



**AGENDA REQUEST
STAFF REPORT**

MEETING DATE: **July 31, 2012**

AGENDA TIME/PLACEMENT:

(TO BE ASSIGNED BY BOARD CLERK)

DEPARTMENT: **Planning and Building**

PREPARED BY: **Tana Loudon**

RFA #: **12-214, 12-215, and 12-216**

REVIEWED AND APPROVED BY: 

AGENDA PLACEMENT: TIMED ITEM ☐ ESTIMATED TIME: NUMBERED ITEM ☒ CONSENT ITEM ☐

SUBJECT:

The Colusa County 2030 General Plan update and associated Environmental Impact Report

ACTION REQUESTED:

1. Discussion/Action on a Resolution Certifying the Environmental Impact Report (EIR) Prepared for the 2030 General Plan in Accordance with the California Environmental Quality Act (CEQA) and the County's Local Guidelines.
2. Discussion/Action on a Resolution Adopting Findings of Fact and a Statement of Overriding Considerations for the 2030 General Plan.
3. Discussion/Action on a Resolution Adopting the Colusa County 2030 General Plan.
4. Discussion/Action of the waiver of County Clerk filing fees in the amount of \$50.00 to file the Notice the Determination after certification of the EIR for the 2030 General Plan.

DETAILED DESCRIPTION/BACKGROUND OF REQUEST:

The process to update the County's 1989 General Plan included Visioning Workshops, Stakeholders Interviews, Land Use Map Change Requests, General Plan Steering Committee meetings, and Public Outreach activities as well as a public review and comment period for both the Draft 2030 General Plan and Draft Environmental Impact Report from November 17, 2011 through January 16, 2012.

PRIOR BOARD ACTION:

Multiple agendized open forum discussions during Board meetings and joint workshops with no action taken.

FISCAL IMPACT/FUNDING SOURCE:

- ☐ General Fund Impact ☐ Budgeted ☐ Unbudgeted ☐ Contingency Request
☐ 4/5th Vote Required ☐ Grant ☐ Other

LIST OF ATTACHMENT(S):

- ☐ Letter(s) ☐ Certified Board Order (CBO) ☐ Policy Update ☐ Code Update ☐ New Contract
☐ Amending Or Modifying Contract No. ☒ Resolution ☐ Ordinance
☐ Proclamation ☒ Other Staff Report with Appendices and Attachments

ACTION FOLLOWING APPROVAL/INSTRUCTIONS FOR CLERK: (Please make sure mailing address is current and correct)

Please place on agenda after the Public Hearing for the 2030 General Plan and associated EIR.

Planning and Building will need a Certified Board Order for the Waiver of Fees and a copy of all signed documents.

**COLUSA COUNTY BOARD OF SUPERVISORS
AGENDA REPORT – JULY 31, 2012**

PROPONENT: County of Colusa

FILE NAME: Colusa County General Plan Update

REQUEST: Certify the Environmental Impact Report for the General Plan Update, adopt the Findings of Fact and Statement of Overriding Considerations prepared for the General Plan EIR, and Approve the General Plan Update.

GENERAL PLAN: Various

ZONING: Various

APN: Various

LOCATION: The project encompasses all land within the jurisdiction of the County of Colusa.

PARCEL SIZE: Various

APPENDICES: A. Proposed Changes to Draft General Plan
B. Comments and Responses on Draft General Plan

ATTACHMENTS: 1. Resolution to Certify Environmental Impact Report
2. Resolution Adopting Findings of Fact and Statement of Overriding Considerations
3. Resolution Adopting the Colusa County 2030 General Plan
4. Final Environmental Impact Report
5. Planning Commission Resolution 12-1
6. Planning Commission Minutes March 12, 2012

STAFF COMMENT

Staff is recommending that the Board of Supervisors certify as adequate the Environmental Impact Report, adopt Findings of Fact and Statement of Overriding Consideration, and approve the 2030 General Plan Update.

PROJECT

The project consists of a General Plan Update with the Horizon Year of 2030.

PLANNING COMMISSION RECOMMENDATION

On March 12, 2012, the Planning Commission reviewed and considered the Draft General Plan, the Final EIR prepared for the project, and public comments received on the Draft General Plan, Draft EIR, and Final EIR. The Planning Commission recommended the Board of Supervisors take the following actions:

1. Certify as adequate the Final EIR for the General Plan.
2. Adopt the Findings of Fact and Statement of Overriding Considerations prepared for the General Plan EIR.
3. Approve the General Plan Update, including amendments made in response to public comment and amendments made by the Planning Commission.

GENERAL PLAN PREPARATION BACKGROUND

In the summer of 2009, Colusa County began a multi-year process to update the County's 1989 General Plan. State law requires every city and county in California to prepare and maintain a planning document called a general plan. A general plan is the "constitution" or "blueprint" for the future land use development of the county. As part of the Colusa County 2030 General Plan Update process, a General Plan Background Report was prepared to establish a baseline of existing conditions in the County. Additionally, an Issues and Opportunities Report was prepared to identify the challenges facing the community and to provide an opportunity for citizens and policymakers to come together in a process of developing a common vision for the future.

The General Plan update includes a framework of goals, objectives, policies, and action items that will guide the County toward its common vision. The General Plan is supported with a variety of maps including a Land Use Map and Circulation Diagram.

VISIONING WORKSHOPS

Between September and November 2009, the General Plan Update consultants held five public visioning workshops to help kick-off the General Plan Update process. A diverse group of County residents and stakeholders attended workshops in Stonyford, Maxwell, Arbuckle, Colusa, and Williams. The workshops provided an opportunity for the public to offer their thoughts on what they like and don't like about their communities and the County, and what important issues should be addressed in preparing the General Plan Update.

STAKEHOLDER INTERVIEWS

Between September 2009 and March 2010, the General Plan Update consultants conducted interviews and outreach efforts with several key stakeholders and organizations throughout the County. These interviews and outreach efforts helped the

General Plan consultants gain perspectives and insights into the issues to be addressed by the General Plan Update.

LAND USE MAP CHANGE REQUESTS

Between November 2009 and October 2010, property owners in Colusa County were given the opportunity to submit General Plan land use designation change requests for their parcels to the Planning Department. Changes in existing General Plan designations were requested for approximately 27-sites throughout the County. These requested changes were all considered by the General Plan Steering Committee, Planning Commission, and the Board of Supervisors during the development of the Draft 2030 General Plan Land Use Map.

GENERAL PLAN STEERING COMMITTEE

The Board of Supervisors appointed approximately 20 County residents and local agency representatives to the General Plan Steering Committee. The Steering Committee worked with staff and the consultant team to develop the goals, objectives, policies, and action items to be included in the 2030 General Plan Update, and also worked to develop and refine the Draft General Plan Land Use Map. The Steering Committee met a total of eight times between September 2010 and February 2011.

PUBLIC OUTREACH

For all public workshops and meetings, the Colusa County Department of Planning and Building conducted extensive outreach, using a wide variety of methods and tools, to inform and encourage the community to participate in the General Plan update process. When appropriate, meeting notices were also translated into Spanish in order to reach out to a broad spectrum of County residents. General Plan Update outreach methods include the General Plan website (www.countyofcolusageneralplan.org), General Plan newsletters, notices, press releases, and public service announcements in local newspapers, and an e-mail database used to notify residents, businesses, and organizations that expressed interest in the General Plan of upcoming meetings and availability of documents. Additionally, in compliance with the requirements of Senate Bill 18, the County provided written notification to all potentially affected Native American Tribes of the General Plan Update, and invited interested tribes to meet with County staff to discuss the General Plan Update.

PUBLIC REVIEW OF THE DRAFT 2030 GENERAL PLAN AND DRAFT EIR:

In November 2011, staff and the consultant team completed the Public Draft 2030 General Plan and Draft EIR. Both of these documents were released for a 60-day public review and comment period that ran from November 17, 2011 through January 16, 2012. These documents were made available to the public and interested agencies via multiple methods, including: posting the documents to the County's General Plan Update website; distribution to the General Plan Update mailing list via email; and direct mailings to key State and Regional agencies. Additionally, printed copies were made available for public

review at the Department of Planning and Building and library branches throughout the County.

The Public Draft 2030 General Plan Update document contains the following Elements:

- The **Agricultural Element** (optional element) establishes goals, objectives, policies, and actions designed to maintain and enhance the viability of agriculture in Colusa County. Policies address issues such as accommodating a range of agricultural uses and supporting operations, the conversion of farmland to non-agricultural uses, farm worker housing, and urban-agricultural land use conflicts.
- The **Circulation Element** correlates closely with the Land Use Element, and identifies the general locations and extent of existing and proposed major thoroughfares, transportation routes, and alternative transportation facilities necessary to support a multi-modal transportation system. This element is intended to facilitate mobility of people and goods throughout unincorporated Colusa County by a variety of transportation modes, including bicycle, pedestrian, air and rail
- The **Community Character Element** (optional element) addresses community form, community design, and community character for the unincorporated County, including individual communities within the County.
- The **Conservation Element** addresses the conservation, the development, and use of natural resources, riparian environments, native plant and animal species, soils, mineral deposits, cultural/historical resources, air quality, and alternative energy. It also details plans and measures for preserving open space for natural resources and the managed production of resources.
- The **Economic Development Element** (optional element) Designed to support and enhance the County's economy through programs to create jobs and business opportunities, to help maintain the existing workforce, and to improve the business climate.
- The **Land Use Element** designates the general distribution and intensity of residential, commercial, industrial, agricultural, open space, public/quasi-public, and other categories of public and private land uses. The element's primary focus is to guide growth within and around the existing urban centers in Colusa County and conserve agriculture, open space, and natural resource lands. The Land Use Element includes the Land Use Map, which identifies land use designations for each parcel in the unincorporated County.
- The **Noise Element** establishes standards and policies to protect the community from the harmful and annoying effects of exposure to excessive noise levels. This element includes strategies to reduce land use conflicts that may result in exposure to unacceptable noise levels.

- The **Open Space and Recreation Element** addresses the preservation of open space for the managed production of resources, conservation of natural resources, and public health and safety related to open space and recreational opportunities. This element also includes provisions for improved and unimproved parks and recreational facilities throughout the County.
- The **Public Services and Facilities Element** sets forth standards for public service and utility systems including water, wastewater, solid waste, schools, medical facilities, libraries, parks, recreation, and historic preservation.
- The **Safety Element** establishes policies and programs to protect the community from risk associated with geologic, flood, and fire hazards, as well as setting standards for emergency preparedness.
- The **Implementation Element** identifies all of the action items and associated timing for implementation by various County departments or agencies during the life of the General Plan.

GOALS, OBJECTIVES, POLICIES, AND ACTIONS

Each element of the Colusa County 2030 General Plan Update contains a series of goals, objectives, policies, and action items. The goals, objectives, policies, and action items provide guidance to the County on how to direct change, manage growth, and manage resources over the 20-year life of the General Plan. The following provides a description of each and explains the relationship of each:

- A goal is a description of the general desired result that the County seeks to create through the implementation of the 2030 General Plan.
- An objective further refines a goal and provides additional specificity on how a goal may be achieved by the General Plan. Each goal may have one or more objectives.
- A policy is a specific statement that guides decision-making as the County works to achieve its goals and objectives. Once adopted, policies represent statements of County regulations. The General Plan's policies set out the standards that will be used by County staff, the Planning Commission, and Board of Supervisors in its review of land development projects, resource protection activities, infrastructure improvements, and other County actions. Policies are on-going and require no specific action on behalf of the County.
- An action is an implementation measure, procedure, technique or specific program to be undertaken by the County to help achieve a specified goal or implement an adopted policy. The County must take additional steps to implement each action item in the General Plan. An action item is something that can and will be completed.

DRAFT ENVIRONMENTAL IMPACT REPORT

The County of Colusa, as lead agency, determined that the Colusa County 2030 General Plan is a *project* within the definition of the California Environmental Quality Act (CEQA). CEQA requires the preparation of an environmental impact report (EIR) prior to approving any project that may have a significant impact on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378(a)).

An EIR must disclose the expected direct and indirect environmental impacts associated with a project, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and where feasible, minimize environmental impacts of proposed development, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

The Final Draft EIR was prepared according to CEQA requirements to evaluate the potential environmental impacts associated with the implementation of the General Plan for the unincorporated portion of Colusa County. The Draft EIR also discusses alternatives to the General Plan, and proposes mitigation measures that will offset, minimize, or otherwise avoid significant environmental impacts. The Draft EIR has been prepared in accordance with CEQA, California Resources Code Section 21000 et seq.; the Guidelines for the California Environmental Quality Act (California Code of Regulations, Title 14, Chapter 3); and the rules, regulations, and procedures for implementing CEQA as adopted by the County of Colusa.

COMMENTS RECEIVED ON THE DRAFT 2030 GENERAL PLAN

A total of five (5) comment letters were received that addressed the content of the 2030 General Plan. Comments were received from the following agencies and individuals:

1. California Department of Transportation (Caltrans)
2. Colusa Local Agency Formation Commission (LAFCO)
3. City of Colusa
4. Colusa County Resource Conservation District
5. Dennis Cook

As noted above, some of the comments received on the Draft 2030 General Plan resulted in proposed changes to the General Plan, which are shown in Appendix A of this staff report.

Appendix B of this staff report includes a copy of each of the comment letters received, followed by a written response to each of the comments raised in each letter. All of the comments received on the Draft 2030 General Plan are provided herein for the Board of Supervisors review and consideration.

COMMENTS RECEIVED ON THE DRAFT EIR AND PREPARATION OF THE FINAL EIR

During the public comment period for the Public Draft 2030 General Plan and Draft EIR, a total of six (6) comment letters were received that addressed the content of the Draft EIR. Comments were received from the following agencies (note: the letters received from Caltrans and LAFCO included comments on both the General Plan and the Draft EIR).

1. Central Valley Regional Water Quality Control Board
2. California Department of Transportation- Division of Aeronautics
3. California Department of Transportation (Caltrans)
4. Central Valley Flood Protection Board
5. Colusa LAFCO
6. City of Colusa

None of the comments received on the Draft EIR challenged the adequacy of the environmental analysis. All of the comments received on the Draft EIR are included in the Final EIR, along with written responses to all comments.

PROPOSED CHANGES TO THE DRAFT 2030 GENERAL PLAN

In light of the comments received on the Public Draft 2030 General Plan and Draft EIR from interested agencies and members of the public, staff and the consultant team have prepared a series of minor changes proposed for the Goals, Objectives, Policies, and Actions contained in the Draft General Plan. Overall, these proposed changes are minor, and do not change the purpose or intent of the General Plan. In most cases, changes simply provide additional clarity to the intent of the General Plan. In other cases, changes were made to eliminate redundancy within the General Plan. None of the revisions proposed to the Draft General Plan would change the environmental analysis and conclusions in the Draft and Final EIR nor would any of the changes result in new significant environmental impacts not disclosed in the Draft EIR.

Appendix A of this staff report includes a summary of all changes proposed to the Draft 2030 General Plan. As explained further in this appendix, new or additional text added to the General Plan is shown in underline format, while deleted or removed text is shown in ~~strikethrough format~~.

FINAL EIR

The Final Environmental Impact Report (FEIR) for the Colusa County 2030 General Plan project has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that an FEIR consist of the following:

- The Draft Environmental Impact Report (Draft EIR) or a revision of the draft;
- Comments and recommendations received on the Draft EIR, either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- The responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- Any other information added by the lead agency.

In accordance with State CEQA Guidelines Section 15132(a), the Draft EIR is incorporated by reference into the Final EIR.

The Colusa County Board of Supervisors will review and consider the Final EIR. If the County finds that the Final EIR is adequate and complete, the Board of Supervisors may certify the Final EIR in accordance with CEQA. The rule of adequacy generally holds that an EIR can be certified if:

- 1) The EIR shows a good faith effort at full disclosure of environmental information; and
- 2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

Upon review and consideration of the Final EIR, the Colusa County Board of Supervisors may take action to approve, revise, or reject the project. A decision to approve the Colusa County 2030 General Plan, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring and Reporting Program would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. The Mitigation Monitoring and Reporting Program has been designed to ensure that these measures are carried out during project implementation, in a manner that is consistent with the EIR.

MITIGATION MONITORING AND REPORTING PROGRAM

The Draft General Plan has been prepared to be a self-mitigating document. The policies and actions provided in the Draft General Plan provide mitigation for potentially significant and significant environmental impacts, to the extent feasible. No additional mitigation is available, as described in the Findings of Fact. The annual report on general plan status required pursuant to the Government Code will serve as the monitoring and reporting program for the project.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATION

The California Environmental Quality Act (CEQA) requires Colusa County, as the CEQA lead agency to: 1) make written findings when it approves a project for which an environmental impact report was certified, and 2) identify overriding considerations for significant and unavoidable impacts identified in the EIR.

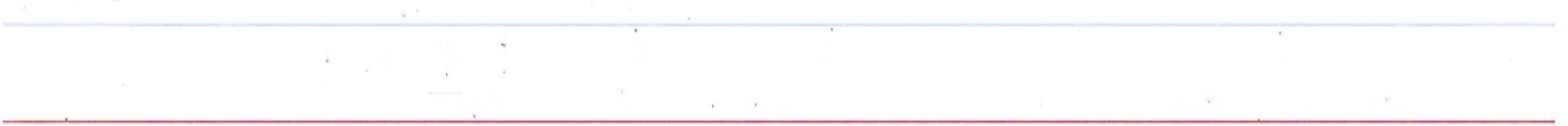
The findings explain how the County, as the lead agency, approached the significant and potentially significant impacts identified in the environmental impact report prepared for the Colusa County 2030 General Plan (the Project). The statement of overriding considerations identifies economic, social, technological, and other benefits of the Project that override any potentially significant environmental impacts that would result from the Project.

ACTIONS FOR CONSIDERATION

Staff recommends that the Board of Supervisors take the following actions:

1. Receive an update on the comments received during the public review period for the Draft General Plan and the Draft General Plan EIR.
2. Review and consider the information provided in the Draft EIR and Final EIR.
3. Review and consider proposed changes to the Draft General Plan Goals, Objectives, Policies, and Actions.
4. Certify as adequate the Final EIR for the General Plan.
5. Adopt the Findings of Fact and Statement of Overriding Considerations prepared for the General Plan EIR.
6. Approve the General Plan update, as amended herein.

Appendix A: Proposed General Plan Changes



The following provides a summary of changes that are proposed to the Goals, Objectives, Policies and Actions contained in the Public Draft General Plan following the public review and comment period.

Each Element of the General Plan is identified, followed by a summary of the changes proposed within each Element. Added text is shown in underline format, and deleted text is shown in ~~strikethrough~~ format.

In addition to the changes shown below, a sentence will be added to the introductory paragraphs of each element to clarify whether the element is required or optional under State law.

Introduction

Interpreting the General Plan

In reading the provisions of the General Plan, one should infer that the goals, objectives, policies, and actions are limited to the extent that it is financially feasible and appropriate for the County to carry out various actions and to the extent legally permitted by state and federal law. For example, policies and actions that indicate that the County will “provide,” “support,” “ensure,” or otherwise require or carry out various policies do not indicate an irreversible commitment of County funds or staff resources to those activities, but rather, that the County will support such actions when the County deems that it is financially feasible and appropriate. In some cases, the County will carry out various policies and actions by requiring development, infrastructure, and other projects to be consistent with the policies and actions of the General Plan. In other cases, the County may include General Plan items in the Capital Improvement Program, annual budget, or other implementation mechanisms, as the County deems appropriate.

Agriculture Element

Policy AG 1-2: Lands designated for agricultural uses shall remain designated for agriculture and not be rezoned or redesignated to an urban use unless all of the following criteria are met:

- a. The lot(s) for which conversion is requested is adjacent to agriculture or agricultural support uses (e.g. receiving plants, hulling plants, warehousing, trucking, distribution, and other related activities.) on no more than two sides of the lot(s) or less than 50 percent of the perimeter of the lot(s) proposed for conversion.
- b. The conversion will not be detrimental to existing agricultural operations.

Appendix A – Proposed Changes to the Draft General Plan

- c. The conversion land is within 500 feet of existing urban infrastructure (e.g., water supply lines and sewer lines) and conversion will constitute a logical contiguous extension of a designated urban area.
- d. The lot(s) proposed for conversion include a buffer at the agricultural/urban transition zone to protect future users of the conversion lands from nuisances associated with typical agricultural practices.
- e. No feasible alternative location (e.g., non-agricultural lands or less productive agricultural lands) exists.
- f. The use would not have a significant adverse effect on existing or potential agricultural activities on surrounding agricultural lands.

Policy AG 1-3: Land divisions that separate a residence ~~farmer's home~~ or an agricultural processing facility from the agricultural land shall be prohibited, unless the lot split meets the minimum lot size requirement of the zoning district.

Policy AG 1-14: Resource conservation activities such as habitat creation and active habitat or species management on lands designated for agricultural uses shall require a General Plan Amendment to Resource Conservation unless all of the following conditions are met:

- a. The resource conservation activities involve active and on-going agricultural activities on the majority of the site.
- b. The resource conservation activities are compatible with agricultural activities on the site and existing or potential agricultural activities in the vicinity.
- c. There would not be a concentration of resource conservation lands in the immediate area.

~~If the above conditions are met, the resource conservation activities shall require a Conditional Use Permit.~~

~~**Policy AG 1-15:** Habitat management without active and ongoing agricultural activities is not considered an agricultural use, and shall require a General Plan Amendment to designate such lands Resource Conservation (RC).~~

Action AG 1-D: Amend the zoning ordinance to include specific agricultural buffer requirements for residential and sensitive land uses (such as schools, day care facilities, and medical facilities) that are proposed within 500 feet of agricultural lands in order to protect existing agricultural operations from encroachment by incompatible uses. Buffers shall generally be defined as a physical separation of 100 to ~~500~~ 200 feet, depending on the land use, and/or may be, or include, a topographic feature, roadway, bike/pedestrian path, a substantial tree stand, a maintained greenbelt, water course or similar feature. In some circumstances a landscaped berm may provide the buffer. The buffer shall occur on

Appendix A – Proposed Changes to the Draft General Plan

the parcel for which a permit is sought and shall favor protection of the maximum amount of agricultural land.

Policy AG 2-11: Assist landowners ~~farmers~~ in resolving water rights, water delivery, and water supply issues with other agencies such as the California Department of Fish and Game, the U.S. Army Corps of Engineers, the U.S. Bureau of Reclamation, and the California Department of Water Resources.

Policy AG 2-16: Promote wildlife-friendly farm practices, such as tailwater ponds, native species/grasslands restoration in field margins, hedgerows, ditch management for riparian habitat, and restoration of riparian areas in a manner consistent with ongoing agricultural activities, water delivery systems, reduction of pesticides, and other appropriate measures.

Action AG 2-F: Coordinate with irrigation districts to identify cost-effective and feasible Best Management Practices for the application and use of water resources that address the range of agricultural activities in Colusa County. Work with entities such as the irrigation districts, Agricultural Commissioner, UC Extension Office, the Colusa County Resource Conservation District, and the Natural Resources Conservation Service to distribute Best Management Practices information to agricultural operations in the County.

Circulation Element

Policy CIRC 1-5: Maintain LOS C or better for County roadways and intersections in the unincorporated County. ~~except as specified below:~~

Policy CIRC 1-11: Require new development to: 1) finance and construct all off-site circulation improvements (including safety improvements) necessary to mitigate a project's transportation impacts to local roads, consistent with the policies of the General Plan; and 2) to analyze traffic impacts on the regional transportation system and require a fair-share contribution necessary to mitigate significant impacts to regional transportation improvements where a financing plan or other mechanism has been adopted to ensure the full funding and construction of improvements. Right-of-way dedication should be requested as a condition of a proposed new or widened major or minor collector."

Action CIRC 1-C: Establish a County transportation impact fee program that addresses impacts to Countywide transportation facilities and establish or update community-level fee programs to address impacts to local roadways in communities projected to accommodate the majority of growth in the next 5-10 years, including Arbuckle, Maxwell, and the unincorporated areas around Colusa and Williams. The program should address: timely construction of necessary improvements to accommodate existing needs and projected growth, a stable source of funding for necessary road improvements, and that new development pays for its fair share of impacts to local facilities, ~~and~~ regional facilities, and interchanges on the State Highway System.

Policy CIRC 1-43: Encourage Caltrans to clear or prevent weed growth and to perform drainage and culvert maintenance along the shoulders and in the median of Interstate 5, State Route 20, and State Route 45 to avoid potential fire hazards.

Policy CIRC 1-44: Coordinate with state and federal agencies that own and maintain roadways in Colusa County to ensure adequate access to forest lands and recreation areas within the County that are not accessible by County-maintained roads.

Policy CIRC 2-8: Support access and navigational improvements and facilities on/adjacent to the Sacramento River, ~~and East Park Reservoir, Stony Creek, and other~~ waterways that encourage commercial fishing, tourism, recreation, and improve boating safety.

Community Character Element

Policy CC 2-24: The use, expansion and development of private or mutually owned water and wastewater systems serving large-scale commercial and industrial land uses or multiple users shall be supported within the Sphere of Influence, provided that the systems meet the requirements outlined in Policy PSF 1-26 and all applicable State regulations.

Policy CC 2-25: Encourage urban residential development within the City's Sphere of Influence to connect to municipal sewer and wastewater service and discourage the use, expansion and development of private or mutually owned water and wastewater systems serving residential uses within the Sphere of Influence.

Policy CC 2-27: Encourage improvements, expanded access, and increased recreational opportunities along the Sacramento River and at the Colusa-Sacramento State Recreation Area Boat Landing.

Policy CC 2-64: If adequate water and sewer capacity can be identified, encourage the exploration of the potential for the vicinity (Stonyford, Lodoga, Century Ranch, or East Park Reservoir area) to accommodate a regional retreat ~~conference~~ and lodging or camping facility that capitalizes on the area's forest and wildlife resources and outdoor experiences.

Conservation Element

Policy CON 1-1: Maintain ~~ample~~ areas of land designated Resource Conservation (RC).

Policy CON 1-2: Use conservation and open space easements, tax incentives, and other tools to:

- a. Protect, restore, and enhance the County's significant natural resources.
- b. Maintain established ~~Reduce premature conversion of~~ resource conservation lands around community areas.
- c. Provide linkages between natural resource areas.

Policy CON 1-3: Lands that are actively managed or placed under conservation easement for habitat, wetlands, species, or other natural resource or open space preservation or conservation shall be limited to lands designated Resource Conservation (RC), unless the conditions identified in Policy AG 1-14 are met. ~~Conservation easements, habitat mitigation banks, and other resource conservation activities must meet all of the criteria specified in Policy OSR 1-4.~~

Habitat and/or wildlife easements proposed in Colusa County for the loss of open space or habitat in other jurisdictions will not be recognized and are not acceptable unless the easement meets all of the following criteria:

- Prior notification to Colusa County;
- Consistency with the goals and policies of the Colusa County General Plan, particularly as related to planned growth, infrastructure, and agricultural preservation;
- Compensation to Colusa County for all lost direct and indirect revenue;
- Compatible with neighboring land uses;
- Located outside of urban and urban reserve areas;
- Secured water rights and infrastructure to economically maintain the proposed mitigation use;
- Requirements that existing agricultural operations continue to be farmed for commercial gain on Agriculture designated parcels;
- Requirements that habitat management practices do not adversely impact adjacent agricultural operations;
- Prioritize purchase of mitigation credits by local developers; and
- Accommodation of recreational uses or public access, where appropriate.

Policy CON 1-4: Encourage conservation, rather than preservation, through the ~~sustainable use and active~~ management of natural resources, including wildlife, water, air, minerals, forests, and land. Conservation and management techniques include replacing trees, crops, and other renewable resources at a pace that ensures they are not consumed more quickly than they can be replaced; use of non-renewable resources in a manner that ensures the resources are not depleted but available to future generations for use; strategic forest thinning and fuels management to prevent wildfires; making resource areas accessible to the public while protecting resources from being diminished to non-recoverable levels; reducing incompatible wildlife/agricultural interface; and increasing public understanding and responsible sustainable use of resource conservation areas.

Policy CON 1-7: ~~Conserve~~ Preserve and enhance those biological communities that contribute to the County's rich biodiversity including, but not limited to, blue oak woodlands, annual grasslands, mixed chaparral, pine woodlands, wetlands, riparian areas, aquatic habitat, and agricultural lands.

Action CON 1-A: ~~Work with federal and state agencies to Identify lands within the County that are suitable for resource conservation and develop resource conservation management guidelines that address impacts to the County and provide protections for adjacent land uses and agricultural operations, including addressing the standards identified in Policy CON 1-30S-1-5.~~

Policy CON 1-16: Require new development projects to incorporate measures that eliminate or avoid direct impacts to lakes, reservoirs, rivers, creeks, streams, wetlands, and other waterways to the greatest extent feasible. Measures may include, but are not limited to, appropriate setbacks or the implementation of best management practices approved by the Department of Planning and Building.

Policy CON 1-35: Encourage the use of water conservation measures, including low flow plumbing ~~that exceeds state requirements~~; reclaimed wastewater for non-potable uses; dual plumbing that allows grey water from showers, sinks, and washers to be reused for landscape irrigation in new developments; and native and drought-tolerant landscaping.

Policy CON 2-2: Encourage the development of large-scale commercial energy projects that utilize renewable sources such as solar, wind, biomass, and agricultural byproducts.

Policy CON 2-3: Allow commercial alternative energy facilities, including solar, wind and biomass in the Agriculture General, Agriculture Upland, Industrial, Forest, and Resource Conservation land use designations with a Conditional Use Permit.

Policy CON 2-5: Encourage the use of ~~sustainable design and green building~~ and design practices in new development, infrastructure, large-scale planning, and rehabilitation projects.

Policy CON 2-15: Improve air quality through continuing to require a compact development pattern that focuses growth in and around existing communities, locating new housing near places of employment, encouraging alternative modes of transportation, and requiring projects to mitigate significant air quality impacts to the extent feasible.

Policy CON 2-20: Ensure that agricultural burning and fuel management burning is conducted in a manner that does not pose public significant health risks.

Policy CON 2-22: Encourage the extraction and processing of sand and gravel to support economic vitality and ensure an adequate supply of aggregate resources. Ensure that such activities are conducted in an environmentally sensitive manner, comply with all applicable local, state and federal permits, and do not result in significant adverse impacts to surrounding land uses or sensitive natural resources.

Policy CON 2-26: Require large and small scale mineral and natural gas extraction, processing, and reclamation operations to obtain a Conditional Use Permit, and ensure that to be limited to lands designated Resource Conservation, except mineral extraction, processing, and accessory uses may be conditionally permitted on lands not designated Resource Conservation, provided such activities do not adversely impact wildlife, water, agriculture, aesthetics, flood control and other social or environmental factors.

Economic Development Element

~~**Policy ED 2-3:** Explore creation of a Redevelopment Agency and establishment of redevelopment areas in order to encourage private investment in distressed areas of the County and communities and to provide a method and funding source for increasing funding for commercial and industrial development, downtown improvements, rehabilitation of existing businesses, and expansion of public services and amenities.~~

~~**Action ED 2 A:** Consider creation of the Colusa County Redevelopment Agency. If the Colusa County Redevelopment Agency is formed, the Redevelopment Agency will:~~

- ~~1. Conduct a Redevelopment Study to survey potential areas for redevelopment potential and suggest boundaries of potential redevelopment project areas. It is recommended that the study address the redevelopment potential for the unincorporated area adjacent to Colusa, the community of Arbuckle and nearby industrial areas, and the community of Maxwell and nearby industrial areas.~~
- ~~2. Adopt Redevelopment Project Area(s).~~
- ~~3. Prepare a Redevelopment Plan and Five Year Implementation Plan.~~

Policy ED 2-3: Encourage the U.S. Forest Service to include an evaluation of economic impacts to Colusa County for projects proposed within Colusa County. This analysis should be included in the Schedule of Proposed Actions (SOPA) published by the U.S. Forest Service.

Land Use Element

Policy LU 1-2: Assign the following range of land use designations throughout the County, as shown in the Land Use Map (Figure LU-1) and described in more detail in Table LU-1:

...

Designated Floodway

The Designated Floodway (DF) designation is applied to lands that have been designated as floodways by the Central Valley Flood Protection Board~~State Reclamation Board~~.

Areas between the Sacramento River and the levees are included, as well as the Colusa Bypass between the Sacramento River and Butte Creek.

Forest Lands

The Forest Lands (FL) designation identifies lands within the Mendocino National Forest. This designation includes publicly and privately owned lands. Forest Lands are appropriate for a range of recreational activities, as well as residential development at very low densities. Land divisions and low intensity development within the Forest Lands designation are acceptable, provided there is adequate access, fire protection, water availability~~well-capability~~, and septic capability. ...

Policy LU 1-6: Ensure that jobs are created concurrent with housing through requiring a reasonable ongoing balance between new housing and jobs and/or other mechanisms to encourage housing to stay balanced with job creation through buildout of the area. At the discretion of the ~~County Department of Planning and Building~~, significant new residential development proposals may be required to demonstrate that project approval would not result in a jobs-housing imbalance.

Policy LU 1-11: Make land use decisions that promote compact communities, generally filling in gaps of vacant and underutilized land between already developed areas before growing outward.

Policy LU 1-13: Where lands are adjacent to a City or an existing service district, it is preferable that the lands be annexed by the City or the service district to receive services, rather than the formation of a new service district. Only support the creation of new service districts and other mechanisms that will accommodate planned land uses and densities in pre-existing subdivided rural communities such as Century Ranch and College City.

Policy LU 1-15: To conserve open space and agricultural lands outside of planned urban areas and provide the efficient use of public services, make land use decisions that reinforce the cultural and economic viability~~sustainability~~ of unincorporated community centers of the County, including Arbuckle, College City, Grimes, Maxwell, Princeton, and Stonyford.

Policy LU 1-18: Require all applicants for specific plans, master plans, and other large-scale development projects, to demonstrate a commitment to provide public service connections as part of the environmental review process.

Action LU 1-F: Provide land use and development proposals for proposed projects that are either located within the sphere of influence or within ~~one mile of the~~ respective city boundary of areas of concern or interest, as designated and adopted by LAFCO for the Cities of Colusa or Williams to the appropriate city's Planning Department for review and comment.

~~**Policy LU 1-24:** Discourage annexation of land outside the spheres of influence of Williams and Colusa. Encourage LAFCO and the cities to review sphere of influence boundaries every five years to determine if boundary amendments should be considered.~~

Appendix A – Proposed Changes to the Draft General Plan

Policy LU 1-27: Require that development agreements, tribal agreements, memoranda of understanding, conservation easements, and other similar arrangements add community value by securing “net” public benefits to Colusa County over and above CEQA mitigation requirements and conditions of approval.

Policy LU 2-5: Require lands designated Agriculture General, Agriculture Transition or Agriculture Upland to remain designated for agricultural use, including businesses or uses that directly support County agricultural activities, for at least the duration of the planning period, with the exception of lands redesignated consistent with the requirements of Policy LU 1-6.

Action LU 2-A: When preparing a second unit ordinance in accordance with Housing Element Program 3-5, identify maximum unit size, location, and minimum parcel size (consistent with the land use designation requirements) limitations for second units on agricultural (A-G, A-T, A-U, U-T) parcels to ensure that the second unit does not encourage a future parcel split or reduce the area of land available for agricultural and farming use. The ordinance shall require that second units are proximate to the primary unit and, where feasible, connect to the water and wastewater/septic system serving the primary residence (e.g., no new wells or septic systems shall be created to serve the second unit.) The applicant shall demonstrate that the existing water and wastewater systems have adequate capacity to serve the second unit.

Specific Plan Areas

The following policies (LU 3-8 through LU 3-10) were developed to address specific land use change requests that were submitted by property owners during the General Plan Update process.

Policy LU 3-10: Require the preparation of a comprehensive and detailed Specific Master Plan for development of each of the Specific Master Plan Areas east and west of State Route 45 in Princeton. In addition to meeting all applicable State requirements for a Specific Master Plan, the Specific Master Plan shall include:

- Demonstration of adequate water and wastewater capacity to serve the Specific Plan Area.
- Ensure that off-site infrastructure improvements are adequately sized to meet the needs of the community.
- A circulation network ~~consisting of streets oriented in a grid system~~ that provides connectivity to other areas of the community, with preference given to streets oriented in a grid system.
- Parks shall be integrated into the site plan.
- The area to the west of State Route 45 shall include community-serving retail components at the intersection of SR 45 and Spencer Road.

Policy LU 3-11: Require development proposals for lands designated Urban Reserve Area to request a General Plan Amendment to the proposed use. The General Plan Amendment shall require the following findings:

- The majority of adjacent designated urban residential and commercial lands has been built out or has received land use entitlements necessary ~~is planned~~ for build out,
- Urban services (water, wastewater, storm drainage, utilities, and roads) have been extended or planned to be extended to the lands proposed for a General Plan Amendment,
- Adequate flood control measures are in place,
- The amendment would not create an island of urban uses in a rural, agricultural, or open space area,
- The amendment would not result in leapfrog development patterns, and
- A master plan or specific plan has been, or is in the process of being, prepared for the lands proposed for a change in land use designation.

Policy LU 3-17: Ensure that zoning and land use designations at the Interstate 5 freeway interchanges at Arbuckle, Maxwell, and the unincorporated area near Williams are used for highway-oriented commercial use. These uses, which include hotels, restaurants, and service stations, should be oriented to interstate travelers, tourists, and visitors to the County's various open space recreation and agricultural opportunities. Development at these interchanges should be planned to minimize traffic and safety hazards on local streets and regional transportation facilities to the extent feasible.

Action LU 3-1: Update the County's GIS database to include maps showing the location of existing wetland and conservation easements within the County. Once all areas of wetland and conservation easements have been identified, consider amending the General Plan Land Use Map and Zoning Map to designate parcels with wetland and conservation easements that exist in perpetuity to Resource Conservation.

Action LU 4-A: When the final boundaries for the proposed Sites Reservoir are determined and approved by the California Department of Water Resources, develop a Sites Area Plan to guide land uses in the Sites Reservoir Area. The plan shall include policies and actions to promote the economic and social ~~viability~~sustainability of the area and shall designate a variety of land uses. Land uses in the plan shall include provisions for active and passive recreation, limited commercial uses oriented toward recreation and tourism, viewing points of the main scenic areas of the reservoir and any bridges, and seasonal housing and campgrounds in the areas immediately adjacent the reservoir. Additionally, the plan shall ~~identify~~accommodate agricultural land to accommodate the needs of existing landowners and farmers and habitat land for displaced species. Access,

noise, water, wastewater, and emergency services shall be considered in the designation of land uses.

Action LU 4-B: Actively participate in the Sites Project Joint Powers Authority, and any other state and regional entities formed to plan and develop the Sites Reservoir. Ensure that the County's needs for a range of land uses, adequate and convenient access to existing parcels, habitat for plants, wildlife, and special-status species, adequate and convenient access to communities (Lodoga, Stonyford, etc.), and recreation and tourist opportunities are addressed and that measures to promote the economic and social ~~viability~~sustainability of the area and to reduce adverse noise, traffic, and other adverse impacts are identified and implemented.

Noise Element

Action N 1-D: Review new development and long-term planning projects, including the Zoning Code Update, for conformity with the County's Airport Safety and Noise land use criteria, as identified in the Colusa County Airport Comprehensive Land Use Plan (CLUP).

Open Space and Recreation Element

~~Policy OSR 1-4: Habitat and/or wildlife easements proposed in Colusa County for the loss of open space or habitat in other jurisdictions will not be recognized and are not acceptable unless the easement meets all of the following criteria:~~

- ~~• Prior notification to Colusa County;~~
- ~~• Consistency with the goals and policies of the Colusa County General Plan, particularly as related to planned growth, infrastructure, and agricultural preservation;~~
- ~~• Compensation to Colusa County for all lost direct and indirect revenue;~~
- ~~• Compatible with neighboring land uses;~~
- ~~• Located outside of urban and urban reserve areas;~~
- ~~• Secured water rights and infrastructure to economically maintain the proposed mitigation use;~~
- ~~• Requirements that existing agricultural operations continue to be farmed for commercial gain;~~
- ~~• Requirements that habitat management practices do not adversely impact adjacent agricultural operations;~~

Appendix A – Proposed Changes to the Draft General Plan

- ~~Prioritize purchase of mitigation credits by local developers; and~~
- ~~Accommodation of recreational uses or public access, where appropriate.~~

~~Policy OSR 1-5: Open space that is actively managed or placed under conservation easement for habitat, wetlands, or species preservation or conservation shall be restricted to lands designated Resource Conservation (RC).~~

Policy OSR 2-2: Require a clear, coordinated system of signage for any new or modified equestrian, hiking, OHV or bicycling trails ~~or modification of an existing trail~~, with priority given to well-used or linked trail systems.

Policy OSR 2-8: Require dedication of public access by fee or easement from a public roadway to a public-use recreational stream, public lakes, and major reservoirs as a condition of approval for development projects ~~major subdivisions~~ adjacent to such features if: 1) the project blocks an existing public access point or it results in the need for additional access, and 2) other reasonable access to the public-use recreational waterway is not available.

Action OSR 2-A: Develop a countywide outdoor recreation plan to link various outdoor recreation areas, including waterways, lakes, reservoirs, parks, wildlife refuges, and the Mendocino National Forest, to communities as well as to specific access points proximate to major roadways. The plan should address the following:

- Existing and potential recreation areas;
- Existing and potential routes for walking, hiking, horseback riding, and mountain biking opportunities and specify access points to each outdoor recreational area;
- Trail linkages between established communities, such as Arbuckle, Maxwell, Grimes, Princeton, College City and the cities of Colusa and Williams;
- Connections to the various recreation areas where feasible;
- Unified Countywide signage to identify recreation opportunities. ~~areas and equestrian, hiking, or bicycling trails.~~

The outdoor recreation plan will serve as a plan for securing lands for a countywide recreation and trail system and funding the acquisition and maintenance of recreation areas and trails. This plan shall be developed in conjunction with the Bicycle and Pedestrian Master Plan (Policy CIRC 1-1).

Policy OSR 2-11: Support development of ~~a new~~ off-highway vehicle (OHV) parks and trails at appropriate locations.

Policy OSR 2-16: Require future water development projects, including reservoirs, marinas, and water-front developments, to include provisions for public access to the water and shoreline areas to the greatest extent feasible, without compromising private property rights.

Policy OSR 2-17: ~~Encourage~~ Require future forest recreation projects to include provisions for public access and a range of amenities, ~~such as including~~ off-highway vehicles, hiking trails, drive-in campgrounds, and hike-in campgrounds, to serve a variety of visitors.

Policy OSR 3-6: New parks and park rehabilitation projects should ~~incorporate sustainable design and construction measures such as providing~~ include recycling and composting facilities, and use of local native plants and local materials to the greatest extent feasible.

Public Services and Facilities Element

Policy PSF 1-20: New residential development on parcels smaller than two acres shall be required to connect to a municipal wastewater system. The use of septic systems on residential parcels two acres and smaller shall be prohibited, with the exception of existing lots in Century Ranch which must demonstrate that any on-site septic system, either on its own or in combination with existing and planned septic systems on other lots in the subdivision, will not have an adverse effect on the environment.

Action PSF 1-P: Update the County Code to ~~create a new~~ revise the septic system permit process ~~that to~~ includes site specific evaluation criteria and construction performance standards. Standards will include measures to protect the water supply and public health, including, appropriate densities to ensure that effluent from separate parcels is not combining or resulting in an adverse cumulative effect or impacts to groundwater associated with septic seepage. At the preliminary review stage, projects shall demonstrate to the satisfaction of the County Department of Environmental Health, feasibility to accommodate a septic system that meets all applicable water quality standards.

Action PSF 1-Q: ~~Restrict the development of new septic systems in areas that are prone to flooding or that have a seasonal high water table and/or water seepage problems.~~

Policy PSF 3-1: Support the continued use of automatic and/or mutual aid agreements between Rural Fire Protection Districts, City Fire Departments, the California Department of Forestry (CalFire), and the U.S. Forest Service and other emergency medical service providers.

Policy PSF 5-6: ~~Encourage~~ Support consolidation of special districts and/or responsibilities ~~to~~ whereas increases in efficient public services are feasible and redundancy is eliminated, and avoid redundancy.

Policy PSF 5-7: The Department of Planning and Building and the Department of Public Works should coordinate with LAFCO during the preparation of Municipal Service Reviews and Sphere of Influence Updates to address coordinated public service and infrastructure planning.

Safety Element

Policy SA 1-23: Support and participate in planning efforts undertaken at the regional, state and federal level to improve flood management facilities throughout the County, particularly along the ~~western~~ banks of the Sacramento River.

Policy SA 1-34: Require new structures to be located outside of the 100-year floodplain to the greatest extent feasible. Exceptions may be made for agricultural structures that would not significantly impede flood waters or result in significant water quality impacts during a storm event.

Policy SA 1-35: Encourage and accommodate multi-benefit ~~multipurpose~~ flood control projects that incorporate recreation, resource conservation, preservation of natural riparian habitat, and scenic values of the County's streams, creeks and lakes. Where appropriate and feasible, the County shall also encourage the use of flood and/or stormwater retention facilities for use as groundwater recharge facilities.

Action SA 1-AA: *Revise the County's road standards to require new public roads in high and very high Fire Hazards Severity Zones to be of sufficient grade, radius and width to allow access by fire-fighting vehicles. The applicable fire protection agency shall be consulted as part of the development review process regarding fire protection and the design of new roads in these Fire Hazard Severity Zones.*



Appendix B: Comments on the Draft General Plan and Responses to Comments

Please see Appendix B for comments on the Draft General Plan. The following table is a summary of the comments received on January 14, 2015, by Collier County Planning Commission (CCPC) regarding the Draft General Plan. The table lists the comments received, the response to the comments, and the status of the comments.

Table B-1: Summary of Comments and Responses. The table lists the comments received, the response to the comments, and the status of the comments.

Comments received on the Draft General Plan include comments on the Draft General Plan, the Draft General Plan, and the Draft General Plan. The following table is a summary of the comments received on January 14, 2015, by Collier County Planning Commission (CCPC) regarding the Draft General Plan. The table lists the comments received, the response to the comments, and the status of the comments.

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COLUSA COUNTY RESOURCE CONSERVATION DISTRICT

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January 20, 2012

Steve Hackney
Colusa County Department of Planning and Building
220 12th Street
Colusa, CA 95932

Dear Steve:

Please see comments below regarding the Colusa County 2030 Draft General Plan. *Please note: this is a follow-up to the comments submitted on January 13, 2012 by Colusa County Resource Conservation District (CCRCD) employee, Mary Fahey. Although the comment period deadline has passed, the Board of Directors of the CCRCD wish to submit this letter to show Board support for the following comments.*

Pg. 2-4: Policy AG 1-14: This policy states that any resource conservation activity on agricultural land requires a General Plan Amendment or at the very least a Conditional Use Permit.

Problem: Resource conservation is essential for healthy soil, water, air, plants, animals and humans. The Colusa County Natural Resources Conservation Service (NRCS) and The Colusa County Resource Conservation District (RCD) are present to ensure that resource conservation is active in the county. Many private landowners throughout Colusa County are engaged in conservation activities either through the above-mentioned agencies or on their own. This policy would devastate the health of the land, and would be detrimental to agriculture and human health. There may be some confusion as to the definition of resource conservation and this should be clarified in the Plan.

Pg 5-2: Policy CON 1-3: Lands managed or under conservation easement for habitat, wetlands, or other...are limited to lands designated Resource Conservation (RC).

Problem: The only lands designated RC are the refuges and federally managed and remote areas in the rangeland. This is severely limiting. There are existing programs that give landowners an opportunity to utilize marginal farm land for habitat restoration. A prime example is NRCS's Wetlands Reserve Program:
<http://www.ca.nrcs.usda.gov/programs/wrp/index.html>

Programs like this help some growers stay in business by providing a source of income from land that is not optimal for production (and not designated RC). Also, there are existing lands under easement outside of the RC designated lands.

Pg. 5-11: CON 2-22: Extraction and processing of sand and gravel

Problem: Please clarify from where - does this mean out of local creeks/streams? That action requires permits and can be detrimental to stream function, cause flooding and erosion, etc.



COLUSA COUNTY RESOURCE CONSERVATION DISTRICT

Pg. 5-11: Policy 2-26: Requires mineral and gas extraction activities to be limited to RC lands.

Problem: The only lands designated RC are the refuges and federally managed and remote areas in the rangeland. Gas extraction occurs in many areas throughout the county. Gas and mineral extraction are not complimentary to resource conservation.

Pg. 8-29: Action LU 3-H: Create a Resource Conservation Zoning District

Question: What would this District do? If it is to regulate conservation activities, this will be harmful to the landscape.

Pg. 10-3: Policy OSR 1-5: Open space managed or under conservation easement for habitat, etc. shall be limited to lands designated Resource Conservation (RC).

Problem: (Same as Policy CON 1-3) The only lands designated RC are the refuges and federally managed and remote areas in the rangeland. This is severely limiting.

Easements already exist outside of the proposed RC areas, and in certain circumstances, such as marginal farmland, easements are beneficial. Agreed – they should not affect neighboring agricultural operations.

The policies regarding resource conservation and conservation easements in the Agriculture element and the Open Space element should be revised. These draft policies and actions are written in such a way that it will be nearly impossible to practice good land stewardship in Colusa County. There are also some contradictions throughout the plan with some policies encouraging conservation while others require General Plan Amendments. The emphasis should be on ensuring that conservation projects do not affect agricultural operations, not on eliminating resource conservation, habitat easements and open space easements.

We also find that the Resource Conservation zoning designation is unnecessary. Again, it applies only to federally-owned land, and perhaps (difficult to tell from the map) some privately-owned remotely located lands. There should be no discussion on what the County can and cannot do on federal land.

Thank you for your consideration of these comments. Please feel free to contact me if you have any questions.

Sincerely,

Jay Dee Garr, President
Colusa County Resource Conservation District
100 Sunrise Blvd., Suite B, Colusa, CA 95912
530.458.2931 X117

CC:

Colusa County Board of Supervisors
DeNovo Group

Colusa County Resource Conservation District

The primary concerns raised in the comment letter submitted by the Colusa County Resource Conservation District (RCD) on January 20, 2012 relate to the General Plan's treatment of Resource Conservation lands and how resource conservation activities such as active habitat management and the placement of conservation easements on parcels is treated in the General Plan.

Policy AG 1-14, Policy CON 1-3, and Policy OSR 1-5: RCD expresses concern that the General Plan policies, as currently written, would limit or curtail conservation activities and/or environmentally sensitive farming and land stewardship practices. RCD further states that there may be some confusion regarding the term "resource conservation."

Policy AG 1-14 was developed in response to the extensive input received from the public, the General Plan Steering Committee, the Planning Commission and the Board of Supervisors regarding the need to protect agricultural lands and agricultural resources within Colusa County. Concern regarding incompatibilities between extensive areas of active habitat management and adjacent farmlands was raised. This policy does not restrict or preclude the use of environmentally sensitive practices, nor does it prohibit or restrict the placement of conservation easements or habitat protection areas on parcels, provided the conditions outlined in Policy AG 1-14 are met. These conditions include:

- a. The resource conservation activities involve active and on-going agricultural activities on the majority of the site.
- b. The resource conservation activities are compatible with agricultural activities on the site and existing or potential agricultural activities in the vicinity.
- c. There would not be a concentration of resource conservation lands in the immediate area.

Most of the resource concentration activities that currently occur within Colusa County meet the requirements outlined above, and as such, would not require a change in General Plan land use designation to Resource Conservation.

It appears that RCD may have misunderstood the definition of resource conservation activities, as it relates to this policy set. This policy set does not restrict environmentally friendly farming practices or habitat preservation in any way, so long as these activities are compatible with farming and the primary use of the land for agricultural production. This policy would only apply to activities that would take significant areas of farmland out of production for the purposes of active habitat management (such as the creation of wetlands for mitigation banks, or the creation of an active habitat management area like the refuges). These types of activities have, and may continue, to impose hardships on adjacent agricultural

operations. By requiring a General Plan designation of Resource Conservation prior to the establishment of habitat preservation areas or conservation easements that may impact agricultural operations, the County is providing a mechanism that will allow the Planning Commission and Board of Supervisors to review individual applications and make a determination as to the potential extent and severity that the proposed conservation activity may have on nearby farming operations.

However, conservation activities that leave the majority of a site in agricultural production, or would not impact adjacent farming operations, do not require a Use Permit or a General Plan Amendment.

The topics of farmland preservation, resource conservation activities and habitat management are currently addressed in several Elements of the Public Draft General Plan. In order to provide clarity and ease of review, the consultant team is proposing to consolidate and combine these various policies to provide greater clarity and ease of review by the public and decision makers. The following provides a summary of these proposed changes:

- Policy AG 1-14 is revised to eliminate reference to a Conditional Use Permit.
- Policy AG 1-15 is deleted to reduce redundancy.
- Policy CON 1-3 is revised to now include a reference to the conditions specified in Policy AG 1-14, which provides additional clarity to this policy. Policy CON 1-3 is also combined with Policy OSR 1-4 to consolidate the discussions of this topic and to reduce redundancy and the need to cross-reference additional General Plan Elements.
- Policy OSR 1-5 is deleted to reduce redundancy.

Policy CON 2-22: RCD requested clarification regarding sand and gravel extraction from local creeks/streams as it relates to this policy.

This policy makes no mention of creeks and streams, and does not specifically relate to areas adjacent to creeks or streams. This policy is included in the General Plan to support the General Plan Objective of protecting mineral and natural gas resources. Minor changes have been made to this policy to ensure that mineral and gas extraction activities are conducted in an environmentally sensitive manner.

Policy CON 2-26: RCD noted that mineral extraction activities are not complimentary to resource conservation activities and that mineral resource extraction occurs in areas throughout the County.

This policy has been significantly re-worked, and has removed all references to RC lands. As revised, this policy requires that mineral resource and natural gas extraction activities obtain a Conditional Use Permit.

Action LU 3-H: RCD asked what a Resource Conservation Zoning District would do, and how it would regulate conservation activities.

Action LU 3-H calls for the creation of a Resource Conservation Zoning classification in the County's Zoning Code. While the existing 1989 and proposed 2030 General Plan both have an RC Land Use designation, there is not currently an implementing RC zoning classification to compliment and support this land use. The establishment of an RC Zoning District will further assist the County in the establishment and enforcement of performance standards for parcels designated RC by the General Plan, and will provide additional internal consistency between the General Plan and the Zoning Code. Staff and the consultant team recommend that this Action remain in the General Plan as-is.

DEPARTMENT OF TRANSPORTATION

DISTRICT 3

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January 13, 2012

032011COL0034

Colusa County DEIR/General Plan Update

SCH# 2011062052

Mr. Steven M. Hackney, AICP
Department of Planning and Building
County of Colusa
220 12th Street
Colusa, CA 95932

Dear Mr. Hackney:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) and the General Plan Update (GPU) for Colusa County. Our comments are as follows:

General Plan:Circulation Element:

- Page 3-3, Policy CIR 1-11: While we concur requiring new development to finance and construct all off-site circulation improvements necessary to mitigate a project's transportation impacts, it is unclear if this mitigation requirement includes the State Highway System (SHS) within the County. Please clarify.
- Page 3-4, Action CIR 1-C: While we applaud the County in this action measure to establish a County transportation impact fee program that addresses countywide transportation facilities and will require new development to pay for its fair share of impacts to local and regional facilities, it is unclear if this action includes SHS facilities in the County. We suggest adding the phrase, "including State Highway facilities", after the phrase, "regional facilities".
- Page 3.13-8: Policy CIRC 1-5 is incomplete. Please revise to include the unincorporated County exceptions.

Land Use Element:

- Page 8.25, Policy LU 3-17: This policy states "Ensure that zoning and land use designations at the Interstate 5 freeway interchanges at Arbuckle, Maxwell, and the unincorporated area near Williams are used for highway-oriented commercial use... Development at these interchanges should be planned to minimize traffic and safety hazards on local streets to the

"Caltrans improves mobility across California"

extent feasible." We suggest amending the phrase, "...on local streets...", to read, "...on local streets and Interstate 5 freeway interchanges...", or identify appropriate mitigation for the potentially impacted Interstate 5 interchanges.

DEIR:

Executive Summary:

- Page ES-11, Impact 3.13-3 and page ES-13, Impact 4.13: We disagree with the significant and unavoidable findings to the SHS facilities. Please refer to our specific comments on pages 3.13-21 and 4.0-14 below.

Section 3.13, Transportation and Circulation:

- Page 3.13-9, First paragraph: "San Joaquin County" should read "Colusa County".
- Page 3.13-21, Impact 3.13-3, Increased Traffic on State Highways and Facilities (significant and unavoidable), third and fourth paragraphs: Caltrans disagrees with the significant and unavoidable findings, which are based on the following three arguments: 1) "outside of the County's jurisdiction," 2) "no guarantee that full funding for the improvements will be available," and 3) "collection and administration of funding by the state." We disagree for the following reasons:
 - There are Plans (please refer to Caltrans Transportation Concept Reports) in place that identify needed improvements and proposed County policies and actions in the draft GPU provide for the preparation of a Nexus Study and Traffic Impact Mitigation Fee Program to collect development impact fees for both local and regional roadways, including State Highway facilities.
 - Speculation regarding the Caltrans budget is not valid under CEQA.
 - Based upon our information, there are no projects in Colusa County that are slated for State programming or allocation that could reasonably be subject to changes due to pending Caltrans budget changes.
 - The State does not have the legal authority to collect traffic impact mitigation fees. Local governments, however, have the authority to conduct a Nexus Study and establish a Traffic Mitigation Fee Program.
- Page 3.13-21, Impact 3.13-3, Increased Traffic on State Highways and Facilities (significant and unavoidable), fourth paragraph: Caltrans disagrees with the statements that "while the policies and actions in the 2030 General Plan would mitigate potential impacts to address the County's fair-share of the impacts, full mitigation of the impacts is beyond the County's control. Therefore, this impact would remain significant and unavoidable and no further mitigation is available." We are not requesting full mitigation of traffic impacts to the SHS facilities in Colusa County, rather that the County provide a fair share of the mitigation. In

view that the County will be preparing a Nexus Study establishing a Traffic Impact Mitigation Fee Program for local roads and the SHS, we believe that the finding of "significant and unavoidable" can be changed to "less than significant."

Section 4.0, Other CEQA – Required Topics:

- Page 4.0-14, Impact 4.13: Cumulative Impacts on the Transportation Network (Considerable Contribution and Significant and Unavoidable), paragraph 3: We disagree with the statements that, "while implementation of the of the policies and actions included in the 2030 General Plan are intended to either result in the direct construction of improvements to maintain acceptable level of service, or result in a fair-share funding toward roadway impacts on facilities, there is no guarantee that full funding for the identified improvements will be available when the improvements are needed. Therefore, this is considered a **cumulatively considerable and significant and unavoidable impact.**" This disagreement is based on the previously noted comment.

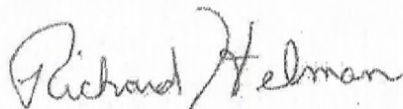
Notice of Preparation:

The following comments included in the Caltrans' letter dated July 30, 2011 (copy attached) were not adequately addressed:

- Request policy statement in the County's GPU stating that circulation network improvements to and operation of the SHS are a shared responsibility between Colusa County and Caltrans.
- Request to review the scope of the Traffic Impact Study before the Study begins.

Please provide our office with a copy of the Final Environmental Impact Report when available. If you have any questions concerning these comments, please contact the Colusa County IGR Coordinator, Nora Hogan at (530) 634-7799 or nora_hogan@dot.ca.gov.

Sincerely,



RICHARD HELMAN
Office of Transportation Planning – North

Attachment

Cc: Scott Morgan, State Clearing House

Caltrans

Policy CIRC 1-11: Caltrans concurred that new development should finance and construct offsite circulation improvements, and requested clarification if this policy applies to the State Highway System.

This policy has been revised to ensure that impacts to local (County) roads are addressed through construction of improvements and that impacts to the regional transportation system are addressed through a fair-share contribution, when appropriate.

Action CIRC 1-C: Caltrans applauded the County's steps to establish a transportation impact fee program, and suggested adding State Highway Facilities to the language in the Action.

Rather than specifically referencing the State highway system, which could result in limitations to address regional facilities, it is recommended that this action remain as worded.

Policy CIRC 1-5: Caltrans identified a typo in this policy.

This policy contained a typo, which has been corrected.

Policy LU 3-17: Caltrans suggested that this policy also address traffic and safety hazards at freeway interchanges.

A reference to minimizing traffic and safety hazards on regional transportation facilities was added to this policy.



CITY OF COLUSA

PLANNING DEPT.

425 WEBSTER ST. * COLUSA, CA 95932 * (530) 458-4740 * FAX (530) 458-8674

January 16, 2012

County of Colusa Building and Planning Department
Attention: Steve Hackney
220 12th Street
Colusa, CA 95932

Subject: City of Colusa comments applicable to the County of Colusa Draft General Plan and Draft EIR (November 21, 2011).

Dear Mr. Hackney,

The City of Colusa Planning Department has reviewed the Colusa County Draft General Plan and Draft EIR. Additionally, the City of Colusa Planning Department has reviewed General Plan comments prepared by the Colusa Local Agency Formation Commission (LAFCO), and this Department concurs with those comments and suggestions (recommended their letter of January 5, 2012) as such are relevant to the general welfare of the City of Colusa.

Comments not already provided within the LAFCO comment letter referenced above are as follows:

1. Policy CIRC 1-30: Typo: "arecompliant"
2. Figure CIRC - 3: Illustrate "Class Two" bicycle facilities that exist along Fremont Street between Bridge Street and 10th Street within the City of Colusa.
3. Policy CC 1-3: This policy should apply to unincorporated *and* incorporated lands.
4. Policy LU 1-25: It is important to note that as the County General Plan is implemented it will be important to have solid master Revenue Sharing plans in place to insure that new development and jobs can be created in a timely manner. Additionally, it is important that any agreements between cities and the County (to assist with the implementation of the subsequent County infrastructure master plans and the potential collection of development impact fees) be entered into equitably so as not to place one city at an economic disadvantage in comparison to the other.
5. Figure LU - 4: Update this Figure to reflect latest City of Colusa Sphere of Influence (SOI) boundary pending adoption by LAFCO.

Thank you for the opportunity to comment on your Draft General Plan and Draft EIR.

Respectfully,

Bryan Stice
Senior Planner

copy:

City Manager

City of Colusa

- 1) **Policy CIRC 1-30:** The City noted a typo/formatting error.

This has been noted and corrected.

- 2) **Figure CIRC-3:** The City requested that the General Plan's Regional Bicycle Facilities Figure show a "Class Two" bicycle facility along Fremont Street within the City of Colusa.

This figure is intended to show regional County bicycle facilities, and is done at a scale and size that preclude showing the level of detail within the City of Colusa as requested in this comment. This comment is noted, but changes to this Circulation Element Figure to address this comment are not feasible.

- 3) **Policy CC 1-3:** The City states that this policy should apply to unincorporated lands *and* incorporated lands.

The County has no land use planning authority within the boundaries of incorporated cities. As such, the County General Plan applies only to lands within unincorporated Colusa County. It would not be appropriate nor legally binding for the County General Plan to include policies that apply to lands within the City of Colusa. Therefore, no changes are proposed to this policy.

- 4) **Policy LU 1-25:** The City notes the importance of Revenue Sharing plans.

This comment is noted and forwarded to the Planning Commission and Board of Supervisors. No changes to the General Plan were proposed related to this comment.

- 5) **Figure LU-4:** The City requests that this figure be updated to show the pending City of Colusa Sphere of Influence (SOI) boundary.

At the time of preparation of the Draft 2030 General Plan, the County had not received from the City of Colusa any GIS files representing any revisions to the City of Colusa's SOI. LAFCO has since approved an updated SOI for the City of Colusa. The Final General Plan will reflect the updated SOI boundaries on Figure LU-4.

Colusa Local Agency Formation Commission

January 13, 2012

County of Colusa Building and Planning Department
Steve Hackney, Director
220 12th Street
Colusa, CA 95932 VIA EMAIL ONLY

RE: LAFCO Comments and Suggestions with respect to the November 21, 2011
Draft General Plan and Draft EIR

Dear Mr. Hackney,

The Colusa Local Agency Formation Commission wishes to offer the following comments and suggestions for consideration by the Planning Department, Planning Commission and the Board of Supervisors regarding the Draft General Plan and Draft EIR. Thank you for the opportunity to comment.

1. Be aware the Draft County General Plan Policies contain several policies expressed in the terms "should", "will" and rather than "shall" and such phrases as "will encourage", "will support", "will discourage", "will ensure", "should place", "should provide", "should be", "should, in general", rather than "shall". The Planning Commission and Board need to be aware of the potentially non-mandatory effect of this language and the unintended consequences that may result from ambiguity resulting from the use of such phrases rather than clearer, more direct expressions of the County's land use policy.

We assume that the General Plan and EIR will most likely be self-mitigating to the extent possible (i.e., that the policies of the General Plan will mitigate the environmental consequences of the land development and public works projects authorized by that plan). Use of any non-mandatory language identified in our point above, however, may result in these "mitigation measures" being legally inadequate under CEQA.

2. The Planning Commission and Board should consider adding a new policy regarding City Spheres of Influence as follows:
 - a. *"Within a City's Sphere of Influence, urban development projects shall first be referred to the City for possible annexation; therefore, within a Sphere of Influence of the City, applicants for land use permits or entitlements for urban uses shall be encouraged to apply to the City and discouraged from applying to the County."*
3. LAFCO concludes there should be a policy regarding annexation to a City being preferable to the formation of new or expansion of existing county service areas. As providers of multiple services and possessed of general police and revenue powers, cities are better able to efficiently provide a range of services and coordinate land use policy with demand for those services than are county services areas, which rely on the County's limited ability to provide municipal services and require the support of special districts.

4. LAFCO recommends a policy be added to protect the Sphere of Influence of the City stating: *"Other than Natural Resources uses, the land uses authorized by the County in the sphere of influence of the city shall be no more intense than the land uses allowed by the City's general plan and the conditions, capital improvement requirements and standards of development for such uses shall be equal to or more restrictive than the conditions, capital improvement requirements and standards of the city for that use."*
5. A policy should be added to the General Plan for the area outside the City's Sphere of Influence yet within a City's Area of Concern to read as follows: *"Applicants for discretionary land use permits or entitlements in the County shall be referred to the city for review and comment within Spheres of Influence and within areas of concern or interest as established by LAFCO."*

For clarification purposes, an Area of Concern in the LAFCO policies reads and is defined as follows:

Areas of Concern. *Colusa LAFCo may designate, in its discretion, a geographic area beyond the Sphere of Influence as an Area of Concern to any local agency.*

- a) *An Area of Concern is a geographic area beyond the Sphere of Influence in which land use decisions or other governmental actions of one local agency (the "Acting Agency") impact directly or indirectly upon another local agency ("the Concerned Agency"). For example, approval of a housing project developed to urban densities on septic tanks outside the city limits of a city and its sphere of influence may result in the city being forced subsequently to extend sewer services to the area to deal with septic failures and improve city roads that provide access to the development. The city in such situation would be the Concerned Agency with appropriate reason to request special consideration from the Acting Agency in considering projects adjacent to the City.*
 - b) *Colusa LAFCo will notify any Concerned Agency when the Commission receives notice of a proposal of another agency in the Area of Concern to the Concerned Agency, and will give great weight to its comments.*
 - c) *If requested, Colusa LAFCo will seek to obtain a Joint Powers Agreement or other commitment between the agencies so that the Acting Agency provides advance notice to the Concerned Agency of any actions, or projects being considered within the area of concern, and commits to considering any comments made by the Concerned Agency.*
6. Policy AG 1-2 We would suggest adding the word "all" to the to read as follows: "Lands Designated for agriculture and not be rezoned or redesigned to an urban use unless *all* the following criteria are met:"
 7. With respect to the criteria in Policy AG 1-2: An additional implementation measure calling for the development of agreed upon evaluation criteria prior to any development taking place having a purpose of mitigating development project's affect upon adjacent agricultural lands would be helpful. We do not see a policy requiring a mandatory conversion ratio. For example a new criteria point needs to be added as follows:

g. *Require agricultural land mitigation agreements through the purchase of*

agricultural easements with a 1 to 2-acre conversion ratio on lands having equal agricultural value and risk of conversion as the lands proposed to be converted from agricultural to urban uses.

8. Policy AG 1-3: Replace the words "a farmer's home" to "residences"
9. Policy AG 1-6: Do the words "agricultural employee housing" also mean farm labor quarters? Is this for full or part-time labor?
10. Policy AG 1-7 We do not understand this policy. "Work with the Local Agency Formation Commission (LAFCO) on issues of mutual concern including the conversion of agricultural land through consistent use of LAFCO policies, particularly those related to conversion of agricultural lands, and establishment of adequate buffers between agricultural and non-agricultural uses, and the designation of reasonable and logical Sphere of Influence (SOI) boundaries for cities and service districts."

We suggest the following instead: "Work with the Local Agency Formation Commission (LAFCO) on issues of mutual concern including the conversion of agricultural land. To ensure consistency in implementation, when the City of Williams or City of Colusa or the County of Colusa does not implement one or more of the following policies in its entitlement or planning process; support LAFCO's implementation of the following LAFCO policies for any change of organization and (or) Sphere of Influence amendment or update before LAFCO as follows:

- a. *Require a 300 to 500 foot buffer (on lands within the development project) from the boundary of an adjacent agricultural use. When the buffer is not feasible, require an easement as suggested in (c) below.*
- b. *Require a combination of a lesser buffer, tall masonry fencing and tree planting along the boundary to mitigate impacts of noise, dust, trespass, and pesticide/herbicide overspray. Such a proposal must be supported by the Farm Bureau, County Agricultural Commissioner or other recognized authority as adequate to mitigate impacts.*
- c. *Require agricultural land mitigation agreements through the purchase of agricultural easements with a 1 to 2-acre conversion ratio on lands having equal agricultural value and risk of conversion as the lands proposed to be converted from agricultural to urban uses.*

Note: As an implementation measure to be included in the County's General Plan, LAFCO will need to amend its existing policies for consistency purposes.

11. We suggest adding a policy in this section stating "The County will work with LAFCO on non-compatible encroachment of services onto agricultural lands"
12. LAFCO applauds the County's commitment to protecting agriculture and agricultural land. We respectfully suggest the General Plan could more effectively do so by establishing a goal to promptly adopt criteria to identify the location, extent and design of required agricultural buffers. We suggest that an ordinance or other mechanism be adopted to ensure intended implementation of adaptive agricultural buffers and that these requirements be enforceable and not mere "guidelines". LAFCO would like to assist the County in the establishment of buffer criteria to be implemented by the County and respectfully requests notice of those proposals and an opportunity to comment on them.

13. Action AG1-A What is the trigger mechanism or threshold to know when an agricultural conversion mitigation program is needed? "If agricultural land conversion rates increase significantly, the Board of Supervisors shall consider the adoption of a farmland conversion mitigation program"
14. Policy AG 1-8 How can the County "limit the extension of urban service facilities and infrastructure, particularly public water and sewer" except through its land use powers and to encourage LAFCO to not include "Urban Reserve" areas in Spheres of Influence for service districts. A suggestion would be is to develop "urban limit lines" or to define "Community Develop Areas" on the maps in the General Plan or is that the intent of Policy LU 1-16?
15. Objective AG 2-1: fourth line down. Why not use the word "would" rather than "should"
16. Action AG2-A third line down eliminate the words "in the zoning ordinance"
17. Policy AG 2-11 How can the County assist farmers in resolving water rights, etc? Why just farmers and not other landowners?
18. Policy AG 2-13 Why not use the word "Support" rather than "Encourage"?
19. Policy CC 1-10 What is the "appropriate redevelopment" mean? Is the County intending on establishing a redevelopment agency, which will no longer be an action due to a recent California Supreme Court Decision.
20. Policy CC 1-14 How will the county do this?
21. Policy CC1-16 & CC 1-19 Does the County desire to do design review for new development?
22. Policy CC 2-8 Regarding Vacant and underdeveloped lands in Arbuckle. How can this Policy be implemented? By not allowing future subdivisions?
23. Policy CC 2-21 We suggest a policy as written in #2 above. In the event annexation of lands is not feasible at a given time at a minimum the County and City must also coordinate on consistent development standards for any development within the Sphere of Influence.
24. Policy CC 2-22 The City of Colusa has a policy of not extending services beyond its jurisdictional bounds. Government Code 56133 requires LAFCO approval for extending services beyond Colusa's jurisdictional bounds in anticipation of annexation. What about Commercial Uses? What about health and safety issues? Failed septic systems, for example.
25. Policy CC 2-24 We don't understand this policy, please clarify.
26. Policy CC 2-24 This policy may be inconsistent with LAFCO policies, which does not allow for a proliferation of agencies within a City's Sphere of Influence providing essentially the same services and may inconsistent with RWQCB practices. We recognize the policy provides for private or mutually owned water companies, but in many cases the State will not permit such private entities.
27. Policy CC 2-25 While this policy is for residential development isn't it in essence inconsistent with Policy CC 2-24? Here it would be fine for the City to connect residential uses to its water and wastewater systems but not commercial, industrial or other job generating uses?
28. Policy CC 2-32 LAFCO has the same comment as in #24 above.

29. Policy CC 2-42 Isn't this policy inconsistent with policy CC 2-32? In Grimes you can connect to a mutual or private water system without annexation but in Maxwell you must annex?
30. Policy CC 2-43 regarding a policy for beautification in Maxwell. Policy CC 1-19 appears to support the County having design review. Why cannot this process be applied in Maxwell also instead of setting up another "service district" In a review of the PUD law, PUD's are not authorized to provide design review services.
31. Policy CC 2-44 Why is Maxwell the only community where development proposals are encouraged to include a balanced mix of jobs and housing?
32. Policy CC 2-58 Regarding Commercial Development in Stonyford-Lodoga and Century Ranch areas. Why not use the word "shall" instead of "should" and eliminate the last sentence.
33. Policy CC 2-66 See comment under #2 and #21 above.
34. Policy CC 2-67 Why not commercial and industrial development also?
35. Policy ED 2-3 Does the County wish to create a Redevelopment Agency. Special Districts within Redevelopment Areas will see reductions in property tax increment, which could lower service levels in the County's communities as a result. In light of a recent California Supreme Court Decision redevelopment agencies as we know them will cease to exist.
36. Policy CON 1-31 State water conservation laws require the County to incorporate such water conservation measures as requiring the installation of meters and implementation of Best Management Practices by new development. It may be helpful for the General Plan to include as an Action to acknowledge these requirements so landowners and developers will not overlook them.
37. Policy LU 1-6 Should the Department of Planning and Building have the discretion to require significant (?) new residential development proposals demonstrate a balance between housing and jobs, or should the Planning Commission be given that task?
38. Policy LU 1-10 Should the City of Williams and Colusa be included in this policy? This has been what has happened in the past with disjointed unincorporated development adjacent to the cities. There should be some effort to provide for urban development in the vicinity of cities to be in the city, where feasible. At a minimum, consistent development standards (with those of the city) need to be applied in the Colusa and Williams Areas.
39. Policy LU 1-11 add in the words "or underutilized" in the second line of the policy.
40. Policy LU 1-12 Is this policy consistent with Figure LU-4 (Colusa Area) in the plan? Here, it appears to prohibit large scale developments "outside city or utility district Spheres of Influence" while the map has a new large scale industrial area southwest of the City, which is not within the City of Colusa's Sphere of Influence.
41. Policy LU 1-17 Here the Agricultural Transition and Rural Residential Designations are to be used to buffer between farmland and urban uses while on pages 8-4 and 8-5 the Agricultural Transition and Rural Residential Designations may serve as a buffer. Suggest changing "may" to "will" for these two designations on pages 8-4 and 8-5.
42. Policy LU 1-18 Why are all applicants not required to demonstrate a commitment to provide public service connections?

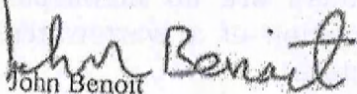
43. Policy LU 1-24 Annexations cannot occur unless the territory is within a City or District's Sphere of Influence. LAFCO's are currently required to review and update Spheres of Influence every five years, as necessary.
44. Policy LU 3-24 The first bullet is confusing. To show support for the public agencies in the County and for orderly land use this policy should read as follows: "The area can be readily hooked up to public sewer and water facilities; readily hooked up means either within a public agency boundary or within the Sphere of Influence of a Public agency."
At the end of the third bullet add the words "or those of the Regional Water Quality Control Board".
45. Policy PSF 1-12 Why not require every development to help pay for its appropriate share of all infrastructure?
46. Action PSF 1-A How about an action that would financially help the small special districts who provide water and sewer to develop utility master plans and provide assistance for utility master plan implementation?
47. Action PSF 1-H and 1-I Why not coordinate with the City of Colusa and City of Williams to annex commercial and industrial development in addition to residential?
48. Policy PSF 1-20 Is this policy consistent with Policy PSF 1-11 why not require all parcels to be connected if smaller than 2 acres in size? For Policy PSF 1-11 why not add an additional criteria stating at the end of the policy "and within the sphere of influence of an agency that provides wastewater services."
49. Action PSF 1-B Why not include an action to assist small districts to prepare and implement master plans and capital improvement plans?
50. Actions PSF 1-H and PSF 1-I Why not include commercial and industrial land?
51. Policy PSF 1-25 For new wastewater systems, doesn't the Regional Water Quality Control Board already require a public agency to provide wastewater treatment services?
52. Policy PSF 3-1 Why not support the use of "Automatic Aid Agreements" also?
53. Policy PSF 3-3 Suggest adding the following at the end of the sentence: "...by requiring new development and land divisions to be within a Fire Protection District, sending proposal referral letters to Fire Protection Districts and supporting development impact mitigation for Fire Protection Districts."
54. Objective PSF-3A How about adding a policy supporting a portion of the Proposition 172 funding for Fire Protection and EMS services for Fire Agencies within Colusa County? Likewise, a policy should be added to include *"The County shall support a requirement by fire protection agencies that all development pay its proportionate share of the operation costs for structural fire protection and Emergency Medical Services"*
55. We suggest adding the following language as a policy under PSF-3A. *"The County will not approve lots splits or non-agricultural or resource development proposals outside of a fire protection district."*
56. Suggest adding a new action under Policy PSF 3-7 to read: *"Support the establishment of funding mechanisms such as special taxes, community facility districts and other methods to ensure adequate and sustainable funding to support day to day public safety activities."*
57. Policy PSF 4-1 Doesn't the County have limited authority to require additional mitigation for school districts excepting in cases where there is a zoning or general plan

change needed?

58. Policy PSF 5-6 Suggest rewording as follows: "Support consolidation of special districts and (or) service responsibilities where increases in efficient public services are feasible and redundancy is eliminated."
59. Policy SA 1-6 While a good policy doesn't the fire district Board of Directors have the authority for siting fire stations and not the Board of Supervisors. Suggest rewording to have language supporting fire districts to locate new facilities in areas where there is low risk from flooding, wildfires or seismic effects.
60. Policy SA 1-7 Will there be a definition of Acceptable Level in the Zoning Ordinance Update?
61. Action SA 1-K Will all development require a preliminary geotechnical investigation? Suggest adding language to the end of the implementation measure to include "in areas of known geologic hazards"
62. Policy SA 1-24: What are the efforts "currently" underway by the Central Valley Flood Protection Board? Is it the CVFP Plan? What is being proposed? Why not reword the policy to say "Monitor and participate in activities undertaken by the Central Valley Flood Protection Board"
63. Policy SA 1-37 Add the words at the beginning "Notwithstanding Policy SA 1-32....."
64. IMPLEMENTATION ELEMENT on the Table 1 heading under "Responsible Department" change to "Responsible Department/Agency"
65. The County may wish to employ performance-based standards and these standards should be included in the updated Zoning and Development Codes.
66. LAFCO recommends a policy with respect to coordinated public service and infrastructure planning be added to require coordination with LAFCO and its municipal service review process and to encourage County planning and public works staff to provide input to LAFCO's development of Spheres of Influence so that LAFCO's planning work may be of greater value to the County.
67. Regarding the EIR. We appreciate the County including LAFCO's Sphere of Influence among the intended uses of the EIR. Subsequent LAFCO actions would be to affirm the County's Environmental Document, as appropriate.

On behalf of the Local Agency Formation Commission I thank you for the opportunity to provide these preliminary comments on the draft. If LAFCO can provide further advice or assistance on any of these points, please do not hesitate to contact me at (530) 458-0593

Sincerely,



John Benoit

Executive Officer Colusa LAFCO

Colusa LAFCO

1. LAFCO noted that some General Plan policies use terms that are non-binding, such as “should” and “encourage.”

This is noted, and was intentional throughout the General Plan. Some areas of the General Plan include mandatory language, and in other areas flexibility is necessary and/or desirable, so non-mandatory language was used. The General Plan language has been crafted to provide guidance, clarity, and flexibility, and also to ensure that the General Plan is implemented to the greatest degree feasible.

2. LAFCO suggested the addition of a new General Plan policy that would require all urban development projects within a city’s Sphere of Influence (SOI) to be referred to the City for possible annexation.

This policy would not effectively serve the County’s interests and would be contradictory to the County’s land use planning and economic development strategy. The County has identified the Colusa and Williams SOIs as areas appropriate for commercial and industrial development, and until land within the SOIs is annexed by a City, the land remains under the County’s land use planning authority. The County will continue to consult with the Cities of Colusa and Williams regarding development proposals within the SOIs, however, not all proposed projects within the SOIs will be suitable for annexation. Additionally, the County is committed to ensuring that development within the SOIs is compatible with adjacent development within the Cities. This is specifically addressed in Policy CC 2-21 and Policy CC 2-66.

3. LAFCO stated that there should be a policy regarding annexation to a City being preferable to the formation of new or expanded County service areas.

Staff and the consultant team agree with this input from LAFCO. Policy LU 1-13 has been revised to prioritize annexation into existing service districts or Cities over the creation of new service districts. It should be noted, however, that there are developed areas of the County where the formation of service districts may be appropriate. For example, there are no municipal wastewater services in Grimes, and the future creation of a wastewater service district may be appropriate sometime in the future.

4. LAFCO recommended that a policy be added to ensure that land uses within the SOIs be no more intense than the land uses allowed by the City’s General Plan.

While the County appreciates LAFCO's concern and interest, the lands within the SOI of Colusa and Williams are not within the City limits, and are under County jurisdiction. The County feels it is its responsibility to accommodate the highest and best use of land within urbanizing areas, to the extent that the uses are consistent with the goals and objectives of the County's General Plan. In some cases, this may result in land uses that may be of higher intensity than what was envisioned in the City's General Plan. Throughout the public Visioning Workshops and the Steering Committee meetings, County residents repeatedly expressed the view that future growth in Colusa County should be focused in and around existing communities, including the Cities of Colusa and Williams and the General Plan Land Use Map reflects this public input. Additionally, as noted above, the County is committed to ensuring that development within the SOIs is compatible with adjacent development within the Cities. This is specifically addressed in Policy CC 2-21 and Policy CC 2-66.

5. LAFCO stated that a policy should be added that requires projects within an SOI or LAFCO-established areas of concern or interest be submitted to the City for review and comment.

This suggested policy language is essentially included in the General Plan already, under Action LU 1-F. Action LU 1-F requires the County to refer development applications within an SOI, or within one-mile of a City boundary to the City for review and comment. This action has been slightly modified to include the term "areas of concern or interest, as designated and adopted by LAFCO."

6. **Policy AG 1-2:** LAFCO suggested adding the word "all" to the policy to read as follows: "...designated for agriculture and not be rezoned or redesignated to an urban use unless **all** the following criteria are met:"

There may be certain cases where not all of the listed criteria apply to a particular parcel. As written, the policy language provides guidance and clarity, but is not overly restrictive in cases where criteria may not fully apply. No changes to this policy are recommended.

7. **Policy AG 1-2:** LAFCO stated that the General Plan should include a policy requiring agricultural land mitigation agreements at a 1 to 2-acre conversion ratio to compensate for the loss of agricultural lands.

The requirement for an agricultural land conversion ratio was discussed at length by the Steering Committee and the Board of Supervisors when providing guidance regarding the General Plan's approach to this issue. As written, the General Plan would result in a very small amount of agricultural land conversion, and most of this conversion would not occur during the 20-year life of the General Plan. Additionally, the General Plan includes

numerous policies and goals directly aimed at preserving and protecting agricultural lands throughout the County. Therefore, it was determined that a mitigation requirement was not necessary at this time. Action AG 1-A requires the County to monitor the rate of agricultural land conversion over the life of the General Plan, and consider adoption of a farmland mitigation program if conversion rates increase significantly.

The General Plan, as written, reflects the direction and input provided by the Steering Committee and the Board of Supervisors related to this topic, and no changes are recommended.

8. **Policy AG 1-3:** LAFCO suggested replacing the words “a farmer’s home” with “residences.” This change has been made.
9. **Policy AG 1-6:** LAFCO asks if the words “agricultural employee housing” also mean farm labor quarters? Is this for full or part-time labor?

Agricultural employee housing may also mean farm labor quarters and is intended to allow full- or part-time agricultural employee housing as required by Employee Housing Act (Health and Safety Code Sections 17000-17062.5). No changes are recommended to the policy language.

10. **Policy AG 1-7:** LAFCO stated that they do not understand this policy, and provided alternative policy language that would grant LAFCO land use planning authority to enforce agricultural land conversion measures and ag/urban interface measures.

The policy language, as proposed by LAFCO, is not appropriate for inclusion in the General Plan as the policy language addresses agricultural buffers to address City boundaries and other district/agency borders. The General Plan may result in agricultural/urban interfaces where a lesser interface is appropriate and that do not involve City or other district boundaries. Policy AG 1-7 is intended to promote and encourage coordination and cooperation between the County and LAFCO on issues of mutual concern. No changes to the policy language are proposed.

11. LAFCO suggested adding a policy that states, *“The County will work with LAFCO on non-compatible encroachment of services onto agricultural lands”*.

This policy language suggested by LAFCO is substantially similar to the language already contained in Policy AG 1-8. The addition of a new policy as suggested by LAFCO would be redundant and is not necessary in order to achieve this policy objective.

12. LAFCO suggested that an ordinance or other mechanism be adopted to ensure intended implementation of adaptive agricultural buffers and that these requirements be enforceable and not mere “guidelines”.

This suggestion will be accomplished through the implementation of Action AG 1-D. This action calls for the Zoning Ordinance to include specific and enforceable agricultural buffer requirements. No changes to the General Plan are required. The County will coordinate with LAFCO during the development of these agricultural buffer requirements.

13. **Action AG 1-A:** LAFCO asked “What is the trigger mechanism or threshold to know when an agricultural conversion mitigation program is needed?”

A specific threshold or trigger mechanism is not proposed as part of this action to determine if a farmland conversion mitigation program should be prepared in the future. The need for a farmland conversion mitigation program shall be determined by the Board of Supervisors.

14. **Policy AG 1-8:** LAFCO asked how the County can “limit the extension of urban service facilities and infrastructure, particularly public water and sewer” except through its land use powers and to encourage LAFCO to not include “Urban Reserve” areas in Spheres of Influence for service districts. A suggestion would be to develop “urban limit lines” or to define “Community Develop Areas” on the maps in the General Plan or is that the intent of Policy LU 1-16?

The intent of Policy LU 1-16 is to identify lands for future urban uses and to delineate the maximum extent of urban growth that can occur around established communities. The overall land use theme of the General Plan is intended to grow the existing communities from the inside towards the outer edges. The establishment of an urban limit line or a community development area may send the wrong message, and may imply that development is allowed or encouraged within the urban limit line, even if it would not be contiguous to existing development and services, which is required before Urban Reserve Area parcels can be developed. The use and application of the Urban Reserve Area land use designation was carefully reviewed and considered by the Steering Committee and the Board of Supervisors, and represents the most appropriate planning tool to ensure an orderly development pattern that focuses land uses around existing development and preserves agricultural lands. No changes to this policy are recommended.

15. **Objective AG 2-1:** fourth line down. Why not use the word “would” rather than “should.”

There is no Objective AG 2-1 in the General Plan, therefore, it is assumed that this comment refers to Policy AG 2-1. This minor grammatical change would not change the meaning, application, or intent of this policy.

16. **Action AG 2-A:** Third line down eliminate the words “in the zoning ordinance.”

This minor grammatical change would not change the meaning, application or intent of this action.

17. **Policy AG 2-11:** How can the County assist farmers in resolving water rights, etc? Why just farmers and not other landowners?

This policy was specifically added at the request of the Steering Committee. The County can assist in documenting historic land uses on a parcel and has interacted with various agencies involved in water management. The County may be able to provide some helpful input to land owners regarding water rights issues in the future.

18. **Policy AG 2-13** Why not use the word “Support” rather than “Encourage”?

In this instance, the term “support” would allow the use, but the term “encourage” seemed more proactive. Water supply is one of the primary concerns of the farming community and to “encourage” the reuse of treated water is a stronger step towards a more flexible water supply.

19. **Policy CC 1-10:** What is the “appropriate redevelopment” mean? Is the County intending on establishing a redevelopment agency, which will no longer be an action due to a recent California Supreme Court Decision.

Redevelopment means the reuse or improvement of an existing vacant or underutilized parcel, and does not necessarily relate to the creation of a redevelopment agency.

20. **Policy CC 1-14:** How will the county do this?

The County will encourage private landowners to maintain their property in an aesthetically pleasing way through design and maintenance requirements included in the Zoning Ordinance.

21. **Policy CC1-16 & CC 1-19:** Does the County desire to do design review for new development?

Yes, the County intends to include design review as part of the overall review process of a project application. Action CC 1-C calls for the creation of general countywide design guidelines.

22. **Policy CC 2-8:** Regarding Vacant and underdeveloped lands in Arbuckle. How can this Policy be implemented? By not allowing future subdivisions?

Yes, this policy can be implemented by not supporting additional subdivisions until existing subdivisions are developed and by not supporting annexation requests into the PUD until existing areas planned for developed have been developed.

23. **Policy CC 2-21:** LAFCO suggests a policy as written in #2 above. In the event annexation of lands is not feasible at a given time at a minimum the County and City must also coordinate on consistent development standards for any development within the Sphere of Influence.

One of the priorities identified by the public and Steering Committee was to reduce the bureaucracy and redundant layers of project review. The County will process land use requests as described in the Land Use Element. The intent of this policy is to ensure that the character of future development in the SOIs, which are under the County's jurisdiction, is consistent with adjacent development in the cities. Additionally, the General Plan encourages coordination between the cities and the County for land use applications in the SOIs.

24. **Policy CC 2-22:** The City of Colusa has a policy of not extending services beyond its jurisdictional bounds. Government Code 56133 requires LAFCO approval for extending services beyond Colusa's jurisdictional bounds in anticipation of annexation. What about Commercial Uses? What about health and safety issues? Failed septic systems, for example.

This policy addresses community character, and does not speak to health and safety issues. This policy would not be the prevailing policy in the event of a failure of a septic system and an associated annexation. For commercial uses, if the use requires municipal services, then the City would have to annex the parcel to serve the use. Otherwise, the project would likely need to provide on-site water/wastewater.

25. **Policy CC 2-24:** We don't understand this policy, please clarify.

The County will support private/mutual water and wastewater systems (such as those for the Colusa Industrial Park) where appropriate. There may be instances where commercial or industrial development is proposed within an SOI that is not appropriate for annexation into the City. In these cases, private/mutual water and wastewater systems may be appropriate.

26. **Policy CC 2-24:** This policy may be inconsistent with LAFCO policies, which does not allow for a proliferation of agencies within a City's Sphere of Influence providing essentially the same services and may inconsistent with RWQCB practices. We recognize the policy provides for private or mutually owned water companies, but in many cases the State will not permit such private entities.

The intent of this policy is not to encourage a proliferation of private or mutual service providers, but to allow such providers where appropriate and feasible. This policy has been revised to clarify that private or mutual service

providers may be appropriate for large-scale commercial and industrial uses, or for multiple users, in compliance with applicable State regulations.

27. **Policy CC 2-25:** While this policy is for residential development isn't it in essence inconsistent with Policy CC 2-24? Here it would be fine for the City to connect residential uses to its water and wastewater systems but not commercial, industrial or other job generating uses?

One of the primary goals of the General Plan is to encourage economic development within the County. Another key goal of the General Plan is to focus future growth around existing communities, including the Cities of Colusa and Williams. There are extensive opportunities for commercial and industrial growth in the SOIs of Colusa and Williams, and in many cases, it may be appropriate for this growth to occur without annexation into the cities.

Colusa Industrial Properties is an example of large-scale commercial/industrial development within an SOI that was not annexed, but included a plan for services to meet the demands of the development. If the cities determine that particular parcels or areas within their SOIs are appropriate for annexation, they may submit annexation requests to LAFCO.

28. **Policy CC 2-32:** LAFCO has the same comment as in #24 above.

LAFCO is referred to the response provided under #24 above.

29. **Policy CC 2-42** Isn't this policy inconsistent with policy CC 2-32? In Grimes you can connect to a mutual or private water system without annexation but in Maxwell you must annex?

Policy CC 2-42 requires new urban development in Maxwell to connect to the municipal water and wastewater system. Policy CC 2-32 encourages the development of a private or mutually owned wastewater system in Grimes. Grimes is not currently served by a municipal wastewater system. These policies are not inconsistent since there are different municipal services currently available in Maxwell than in Grimes.

30. **Policy CC 2-43:** Regarding a policy for beautification in Maxwell. Policy CC 1-19 appears to support the County having design review. Why cannot this process be applied in Maxwell also instead of setting up another "service district." In a review of the PUD law, PUD's are not authorized to provide design review services.

This is not a design review policy, but rather a policy in support of an improvement or development district. The County, not the PUD, is intended to implement this policy. The PUD is not intended to provide design review. The General Plan recognizes that each community has distinct characteristics and the intent is to support design in each community that complements the elements of that community.

31. **Policy CC 2-44:** Why is Maxwell the only community where development proposals are encouraged to include a balanced mix of jobs and housing?

The policies for each community came out of community character meetings with the Steering Committee and also reflect the land use designations in each community. In Maxwell, there is a greater potential for excessive residential development without a supporting employment base. Policy LU 1-6 addresses this issue on a broader scale and applies to all communities in the County.

32. **Policy CC 2-58:** Regarding Commercial Development in Stonyford-Lodoga and Century Ranch areas. Why not use the word “shall” instead of “should” and eliminate the last sentence.

A very limited amount of development is expected in those areas and the General Plan does not want to preclude development that may be otherwise consistent with the objectives of the General Plan.

33. **Policy CC 2-66:** See comment under #2 and #21 above.

LAFCO is referred to the responses provided below #2 and #21 above.

34. **Policy CC 2-67:** Why not commercial and industrial development also?

LAFCO is referred to the response provided below #27 above.

35. **Policy ED 2-3:** Does the County wish to create a Redevelopment Agency?

In light of recent State legislation that has effectively eliminated Redevelopment Agencies, this policy is not longer valid or applicable. As such, this policy has been removed from the General Plan.

36. **Policy CON 1-31:** State water conservation laws require the County to incorporate such water conservation measures as requiring the installation of meters and implementation of Best Management Practices by new development. It may be helpful for the General Plan to include as an Action to acknowledge these requirements so landowners and developers will not overlook them.

Policy CON 1-35 encourages the use of water conservation measures that exceed State requirements for new development. Additionally, Action CON 1-G requires the adoption of a Water Efficient Landscape Ordinance for residential, park, recreational and commercial users based on the State model ordinance.

37. **Policy LU 1-6:** Should the Department of Planning and Building have the discretion to require significant new residential development proposals demonstrate a balance between housing and jobs, or should the Planning Commission be given that task?

This comment has been forwarded to the Planning Commission and Board of Supervisors for their consideration. The Planning Commission and Board both reviewed and verified this language prior to releasing the General Plan for public review, and no changes are recommended at this time.

38. **Policy LU 1-10:** Should the City of Williams and Colusa be included in this policy? This has been what has happened in the past with disjointed unincorporated development adjacent to the cities. There should be some effort to provide for urban development in the vicinity of cities to be in the city, where feasible. At a minimum, consistent development standards (with those of the city) need to be applied in the Colusa and Williams Areas.

Yes, the Cities of Williams and Colusa were, and should, be included in this policy since it is the intent of the General Plan to concentrate urban development in and around the cities and communities. Each city's General Plan controls development that occurs within the city. The County's development standards apply in the unincorporated areas, and the County should not adopt separate standards for development adjacent to each of the cities. Each city is provided the opportunity to review development proposals and provide input. CC 2-21 and 2-26 ensure that development adjacent the City is compatible with adjacent uses.

39. **Policy LU 1-11:** Add in the words "or underutilized" in the second line of the policy.

This language has been added to Policy LU 1-11.

40. **Policy LU 1-12:** Is this policy consistent with Figure LU-4 (Colusa Area) in the plan? Here, it appears to prohibit large scale developments "outside city or utility district Spheres of Influence" while the map has a new large scale industrial area southwest of the City, which is not within the City of Colusa's Sphere of Influence.

Policy LU 1-12 specifically prohibits large-scale commercial developments or free-standing subdivisions that are isolated or outside of service areas. Industrial developments are intentionally not prohibited by this policy, as there may be instances where industrial development is appropriate in areas outside of service boundaries or not adjacent to existing urban development.

41. **Policy LU 1-17:** Here the Agricultural Transition and Rural Residential Designations are to be used to buffer between farmland and urban uses while on pages 8-4 and 8-5 the Agricultural Transition and Rural Residential Designations may serve as a buffer. Suggest changing "may" to "will" for these two designations on pages 8-4 and 8-5.

This minor grammatical change would not change the overall intent or application of these two land use designations.

42. **Policy LU 1-18:** Why are all applicants not required to demonstrate a commitment to provide public service connections?

During the time period that the County received General Plan Land Use designation change requests from parcel owners in the County, multiple requests were received that may facilitate large-scale development in areas not currently served by public water and sewer services. The Steering Committee determined that large-scale development applications should

demonstrate a commitment to providing public service connections. It is feasible that smaller-scale development application proposals may be received by the County that would not warrant or require a connection to public services.

43. **Policy LU 1-24:** Annexations cannot occur unless the territory is within a City or District's Sphere of Influence. LAFCO's are currently required to review and update Spheres of Influence every five years, as necessary.

This policy has been removed to avoid confusion and redundancy.

44. **Policy LU 3-24:** The first bullet is confusing. To show support for the public agencies in the County and for orderly land use this policy should read as follows: "The area can be readily hooked up to public sewer and water facilities, readily hooked up means either within a public agency boundary or within the Sphere of Influence of a Public agency."

Lack of public water service does not necessarily mean not orderly. There may be agricultural-oriented industrial development or other uses that may be appropriate outside of an SOI or not served by the City or public water agency. There are many industrial/commercial uses outside of a public service agency that are appropriate for the area and do not constitute leapfrog or un-orderly development. This policy should remain as-written.

45. **Policy PSF 1-12:** Why not require every development to help pay for its appropriate share of all infrastructure?

This policy does not preclude all development from paying its fair share for infrastructure improvements. This policy primarily applies to new large-scale development that may occur in areas not currently served by municipal facilities. Some projects that may occur in the County would be covered by existing infrastructure improvement plans, while others may not. This policy was added in order to ensure that projects that do not fall within an existing infrastructure plan area do not slip through the cracks.

46. **Action PSF 1-A:** How about an action that would financially help the small special districts who provide water and sewer to develop utility master plans and provide assistance for utility master plan implementation?

Action PSD 1-A calls for the County to coordinate with local water and wastewater providers to assist with planning efforts. The County is not currently in a position to provide significant financial assistance to these Districts, beyond the collection of fair-share infrastructure improvement fees from new development.

47. **Action PSF 1-H and 1-I:** Why not coordinate with the City of Colusa and City of Williams to annex commercial and industrial development in addition to residential?

LAFCO is referred to Response #27 above.

48. **Policy PSF 1-20:** Is this policy consistent with Policy PSF 1-11? Why not

require all parcels to be connected if smaller than 2 acres in size?

Policy PSF 1-11 relates to public water system connections and Policy PSD 1-20 relates to public wastewater connections. There are many Rural Residential and Rural Service Center parcels in the County that are not near a service area and the County does not want property owners to be unable to develop their property. Thus, while connections to municipal water systems are encouraged in most cases, exceptions have been provided to avoid undue hardships for some property owners, if the installation of an onsite well is deemed feasible. However, with respect to onsite septic systems, parcels two acres in size and smaller shall not be allowed to install septic system. This requirement meets State law requirements and protects groundwater quality.

49. **Action PSF 1-B:** Why not include an action to assist small districts to prepare and implement master plans and capital improvement plans?

LAFCO is referred to the Response under #46 above.

50. **Actions PSF 1-H and PSF 1-I:** Why not include commercial and industrial land?

LAFCO is referred to the Response under #27 above.

51. **Policy PSF 1-25:** For new wastewater systems, doesn't the Regional Water Quality Control Board already require a public agency to provide wastewater treatment services?

Wastewater services can be provided by private entities, provided that all State requirements for water quality and financing are met. This policy gives preference to the creation of public agency wastewater treatment systems, but does not preclude the development of private wastewater treatment systems, provided all applicable State requirements are met.

52. **Policy PSF 3-1:** Why not support the use of "Automatic Aid Agreements" also?

Automatic Aid Agreements are not currently in place, and the County feels that the structure and type of aid agreements between fire districts is a decision best left to the fire districts. Mutual Aid Agreements provide more flexibility for the districts on a case by case basis than Automatic Aid Agreements.

53. **Policy PSF 3-3:** Suggest adding the following at the end of the sentence: "....by requiring new development and land divisions to be within a Fire Protection District, sending proposal referral letters to Fire Protection Districts and supporting development impact mitigation for Fire Protection Districts."

Requiring that all new development and land divisions be within a Fire Protection District may place unnecessary development restrictions on some parcels within the County. As written, Policy PSF 3-3 requires coordination

with fire protection service providers during the development review process.

54. **Objective PSF-3A:** How about adding a policy supporting a portion of the Proposition 172 funding for Fire Protection and EMS services for Fire Agencies within Colusa County? Likewise, a policy should be added to include *"The County shall support a requirement by fire protection agencies that all development pay its proportionate share of the operation costs for structural fire protection and Emergency Medical Services"*

Operational costs are an assessment, not a development impact fee and are more difficult to collect. The County will determine funding when it determines its budget – unless the Board wishes otherwise.

55. **PSF-3A:** We suggest adding the following language as a policy under PSF-3A. *"The County will not approve lots splits or non-agricultural or resource development proposals outside of a fire protection district."*

LAFCO is referred to the Response under #53 above.

56. **Policy PSF 3-7:** Suggest adding a new action to read: *"Support the establishment of funding mechanisms such as special taxes, community facility districts and other methods to ensure adequate and sustainable funding to support day to day public safety activities."*

This has been forwarded to the Planning Commission and Board of Supervisors for their consideration.

57. **Policy PSF 4-1:** Doesn't the County have limited authority to require additional mitigation for school districts excepting in cases where there is a zoning or general plan change needed?

Under CEQA, the County has limited authority to require additional mitigation for schools. However, through the use of development agreements, the County has leverage and options to require funding assistance for schools.

58. **Policy PSF 5-6:** Suggest rewording as follows: *"Support consolidation of special districts and (or) service responsibilities where increases in efficient public services are feasible and redundancy is eliminated."*

This change has been made to Policy PSF 5-6.

59. **Policy SA 1-6:** While a good policy, doesn't the fire district Board of Directors have the authority for siting fire stations and not the Board of Supervisors? Suggest rewording to have language supporting fire districts to locate new facilities in areas where there is low risk from flooding, wildfires or seismic effects.

This policy does not focus solely on fire districts and fire protection facilities. The County may include a site for a fire station and other public facilities as part of a master plan, specific plan, or other large-scale development project.

60. **Policy SA 1-7:** Will there be a definition of Acceptable Level in the Zoning Ordinance Update?

No. The definition of an Acceptable Level will be determined on a case-by-case basis by the Planning Commission and the Board of Supervisors.

61. **Action SA 1-K:** Will all development require a preliminary geotechnical investigation? Suggest adding language to the end of the implementation measure to include "in areas of known geologic hazards"

There may be areas of the County subject to geologic hazards in areas that have not been previously studied, or in areas where there is not sufficient data to determine "known geologic hazards." This action would ensure that all new development complete at least a preliminary and cursory review of potential geologic hazards.

62. **Policy SA 1-24:** What are the efforts "currently" underway by the Central Valley Flood Protection Board? Is it the CVFP Plan? What is being proposed? Why not reword the policy to say "Monitor and participate in activities undertaken by the Central Valley Flood Protection Board?"

Yes, the efforts currently underway by the Central Valley Flood Protection Board include the preparation of the CVFP Plan. The currently available preliminary information from the CVFP Plan have been incorporated into the General Plan Safety Element, as applicable. There are activities being undertaken by the Central Valley Flood Protection Board that may not be relevant to Colusa County, and the County may not choose to monitor and participate in all of these ongoing activities. As written, this policy ensures that Colusa County's interests, as they relate to the CVFP Plan, are expressed during the planning process.

63. **Policy SA 1-37:** Add the words at the beginning "Notwithstanding Policy SA 1-32...."

Policy S 1-32 does not exempt projects from the requirements of Policy SA 1-37. This additional language is not necessary.

64. **IMPLEMENTATION ELEMENT:** On the Table 1 heading under "Responsible Department" change to "Responsible Department/Agency"

The County implements its own General Plan. None of the policies or actions in the General Plan require implementation from an outside agency.

65. The County may wish to employ performance-based standards and these standards should be included in the updated Zoning and Development Codes.

This comment is noted. Many of the actions and policies in the General Plan are written as performance-based standards.

66. LAFCO recommends a policy with respect to coordinated public service and infrastructure planning be added to require coordination with LAFCO and its municipal service review process and to encourage County planning and

public works staff to provide input to LAFCO's development of Spheres of Influence so that LAFCO's planning work may be of greater value to the County.

A new policy (Policy PSF 5-7) has been added to address this recommendation.

67. Regarding the EIR. We appreciate the County including LAFCO's Sphere of Influence among the intended uses of the EIR. Subsequent LAFCO actions would be to affirm the County's Environmental Document, as appropriate.

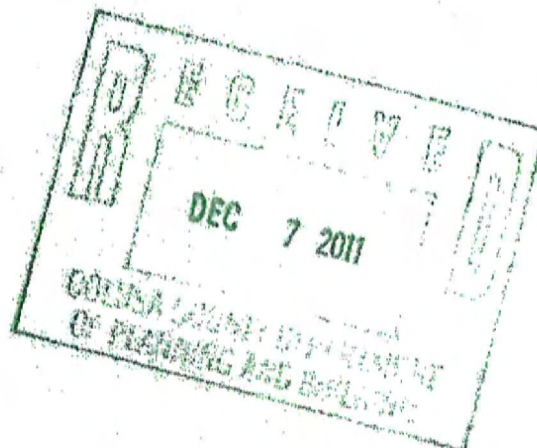
This comment is noted. LAFCO will be provided a copy of the Final EIR.

Denis Cook
Land Use Planning Consulting

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Yuba City, Ca. 95992

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cel: 530 755-7701
deniscook@sbcglobal.net

December 5, 2011



Mr. Steve Hackney, Director
Colusa County Planning Department
220 12th Street
Colusa, CA 95932

Re: Comments on the draft Colusa County General Plan

Dear Steve;

Thank you for the opportunity to comment on the draft Colusa County General Plan. I am representing Highmark Development (John Ochipinti) who owns the 67 acre property located adjacent to and on the south side of the community of Princeton (AP# 012-090-14). The draft General Plan designates the property as Urban Residential (UR), with a small commercial area at the property's northeast corner.

We agree with this proposed land use designation due to its proximity to the community, availability of public services and because it can be reasonably buffered from agricultural uses. It is a logical way for the community to grow. We do however have a comment on one of the General Plan policies that affects this property. That is Land Use Policy 3-10, on page 8-23 of the draft general plan. LU 3-10 requires that a specific plan be prepared for the property as part of any development proposal, followed by several requirements such as utilization of the community's water and wastewater facilities, provision of a street grid that connects to the community and provision of a park and a small commercial area.

While we agree in principal to that policy, we have two concerns. First is the requirement for a specific plan. As you know specific plans are precisely defined in State law (Govt. Code sec. 65450 thru 65457), that requires a high level of work to complete. Specific plans are typically required for large properties, often with a mix of uses. While specific plans are a great tool for managing very large projects, because State law provides detailed requirements for the preparation of specific plans, they are hugely expensive to prepare. This is not a large property and it is primarily limited to residential development. It is not of a size to need a specific plan nor will it be able to afford preparation of a specific plan. Instead we suggest allowing a master

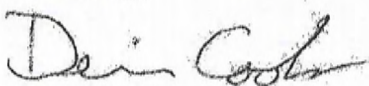
plan to be prepared, which in this case will accomplish everything the County wants. This is not a unique request as there are other properties identified in the draft General Plan for which only a master plan is required. For the following reasons we feel our request for a master plan is justified:

- The property is too small and is not a mix use project to justify the need for a specific plan.
- Preparation of a master plan instead of a specific plan will not lower the quality of the project. The County still retains all control of the project's characteristics, design, etc., and everything that the County expects out of the project can be accomplished with a master plan. A master plan can contain full design and development standards for that property.
- The cost savings from preparation of a master plan vs. a specific plan can be put into the project instead.
- The environmental review process will not change (we realize that Govt. Code section 65457 will not apply if a master plan is prepared, but because this is not a large project there will not likely be multiple tentative maps involved that would dictate the need for this provision).
- With a master plan we can accomplish all of the objectives provided in LU 3-10, such as providing full community services, excellent project design, a neighborhood park, commercial improvements, etc.

Our other comment is rather minor. One of the sub-policies for LU 3-10 requires a street grid system that provides connectivity with the existing community. We agree with the connectivity to the community, but are concerned over the requirement for a gridded street pattern, if that is what is intended. While we are not opposed to the grid pattern in general, this is a fairly narrow property that may not lend itself well to a grid pattern. We feel that this decision is best left until later (while reviewing the master plan and tentative map) to ensure that the grid system will work and is best for this property. If the policy is left as is, and the grid system does not work to everyone's satisfaction, we would be required to file a general plan amendment. In other words, it seems like too much detail for the general plan.

Again, thank you for the opportunity to provide these comments. If you would like to discuss any of this further, please call me at 755-7701.

Sincerely,



Denis Cook

Dennis Cook

Policy LU 3-10: Mr. Cook's comments were all related to Policy LU 3-10, which requires the preparation of a Specific Plan prior to the development of the 67-acre property on the south side of Princeton. Mr. Cook requested that the policy be revised to allow for the preparation of a Master Plan, rather than a Specific Plan, and also requested that some flexibility regarding a grid street network be provided.

Specific Plans must adhere to very stringent requirements under State law, and as Mr. Cook points out, they can be expensive to prepare. Policy LU 3-10 includes a range of very specific aspects of the project that must be adhered to prior to approval of any development of the site, including, but not limited to: providing adequate water and wastewater infrastructure, offsite improvements, an integrated street network, parks, and community-serving retail.

Changing this policy to allow for the preparation of a Master Plan, rather than a Specific Plan would still leave the County with the authority and mechanisms to ensure that the site is developed in a manner that meets the County's requirements, as specified under Policy LU 3-10. The Consultant team recommends approval of the requested changes to this policy. Revised policy language is provided within this staff report.

Attachment 1

RESOLUTION NO. _____

A RESOLUTION OF THE COLUSA COUNTY BOARD OF SUPERVISORS CERTIFYING THE ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE 2030 GENERAL PLAN IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THE COUNTY'S LOCAL GUIDELINES

WHEREAS, pursuant to the requirements of California Government Code Sections 65300 et seq., the County of Colusa has prepared and proposes to adopt a comprehensive update of its General Plan; and

WHEREAS, in June 2011, a Notice of Preparation pursuant to the California Environmental Quality Act (CEQA) was distributed to appropriate agencies for the purpose of obtaining written comments from these agencies regarding the scope and content of environmental information and analysis to be addressed in the Environmental Impact Report (EIR); and

WHEREAS, a Draft EIR (DEIR) was prepared for the 2030 General Plan, in accordance with CEQA, which was circulated for public review and comment from November 17, 2011 to January 16, 2012; and

WHEREAS, on November 16, 2011, notice of availability of the DEIR was provided to appropriate agencies and the general public via a Notice of Completion sent to the State Clearinghouse, and copies of the DEIR were available for review at the County of Colusa, Department of Planning and Building, all seven (7) County libraries, at www.countyofcolusageneralplan.org, as well as being available through the County's own website; and

WHEREAS, six (6) letters with written comments were received on the DEIR prior to the close of the 60-day review period for submitting comments. The comments received and the County's responses to such comments, as well as revisions to the DEIR, are contained in the Final EIR (collectively, the DEIR and Final EIR are referred to as *the EIR*); and

WHEREAS, the Planning Commission held a duly noticed public hearing on March 12, 2012, to receive testimony and to consider recommendations to the Board of Supervisors to certify the EIR for the 2030 General Plan and to adopt the 2030 General Plan; and

WHEREAS, on March 12, 2012, the Planning Commission adopted Resolution 12-1 recommending that the Board of Supervisors certify the EIR for the 2030 General Plan; and

WHEREAS, on July 31, 2012, the Board of Supervisors held a duly noticed public hearing and considered the reports and documents presented by County staff, the Planning

Commission's recommendations, and the written and oral comments presented at the public hearing.

NOW, THEREFORE, the Board of Supervisors of the County of Colusa hereby resolves as follows:

1. The above recitals are true and correct and reflect the independent judgment of the Board of Supervisors.
2. Notice of the public hearings on the 2030 General Plan, the Draft EIR and Final EIR was given as required by law and the actions were conducted pursuant to the Planning and Zoning Law, the State CEQA Guidelines, and the County's local guidelines.
3. All individuals, groups, and agencies desiring to comment were given adequate opportunity to submit oral and written comments on the draft 2030 General Plan, the Draft EIR and the Final EIR.
4. All comments submitted during the public review and comment period on the Draft EIR, including comments received at the public hearings on the adequacy of the Draft EIR, were responded to adequately.
5. The Board of Supervisors has been presented with all of the information described in the recitals and has considered this information prior to adopting this Resolution.
6. The EIR has been prepared in compliance with the State CEQA Guidelines, the County's local guidelines, and reflects the County's independent judgment and analysis.
7. The EIR adequately identifies and addresses all of the identified environmental impacts and all feasible mitigation measures have been incorporated into the 2030 General Plan in the form of goals, objectives, policies, action items and programs to reduce or avoid the anticipated environmental impacts.
8. No changes to the 2030 General Plan or to the Draft EIR that were circulated for review have been made that necessitate or involve significant new information as outlined in CEQA Guidelines Section 15088.5.
9. Pursuant to CEQA Guidelines Section 15025 (c), the Colusa County Planning Commission has reviewed and considered the information in the DEIR prior to making its recommendations to the Board of Supervisors.

10. The EIR was presented to the Board of Supervisors, and the Board has reviewed and considered the information contained in the EIR prior to approving the 2030 General Plan.
11. The Board of Supervisors finds that the EIR prepared for the 2030 General Plan reflects the independent judgment of the Board of Supervisors and its staff, and certifies the EIR as adequate, complete, and in compliance with the State CEQA Guidelines, and the County's local guidelines. The Board of Supervisors finds that the EIR is adequate and complete for consideration in making a decision on the merits of the 2030 General Plan.

PASSED AND ADOPTED this ____ day of _____, 2012, by the following
vote:

AYES:

NOES:

ABSENT:

ATTEST: Kathleen Moran
County Clerk and ex officio
Clerk to the Board of Supervisors

Gary Evans, Chairperson
Board of Supervisors

APPROVED AS TO FORM:

By: _____, Deputy

Thomas R. Parker, County Counsel

Attachment 2

RESOLUTION NO. _____

A RESOLUTION OF THE COLUSA COUNTY BOARD OF SUPERVISORS ADOPTING FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE 2030 GENERAL PLAN

WHEREAS, the Colusa County Board of Supervisors has certified that the Environmental Impact Report (EIR) prepared for the 2030 General Plan (Project), as defined therein, has been completed in compliance with the California Environmental Quality Act (CEQA) (Pub. Resources Code Section 21000 *et seq.*), the CEQA Guidelines (14 CCR Section 15000 *et seq.*), and adopted by the County pursuant thereto; that the County has reviewed and considered the information and analysis contained in the EIR; and that the EIR reflects the County's independent judgment; and

WHEREAS, the EIR identified certain significant effects on the environment that would be caused by the Project; and

WHEREAS, the County is required, pursuant to CEQA, to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant effects on the environment associated with a project to be approved; and

WHEREAS, pursuant to Public Resources Code Section 21081.6(b), mitigation measures have been incorporated into the 2030 General Plan as goals, objectives, policies, action items, and programs and separate measures to monitor and enforce will not be needed for the 2030 General Plan, the annual report on general plan status required pursuant to Government Code Section 65400(a)(2) will serve as the monitoring and reporting program for the 2030 General Plan; and

WHEREAS, the 2030 General Plan was drafted with the intent that it contain goals, objectives, policies, action items, and programs which, as development occurs under the Plan, will minimize to the greatest extent possible the impacts of such development. However, it was not possible to reduce all potentially significant effects to a level of less than significant through the inclusion of such goals, objectives, policies, action items, and programs. Therefore, there are some effects which have been identified as significant and unavoidable; and

WHEREAS, no feasible mitigation measures have been identified which would substantially lessen or avoid the significant and unavoidable effects on the environment associated with the Project, and therefore the County must consider the feasibility of alternatives, as set forth in the Final EIR, that may avoid or substantially lessen such impacts; and

WHEREAS, because the EIR has concluded the Project will result in some significant and unavoidable impacts, CEQA requires the County to adopt a Statement of Overriding Considerations if the Project is approved.

NOW, THEREFORE, the Board of Supervisors of the County of Colusa hereby resolves as follows:

1. The Board of Supervisors adopts the Findings of Fact attached as Exhibit A to this resolution, as required by Public Resources Code Section 21081.
2. The Board of Supervisors adopts the Statement of Overriding Considerations included in Exhibit A, as required by Public Resources Code Section 21081.

PASSED AND ADOPTED this ____ day of _____, 2012, by the following vote:

AYES:

NOES:

ABSENT:

Gary Evans, Chairperson
Board of Supervisors

ATTEST: Kathleen Moran
County Clerk and ex officio
Clerk to the Board of Supervisors

APPROVED AS TO FORM:

By: _____, Deputy

Thomas R. Parker, County Counsel

Exhibit A

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE

COUNTY OF COLUSA 2030 GENERAL PLAN UPDATE

FEBRUARY 2012

Prepared for:

County of Colusa
Department of Planning and Building
220 12th Street
Colusa, CA 95932

Prepared by:

De Novo Planning Group
4630 Brand Way
Sacramento, CA 95819
www.denovoplanning.com

D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm

FINDINGS OF FACT AND STATEMENT
OF OVERRIDING CONSIDERATIONS

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FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

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FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE COUNTY OF COLUSA 2030 GENERAL PLAN UPDATE

REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

(Public Resources Code, Section 21000 et seq)

I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires the County of Colusa (County), as the CEQA lead agency to: 1) make written findings when it approves a project for which an environmental impact report (EIR) was certified, and 2) identify overriding considerations for significant and unavoidable impacts identified in the EIR.

These findings explain how the County, as the lead agency, approached the significant and potentially significant impacts identified in the environmental impact report (EIR) prepared for the 2030 General Plan Update (2030 General Plan or Project). The statement of overriding considerations identifies economic, social, technological, and other benefits of the Project that override any significant environmental impacts that would result from the Project.

As required under CEQA, the Final EIR describes the Project, adverse environmental impacts of the project, and mitigation measures and alternatives that would substantially reduce or avoid those impacts. The information and conclusions contained in the EIR reflect the County's independent judgment regarding the potential adverse environmental impacts of the Project.

The Final EIR (which includes the Draft EIR, comments on the Draft EIR, responses to comments on the Draft EIR, and revisions to the Draft EIR) for the Project, examined several alternatives to the Project that were not chosen as part of the approved project (the No Project, Reduced Land Use Intensity, and Revised Land Use Alternatives).

The Findings of Fact and Statement of Overriding Considerations set forth below ("Findings") are presented for adoption by the Board of Supervisors (Board) as the County's findings under the California Environmental Quality Act ("CEQA") (Public Resources Code, §21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, § 15000 et seq.) relating to the Project. The Findings provide the written analysis and conclusions of this Board regarding the Project's environmental impacts, mitigation measures, alternatives to the Project, and the overriding considerations, which in this Board's view, justify approval of the 2030 General Plan, despite its environmental effects.

II. GENERAL FINDINGS AND OVERVIEW

A. Project Background

In the summer of 2009, the County began a multi-year process to update the County's 1989 General Plan. State law requires every city and county in California to prepare and maintain a planning document called a general plan. A general plan is a "constitution" or "blueprint" for the future physical development of a county or city. As part of the Colusa County General Plan Update process, a General Plan Background Report was prepared to establish a baseline of existing conditions in the County. Additionally, an Issues and Opportunities Report was prepared to identify the challenges facing the community and to provide an opportunity for citizens and policymakers to come together in a process of developing a common vision for the future. The General Plan update includes a framework of goals, objectives, policies, and actions that will guide the community toward their common vision. The General Plan is supported with a variety of maps including a Land Use Map and Circulation Diagram.

B. Procedural Background

The County circulated a Notice of Preparation (NOP) of an EIR for the proposed project on June 20, 2011 to trustee and responsible agencies, the State Clearinghouse, and the public. A scoping meeting was held on June 28, 2011 with the Board. Concerns raised in response to the NOP were considered during preparation of the Draft EIR.

The County published a public notice of availability (NOA) for the Draft EIR on November 17, 2011 inviting comment from the general public, agencies, organizations, and other interested parties. The Draft EIR was available for public review from November 17, 2011 through January 16, 2012. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

The County received six comment letters, all from public agencies, regarding the Draft EIR. In accordance with CEQA Guidelines Section 15088, a Final EIR was prepared that responded to the written comments received, as required by CEQA. The Final EIR document and the Draft EIR, as amended by the Final EIR, constitute the Final EIR.

C. Record of Proceedings and Custodian of Record

For purposes of CEQA and the findings set forth herein, the record of proceedings for the County's findings and determinations consists of the following documents and testimony, at a minimum:

- The NOP, comments received on the NOP, Notice of Availability, and all other public notices issued by the County in relation to the Colusa County 2030 General Plan Update EIR.
- The Colusa County 2030 General Plan Update Final EIR, including comment letters and technical materials cited in the document.
- All non-draft and/or non-confidential reports and memoranda prepared by the County of Colusa and consultants in relation to the EIR.
- Minutes of the discussions regarding the Project and/or Project components at public hearings held by the County.
- Staff reports associated with Planning Commission and Board of Supervisors meetings on the Project.
- Those categories of materials identified in Public Resources Code Section 21167.6.

The County Clerk is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the County of Colusa Office of the County Clerk and Recorder at 546 Jay Street, Colusa, California.

D. Consideration of the Environmental Impact Report

In adopting these Findings, this Board finds that the Final EIR was presented to this Board, the decision-making body of the lead agency, which reviewed and considered the information in the Final EIR prior to approving the 2030 General Plan Update. By these findings, this Board of Supervisors ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Final EIR. The Board of Supervisors finds that the Final EIR was completed in compliance with the California Environmental Quality Act. The Final EIR represents the independent judgment and analysis of the County.

E. Severability

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void, or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the 2030 General Plan Update, shall continue in full force and effect unless amended or modified by the County.

III. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

A. Aesthetics and Visual Resources

1. Substantial Adverse Effects on Visual Character, including Scenic Vistas and Scenic Resources (EIR Impact 3.1-1)

- (a) **Potential Impact.** The potential for the Project to result in substantial adverse effect on visual character, including scenic vistas and resources, as discussed at pages 3.1-10 through 3.1-12 of the Draft EIR.
- (b) **Mitigation Measures.** No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:
 - (1) **Effects of Mitigation and Remaining Impacts.** As described on pages 3.1-11 and 3.1-12 of the Draft EIR, the Project includes numerous policies and actions that would reduce the severity of this impact to the extent feasible. However, even with the implementation of policies and actions that would reduce impacts to visual character, the potential remains for new development to interrupt, diminish, or obscure scenic views. While the 2030 General Plan policies and actions would ensure that impacts are reduced, the only method to completely avoid impacts to scenic resources on a Countywide basis would be to severely limit the development potential of agricultural and undeveloped lands, including development such as large barns, silos, storage facilities, and other structures that support agricultural uses. This type of mitigation is not consistent with the objective of the 2030 General Plan to support agricultural operations. Therefore, this would represent a significant and unavoidable impact of the Project.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with impacts to scenic resources and visual character.

B. Agricultural Resources

1. Conversion of Farmlands, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance (EIR Impact 3.2-1)

(a) **Potential Impact.** The potential for the Project to result in the conversion of farmlands, including important farmlands, to non-agricultural uses is discussed at pages 3.2-12 through 3.2-14 of the Draft EIR.

(b) **Mitigation Measures.** No feasible mitigation is available.

(c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:

(1) **Effects of Mitigation and Remaining Impacts.** As described on pages 3.2-12 and 3.2-14 of the Draft EIR, the Project includes numerous policies and actions that would reduce the severity of this impact to the extent feasible. The 2030 General Plan includes policies and actions to protect and preserve farmland, as well as to reduce potential impacts to agricultural lands. Implementation of the 2030 General Plan policies and action items reduce impacts to agricultural resources by managing the pace and location of growth, protecting agricultural lands, buffering agricultural uses from urban uses, requiring that impacts to agricultural lands are minimized, and supporting a broad range of agricultural uses to ensure an on-going demand for farmed and agricultural lands. However, the General Plan does allow for urbanization of agricultural lands, particularly those lands that are adjacent to existing communities, and does allow for development of agricultural-supporting uses on agricultural lands. The only mitigation available to fully avoid this impact would be to restrict growth to occur only on non-agricultural lands and to not allow agricultural-support operations on agricultural lands; this limitation of growth would not be consistent with the Project goals and objectives as identified in the EIR and stated throughout the Project. Therefore, this would represent a significant and unavoidable impact of the Project.

(2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with conversion of farmlands.

C. Air Quality

1. Stationary Source Emissions (EIR Impact 3.3-2)

- (a) **Potential Impact.** The potential for the Project to result in significant levels of air pollution associated with stationary sources is discussed at pages 3.3-16 through 3.3-18 of the Draft EIR.
- (b) **Mitigation Measures.** No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:
 - (1) **Effects of Mitigation and Remaining Impacts** As described on page 3.3-18 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible, including use of best available control technology and enforcement of the Colusa County Air Pollution Control District rules and regulations. However, there are no mitigation measures that can eliminate significant emissions while still allowing the County's economy to grow through new development, particularly industrial, agricultural, and commercial. This would represent a significant and unavoidable impact of the Project.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with stationary source emissions.

D. Hazards

1. Impact to People Residing or Working within Two Miles of a Public Airport, Public Use Airport, or Private Airstrip (EIR Impact 3.8-4)

- (a) **Potential Impact.** The potential for the Project to result in a land use conflict in the vicinity of the Colusa County Airport is described on pages 3.8-23 and 3.8-24 of the Draft EIR.
- (b) **Mitigation Measures.** No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:
 - (1) **Effects of Mitigation and Remaining Impacts.** As described on page 3.8-23 and 3.8-24 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact

to the extent feasible, including the requirement for future projects to be consistent with the Comprehensive Land Use Plan (CLUP) to ensure safety associated with airport operations. However, the conflict between the General Plan land use designation and the land uses allowed under the CLUP would remain. No additional mitigation, beyond a change in land use as addressed under Alternative 2 (see Section V) is available. This would represent a significant and unavoidable impact of the Project.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with airport hazards.

E. Hydrology and Water Quality

1. General Plan Implementation Could Place Housing and Structures within a 100-year Flood Hazard Area as Mapped on a Federal Flood Hazard Boundary, Flood Insurance Rate Map, or Other Flood Hazard Delineation Map (EIR Impact 3.9-5)

- (a) **Potential Impact.** The potential for the Project to place housing and structures within a flood hazard area is described on pages 3.9-51 through 3.9-53 of the Draft EIR.
- (b) **Mitigation Measures.** No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:

- (1) **Effects of Mitigation and Remaining Impacts.** As described on page 3.9-52 and 3.9-53 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. The policies and actions of the General Plan along with applicable federal, state, and local regulations would reduce potential impacts as described in the Draft EIR. However, complete avoidance of flood hazard areas, including the 100-year flood plain, and associated effects by new development is infeasible given that much of the land within eastern Colusa County, which contains the highest population concentrations and existing communities is planned for growth as identified by the Land Use Map and consistent with the goals and objectives of the General Plan to concentrate growth in and around existing

communities. No additional mitigation is available. This would represent a significant and unavoidable impact of the Project.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with flood hazards.

F. Land Use and Population

1. Conflicts with an Applicable Land Use Plan, Policy, or Regulation Adopted to Avoid or Mitigate an Environmental Effect (EIR Impact 3.10-2)

- (a) **Potential Impact.** As described on pages 3.10-37 through 3.10-41 of the Draft EIR, the Project would not have a significant environmental effect associated with conflicts with federal, state, county, and local jurisdiction plans, policies, or regulations, with the exception of the Colusa County Airport CLUP.
- (b) **Mitigation Measures.** No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:
 - (1) **Effects of Mitigation and Remaining Impacts.** As described on page 3.10-39 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible, including the requirement for future projects to be consistent with the Comprehensive Land Use Plan (CLUP) to ensure safety associated with airport operations. However, the conflict between the General Plan land use designation and the land uses allowed under the CLUP would remain. No additional mitigation, beyond a change in land use as addressed under Alternative 2 (see Section V) is available. This would represent a significant and unavoidable impact of the Project.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with conflicts with the CLUP.

G. Noise and Vibration

1. Traffic Noise Sources (EIR Impact 3.11-1)

- (a) **Potential Impact.** The potential for the Project to result in significant increases in noise associated with traffic levels is discussed at pages 3.11-18 through 3.11-22 of the Draft EIR.
- (b) **Mitigation Measures.** No feasible mitigation is available.
- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:
 - (1) **Effects of Mitigation and Remaining Impacts.** As described on page 3.11-18 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible, including measures to reduce exposure of sensitive receptors to traffic noise. However, some traffic noise impacts cannot be mitigated to a less-than-significant level due the proximity of sensitive receivers to major roadways, and because noise attenuation may not be feasible in all circumstances. This would represent a significant and unavoidable impact of the Project.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with traffic noise.

H. Transportation and Circulation

1. Implementation of the Draft General Plan would Contribute Vehicle Trips to Roadways Projected to Operate Worse than the LOS Thresholds of the Incorporated Cities of Colusa and Williams (EIR Impact 3.13-2)

- (a) **Potential Impact.** The potential for the Project to result in significant increases in traffic levels on roads in the Cities of Colusa and Williams is discussed at pages 3.13-17 through 3.13-19 of the Draft EIR.
- (b) **Mitigation Measures.** No feasible mitigation measures are available.
- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:
 - (1) **Mitigation and Remaining Impacts.** As described on pages 3.13-18 and 3.13-19 of the Draft EIR, the Project includes policies and

actions that would reduce the severity of this impact to the extent feasible. However, the County does not have jurisdiction within the cities to ensure that improvements necessary to mitigate potential impacts are made. While the project includes policies and actions that would require subsequent projects to address significant traffic impacts, there are no mechanisms or agreements in place for the collection and expenditure of inter-jurisdictional traffic funds. The General Plan addresses traffic impacts to the extent feasible and no feasible mitigation measures are available. This would represent a significant and unavoidable impact of the Project.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with traffic impacts in the cities of Colusa and Williams.

2. Implementation of the Draft General Plan would Result in Increased Traffic on State Highways and Facilities (EIR Impact 3.13-3)

- (a) **Potential Impact.** The potential for the Project to result in significant increases in traffic levels on State highway facilities is discussed at pages 3.13-20 through 3.13-22 of the Draft EIR.
- (b) **Mitigation Measures.** No feasible mitigation measures are available.
- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:
- (1) **Mitigation and Remaining Impacts.** As described on pages 3.13-21 and 3.13-22 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, the County does not have jurisdiction over State highway facilities to ensure that improvements necessary to mitigate potential impacts are made. While Policy CIRC 1-11 and Action CIRC 1-C are anticipated to be sufficient to address impacts associated with the 2030 General Plan Update, regional traffic, including traffic from local cities and outside counties, may also contribute to the need for improvements to State highway facilities. Many of these improvements have not yet been fully planned or funded and there are no agreements or programs in place to ensure that fair share fees are collected from outside agencies to ensure that full funding will be available for the improvements. In the case of the 2030 General Plan Update, the

County cannot, on its own, implement improvements to the State highway system and a fee-based program to implement the improvements would require agreements between Colusa County and Caltrans and possibly the cities of Colusa and Williams that do not yet exist. There is also often a funding gap between the total amount of impact fees that can be legally collected and the total cost of the improvement, which means that some portion of needed improvements may be unfunded through the collection of fair-share fees. Where improvements are partially unfunded, there is no guarantee that full funding will be available. No feasible mitigation measures are available. This would represent a significant and unavoidable impact of the Project.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with traffic impacts in the cities of Colusa and Williams.

I. Utilities

1. Increased Demand for Water Supply (EIR Impact 3.14-1)

- (a) **Potential Impact.** The potential for the Project to result in the need for additional water supply and associated infrastructure is discussed at pages 3.14-11 through 3.14-16 of the Draft EIR.

- (b) **Mitigation Measures.** No feasible mitigation measures are available.

- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:

- (1) **Mitigation and Remaining Impacts.** As described on pages 3.14-15 and 3.14-16 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. While implementation of the 2030 General Plan, the County's Zoning Ordinance, and the County's Groundwater Management Ordinance would ensure that new development is only approved if there is adequate water supply and measures are implemented to reduce water demand, there would still exist the potential for adverse environmental effects associated with water usage, through increased groundwater pumping or future surface water diversions, to serve development in specific areas over the life of the General Plan as discussed in the Draft EIR. While the specific well sites and potential diversion locations are not known,

increased water usage could result in adverse impacts groundwater levels, groundwater quality, surface water quality, surface water levels, and land stability (e.g., subsidence), including those effects described in Table 3.14-2 of the Draft EIR. The only measure that would fully mitigate this impact would be to allow a minimal amount of new development, which is not consistent with the goals of the 2030 General Plan update project. This would represent a significant and unavoidable impact of the Project.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with increased demand for water supply.

2. Increased Generation of Wastewater (EIR Impact 3.14-1)

- (a) **Potential Impact.** The potential for the Project to result in the need for additional wastewater treatment and conveyance facilities and associated infrastructure is discussed at pages 3.14-30 through 3.14-32 of the Draft EIR.
- (b) **Mitigation Measures.** No feasible mitigation measures are available.
- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:
 - (1) **Mitigation and Remaining Impacts.** As described on pages 3.14-31 and 3.14-32 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. While implementation of the 2030 General Plan, the County's Zoning Ordinance, and state and local wastewater treatment requirements would ensure that new development is only approved if there is adequate wastewater capacity to serve the development, there would still exist the potential for adverse environmental effects associated with increased wastewater treatment, conveyance, and disposal to serve development in specific areas over the life of the General Plan as discussed in the Draft EIR. However, wastewater treatment facility, conveyance, and disposal infrastructure improvements necessary to accommodate such service may result in significant environmental impacts. The only measure that would fully mitigate this impact would be to allow a minimal amount of new

development, which is not consistent with the goals of the 2030 General Plan update project. This would represent a significant and unavoidable impact of the Project.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with increased generation of wastewater.

J. Cumulative Impacts

1. Aesthetics - Cumulative Degradation of the Existing Visual Character of the Region (EIR Impact 4.1)

- (a) **Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative degradation of visual character is discussed at page 4.0-7 of the Draft EIR.

- (b) **Mitigation Measures.** No feasible mitigation measures are available.

- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:

- (1) **Mitigation and Remaining Impacts.** As described on page 4.0-7 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, even with implementation of adopted policies and regulations, the 2030 General Plan has the potential to considerably contribute to permanent changes in visual character, such as obstruction of scenic views, conversion of existing visual character, and increased lighting. No feasible mitigation is available to fully reduce the cumulative effect on visual character, or to mitigate the proposed project's contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative degradation of visual character.

2. **Agricultural and Timber Resources - Cumulative Impact on Agricultural and Timber Resources (EIR Impact 4.2)**

- (a) **Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative loss of agricultural and timber land, including important farmlands, significant farmlands, land other the Williamson Act, and other farmlands, is discussed at page 4.0-8 of the Draft EIR.
- (b) **Mitigation Measures.** No feasible mitigation measures are available.
- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:
 - (1) **Mitigation and Remaining Impacts.** As described on page 4.0-8 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, even with implementation of adopted policies and actions, the 2030 General Plan has the potential to considerably contribute to permanent conversion of agricultural and timber resources. No feasible mitigation is available to fully reduce the cumulative effect on these resources, or to mitigate the contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative degradation of visual character.

3. **Air Quality – Cumulative Impact on the Region’s Air Quality (EIR Impact 4.3)**

- (a) **Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative increases in emissions of air pollutants and degradation of air quality is discussed at page 4.0-8 and 4.0-9 of the Draft EIR.
- (b) **Mitigation Measures.** No feasible mitigation measures are available.
- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:
 - (1) **Mitigation and Remaining Impacts.** As described on pages 4.0-8 and 4.0-9 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent

feasible. However, even with implementation of adopted policies and regulations, the 2030 General Plan has the potential to considerably contribute to increased air pollutant emissions under cumulative conditions. There are no mitigation measures that can eliminate emissions. The net change will be a significant increase in stationary source emissions in the cumulative analysis area as a result of increased non-residential uses and the addition of policies that encourage new stationary sources consistent with the goals and objectives of the 2030 General Plan. No feasible mitigation is available to fully reduce the cumulative effect on air quality, or to mitigate the proposed project's contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative degradation of air quality.

4. **Biological Resources - Cumulative Loss of Biological Resources Including Habitats and Special Status Species (EIR Impact 4.4)**

- (a) **Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative loss of biological resources is discussed at page 4.0-9 of the Draft EIR.

- (b) **Mitigation Measures.** No feasible mitigation measures are available.

- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:

- (1) **Mitigation and Remaining Impacts.** As described on page 4.0-9 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, even with implementation of adopted policies and actions, the 2030 General Plan has the potential to considerably contribute to a net reduction in habitat, and increased vehicle and human presence in the vicinity of special-status species and sensitive habitat. No feasible mitigation is available to fully reduce the cumulative effect on these resources, or to mitigate the contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative loss of biological resources.
- 5. **Noise - Cumulative Exposure of Noise-Sensitive Land Uses to Noise in Excess of Normally Acceptable Noise Levels or to Substantial Increases in Noise (EIR Impact 4.11)**
 - (a) **Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative noise impacts is discussed at page 4.0-13 of the Draft EIR.
 - (b) **Mitigation Measures.** No feasible mitigation measures are available.
 - (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:
 - (1) **Mitigation and Remaining Impacts.** As described on 4.0-13 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, it may not be feasible to mitigate this impact to a less-than-significant level in all instances, particularly in areas where existing development is located near proposed development. Although the policy and regulatory controls for noise related impacts are in place in the cumulative analysis area, subsequent development projects may result in an increase in ambient noise levels at specific project locations, which may subject surrounding land uses to increases in ambient noise levels. No feasible mitigation is available to fully reduce the cumulative effect on noise, or to mitigate the proposed project's contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.
 - (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative increases in noise levels.

6. **Transportation and Circulation - Cumulative Impact on the Transportation Network (EIR Impact 4.13)**

(a) **Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative impacts on the transportation network is discussed at page 4.0-14 of the Draft EIR.

(b) **Mitigation Measures.** No feasible mitigation measures are available.

(c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:

(1) **Mitigation and Remaining Impacts.** As described on page 4.0-14 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. The 2030 General Plan includes policies and actions that identify the collection of fair-share cost of all feasible transportation improvements necessary to reduce the severity of cumulative transportation impacts and to negotiate with the cities to achieve mutually beneficial outcomes including development impact fees for funding of regional roadways. These policies and actions are crafted so that new County development pays a fair share proportion of the cost for regional circulation improvements. While implementation of the policies and actions included in the 2030 General Plan are intended to either result in the direct construction of improvements to maintain an acceptable level of service, or result in a fair-share funding toward roadway impacts on facilities, there is no guarantee that full funding for the identified improvements will be available when the improvements are needed. Further, agreements between the County, Caltrans, and the cities of Colusa and Williams will be necessary to address regional transportation impacts. These agreements are not yet in place and there is no guarantee that the agencies will enter into the agreement(s) necessary to address this impact. No feasible mitigation is available to fully reduce the cumulative effect on the transportation network, or to mitigate the proposed project's contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.

(2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any

remaining significant adverse impact of the Project associated with cumulative impacts to the transportation network.

7. Utilities - Cumulative Impacts on Water Supply and Wastewater (EIR Impact 4.14)

(a) **Potential Impact.** The potential for the Project to result in a considerable contribution to the cumulative impacts associated with water supply and wastewater treatment is discussed at pages 4.0-14 and 4.0-15 of the Draft EIR.

(b) **Mitigation Measures.** No feasible mitigation measures are available.

(c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:

- (1) **Mitigation and Remaining Impacts.** As described on pages 4.0-14 and 4.0-15 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. The 2030 General Plan, the County's Zoning Ordinance, and the County's Groundwater Management Ordinance would ensure that new development is only approved if there is adequate water supply and measures are implemented to reduce water demand; however, there would still exist the potential for adverse environmental effects associated with water usage, through increased groundwater pumping or future surface water diversions, to serve development in specific areas over the life of the 2030 General Plan. While the specific well sites and potential diversion locations are not known, increased water usage could result in effects on groundwater levels, groundwater quality, surface water quality, surface water levels, and land stability (e.g., subsidence) within the cumulative analysis area. The only measure that would fully mitigate this impact related to water supply would be to allow a minimal amount of new development, which is not consistent with the goals of the 2030 General Plan.

The 2030 General Plan, the County's Zoning Ordinance, and the wastewater treatment requirements would ensure that new development in the cumulative analysis area is only approved if there is adequate wastewater capacity to serve the development; however, there would still exist the potential for adverse environmental effects associated with increased wastewater treatment, conveyance, and disposal to serve development in specific areas over the life of the 2030 General Plan. However, wastewater treatment facility, conveyance, and disposal

infrastructure improvements necessary to accommodate such service may result in significant environmental impacts. The only measure that would fully mitigate this impact would be to allow a minimal amount of new development, which is not consistent with the goals of the 2030 General Plan. Impacts associated with water supply and wastewater represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative impacts associated with water supply and wastewater.

K. Significant Irreversible Effects

1. Irreversible Effects (EIR Impact 4.15)

- (a) **Potential Impact.** The potential for the Project to result in a significant irreversible effect associated with the consumption of nonrenewable resources and irretrievable commitments/irreversible physical changes is discussed at pages 4.0-18 and 4.0-19 of the Draft EIR.
- (b) **Mitigation Measures.** No feasible mitigation measures are available.
- (c) **Findings.** Based upon the EIR and the entire record before this Board, this Board finds that:
 - (1) **Mitigation and Remaining Impacts.** As described on pages 4.0-18 and 4.0-19 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. One of the primary objectives of the 2030 General Plan is to conserve agricultural and other natural resources. As such, the 2030 General Plan focuses all new development to infill areas, and areas surrounding existing communities. As a result of this design, the 2030 General Plan will minimize the potential for impacts to the nonrenewable resources in the County, including agricultural resources, forest resources, biological resources, mineral resources, and energy resources, and the irretrievable commitment of resources and irreversible physical changes. However, the 2030 General Plan establishes a Land Use Map for the entire unincorporated area of the County that would anticipate urbanization and development over a 20-year period.

This development is necessary to achieve the economic development goals as well as other goals and objectives of the Project. In summary, the 2030 General Plan includes an extensive policy framework that is designed to address land use and environmental issues to the greatest extent feasible while allowing growth and economic prosperity for the County. However, even with the policies and actions that will serve to reduce potential significant impacts, the 2030 General Plan will result in significant irreversible changes. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.

- (2) **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with irreversible effects.

IV. FINDINGS AND RECOMMENDATIONS REGARDING THOSE IMPACTS WHICH ARE LESS THAN SIGNIFICANT, LESS THAN CUMULATIVELY CONSIDERABLE, OR HAVE NO IMPACT

- A. Specific impacts within the following categories of environmental effects were found to be less than significant as set forth in more detail in the Draft EIR.
1. **Aesthetics and Visual Resources:** The following specific impact was found to be less than significant:
 - a. Impact 3.1-2: General Plan implementation could result in the creation of new sources of nighttime lighting and daytime glare.
 2. **Agricultural Resources:** The following specific impacts were found to be less than significant or to have no impact:
 - a. Impact 3.2-2: Conflict with existing farmlands, agricultural zoning, or Williamson Act contracts,
 - b. Impact 3.2-3: Conflict with existing zoning of forest or timber production, and
 - c. Impact 3.2-4: Result in the loss or conversion of forest land.
 3. **Air Quality:** The following specific impacts were found to be less than significant:
 - a. Impact 3.3-1: Mobile source emissions,

- b. Impact 3.3-3: Area source emissions,
- c. Impact 3.3-4: Construction emissions,
- d. Impact 3.3-5: CO and PM hot spots,
- e. Impact 3.3-6: Air toxics,
- f. Impact 3.3-7: Objectionable odors, and
- g. Impact 3.3-8: Asbestos exposure.

4. Biological Resources: The following specific impacts were found to be less than significant:

- a. Impact 3.4-1: General Plan implementation could result in direct or indirect effects on candidate, sensitive, or special-status species, including their habitat or movement corridors,
- b. Impact 3.4-2: General Plan implementation could result in adverse effects on riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, or on federally protected wetlands as defined by Section 404 of the Clean Water Act,
- c. Impact 3.4-3: General Plan implementation may interfere with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native nursery sites, and
- d. Impact 3.4-5: Conflict with an adopted habitat conservation plan, natural community conservation plan, recovery plan, oak woodlands, plan, or local policies or ordinances protecting biological resources.

5. Cultural Resources: The following specific impacts were found to be less than significant:

- a. Impact 3.5-1: Substantial adverse change in the significance of a historical or archaeological resource,
- b. Impact 3.5-2: Disturbance of human remains, and
- c. Impact 3.5-3: Damage to or the destruction of paleontological resources.

6. Geology, Soils, and Minerals: The following specific impacts were found to be less than significant:

- a. Impact 3.6-1: Potential to expose people or structures to potential adverse effects involving rupture of a fault, strong seismic ground shaking, or seismic-related ground failure,
- b. Impact 3.6-2: Potential to expose people or structures to potential adverse effects involving ground instability or failure,

- c. Impact 3.6-3: Potential to result in substantial soil erosion or the loss of topsoil,
 - d. Impact 3.6-4: Potential to have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water, and
 - e. Impact 3.6-5: Result in the loss of availability of a locally important mineral resource or known mineral resource that would be of value to the region and the residents of the state.
7. **Greenhouse Gases and Climate Change:** The following specific impact was found to be less than significant:
- a. Impact 3.7-1: General Plan implementation would not result in conflicts with AB 32 or conflict with the policy guidance provided by CAPCOA.
8. **Hazards:** The following specific impacts were found to be less than significant:
- a. Impact 3.8-1: Potential hazard to the public or environment through the routine transport, use, disposal, or accidental release of hazardous materials,
 - b. Impact 3.8-2: Potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school,
 - c. Impact 3.8-3: Impact from being included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5,
 - d. Impact 3.8-5: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and
 - e. Impact 3.8-6: Expose people or structures to a risk of loss, injury, or death from wildland fires.
9. **Hydrology and Water Quality:** The following specific impacts were found to be less than significant:
- a. Impact 3.9-1: General Plan implementation could result in a violation of water quality standards or waste discharge requirements,
 - b. Impact 3.9-2: General Plan implementation could result in the depletion of groundwater supplies or interfere substantially with groundwater recharge,

- c. Impact 3.9-3: General Plan implementation could alter the existing drainage plan in a manner which would result in substantial erosion, siltation, flooding, or polluted runoff,
 - d. Impact 3.9-4: General Plan implementation could otherwise substantially degrade water quality, and
 - e. Impact 3.9-6: General Plan implementation could expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam, seiche, tsunami, or mudflow.
10. **Land Use and Population:** The following specific impacts were found to be less than significant or to have no impact:
- a. Impact 3.10-1: Physical division of an established community,
 - b. Impact 3.10-2: Conflicts with any applicable habitat conservation plan or natural community conservation plan,
 - c. Impact 3.10-4: Induce substantial population growth in an area, and
 - d. Impact 3.10-5: Displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere.
11. **Noise:** The following specific impacts were found to be less than significant:
- a. Impact 3.11-2: Stationary noise sources,
 - b. Impact 3.11-3: Airport noise, and
 - c. Impact 3.11-4: Construction noise.
12. **Public Services and Recreation:** The following specific impacts were found to be less than significant:
- a. Impact 3.12-1: Adverse physical impacts on the environment associated with governmental facilities and the provision of public services,
 - b. Impact 3.12-2: Adverse physical impacts on the environment associated with the deterioration of existing parks and recreation facilities, and
 - c. Impact 3.12-3: Adverse physical impacts on the environment associated with construction of new parks and recreation facilities.
13. **Transportation and Circulation:** The following specific impacts were found to be less than significant:
- a. Impact 3.13-1: Implementation of the proposed General Plan would result in acceptable traffic operation on County roadways,

- b. Impact 3.13-4: Potential hazards due to design features of incompatible uses, and
 - c. Impact 3.13-5: Increased demand for public transit services would not conflict with applicable plans or exceed capacity
 - d. Impact 3.13-6: Increased demand for pedestrian and bicycle infrastructure would not exceed capacity or disrupt existing or planned facilities,
 - e. Impact 3.13-7: Increased demand for aviation facilities and services, and
 - f. Impact 3.13-8: Emergency Access.
 - 14. **Utilities:** The following specific impact was found to be less than significant:
 - a. Impact 3.14-3: Served by a landfill for solid waste disposal needs and require compliance with various laws and regulations.
 - 15. **Growth-Inducing:** The 2030 General Plan was found to result in a less than significant impact related to growth inducement (pages 4.0-16 through 4.0-18 of the Draft EIR).
- B.** The project was found to have a less than cumulatively considerable contribution to specific impacts within the following categories of environmental effects as set forth in more detail in the Draft EIR.
- 1. **Cultural Resources:** The project would have a less than cumulatively considerable contribution to cumulative impacts on known and undiscovered cultural resources (Impact 4.5).
 - 2. **Geology, Soils, and Minerals:** The project would have a less than cumulatively considerable contribution to cumulative impacts related to geology and soils (Impact 4.6).
 - 3. **Greenhouse Gases and Climate Change:** The project would have a less than cumulatively considerable contribution to cumulative impacts related to increased greenhouse gas emissions that may contribute to climate change (Impact 4.7).
 - 4. **Hazards:** The project would have a less than cumulatively considerable contribution to cumulative impacts from hazardous materials and risks associated with human health (Impact 4.8).

5. **Hydrology and Water Quality:** The project would have a less than cumulatively considerable contribution to cumulative impacts to hydrology and water quality (Impact 4.9).
 6. **Land Use and Population:** The project would have a less than cumulatively considerable contribution to cumulative impacts associated with communities and land use planning (Impact 4.8).
 7. **Public Services and Recreation:** The project would have a less than cumulatively considerable contribution to cumulative impacts on public services and recreation (Impact 4.12).
 8. **Utilities:** The project would have a less than cumulatively considerable contribution to cumulative impacts on solid waste (Impact 4.14).
- C. The above impacts are less than significant or less than cumulatively considerable for one of the following reasons:
1. The EIR determined that the impact is less than significant for the Project.
 2. The EIR determined that the Project would have a less than cumulatively considerable contribution to the cumulative impact.

V. PROJECT ALTERNATIVES

A. Identification of Project Objectives

An EIR is required to identify a “range of potential alternatives to the project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one of more of the significant effects.” Chapter 2.0 of the Draft EIR identifies the Project’s goals and objectives. The Project objectives include:

- Reflect the current goals and vision expressed by County residents, businesses, decision-makers, and other stakeholders;
- Address issues and concerns identified by County residents, businesses, decision-makers, and other stakeholders;
- Maintain and enhance the County’s agricultural and rural quality of life;
- Focus new residential growth in and around existing communities;

- Increase opportunities for economic development, including accommodating a broader range of agricultural and agricultural support uses;
- Minimize new regulations or limitations on property use; and
- Address new requirements of State law.

B. Alternatives Analysis in EIR

1. Alternative 1: Reduced Land Use Intensity Alternative

The Reduced Land Use Intensity Alternative is discussed on pages 5.0-2 through 5.0-10 and 5.0-19 of the Draft EIR. Under Alternative 1, urban and industrial development under the 2030 General Plan Land Use Map would be focused more tightly around existing communities as shown on Figure 5-1 of the Draft EIR. Approximately 3,026 acres of land designated Urban Residential, Urban Reserve Area, and Industrial would be changed to Agricultural General and Agricultural Transition designations. This alternative would result in less growth and is intended to reduce impacts associated with traffic, air quality, noise, and farmland conversion.

- a. **Findings:** The No Project Alternative is rejected as an alternative because it would not achieve the Project's objectives.
- b. **Explanation:** This alternative would not realize the benefits of the Project and fails to achieve some of the Project objectives. This alternative would not reflect the current goals and vision expressed by County residents, businesses, decision-makers, and other stakeholders associated with increased opportunities for economic development and job-creating land uses. This alternative would also not be consistent with the land use vision identified by County residents, businesses, decision-makers, and other stakeholders during the Visioning and Steering Committee processes. While environmental benefits would occur associated with visual character, conversion of farmlands, airport hazards, flooding, land use conflicts, cumulative impacts, and irreversible effects, this alternative would be comparable to the Project during the life of the Project in terms of circulation, water supply, and wastewater treatment impacts. This alternative would not fully avoid or mitigate any of the impacts associated with the Project.

2. Alternative 2: Revised Land Use (Airport Area) Alternative

The Reduced Land Use Intensity Alternative is discussed on pages 5.0-10 through 5.0-16 and 5.0-19 of the Draft EIR. Alternative 2 would revise the 2030 General Plan to avoid land use impacts and potential safety hazards associated with conflicts between the

Colusa County Airport Comprehensive Land Use Plan and the uses allowed under the 2030 General Plan.

- a. **Findings:** The No Project Alternative is rejected as an alternative because it would not achieve the Project's objectives.
- b. **Explanation:** This alternative would not achieve some of the Project objectives. This alternative would not be consistent with the land use vision identified by County residents, businesses, decision-makers, and other stakeholders during the Visioning and Steering Committee processes for the area south of the City of Colusa. Further, this alternative would only result in an improvement related to environmental impacts associated with airport hazards and land use conflicts with the CLUP, but all other environmental impacts associated with this alternative would be comparable to the Project.

3. Alternative 3: No Project Alternative

The No Project Alternative is discussed on pages 5.0-16 through 5.0-13 through 5.0-16 of the Draft EIR. As required by CEQA, this alternative assumes that the adopted 1989 General Plan would remain in place.

- a. **Findings:** The No Project Alternative is rejected as an alternative because it would not achieve the Project's objectives.
- b. **Explanation:** This alternative would not achieve the Project objectives. This alternative fails to meet three of the basic project objectives, which are: 1) to bring the County's General Plan into consistency with State laws pertaining to General Plan updates, 2) to reflect the current goals and visions for the County based on input received during the public participation process, and 3) to address current issues and concerns raised during the public participation process. This alternative would also result in worse environmental impacts than the Project in seven of the impact areas analyzed.

CEQA requires that an environmentally superior alternative be identified among the alternatives that are analyzed in the EIR. If the No Project Alternative is the environmentally superior alternative, an EIR must also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)). The environmentally superior alternative is that alternative with the least adverse environmental impacts when compared to the proposed project.

As discussed in Chapter 5 of the Draft EIR and summarized in Table 5-7 of the Draft EIR, Alternative 1 (Reduced Land Use Intensity) is the environmentally superior alternative because it provides the greatest reduction of potential impacts in comparison to the proposed project and other alternatives in ten of the eighteen impact areas that are analyzed and provides a reduction of potential impacts in comparison to the proposed project in three of the remaining impact areas. As previously discussed, Alternative 1 would not achieve the Project Objectives, particularly those related to addressing the vision and concerns identified by the public and other stakeholders related to land use and economic development. For these economic, social, and other reasons, the Project is deemed superior to Alternative 1, the Reduced Land Use Intensity Alternative.

VI. STATEMENTS OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA Section 21081(b) and the CEQA Guidelines Section 15093, the County of Colusa has balanced the benefits of the proposed General Plan against the following unavoidable adverse impacts associated with the proposed General Plan and has included all feasible mitigation measures as policies and action items within the General Plan. Colusa County has also examined alternatives to the proposed project, and has determined that adoption and implementation of the proposed General Plan is the most desirable, feasible, and appropriate action. The other alternatives are rejected as infeasible based on consideration of the relevant factors discussed in Chapter 5.0 of the Draft EIR.

A. Significant Unavoidable Impacts

Based on the information and analysis set forth in the EIR and reiterated in Section III of these Findings, implementation of the proposed General Plan would result in the following project-specific significant impacts related to: aesthetics and visual resources, agricultural resources, air quality, hazards, hydrology and water quality, land use and population, noise, transportation and circulation, and utilities.

- Impact 3.1-1: General Plan Implementation could result in Substantial Adverse Effects on Visual Character, including Scenic Vistas or Scenic Resources (Significant and Unavoidable)
- Impact 3.2-1: Conversion of Farmlands, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance (Significant and Unavoidable)
- Impact 3.3-2: Stationary Source Emissions (Significant and Unavoidable)
- Impact 3.8-4: Impact to people residing or working within two miles of a public airport, public use airport, or private airstrip (Significant and Unavoidable)
- Impact 3.9.5 General Plan Implementation Could Place Housing and Structures within a 100-year Flood Hazard Area as Mapped on a Federal Flood Hazard Boundary or Flood

Insurance Rate Map or other Flood Hazard Delineation Map (significant and unavoidable)

- Impact 3.10-2: Conflicts with Applicable Land Use Plan, Policy, or Regulation Adopted to Avoid or Mitigate an Environmental Effect (Significant and Unavoidable)
- Impact 3.11-1: Traffic Noise Sources (Significant and Unavoidable)
- Impact 3.13-2: Implementation of the Draft General Plan would contribute vehicle trips to roadway project to operate worse than the LOS thresholds of the incorporated Cities of Colusa and Williams (significant and unavoidable)
- Impact 3.13-3: Implementation of the Draft General Plan would Result in Increased Traffic on State Highways and Facilities (Significant and Unavoidable)
- Impact 3.14-1: Increased Demand for Water Supply (Significant and Unavoidable)
- Impact 3.14-2: The project would generate wastewater that would be conveyed and treated at an existing wastewater treatment plant (Significant and Unavoidable)
- Impact 4.1: Cumulative Degradation of the Existing Visual Character of the Region (Considerable Contribution and Significant and Unavoidable)
- Impact 4.2: Cumulative Impact on Agricultural and Timber Resources (Considerable Contribution and Significant and Unavoidable)
- Impact 4.3: Cumulative Impact on the Region's Air Quality (Considerable Contribution and Significant and Unavoidable)
- Impact 4.4: Cumulative Loss of Biological Resources Including Habitats and Special Status Species (Considerable Contribution and Significant and Unavoidable)
- Impact 4.11: Cumulative Exposure of Noise-Sensitive Land Uses to Noise in Excess of Normally Acceptable Noise Levels or to Substantial Increases in Noise (Considerable Contribution and Significant and Unavoidable)
- Impact 4.13: Cumulative Impact on the Transportation Network (Considerable Contribution and Significant and Unavoidable)
- Impact 4.14: Cumulative Impact on Utilities (Considerable Contribution and Significant and Unavoidable)
- Impact 4.15: Irreversible Effects (Significant and Unavoidable)

Aesthetics and Visual Resources

Buildout of the proposed 2030 General Plan would allow for new development to occur in areas that are open space and/or agricultural, including land that has historically been used for agricultural operations and areas that have been previously undeveloped. The introduction of new development into previously undisturbed areas or areas that have been historically used for agricultural operations may result in significant impacts to scenic resources or result in the

degradation of the County's visual character. The General Plan focuses growth around existing communities to preserve agricultural and open space lands to the greatest degree feasible, and includes measures to reduce visual impacts from new development. However, new land uses and development that would occur to provide housing and economic development opportunities in the County would require the conversion of open space and agricultural lands to urban uses. For this reason, this impact would remain significant and unavoidable.

Agricultural Resources

While the 2030 General Plan would provide for continued agricultural uses on 551,741 acres of agricultural land, through designation of such lands for agricultural, open space, resource conservation, or other uses compatible with long-term agricultural production, implementation of the 2030 General Plan has the potential to directly and indirectly result in the conversion of farmlands, including important farmlands, to nonagricultural uses. Approximately 6,850 acres of farmland, including 2,539 acres of prime farmlands and 166 acres of farmland of statewide importance, would be designated to future development and urbanization through the Parks and Recreation, Commercial, Mixed Use, Industrial, Public/Semi-Public Services, Rural Residential, Urban Residential, Rural Service Center, and Urban Reserve area land use designations. This is considered a significant and unavoidable impact.

Air Quality

Stationary sources emissions come from large, fixed sources of air pollution such as power plants, refineries, and factories. Under the 1989 General Plan there would be 509,065 square feet of non-residential available for development. In comparison, the General Plan Update would result in an additional 101,809 square feet of non-residential available for development over the next 20 years. There are no mitigation measures that can eliminate significant emissions while still allowing the County's economy to grow through new development, particularly industrial, agricultural, and commercial. The net change will be increased stationary source emissions in Colusa County as a result of increased non-residential uses and the addition of policies that encourage new stationary sources. Even with implementation of 2030 General Plan policies and actions that would reduce the impact, this impact is considered significant and unavoidable.

Hazards

The 2030 General Plan designates land uses in the vicinity of the airport that conflict with the uses allowed by the CLUP in the clear and overflight zones. While implementation of the policies and actions in the 2030 General Plan would ensure that new development is reviewed for consistency with setbacks, land use, and height requirements to ensure safety to both users of the airport/airstrips and people living and working in the vicinity of the Colusa County Airport and other airstrips in the County, the conflict in land uses allowed under the

2030 General Plan versus the CLUP presents a potential hazard. This impact is considered significant and unavoidable.

Hydrology and Water Quality

Approximately 25% of the lands within Colusa County are located in the 100-year floodplain. The County has historically experienced flooding problems, and the majority of the County's population centers are located within the 100-year floodplain. The Colusa County 2030 General Plan includes a Land Use Map that and policies that prioritize the placing new development in and around existing communities in order to maintain the County's rural character, avoid sprawl, and protect agricultural and open space uses. Implementation of the General Plan will allow development of new housing and structures within the 100-year flood plain, subject to compliance with federal, state, and local requirements related to flooding. Avoidance of the 100-year flood plain and associated effects by new development is infeasible given that much of the land within eastern Colusa County, which contains the highest population concentrations and existing communities, is planned for growth as identified by the Land Use Map. Therefore, this impact is significant and unavoidable.

Land Use and Population

The 2030 General Plan designates land uses in the vicinity of the airport that conflict with the uses allowed by the CLUP in the clear and overflight zones. While implementation of the policies and actions in the 2030 General Plan would ensure that new development is reviewed for consistency with setbacks, land use, and height requirements to ensure safety to both users of the airport/airstrips and people living and working in the vicinity of the Colusa County Airport and other airstrips in the County, the conflict in land uses allowed under the 2030 General Plan versus the CLUP presents a potential hazard. This impact is considered significant and unavoidable.

Noise

Growth associated with buildout of the 2030 General Plan would result in increased traffic on area roadways, which would increase traffic noise within the County. The related noise level increases under buildout of the General Plan are predicted to increase between 1.4 to 11.5 dB. The 2030 General Plan includes policies and actions that are intended to reduce noise associated with traffic. Specifically, policies N 1-2 through N 1-7, N 1-9, N 1-12 through N 1-17 would reduce noise associated with traffic. However, some traffic noise impacts cannot be mitigated to a less-than-significant level due the proximity of sensitive receivers to major roadways, and because noise attenuation may not be feasible in all circumstances. Implementation of the 2030 General Plan would have a significant and unavoidable impact relative to traffic noise.

Transportation and Circulation

Development allowed under the 2030 General Plan would result in increased traffic in the County; some of this traffic would travel to/from or through the Cities of Williams and Colusa. Since the 2030 General Plan would accommodate additional development that would result in increased traffic on roadways under the jurisdictions of the Cities of Colusa and William that are projected to operate at unacceptable levels, the 2030 General Plan could contribute to significant impacts. While the 2030 General Plan includes measures to provide for the funding of improvements, the implementation of mitigation measures within the Cities of Colusa and Williams is beyond the control of the County. Therefore, this impact would remain significant and unavoidable and no additional mitigation, beyond those policies and actions identified in the 2030 General Plan, is available to fully mitigate this impact.

Development allowed under the 2030 General Plan would also result in increased traffic on the State Highway System. While implementation of the policies and actions included in the 2030 General Plan would ensure the County's fair-share of funding from new development projects toward roadway impacts on state facilities, there is no guarantee that full funding for the identified improvements will be available, that mechanisms will be in place for the collection and administration by the state of such funding, or that the roadway capacity expansion project to reduce the identified impacts will actually be constructed. While the policies and actions in the 2030 General Plan would reduce potential impacts by addressing the County's fair-share of the impacts, full mitigation of the impacts is beyond the County's control. Therefore, this impact would remain significant and unavoidable and no further mitigation is available.

Utilities

Implementation of the 2030 General Plan would result in the need for additional water supply and associated infrastructure, including water treatment capacity, storage capacity, and conveyance facilities, to serve future growth. While implementation of the 2030 General Plan, the County's Zoning Ordinance, and the County's Groundwater Management Ordinance would ensure that new development is only approved if there is adequate water supply and measures are implemented to reduce water demand, there would still exist the potential for adverse environmental effects associated with water usage, through increased groundwater pumping or future surface water diversions, to serve development in specific areas over the life of the General Plan. While the specific well sites and potential diversion locations are not known, increased water usage could result in adverse impacts groundwater levels, groundwater quality, surface water quality, surface water levels, and land stability (e.g., subsidence), including those effects described in Table 3.14-2 of the Draft EIR. The only measure that would fully mitigate this impact would be to allow a minimal amount of new development, which is not consistent with the goals of the 2030 General Plan update project. Therefore, this impact is considered significant and unavoidable.

Development under the 2030 General Plan would result in increased wastewater flows, resulting in the need for additional wastewater treatment facilities and conveyance infrastructure. While implementation of the 2030 General Plan, the County's Zoning Ordinance, and the wastewater treatment requirements would ensure that new development is only approved if there is adequate wastewater capacity to serve the development, there would still exist the potential for adverse environmental effects associated with increased wastewater treatment, conveyance, and disposal to serve development in specific areas over the life of the General Plan. However, wastewater treatment facility, conveyance, and disposal infrastructure improvements necessary to accommodate such service may result in significant environmental impacts. The only measure that would fully mitigate this impact would be to allow a minimal amount of new development, which is not consistent with the goals of the 2030 General Plan update project. Therefore, this impact is considered significant and unavoidable.

B. Benefits of the Proposed General Plan/Overriding Considerations

The County of Colusa has (i) independently reviewed the information in the EIR and the record of proceedings; (ii) made a reasonable and good faith effort to eliminate or substantially lessen the impacts resulting from the proposed 2030 General Plan to the extent feasible by including policies and actions in the General Plan that effectively mitigate potential environmental impacts to the greatest extent feasible; and (iii) balanced the project's benefits against the project's significant unavoidable impacts.

Adoption and implementation of the 2030 General Plan would provide the following economic, social, legal, and other considerable benefits:

1. The 2030 General Plan promotes compact and environmentally-sustainable development through goals and policies that balance the need for adequate infrastructure, housing, and economic vitality with the need for resource management, agricultural preservation, environmental protection, and preservation of quality of life for Colusa County residents.
2. The 2030 General Plan implements principles of sustainable growth by concentrating new urban development around existing developed communities, around nodes of transportation, and along key commercial and transportation corridors; thereby minimizing land consumption while maintaining open space, habitat, recreation, agriculture, and other uses associated with rural areas.
3. The 2030 General Plan provides a land use map that accounts for existing development, physical constraints, agricultural preservation, economic development, hazards, and incompatible uses and assigns densities and use types accordingly to enhance the safety, livability, and economic vitality of Colusa County's communities and population centers.

4. The 2030 General Plan improves mobility options through the development of a multi-modal transportation network that enhances connectivity, supports community development patterns, limits traffic congestion, promotes public and alternative transportation methods, and supports the goals of adopted regional transportation plans.
5. The 2030 General Plan directs the preservation and environmental stewardship of the County's vast array of agricultural, natural, cultural and historic resources that uniquely define the character and ecological importance of the County and greater region.
6. The 2030 General Plan addresses adverse environmental effects associated with global climate change by facilitating sustainable development, promoting energy efficiency, and promoting development that reduces greenhouse gas emissions.
7. The 2030 General Plan enhances the local economy and provides opportunities for future jobs and business development commensurate with forecasted growth by planning for commercial and industrial development near existing communities and transportation corridors.
8. The 2030 General Plan is the product of a comprehensive public planning effort driven by members of the public, the General Plan Steering Committee, County stakeholders, the Planning Commission and the Board of Supervisors through a series of public meetings, hearings and workshops that resulted in a thoughtful balance of community, economic, agricultural, and environmental interests.

VII. CONCLUSION

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Board finds that the unavoidable adverse environmental impacts identified may be considered "acceptable" due to the specific considerations listed above which outweigh the unavoidable, adverse environmental impacts of the proposed project.

The Board of Supervisors of the County of Colusa has considered information contained in the EIR prepared for the proposed General Plan as well as the public testimony and record of proceedings in which the project was considered. Recognizing that significant unavoidable aesthetics and visual resources, agricultural resources, air quality, hazards, hydrology and water quality, land use and population, noise, transportation and circulation, and utilities impacts may result from implementation of the proposed General Plan, the Board finds that the benefits of the General Plan and overriding considerations outweigh the adverse effects of the Project. Having included all feasible mitigation measures as policies and actions in the General Plan, and recognized all unavoidable significant impacts, the Board hereby finds that each of the separate

benefits of the proposed General Plan, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants adoption of the proposed General Plan and outweighs and overrides its unavoidable significant effects, and thereby justifies the adoption of the proposed General Plan.

Based on the foregoing findings and the information contained in the record, the Board hereby determines that:

1. All significant effects on the environment due to implementation of the proposed General Plan have been eliminated or substantially lessened where feasible;
2. There are no feasible alternatives to the proposed 2030 General Plan which would mitigate or substantially lessen the impacts; and
3. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.

Attachment 3

RESOLUTION NO. _____

A RESOLUTION OF THE COLUSA COUNTY BOARD OF SUPERVISORS ADOPTING THE COLUSA COUNTY 2030 GENERAL PLAN

WHEREAS, in the summer of 2009, Colusa County began a multi-year process to update the County's 1989 General Plan; and

WHEREAS, between September 2009 and November 2009, five (5) public visioning workshops were held in Stonyford, Maxwell, Arbuckle, Colusa, and Williams which provided an opportunity for County residents and stakeholders to offer their thoughts and raise important issues to be addressed in the preparation of the 2030 General Plan; and

WHEREAS, between September 2009 and March 2010 outreach efforts and interviews were conducted with several key stakeholders and organizations to gain perspectives and insights into the issues to be addressed in the preparation of the 2030 General Plan; and

WHEREAS, the Board of Supervisors appointed twenty five (25) County residents and local agency representatives to the General Plan Steering Committee. The General Plan Steering Committee met a total of eight (8) times between September 2010 and February 2011 to develop the goals, objectives, policies, action items and programs to be included in the Draft 2030 General Plan as well as refine the Draft 2030 General Plan Land Use Map; and

WHEREAS, between November 2009 and October 2010 property owners in Colusa County were given the opportunity to submit general plan land use designation change requests. These requested changes were considered by the General Plan Steering Committee, Planning Commission, and the Board of Supervisors during the development of the Draft 2030 General Plan Land Use Map; and

WHEREAS, the Board of Supervisors and Planning Commission held two (2) joint workshops on March 15, 2011 and March 29, 2011 regarding the development of the Draft 2030 General Plan, the Draft 2030 General Plan Land Use Map, and provide the public with an opportunity to comment; and

WHEREAS, extensive outreach was conducted using a wide variety of methods and tools to inform and encourage the community to participate in the process. Outreach methods include the 2030 General Plan website (www.countyofcolusageneralplan.org), the County's own website, notices, postings, press releases in local newspapers, and an extensive e-mail database; and

WHEREAS, in compliance with the requirements of Senate Bill 18, the County provided written notification to all potentially affected Native American Tribes of the 2030

General Plan and invited interested Tribes to meet with County staff in person to discuss the 2030 General Plan; and

WHEREAS, an Environmental Impact Report (EIR), the 2030 General Plan EIR, has been prepared for and by the County for the update of the Plan as defined in the EIR, pursuant to the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, on March 12, 2012, the Planning Commission held an appropriately noticed public hearing to consider the Draft 2030 General Plan and the EIR prepared for the Plan, and at the close of the hearing, made recommendations to the Board of Supervisors to certify the EIR, and to adopt the 2030 General Plan with revisions; and

WHEREAS, the Board of Supervisors, at an appropriately noticed public hearing held on July 31, 2012, considered the recommendation of the Planning Commission, and conducted a public hearing to consider testimony on the EIR and 2030 General Plan; and

WHEREAS, the Board of Supervisors has certified the EIR and adopted the Findings of Fact regarding environmental impacts of the Plan, including the adoption of a Statement of Overriding Considerations in regard to those impacts which the EIR concluded would be significant and unavoidable.

NOW, THEREFORE, the Board of Supervisors of the County of Colusa hereby resolves as follows:

A. The Board of Supervisors finds that:

1. The 2030 General Plan is a comprehensive update of the County's 1989 General Plan and provides the necessary framework for the long-range development of the County. The Plan establishes allowable uses of land and benefits the public welfare by providing housing and employment to accommodate anticipated future growth while protecting the agricultural nature of the County.
2. The 2030 General Plan meets all the requirements for such plans as contained in the Planning and Zoning Law (Government Code Section 65300 *et seq.*) and likewise has been prepared and adopted in accordance with the requirements of Planning and Zoning Law. The Plan includes all mandatory elements required by State law, along with the following optional elements: Agricultural, Community Character, Economic Development, and Public Services and Facilities.
3. The Goals, Objectives, Policies, Action Items, Programs, and maps, of the 2030 General Plan are internally consistent and do not conflict with any other adopted plans.

- B. The Board of Supervisors adopts the 2030 General Plan with the inclusion of revisions attached hereto as Exhibit A to this resolution.

PASSED AND ADOPTED this ____ day of _____, 2012, by the following vote:

AYES:

NOES:

ABSENT:

Gary Evans, Chairperson
Board of Supervisors

APPROVED AS TO FORM:

ATTEST: Kathleen Moran
County Clerk and ex officio
Clerk to the Board of Supervisors

By: _____, Deputy

Thomas R. Parker, County Counsel

Exhibit A

Revisions to the draft 2030 General Plan

The following provides a summary of changes that are proposed to the Goals, Objectives, Policies and Actions contained in the Public Draft General Plan following the public review and comment period.

Each Element of the General Plan is identified, followed by a summary of the changes proposed within each Element. Added text is shown in underline format, and deleted text is shown in ~~striketrough~~ format.

In addition to the changes shown below, a sentence will be added to the introductory paragraphs of each element to clarify whether the element is required or optional under State law.

Introduction

Interpreting the General Plan

In reading the provisions of the General Plan, one should infer that the goals, objectives, policies, and actions are limited to the extent that it is financially feasible and appropriate for the County to carry out various actions and to the extent legally permitted by state and federal law. For example, policies and actions that indicate that the County will "provide," "support," "ensure," or otherwise require or carry out various policies do not indicate an irreversible commitment of County funds or staff resources to those activities, but rather, that the County will support such actions when the County deems that it is financially feasible and appropriate. In some cases, the County will carry out various policies and actions by requiring development, infrastructure, and other projects to be consistent with the policies and actions of the General Plan. In other cases, the County may include General Plan items in the Capital Improvement Program, annual budget, or other implementation mechanisms, as the County deems appropriate.

Agriculture Element

Policy AG 1-2: Lands designated for agricultural uses shall remain designated for agriculture and not be rezoned or redesignated to an urban use unless all of the following criteria are met:

- a. The lot(s) for which conversion is requested is adjacent to agriculture or agricultural support uses (e.g. receiving plants, hulling plants, warehousing, trucking, distribution, and other related activities.) on no more than two sides of the lot(s) or less than 50 percent of the perimeter of the lot(s) proposed for conversion.
- b. The conversion will not be detrimental to existing agricultural operations.

- c. The conversion land is within 500 feet of existing urban infrastructure (e.g., water supply lines and sewer lines) and conversion will constitute a logical contiguous extension of a designated urban area.
- d. The lot(s) proposed for conversion include a buffer at the agricultural/urban transition zone to protect future users of the conversion lands from nuisances associated with typical agricultural practices.
- e. No feasible alternative location (e.g., non-agricultural lands or less productive agricultural lands) exists.
- f. The use would not have a significant adverse effect on existing or potential agricultural activities on surrounding agricultural lands.

Policy AG 1-3: Land divisions that separate a residence ~~farmer's home~~ or an agricultural processing facility from the agricultural land shall be prohibited, unless the lot split meets the minimum lot size requirement of the zoning district.

Policy AG 1-14: Resource conservation activities such as habitat creation and active habitat or species management on lands designated for agricultural uses shall require a General Plan Amendment to Resource Conservation unless all of the following conditions are met:

- a. The resource conservation activities involve active and on-going agricultural activities on the majority of the site.
- b. The resource conservation activities are compatible with agricultural activities on the site and existing or potential agricultural activities in the vicinity.
- c. There would not be a concentration of resource conservation lands in the immediate area.

~~If the above conditions are met, the resource conservation activities shall require a Conditional Use Permit.~~

~~**Policy AG 1-15:** Habitat management without active and ongoing agricultural activities is not considered an agricultural use, and shall require a General Plan Amendment to designate such lands Resource Conservation (RC).~~

Action AG 1-D: *Amend the zoning ordinance to include specific agricultural buffer requirements for residential and sensitive land uses (such as schools, day care facilities, and medical facilities) that are proposed within 500 feet of agricultural lands in order to protect existing agricultural operations from encroachment by incompatible uses. Buffers shall generally be defined as a physical separation of 100 to 500 200 feet, depending on the land use, and/or may be, or include, a topographic feature, roadway, bike/pedestrian path, a substantial tree stand, a maintained greenbelt, water course or similar feature. In some circumstances a landscaped berm may provide the buffer. The buffer shall occur on*

the parcel for which a permit is sought and shall favor protection of the maximum amount of agricultural land.

Policy AG 2-11: Assist landowners ~~farmers~~ in resolving water rights, water delivery, and water supply issues with other agencies such as the California Department of Fish and Game; the U.S. Army Corps of Engineers, the U.S. Bureau of Reclamation, and the California Department of Water Resources.

Policy AG 2-16: Promote wildlife-friendly farm practices, such as tailwater ponds, native species/grasslands restoration in field margins, hedgerows, ditch management for riparian habitat, and restoration of riparian areas in a manner consistent with ongoing agricultural activities, water delivery systems, reduction of pesticides, and other appropriate measures.

Action AG 2-F: Coordinate with irrigation districts to identify cost-effective and feasible Best Management Practices for the application and use of water resources that address the range of agricultural activities in Colusa County. Work with entities such as the irrigation districts, Agricultural Commissioner, UC Extension Office, the Colusa County Resource Conservation District, and the Natural Resources Conservation Service to distribute Best Management Practices information to agricultural operations in the County.

Circulation Element

Policy CIRC 1-5: Maintain LOS C or better for County roadways and intersections in the unincorporated County. ~~except as specified below:~~

Policy CIRC 1-11: Require new development to: 1) finance and construct all off-site circulation improvements (including safety improvements) necessary to mitigate a project's transportation impacts to local roads, consistent with the policies of the General Plan; and 2) to analyze traffic impacts on the regional transportation system and require a fair-share contribution necessary to mitigate significant impacts to regional transportation improvements where a financing plan or other mechanism has been adopted to ensure the full funding and construction of improvements. Right-of-way dedication should be requested as a condition of a proposed new or widened major or minor collector."

Action CIRC 1-C: Establish a County transportation impact fee program that addresses impacts to Countywide transportation facilities and establish or update community-level fee programs to address impacts to local roadways in communities projected to accommodate the majority of growth in the next 5-10 years, including Arbuckle, Maxwell, and the unincorporated areas around Colusa and Williams. The program should address: timely construction of necessary improvements to accommodate existing needs and projected growth, a stable source of funding for necessary road improvements, and that new development pays for its fair share of impacts to local facilities, ~~and~~ regional facilities, and interchanges on the State Highway System.

Policy CIRC 1-43: Encourage Caltrans to clear or prevent weed growth and to perform drainage and culvert maintenance along the shoulders and in the median of Interstate 5, State Route 20, and State Route 45 to avoid potential fire hazards.

Policy CIRC 1-44: Coordinate with state and federal agencies that own and maintain roadways in Colusa County to ensure adequate access to forest lands and recreation areas within the County that are not accessible by County-maintained roads.

Policy CIRC 2-8: Support access and navigational improvements and facilities on/adjacent to the Sacramento River, ~~and~~ East Park Reservoir, Stony Creek, and other waterways that encourage commercial fishing, tourism, recreation, and improve boating safety.

Community Character Element

Policy CC 2-24: The use, expansion and development of private or mutually owned water and wastewater systems serving large-scale commercial and industrial land uses or multiple users shall be supported within the Sphere of Influence, provided that the systems meet the requirements outlined in Policy PSF 1-26 and all applicable State regulations.

Policy CC 2-25: Encourage urban residential development within the City's Sphere of Influence to connect to municipal sewer and wastewater service and discourage the use, expansion and development of private or mutually owned water and wastewater systems serving residential uses within the Sphere of Influence.

Policy CC 2-27: Encourage improvements, expanded access, and increased recreational opportunities along the Sacramento River and at the Colusa-Sacramento State Recreation Area Boat Landing.

Policy CC 2-64: If adequate water and sewer capacity can be identified, encourage the exploration of the potential for the vicinity (Stonyford, Lodoga, Century Ranch, or East Park Reservoir area) to accommodate a regional retreat ~~conference~~ and lodging or camping facility that capitalizes on the area's forest and wildlife resources and outdoor experiences.

Conservation Element

Policy CON 1-1: Maintain ~~ample~~ areas of land designated Resource Conservation (RC).

Policy CON 1-2: Use conservation and open space easements, tax incentives, and other tools to:

- a. Protect, restore, and enhance the County's significant natural resources.
- b. Maintain established ~~Reduce premature conversion of~~ resource conservation lands around community areas.
- c. Provide linkages between natural resource areas.

Policy CON 1-3: Lands that are actively managed or placed under conservation easement for habitat, wetlands, species, or other natural resource or open space preservation or conservation shall be limited to lands designated Resource Conservation (RC), unless the conditions identified in Policy AG 1-14 are met. ~~Conservation easements, habitat mitigation banks, and other resource conservation activities must meet all of the criteria specified in Policy OSR 1-4.~~

Habitat and/or wildlife easements proposed in Colusa County for the loss of open space or habitat in other jurisdictions will not be recognized and are not acceptable unless the easement meets all of the following criteria:

- Prior notification to Colusa County;
- Consistency with the goals and policies of the Colusa County General Plan, particularly as related to planned growth, infrastructure, and agricultural preservation;
- Compensation to Colusa County for all lost direct and indirect revenue;
- Compatible with neighboring land uses;
- Located outside of urban and urban reserve areas;
- Secured water rights and infrastructure to economically maintain the proposed mitigation use;
- Requirements that existing agricultural operations continue to be farmed for commercial gain on Agriculture designated parcels;
- Requirements that habitat management practices do not adversely impact adjacent agricultural operations;
- Prioritize purchase of mitigation credits by local developers; and
- Accommodation of recreational uses or public access, where appropriate.

Policy CON 1-4: Encourage conservation, rather than preservation, through the ~~sustainable use and active~~ management of natural resources, including wildlife, water, air, minerals, forests, and land. Conservation and management techniques include replacing trees, crops, and other renewable resources at a pace that ensures they are not consumed more quickly than they can be replaced; use of non-renewable resources in a manner that ensures the resources are not depleted but available to future generations for use; strategic forest thinning and fuels management to prevent wildfires; making resource areas accessible to the public while protecting resources from being diminished to non-recoverable levels; reducing incompatible wildlife/agricultural interface; and increasing public understanding and responsible ~~sustainable~~ use of resource conservation areas.

Policy CON 1-7: ~~Conserve~~ Preserve and enhance those biological communities that contribute to the County's rich biodiversity including, but not limited to, blue oak woodlands, annual grasslands, mixed chaparral, pine woodlands, wetlands, riparian areas, aquatic habitat, and agricultural lands.

Action CON 1-A: ~~Work with federal and state agencies to identify lands within the County that are suitable for resource conservation and develop resource conservation management guidelines that address impacts to the County and provide protections for adjacent land uses and agricultural operations, including addressing the standards identified in Policy CON 1-3QS 1-5.~~

Policy CON 1-16: Require new development projects to incorporate measures that eliminate or avoid direct impacts to lakes, reservoirs, rivers, creeks, streams, wetlands, and other waterways to the greatest extent feasible. Measures may include, but are not limited to, appropriate setbacks or the implementation of best management practices approved by the Department of Planning and Building.

Policy CON 1-35: Encourage the use of water conservation measures, including low flow plumbing ~~that exceeds state requirements~~; reclaimed wastewater for non-potable uses; dual plumbing that allows grey water from showers, sinks, and washers to be reused for landscape irrigation in new developments; and native and drought-tolerant landscaping.

Policy CON 2-2: Encourage the development of large-scale commercial energy projects that utilize renewable sources such as solar, wind, biomass, and agricultural byproducts.

Policy CON 2-3: Allow commercial alternative energy facilities, including solar, wind and biomass in the Agriculture General, Agriculture Upland, Industrial, Forest, and Resource Conservation land use designations with a Conditional Use Permit.

Policy CON 2-5: Encourage the use of ~~sustainable design and green building~~ and design practices in new development, infrastructure, large-scale planning, and rehabilitation projects.

Policy CON 2-15: Improve air quality through continuing to require a compact development pattern that focuses growth in and around existing communities, locating new housing near places of employment, encouraging alternative modes of transportation, and requiring projects to mitigate significant air quality impacts to the extent feasible.

Policy CON 2-20: Ensure that agricultural burning and fuel management burning is conducted in a manner that does not pose public significant health risks.

Policy CON 2-22: Encourage the extraction and processing of sand and gravel to support economic vitality and ensure an adequate supply of aggregate resources. Ensure that such activities are conducted in an environmentally sensitive manner, comply with all applicable local, state and federal permits, and do not result in significant adverse impacts to surrounding land uses or sensitive natural resources.

Policy CON 2-26: Require large and small scale mineral and natural gas extraction, processing, and reclamation operations to obtain a Conditional Use Permit, and ensure that to be limited to lands designated Resource Conservation, except mineral extraction, processing, and accessory uses may be conditionally permitted on lands not designated Resource Conservation, provided such activities do not adversely impact wildlife, water, agriculture, aesthetics, flood control and other social or environmental factors.

Economic Development Element

~~**Policy ED 2-3:** Explore creation of a Redevelopment Agency and establishment of redevelopment areas in order to encourage private investment in distressed areas of the County and communities and to provide a method and funding source for increasing funding for commercial and industrial development, downtown improvements, rehabilitation of existing businesses, and expansion of public services and amenities.~~

~~**Action ED 2 A:** Consider creation of the Colusa County Redevelopment Agency. If the Colusa County Redevelopment Agency is formed, the Redevelopment Agency will:~~

- ~~1. Conduct a Redevelopment Study to survey potential areas for redevelopment potential and suggest boundaries of potential redevelopment project areas. It is recommended that the study address the redevelopment potential for the unincorporated area adjacent to Colusa, the community of Arbuckle and nearby industrial areas, and the community of Maxwell and nearby industrial areas.~~
- ~~2. Adopt Redevelopment Project Area(s).~~
- ~~3. Prepare a Redevelopment Plan and Five Year Implementation Plan.~~

Policy ED 2-3: Encourage the U.S. Forest Service to include an evaluation of economic impacts to Colusa County for projects proposed within Colusa County. This analysis should be included in the Schedule of Proposed Actions (SOPA) published by the U.S. Forest Service.

Land Use Element

Policy LU 1-2: Assign the following range of land use designations throughout the County, as shown in the Land Use Map (Figure LU-1) and described in more detail in Table LU-1:

...

Designated Floodway

The Designated Floodway (DF) designation is applied to lands that have been designated as floodways by the Central Valley Flood Protection Board~~State Reclamation Board.~~

Areas between the Sacramento River and the levees are included, as well as the Colusa Bypass between the Sacramento River and Butte Creek.

Forest Lands

The Forest Lands (FL) designation identifies lands within the Mendocino National Forest. This designation includes publicly and privately owned lands. Forest Lands are appropriate for a range of recreational activities, as well as residential development at very low densities. Land divisions and low intensity development within the Forest Lands designation are acceptable, provided there is adequate access, fire protection, water availability~~well capability~~, and septic capability. ...

Policy LU 1-6: Ensure that jobs are created concurrent with housing through requiring a reasonable ongoing balance between new housing and jobs and/or other mechanisms to encourage housing to stay balanced with job creation through buildout of the area. At the discretion of the ~~County Department of Planning and Building~~, significant new residential development proposals may be required to demonstrate that project approval would not result in a jobs-housing imbalance.

Policy LU 1-11: Make land use decisions that promote compact communities, generally filling in gaps of vacant and underutilized land between already developed areas before growing outward.

Policy LU 1-13: Where lands are adjacent to a City or an existing service district, it is preferable that the lands be annexed by the City or the service district to receive services, rather than the formation of a new service district. Only support the creation of new service districts and other mechanisms that will accommodate planned land uses and densities in pre-existing subdivided rural communities such as Century Ranch and College City.

Policy LU 1-15: To conserve open space and agricultural lands outside of planned urban areas and provide the efficient use of public services, make land use decisions that reinforce the cultural and economic viability~~sustainability~~ of unincorporated community centers of the County, including Arbuckle, College City, Grimes, Maxwell, Princeton, and Stonyford.

Policy LU 1-18: Require all applicants for specific plans, master plans, and other large-scale development projects, to demonstrate a commitment to provide public service connections as part of the environmental review process.

Action LU 1-F: Provide land use and development proposals for proposed projects that are either located within the sphere of influence or within one mile of the respective city boundary of areas of concern or interest, as designated and adopted by LAFCO for the Cities of Colusa or Williams to the appropriate city's Planning Department for review and comment.

~~**Policy LU 1-24:** Discourage annexation of land outside the spheres of influence of Williams and Colusa. Encourage LAFCO and the cities to review sphere of influence boundaries every five years to determine if boundary amendments should be considered.~~

Policy LU 1-27: Require that development agreements, tribal agreements, memoranda of understanding, conservation easements, and other similar arrangements add community value by securing “net” public benefits to Colusa County over and above CEQA mitigation requirements and conditions of approval.

Policy LU 2-5: Require lands designated Agriculture General, Agriculture Transition or Agriculture Upland to remain designated for agricultural use, including businesses or uses that directly support County agricultural activities, for at least the duration of the planning period, with the exception of lands redesignated consistent with the requirements of Policy LU 1-6.

Action LU 2-A: When preparing a second unit ordinance in accordance with Housing Element Program 3-5, identify maximum unit size, location, and minimum parcel size (consistent with the land use designation requirements) limitations for second units on agricultural (A-G, A-T, A-U, U-T) parcels to ensure that the second unit does not encourage a future parcel split or reduce the area of land available for agricultural and farming use. The ordinance shall require that second units are proximate to the primary unit and, where feasible, connect to the water and wastewater/septic system serving the primary residence (e.g., no new wells or septic systems shall be created to serve the second unit.) The applicant shall demonstrate that the existing water and wastewater systems have adequate capacity to serve the second unit.

Specific Plan Areas

The following policies (LU 3-8 through LU 3-10) were developed to address specific land use change requests that were submitted by property owners during the General Plan Update process.

Policy LU 3-10: Require the preparation of a comprehensive and detailed Specific Master Plan for development of each of the Specific Master Plan Areas east and west of State Route 45 in Princeton. In addition to meeting all applicable State requirements for a Specific Master Plan, the Specific Master Plan shall include:

- Demonstration of adequate water and wastewater capacity to serve the Specific Plan Area.
- Ensure that off-site infrastructure improvements are adequately sized to meet the needs of the community.
- A circulation network ~~consisting of streets oriented in a grid system~~ that provides connectivity to other areas of the community, with preference given to streets oriented in a grid system.
- Parks shall be integrated into the site plan.
- The area to the west of State Route 45 shall include community-serving retail components at the intersection of SR 45 and Spencer Road.

Policy LU 3-11: Require development proposals for lands designated Urban Reserve Area to request a General Plan Amendment to the proposed use. The General Plan Amendment shall require the following findings:

- The majority of adjacent designated urban residential and commercial lands has been built out or has received land use entitlements necessary ~~is planned~~ for build out,
- Urban services (water, wastewater, storm drainage, utilities, and roads) have been extended or planned to be extended to the lands proposed for a General Plan Amendment,
- Adequate flood control measures are in place,
- The amendment would not create an island of urban uses in a rural, agricultural, or open space area,
- The amendment would not result in leapfrog development patterns, and
- A master plan or specific plan has been, or is in the process of being, prepared for the lands proposed for a change in land use designation.

Policy LU 3-17: Ensure that zoning and land use designations at the Interstate 5 freeway interchanges at Arbuckle, Maxwell, and the unincorporated area near Williams are used for highway-oriented commercial use. These uses, which include hotels, restaurants, and service stations, should be oriented to interstate travelers, tourists, and visitors to the County's various open space recreation and agricultural opportunities. Development at these interchanges should be planned to minimize traffic and safety hazards on local streets and regional transportation facilities to the extent feasible.

Action LU 3-1: Update the County's GIS database to include maps showing the location of existing wetland and conservation easements within the County. Once all areas of wetland and conservation easements have been identified, consider amending the General Plan Land Use Map and Zoning Map to designate parcels with wetland and conservation easements that exist in perpetuity to Resource Conservation.

Action LU 4-A: When the final boundaries for the proposed Sites Reservoir are determined and approved by the California Department of Water Resources, develop a Sites Area Plan to guide land uses in the Sites Reservoir Area. The plan shall include policies and actions to promote the economic and social viability ~~sustainability~~ of the area and shall designate a variety of land uses. Land uses in the plan shall include provisions for active and passive recreation, limited commercial uses oriented toward recreation and tourism, viewing points of the main scenic areas of the reservoir and any bridges, and seasonal housing and campgrounds in the areas immediately adjacent the reservoir. Additionally, the plan shall identify ~~accommodate~~ agricultural land to accommodate the needs of existing landowners and farmers and habitat land for displaced species. Access,

noise, water, wastewater, and emergency services shall be considered in the designation of land uses.

Action LU 4-B: Actively participate in the Sites Project Joint Powers Authority, and any other state and regional entities formed to plan and develop the Sites Reservoir. Ensure that the County's needs for a range of land uses, adequate and convenient access to existing parcels, habitat for plants, wildlife, and special-status species, adequate and convenient access to communities (Lodoga, Stonyford, etc.), and recreation and tourist opportunities are addressed and that measures to promote the economic and social viability~~sustainability~~ of the area and to reduce adverse noise, traffic, and other adverse impacts are identified and implemented.

Noise Element

Action N 1-D: Review new development and long-term planning projects, including the Zoning Code Update, for conformity with the County's Airport Safety and Noise land use criteria, as identified in the Colusa County Airport Comprehensive Land Use Plan (CLUP).

Open Space and Recreation Element

~~Policy OSR 1-4: Habitat and/or wildlife easements proposed in Colusa County for the loss of open space or habitat in other jurisdictions will not be recognized and are not acceptable unless the easement meets all of the following criteria:~~

- ~~• Prior notification to Colusa County;~~
- ~~• Consistency with the goals and policies of the Colusa County General Plan, particularly as related to planned growth, infrastructure, and agricultural preservation;~~
- ~~• Compensation to Colusa County for all lost direct and indirect revenue;~~
- ~~• Compatible with neighboring land uses;~~
- ~~• Located outside of urban and urban reserve areas;~~
- ~~• Secured water rights and infrastructure to economically maintain the proposed mitigation use;~~
- ~~• Requirements that existing agricultural operations continue to be farmed for commercial gain;~~
- ~~• Requirements that habitat management practices do not adversely impact adjacent agricultural operations;~~

- ~~Prioritize purchase of mitigation credits by local developers; and~~
- ~~Accommodation of recreational uses or public access, where appropriate.~~

~~Policy OSR 1-5: Open space that is actively managed or placed under conservation easement for habitat, wetlands, or species preservation or conservation shall be restricted to lands designated Resource Conservation (RC).~~

Policy OSR 2-2: Require a clear, coordinated system of signage for any new or modified equestrian, hiking, OHV or bicycling trails ~~or modification of an existing trail~~, with priority given to well-used or linked trail systems.

Policy OSR 2-8: Require dedication of public access by fee or easement from a public roadway to a public-use recreational stream, public lakes, and major reservoirs as a condition of approval for development projects ~~major subdivisions~~ adjacent to such features if: 1) the project blocks an existing public access point or it results in the need for additional access, and 2) other reasonable access to the public-use recreational waterway is not available.

Action OSR 2-A: Develop a countywide outdoor recreation plan to link various outdoor recreation areas, including waterways, lakes, reservoirs, parks, wildlife refuges, and the Mendocino National Forest, to communities as well as to specific access points proximate to major roadways. The plan should address the following:

- *Existing and potential recreation areas;*
- *Existing and potential routes for walking, hiking, horseback riding, and mountain biking opportunities and specify access points to each outdoor recreational area;*
- *Trail linkages between established communities, such as Arbuckle, Maxwell, Grimes, Princeton, College City and the cities of Colusa and Williams;*
- *Connections to the various recreation areas where feasible;*
- *Unified Countywide signage to identify recreation opportunities. ~~areas and equestrian, hiking, or bicycling trails.~~*

The outdoor recreation plan will serve as a plan for securing lands for a countywide recreation and trail system and funding the acquisition and maintenance of recreation areas and trails. This plan shall be developed in conjunction with the Bicycle and Pedestrian Master Plan (Policy CIRC 1-I).

Policy OSR 2-11: Support development of a new off-highway vehicle (OHV) parks and trails at appropriate locations.

Policy OSR 2-16: Require future water development projects, including reservoirs, marinas, and water-front developments, to include provisions for public access to the water and shoreline areas to the greatest extent feasible, without compromising private property rights.

Policy OSR 2-17: ~~Encourage~~ Require future forest recreation projects to include provisions for public access and a range of amenities, ~~such as including~~ off-highway vehicles, hiking trails, drive-in campgrounds, and hike-in campgrounds, to serve a variety of visitors.

Policy OSR 3-6: New parks and park rehabilitation projects should ~~incorporate sustainable design and construction measures such as providing~~ include recycling and composting facilities, and use of local native plants and local materials to the greatest extent feasible.

Public Services and Facilities Element

Policy PSF 1-20: New residential development on parcels smaller than two acres shall be required to connect to a municipal wastewater system. The use of septic systems on residential parcels two acres and smaller shall be prohibited, with the exception of existing lots in Century Ranch which must demonstrate that any on-site septic system, either on its own or in combination with existing and planned septic systems on other lots in the subdivision, will not have an adverse effect on the environment.

Action PSF 1-P: Update the County Code to ~~create a new~~ revise the septic system permit process ~~that to~~ includes site specific evaluation criteria and construction performance standards. Standards will include measures to protect the water supply and public health, including, appropriate densities to ensure that effluent from separate parcels is not combining or resulting in an adverse cumulative effect or impacts to groundwater associated with septic seepage. At the preliminary review stage, projects shall demonstrate to the satisfaction of the County Department of Environmental Health, feasibility to accommodate a septic system that meets all applicable water quality standards.

Action PSF 1-Q: ~~Restrict the development of new septic systems in areas that are prone to flooding or that have a seasonal high water table and/or water seepage problems.~~

Policy PSF 3-1: Support the continued use of automatic and/or mutual aid agreements between Rural Fire Protection Districts, City Fire Departments, the California Department of Forestry (CalFire), and the U.S. Forest Service and other emergency medical service providers.

Policy PSF 5-6: ~~Encourage~~ Support consolidation of special districts and/or responsibilities ~~to whereas increases in efficient public services are feasible and redundancy is eliminated, and avoid redundancy.~~

Policy PSF 5-7: The Department of Planning and Building and the Department of Public Works should coordinate with LAFCO during the preparation of Municipal Service Reviews and Sphere of Influence Updates to address coordinated public service and infrastructure planning.

Safety Element

Policy SA 1-23: Support and participate in planning efforts undertaken at the regional, state and federal level to improve flood management facilities throughout the County, particularly along the ~~western~~ banks of the Sacramento River.

Policy SA 1-34: Require new structures to be located outside of the 100-year floodplain to the greatest extent feasible. Exceptions may be made for agricultural structures that would not significantly impede flood waters or result in significant water quality impacts during a storm event.

Policy SA 1-35: Encourage and accommodate multi-benefit ~~multipurpose~~ flood control projects that incorporate recreation, resource conservation, preservation of natural riparian habitat, and scenic values of the County's streams, creeks and lakes. Where appropriate and feasible, the County shall also encourage the use of flood and/or stormwater retention facilities for use as groundwater recharge facilities.

Action SA 1-AA: Revise the County's road standards to require new public roads in high and very high Fire Hazards Severity Zones to be of sufficient grade, radius and width to allow access by fire-fighting vehicles. The applicable fire protection agency shall be consulted as part of the development review process regarding fire protection and the design of new roads in these Fire Hazard Severity Zones.



Attachment 4

FINAL ENVIRONMENTAL IMPACT REPORT

FOR THE

2030 GENERAL PLAN UPDATE

SCH# 2011062052

FEBRUARY 2012

Prepared for:



County of Colusa
Department of Planning and Building
220 12th Street
Colusa, CA 95932

Prepared by:

De Novo Planning Group
4630 Brand Way
Sacramento, CA 95819
www.denovoplanning.com

D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm



FINAL ENVIRONMENTAL IMPACT REPORT

FOR THE

2030 GENERAL PLAN UPDATE

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FINAL EIR

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INTRODUCTION

The County of Colusa (County) determined that a program-level environmental impact report (EIR) was required for the proposed 2030 General Plan (project) pursuant to the requirements of the California Environmental Quality Act (CEQA). CEQA requires the preparation of an environmental impact report prior to approving any project, which may have a significant impact on the environment. For the purposes of CEQA, the term "Project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]).

A Program EIR is an EIR which examines the environmental impacts of an agency plan, policy or regulatory program, such as a general plan update. Program EIRs analyze broad environmental impacts of the program, with the acknowledgement that site-specific environmental review may be required for particular aspects of the program, or particular development projects that may occur in the future.

Colusa County circulated a Notice of Preparation (NOP) of an EIR for the proposed project on June 20, 2011 to trustee and responsible agencies, the State Clearinghouse, and the public. A scoping meeting was held on June 28, 2011 with the Colusa County Board of Supervisors. Subsequently, Colusa County published a public Notice of Availability (NOA) for the Draft EIR on November 17, 2011, inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2011062052) and the County Clerk, and was published in the Colusa County Sun Herald pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review from November 17, 2011 through January 16, 2012. The Public Draft 2030 General Plan was also available for public review and comment during this time period.

This Final EIR was prepared to address comments received in response to the Draft EIR. Colusa County has prepared a written response to the Draft EIR comments and made textual changes to the Draft EIR where warranted. The responses to the comments are provided in this Final EIR in Section 2.0, and all changes to the text of the EIR are summarized in Section 3.0. Responses to comments received during the comment period do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

PROJECT DESCRIPTION

The Colusa County 2030 General Plan is the overarching policy document that guides land use, housing, transportation, infrastructure, community design, and other policy decisions throughout the unincorporated areas of Colusa County. The General Plan includes the seven elements mandated by State law, to the extent that they are relevant locally: Circulation, Conservation, Housing, Land Use, Noise, Open Space, and Safety Elements. The County may also address other topics of interest; this General Plan includes Agriculture, Community Character, Economic Development, and Public Services and Facilities Elements. The General Plan sets out the goals,

policies, and programs in each of these areas and serves as a policy guide for how the County will make key planning decisions in the future, and how the County will interact with the Cities of Colusa and Williams, and other local, regional, State, and Federal agencies, and surrounding counties.

The General Plan contains the goals and policies that will guide future decisions within the County. It also identifies implementation programs that will ensure the goals and policies in the General Plan are carried out.

Refer to Section 2.0, Project Description, of the Draft EIR, for a more comprehensive description of the details of the proposed project.

ALTERNATIVES TO THE PROPOSED PROJECT

Section 15126.6 of the CEQA Guidelines requires an EIR to describe a reasonable range of alternatives to the project or to the location of the project which would reduce or avoid significant impacts, and which could feasibly accomplish the basic objectives of the proposed project. The alternatives analyzed in this EIR include the following three alternatives:

- **Alternative 1: Reduced Land Use Intensity Alternative.** Under Alternative 1, urban and industrial development under the 2030 General Plan Land Use Map would be focused more tightly around existing communities as shown on Figure 5-1 of the Draft EIR. Approximately 3,026 acres of land designated Urban Residential, Urban Reserve Area, and Industrial would be changed to Agricultural General and Agricultural Transition designations. This alternative would result in less growth and is intended to reduce impacts associated with traffic, air quality, noise, and farmland conversion.
- **Alternative 2: Revised Land Use (Airport Area) Alternative.** Alternative 2 would revise the 2030 General Plan to avoid land use impacts and potential safety hazards associated with conflicts between the Colusa County Airport Comprehensive Land Use Plan and the uses allowed under the 2030 General Plan.
- **Alternative 3: No Project Alternative.** Under Alternative 3, the County would not adopt the 2030 General Plan. The 1989 General Plan would continue to be implemented and no changes to the General Plan, including the Land Use Map and Circulation Diagram, goals, policies, or actions would occur. Subsequent projects, such as amending the County Code and Zoning Ordinance, would not occur.

Alternatives are described in detail in Section 5.0 of the Draft EIR, Alternatives to the Proposed Project. As summarized in Table 5-7 of the Draft EIR, Alternative 1 (Reduced Land Use Intensity) is the environmentally superior alternative because it provides the greatest reduction of potential impacts in comparison to the other alternatives.

COMMENTS RECEIVED

The Draft EIR addressed environmental impacts associated with the proposed project that are known to the County, were raised during the Notice of Preparation (NOP) process, or raised during preparation of the Draft EIR. The Draft EIR discussed potentially significant impacts associated with aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gases, hazards, hydrology and water quality, land use and planning, mineral resources, noise, public services, recreation, transportation/circulation, and utilities.

NOP Comments

During the NOP process, the County received comments from the following public agencies:

- California Department of Transportation (Caltrans)
- California Regional Water Quality Control Board- Central Valley Region
- Central Valley Flood Protection Board
- California Department of Transportation- Division of Aeronautics

Draft EIR Comments

During the Draft EIR review process, the County received comments from the following public agencies:

- California Regional Water Quality Control Board- Central Valley Region
- California Department of Transportation- Division of Aeronautics
- Central Valley Flood Protection Board
- California Department of Transportation (Caltrans)
- Colusa Local Agency Formation Commission
- City of Colusa

Acting as lead agency, Colusa County has prepared a response to the Draft EIR comments. The responses to the comments are provided in this Final EIR in Section 2.0, Comments on Draft EIR and Responses, and all changes to the text of the Draft EIR are summarized in Section 3.0, Errata. Responses to comments received during the comment period do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

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This Final Environmental Impact Report (FEIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132). Colusa County is the lead agency for the environmental review of the Colusa County 2030 General Plan (General Plan, General Plan Update, or project) and has the principal responsibility for approving the project. This FEIR assesses the expected environmental impacts resulting from approval and adoption of the Colusa County 2030 General Plan and responds to comments received on the Draft EIR.

The Colusa County 2030 General Plan is the overarching policy document that guides land use, housing, transportation, infrastructure, community design, and other policy decisions throughout the unincorporated areas of Colusa County. The General Plan includes the seven elements mandated by State law, to the extent that they are relevant locally: Circulation, Conservation, Housing, Land Use, Noise, Open Space, and Safety Elements. The County may also address other topics of interest; this General Plan includes Agriculture, Community Character, Economic Development, and Public Services and Facilities Elements. The General Plan establishes goals, objectives, policies, and actions in each of these areas and serves as a policy guide for how the County will make key planning decisions in the future, and how the County will interact with the Cities of Colusa and Williams, and other local, regional, State, and Federal agencies, and surrounding counties.

1.1 PURPOSE AND INTENDED USES OF THE EIR

CEQA REQUIREMENTS FOR A FINAL EIR

This FEIR for the Colusa County 2030 General Plan project has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that an FEIR consist of the following:

- the Draft Environmental Impact Report (Draft EIR) or a revision of the draft;
- comments and recommendations received on the Draft EIR, either verbatim or in summary;
- a list of persons, organizations, and public agencies commenting on the Draft EIR;
- the responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- any other information added by the lead agency.

In accordance with State CEQA Guidelines Section 15132(a), the Draft EIR is incorporated by reference into this Final EIR.

An EIR must disclose the expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize environmental impacts of proposed projects, and an

obligation to balance a variety of public objectives, including economic, environmental, and social factors.

PURPOSE AND USE

Colusa County, as the lead agency, has prepared this Final EIR to provide the public and responsible and trustee agencies with an objective analysis of the potential environmental impacts resulting from approval and implementation of the 2030 General Plan. Responsible and trustee agencies that may use the EIR are identified in Chapter 1.0 of the Draft EIR.

The environmental review process enables interested parties to evaluate the proposed project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead agency must balance adverse environmental effects against other public objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

This EIR will be used as the primary environmental document to evaluate all subsequent planning and permitting actions associated with the proposed project. Subsequent actions that may be associated with the proposed project are identified in Chapter 2.0, Project Description, of the Draft EIR. This EIR may also be used by other agencies within Colusa County, including the Colusa Local Agency Formation Commission (LAFCO), which may use this EIR during the preparation of environmental documents related to annexation, Municipal Service Reviews and Sphere of Influence decisions throughout Colusa County.

1.2 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

NOTICE OF PREPARATION

The Colusa County circulated a Notice of Preparation (NOP) of an EIR for the proposed project on June 20, 2011 to trustee and responsible agencies, the State Clearinghouse, and the public. A scoping meeting was held on June 28, 2011 with the Colusa County Board of Supervisors. No public or agency comments on the NOP were presented or submitted during the scoping meeting. However, during the 30-day public review period for the NOP, which ended on July 30, 2011, a total of seven written comments from state and local agencies were received. The NOP and all comments received on the NOP are presented in Appendix A of the Draft EIR.

NOTICE OF AVAILABILITY AND DRAFT EIR

Colusa County published a public Notice of Availability (NOA) for the Draft EIR on November 17, 2011, inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2011062052) and the County Clerk, and was published in the Colusa County Sun Herald pursuant to the public noticing

requirements of CEQA. The Draft EIR was available for public review from November 17, 2011 through January 16, 2012. The Public Draft 2030 General Plan was also available for public review and comment during this time period.

The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

RESPONSE TO COMMENTS/FINAL EIR

Colusa County received six comment letters regarding the Draft EIR from public agencies during the public comment period. No Draft EIR comment letters were received from individual members of the public.

In accordance with CEQA Guidelines Section 15088, this Final EIR responds to the written comments received on the Draft EIR, as required by CEQA. The Final EIR also contains minor edits to the Draft EIR, which are included in Section 3.0, Errata. This document and the Draft EIR, as amended herein, constitute the Final EIR.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The Colusa County Board of Supervisors will review and consider the Final EIR. If the County finds that the Final EIR is "adequate and complete," the Board of Supervisors may certify the Final EIR in accordance with CEQA. The rule of adequacy generally holds that an EIR can be certified if:

- 1) The EIR shows a good faith effort at full disclosure of environmental information; and
- 2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

Upon review and consideration of the Final EIR, the Colusa County Board of Supervisors may take action to approve, revise, or reject the project. A decision to approve the Colusa County 2030 General Plan, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093.

Policies and actions to mitigate potential environmental impacts have been incorporated into the project, to the extent feasible. No additional mitigation is feasible or available, as described in Chapters 3.1 through 4.0 of the Draft EIR. The annual report on general plan status required pursuant to the Government Code will serve as the monitoring and reporting program for the project.

1.3 ORGANIZATION OF THE FINAL EIR

This Final EIR has been prepared consistent with Section 15132 of the State CEQA Guidelines, which identifies the content requirements for Final EIRs. This Final EIR is organized in the following manner:

CHAPTER 1.0 – INTRODUCTION

Chapter 1 briefly describes the purpose of the environmental evaluation, identifies the lead, agency, summarizes the process associated with preparation and certification of an EIR, and identifies the content requirements and organization of the Final EIR.

CHAPTER 2.0 – COMMENTS ON THE DRAFT EIR AND RESPONSES

Chapter 2 provides a list of commenters, copies of written comments made on the Draft EIR (coded for reference), and responses to those written comments.

CHAPTER 3.0 - ERRATA

Chapter 3.0 consists of minor revisions to the Draft EIR in response to comments on the Draft EIR. The revisions to the Draft EIR do not change the intent or content of the analysis or mitigation.

2.1 INTRODUCTION

No new significant environmental impacts or issues, beyond those already covered in the Draft Environmental Impact Report (Draft EIR) for the 2030 Colusa County General Plan Update, were raised during the comment period and the County of Colusa (County), as lead agency, directed that responses to the Draft EIR comments be prepared. Responses to comments received during the comment period do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

2.2 LIST OF COMMENTERS

Table 2-1 lists the comments on the Draft EIR that were submitted to the County. The assigned comment letter number, letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed.

TABLE 2-1: LIST OF COMMENTERS			
RESPONSE LETTER/NUMBER	INDIVIDUAL OR SIGNATORY	AFFILIATION	DATE
A	Genevieve Sparks	California Regional Water Quality Control Board, Central Valley Region	11/30/2011
B	Philip Crimmins	Department of Transportation, Division of Aeronautics	11/30/2011
C	James Herota	Central Valley Flood Protection Board	12/7/2011
D	Richard Helman	Department of Transportation, District 3	1/13/2012
E	John Benoit	Colusa Local Agency Formation Commission	1/13/2012
F	Bryan Stice	City of Colusa	1/16/2012

2.3 COMMENTS AND RESPONSES

REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

CEQA Guidelines Section 15088 requires that lead agencies evaluate and respond to all comments on the Draft EIR that regard an environmental issue. The written response must address the significant environmental issue raised and provide a detailed response, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written response must be a good faith and reasoned analysis. However, lead agencies need only to respond to significant environmental issues associated with the project and do not need to provide all the information requested by the commenter, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines Section 15204(a)).

CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible environmental impacts of the project and ways to avoid or mitigate the significant effects of the project, and that commenters provide evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

CEQA Guidelines Section 15088 also recommends that revisions to the Draft EIR be noted as a revision in the Draft EIR or as a separate section of the Final EIR. Chapter 3.0 of this Final EIR identifies all revisions to the 2030 Colusa County General Plan Update Draft EIR.

RESPONSES TO COMMENT LETTERS

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- Those comments received from government agencies are represented by a lettered response while comments received by individual or private firms are represented by a numbered response.
- Each letter is lettered (i.e., Letter A) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).

Where changes to the Draft EIR text result from the response to comments, those changes are included in the response and identified with revisions marks (underline for new text, ~~strike-out~~ for deleted text).



Matthew Rodriguez
Secretary for
Environmental Protection

California Regional Water Quality Control Board

Central Valley Region

Katherine Hart, Chair

11020 San Center Drive, #200, Rancho Cordova, California 95670-6114

(916) 464-3291 • FAX (916) 464-4643
<http://www.waterboards.ca.gov/centralvalley>

DEC 1 2011

COLUSA COUNTY DEPARTMENT
OF PLANNING AND BUILDING



Edmund G. Brown Jr.
Governor

30 November 2011

Steve Hackney
Director of Planning and Building
County of Colusa
220 12th Street
Colusa, CA 95932

CERTIFIED MAIL
7010 3090 0000 5045 2804

COMMENTS TO DRAFT ENVIRONMENTAL IMPACT REPORT, COLUSA COUNTY 2030 GENERAL PLAN UPDATE, SCH NO. 2011062052, COLUSA COUNTY

Pursuant to the State Clearinghouse's 16 November 2011 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Draft Environmental Impact Report* for the Colusa County 2030 General Plan Update, located in Colusa County.

A-1

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

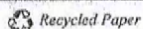
Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

A-2

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

California Environmental Protection Agency



Colusa County 2030 General Plan Update
SCH No. 2011062052
Colusa County

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30 November 2011

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed for the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

A-2
(cont'd)

Colusa County 2030 General Plan Update
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Colusa County

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30 November 2011

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

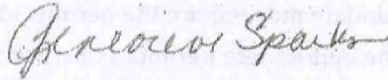
A-2
(cont'd)

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

A-3

If you have questions regarding these comments, please contact me at (916) 464-4745 or gsparks@waterboards.ca.gov.



Genevieve (Gen) Sparks
Environmental Scientist
401 Water Quality Certification Program

cc: State Clearinghouse Unit, Governor's Office of Planning and Research, Sacramento

Response to Letter A Genevieve Sparks, California Regional Water Quality Control Board

Response A-1: The commenter makes introductory remarks and indicates their comments address concerns related to protecting the quality of surface and groundwaters. The commenter's specific comments are addressed under Responses A-2 below.

Response A-2: The commenter describes the requirements and applicability of the Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System Permits, Industrial Storm Water Permit, Clean Water Act section 404 Permit, Clean Water Act Section 401 Permit, and Waste Discharge Requirements Permit. For each permit type, the commenter provides a website link or phone number where additional information regarding the permit may be obtained. The General Plan Update is a policy document and does not require any of the identified permits. Subsequent development, infrastructure improvement, and other projects that are consistent with the General Plan Update may require the permits identified by the commenter and would be required to obtain the appropriate permits as part of the project approval process. The comment does not raise any issues regarding the adequacy of the Draft EIR. The comment is noted.

Response A-3: The commenter makes closing remarks and provides their contact information. The comment is noted.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN JR., Governor

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET

P. O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 654-4959

FAX (916) 653-9531

TTY 711

Flex your power!
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November 30, 2011

Mr. Steve Hackney
Colusa County
220 12th Street
Colusa, CA 95932

Dear Mr. Hackney:

Re: The Draft Environmental Impact Report for the Colusa County 2030 General Plan;
SCH Number 2011062052

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public-use and special-use airports and heliports. The following comments are offered for your consideration.

B-1

The proposal is for an update to the Colusa County General Plan.

In accordance with California Public Utilities Code (PUC) Section 21676 *et seq.*, prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the airport land use commission (ALUC), the local agency shall first refer the proposed action to the ALUC. The Colusa County Airport Land Use Commission is the designated ALUC for this project.

If the ALUC determines that the proposed action is inconsistent with the airport land use compatibility plan, the referring agency shall be notified. The local agency may, after a public hearing, propose to overrule the ALUC by a two-thirds vote of its governing body after it makes specific findings. At least 45 days prior to the decision to overrule the ALUC, the local agency's governing body shall provide to the ALUC and Caltrans a copy of the proposed decision and findings. Caltrans reviews and comments on the specific findings a local government intends to use when proposing to overrule an ALUC. Caltrans specifically looks at the proposed findings to gauge their relationship to the overrule. Also, pursuant to the PUC 21670 *et seq.*, findings should show evidence that the local agency is minimizing "...the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."

B-2

General plans and elements must clearly demonstrate intent to adhere to ALUC policies to ensure compliance with compatibility criteria. Direct conflicts between mapped land use designations in a general plan and the ALUC criteria must be eliminated. A general plan needs to include (at the

B-3

"Caltrans improves mobility across California"

Mr. Steve Hackney
November 30, 2011
Page 2

very least) policies committing the county to adopt compatibility criteria essential to ensuring that such conflicts will be avoided. The criteria do not necessarily need to be spelled out in the general plan. There are a number of ways for a city or county to address the airport consistency issue, including:

- Incorporating airport compatibility policies into the update.
- Adopting an airport-combining zoning ordinance.
- Adopting an "Airport Element" into the general plan.
- Adopting the airport compatibility plan as a "stand alone" document or as a specific plan.

The proposal should also be coordinated with Colusa County Airport staff to ensure its compatibility with future as well as existing airport operations.

CEQA, Public Resources Code 21096, requires the California Airport Land Use Planning Handbook (Handbook) be utilized as a resource in the preparation of environmental documents for projects within airport land use compatibility plan boundaries or if such a plan has not been adopted, within two nautical miles of an airport. The Handbook provides a "General Plan Consistency Checklist" in Table 5A and a "Possible Airport Combining Zone Components" in Table 5B. The Handbook is a resource that should be applied to all public use airports and is available on-line at:
<http://www.dot.ca.gov/hq/planning/aeronaut/documents/AirportLandUsePlanningHandbook.pdf>

Federal and State regulations regarding aircraft noise do not establish mandatory criteria for evaluating the compatibility of proposed land use development around airports (with the exception of the 65 dB CNEL "worst case" threshold established in the State Noise Standards for the designated "noise problem" airports). For most airports in California, 65 dB CNEL is considered too high a noise level to be appropriate as a standard for land use compatibility planning. This is particularly the case for evaluating new development in the vicinity of the airport. The 60 dB CNEL, or even 55 dB CNEL, may be more suitable for new development around most airports. Figure 3.11-2 in the Draft Environmental Impact Report (DEIR) shows that some areas designated for future Urban Residential are inside the 65 dB CNEL noise contour. For a further discussion of how to establish an appropriate noise level for a particular community, please refer to the Handbook.

California Public Utilities Code (PUC) Section 21659 prohibits structural hazards near airports. The planned height of buildings, antennas, and other objects should be checked with respect to Federal Aviation Regulation (FAR) Part 77 criteria if development is close to the airport, particularly if situated within the runway approach corridors. General plans must include policies restricting the heights of structures to protect airport airspace. To ensure compliance with FAR Part 77 "Objects Affecting Navigable Airspace" submission of a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) may be required. Form 7460-1 is available on-line at <https://ocaaa.faa.gov/ocaaa/external/portal.jsp> and should be submitted electronically.

California Education Code Section 17215 requires a school site investigation by the Division prior to acquisition of land for a proposed school site located within two miles of an airport

"Caltrans improves mobility across California"

B-3
(cont'd)

B-4

B-5

B-6

B-7

Mr. Steve Hackney
November 30, 2011
Page 3

runway. The Division submits recommendations to the State Department of Education for use in determining acceptability of the site. This should be a consideration prior to designating residential uses in the vicinity of an airport. The Division's school site evaluation criteria are available on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/regulations.html>.

B-7
(cont'd)

Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353 address buyer notification requirements for lands around airports and are available on-line at <http://www.leginfo.ca.gov/calaw.html>. Any person who intends to offer subdivided lands, common interest developments and residential properties for sale or lease within an airport influence area is required to disclose that fact to the person buying the property.

B-8

The protection of airports from incompatible land use encroachment is vital to California's economic future. Colusa County Airport is an economic asset that should be protected through effective airport land use compatibility planning and awareness. Although the need for compatible and safe land uses near airports is both a local and State issue, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport. Consideration given to the issue of compatible land uses in the vicinity of an airport should help to relieve future conflicts between airports and their neighbors.

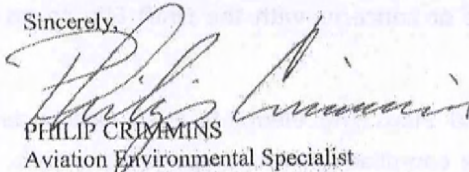
B-9

These comments reflect the areas of concern to the Division with respect to airport-related noise, safety, and regional land use planning issues. We advise you to contact our District 3 office concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-6223, or by email at philip_crimmins@dot.ca.gov.

B-10

Sincerely,



PHILIP CRIMMINS
Aviation Environmental Specialist

c: State Clearinghouse, Colusa County ALUC, Colusa County Airport

"Caltrans improves mobility across California"

Response to Letter B Philip Crimmins, State of California Department of Transportation, Division of Aeronautics

Response B-1: The commenter makes introductory remarks, identifies the Division of Aeronautics' technical expertise in the areas of airport operations/safety and land use compatibility. The commenter's specific comments regarding the project are addressed under Responses B-2 through B-8 below.

Response B-2: The commenter states that in accordance with California Public Utilities Code Section 21676 et seq., a General Plan amendment and other policy-level projects must first be referred to the Airport Land Use Commission (ALUC). The commenter further describes actions to be taken if the ALUC determines that the proposed action is inconsistent with the airport land use compatibility plan and states that Caltrans reviews and comments on the specific findings a local government intends to use when proposing an overrule to the ALUC.

Colusa County referred the proposed project to the Colusa County ALUC, which received notice of the 2030 General Plan Update and the Draft EIR as part of the public circulation of the proposed project and the Draft EIR. The Colusa County ALUC did not comment on the 2030 General Plan Update nor on the Draft EIR. The Colusa County ALUC did not notify the County regarding any inconsistency between the proposed project and the Colusa County Airport Land Use Compatibility Plan (ALUCP) or the Colusa County Airport Comprehensive Land Use Plan (CLUP).

This comment does not identify any issues or concerns with the Draft EIR, so no additional response is necessary.

Response B-3: The commenter states that General Plans and elements must clearly demonstrate intent to adhere to ALUC policies to ensure compliance with compatibility criteria, indicating the direct conflicts with a general plan and the ALUC criteria must be eliminated. The commenter identifies several methods for a jurisdiction to address the airport consistency issue and recommends that the proposal [project] be coordinated with Colusa County Airport staff to ensure its compatibility with future as well as existing operations.

While this comment does not identify any issues or concerns with the Draft EIR, the following explanation is provided to clarify how the proposed project addresses airport land use consistency. The 2030 General Plan Update includes the following policies and actions, which require future development to be consistent with the ALUC/CLUP.

Policy SA 1-53: Ensure that land uses within the vicinity of airports and airstrips are compatible with airport restrictions and operations.

Policy SA 1-54: Ensure that all development proposals in the vicinity of the Colusa County Airport are consistent with the restrictions and requirements contained in the Colusa Airport Comprehensive Land Use Plan (CLUP).

Policy SA 1-55: The County shall ensure that new development proposals do not result in encroachments into future airport expansion areas and do not result in adverse economic impacts to airport operations.

Policy SA 1-56: Work cooperatively with the Airport Land Use Commission to ensure continued airport operations in a safe and cost-effective manner, consistent with the public's needs and Federal Aviation Authority regulations.

Action SA 1-HH: *As part of the development review process, new development and expansion proposals near the Colusa County airport and public and private airstrips shall be:*

- a. Reviewed for consistency with setbacks, land use restrictions, and height as determined by the Federal Aviation Administration (FAA) and the Colusa County Airport Land Use Commission;*
- b. Provided to the Airport Land Use Commission for Review.*

Action SA 1-II: *As part of future planning efforts, the Department of Planning and Building shall review and provide input into updates to the Comprehensive Airport Land Use Plan to ensure that new development within the Colusa County Airport Safety Zone is compatible with existing airport operations, and that any changes or improvements to the airport facility or operations are compatible with land uses within this zone.*

Response B-4: The commenter indicates that CEQA requires the California Airport Land Use Planning Handbook to be utilized as a resource in the preparation of environmental documents for projects within ALUC boundaries. The California Airport Land Use Planning Handbook was used as a reference tool in the preparation of the 2030 General Plan Update and the Draft EIR. The policies and actions identified in Response B-3, above, ensure that subsequent projects will be consistent with the ALUP.

Response B-5: The commenter discusses criteria for evaluating noise levels and indicates that the 60 dB CNEL or even the 55 dB CNEL may be more suitable than the 65 dB CNE: when evaluating new development in the vicinity of the airport. The commenter indicates that Figure 3.11-2 in the Draft EIR shows that some areas designated for Urban Residential are inside the 65 dB CNEL contour.

While the commenter does not identify any issues or concerns with the analysis presented in the Draft EIR, the following explanation and revisions to the Draft EIR are provided to clarify potential airport noise impacts that may occur with subsequent development. The commenter is correct that a portion of the Urban Residential land to the west of the airport is located within the 65 dB CNEL noise contour. As described on page 3.11-29 of the Draft EIR, Policy N 1-8 requires new development projects and long-term planning projects to conform with the

County's Airport Safety and Noise land use criteria, as identified in the Colusa County Airport Comprehensive Land Use Plan (CLUP) and Action N 1-D implements this policy by providing specific design and attenuation standards. Implementation of Policy N 1-8 and Action N 1-D would reduce potential impacts to a less than significant level by ensuring that future development conforms to the ALUC's noise criteria. Project-level noise attenuation may include site design to place the majority of residential uses outside of the area designated as 65 dB CNEL, noise attenuation measures such as windows with higher STC ratings to reduce noise exposure.

The following edits are made to the discussion of Impact 3.11-3 (Airport Noise) on page 3.11-29 and to Action N 1-D to clarify that urban residential uses are designated within the 65 dB CNEL contour and to ensure that long-term planning projects, including the Zoning Code Update, are consistent with the ALUC's noise criteria.

"Impact 3.11-3: Airport Noise (Less than Significant)"

Implementation of the 2030 General Plan could result in the creation of new noise-sensitive land uses within the 60 and 65 dB CNEL noise contours contained within the *Colusa County Airport Land Use Comprehensive Land Use Plan* (ALUCP), as shown by Figure 3.11-2. Additionally, the implementation of the 2030 General Plan would result in the creation of new noise-sensitive land uses within over-flight areas of the Colusa County airport, thereby presenting the potential for annoyance from single event noise.

Single-event noise associated with aircraft overflights is also of concern when evaluating aircraft noise effects in terms of land use compatibility. Single-event noise is the maximum sound level produced by an individual approach overflight at a specific location, often described in terms of Lmax, which is the maximum sound level recorded for each event. A different measurement of single-event noise, also commonly used when evaluating aircraft noise, is the SEL. The SEL describes the event's mean energy level over the duration of the noise event. As would be expected, single-event noise levels for aircraft overflights within the Planning Area would be greatest and most frequent near the airport's primary flight paths.

The 2030 General Plan includes policies and actions intended to reduce noise impacts throughout the County, including noise impacts associated with development located within the 60 and 65 dB CNEL noise contours associated with the airport and single-even noise associated with flyovers. Policy N 1-8 requires new development projects and long-term planning projects to conform with the County's Airport Safety and Noise land use criteria, as identified in the Colusa County Airport Comprehensive Land Use Plan (CLUP). Actions N 1-D implement this policy by providing specific design and attenuation standards. With the implementation of the 2030 General Plan policies and actions, the noise impact relative to airports would be **less than significant**.

2030 GENERAL PLAN POLICIES AND ACTIONS

Policies

Policy N 1-8: Require new development projects and long-term planning projects to conform with the County's Airport Safety and Noise land use criteria, as identified in the Colusa County Airport Comprehensive Land Use Plan (CLUP).

Actions

Action N 1-D: Review new development and long-term planning projects, including the Zoning Code Update, for conformity with the County's Airport Safety and Noise land use criteria, as identified in the Colusa County Airport Comprehensive Land Use Plan (CLUP)."

Response B-6: The commenter states that California Public Utilities Code Section 21659 prohibits structural hazards near airports and indicates that the planned height of buildings and other objects should be checked with respect to Federal Aviation Regulation (FAR) Part 77 criteria if development is close to the airport, particularly if situated within runway approach corridors and states that the General Plan must include policies restricting the height of structures to protect airport airspace. The General Plan includes Action SA 1-HH which requires that, as part of the development review process, development proposals near the Colusa County Airport and private airstrips shall be reviewed for consistency with the Federal Aviation Administration (FAA) and ALUC requirements as well as be provided to the ALUC for review. The review for consistency with FAA and ALUCP requirements would include a review for consistency with applicable FAR requirements, including Part 77 criteria, and with all criteria identified in the CLUP. Implementation of Action SA 1-HH would ensure that subsequent projects do not result in structural hazards near the Colusa County Airport or any private airstrips. The Draft EIR identifies a significant and unavoidable impact (Impact 3.8-4) associated with a conflict between a land use designation proposed on the Land Use Map and the land use criteria established by the ALUCP. It is noted that this impact is due to the conflict in land use designations and that the proposed project includes policies and actions that would require all subsequent development, including any development on the proposed Urban Residential parcel that poses a potential conflict, to be consistent with the ALUCP and FAR regulations pursuant to Policies SA 1-53, 1-54, and 1-55 and Actions SA 1-HH. While implementation of these policies and actions would address any potential safety hazards by requiring future development to be consistent with the allowed uses and height restricts, the conflict in the land use designation would remain.

Response B-7: The commenter indicates that a school site investigation by the Division is required prior to acquisition of land for a proposed school site located within two miles of an airport runway. The proposed project does not propose the development of a school nor does it propose site acquisition for the development of a school. School sites will continue to be acquired by the school districts that serve the County and it would be the responsibility of any school district that is interested in acquiring a site in the vicinity of the airport to comply with State law regarding preliminary investigations and other due diligence. This comment does not identify any issues or concerns associated with the Draft EIR. The comment is noted.

Response B-8: The commenter identifies State laws that address buyer notification requirements for lands around airports. This comment does not identify any issues or concerns associated with the Draft EIR. The comment is noted.

Response B-9: The commenter indicates that the protection of airports from incompatible land use encroachment is vital to California's future and indicates that consideration given to the issue of compatible land uses in the vicinity of an airport should help to relieve future conflicts between airports and their neighbors. The 2030 General Plan Update includes policies that promote the expansion and improvement of existing airport facilities and support funding efforts for the Colusa County Airport (Policies CIRC 2-6 and 2-7). The 2030 General Plan Update also includes policies that support continued airport operations in a safe and effective manner (Policy SA 1-56) and input on development of any updates to the CLUP (Action SA 1-11). The 2030 General Plan Update The 2030 General Plan Update provides many policies that ensure that future development will not conflict with Federal Aviation Regulations or ALUC requirements, including the CLUP. The 2030 General Plan Update recognizes the importance of the Colusa County Airport by ensuring that subsequent projects would not result in projects that would conflict with the CLUP. Specifically, the Noise and Safety Elements of the General Plan require subsequent development proposals to be consistent with County's Airport Safety and Noise land use criteria and other restrictions as set forth by the FAA and CLUP (Policy N 1-8, Policy SA 1-54, Action N 1-D, and Action SA 1-HH) and compatible with airport restrictions and operations (Policy SA 1-53).

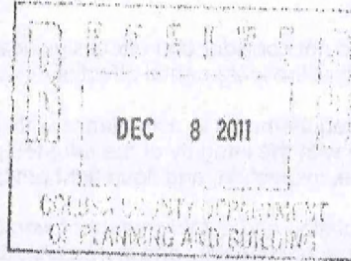
Response B-10: The commenter makes closing remarks and provides their contact information. The comment is noted.

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0809 FAX: (916) 574-0682
PERMITS: (916) 574-2380 FAX: (916) 574-0682



December 7, 2011

Mr. Steve Hackney
Colusa County
220 12th Street
Colusa, California 95932

Subject: Colusa County 2030 General Plan SCH Number: 2011062052 Draft EIR

Dear Mr. Hackney:

Staff for the Central Valley Flood Protection Board has reviewed the subject document and provides the following comments:

The proposed project is located within the jurisdiction of the Central Valley Flood Protection Board. The Board is required to enforce standards for the construction, maintenance, and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River and the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

C-1

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

- The placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (CCR Section 6);
- Existing structures that predate permitting or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6);
- Vegetation plantings that will require the submission of detailed design drawings; identification of vegetation type; plant and tree names (i.e. common name and scientific name); total number of each type of plant and tree; planting spacing and irrigation method that will be utilized within the project area; a complete vegetative management plan for maintenance to prevent the interference with flood control, levee maintenance, inspection and flood fight procedures (Title 23, California Code of Regulations CCR Section 131).

C-2

In accordance with CEQA Guidelines Section 15130 "Discussion of Cumulative Impacts. (a) An EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in section 15065(a)(3). Where a lead agency is examining a project with an incremental effect that is not "cumulatively considerable," the lead

C-3

December 7, 2011
Mr. Steve Hackney
Page 2 of 2

agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable."

C-3
(cont'd)

Vegetation requirements in accordance with Title 23, Section 131(c) states, "Vegetation must not interfere with the integrity of the adopted plan of flood control, or interfere with maintenance, inspection, and flood fight procedures."

The accumulation and establishment of woody vegetation that is not managed has a negative impact on channel capacity and increases the potential for levee over-topping and flooding. When a channel develops vegetation that then becomes habitat for wildlife, maintenance to initial baseline conditions becomes more difficult as the removal of vegetative growth is subject to federal and state agency requirements for on-site mitigation within the floodway.

C-4

Hydraulic impacts – Hydraulic impacts due to encroachments could impede flows, reroute flood flows, and/or increase sediment accumulation. The Draft EIR should include mitigation measures for channel and levee improvements and maintenance to prevent and/or reduce hydraulic impacts. Off-site mitigation outside of the State Plan of Flood Control should be used when mitigating for vegetation removed within the project location.

C-5

The permit application and Title 23 CCR can be found on the Central Valley Flood Protection Board's website at <http://www.cvfpb.ca.gov/>. Contact your local, federal and state agencies, as other permits may apply.

C-6

Should you have any further questions, please contact me by phone at (916) 574-0651, or via email at jherota@water.ca.gov.

Sincerely,



James Herota
Staff Environmental Scientist
Floodway Projects Improvement Branch

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, California 95814

Response to Letter C James Herota, Central Valley Flood Protection Board (CVFPB)

Response C-1: The commenter provides introductory comments and identifies the jurisdiction of the CVFPB. The commenter's specific concerns and suggestions regarding the project objectives are addressed under Responses C-2 through C-5 below.

Response C-2: The commenter indicates actions that require a CVFPB permit. This comment does not identify any issues or concerns associated with the Draft EIR. Comment noted.

Response C-3: The commenter identifies CEQA requirements related to discussion of cumulative impacts. While this comment does not identify any issues or concerns associated with the Draft EIR, the commenter is referred to Chapter 4.0 (Other CEQA-Required Topics) which identifies the cumulative setting and describes the project's contribution to cumulative effects on the environment, including the basis for any conclusions that the project's contribution to cumulative effects is not considerable. The 2030 General Plan Update includes Policy SA 1-26, which would provide on-going maintenance to a variety of facilities, including flood control and storm water conveyance infrastructure, to provide for adequate storm water flows, and Action SA 1-N to develop a Flood Master Plan, that would address a range of issues including maintenance of flood control facilities.

Response C-4: The commenter identifies vegetation requirements related to flood control, identifying that the accumulation and establishment of woody vegetation that is not managed has a negative impact on channel capacity and other effects. While this comment does not identify any issues or concerns associated with the Draft EIR, the commenter is referred to Policy SA 1-26, which would provide on-going maintenance to a variety of facilities, including flood control and storm water conveyance infrastructure, to provide for adequate storm water flows, and to Action SA 1-N to develop a Flood Master Plan, that would address a range of issues including maintenance of flood control facilities.

Response C-5: The commenter describes the effects of hydraulic impacts due to encroachment and recommends that the Draft EIR should include mitigation measures for channel and levee improvements and maintenance to prevent and/or reduce hydraulic impacts. The 2030 General Plan Update identifies policies to maintain floodways and flood facilities (Policies SA 1-25 and SA 1-36) and also includes policies to ensure that development projects do not result in increases in peak flow runoff to adjacent lands or drainage facilities and contribute to off-site drainage or flood control infrastructure necessitated by their projects (Policies SA 1-29 and SA 1-31). The 2030 General Plan Update also includes actions to develop a Drainage Master Plan, which would identify necessary storm water and drainage improvements at the community level and identify standards to address flooding impacts (Action SA 1-M) and to develop a Flood Master Plan that identifies needed improvements and ensures operation, maintenance, and

funding of flood control facilities (Action SA 1-N). Implementation of these policies and actions would ensure that adequate flood control and storm water control improvements are made, including channel and levee improvements, and that adequate maintenance is provided to address potential adverse storm water and flooding impacts. As described on pages 3.9-47 through 3.9-48, implementation of the policies and actions included in the 2030 General Plan would reduce potential impacts associated with runoff, erosion, and the risk of flooding to a less than significant level. Page 4.0-12 identifies the project's contribution to cumulative hydrology and water quality impacts, concluding that the implementation of the 2030 General Plan policies and actions along with federal, state, and local permit and monitoring requirements would reduce the project's contribution to cumulative impacts to a less than cumulatively considerable level. The commenter does not identify any deficiencies associated with the Draft EIR and the policies and actions proposed by the General Plan address the commenter's concerns associated with providing and improving flood control facilities and ensuring on-going maintenance, therefore, no additional response is necessary.

Response C-6: The commenter provides closing remarks, including their contact information and where permit application and regulatory language can be found on-line. The comment is noted.

2.0 COMMENTS ON DRAFT EIR AND RESPONSES 2012

STATE OF CALIFORNIA – BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 3
703 B STREET
MARYSVILLE, CA 95901-0911
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FAX (530) 741-4245
TTY 711



*Flex your power!
Be energy efficient!*

January 13, 2012

032011COL0034
Colusa County DEIR/General Plan Update
SCH# 2011062052

Mr. Steven M. Hackney, AICP
Department of Planning and Building
County of Colusa
220 12th Street
Colusa, CA 95932

Dear Mr. Hackney:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) and the General Plan Update (GPU) for Colusa County. Our comments are as follows:

D-1

General Plan:

Circulation Element:

- Page 3-3, Policy CIR 1-11: While we concur requiring new development to finance and construct all off-site circulation improvements necessary to mitigate a project's transportation impacts, it is unclear if this mitigation requirement includes the State Highway System (SHS) within the County. Please clarify.
- Page 3-4, Action CIR 1-C: While we applaud the County in this action measure to establish a County transportation impact fee program that addresses countywide transportation facilities and will require new development to pay for its fair share of impacts to local and regional facilities, it is unclear if this action includes SHS facilities in the County. We suggest adding the phrase, "including State Highway facilities", after the phrase, "regional facilities".
- Page 3.13-8: Policy CIRC 1-5 is incomplete. Please revise to include the unincorporated County exceptions.

D-2

D-3

D-4

Land Use Element:

- Page 8.25, Policy LU 3-17: This policy states "Ensure that zoning and land use designations at the Interstate 5 freeway interchanges at Arbuckle, Maxwell, and the unincorporated area near Williams are used for highway-oriented commercial use... Development at these interchanges should be planned to minimize traffic and safety hazards on local streets to the

D-5

"Caltrans improves mobility across California"

Mr. Steven Hackney
January 13, 2011
Page 2 of 3

extent feasible." We suggest amending the phrase, "...on local streets"..., to read, "...on local streets and Interstate 5 freeway interchanges..." or identify appropriate mitigation for the potentially impacted Interstate 5 interchanges.

D-5
(cont'd)

DEIR:

Executive Summary:

- Page ES-11, Impact 3.13-3 and page ES-13, Impact 4.13: We disagree with the significant and unavoidable findings to the SHS facilities. Please refer to our specific comments on pages 3.13-21 and 4.0-14 below.

D-6

Section 3.13, Transportation and Circulation:

- Page 3.13-9, First paragraph: "San Joaquin County" should read "Colusa County".
- Page 3.13-21, Impact 3.13-3, Increased Traffic on State Highways and Facilities (significant and unavoidable), third and fourth paragraphs: Caltrans disagrees with the significant and unavoidable findings, which are based on the following three arguments: 1) "outside of the County's jurisdiction," 2) "no guarantee that full funding for the improvements will be available," and 3) "collection and administration of funding by the state." We disagree for the following reasons:
 - There are Plans (please refer to Caltrans Transportation Concept Reports) in place that identify needed improvements and proposed County policies and actions in the draft GPU provide for the preparation of a Nexus Study and Traffic Impact Mitigation Fee Program to collect development impact fees for both local and regional roadways, including State Highway facilities.
 - Speculation regarding the Caltrans budget is not valid under CEQA.
 - Based upon our information, there are no projects in Colusa County that are slated for State programming or allocation that could reasonably be subject to changes due to pending Caltrans budget changes.
 - The State does not have the legal authority to collect traffic impact mitigation fees. Local governments, however, have the authority to conduct a Nexus Study and establish a Traffic Mitigation Fee Program.
- Page 3.13-21, Impact 3.13-3, Increased Traffic on State Highways and Facilities (significant and unavoidable), fourth paragraph: Caltrans disagrees with the statements that "while the policies and actions in the 2030 General Plan would mitigate potential impacts to address the County's fair-share of the impacts, full mitigation of the impacts is beyond the County's control. Therefore, this impact would remain significant and unavoidable and no further mitigation is available." We are not requesting full mitigation of traffic impacts to the SHS facilities in Colusa County, rather that the County provide a fair share of the mitigation. In

D-7

D-8

D-9

"Caltrans improves mobility across California."

Mr. Steven Hackney
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view that the County will be preparing a Nexus Study establishing a Traffic Impact Mitigation Fee Program for local roads and the SHS, we believe that the finding of "significant and unavoidable" can be changed to "less than significant."

D-9
(cont'd)

Section 4.0, Other CEQA – Required Topics:

- Page 4.0-14, Impact 4.13: Cumulative Impacts on the Transportation Network (Considerable Contribution and Significant and Unavoidable), paragraph 3: We disagree with the statements that, "while implementation of the of the policies and actions included in the 2030 General Plan are intended to either result in the direct construction of improvements to maintain acceptable level or service, or result in a fair-share funding toward roadway impacts on facilities, there is no guarantee that full funding for the identified improvements will be available when the improvements are needed. Therefore, this is considered a **cumulatively considerable and significant and unavoidable impact.**" This disagreement is based on the previously noted comment.

D-10

Notice of Preparation:

The following comments included in the Caltrans' letter dated July 30, 2011 (copy attached) were not adequately addressed:

D-11

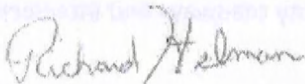
- Request policy statement in the County's GPU stating that circulation network improvements to and operation of the SHS are a shared responsibility between Colusa County and Caltrans.
- Request to review the scope of the Traffic Impact Study before the Study begins.

D-12

Please provide our office with a copy of the Final Environmental Impact Report when available. If you have any questions concerning these comments, please contact the Colusa County IGR Coordinator, Nora Hogan at (530) 634-7799 or nora_hogan@dot.ca.gov.

D-13

Sincerely,



RICHARD HELMAN
Office of Transportation Planning – North

Attachment

Cc: Scott Morgan, State Clearing House

"Caltrans improves mobility across California"

Response to Letter D Richard Hellman, State of California Department of Transportation (Caltrans), District 3

Response D-1: The commenter makes introductory remarks. The commenter's specific concerns regarding the 2030 General Plan Update and Draft EIR are addressed under Responses D-2 through D-12 below.

Response D-2: The commenter requests clarification of whether Policy CIRC 1-11 includes the requirement to mitigate impacts to the State Highway System within the County. While this comment does not address the adequacy of the Draft EIR, the following edit to Policy CIRC 1-11 is provided to clarify that: 1) projects must construct improvements to local roads, over which the County has jurisdiction, and 2) projects will be evaluated to identify whether they would result in significant impacts to regional facilities and, if there would be significant impacts, projects will pay their fair-share of improvements, where feasible. Policy CIRC 1-11 is proposed to be revised as follows:

"Policy CIRC 1-11: Require new development to: 1) finance and construct all off-site circulation improvements (including safety improvements) necessary to mitigate a project's transportation impacts to local roads, consistent with the policies of the General Plan; and 2) to analyze traffic impacts on the regional transportation system and require a fair-share contribution necessary to mitigate significant impacts to regional transportation improvements where a financing plan or other mechanism has been adopted to ensure the full funding and construction of improvements. Right-of-way dedication should be requested as a condition of a proposed new or widened major or minor collector."

Response D-3: The commenter suggests amending Action CIRC 1-C to add the phrase "including State Highway facilities" after the phrase "regional facilities." This comment does not identify any issues or concerns associated with the Draft EIR. Comment noted.

Response D-4: The commenter identifies that Policy CIRC 1-5 is incomplete. Policy CIRC 1-5 is proposed to be revised as follows:

"Policy CIRC 1-5: Maintain LOS C or better for County roadways and intersections in the unincorporated County, ~~except as specified below:~~"

Response D-5: The commenter suggests revising Policy LU 3-17, which addresses land use designations and planning of sites near freeway interchanges along I-5 and requires development to minimize traffic and safety hazards on local streets, to add "and Interstate 5 freeway interchanges" or to identify appropriate mitigation for the potentially impacted Interstate 5 interchanges. Implementation of Action CIRC 1-C would address potential impacts to Interstate 5 interchanges. Potential traffic impacts to Interstate 5 and other State highways are addressed in Chapter 3.13 of the Draft EIR as well as under Responses D-8, D-9, and D-10 below. Policy LU 3-17 is proposed to be revised as follows to ensure that the sites identified in

the policy are planned to minimize potential hazards on both local streets and regional transportation facilities:

"Policy LU 3-17: Ensure that zoning and land use designations at the Interstate 5 freeway interchanges at Arbuckle, Maxwell, and the unincorporated area near Williams are used for highway-oriented commercial use. These uses, which include hotels, restaurants, and service stations, should be oriented to interstate travelers, tourists, and visitors to the County's various open space recreation and agricultural opportunities. Development at these interchanges should be planned to minimize traffic and safety hazards on local streets and regional transportation facilities to the extent feasible."

Response D-6: The commenter indicates that they disagree with the significant and unavoidable findings to State highway facilities identified under Impacts 3.13-3 and 4.13 in the Executive Summary. These concerns are addressed under Responses D-8, D-9, and D-10.

Response D-7: The commenter identifies an error in the text. The following change is made to the first paragraph of text on page 3.13-9 of the Draft EIR:

"Caltrans is responsible for planning, designing, constructing, operating, and maintaining all state-owned roadways in ~~San Joaquin~~ Colusa County."

Response D-8: The commenter states that Caltrans disagrees with the significant and unavoidable finding for Impact 3.13-3, Increased Traffic on State Highways and Facilities. The commenter indicates that the significant and unavoidable finding is based on the following three arguments 1) outside of the County's jurisdiction, 2) no guarantee that full funding for the improvements will be available, and 3) collection and administration of funding by the state. The commenter makes four specific points regarding these issues, which are each responded to below. The commenter is also referred to response D-9 regarding the significant and unavoidable impact conclusion.

First, the commenter states that there are plans in place that identify needed improvements, referencing Caltrans Transportation Concept Reports (TCRs). The commenter also states that proposed County policies and actions in the draft GPU provide for the preparation of a Nexus Study and Traffic Impact Mitigation Fee Program to collect development impact fees for local and regional roadways, including State Highway facilities. While the commenter is correct that there are plans in place that identify some of the improvements, these plans are not comprehensive in identifying all improvements that may be needed to address future growth, including growth outside of the County's jurisdiction that may affect Interstate (I) 5, State Route (SR) 20, SR 45, and SR 16. Furthermore, the plans that are in place, including the TCRs and the Colusa County Regional Transportation Plan (RTP), do identify needed improvements, including some needed improvements that are not yet funded. The Regulatory Framework description in Chapter 3.13 and the discussion of Impact 3.13-3 in the Draft EIR will be revised, as shown below, to summarize the improvements described in the applicable TCRs and RTP and the funding status, to the extent that funding information is known by the County. It is noted

that the commenter does not identify any specific improvements that are planned for State facilities in the County nor does the commenter identify the specific amount of funding that will be made available by the State for each improvement. The commenter is referred to Response D-9 regarding collection of fair share fees and why the County has determined that the impact will remain significant and unavoidable despite collection of fair share fees.

The discussion of the TCRs on pages 3.13-9 and 3.13-10 of the Draft EIR is revised as follows:

"STATE OF CALIFORNIA TRANSPORTATION CONCEPT REPORTS

Caltrans prepares a Transportation Concept Report (TCR) for each of its facilities. The TCR is a long-term planning document that each Caltrans district prepares for every state highway or portion thereof in its jurisdiction. The TCR usually represents the first step in Caltrans' long-range corridor planning process. The purpose of a TCR is to determine how a highway will be developed and managed so that it delivers the targeted LOS and quality of operations that are feasible to attain over a 20-year period. These are indicated in the "route concept." In addition to the 20-year route concept level, the TCR includes an "ultimate concept," which is the ultimate goal for the route beyond the 20-year planning horizon. The concept LOS for I-5, SR 16, SR 20, and SR 45 are outlined below.

The TCR also identifies the Programmed, Planned, and Other Needed Projects to maintain and improve the highway. Programmed Projects are projects included in the State Transportation Improvement Program, State Highway Operations and Protection Plan, or California Federal Transportation Improvement Program. Planned Projects are projects included in an approved Regional Transportation Plan, which may not identify full funding for the improvement. Other Needed Projects are projects needed to maintain mobility on the segment that are not yet included in a plan or programming document and as such, may not yet have potential funding sources identified. Programmed, Planned, and Other Needed Projects are described below.

Interstate 5

I-5 in Colusa County has a route concept level of LOS D. For each of the following segments, ~~t~~The 20-year concept facility remains a four-lane freeway, and ~~t~~The ultimate facility is a six-lane freeway.

- Segment 14 extends from the Colusa/Yolo County line to SR 20.
- Segment 15 extends from SR 20 to the Colusa Glenn County line.

The I-5 TCR identifies the following improvements for Segments 14 and 15:

Planned (Plan Source is SHOPP unless otherwise noted):

- Increase vertical clearance, Greenbay (PM 2.3) and Meyers Road (13.8) overcrossings, \$2.0M; Fund by 2022

- Install Changeable Message Signs and Closed Circuit Television Camera Systems, one northbound north of SR 20 and one southbound south of E St, (\$To Be Determined); 2022; Traffic Management Systems Plan

- Maintenance and Operations (\$To Be Determined)

Programmed (SHOPP is Source unless otherwise noted):

- Rehabilitate roadway, from Dunnigan in Yolo County to 2.3 miles N of SR 20, \$38M; Fund in 2011/12; 2010 SHOPP and GARVEE funds

Conceptual:

- Truck Parking at Maxwell Roadside Rest Area: add truck-trailer spaces, improve ramp, walkway, drainage, and lighting; \$4.8M; Fund by 2022
- Consider locations with three lanes in each direction where trucks can pass one another without occupying the #1 lane

State Route 16

SR 16 in Colusa County has a route concept level of LOS D. One segment, Segment 1, is in Colusa County extending from SR 20 to the Yolo/Colusa County line. The 20-year concept and ultimate facility remains a two-lane conventional highway. The SR 16 TCR identifies the need to pave turnouts, but does not identify any planned or programmed projects nor any funding for improvements on this segment.

State Route 20

Caltrans has identified the following four segments for SR 20 in Colusa County:

- Segment 1 (Lake County Line to Walnut Drive) – has a concept level of LOS D. The 20-year concept facility is a two-lane conventional highway with passing lanes. The ultimate facility is a four-lane expressway.
- Segment 2 (Walnut Drive to Harris Street in the City of Colusa) – has a concept level of LOS D. The 20-year concept facility is a two-lane conventional highway with passing lanes. The ultimate facility is a four-lane expressway.
- Segment 3 (Harris Street to Moon Bend Road in the City of Colusa) – has a concept level of LOS E. The 20-year concept facility is a two- to four-lane conventional highway. The ultimate facility is a four-lane conventional highway.
- Segment 4 (Moon Bend Road in the City of Colusa to the Sutter County Line) – has a concept level of LOS E. The 20-year concept facility is a two-lane conventional highway with passing lanes. The ultimate facility is a four-lane conventional highway.

The SR 20 TCR identifies that there are existing issues associated with lack of passing lanes, delays due to slow moving traffic, and sight restrictions and identifies the following improvements for Segments 1, 2, 3, and 4:

Planned:

- Replace Bear Creek Bridge PM 3.3 (\$6.1M; 2010) Colusa County RTP
- Widen Shoulders and Rehab Pavement PM 0.0/5.0 (\$36M; 2020) Ten Year SHOPP
- Operational/Capacity improvements to Lake County Line (\$5.0M; 2013) Colusa County RTP
- Install passing lanes west of Colusa to Williams (\$3.0M; 2013) Colusa County RTP
- Install passing lanes west of Williams (\$3.0M 2013) Colusa County RTP
- Signalize SR 20 / SR 45 intersection PM 31.09 (\$1.3M ; 2010) Colusa County RTP
- Install two-way left-turn channel Fremont Street to North Market Street (\$2.0M; 2013) Colusa County RTP
- Operational/Capacity improvements to Sutter County Line (\$6.0M; 2013) Colusa County RTP

Programmed:

- No Programmed Projects

Conceptual:

- Passing lanes every 5-7 miles (2020)
- Left-turn channelization at every county road connection (2020)
- Widen shoulders to 8-foot minimum standard (2015/2020)
- Install signal at Walnut Drive when warrants are met (2020)
- Turn lanes or channelization at every county road connection (2020)
- Improve drainage under the highway at Lone Star Road to reduce flooding (2015)
- Intersection improvements at Husted Road due to proposed development (2015)
- Support the expansion of existing parallel arterials or construction of new parallel arterials designed to relieve the congestion of SR 20

State Route 45 (SR 45)

Caltrans has identified the following two segments for SR 45 in Colusa County:

- Segment 21 (Yolo County Line to SR 20) – has a concept level of LOS D. The 20-year concept facility is a two-lane conventional highway. The ultimate facility is also a two-lane conventional highway.
- Segment 32 (SR 20 to Glenn County) – has a concept level of LOS D. The 20-year concept facility is a two-lane conventional highway. The ultimate facility is also a two-lane conventional highway."

The SR 45 TCR identifies that there are existing issues associated with lack of passing lanes, delays due to slow moving traffic, and sight restrictions and identifies the following improvements for Segments 1 and 2:

Planned:

- Widen SR 45 from Wintun Road to Colusa Casino PM 22.78-22.97 (\$1M; 2010) 2004 Colusa County RTP
- Intersection improvements at Reservation Road PM COL 25.90 (\$1M; 2010) 2004 Colusa County RTP

Programmed:

- Signalize SR20/SR45 intersection PM COL 19.84 (\$750;TBD) 2009 10-Year SHOPP Minor Program

Conceptual:

- Drainage improvements from Wilkins Slough to Maxwell Road PM COL 6.0-32.2 (\$1,500)
- Digouts and AC Overlay from Colusa to Glenn County Line PM COL 19.8-34.2 (\$10M)"

The discussion of the RTP on page 3.13-10 of the Draft EIR is revised as shown below:

"Colusa County Transportation Commission

The 2008/09 Colusa County Regional Transportation Plan (RTP) (2008) is a long-range planning document for identifying and programming roadway improvements throughout Colusa County. The RTP guides transportation investments in the County involving local, state, and federal funding with a twenty year horizon. Transportation projects are categorized as Tier 1, Tier 2, and Tier 3. Tier 1 projects are considered fully fundable during the 2008 STIP, Tier 2 projects are considered fully fundable during the first ten years of the RTP, and Tier 3 projects are considered fundable give current (2008) revenue estimates by 2030. While Tier 2 and Tier 3 projects are anticipated to be funded, this is based on estimates of expected funding revenues and is not a commitment that the project will be funded.

Most of the Tier 1 and Tier 2 transportation projects in the 2008/09 RTP are needed for safety and system preservation, except for several Tier 2 State Highway Operations and Protection Program (SHOPP) projects that are needed for both safety and congestion relief. The SHOPP projects are identified for SR 20 and include operational and capacity improvements, two-way left-turn lanes in the City of Colusa, and passing lanes."

Second, the commenter indicates that speculation regarding the Caltrans budget is not valid under CEQA. The uncertainty of funding for future projects is not speculative. The 2009 Ten-Year State Highway Operation and Protection Plan (2009 SHOPP) published by Caltrans

estimates that SHOPP funding is only available for 24 percent of needed improvements and states that funding is insufficient to preserve and maintain the existing State transportation infrastructure. The language in the Draft EIR will be revised, as shown below, to describe the shortfall of projected SHOPP funding and resulting constraints.

The following edits are made to the third full paragraph on page 3.13-21 of the Draft EIR:

"While implementation of the 2030 General Plan would result in acceptable LOS, implementation of future improvements on state facilities is uncertain because the implementation of such improvements is outside of the County's jurisdiction. The State budget has been shown to be uncertain in recent years, and the ability of Caltrans to fund and implement planned future programmed and conceptual improvements cannot be assured for those improvements that do not yet have funding commitments. The 2009 Ten-Year State Highway Operation and Protection Plan (2009 SHOPP) identifies that the total 10-year, goal-constrained need for the rehabilitation and operation of the State Highway System is \$63 billion for 2010/11 through 201/20 and identifies that projected funding available for the SHOPP is \$1.5 billion per year, meaning that only 24 percent of needed improvements are estimated to be fundable. The 2009 SHOP states (italics added) that, "The sole funding source for the SHOPP is the SHA, funded primarily through excise taxes on gasoline and diesel fuel. *SHA funding is declining as a result of reduced fuel consumption, funding shortfalls in the FHTE, redirection of funding for highway maintenance, and GARVEE Bond debt service obligations.*

Projected SHA funding available for the SHOPP is \$1.5 billion per year, which is 24 percent of the estimated need. *As funding is insufficient to preserve and maintain the existing State transportation infrastructure, the Department will focus available resources on the most critical categories of projects in the SHOPP (safety, bridge, and pavement preservation). Even with this focus, the SHS will continue to deteriorate (distressed pavement will grow from 26 percent to 60 percent during the next ten years). In addition, no new improvements to office facilities, repairs to roadside rest areas, and mobility improvements will be made.*

Each of the TCRs for State highway facilities in Colusa County identifies needed improvements, including improvements for operations, maintenance, and mobility, that are anticipated to be funded through SHOPP. However, no SHOPP funds have been committed for many of these future improvements and funding may be uncertain, given that the 2009 SHOPP identifies that only 24 percent of needed improvements are estimated to be fundable. Given that many of the needed improvements for Colusa County are conceptual improvements identified in the TCRs that do not yet have funding committed, it would be speculative to assume which improvements that are not yet fully funded would actually be funded in the future. Further, the planned development in the unincorporated area of the County only accounts for a portion of the need for future improvements on state facilities and the remaining cost of necessary improvements associated with demand from existing traffic levels, increases in out of County traffic, and increases in local traffic from the cities of Colusa and Williams would need to be funded separately."

Third, the commenter indicates that, based upon their information, there are no projects in Colusa County that are slated for State programming or allocation that could reasonably be subject to changes due to pending Caltrans budget changes. The 2009 SHOPP clearly states that there is insufficient funding to address needed improvements and that SHOPP funding will be focused on safety, bridge, and pavement preservation projects. This shortfall of SHOPP funding could mean that programmed and conceptual projects identified in the TCRs will not be funded, particularly those projects that have not yet been allocated SHOPP funding through the process established under Government Code 14526.5. The commenter does not identify specific improvements that are planned for State facilities in the County nor does the commenter identify the specific amount of funding that will be made available by the State for each improvement. As previously identified, the discussion of Impact 3.13-3 will be revised to summarize the improvements described in the applicable TCRs and RTP and the funding status, to the extent that funding information is known by the County.

Fourth, the commenter states that the State does not have legal authority to collect traffic impact mitigation fees and that local governments have the authority to conduct a Nexus Study and establish a Traffic Mitigation Fee Program. Implementation of Policy CIRC 1-11 and Action CIRC 1-C would establish a Countywide Transportation Impact Fee Program. However, as described under Response D-9, this fee program alone may not be adequate to fund all needed improvements and there may be a lag between fee collection and the actual construction of traffic improvements that may result in short-term impacts. As explained more fully under Response D-9 below, the impact would remain significant and unavoidable.

Response D-9: The commenter indicates that they disagree with the statement that “while the policies and actions in the 2030 General Plan would mitigate potential impacts to address the County’s fair-share of the impacts, full mitigation of the impacts is beyond the County’s control. Therefore, this impact would remain significant and unavoidable and no further mitigation is available.” The commenter indicates that they are requesting the County provide a fair share of mitigation and, in view that the County will be establishing a Traffic Impact Mitigation Fee program, the finding can be changed from “significant and unavoidable” to “less than significant.” It is noted that the commenter has not indicated any inadequacies associated with the proposed mitigation approach, but only disagrees with the conclusion of significant and unavoidable for the impact.

Colusa County has chosen to take the more conservative approach in the EIR of finding all project impacts on State highways “significant and unavoidable” if the improvements fall under the jurisdiction of another agency and there are no existing agreements in place to effectuate the improvements. Impact 3.13-3 identifies potential impacts to State transportation facilities in a technically conservative manner. The 2030 General Plan Update project includes policies and actions, including Policy CIRC 1-11 and Action CIRC 1-C that would ensure that projects

provide improvements to local roadways and fund their fair share of significant impacts to regional facilities.

The County is not aware of any mechanism whereby it can require partially funded improvements to be made to the State highway system. The approach outlined by Policy CIRC 1-11 and Action CIRC 1-C would ensure that subsequent projects contribute their fair-share of significant transportation impacts, to the extent that mechanisms are available for collecting development impact and/or fair share fees. While Policy CIRC 1-11 and Action CIRC 1-C are anticipated to be sufficient to address impacts associated with the 2030 General Plan Update, regional traffic, including traffic from local cities and outside counties, may also contribute to the need for improvements to State highway facilities. Many of these improvements have not yet been fully planned or funded and there are no agreements or programs in place to ensure that fair share fees are collected from outside agencies to ensure that full funding will be available for the improvements.

As the Third District Court of Appeal noted in *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1188, "a single project's contribution to a cumulative impact is deemed less than significant if the project is required to implement or fund its 'fair share' of a mitigation measure designed to alleviate the cumulative impact." (See CEQA Guidelines, Section 15130(a)(3).) "Fee-based mitigation programs for cumulative traffic impacts – based on fair-share infrastructure contributions by individual projects – have been found to be adequate mitigation measures under CEQA." (*Ibid.*, citing *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 140.)

In the case of the 2030 General Plan Update, the County cannot, on its own, implement improvements to the State highway system and a fee-based program to implement the improvements, such as described under *Save Our Peninsula Committee v. Monterey County B. of Supervisors*, would require agreements between Colusa County and possibly the cities of Colusa and Williams that do not yet exist. In order for a fee-based approach to be adequate, there must be a plan in place. As explained above, because such "reasonable plans" for transportation impacts that occur on non-County roadways, including the State highway system, do not yet exist, the County has conservatively, and appropriately, concluded for the time being that the impacts will be significant and unavoidable.

In addition to the need for inter-jurisdictional agreements to assure the mitigation of regional transportation impacts, there will be a time delay between when an improvement is needed and when development is fully built out and will have paid its full share of the improvement costs. This delay in constructing the needed improvements would result in an interim significant and unavoidable impact to roadway operation. There is also often a funding gap between the total amount of impact fees that can be legally collected and the total cost of the improvement, which means that some portion of needed improvements may be unfunded

through the collection of fair-share fees. Where improvements are partially unfunded, there is no guarantee that full funding will be available.

Although Caltrans may have procedures in place to facilitate the implementation of various improvements, these improvements lie outside of the full jurisdiction of Colusa County and thus cannot be guaranteed by the County to occur until the County and Caltrans agree on the means of collecting and spending the project proponents' funds. If, for whatever reason, the necessary improvements are not implemented, the roadway segments would continue to operate at an unacceptable level and the impact would be significant and unavoidable.

For the above-stated reasons, the Draft EIR has determined that certain impacts are significant and unavoidable, even when an adequate mitigation approach has been identified in the Draft EIR.

Response D-10: The commenter indicates that they disagree that the cumulative impact on the transportation network described under Impact 4.13 will be a cumulatively considerable and significant impact and references their previously noted comment. It is noted that the commenter has not indicated any inadequacies associated with the proposed mitigation approach, but only disagrees with the conclusion of significant and unavoidable for the impact.

The commenter is referred to Response D-9, which provides an explanation of why a significant and unavoidable impact conclusion is appropriate. Since the commenter has not provided any additional explanation or reasons for their comment, beyond those identified under D-9, no additional response is provided.

Response D-11: The commenter indicates that their comment included in Caltrans letter dated July 30, 2011 on the Notice of Preparation requesting a policy statement that circulation network improvements to, and operation of, the State Highway System are a shared responsibility between Colusa County and Caltrans was not addressed. This comment does not identify any issues or concerns with the analysis provided in the Draft EIR and no change to the 2030 General Plan Update is proposed in response to this comment. This comment is noted for the decision-makers consideration.

Response D-12: The commenter indicates that their comment included in Caltrans' letter dated July 30, 2011 on the Notice of Preparation (NOP) requesting to review the scope of the Traffic Impact Study before the study begins was not adequately addressed. It is noted that the NOP for the Draft EIR specifically stated: "The County needs to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection to the proposed project." The traffic analysis for the Draft EIR had commenced prior to the County's receipt of Caltrans letter on the Notice of Preparation. Caltrans comment letter on the NOP provided no comment or recommendations regarding the scope of the study, including recommended roadways for study or recommended mitigation measures. While the commenter indicates that their previous comment was not adequately

addressed, the commenter does not identify any specific issues or concerns regarding the environmental analysis in the Draft EIR or the scope of the traffic analysis, other than those comments previously addressed.

Response D-13: The commenter makes closing remarks and provides their contact information. The comment is noted.

Colusa Local Agency Formation Commission

January 13, 2012

County of Colusa Building and Planning Department
Steve Hackney, Director
220 12th Street
Colusa, CA 95932 VIA EMAIL ONLY

RE: LAFCO Comments and Suggestions with respect to the November 21, 2011
Draft General Plan and Draft EIR

Dear Mr. Hackney,

The Colusa Local Agency Formation Commission wishes to offer the following comments and suggestions for consideration by the Planning Department, Planning Commission and the Board of Supervisors regarding the Draft General Plan and Draft EIR. Thank you for the opportunity to comment.

E-1

1. Be aware the Draft County General Plan Policies contain several policies expressed in the terms "should", "will" and rather than "shall" and such phrases as "will encourage", "will support", "will discourage", "will ensure", "should place", "should provide", "should be", "should, in general", rather than "shall". The Planning Commission and Board need to be aware of the potentially non-mandatory effect of this language and the unintended consequences that may result from ambiguity resulting from the use of such phrases rather than clearer, more direct expressions of the County's land use policy.

E-2

We assume that the General Plan and EIR will most likely be self-mitigating to the extent possible (i.e., that the policies of the General Plan will mitigate the environmental consequences of the land development and public works projects authorized by that plan). Use of any non-mandatory language identified in our point above, however, may result in these "mitigation measures" being legally inadequate under CEQA.

2. The Planning Commission and Board should consider adding a new policy regarding City Spheres of Influence as follows:
 - a. *"Within a City's Sphere of Influence, urban development projects shall first be referred to the City for possible annexation; therefore, within a Sphere of Influence of the City, applicants for land use permits or entitlements for urban uses shall be encouraged to apply to the City and discouraged from applying to the County."*
3. LAFCO concludes there should be a policy regarding annexation to a City being preferable to the formation of new or expansion of existing county service areas. As providers of multiple services and possessed of general police and revenue powers, cities are better able to efficiently provide a range of services and coordinate land use policy with demand for those services than are county services areas, which rely on the County's limited ability to provide municipal services and require the support of special districts.

E-3

4. LAFCO recommends a policy be added to protect the Sphere of Influence of the City stating: *"Other than Natural Resources uses, the land uses authorized by the County in the sphere of influence of the city shall be no more intense than the land uses allowed by the City's general plan and the conditions, capital improvement requirements and standards of development for such uses shall be equal to or more restrictive than the conditions, capital improvement requirements and standards of the city for that use."*
5. A policy should be added to the General Plan for the area outside the City's Sphere of Influence yet within a City's Area of Concern to read as follows: *"Applicants for discretionary land use permits or entitlements in the County shall be referred to the city for review and comment within Spheres of Influence and within areas of concern or interest as established by LAFCO."*

For clarification purposes, an Area of Concern in the LAFCO policies reads and is defined as follows:

Areas of Concern: Colusa LAFCo may designate, in its discretion, a geographic area beyond the Sphere of Influence as an Area of Concern to any local agency.

- a) *An Area of Concern is a geographic area beyond the Sphere of Influence in which land use decisions or other governmental actions of one local agency (the "Acting Agency") impact directly or indirectly upon another local agency ("the Concerned Agency"). For example, approval of a housing project developed to urban densities on septic tanks outside the city limits of a city and its sphere of influence may result in the city being forced subsequently to extend sewer services to the area to deal with septic failures and improve city roads that provide access to the development. The city in such situation would be the Concerned Agency with appropriate reason to request special consideration from the Acting Agency in considering projects adjacent to the City.*
 - b) *Colusa LAFCo will notify any Concerned Agency when the Commission receives notice of a proposal of another agency in the Area of Concern to the Concerned Agency, and will give great weight to its comments.*
 - c) *If requested, Colusa LAFCo will seek to obtain a Joint Powers Agreement or other commitment between the agencies so that the Acting Agency provides advance notice to the Concerned Agency of any actions, or projects being considered within the area of concern, and commits to considering any comments made by the Concerned Agency.*
6. Policy AG 1-2 We would suggest adding the word "all" to the to read as follows: "Lands Designated for agriculture and not be rezoned or redesigned to an urban use unless *all* the following criteria are met:"
 7. With respect to the criteria in Policy AG 1-2: An additional implementation measure calling for the development of agreed upon evaluation criteria prior to any development taking place having a purpose of mitigating development project's affect upon adjacent agricultural lands would be helpful. We do not see a policy requiring a mandatory conversion ratio. For example a new criteria point needs to be added as follows:
 - g. *Require agricultural land mitigation agreements through the purchase of*

E-3
(cont'd)

agricultural easements with a 1 to 2-acre conversion ratio on lands having equal agricultural value and risk of conversion as the lands proposed to be converted from agricultural to urban uses.

8. Policy AG 1-3: Replace the words "a farmer's home" to "residences"
9. Policy AG 1-6: Do the words "agricultural employee housing" also mean farm labor quarters? Is this for full or part-time labor?
10. Policy AG 1-7 We do not understand this policy. "Work with the Local Agency Formation Commission (LAFCO) on issues of mutual concern including the conversion of agricultural land through consistent use of LAFCO policies, particularly those related to conversion of agricultural lands, and establishment of adequate buffers between agricultural and non-agricultural uses, and the designation of reasonable and logical Sphere of Influence (SOI) boundaries for cities and service districts."

We suggest the following instead: "Work with the Local Agency Formation Commission (LAFCO) on issues of mutual concern including the conversion of agricultural land. To ensure consistency in implementation, when the City of Williams or City of Colusa or the County of Colusa does not implement one or more of the following policies in its entitlement or planning process; support LAFCO's implementation of the following LAFCO policies for any change of organization and (or) Sphere of Influence amendment or update before LAFCO as follows:

- a. *Require a 300 to 500 foot buffer (on lands within the development project) from the boundary of an adjacent agricultural use. When the buffer is not feasible, require an easement as suggested in (c) below.*
- b. *Require a combination of a lesser buffer, tall masonry fencing and tree planting along the boundary to mitigate impacts of noise, dust, trespass, and pesticide/herbicide overspray. Such a proposal must be supported by the Farm Bureau, County Agricultural Commissioner or other recognized authority as adequate to mitigate impacts.*
- c. *Require agricultural land mitigation agreements through the purchase of agricultural easements with a 1 to 2-acre conversion ratio on lands having equal agricultural value and risk of conversion as the lands proposed to be converted from agricultural to urban uses.*

Note: As an implementation measure to be included in the County's General Plan, LAFCO will need to amend its existing policies for consistency purposes.

11. We suggest adding a policy in this section stating "The County will work with LAFCO on non-compatible encroachment of services onto agricultural lands"
12. LAFCO applauds the County's commitment to protecting agriculture and agricultural land. We respectfully suggest the General Plan could more effectively do so by establishing a goal to promptly adopt criteria to identify the location, extent and design of required agricultural buffers. We suggest that an ordinance or other mechanism be adopted to ensure intended implementation of adaptive agricultural buffers and that these requirements be enforceable and not mere "guidelines". LAFCO would like to assist the County in the establishment of buffer criteria to be implemented by the County and respectfully requests notice of those proposals and an opportunity to comment on them.

E-3
(cont'd)

13. Action AG1-A What is the trigger mechanism or threshold to know when an agricultural conversion mitigation program is needed? "If agricultural land conversion rates increase significantly, the Board of Supervisors shall consider the adoption of a farmland conversion mitigation program"
14. Policy AG 1-8 How can the County "limit the extension of urban service facilities and infrastructure, particularly public water and sewer" except through its land use powers and to encourage LAFCO to not include "Urban Reserve" areas in Spheres of Influence for service districts. A suggestion would be to develop "urban limit lines" or to define "Community Develop Areas" on the maps in the General Plan or is that the intent of Policy LU 1-16?
15. Objective AG 2-1: fourth line down. Why not use the word "would" rather than "should"
16. Action AG2-A third line down eliminate the words "in the zoning ordinance"
17. Policy AG 2-11 How can the County assist farmers in resolving water rights, etc? Why just farmers and not other landowners?
18. Policy AG 2-13 Why not use the word "Support" rather than "Encourage"?
19. Policy CC 1-10 What is the "appropriate redevelopment" mean? Is the County intending on establishing a redevelopment agency, which will no longer be an action due to a recent California Supreme Court Decision.
20. Policy CC 1-14 How will the county do this?
21. Policy CC1-16 & CC 1-19 Does the County desire to do design review for new development?
22. Policy CC 2-8 Regarding Vacant and underdeveloped lands in Arbuckle. How can this Policy be implemented? By not allowing future subdivisions?
23. Policy CC 2-21 We suggest a policy as written in #2 above. In the event annexation of lands is not feasible at a given time at a minimum the County and City must also coordinate on consistent development standards for any development within the Sphere of Influence.
24. Policy CC 2-22 The City of Colusa has a policy of not extending services beyond its jurisdictional bounds. Government Code 56133 requires LAFCO approval for extending services beyond Colusa's jurisdictional bounds in anticipation of annexation. What about Commercial Uses? What about health and safety issues? Failed septic systems, for example.
25. Policy CC 2-24 We don't understand this policy, please clarify.
26. Policy CC 2-24 This policy may be inconsistent with LAFCO policies, which does not allow for a proliferation of agencies within a City's Sphere of Influence providing essentially the same services and may inconsistent with RWQCB practices. We recognize the policy provides for private or mutually owned water companies, but in many cases the State will not permit such private entities.
27. Policy CC 2-25 While this policy is for residential development isn't it in essence inconsistent with Policy CC 2-24? Here it would be fine for the City to connect residential uses to its water and wastewater systems but not commercial, industrial or other job generating uses?
28. Policy CC 2-32 LAFCO has the same comment as in #24 above.

E-3
(cont'd)

29. **Policy CC 2-42** Isn't this policy inconsistent with policy CC 2-32? In Grimes you can connect to a mutual or private water system without annexation but in Maxwell you must annex?
30. **Policy CC 2-43** regarding a policy for beautification in Maxwell. Policy CC 1-19 appears to support the County having design review. Why cannot this process be applied in Maxwell also instead of setting up another "service district" In a review of the PUD law, PUD's are not authorized to provide design review services.
31. **Policy CC 2-44** Why is Maxwell the only community where development proposals are encouraged to include a balanced mix of jobs and housing?
32. **Policy CC 2-58** Regarding Commercial Development in Stonyford-Lodoga and Century Ranch areas. Why not use the word "shall" instead of "should" and eliminate the last sentence.
33. **Policy CC 2-66** See comment under #2 and #21 above.
34. **Policy CC 2-67** Why not commercial and industrial development also?
35. **Policy ED 2-3** Does the County wish to create a Redevelopment Agency. Special Districts within Redevelopment Areas will see reductions in property tax increment, which could lower service levels in the County's communities as a result. In light of a recent California Supreme Court Decision redevelopment agencies as we know them will cease to exist.
36. **Policy CON 1-31** State water conservation laws require the County to incorporate such water conservation measures as requiring the installation of meters and implementation of Best Management Practices by new development. It may be helpful for the General Plan to include as an Action to acknowledge these requirements so landowners and developers will not overlook them.
37. **Policy LU 1-6** Should the Department of Planning and Building have the discretion to require significant (?) new residential development proposals demonstrate a balance between housing and jobs, or should the Planning Commission be given that task?
38. **Policy LU 1-10** Should the City of Williams and Colusa be included in this policy? This has been what has happened in the past with disjointed unincorporated development adjacent to the cities. There should be some effort to provide for urban development in the vicinity of cities to be in the city, where feasible. At a minimum, consistent development standards (with those of the city) need to be applied in the Colusa and Williams Areas.
39. **Policy LU 1-11** add in the words "or underutilized" in the second line of the policy.
40. **Policy LU 1-12** Is this policy consistent with Figure LU-4 (Colusa Area) in the plan? Here, it appears to prohibit large scale developments "outside city or utility district Spheres of Influence" while the map has a new large scale industrial area southwest of the City, which is not within the City of Colusa's Sphere of Influence.
41. **Policy LU 1-17** Here the Agricultural Transition and Rural Residential Designations are to be used to buffer between farmland and urban uses while on pages 8-4 and 8-5 the Agricultural Transition and Rural Residential Designations may serve as a buffer. Suggest changing "may" to "will" for these two designations on pages 8-4 and 8-5.
42. **Policy LU 1-18** Why are all applicants not required to demonstrate a commitment to provide public service connections?

E-3
(cont'd)

43. **Policy LU 1-24** Annexations cannot occur unless the territory is within a City or District's Sphere of Influence. LAFCO's are currently required to review and update Spheres of Influence every five years, as necessary.
44. **Policy LU 3-24** The first bullet is confusing. To show support for the public agencies in the County and for orderly land use this policy should read as follows: "The area can be readily hooked up to public sewer and water facilities, readily hooked up means either within a public agency boundary or within the Sphere of Influence of a Public agency."
At the end of the third bullet add the words "or those of the Regional Water Quality Control Board".
45. **Policy PSF 1-12** Why not require every development to help pay for its appropriate share of all infrastructure?
46. **Action PSF 1-A** How about an action that would financially help the small special districts who provide water and sewer to develop utility master plans and provide assistance for utility master plan implementation?
47. **Action PSF 1-H and 1-I** Why not coordinate with the City of Colusa and City of Williams to annex commercial and industrial development in addition to residential?
48. **Policy PSF 1-20** Is this policy consistent with Policy PSF 1-11 why not require all parcels to be connected if smaller than 2 acres in size? For Policy PSF 1-11 why not add an additional criteria stating at the end of the policy "and within the sphere of influence of an agency that provides wastewater services."
49. **Action PSF 1-B** Why not include an action to assist small districts to prepare and implement master plans and capital improvement plans?
50. **Actions PSF 1-H and PSF 1-I** Why not include commercial and industrial land?
51. **Policy PSF 1-25** For new wastewater systems, doesn't the Regional Water Quality Control Board already require a public agency to provide wastewater treatment services?
52. **Policy PSF 3-1** Why not support the use of "Automatic Aid Agreements" also?
53. **Policy PSF 3-3** Suggest adding the following at the end of the sentence: "...by requiring new development and land divisions to be within a Fire Protection District, sending proposal referral letters to Fire Protection Districts and supporting development impact mitigation for Fire Protection Districts."
54. **Objective PSF-3A** How about adding a policy supporting a portion of the Proposition 172 funding for Fire Protection and EMS services for Fire Agencies within Colusa County? Likewise, a policy should be added to include *"The County shall support a requirement by fire protection agencies that all development pay its proportionate share of the operation costs for structural fire protection and Emergency Medical Services"*
55. We suggest adding the following language as a policy under PSF-3A. *"The County will not approve lots splits or non-agricultural or resource development proposals outside of a fire protection district."*
56. Suggest adding a new action under Policy PSF 3-7 to read: *"Support the establishment of funding mechanisms such as special taxes, community facility districts and other methods to ensure adequate and sustainable funding to support day to day public safety activities."*
57. **Policy PSF 4-1** Doesn't the County have limited authority to require additional mitigation for school districts excepting in cases where there is a zoning or general plan

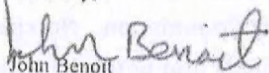
E-3
(cont'd)

change needed?

58. Policy PSF 5-6 Suggest rewording as follows: "Support consolidation of special districts and (or) service responsibilities where increases in efficient public services are feasible and redundancy is eliminated."
59. Policy SA 1-6 While a good policy doesn't the fire district Board of Directors have the authority for siting fire stations and not the Board of Supervisors. Suggest rewording to have language supporting fire districts to locate new facilities in areas where there is low risk from flooding, wildfires or seismic effects.
60. Policy SA 1-7 Will there be a definition of Acceptable Level in the Zoning Ordinance Update?
61. Action SA 1-K Will all development require a preliminary geotechnical investigation? Suggest adding language to the end of the implementation measure to include "in areas of known geologic hazards"
62. Policy SA 1-24: What are the efforts "currently" underway by the Central Valley Flood Protection Board? Is it the CVFP Plan? What is being proposed? Why not reword the policy to say "Monitor and participate in activities undertaken by the Central Valley Flood Protection Board"
63. Policy SA 1-37 Add the words at the beginning "Notwithstanding Policy SA 1-32....."
64. IMPLEMENTATION ELEMENT on the Table 1 heading under "Responsible Department" change to "Responsible Department/Agency"
65. The County may wish to employ performance-based standards and these standards should be included in the updated Zoning and Development Codes.
66. LAFCO recommends a policy with respect to coordinated public service and infrastructure planning be added to require coordination with LAFCO and its municipal service review process and to encourage County planning and public works staff to provide input to LAFCO's development of Spheres of Influence so that LAFCO's planning work may be of greater value to the County.
67. Regarding the EIR. We appreciate the County including LAFCO's Sphere of Influence among the intended uses of the EIR. Subsequent LAFCO actions would be to affirm the County's Environmental Document, as appropriate.

On behalf of the Local Agency Formation Commission I thank you for the opportunity to provide these preliminary comments on the draft. If LAFCO can provide further advice or assistance on any of these points, please do not hesitate to contact me at (530) 458-0593

Sincerely,



John Benoit
Executive Officer Colusa LAFCO

E-3
(cont'd)

E-4

E-5

Response to Letter E John Benoit, Colusa Local Agency Formation Commission (LAFCO)

Response E-1: The commenter makes introductory remarks and indicates the letter offers their comments regarding the proposed project and Draft EIR. The commenter's specific concerns and suggestions are addressed under Responses E-2 through E-4 below. It is noted that the majority of comments do not address the Draft EIR (see Response E-3); however, Responses E-2 and E-4 address comments regarding the EIR.

Response E-2: The commenter states that some of the policy language included in the 2030 General Plan includes terms such as "should" and "encourage," which may be non-binding terms (as opposed to terms such as "shall" and "require," which are mandatory binding terms). The commenter also states that it is assumed that the General Plan will be self-mitigating and policies and actions contained in the General Plan will mitigate potential environmental impacts.

The commenter is correct that some of the policies and actions contained in the General Plan use advisory language rather than mandatory binding language. This approach was intentional, as there are many policies within the General Plan that serve to provide guidance to County staff and County decision-makers. However, the majority of the policies and actions in the General Plan use mandatory binding language, such as "shall" and "require." The potentially significant impacts identified in the Draft EIR that can be mitigated to a less than significant level through the implementation of the General Plan rely on binding policies and actions that would ensure that General Plan implementation would reduce these impacts to the greatest degree feasible, as indicated in the Draft EIR. The commenter did not identify any specific impacts that may not be mitigated by the General Plan as a result of non-binding policy or action language. This comment has been noted, and no changes to the Draft EIR or General Plan are required.

Response E-3: The commenter provides a number of comments related to the proposed project, the 2030 General Plan Update. These comments do not address the adequacy of the Draft EIR. The commenter's recommendations regarding proposed General Plan policies and actions are addressed in the March 5, 2012 Staff Report to the Planning Commission. No changes to the analysis in the Draft EIR are necessary as none of the comments and potential revisions to the 2030 General Plan policies and actions affect the analysis provided in the Draft EIR. These comments are noted for the decision-makers consideration.

Response E-4: The commenter indicates their appreciation that LAFCO's Sphere of Influence updates were included among the intended uses of the EIR and indicates that subsequent commenter (LAFCO) actions would be to affirm the County's environmental document, as appropriate. The commenter has indicated that they affirm the EIR and does not identify any concerns or issues regarding the environmental analysis. The comment is noted.

Response E-5: The commenter makes closing remarks and provides their comment information.
Comment noted.

**CITY OF COLUSA** PLANNING DEPT.

425 WEBSTER ST. * COLUSA, CA 95932 * (530) 458-4740 * FAX (530) 458-8074

January 16, 2012

County of Colusa Building and Planning Department
Attention: Steve Hackney
220 12th Street
Colusa, CA 95932

Subject: City of Colusa comments applicable to the County of Colusa Draft General Plan and Draft EIR (November 21, 2011).

Dear Mr. Hackney,

The City of Colusa Planning Department has reviewed the Colusa County Draft General Plan and Draft EIR. Additionally, the City of Colusa Planning Department has reviewed General Plan comments prepared by the Colusa Local Agency Formation Commission (LAFCO), and this Department concurs with those comments and suggestions (recommended their letter of January 5, 2012) as such are relevant to the general welfare of the City of Colusa.

F-1

Comments not already provided within the LAFCO comment letter referenced above are as follows:

1. Policy CIRC 1-30: Typo: "arecompliant"
2. Figure CIRC - 3: Illustrate "Class Two" bicycle facilities that exist along Fremont Street between Bridge Street and 10th Street within the City of Colusa.
3. Policy CC 1-3: This policy should apply to unincorporated *and* incorporated lands.
4. Policy LU 1-25: It is important to note that as the County General Plan is implemented it will be important to have solid master Revenue Sharing plans in place to insure that new development and jobs can be created in a timely manner. Additionally, it is important that any agreements between cities and the County (to assist with the implementation of the subsequent County infrastructure master plans and the potential collection of development impact fees) be entered into equitably so as not to place one city at an economic disadvantage in comparison to the other.
5. Figure LU - 4: Update this Figure to reflect latest City of Colusa Sphere of Influence (SOI) boundary pending adoption by LAFCO.

F-2

Thank you for the opportunity to comment on your Draft General Plan and Draft EIR.

F-3

Respectfully,

A handwritten signature in blue ink, appearing to read "Bryan Stice".
Bryan Stice
Senior Planner

copy: City Manager

Response to Letter F Bryan Stice, City of Colusa

Response F-1: The commenter makes introductory remarks and indicates the letter states their concerns regarding the proposed project and Draft EIR. The commenter also indicates that they concur with the comments and suggestions made by LAFCO as such are relevant to the general welfare of the City of Colusa. The commenter is referred to Responses E-1 through E-5 regarding LAFCO's comments.

Response F-2: The commenter provides a number of comments related to the proposed project, the 2030 General Plan Update. These comments do not address the adequacy of the Draft EIR. The commenter's recommendations regarding proposed General Plan policies and actions are addressed in the March 5, 2012 Staff Report to the Planning Commission. No changes to the analysis in the Draft EIR are necessary as none of the comments and potential revisions to the 2030 General Plan policies and actions affect the analysis provided in the Draft EIR. These comments are noted for the decision-makers consideration.

Response F-3: The commenter makes closing remarks. No response is necessary.

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This section includes minor edits to the EIR. These modifications resulted from responses to comments received during the DEIR public review period.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, nor do they alter the conclusions of the environmental analysis that would warrant recirculation of the DEIR pursuant to State CEQA Guidelines Section 15088.5. Changes are provided in revision marks with underline for new text and ~~strike-out for deleted text~~.

3.1 REVISIONS TO THE DRAFT EIR

EXECUTIVE SUMMARY

No changes were made to the Executive Summary of the DEIR.

1.0 INTRODUCTION

No changes were made to Section 1.0 of the DEIR.

2.0 PROJECT DESCRIPTION

No changes were made to Section 2.0 of the DEIR.

3.1 AESTHETICS

No changes were made to Section 3.1 of the DEIR.

3.2 AGRICULTURE

No changes were made to Section 3.2 of the DEIR.

3.3 AIR QUALITY

No changes were made to Section 3.3 of the DEIR.

3.4 BIOLOGICAL RESOURCES

No changes were made to Section 3.4 of the DEIR.

3.5 CULTURAL RESOURCES

No changes were made to Section 3.5 of the DEIR.

3.6 GEOLOGY AND SOILS

No changes were made to Section 3.6 of the DEIR.

3.7 GREENHOUSE GASES AND CLIMATE CHANGE

No changes were made to Section 3.7 of the DEIR.

3.8 HAZARDS AND HAZARDOUS MATERIALS

No changes were made to Section 3.8 of the DEIR.

3.9 HYDROLOGY AND WATER QUALITY

No changes were made to Section 3.9 of the DEIR.

3.10 LAND USE AND POPULATION

No changes were made to Section 3.10 of the DEIR.

3.11 NOISE

The following changes were made to Section 3.11 of the DEIR.

Impact 3.11-3: Airport Noise (Less than Significant)

Implementation of the 2030 General Plan could result in the creation of new noise-sensitive land uses within the 60 and 65 dB CNEL noise contours contained within the *Colusa County Airport Land Use Comprehensive Land Use Plan* (ALUCP), as shown by Figure 3.11-2. Additionally, the implementation of the 2030 General Plan would result in the creation of new noise-sensitive land uses within over-flight areas of the Colusa County airport, thereby presenting the potential for annoyance from single event noise.

Single-event noise associated with aircraft overflights is also of concern when evaluating aircraft noise effects in terms of land use compatibility. Single-event noise is the maximum sound level produced by an individual approach overflight at a specific location, often described in terms of Lmax, which is the maximum sound level recorded for each event. A different measurement of single-event noise, also commonly used when evaluating aircraft noise, is the SEL. The SEL describes the event's mean energy level over the duration of the noise event. As would be expected, single-event noise levels for aircraft overflights within the Planning Area would be greatest and most frequent near the airport's primary flight paths.

The 2030 General Plan includes policies and actions intended to reduce noise impacts throughout the County, including noise impacts associated with development located within the 60 and 65 dB CNEL noise contours associated with the airport and single-even noise associated with flyovers. Policy N 1-8 requires new development projects and long-term planning projects to conform with the County's Airport Safety and Noise land use criteria, as identified in the Colusa County Airport Comprehensive Land Use Plan (CLUP). Actions N 1-D implement this policy by providing specific design and attenuation standards. With the implementation of the 2030 General Plan policies and actions, the noise impact relative to airports would be **less than significant**.

2030 GENERAL PLAN POLICIES AND ACTIONS

Policies

Policy N 1-8: Require new development projects and long-term planning projects to conform with the County's Airport Safety and Noise land use criteria, as identified in the Colusa County Airport Comprehensive Land Use Plan (CLUP).

Actions

Action N 1-D: Review new development and long-term planning projects, including the Zoning Code Update, for conformity with the County's Airport Safety and Noise land use criteria, as identified in the Colusa County Airport Comprehensive Land Use Plan (CLUP).

3.12 PUBLIC SERVICES

No changes were made to Section 3.12 of the DEIR.

3.13 TRANSPORTATION AND CIRCULATION

The following change is made to the first paragraph of text on page 3.13-9 of the Draft EIR:

"Caltrans is responsible for planning, designing, constructing, operating, and maintaining all state-owned roadways in San Joaquin Colusa County."

The discussion of the TCRs on pages 3.13-9 and 3.13-10 of the Draft EIR is revised as follows:

"STATE OF CALIFORNIA TRANSPORTATION CONCEPT REPORTS

Caltrans prepares a Transportation Concept Report (TCR) for each of its facilities. The TCR is a long-term planning document that each Caltrans district prepares for every state highway or portion thereof in its jurisdiction. The TCR usually represents the first step in Caltrans' long-range corridor planning process. The purpose of a TCR is to determine how a highway will be developed and managed so that it delivers the targeted LOS and quality of operations that are feasible to attain over a 20-year period. These are indicated in the "route concept." In addition to the 20-year route concept level, the TCR includes an "ultimate concept," which is the ultimate goal for the route beyond the 20-year planning horizon. The concept LOS for I-5, SR 16, SR 20, and SR 45 are outlined below.

The TCR also identifies the Programmed, Planned, and Other Needed Projects to maintain and improve the highway. Programmed Projects are projects included in the State Transportation Improvement Program, State Highway Operations and Protection Plan, or California Federal Transportation Improvement Program. Planned Projects are projects included in an approved Regional Transportation Plan, which may not identify full funding for the improvement. Other Needed Projects are projects needed to maintain mobility on the segment that are not yet included in a plan or programming document and as such, may not yet have potential funding sources identified. Programmed, Planned, and Other Needed Projects are described below.

Interstate 5

I-5 in Colusa County has a route concept level of LOS D. For each of the following segments, the 20-year concept facility remains a four-lane freeway, and the ultimate facility is a six-lane freeway.

- Segment 14 extends from the Colusa/Yolo County line to SR 20.
- Segment 15 extends from SR 20 to the Colusa Glenn County line.

The I-5 TCR identifies the following improvements for Segments 14 and 15:

Planned (Plan Source is SHOPP unless otherwise noted):

- Increase vertical clearance, Greenbay (PM 2.3) and Meyers Road (13.8) overcrossings, \$2.0M; Fund by 2022
- Install Changeable Message Signs and Closed Circuit Television Camera Systems, one northbound north of SR 20 and one southbound south of E St, (\$To Be Determined); 2022; Traffic Management Systems Plan
- Maintenance and Operations (\$To Be Determined)

Programmed (SHOPP is Source unless otherwise noted):

- Rehabilitate roadway, from Dunnigan in Yolo County to 2.3 miles N of SR 20, \$38M; Fund in 2011/12; 2010 SHOPP and GARVEE funds

Conceptual:

- Truck Parking at Maxwell Roadside Rest Area: add truck-trailer spaces, improve ramp, walkway, drainage, and lighting; \$4.8M; Fund by 2022
- Consider locations with three lanes in each direction where trucks can pass one another without occupying the #1 lane

State Route 16

SR 16 in Colusa County has a route concept level of LOS D. One segment, Segment 1, is in Colusa County extending from SR 20 to the Yolo/Colusa County line. The 20-year concept and ultimate facility remains a two-lane conventional highway. The SR 16 TCR identifies the need to pave turnouts, but does not identify any planned or programmed projects nor any funding for improvements on this segment.

State Route 20

Caltrans has identified the following four segments for SR 20 in Colusa County:

- Segment 1 (Lake County Line to Walnut Drive) – has a concept level of LOS D. The 20-year concept facility is a two-lane conventional highway with passing lanes. The ultimate facility is a four-lane expressway.

- Segment 2 (Walnut Drive to Harris Street in the City of Colusa) – has a concept level of LOS D. The 20-year concept facility is a two-lane conventional highway with passing lanes. The ultimate facility is a four-lane expressway.
- Segment 3 (Harris Street to Moon Bend Road in the City of Colusa) – has a concept level of LOS E. The 20-year concept facility is a two- to four-lane conventional highway. The ultimate facility is a four-lane conventional highway.
- Segment 4 (Moon Bend Road in the City of Colusa to the Sutter County Line) – has a concept level of LOS E. The 20-year concept facility is a two-lane conventional highway with passing lanes. The ultimate facility is a four-lane conventional highway.

The SR 20 TCR identifies that there are existing issues associated with lack of passing lanes, delays due to slow moving traffic, and sight restrictions and identifies the following improvements for Segments 1, 2, 3, and 4:

Planned:

- Replace Bear Creek Bridge PM 3.3 (\$6.1M; 2010) Colusa County RTP
- Widen Shoulders and Rehab Pavement PM 0.0/5.0 (\$36M; 2020) Ten Year SHOPP
- Operational/Capacity improvements to Lake County Line (\$5.0M; 2013) Colusa County RTP
- Install passing lanes west of Colusa to Williams (\$3.0M; 2013) Colusa County RTP
- Install passing lanes west of Williams (\$3.0M 2013) Colusa County RTP
- Signalize SR 20 / SR 45 intersection PM 31.09 (\$1.3M ; 2010) Colusa County RTP
- Install two-way left-turn channel Fremont Street to North Market Street (\$2.0M; 2013) Colusa County RTP
- Operational/Capacity improvements to Sutter County Line (\$6.0M; 2013) Colusa County RTP

Programmed:

- No Programmed Projects

Conceptual:

- Passing lanes every 5-7 miles (2020)
- Left-turn channelization at every county road connection (2020)
- Widen shoulders to 8-foot minimum standard (2015/2020)

- Install signal at Walnut Drive when warrants are met (2020)
- Turn lanes or channelization at every county road connection (2020)
- Improve drainage under the highway at Lone Star Road to reduce flooding (2015)
- Intersection improvements at Husted Road due to proposed development (2015)
- Support the expansion of existing parallel arterials or construction of new parallel arterials designed to relieve the congestion of SR 20

State Route 45 (SR 45)

Caltrans has identified the following two segments for SR 45 in Colusa County:

- Segment 21 (Yolo County Line to SR 20) – has a concept level of LOS D. The 20-year concept facility is a two-lane conventional highway. The ultimate facility is also a two-lane conventional highway.
- Segment 32 (SR 20 to Glenn County) – has a concept level of LOS D. The 20-year concept facility is a two-lane conventional highway. The ultimate facility is also a two-lane conventional highway.”

The SR 45 TCR identifies that there are existing issues associated with lack of passing lanes, delays due to slow moving traffic, and sight restrictions and identifies the following improvements for Segments 1 and 2:

Planned:

- Widen SR 45 from Wintun Road to Colusa Casino PM 22.78-22.97 (\$1M; 2010) 2004 Colusa County RTP
- Intersection improvements at Reservation Road PM COL 25.90 (\$1M; 2010) 2004 Colusa County RTP

Programmed:

- Signalize SR20/SR45 intersection PM COL 19.84 (\$750;TBD) 2009 10-Year SHOPP Minor Program

Conceptual:

- Drainage improvements from Wilkins Slough to Maxwell Road PM COL 6.0-32.2 (\$1,500)
- Digouts and AC Overlay from Colusa to Glenn County Line PM COL 19.8-34.2 (\$10M)”

The discussion of the RTP on page 3.13-10 of the Draft EIR is revised as shown below:

“Colusa County Transportation Commission

The 2008/09 Colusa County Regional Transportation Plan (RTP) (2008) is a long-range planning document for identifying and programming roadway improvements throughout Colusa County. The RTP guides transportation investments in the County involving local, state, and federal funding with a twenty year horizon. Transportation projects are categorized as Tier 1, Tier 2, and Tier 3. Tier 1 projects are considered fully fundable during the 2008 STIP, Tier 2 projects are considered fully fundable during the first ten years of the RTP, and Tier 3 projects are considered fundable given current (2008) revenue estimates by 2030. While Tier 2 and Tier 3 projects are anticipated to be funded, this is based on estimates of expected funding revenues and is not a commitment that the project will be funded.

Most of the Tier 1 and Tier 2 transportation projects in the 2008/09 RTP are needed for safety and system preservation, except for several Tier 2 State Highway Operations and Protection Program (SHOPP) projects that are needed for both safety and congestion relief. The SHOPP projects are identified for SR 20 and include operational and capacity improvements, two-way left-turn lanes in the City of Colusa, and passing lanes.”

The following edits are made to the third full paragraph on page 3.13-21 of the Draft EIR:

“While implementation of the 2030 General Plan would result in acceptable LOS, implementation of future improvements on state facilities is uncertain because the implementation of such improvements is outside of the County’s jurisdiction. The State budget has been shown to be uncertain in recent years, ~~and the~~ ability of Caltrans to fund and implement planned future programmed and conceptual improvements cannot be assured for those improvements that do not yet have funding commitments. The 2009 Ten-Year State Highway Operation and Protection Plan (2009 SHOPP) identifies that the total 10-year, goal-constrained need for the rehabilitation and operation of the State Highway System is \$63 billion for 2010/11 through 201/20 and identifies that projected funding available for the SHOPP is \$1.5 billion per year, meaning that only 24 percent of needed improvements are estimated to be fundable. The 2009 SHOP states (italics added) that, “The sole funding source for the SHOPP is the SHA, funded primarily through excise taxes on gasoline and diesel fuel. *SHA funding is declining as a result of reduced fuel consumption, funding shortfalls in the FHTF, redirection of funding for highway maintenance, and GARVEE Bond debt service obligations.*

Projected SHA funding available for the SHOPP is \$1.5 billion per year, which is 24 percent of the estimated need. As funding is insufficient to preserve and maintain the existing State transportation infrastructure, the Department will focus available resources on the most critical categories of projects in the SHOPP (safety, bridge, and pavement preservation). Even with this focus, the SHS will continue to deteriorate (distressed pavement will grow from 26 percent to 60 percent during the next ten

years). In addition, no new improvements to office facilities, repairs to roadside rest areas, and mobility improvements will be made."

Each of the TCRs for State highway facilities in Colusa County identifies needed improvements, including improvements for operations, maintenance, and mobility, that are anticipated to be funded through SHOPP. However, no SHOPP funds have been committed for many of these future improvements and funding may be uncertain, given that the 2009 SHOPP identifies that only 24 percent of needed improvements are estimated to be fundable. Given that many of the needed improvements for Colusa County are conceptual improvements identified in the TCRs that do not yet have funding committed, it would be speculative to assume which improvements that are not yet fully funded would actually be funded in the future. Further, the planned development in the unincorporated area of the County only accounts for a portion of the need for future improvements on state facilities and the remaining cost of necessary improvements associated with demand from existing traffic levels, increases in out of County traffic, and increases in local traffic from the cities of Colusa and Williams would need to be funded separately. "

Following page 3.13-14, the page numbers in Chapter 3.13, Transportation and Circulation, are mis-numbered with the pre-fix 3.8 rather than 3.13. The prefix is changed to correctly number pages 3.13-15 through 3.13-29.

On page 3.13-23, the following edit is made to the impact numbering:

"Impact 3.138-4: Potential Hazards Due to Design Features of Incompatible Uses"

On page 3.13-25, the following edit is made to the impact numbering:

"Impact 3.138-5: Increased Demand for Public Transit Services would Not Conflict with Applicable Plans or Exceed Capacity"

On page 3.13-26, the following edit is made to the impact numbering:

"Impact 3.138-6: Increased Demand for Pedestrian and Bicycle Infrastructure would Not Exceed Capacity or Disrupt Existing or Planned Facilities"

On page 3.13-28, the following edit is made to the impact numbering:

"Impact 3.138-7: Increased Demand for Aviation Facilities and Services"

On page 3.13-29, the following edit is made to the impact numbering:

"Impact 3.138-8: Emergency Access"

3.14 UTILITIES

No changes were made to Section 3.14 of the DEIR.

4.0 OTHER CEQA SECTIONS

No changes were made to Section 4.0 of the DEIR.

5.0 ALTERNATIVES

No changes were made to Section 5.0 of the DEIR.

6.0 REPORT PREPARERS

No changes were made to Section 6.0 of the DEIR.

Attachment 5

PLANNING COMMISSION RESOLUTION 12-1

RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF COLUSA RECOMMENDING ADOPTION AND CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT, ADOPTION OF FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTION OF THE COLUSA COUNTY 2030 GENERAL PLAN UPDATE

WHEREAS, the County of Colusa prepared a Public Review Draft 2030 General Plan Update consistent with the requirements of State law and circulated the Public Review Draft 2030 General Plan Update for public comment November 17, 2011 through January 16, 2012; and

WHEREAS, the County of Colusa determined that the 2030 General Plan Update was subject to the California Environmental Quality Act (CEQA); and

WHEREAS, in accordance with CEQA and the State CEQA Guidelines, an Environmental Impact Report was prepared and made available for public review from November 17, 2011 through January 16, 2012; and

WHEREAS, the public through various individuals, groups and agencies, have made comments on the Colusa County 2030 General Plan Update and associated Draft Final Environmental Impact Report; and

WHEREAS, the Planning Commission has considered the Public Review Draft 2030 General Plan Update, associated Draft Final Environmental Impact report, the Findings of Fact and Statement of Overriding Considerations, supporting materials, and comments.

WHEREAS, in accord with California Government Code Section 65355, the Colusa County Planning Commission has conducted a public hearing on the proposed Colusa County 2030 General Plan Update and associated Draft Final Environmental Impact Report at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission has reviewed the comments carefully and incorporated the changes where appropriate.

NOW THEREFORE BE IT RESOLVED that the Planning Commission makes the following recommendations:

1. The Board of Supervisors consider, adopt, and certify the Final Environmental Impact Report for the 2030 General Plan Update.
 2. The Board of Supervisors adopt the Findings of Fact and Statement of Overriding Considerations.
 3. The Board of Supervisors adopt the 2030 General Plan as amended in Appendix A of the Colusa County Planning Commission Agenda Report dated March 12, 2012, attached hereto as Exhibit A.
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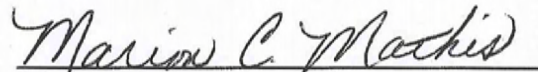
PASSED AND ADOPTED by the Colusa County Planning Commission, State of California, this 12th day of March, 2012, by the following vote:

AYES: Commissioners Beduhn, Loudon, Vanderpan, and Chair Mathis.

NOES: None.

ABSENT: None.

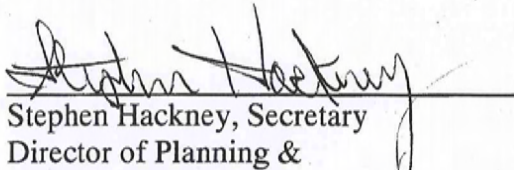
ABSTAIN: Commissioner Johnson.



Marion Mathis

Chairman, Planning Commission

ATTEST:



Stephen Hackney, Secretary
Director of Planning &
Building Administration

Exhibit A

Appendix A: Proposed General Plan Changes

The following provides a summary of changes that are proposed to the Goals, Objectives, Policies and Actions contained in the Public Draft 2030 General Plan following the public review and comment period.

Each Element of the General Plan is identified, followed by a summary of the changes proposed within each Element. Added text is shown in underline format, and deleted text is shown in ~~striketrough~~ format.

Agriculture Element

Policy AG 1-3: Land divisions that separate a residence ~~farmer's home~~ or an agricultural processing facility from the agricultural land shall be prohibited, unless the lot split meets the minimum lot size requirement of the zoning district.

Policy AG 1-14: Resource conservation activities such as habitat creation and active habitat or species management on lands designated for agricultural uses shall require a General Plan Amendment to Resource Conservation unless the following conditions are met:

- a. The resource conservation activities involve active and on-going agricultural activities on the majority of the site.
- b. The resource conservation activities are compatible with agricultural activities on the site and existing or potential agricultural activities in the vicinity.
- c. There would not be a concentration of resource conservation lands in the immediate area.

~~If the above conditions are met, the resource conservation activities shall require a Conditional Use Permit.~~

~~**Policy AG 1-15:** Habitat management without active and ongoing agricultural activities is not considered an agricultural use, and shall require a General Plan Amendment to designate such lands Resource Conservation (RC).~~

Circulation Element

Policy CIRC 1-5: Maintain LOS C or better for County roadways and intersections in the unincorporated County. ~~except as specified below.~~

Policy CIRC 1-11: Require new development to: 1) finance and construct all off-site circulation improvements (including safety improvements) necessary to mitigate a project's transportation impacts to local roads, consistent with the policies of the General Plan; and 2) to analyze traffic impacts on the regional transportation system and require a fair-share contribution necessary to mitigate significant impacts to

regional transportation improvements where a financing plan or other mechanism has been adopted to ensure the full funding and construction of improvements. Right-of-way dedication should be requested as a condition of a proposed new or widened major or minor collector."

Action CIRC 1-C: Establish a County transportation impact fee program that addresses impacts to Countywide transportation facilities and establish or update community-level fee programs to address impacts to local roadways in communities projected to accommodate the majority of growth in the next 5-10 years, including Arbuckle, Maxwell, and the unincorporated areas around Colusa and Williams. The program should address: timely construction of necessary improvements to accommodate existing needs and projected growth, a stable source of funding for necessary road improvements, and that new development pays for its fair share of impacts to local facilities, ~~and~~ regional facilities, and interchanges on the State Highway System.

Community Character Element

Policy CC 2-24: The use, expansion and development of private or mutually owned water and wastewater systems serving large-scale commercial and industrial land uses or multiple users shall be supported within the Sphere of Influence, provided that the systems meet the requirements outlined in Policy PSF 1-26 and all applicable State regulations.

Conservation Element

Policy CON 1-3: Lands that are actively managed or placed under conservation easement for habitat, wetlands, species, or other natural resource or open space preservation or conservation shall be limited to lands designated Resource Conservation (RC), unless the conditions identified in Policy AG 1-14 are met. ~~Conservation easements, habitat mitigation banks, and other resource conservation activities must meet all of the criteria specified in Policy OSR 1-4.~~

Habitat and/or wildlife easements proposed in Colusa County for the loss of open space or habitat in other jurisdictions will not be recognized and are not acceptable unless the easement meets all of the following criteria:

- Prior notification to Colusa County;
- Consistency with the goals and policies of the Colusa County General Plan, particularly as related to planned growth, infrastructure, and agricultural preservation;
- Compensation to Colusa County for all lost direct and indirect revenue;
- Compatible with neighboring land uses;
- Located outside of urban and urban reserve areas;

Changes to the Draft 2030 General Plan

- Secured water rights and infrastructure to economically maintain the proposed mitigation use;
- Requirements that existing agricultural operations continue to be farmed for commercial gain;
- Requirements that habitat management practices do not adversely impact adjacent agricultural operations;
- Prioritize purchase of mitigation credits by local developers; and
- Accommodation of recreational uses or public access, where appropriate.

Policy CON 2-22: Encourage the extraction and processing of sand and gravel to support economic vitality and ensure an adequate supply of aggregate resources. Ensure that such activities are conducted in an environmentally sensitive manner, comply with all applicable local, state and federal permits, and do not result in significant adverse impacts to surrounding land uses or sensitive natural resources.

Policy CON 2-26: Require large and small scale mineral and natural gas extraction, processing, and reclamation operations to obtain a Conditional Use Permit, and ensure that ~~to be limited to lands designated Resource Conservation, except mineral extraction, processing, and accessory uses may be conditionally permitted on lands not designated Resource Conservation, provided~~ such activities do not adversely impact wildlife, water, agriculture, aesthetics, flood control and other social or environmental factors.

Economic Development Element

~~**Policy ED 2-3:** Explore creation of a Redevelopment Agency and establishment of redevelopment areas in order to encourage private investment in distressed areas of the County and communities and to provide a method and funding source for increasing funding for commercial and industrial development, downtown improvements, rehabilitation of existing businesses, and expansion of public services and amenities.~~

~~**Action ED 2-A:** Consider creation of the Colusa County Redevelopment Agency. If the Colusa County Redevelopment Agency is formed, the Redevelopment Agency will:~~

- ~~1. Conduct a Redevelopment Study to survey potential areas for redevelopment potential and suggest boundaries of potential redevelopment project areas. It is recommended that the study address the redevelopment potential for the unincorporated area adjacent to Colusa, the community of Arbuckle and nearby industrial areas, and the community of Maxwell and nearby industrial areas.~~
- ~~2. Adopt Redevelopment Project Area(s).~~
- ~~3. Prepare a Redevelopment Plan and Five Year Implementation Plan.~~

Land Use Element

Policy LU 1-11: Make land use decisions that promote compact communities, generally filling in gaps of vacant and underutilized land between already developed areas before growing outward.

Policy LU 1-13: Where lands are adjacent to a City or an existing service district, it is preferable that the lands be annexed by the City or the service district to receive services, rather than the formation of a new service district. Only support the creation of new service districts and other mechanisms that will accommodate planned land uses and densities in pre-existing subdivided rural communities such as Century Ranch and College City.

Action LU 1-F: Provide land use and development proposals for proposed projects that are either located within the sphere of influence or within one mile of the respective city boundary of areas of concern or interest, as designated and adopted by LAFCO for the Cities of Colusa or Williams to the appropriate city's Planning Department for review and comment.

~~**Policy LU 1-24:** Discourage annexation of land outside the spheres of influence of Williams and Colusa. Encourage LAFCO and the cities to review sphere of influence boundaries every five years to determine if boundary amendments should be considered.~~

Policy LU 3-10: Require the preparation of a comprehensive and detailed Specific Master Plan for development of each of the Specific Master Plan Areas east and west of State Route 45 in Princeton. In addition to meeting all applicable State requirements for a Specific Master Plan, the Specific Master Plan shall include:

- Demonstration of adequate water and wastewater capacity to serve the Specific Plan Area.
- Ensure that off-site infrastructure improvements are adequately sized to meet the needs of the community.
- A circulation network ~~consisting of streets oriented in a grid system~~ that provides connectivity to other areas of the community, with preference given to streets oriented in a grid system.
- Parks shall be integrated into the site plan.
- The area to the west of State Route 45 shall include community-serving retail components at the intersection of SR 45 and Spencer Road.

Policy LU 3-17: Ensure that zoning and land use designations at the Interstate 5 freeway interchanges at Arbuckle, Maxwell, and the unincorporated area near Williams are used for highway-oriented commercial use. These uses, which include hotels, restaurants, and service stations, should be oriented to interstate travelers, tourists, and visitors to the County's various open space recreation and agricultural opportunities.

Development at these interchanges should be planned to minimize traffic and safety hazards on local streets and regional transportation facilities to the extent feasible.

Noise Element

Action N 1-D: Review new development and long-term planning projects, including the Zoning Code Update, for conformity with the County's Airport Safety and Noise land use criteria, as identified in the Colusa County Airport Comprehensive Land Use Plan (CLUP).

Open Space and Recreation Element

~~Policy OSR 1-4: Habitat and/or wildlife easements proposed in Colusa County for the loss of open space or habitat in other jurisdictions will not be recognized and are not acceptable unless the easement meets all of the following criteria:~~

- ~~• Prior notification to Colusa County;~~
- ~~• Consistency with the goals and policies of the Colusa County General Plan, particularly as related to planned growth, infrastructure, and agricultural preservation;~~
- ~~• Compensation to Colusa County for all lost direct and indirect revenue;~~
- ~~• Compatible with neighboring land uses;~~
- ~~• Located outside of urban and urban reserve areas;~~
- ~~• Secured water rights and infrastructure to economically maintain the proposed mitigation use;~~
- ~~• Requirements that existing agricultural operations continue to be farmed for commercial gain;~~
- ~~• Requirements that habitat management practices do not adversely impact adjacent agricultural operations;~~
- ~~• Prioritize purchase of mitigation credits by local developers; and~~
- ~~• Accommodation of recreational uses or public access, where appropriate.~~

~~Policy OSR 1-5: Open space that is actively managed or placed under conservation easement for habitat, wetlands, or species preservation or conservation shall be restricted to lands designated Resource Conservation (RC).~~

Public Services and Facilities Element

Changes to the Draft 2030 General Plan

Policy PSF 5-6: ~~Encourage~~ Support consolidation of special districts and/or responsibilities ~~to~~ whereas increases in efficient public services are feasible and redundancy is eliminated, and avoid redundancy.

Policy PSF 5-7: The Department of Planning and Building and the Department of Public Works should coordinate with LAFCO during the preparation of Municipal Service Reviews and Sphere of Influence Updates to address coordinated public service and infrastructure planning.

Safety Element

No changes to this Element are proposed.

Attachment 6

PLANNING COMMISSION COUNTY OF COLUSA CALIFORNIA

MINUTES

March 12, 2012

A meeting of the Colusa County Planning Commission was called to order at 9:01 a.m., **March 12, 2012**, in the Board of Supervisors Room, Historical Courthouse, Colusa, California, by Chair Marion Mathis.

COMMISSIONERS PRESENT:

Gail Beduhn
Eddie Johnson
John Loudon
Marion Mathis
Steve Vanderpan

COMMISSIONERS ABSENT:

None

STAFF PRESENT:

Stephen Hackney, Director of Planning and Building
Tana Loudon, Administrative Secretary
Thomas R. Parker, County Counsel

OTHERS PRESENT:

Todd R. Hansen, Colusa Sun Herald
Ed Hulbert, Colusa Industrial Properties
Kelly Ornbaun, Williams
Coleman Cassel, Green Planet Power Solutions
Steve Carpenter, Green Planet Power Solutions
Denis Cook, Highmark Development
George Graham, PGP International, Inc.
Ben Ritchie, DeNovo Planning Group
Beth Thompson, DeNovo Planning Group

ACCEPTANCE OF AGENDA

It was moved by Commissioner Vanderpan and seconded by Commissioner Beduhn to accept the Agenda as submitted.

Motion carried:

Ayes: Commissioners Beduhn, Loudon, Vanderpan, and Chair Mathis

Noes: None.

Absent: Commissioner Johnson.

APPROVAL OF MINUTES

It was moved by Commissioner Vanderpan and seconded by Commissioner Loudon to approve the Minutes from February 6, 2012 as mailed.

Motion carried:

Ayes: Commissioners Beduhn, Loudon, Vanderpan, and Chair Mathis

Noes: None.

Absent: Commissioner Johnson.

BUSINESS FROM THE FLOOR ON ITEMS NOT ALREADY ON THE AGENDA

There being no comment, Chair Mathis closed the period of business from the floor on items not already on the agenda.

ANNOUNCEMENT OF EX PARTE COMMUNICATION

Commissioner Vanderpan stated that he had been approached by the Resource Conservation District regarding the General Plan Update on today's agenda.

PUBLIC HEARINGS

Colusa County 2030 General Plan Update, the associated Final Environmental Impact Report, and Findings of Fact and Statement of Overriding Considerations –
The Planning Commission to make recommendations to the Board of Supervisors on certification of the Environmental Impact Report, Findings of Fact and Statement of Overriding Considerations, and adoption of the Colusa County 2030 General Plan Update.

Mr. Hackney stated that after a two year process we are here with the 2030 General Plan Update and Final Environmental Impact Report.

Commissioner Johnson arrives at 9:04.

Mr. Hackney introduces Commissioner Johnson as it is his first meeting.

Mr. Hackney states that Ben Ritchie and Beth Thompson are here from DeNovo Planning Group. He then turns the floor over to Mr. Ritchie and Ms. Thompson.

Mr. Ritchie states that they have a powerpoint presentation.

The presentation included the following:

Recommended Actions; the Process; Public Outreach;
Public Review and Comment Period; Comments on Draft General Plan;
Proposed Draft General Plan Changes; Comments on Draft Environmental
Impact Report; California Environmental Quality Act Findings and
Statement of Overriding Considerations.

Chair Mathis opened the public hearing.

Mr. Denis Cook introduced himself and stated that he was representing Highmark Development. He stated that under LU 3-10 it requires a Specific Plan instead of a Master Plan for the Highmark property in Princeton. Mr. Cook requested a Master Plan be required instead of a Specific Plan.

Commissioner Vanderpan inquired if this was already included in the changes found in Appendix A of the Staff Report.

Mr. Ritchie replied that it was. It was deemed to be a reasonable request.

Commissioner Vanderpan stated that he feels the phrase "as funding allows," needed to be added to Policy CIRC 1-21, Policy CIRC 1-22, Policy CIRC 1-26, Policy CIRC 1-28, and Policy CIRC 1-29.

Commissioner Loudon asks who owns the railway corridors spoken of in Policy CIRC 1-31.

Mr. Hackney replied some have been abandoned, some have been sold to neighboring landowners, and some are still owned by the railroad companies.

Commissioner Loudon stated that they would be good for bike trails.

Commissioner Beduhn stated that Princeton was not labeled on Figure CIRC-1, Circulation Diagram.

Mr. Ritchie replied it will be fixed.

Commissioner Vanderpan stated that he is very pleased with the document.

Commissioner Beduhn inquired about the letter from the Colusa County Resource Conservation District signed by Mr. Jay Dee Garr and the response.

Mr. Ritchie stated that his overall impression of the letter was that there was a slight misunderstanding. We have attempted to clarify the document and added additional definitions.

Mr. Hackney added that there was confusion regarding resource conservation. The purpose of the language in the document is to protect agricultural operations and to make the establishment of habitat preservation areas or conservation easements an open and public process.

Commissioner Mathis stated that she can appreciate the language and an open process regarding resource conservation.

Commissioner Loudon referenced the findings and inquired if there was any other mitigation that can be done regarding the airport and the overfly zone. He questioned if policy required that the land uses be consistent with the airport's Comprehensive Land Use Plan.

Mr. Hackney replied that the findings are a part of the CEQA process. Mr. Hackney explained the process to the Commissioners where the General Plan policies are not consistent with the Comprehensive Land Use Plan the Board of Supervisors must approve a Statement of Overriding Considerations.

Mr. Ritchie added that no comments were received from the Colusa County Airport Land Use Commission.

Mr. Ed Hulbert introduced himself and stated that he felt the Economic Development Element section is very well done.

Mr. Hackney stated that he would like to note that Colusa County is an agricultural county. This is the first time in its history that Colusa County will have an Agricultural Element in the General Plan. Colusa County will also have a Recreation Element for the first time.

Chair Mathis closed the public hearing.

It is moved by Commissioner Beduhn and seconded by Commissioner Loudon to make a recommendation to the Board of Supervisors to certify the Final Environmental Impact Report for the 2030 General Plan by adopting Planning Commission Resolution 12-1.

Motion carried:

Ayes: Commissioners Beduhn, Loudon, Vanderpan, and Chair Mathis

Noes: None.

Absent: None.

Abstain: Commissioner Johnson.

It was moved by Commissioner Loudon and seconded by Commissioner Beduhn to make a recommendation to the Board of Supervisors to adopt the Findings of Fact and Statement of Overriding Considerations prepared for the 2030 General Plan Environmental Impact Report by adopting Planning Commission Resolution 12-1.

Motion carried:

Ayes: Commissioners Beduhn, Loudon, Vanderpan, and Chair Mathis

Noes: None.

Absent: None.

Abstain: Commissioner Johnson.

It was moved by Commissioner Beduhn and seconded by Commissioner Vanderpan to make a recommendation to the Board of Supervisors to adopt the 2030 General Plan as amended by adopting Planning Commission Resolution 12-1.

Motion carried:

Ayes: Commissioners Beduhn, Loudon, Vanderpan, and Chair Mathis

Noes: None.

Absent: None.

Abstain: Commissioner Johnson.

GENERAL BUSINESS

General Plan/Zoning Ordinance Update

Mr. Hackney informs the Commission that DeNovo Planning Group has been selected by the Board of Supervisors to update the Zoning Code.

Commissioner Mathis inquired if that process will be similar the General Plan update process.

Mr. Hackney replied that it will be very similar. There will be a lot of public outreach and a Zoning Code Update Steering Committee will be formed.

Legislative Case Law Update

Mr. Hackney informed the Commission that he will have something put together for the Commission at the next meeting.

Planning Commission Concerns/Updates

Commissioner Loudon stated he will be going to the American Planning Association's national conference in April. He added that he is a board member for the California Chapter of the American Planning Association. Mr. Hulbert will be doing a presentation to the California Chapter in the fall. This will be good for Colusa County.

ADJOURNMENT

There being no further business the meeting was adjourned at 9:52 a.m..

It was moved by Commissioner Vanderpan and seconded by Commissioner Loudon to adjourn.

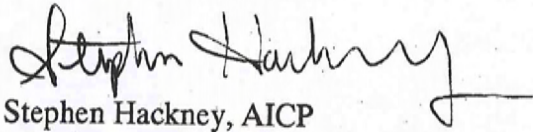
Motion carried:

Ayes: Commissioners Beduhn, Johnson, Loudon, Vanderpan, and Chair Mathis

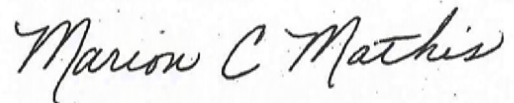
Noes: None.

Absent: None.

Respectfully submitted,



Stephen Hackney, AICP
Director of Planning &
Building Administration



Marion Mathis, Chair
Colusa County
Planning Commission