumas County's wildlife resource.
- George Terhune: Need to give a very thoughtful evaluation of short term and long term impacts. (Short term advantage versus long term disadvantage).
- Bill Powers: 2000 LAFCO Statewide. Very pleased with General Plan draft and coordination with LAFCO Law and Portola's interests. Range of alternatives will give the Board the broad range to discuss and find the right balance.
- Claudia Vickers: Would like somewhere for the County residents to go to find out (in real time) changes to the status of environmental resources, back road conditions, etc. Need to be informed. CRM projects – success questionable.
- Leah Wills: Department of Water Resources and EPA just released a guidebook to evaluating GHG analysis include mitigation that includes sequestration “Climate Mitigation Plan”.
- Kristy Jameson: If alternative allows more than draft GP then there should be an alternative that slows development to something less than what is proposed. (Randy Wilson read this into the record)
- Sierra Pacific Industries: What will the impacts be if within TPZ we allow residential units on 40 acres? Board has directed staff to develop an alternative that addresses this.

## Draft EIR

This document constitutes the Draft EIR (DEIR). The DEIR contains a description of the project, discusses potential project impacts, discusses measures or 2035 Plumas County General Plan

Update goals, policies and/or implementation programs to be implemented to mitigate impacts found to be significant, as well as analyzes several project alternatives. A full description of the environmental setting for the project is also provided in the DEIR.

As required by CEQA, this DEIR focuses on significant or potentially significant environmental effects (CEQA Guidelines Section 15143). Comments received on the NOP helped to further refine the list of environmental issues to be evaluated in this EIR.

The impacts analyzed in this EIR, including those considered to be less than significant, are summarized in Table ES-1 of Section 2.0 Executive Summary.

## Public Review of the DEIR

This document will be circulated to numerous agencies, organizations, and interested groups and persons for comment during the 45-day public review period for the DEIR. A public notice will be posted at the County of Plumas Planning Department Offices and on the 2035 Plumas County General Plan Update website. The DEIR, along with copies of documents referenced herein, is also available for public review at the following location during the review period:

County of Plumas Planning Department Offices  
555 Main Street  
Quincy, CA, 95971

The County will receive public input on the DEIR at one or more public hearing(s) by the Planning Commission and the Board of Supervisors before the Board of Supervisors makes a final decision on the proposed project. The public hearing(s) will be held on various dates to be separately noticed. Public comment is encouraged during the 45-day public review period and at all public hearings before the Planning Commission and Board of Supervisors.

## Final EIR, EIR Certification, and Project Approval

Written and oral comments received during the statutory public comment period in response to the DEIR will be addressed in a response to comments document, which, together with the DEIR, will constitute the Final EIR (FEIR). County staff will make recommendations to the Planning Commission and to the Board of Supervisors. The Board of Supervisors will review the FEIR for adequacy and consider it for certification, pursuant to the requirements of Section 15090 of the CEQA Guidelines. Certification consists of three separate but related findings:

- The FEIR has been completed in compliance with CEQA.
- The FEIR was presented to the decision-making body of the lead agency, and the decision-making body reviewed and considered the information contained in the FEIR prior to approving the project.
- The FEIR reflects the lead agency's independent judgment and analysis.

If the Board of Supervisors certifies the FEIR and chooses to approve the project, the Board of Supervisors will then be required to adopt findings on the feasibility of reducing or avoiding significant environmental effects (CEQA Guidelines, Section 15091, subd. (a)) and to adopt a statement of overriding considerations that identifies the project benefits that outweigh the project's significant unavoidable effects (CEQA Guidelines, Section 15093).

The findings required by Section 15091, subdivision (a), will require the Board of Supervisors to make one or more of the following three findings with respect to each significant effect identified in this EIR:

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the FEIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR.

According to CEQA Guidelines Section 15093, which sets forth the requirements for statements of overriding considerations:

- CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a General Plan Update against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a General Plan Update outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- When the lead agency approves a project that will result in significant effects identified in the FEIR that are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action, based on the FEIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

Public Resources Code Section 21081.6(a)(1), requires lead agencies to "adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." This mitigation monitoring and reporting program (MMRP) will be adopted when the Board of Supervisors adopts the findings described above. Monitoring Reports regarding the MMRP will be consolidated with the annual report required in state law. Throughout this DEIR, mitigation measures have been clearly identified and presented in language that will facilitate the establishment of an MMRP. Any mitigation measures adopted by the County may take the form of policies and implementation programs integrated into the 2035 Plumas County General Plan



Update itself. This approach is encouraged by the same statute, which, in subdivision (b), states that “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.” Case law gives the County the option of integrating its MMRP directly into the General Plan as well. (See *Rio Vista Farm Bureau Center v. County of Solano* (1992) 5 Cal.App.4<sup>th</sup> 351, 380-381.)

If and when, the Board of Supervisors certifies the adequacy of the FEIR and approves the proposed project (with the accompanying findings and statement of overriding considerations), the County will file a Notice of Determination with both the County Clerk and the State Clearinghouse. The posting of the Notice of Determination will initiate a 30-day statute of limitations during which any affected party can initiate litigation challenging the General Plan on CEQA grounds.

## 1.4 EIR Organization

The DEIR is organized into the following chapters so that the reader can easily obtain information about the project and its specific issues:

- ***Chapter 1.0, Introduction***, provides an overview of the purpose and use of the DEIR and the EIR process.
- ***Chapter 2.0, Executive Summary***, provides a summary of the impacts and mitigation measures presented in the EIR.
- ***Chapter 3.0, Project Description***, provides a detailed description of the project objectives and the components of the project.
- ***Chapter 4.0, Environmental Analysis***, provides an analysis and discussion of the projects impacts on each of the following resource topics: Land Use and Visual Resources; Traffic and Circulation; Air Quality; Energy and Climate Change; Noise; Hydrology, Water Quality; and Drainage; Geology, Soils, Seismicity, and Mineral Resources; Hazardous Materials and Public Safety; Public Services, Recreation, and Utilities; Timber and Agricultural Resources; Cultural Resources; and Biological Resources. Mitigation measures that would eliminate or reduce significant impacts are also included.
- ***Chapter 5.0, Alternatives to the Project***, evaluates the environmental effects of the alternatives to the project, including the No Project Alternative and the environmentally superior alternative.
- ***Chapter 6.0, Additional Statutory Considerations***, provides a discussion of issues required by CEQA that are not covered in other chapters. This includes unavoidable adverse impacts, irreversible environmental changes, growth inducement, and cumulative impacts.
- ***Chapter 7.0, Report Preparation***, lists the individuals involved in preparing this EIR.

- *Chapter 8.0, References*, identifies the documents (printed references) and individuals used for information in preparation of the EIR.

## 1.5 Terminology Used in the EIR

For each impact identified in this DEIR, a statement of the level of significance of the impact is provided. Impacts are categorized in one of the following categories:

- A project impact is considered significant if it reaches or exceeds the threshold of significance identified in the EIR. A project impact is considered **less than significant (LTS)** when there may be an impact but it does not reach the threshold or standard of significance and, therefore, would cause no substantial adverse change in the physical environment. No mitigation is required for less-than-significant impacts.
- A **potentially significant impact (PS)** is a substantial or potentially substantial, adverse change in the physical environment. Physical conditions in the area will be directly or indirectly affected by the General Plan Update. Impacts may be direct or indirect and short-term or long-term. A project impact is considered significant if it reaches or exceeds the threshold of significance identified in the EIR. Mitigation measures may reduce a potentially significant adverse impact to a less-than-significant impact.
- A **significant unavoidable impact (SU)** occurs when even with the adoption of all feasible mitigation measures a significant adverse impact cannot be avoided or mitigated to a less-than-significant level should the project be implemented.
- A designation of **no impact (NI)** was given if the proposed project would not result in an adverse impact on the physical environment.

The impact assessment provided in this DEIR is divided into a number of individual impact statements that deal with specific topics. Following each impact statement is a discussion of the potential impact and any applicable General Plan policies and implementation programs that would help to mitigate this impact. Following each impact statement, a summary table identifying each impact's level of significance and the key policies that were modified to mitigate the impact is provided.

The DEIR also identifies mitigation measures. The CEQA Guidelines (Section 15370) define mitigation as:

- Avoiding the impact altogether by not taking a certain action or parts of an action.
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

- Compensating for the impact by replacing or providing substitute resources or environments.

## **1.6 EIR Preparation**

This EIR has been prepared by a consulting team led by staff from Environmental Science Associates, under contract to the County of Plumas. The DEIR has been prepared for the County of Plumas in accordance with CEQA (Public Resources Code Section 21000 *et seq.*) and the State CEQA Guidelines (14 CCR 15000 *et. seq.*). Staff members from the County and the consulting team who helped prepare this EIR, including ESA, are identified in Chapter 7.0, Report Preparation.

