

# BOARD OF SUPERVISORS

## AGENDA

Meetings are located at:  
Yuba County Government Center  
Board Chambers, 915 Eighth Street  
Marysville, California



Agenda materials are available at the Yuba County Government Center, 915 8<sup>th</sup> Street, the County Library, 303 Second Street, Marysville, and [www.co.yuba.ca.us](http://www.co.yuba.ca.us). Any disclosable public record related to an open session item and distributed to all or a majority of the Board less than 72 hours prior to the meeting is available for public inspection at Suite 109 of the Government Center during normal business hours.

**JUNE 7, 2011**

- 1:00 P.M. CANCELLED - YUBA COUNTY WATER AGENCY**
- 3:30 P.M. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY**
- 5:55 P.M. YUBA COUNTY HOUSING AUTHORITY**
- 6:00 P.M. YUBA COUNTY BOARD OF SUPERVISORS - Welcome to the Yuba County Board of Supervisors meeting. As a courtesy to others, please turn off cell phones, pagers, or other electronic devices, which might disrupt the meeting. Thank you.**
- I. **PLEDGE OF ALLEGIANCE** - Led by Supervisor Vasquez
- II. **ROLL CALL** - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker
- III. **CONSENT AGENDA:** All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.
- A. **Auditor-Controller**
1. Receive Treasurer's statement of assets for quarter ending March 31, 2011. (227-11)
- B. **Board of Supervisors**
1. Adopt resolution proclaiming June 23 as International Olympic Day. (218-11)
- C. **Clerk of the Board of Supervisors**
1. Approve the minutes from the regular meetings of May 10 and 17, 2011. (219-11)
2. Appoint Elden Fowler to the Area 4 Agency on Aging Advisory Commission for a term ending June 30, 2013. (220-11)
3. Appoint Elden Fowler to the Brownsville Cemetery District for a term ending June 7, 2015. (221-11)
4. Reappoint William Appleby as the Bicycle Representative to the Yuba County Trails Commission for a term ending June 7, 2013. (222-11)
- D. **Community Development and Services**
1. Accept Alcouffe Community Park project as complete and release the performance bond for the project, contract number 2010-5064C. (223-11)
- E. **Sheriff-Coroner**
1. Approve agreement with Yuba County Water Agency for law enforcement services and authorize Chairman to execute same. (228-11)
- IV. **PUBLIC COMMUNICATIONS:** Any person may speak about any subject of concern provided it is within the jurisdiction of the Board of Supervisors and is not already on today's agenda. The total amount of time allotted

for receiving such public communication shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes. Prior to this time speakers are requested to fill out a "Request to Speak" card and submit it to the Clerk of the Board of Supervisors. Please note: No Board action can be taken on comments made under this heading.

V. **COUNTY DEPARTMENTS**

A. **Board of Supervisors**

1. Cast ballots for Olivehurst Public Utility District Levy of Fire Suppression Assessment. (224-11)

VI. **ORDINANCES AND PUBLIC HEARINGS:** If you challenge in court the action or decision of the Yuba County Board of Supervisors regarding a zoning, planning, land use or environmental protection matter made at any public hearing described in this notice, you may be limited to raising only those issues you or someone else raised at such public hearing, or in written correspondence delivered to the Yuba County Board of Supervisors at, or prior to, such public hearing.

- A. **Public Hearing** - Hold public hearing and adopt resolution certifying Environmental Impact Report, approving a mitigation monitoring plan, adopting California Environmental Quality Act findings, adopting statement of overriding considerations, and adopting the Yuba County 2030 General Plan. (30 minute estimate) (225-11)

VII. **CORRESPONDENCE** - (226-11)

- A. Memorandum from Planning Director Wendy Hartman relating to Sacramento Area Council of Governments sustainable communities regional planning grant memorandum of understanding.
- B. Certificate of Appreciation from California Citizens Redistricting Commission.
- C. Letter from Veterans' Day Parade 2011 Committee requesting financial assistance to City of Marysville to defray costs. Referred to proposed budget hearing.
- D. Five notices from the State of California Fish and Game Commission relating to upland game hunting, waterfowl hunting, the American pika, Alameda Creek, and facilities inspection.
- E. Memorandum from National Association of Counties regarding voting credentials for the 2011 Annual Conference.

VIII. **BOARD AND STAFF MEMBERS' REPORTS:** This time is provided to allow Board and staff members to report on activities or to raise issues for placement on future agendas.

IX. **CLOSED SESSION:** Any person desiring to comment on any matter scheduled for this closed session may address the Board at this time.

- A. Personnel pursuant to Government Code §54957(a) - **Labor Negotiations - DDA/DSA/MSA/YCEA/Unrepresented and County of Yuba**

X. **ADJOURN**

## **COMMITTEE MEETINGS**

**5:15 P.M.** **Land Use and Public Works Committee** - (Supervisors Abe and Stocker - Alternate Supervisor Nicoletti)

- A. Consider adding Chapter 8.77 to the Yuba County Ordinance Code relating to the Star Bend Boat Launch and day use area - Community Development and Services (Five minute estimate) (229-11)
- B. Consider establishing a policy on Public Works participation in the proposed Lower Yuba River Access Coalition - Community Development and Services (Five minute estimate) (230-11)

**Human Services Committee** - (Supervisors Stocker and Vasquez - Alternate Supervisor Abe)

- A. Consider budget transfer in the amount of \$50,000 from Account No. 106-0000-361-4707 (Health Grants) to Account No. 106-4700-441-2811 for higher than anticipated Children's Services program treatment cost expenditures for Fiscal Year 2010/2011 - Health and Human Services (Five minute estimate) (233-11)
- B. Consider budget transfer in the amount of \$6,750 for purchase of five high capacity water pumps - Health and Human Services (Five minute estimate) (234-11)

**Law and Justice Committee** - (Supervisors Nicoletti and Vasquez - Alternate Supervisor Stocker)

- A. Consider contract with Yuba Sutter Legal Center for Small Claims Litigant Assistance - County Administrator (Five minute estimate) (231-11)
- B. Consider amendment to the Public Defender Services Contract with Benjamin Wirtschafter - County Administrator (Five minute estimate) (232-11)

**06/08/2011 - 5:30 P.M. Linda Liaison Committee**  
**5730 Packard Avenue, Yuba Room**  
**Marysville, California**

**06/10/2011 - 11:00 A.M. Olivehurst Public Utility District/County Liaison Committee**  
**OPUD Board Room**  
**1970 9th Avenue**  
**Olivehurst, California 95961**

In compliance with the American with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board's office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made one full business day before the start of the meeting.

To place an item on the agenda, contact the office of the Clerk of the Board of Supervisors at (530) 749-7510.

**PUBLIC INFORMATION**

**PUBLIC COMMUNICATIONS:** Members of the public shall be allowed to address the Board of Supervisors on items not appearing on the agenda which are of interest to the public and are within the subject matter jurisdiction of the Board, provided that no action shall be taken unless otherwise authorized by law. The total amount of time allotted for receiving such public communication shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes.

**AGENDA ITEMS:** The opportunity of the public to be heard on an item shall be provided during the consideration of that item. In the interest of time, the Board has limited the length of such comment or input on each item to 15 minutes total, with a limit of no more than 5 minutes per person or group. The period for public comments on a particular item may be extended upon a majority vote of the Board. These time limits do not apply to applicants appearing before the Board on behalf of their applications.

**ACTION ITEMS:** All items on the Agenda under the headings "Consent," "County Departments," Ordinances and Public Hearings," "Items of Public Interest," and "Closed Session," or any of them, are items on which the Board may take any action at this meetings.

**PUBLIC HEARINGS:** All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Board has limited each person or group input to no more than 3 minutes. Any person or group may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board.

**ORDINANCES:** Ordinances shall not be passed within five days of their introductions, nor at other than a regular meeting or at an adjourned regular meeting. The Board of Supervisors will address ordinances at first readings. The public is urged to address ordinances at first readings. Passage of ordinances will be held at second readings, after reading the title, further reading is waived and adoption of the ordinance is made by majority vote. An urgency ordinance may be passed immediately upon introduction. The Board reserves the right to amend any proposed ordinances and to hold a first reading in lieu of a second reading.

**INFORMATIONAL CORRESPONDENCE:** The Board may direct any item of informational correspondence to a department head for appropriate action.

**SCHEDULED LUNCH BREAK:** Between the hours of 12:00 noon and 1:00 p.m. and at the discretion of the Chair, the Board will recess one hour for lunch.

**SPECIAL MEETINGS:** No public comment shall be allowed during special meetings of the Board of Supervisors, except for items duly noticed on the agenda.

**PUBLIC INFORMATION:** Copies of §6.7 shall be posted along with agendas.

**End**

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# The County of Yuba

## Community Development & Services Agency

**Kevin Mallen, Director**

Phone - (530) 749-5430 • Fax - (530) 749-5434  
915 8<sup>th</sup> Street, Suite 123  
Marysville, California 95901  
www.co.yuba.ca.us



**BUILDING**  
749-5440 • Fax 749-5616

**CODE ENFORCEMENT**  
749-5455 • Fax 749-5464

**ENVIRONMENTAL HEALTH • CUPA**  
749-5450 • Fax 749-5454

**HOUSING AND COMMUNITY SERVICES**  
749-5460 • Fax 749-5464

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**PUBLIC WORKS • SURVEYOR**  
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749-5430 • Fax 749-5434

**HOUSING AUTHORITY COMMISSION  
BOARD OF SUPERVISORS CHAMBERS  
915 8TH STREET, MARYSVILLE  
June 7, 2011 at 5:55 P.M.**

## AGENDA

### I. CALL TO ORDER

### II. ROLL CALL

Commissioner Abe  
Commissioner Griego  
Commissioner Nicoletti  
Commissioner Stocker  
Commissioner Vasquez

### III. CONSENT ITEMS

- A. Approve Minutes – May 3, 2011
- B. Approve Submission of HCV Family Self Sufficiency Coordinator Grant Application
- C. Approve Changes to the Administrative Plan
- D. Approve Addendum to Administrative Plan for Affirmatively Furthering Fair Housing for FSS Program Grant and Affirmatively Furthering Fair Housing for Rental Assistance for Non-Elderly Persons with Disabilities Grant

### IV. ADJOURNMENT



**MINUTES**  
**YUBA COUNTY HOUSING AUTHORITY COMMISSION**  
**May 3, 2011**

The meeting of the Yuba County Housing Authority Commission was called to order by Commissioner Abe at 5:30 p.m. in the Yuba County Board of Supervisors Chambers, Yuba County Government Center, Marysville, California with a quorum being present as follows: Commissioners Abe, Griego, Nicoletti, Stocker and Vasquez.

**NEW BUSINESS**

Election of Officers: Commissioner Nicoletti made a motion to elect Commissioner Vasquez as Chair for the 2011 Housing Authority Commission Officers. Commissioner Abe seconded the motion and the motion carried unanimously.

Commissioner Griego made a motion to elect Commissioner Nicoletti as Vice-Chair for the 2011 Housing Authority Commission Officers. Commissioner Abe seconded the motion and the motion carried unanimously.

**CONSENT ITEMS**

Commissioner Nicoletti made a motion to correct the submitted November 16, 2010 minutes to reflect Commissioner Nicoletti adjourning the meeting rather than Commissioner Abe. Commissioner Abe seconded and the motion carried unanimously.

Commissioner Nicoletti made a motion to approve the consent agenda which included the corrected minutes of November 16, 2010, approve the 2009-2010 Audit for the Yuba County Housing Authority, approve the 2010-2011 Budget, approve the Annual Civil Rights Certification and approve the changes to the Administrative Plan. Commissioner Stocker seconded and the motion carried unanimously.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

There being no further business, Commissioner Vasquez adjourned the meeting at 5:34 p.m.

\_\_\_\_\_, Commissioner Vasquez, Chair

\_\_\_\_\_, (Director/Secretary)

# The County of Yuba

## Community Development & Services Agency

**Kevin Mallen, Director**

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749-5430 • Fax 749-5434

June 7, 2011

TO: YUBA COUNTY HOUSING COMMISSIONERS

FROM: Wendy Hartman, Planning Director *Wendy Hartman*  
Debra J. Phillips, Housing Authority Executive Director *Debbie*

SUBJECT: **APPROVE SUBMISSION OF HOUSING CHOICE VOUCHER  
(HCV) FAMILY SELF-SUFFICIENCY (FSS) PROGRAM COORDINATOR  
GRANT APPLICATION**

### Recommendation:

Approve submission of the Housing Choice Voucher (HCV) Family Self-Sufficiency Program Coordinator Grant application.

### Background:

The Yuba County Housing Authority applied for a HUD grant for a Social Worker to coordinate the Family Self-Sufficiency program. This position has been funded through this grant for approximately fifteen years and the program has earned fifty vouchers as a result of helping families become self-sufficient. In addition, the program has successfully applied for and received \$15,000 - \$30,000 per year in Community Service Block Grant (CSBG) funds to provide services to low income persons in the FSS program. The HUD grant was not funded in the 2003/04 or 2004/2005 fiscal year and excess reserves were used to continue the program. However, the grant was successfully funded for the 2006 - 2010 calendar years.

### Discussion:

The application seeks \$49,658 to provide salaries and benefits for the FSS Coordinator position that coordinates the FSS program. These funds would not affect the Housing Authority's general operating budget nor any cost to the County.



| <b>Application for Federal Assistance SF-424</b>   |   | Version 02  |
|--|---|---|
| <b>*1. Type of Submission:</b><br><br><input type="checkbox"/> Preapplication<br><input checked="" type="checkbox"/> Application<br><input type="checkbox"/> Changed/Corrected Application | <b>*2. Type of Application</b> * If Revision, select appropriate letter(s)<br><br><input type="checkbox"/> New<br><input checked="" type="checkbox"/> Continuation      *Other (Specify) _____<br><input type="checkbox"/> Revision |   |
| <b>3. Date Received:</b> <b>4. Applicant Identifier:</b>   |   |   |
| <b>5a. Federal Entity Identifier:</b><br>██████████  |   | <b>*5b. Federal Award Identifier:</b><br>██████████ |
| <b>State Use Only:</b>   |   |   |
| <b>6. Date Received by State:</b>  |   | <b>7. State Application Identifier:</b>             |
| <b>8. APPLICANT INFORMATION:</b>   |   |   |
| <b>*a. Legal Name:</b> YUBA COUNTY HOUSING AUTHORITY   |   |   |
| <b>*b. Employer/Taxpayer Identification Number (EIN/TIN):</b><br>██████████  |   | <b>*c. Organizational DUNS:</b><br>10-077-0011      |
| <b>d. Address:</b>   |   |   |
| <b>*Street 1:</b> <u>915 8<sup>TH</sup> STREET</u>   |   |   |
| <b>Street 2:</b> <u>SUITE 130</u>  |   |   |
| <b>*City:</b> <u>MARYSVILLE</u>  |   |   |
| <b>County:</b> <u>YUBA</u>   |   |   |
| <b>*State:</b> <u>CA</u>   |   |   |
| <b>Province:</b> _____   |   |   |
| <b>*Country:</b> <u>USA</u>  |   |   |
| <b>*Zip / Postal Code</b> <u>95901</u>   |   |   |
| <b>e. Organizational Unit:</b>   |   |   |
| <b>Department Name:</b>  |   | <b>Division Name:</b>                               |
| <b>f. Name and contact information of person to be contacted on matters involving this application:</b>  |   |   |
| <b>Prefix:</b> <u>MRS.</u> <b>*First Name:</b> <u>DEBRA</u>  |   |   |
| <b>Middle Name:</b> <u>J</u>   |   |   |
| <b>*Last Name:</b> <u>PHILLIPS</u>   |   |   |
| <b>Suffix:</b> _____   |   |   |
| <b>Title:</b> <u>EXECUTIVE DIRECTOR</u>  |   |   |
| <b>Organizational Affiliation:</b>   |   |   |
| <b>*Telephone Number:</b> 530-749-5460   |   | <b>Fax Number:</b> 530-749-5464                     |
| <b>*Email:</b> dphillips@co.yuba.ca.us   |   |   |

**Application for Federal Assistance SF-424**

Version 02

**\*9. Type of Applicant 1: Select Applicant Type:**

L. Public/Indian Housing Authority

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\*Other (Specify)

**\*10 Name of Federal Agency:**

**11. Catalog of Federal Domestic Assistance Number:**

14.871

CFDA Title:

SECTION 8 HOUSING CHOICE VOUCHERS

**\*12 Funding Opportunity Number:**

[REDACTED]

\*Title:

HOUSING CHOICE VOUCHER FAMILY SELF SUFFICIENCY

**13. Competition Identification Number:**

Title:

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

YUBA COUNTY, CA

**\*15. Descriptive Title of Applicant's Project:**

YCHA HCV/FSS PROGRAM

|  |                             |               |
|--|-----------------------------|---------------|
| <b>Application for Federal Assistance SF-424</b>   |                             | Version 02    |
| <b>16. Congressional Districts Of:</b>   |                             |               |
| *a. Applicant: CA-002  | *b. Program/Project: CA-002 |               |
| <b>17. Proposed Project:</b>   |                             |               |
| *a. Start Date: 1/1/12   | *b. End Date: 12/31/12      |               |
| <b>18. Estimated Funding (\$):</b>   |                             |               |
| *a. Federal  | 49658                       |               |
| *b. Applicant  | 0                           |               |
| *c. State  | 0                           |               |
| *d. Local  | 0                           |               |
| *e. Other  | 0                           |               |
| *f. Program Income   | 0                           |               |
| *g. TOTAL  | 49658                       |               |
| <b>*19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b>   |                             |               |
| <input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on _____   |                             |               |
| <input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.  |                             |               |
| <input checked="" type="checkbox"/> c. Program is not covered by E. O. 12372   |                             |               |
| <b>*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)</b>  |                             |               |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |                             |               |
| <b>21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)</b> |                             |               |
| <input checked="" type="checkbox"/> ** I AGREE   |                             |               |
| ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions   |                             |               |
| <b>Authorized Representative:</b>  |                             |               |
| Prefix: <u>MR</u>  | *First Name: <u>ANDREW</u>  |               |
| Middle Name: _____   |                             |               |
| *Last Name: <u>VASQUEZ</u>   |                             |               |
| Suffix: _____  |                             |               |
| *Title: YUBA COUNTY HOUSING AUTHORITY COMMISSION CHAIRPERSON   |                             |               |
| *Telephone Number: 530-749-5460  | Fax Number: 530-749-5464    |               |
| * Email: dphillips@co.yuba.ca.us   |                             |               |
| *Signature of Authorized Representative:   |                             | *Date Signed: |

**Housing Choice Voucher  
(HCV) Family Self-  
Sufficiency (FSS)  
Program Coordinator  
Funding**

U.S. Department of Housing  
and Urban Development  
Office of Public and Indian  
Housing

OMB Approval No. 2577-0178  
Exp. (09/30/2013)

Public reporting burden for this collection of information is estimated to average 0.75 hours. This includes the time for collecting, reviewing, and reporting the data. Information provided is to determine the eligibility of the applicant for funding for the salary of a program coordinator. HUD uses the information to determine eligibility of the applicant to receive funding. Information is required to obtain benefit under 24 CFR 982.302(b). The information is subject to the confidentiality requirements of the HUD Reform Legislation. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

**PART I: General Information. (To be completed by all applicants.)**

Applicant Category:

- ☐ PHAs Not Currently administering FSS  
☒ PHAs Currently administering FSS

Moving-to-Work  
PHA?

☐ Yes ☒ No

State or Regional  
PHA?

☐ Yes ☒ No

DUNS Number of Applicant:

[REDACTED]

Funding Request

for Fiscal Year: 2012

A. PHA Legal Name (For joint applicants, lead PHA name): YUBA COUNTY HOUSING AUTHORITY

Address: 915 8<sup>TH</sup> STREET, SUITE 130

City: MARYSVILLE

County: YUBA

State: CA

Zip Code: 95901

PHA Number of Applicant: CA107

B. Legal Name of Joint Applicant PHA. (If applicable.)

Address:

City:

County:

State:

Zip Code:

PHA Number of Applicant:

Legal Name of Joint Applicant PHA. (If applicable.)

Address:

City:

County:

State:

Zip Code:

PHA Number of Applicant:

Legal Name of Joint Applicant PHA. (If applicable.)

Address:

City:

County:

State:

Zip Code:

PHA Number of Applicant:

PHA Number of Applicant:

**List any additional co-applicants on page 4**

C. Evidence demonstrating salary comparability to similar positions in the local jurisdiction for each position requested is on file at the PHA.

X Yes ☐ No

D. Contact information person most familiar with application:

Name: JANE MCMILLAN

Telephone Number, 530-749-5460 X 5448

Email Address: jmcmillan@co.yuba.ca.us

**PART II: Funding/Positions Requested by PHAs that are Currently Administering HCV/FSS Programs**

**A. Previously Funded Positions**

| FY Last Funded | Salary Amount Last Funded | Salary Requested Per Position ** under this NOFA | Number of Positions at salary level | Is applicants request above percentage allowed in the NOFA? 'Y' or 'N' *** |
|----------------|---------------------------|--|-------------------------------------|--|
| 2010           | 55597                     | 49658  | 1                                   | N  |
|                |                           |  |                                     |  |
|                |                           |  |                                     |  |
|                |                           |  |                                     |  |
|                |                           |  |                                     |  |
|                |                           |  |                                     |  |
|                |                           |  |                                     |  |
|                |                           |  |                                     |  |
|                |                           |  |                                     |  |
|                |                           |  |                                     |  |

- B. New Positions** –Total salary requested per position including fringe benefits, if applicable. If more than one position, list each separately:

| Salary Requested, including Fringe Benefits** |
|---|
|   |
|   |
|   |
|   |
|   |
|   |
|   |
|   |
|   |
|   |

**C. Total Requested**

|    |          |  |
|----|----------|--|
| 1. | 1        | Total number of positions requested in Part II |
| 2. | \$49,658 | Total \$ requested in Part II                  |

\*\* Salary awards will not exceed the cap per position stated in the most recent HCV/FSS NOFA.

\*\*\* For any position, where the applicant is requesting a percentage increase above the amount provided for in the current HCV/FSS NOFA, the applicant must comply with justification requirements in the current HCV/FSS NOFA.

**Additional space for Part II A and B on page 4**

# Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing  
and Urban Development

OMB Approval No. 2510-0011 (exp. 9/30/2013)

**Instructions.** (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

## Applicant/Recipient Information

Indicate whether this is an Initial Report ☒ or an Update Report ☐

1. Applicant/Recipient Name, Address, and Phone (include area code):

YUBA COUNTY HOUSING AUTHORITY  
915 8TH STREET, SUITE 130, MARYSVILLE, CA 95901

2. Social Security Number or  
Employer ID Number:

[REDACTED]

3. HUD Program Name

HOUSING CHOICE VOUCHER FAMILY SELF SUFFICIENCY PROGRAM

4. Amount of HUD Assistance  
Requested/Received

\$49,658.00

5. State the name and location (street address, City and State) of the project or activity:

## Part I Threshold Determinations

1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3).

☐ Yes ☒ No

2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9

☐ Yes ☒ No

If you answered "No" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form.  
**However,** you must sign the certification at the end of the report.

## Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

| Department/State/Local Agency Name and Address | Type of Assistance | Amount<br>Requested/Provided | Expected Uses of the Funds |
|--|--------------------|------------------------------|----------------------------|
|  |                    |                              |                            |
|  |                    |                              |                            |

(Note: Use Additional pages if necessary.)

## Part III Interested Parties. You must disclose:

- All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
- any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

| Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first) | Social Security No.<br>or Employee ID No. | Type of Participation in<br>Project/Activity | Financial Interest in<br>Project/Activity (\$ and %) |
|--|---|--|--|
|  |   |  |  |
|  |   |  |  |

(Note: Use Additional pages if necessary.)

## Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature:

Date: (mm/dd/yyyy)

X

# Acknowledgment of Application Receipt

U.S. Department of Housing  
and Urban Development

OMB Approval No. 2577-0259 expires 2/29/2012

Type or clearly print the Applicant's name and full address in the space below.

YUBA COUNTY HOUSING AUTHORITY  
915 8TH STREET, SUITE 130  
MARYSVILLE, CA 95901

(fold line)

Type or clearly print the following information:

Name of the Federal  
Program to which the  
applicant is applying:

HCV/FSS PROGRAM

## To Be Completed by HUD

☐ HUD received your application by the deadline and will consider it for funding. In accordance with Section 103 of the Department of Housing and Urban Development Reform Act of 1989, no information will be released by HUD regarding the relative standing of any applicant until funding announcements are made. However, you may be contacted by HUD after initial screening to permit you to correct certain application deficiencies.

☐ HUD did not receive your application by the deadline; therefore, your application will not receive further consideration. Your application is:

☐

Enclosed

☐

Being sent under separate cover

Processor's Name \_\_\_\_\_

Date of Receipt \_\_\_\_\_

Name of Document Transmitted:

**1. Applicant Information**

a. Legal Name:

YUBA COUNTY HOUSING AUTHORITY

b. Address

Street:

915 8<sup>TH</sup> STREET, SUITE 130

City:

MARYSVILLE

County:

YUBA

State:

CA

Zip Code:

95901

c. Country:

USA

d. DUNS number:

130772911

**2. Catalog of Federal Domestic Assistance Number:**

a. CFDA No.

[REDACTED]

b. Title (Name of Program)

YUBA COUNTY HOUSING AUTHORITY HCV/FSS

c. Program Component

**3. Facsimile Contact Information**

a. Department:

YUBA COUNTY HOUSING AUTHORITY

b. Division

**4. Name and telephone number of person to be contacted on matters involving this facsimile:**

Prefix:

MS.

First Name:

JANE

Middle Initial:

A

Last Name:

MCMILLAN

Phone number (include area code)

530-749-5460

Fax number (include area code)

530-749-5464

**5. Email:**

jmcmillan@co.yuba.ca.us

**6. What is your transmittal? (Check one box per fax)**

- ☐ b. Certification
- ☐ c. Document
- ☐ d. Match/Leverage Letter
- ☐ e. Other

**7. How many pages (including cover) are being faxed?**

0

**Certification of Consistency  
with the Consolidated Plan****U.S. Department of Housing  
and Urban Development**

I certify that the proposed activities/projects in the application are consistent with the jurisdiction's current, approved Consolidated Plan.  
(Type or clearly print the following information:)

Applicant Name: YUBA COUNTY HOUSING AUTHORITY

Project Name: HCV/FSS PROGRAM

Location of the Project: 915 8TH STREET, SUITE 130  
MARYSVILLE, CA 95901  
\_\_\_\_\_

Name of the Federal  
Program to which the  
applicant is applying: US DEPT. OF HOUSING AND URBAN DEVELOPMENT

Name of  
Certifying Jurisdiction: YUBA COUNTY, CA

Certifying Official  
of the Jurisdiction  
Name: ANDREW VASQUEZ

Title: YUBA CO. HOUSING BOARD CHAIR

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# 2011 eLogic Model® Information Coversheet



## Instructions

When completing this section there are "mandatory" fields that must be completed. These fields are highlighted in yellow. The required data must be entered correctly to complete an eLogic Model®. After completing all mandatory fields on the coversheet, click on the "Check Errors" button at the top of this page. Applicant Legal Name must match box 8a in the SF-424 in your application. Enter the legal name by which you are incorporated and pay taxes. CCR Doing Business is new for 2010 eLogic Model®. Only complete this field if your registration at CCR includes an entry in Doing Business as: (dba). Enter the DUNS # as entered into box 8c of the SF-424 Application for Federal Assistance form. Enter the City where your organization is located, this information must match the SF-424 data in your application. Use the dropdown to enter the State where your organization is located, this information must match the SF-424 data in your application. This information must match the SF-424 data in your application. Enter the Grantee Contact Name and email address in the field provided. Enter the name of the person that completed the eLogic Model® and their email address in the field provided. When completing the Project Information Section, applicants except Indian Tribes must enter their Project Name, Project Location City/County/Parish, State, Project Type, and Construction Type. If there are multiple locations, enter the location where the majority of the work will be done. Indian tribes, including multi-state tribes, should enter the City or County associated with their business address location. For Indian Tribes, enter the state applicable to the business address of the Tribal entity.

## Program Information

HUD Program **HCV FSS**  
Program CFDA # **14.871**  
Program Component

|  |
|--|
|  |
|  |
|  |
|  |
|  |

## Grantee Information

Applicant Legal Name **YUBA COUNTY HOUSING AUTHORITY**  
CCR Doing Business As Name  
DUNS Number **130772911**  
City **MARYSVILLE**  
State **CALIFORNIA**  
Zip Code **95901.00**  
Grantee Contact Name **JANE MCMILLAN**  
Grantee Contact email **jcmillan@coyuba.ca.us**  
Logic Model Contact Name **JANE MCMILLAN**  
Logic Model Contact email **jcmillan@coyuba.ca.us**

## Project Information

Project Name **YCHA/HCV/FSS PROGRAM**  
Project Location City/County/Parish **MARYSVILLE**  
Project Location State **CALIFORNIA**  
Zip Code **95901.00**  
Project Type **FAMILY SELF SUFFICIENCY PROGRAM**  
Construction Type

## Additional Information for Reporting (Leave Blank At the Time of Application)

Grants.gov Application Number  
HUD Award Number  
Logic Model Amendment Number

| Applicant Legal Name       |                 |  |  |                          |   |  |                          | YUBA COUNTY HOUSING AUTHORITY   |  |  |  |  |  |
|----------------------------|-----------------|--|--|--------------------------|---|--|--------------------------|---|--|--|--|--|--|
| CCR Doing Business As Name |                 |  |  |                          |   |  |                          | 0   |  |  |  |  |  |
| HUD Program                |                 |  |  |                          |   |  |                          | HCV FSS   |  |  |  |  |  |
| Program Component          |                 |  |  |                          |   |  |                          | Reporting Period<br>Reporting Start Date                                |  |  |  |  |  |
| Project Name               |                 |  |  |                          |   |  |                          | Reporting End Date  |  |  |  |  |  |
|                            |                 |  |  |                          |   |  |                          | DUNS No. [ ] 0  |  |  |  |  |  |
|                            |                 |  |  |                          |   |  |                          |   |  |  |  |  |  |
|                            |                 |  |  |                          |   |  |                          | 2011  |  |  |  |  |  |
| 1                          | Policy Priority | Needs  | 3  | Measures                 | 4   | Impact   | Measures                 | Evaluation Tools  |  |  |  |  |  |
| 4E                         | 4c              | There is a need to link new FSS program participants to services and economic opportunities that will lead to employment and economic self-sufficiency.              | Programming<br>Policy Priority-Capacity Building and Knowledge Sharing-Meet with local RCC (minimum 4 meetings per year) and conduct gap analysis Meetings | Pre Post MTD<br>Meetings | 4   | Knowledge Sharing-Number of education/training services available from partners added as a result of the gap analysis Services | Pre Post MTD<br>Services | A. Tools for Measurement<br><br>Interviews Plans                        |  |  |  |  |  |
| 3C                         | 1a              | Poicy Priority-Job Creation/Employment- Partnership with Workforce Investment Board (WIB) to establish apprenticeship programs and/or job opportunities Partnerships | Partnerships   | 2                        | Poicy Priority-Job Creation/Employment- Number of job placements as a result of partnerships with the Workforce Investment Board IFTE | FTE  | 4                        | Program specific form(s)  |  |  |  |  |  |
|                            |                 |  | #VALUE!  |                          |   |  | #VALUE!                  | B. Where Data Maintained<br><br>Agency database Individual case records |  |  |  |  |  |
|                            |                 |  | #VALUE!  |                          |   |  | #VALUE!                  | C. Source of Data<br><br>Escrow accounts GED certification/diploma      |  |  |  |  |  |
|                            |                 |  | #VALUE!  |                          |   |  | #VALUE!                  | D. Frequency of Collection<br><br>Quarterly                             |  |  |  |  |  |

2011

[illegible]

# The County of Yuba

## Community Development & Services Agency

**Kevin Mallen, Director**

Phone - (530) 749-5430 • Fax - (530) 749-5434  
915 8<sup>th</sup> Street, Suite 123  
Marysville, California 95901  
www.co.yuba.ca.us

June 7, 2011

TO: YUBA COUNTY HOUSING COMMISSIONERS

FROM: Wendy Hartman, Planning Director *W Hartman*  
Debra J. Phillips, Housing Authority Executive Director

SUBJECT: Adopt Changes in Administrative Plan effective June 7, 2011

### Recommendation:

It is recommended that the Yuba County Housing Authority Commissioners adopt the changes to the Housing Authority's Administrative Plan effective June 7, 2011.

### Background:

HUD imposes regulations to each Housing Authority for the management of the Section 8 program that provides rental assistance to low-income residents of Yuba County. The Board must approve the Administrative Plan each time there is a change. The Housing Authority updated its Administrative Plan to bring it current with the HUD Housing Choice Voucher Program Guidebook and language has been changed to page 5-10.

The PHA will reference the following chart in determining the appropriate voucher size for a family:

| <b>Voucher Size</b> | <b>Persons in Household<br/>(Minimum – Maximum)</b> |
|---------------------|---|
| 1 Bedroom           | 1-2   |
| 2 Bedrooms          | 2-4   |
| 3 Bedrooms          | 3 4-6   |
| 4 Bedrooms          | 4 6-8   |
| 5 Bedrooms          | 6 8-10  |

### Discussion:

Attached is a copy of the above referenced page from the Administrative Plan and the Housing Choice Voucher Program Guidebook. A copy of the entire Administrative Plan is available in the Housing and Community Services office and on the website.

### Fiscal Impact:

These activities are at no cost to the general fund.

H:\Common\HA\2010-2011\Admin Plan Update Memo.doc



Community Services Commission



**BUILDING**  
749-5440 • Fax 749-5616

**CODE ENFORCEMENT**  
749-5455 • Fax 749-5464

**ENVIRONMENTAL HEALTH • CUPA**  
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**HOUSING AND COMMUNITY SERVICES**  
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**PLANNING**  
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**PUBLIC WORKS • SURVEYOR**  
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749-5430 • Fax 749-5434

**PARKS AND RECREATION**  
749-5430 • Fax 749-5434



Housing Authority

- Unless a live-in-aide resides with a family, the family unit size for any family consisting of a single person must be either a zero- or one-bedroom unit, as determined under the PHA subsidy standards.

#### PHA Policy

The PHA will assign one bedroom for each two persons within the household, except in the following circumstances:

Persons of the opposite sex (other than spouses, and children under age 5) will be allocated separate bedrooms.

Live-in aides will be allocated a separate bedroom. No additional bedrooms will be allocated for a live-in aide's family.

Single person families will be allocated one bedroom.

Foster children will be included in determining unit size only if they will be in the unit for more than twelve months.

The PHA will reference the following chart in determining the appropriate voucher size for a family:

| <b>Voucher Size</b> | <b>Persons in Household<br/>(Minimum – Maximum)</b> |
|---------------------|---|
| 1 Bedroom           | 1-2   |
| 2 Bedrooms          | 2-4   |
| 3 Bedrooms          | 3 4-6   |
| 4 Bedrooms          | 4 6-8   |
| 5 Bedrooms          | 6 8-10  |

| Typical PHA Standards Used to Issue Housing Choice Voucher |                                     |                                     | Standards Used to Determine Acceptability of Unit Size (HQS Rules) |   |
|--|-------------------------------------|-------------------------------------|--|---|
| Housing Choice Voucher Size                                | Minimum No. of Persons in Household | Maximum No. of Persons in Household | Unit Size  | Maximum Occupancy Assuming a Living Room Is Used as a Living/ Sleeping Area |
| 0-BR   | 1                                   | 1                                   | 0-BR   | 1   |
| 1-BR   | 1                                   | 2                                   | 1-BR   | 4   |
| 2-BR   | 2                                   | 4                                   | 2-BR   | 6   |
| 3-BR   | 4                                   | 6                                   | 3-BR   | 8   |
| 4-BR   | 6                                   | 8                                   | 4-BR   | 10  |
| 5-BR   | 8                                   | 10                                  | 5-BR   | 12  |
| 6-BR   | 10                                  | 12                                  | 6-BR   | 14  |

## 5.10 NON-DISCRIMINATION AND EQUAL OPPORTUNITY REQUIREMENTS

### Overview

PHAs must comply with the following non-discrimination and equal opportunity requirements:

- Executive Orders 11246, 11625, 12138, 12432, and 12259, 46FR 1253 (1980) as amended;
- Executive Order 11063, which prohibits discrimination based on religion or sex;
- Title VI of the 1964 Civil Rights Act, which prohibits discrimination based on race, color, or national origin;
- Section 3 of the Housing and Urban Development Act of 1968;
- The Fair Housing Act (Title VIII of the 1968 Civil Rights Act) which prohibits discrimination in the sale, rental, or financing of housing on the basis of race, color, religion, sex, national origin, handicap, or familial status (which refers to the age and number of children in the family and pregnant women);
- Section 504 of the Rehabilitation Act of 1973;
- The Age Discrimination Act of 1975; and
- Title II of the Americans with Disabilities Act (ADA) (see HUD Notice PIH 95-48).

The PHA is required to make the housing choice voucher program available and accessible to all eligible families and must provide a family with information on how to complete and file a housing discrimination complaint if a family claims illegal discrimination because of race, color, religion, sex, national origin, age, familial status, or disability.

# The County of Yuba

## Community Development & Services Agency

**Kevin Mallen, Director**

Phone - (530) 749-5430 • Fax - (530) 749-5434  
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749-5430 • Fax 749-5434

**PARKS AND RECREATION**  
749-5430 • Fax 749-5434

June 7, 2011

TO: YUBA COUNTY HOUSING COMMISSIONERS

FROM: Wendy Hartman, Planning Director  
Debra J. Phillips, Executive Director

*W. Hartman*  
*Debbie*

SUBJECT: Adopt Addendums to the Administrative Plan effective June 7, 2011

### **Recommendation:**

It is recommended that the Yuba County Housing Authority Commissioners adopt addendums to the Housing Authority's Administrative Plan effective June 7, 2011.

### **Background:**

HUD imposes regulations to each Housing Authority for the management of the Section 8 program that provides rental assistance to low-income residents of Yuba County. The Board must approve the Administrative Plan each time there is a change.

### **Discussion:**

The Yuba County Housing Authority applies through HUD's Super NOFA for the Housing Choice Voucher ("HCV") Family Self-Sufficiency (FSS) Program Coordinator Grant and the HCV Rental Assistance for Non-Elderly Persons with Disabilities (RANE) Grant. In accordance with the General Section of the Super NOFA, (Section III, C.3.g.), listed herein are the Addendums that promote compliance to the referenced grants. These Addendums outline the steps the Yuba County Housing Authority will continue to Affirmatively Further Fair Housing (AFFH) and must be added to the Housing Authority's Administrative Plan.

### **Fiscal Impact:**

There is no impact to the General Fund.



Section 8 Housing Choice Voucher Program  
Yuba County Housing Authority (YCHA)

**Addendum to HCV Administrative Plan  
For Affirmatively Furthering Fair Housing**

In accordance with the General Section of the SuperNOFA, (Section III, C.3.g.), listed herein is the Addendum that promotes compliance to the Housing Choice Voucher ("HCV") Rental Assistance for Non-Elderly Persons Disabilities (RANE) Grant. This Addendum outlines the steps the Yuba County Housing Authority will continue to Affirmatively Further Fair Housing (AFFH).

The Fair Housing Narrative for the Administrative Plan of the YCHA was updated on May 3, 2011. A copy of the narrative is attached. Complainants of discrimination can be assured of having access to the Fair Housing Officer of Yuba County. Additionally, grievances can also be heard by or filed with the entities/agencies listed below:

- A) Civil Rights Analyst, U. S. Department of Housing & Urban Development (HUD), Sacramento Hub;
- B) California Rural Legal Assistance (CRLA);
- C) California Civil Rights Commission/Office of the Attorney General;
- D) California Disability Access Board;
- E) Californians for Disability Rights Foundation;
- F) California Independent Living Centers (A non-profit organization run and controlled by persons with disabilities)

Signage informing community members of their rights and responsibilities under fair housing laws will be posted at the reception desk at the YCHA.

The following are the methods that the County's HCV/RANE program will use to affirmatively further fair housing:

- 1) **Provide program assistance to all eligible persons on current waitlist.**
- 2) **Making buildings and communications that facilitate applications and service delivery accessible to persons with disabilities:** The YCHA office is accessible to persons with disabilities, through the use of wheelchair ramps and automatic doors. Reasonable accommodations will also be made for persons with special needs and/or disabling conditions that require an advocate and/or accessible sites and times to receive a briefing, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.
- 3) **Providing fair housing counseling services or referrals to fair housing agencies:** The Section 8 HCV program and its specialty programs provide brochures, packets regarding the grievance process, and information about fair housing in program handbooks. Access to this information is also available upon request through program duration. To ensure equal access and availability of resources, the program participants' local office also has alternate options to hear and/or file a grievance. Staff from the Section 8 HCV PHA will also follow up with complainants regarding service. The HCV/RANE staff will maintain documentation regarding the referral.
  - A) A supervisor or administrative personnel of the YCHA office;
  - B) Fair Housing Officer of the County of Yuba;
  - C) Civil Rights Analyst, U. S. Department of Housing & Urban Development (HUD), Sacramento Hub;
  - D) California Rural Legal Assistance (CRLA);

- E) California Civil Rights Commission/Office of the Attorney General;
- F) California Disability Access Board;
- G) Californians for Disability Rights Foundation;
- H) California Independent Living Centers (A non-profit organization run and controlled by persons with disabilities)

**4) Informing participants of how to file a fair housing complaint, including providing the toll-free number for the Housing Discrimination Hotline: 1-800-669-9777:** Applicants and participants of the Section 8 program and its specialty programs receive information on how to file a fair housing complaint and/or grievance information at numerous occasions and throughout program participation per the following:

- A) At YCHA HCV-voucher briefings participants receive a HUD handout on how to file a fair housing complaint and/or grievance in the briefing packet along with the Fair Housing Hotline number (1-800-669-9777);
- B) Participants will receive this information and the toll-free phone number throughout program duration to ensure their rights have not been violated and that they have the right to file a fair housing complaint and/or grievance. To ensure that the voucher holder understands his/her rights, staff will verbally ask for feedback as to what their rights are and, if needed, link them with a follow-up meeting to one of the alternate options identified in this Addendum (that the voucher holder selects), to ensure their rights are addressed. Staff will also advise voucher holder, if he/she wishes, staff can attend with them to the resource appointment for moral support. Thereafter, staff will document the meeting and outcome of the appointment if he/she attended the meeting.
- C) Alternate Options: As stated in this Addendum, families are also presented with alternate options on where and how to file a grievance at a Section 8 briefing and throughout program participation;
- D) A Housing Discrimination Hotline placard is also placed at all of the YCHA office to ensure applicants and participants that an option and/or hotline phone number is available that they can 1) Write the number down on a piece of paper (if they choose to do so) and/or 2) Ask the receptionist at the YCHA office, provide them with a copy of the number and 3) to validate to the voucher holder that the public housing authority must adhere to "Fair Housing Compliance" regulations.

**6) Recruit landlords and service providers in areas that expand housing choice to program participants.**

## **NARRATIVE STATEMENT REGARDING AFFIRMATIVELY FURTHERING FAIR HOUSING**

### **FAIR HOUSING POLICY [24 CFR 982.54 (d)(6)]**

It is the policy of the Housing Authority to comply fully with all Federal, State and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

The PHA shall not deny any family or individual the equal opportunity to apply for or receive assistance under the Section 8 Programs on the basis of race, color, sex, religion, creed, national or ethnic origin, age, familial or marital status, handicap or disability or sexual orientation.

To further its commitment to full compliance with applicable Civil Rights laws, the PHA will refer families for legal assistance regarding unlawful discrimination or families who believe they are victims of a discriminatory act. Information will be made available during the briefing session, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made a part of the Voucher holder's briefing packet and available upon request at the counter.

Fair Housing posters are posted at the front lobby and the equal opportunity logo will be used on all outreach material. The Housing Authority staff will continue to stay abreast of all current updates and/or training regarding this issue.

Except as otherwise provided, no individual with disabilities shall be denied the benefits of, be excluded from participation in or, otherwise be subjected to discrimination because the PHA's facilities are inaccessible to or unusable by persons with disabilities.

The Yuba County Housing Authority is accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the TDD telephone service provider.

Section 8 Housing Choice Voucher Program  
Yuba County Housing Authority (YCHA)

**Addendum to HCV Administrative Plan  
For Affirmatively Furthering Fair Housing**

In accordance with the General Section of the SuperNOFA, (Section III, C.3.g.), listed herein is the Addendum that promotes compliance to the Housing Choice Voucher ("HCV") Family Self-Sufficiency (FSS) Program Coordinators Grant. This Addendum outlines the steps the Yuba County Housing Authority will continue to Affirmatively Further Fair Housing (AFFH).

The Fair Housing Narrative for the Administrative Plan of the YCHA was updated on May 3, 2011. A copy of the narrative is attached. Complainants of discrimination can be assured of having access to the Fair Housing Officer of Yuba County. Additionally, grievances can also be heard by or filed with the entities/agencies listed below:

- A) Civil Rights Analyst, U. S. Department of Housing & Urban Development (HUD), Sacramento Hub;
- B) California Rural Legal Assistance (CRLA);
- C) California Civil Rights Commission/Office of the Attorney General;
- D) California Disability Access Board;
- E) Californians for Disability Rights Foundation;
- F) California Independent Living Centers (A non-profit organization run and controlled by persons with disabilities)

Signage informing community members of their rights and responsibilities under fair housing laws will be posted at the reception desk at the YCHA.

The following are the methods that the County's HCV/FSS program will use to affirmatively further fair housing:

- 1) **Advertise extensively in the community for the coordinator and specialist positions:** YCHA advertised for the FSS Coordinator position (Senior Housing Specialist) within the local Community Development and Services Agency (CDSA). Housing Specialists are recruited by posting on-line positions available. When openings recur, the County will advertise via the methods described herein. Yuba County Personnel/Risk Management maintains records of position advertisements.
- 2) **Market the program to all eligible persons, including persons with disabilities and persons with limited English proficiency:** The YCHA will continue to market their specialty programs to individuals who attend Section 8 HCV briefings. These briefings with voucher holders will provide the general information and requirements of the HCV program and introduce them to supplemental programs and resources which can assist them in leasing up, in maintaining their HCV-, and enhancing their Section 8 participation:
  - A) Get Ready to Get Leased Up with Section 8;
  - B) Develop Rental Portfolios to help "at risk or hard to serve" families secure a lease;
  - C) Information for the prevention of Violence Against Women Act (VAWA);
  - D) The Family Self-Sufficiency (FSS) Program;

## Addendum to 2008 HCV Administrative Plan

### Page -2-

Advance access to these informational resources allows voucher holders, especially persons with disabilities and persons with limited English proficiency, an opportunity to expedite enrollment in Section 8's specialty programs and to receive a wide array of resource assistance.

- 3) **Making buildings and communications that facilitate applications and service delivery accessible to persons with disabilities:** The YCHA office is accessible to persons with disabilities, through the use of wheelchair ramps and automatic doors. Reasonable accommodations will also be made for persons with special needs and/or disabling conditions that require an advocate and/or accessible sites and times to receive a briefing, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.
- 4) **Providing fair housing counseling services or referrals to fair housing agencies:** The Section 8 HCV program and its specialty programs provide brochures, packets regarding the grievance process, and information about fair housing in program handbooks. Access to this information is also available upon request through program duration. To ensure equal access and availability of resources, the program participants' local office also has alternate options to hear and/or file a grievance. Staff from the Section 8 HCV PHA will also follow up with complainants regarding service. The HCV/FSS staff will maintain documentation regarding the referral.
  - A) A supervisor or administrative personnel of the YCHA office;
  - B) Fair Housing Officer of the County of Yuba;
  - C) Civil Rights Analyst, U. S. Department of Housing & Urban Development (HUD), Sacramento Hub;
  - D) California Rural Legal Assistance (CRLA);
  - E) California Civil Rights Commission/Office of the Attorney General;
  - F) California Disability Access Board;
  - G) Californians for Disability Rights Foundation;
  - H) California Independent Living Centers (A non-profit organization run and controlled by persons with disabilities)
- 5) **Informing participants of how to file a fair housing complaint, including providing the toll-free number for the Housing Discrimination Hotline: 1-800-669-9777:** Applicants and participants of the Section 8 program and its specialty programs receive information on how to file a fair housing complaint and/or grievance information at numerous occasions and throughout program participation per the following:
  - A) At YCHA HCV-voucher briefings participants receive a HUD handout on how to file a fair housing complaint and/or grievance in the briefing packet along with the Fair Housing Hotline number (1-800-669-9777);
  - B) Participants will receive this information and the toll-free phone number throughout program duration to ensure their rights have not been violated and that they have the right to file a fair housing complaint and/or grievance. To ensure that the voucher holder understands his/her rights, staff will verbally ask for feedback as to what their rights are and, if needed, link them with a follow-up meeting to one of the alternate options identified in this Addendum (that the voucher holder selects), to ensure their rights are addressed. Staff will also advise voucher holder, if he/she wishes, staff can attend with them to the resource appointment for moral support. Thereafter, staff will document the meeting and outcome of the appointment if he/she attended the meeting.

## **Addendum to 2008 HCV Administrative Plan**

**Page -3-**

- C) Alternate Options: As stated in this Addendum, families are also presented with alternate options on where and how to file a grievance at a Section 8 briefing and throughout program participation;
- D) A Housing Discrimination Hotline placard is also placed at all of the YCHA office to ensure applicants and participants that an option and/or hotline phone number is available that they can  
1) Write the number down on a piece of paper (if they choose to do so) and/or 2) Ask the receptionist at the YCHA office, provide them with a copy of the number and 3) to validate to the voucher holder that the public housing authority must adhere to "Fair Housing Compliance" regulations.

### **6) Recruit landlords and service providers in areas that expand housing choice to program participants.**

The Yuba County Housing Authority does not have an FSS Homeowners program.

## **NARRATIVE STATEMENT REGARDING AFFIRMATIVELY FURTHERING FAIR HOUSING**

### **FAIR HOUSING POLICY [24 CFR 982.54 (d)(6)]**

It is the policy of the Housing Authority to comply fully with all Federal, State and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

The PHA shall not deny any family or individual the equal opportunity to apply for or receive assistance under the Section 8 Programs on the basis of race, color, sex, religion, creed, national or ethnic origin, age, familial or marital status, handicap or disability or sexual orientation.

To further its commitment to full compliance with applicable Civil Rights laws, the PHA will refer families for legal assistance regarding unlawful discrimination or families who believe they are victims of a discriminatory act. Information will be made available during the briefing session, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made a part of the Voucher holder's briefing packet and available upon request at the counter.

Fair Housing posters are posted at the front lobby and the equal opportunity logo will be used on all outreach material. The Housing Authority staff will continue to stay abreast of all current updates and/or training regarding this issue.

Except as otherwise provided, no individual with disabilities shall be denied the benefits of, be excluded from participation in or, otherwise be subjected to discrimination because the PHA's facilities are inaccessible to or unusable by persons with disabilities.

The Yuba County Housing Authority is accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the TDD telephone service provider.



*CONSENT*  
*AGENDA*

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# *The County of Yuba*

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AUDITOR - CONTROLLER

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227-11

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DEAN E. SELLERS

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915 8<sup>TH</sup> Street, Suite 105  
Marysville, CA 95901-5273  
(530) 749-7810

## INDEPENDENT ACCOUNTANT'S REPORT ON THE TREASURER'S STATEMENT OF ASSETS

To the Honorable  
Board of Supervisors  
County of Yuba  
Marysville, CA 95901

We have reviewed the accompanying Treasurer's Statement of Assets of the County of Yuba as of March 31, 2011 and for the quarter then ended, in accordance with California Government Code Section 26920(a) and Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. All information included in the Treasurer's Statement of Assets is the representation of the Treasurer-Tax Collector of the County of Yuba.

A review consists principally of inquiries of departmental personnel and analytical procedures applied to the financial data. It is substantially less in scope than an audit in accordance with auditing standards generally accepted in the United States of America, the objective of which is the expression of an opinion regarding the Treasurer's Statement of Assets. Accordingly, we do not express such an opinion.

Based on our review, are not aware of any material modifications that should be made to the accompanying Treasurer's Statement of Assets in order for it to be in conformity with accounting principles generally accepted in the United States of America.

*Yuba County Auditor Controller*

May 26, 2011

cc: Dan Mierzwa, Treasurer-Tax Collector  
Robert Bendorf, County Administrator

**COUNTY OF YUBA**  
**TREASURER'S STATEMENT OF ASSETS**  
**FOR THE QUARTER ENDED MARCH 31, 2011**

|   | Amended<br>TREASURER'S<br>BALANCE | FAIR MARKET<br>VALUE |
|---|-----------------------------------|----------------------|
| <b>Cash on Hand</b>                                   | \$ 52,034                         | 52,034               |
| <b>Deposits with Financial Institutions:</b>          |                                   |                      |
| U.S. Bank *   | \$ 3,191,188                      | \$ 1,929,179         |
| <b>Investments:</b>                                   |                                   |                      |
| CAMP Operating Account                                | 750,000                           | 750,611              |
| Local Agency Investment Fund                          | 50,000,000                        | 50,000,000           |
| State Municipal Investments                           | 10,074,600                        | 10,074,600           |
| Negotiable Certificates of Deposit                    | 25,000,000                        | 25,061,200           |
| Federal Agency Issues                                 | 132,358,669                       | 132,588,395          |
| Medium Term Corporate Notes                           | 85,765,595                        | 86,255,967           |
| Local Agency Investment Bond                          | 100,000                           | 100,000              |
| <b>Total Pool Portfolio</b>                           | \$ 304,048,864                    | 304,830,773          |
| <b>Bonds</b>  |                                   |                      |
| Black Rock Tobacco 1509                               | 1,007,432                         | 1,010,028            |
| CAMP MJUSD COP 119                                    | 0                                 | 1                    |
| CAMP Yuba Co. WaterAgency                             | 5,169,271                         | 5,169,863            |
| CAMP Yuba Comm. Coll. Dist.                           | 31,543,032                        | 31,548,221           |
| CAMP MJUSD COP Arbitrage                              | 27,624                            | 29,753               |
| CAMP MJUSD GO Bonds (All)                             | 5,961,882                         | 5,960,706            |
| Yuba Co. Water Agency Spec. Inv.                      | 11,096,764                        | 11,288,790           |
| <b>Total Bonds:</b>                                   | \$ 54,806,005                     | \$ 55,007,361        |
| <b>Yuba Levee Financing Authority</b>                 |                                   |                      |
| Federal Agency Issues                                 | 17,587,815                        | 18,471,703           |
| Medium Term Corp. & Municipal Notes                   | 7,037,300                         | 7,014,620            |
| U.S. Bank Sweep Account                               | 2,013,601                         | 2,014,155            |
| YLFA CAMP   | 857,051                           | 857,182              |
| <b>Total Yuba Levee Financing Authority Portfolio</b> | \$ 27,495,767                     | \$ 28,357,659        |
| <b>Grand Total, All Cash and Investments:</b>         | \$ 389,593,858                    | \$ 390,177,006       |

\* Difference is principally uncashed warrants that have not been deducted from Treasury Balances.

**Stottlemeyer, Donna**

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**From:** Michelle Smira [michelle@mmsstrategies.com]  
**Sent:** Friday, May 13, 2011 10:44 AM  
**To:** Board Comments  
**Subject:** Olympic Day Resolution  
**Attachments:** California WGC\_one page.pdf; Olympics coverage 4-27-11.pdf; Draft\_resolution\_Yuba County.doc

Good Morning,

On behalf of the California Olympic Winter Games Committee, we would like to request that Yuba County consider passing a resolution proclaiming June 23<sup>rd</sup> as International Olympic Day. Senator Ted Gaines and Senate Pro Tem Darrell Steinberg have sponsored a similar proclamation at the State Legislature and we are asking local jurisdictions to do the same.

The California Olympic Winter Games Committee (COWGC) officially launched a few weeks ago when the US Olympic Committee announced that they will be assembling a bid for the 2022 Winter Olympics and that Northern California would be a prime contender. A poll was conducted throughout the greater Sacramento Region and currently a feasibility study is being done to determine the impact the Games could have on our Region. We are happy to present these results to you or before your Council.

I have attached a copy of a draft resolution, a few recent articles along with a one pager outlining the Committee. We would be happy to do a formal presentation to your Board and would ask that Yuba County participate in proclaiming June 23<sup>rd</sup> as International Olympic Day.

Thank you,  
Michelle

Michelle M. Smira  
MMS Strategies  
7700 College Town Drive, Suite 218  
Sacramento, CA 95826  
Office: 916.443.1353  
Fax: 916.563.8060

## California Winter Games Committee

### One-Page Overview



There is an organized effort underway to attract the next U.S. nomination for the Winter Games to the Tahoe region. In order to be successful and win the bid on the international stage, this must be a coordinated joint effort between California and Nevada with full support from both states, as well as engaged leaders from the business community, political arena and non-governmental organizations.

#### **Timeline**

- 2012 – USOC may ask interested cities to submit framework for 2022 Olympic Games
- 2013 – USOC submits one city to the IOC international bid process
- 2015 – IOC selects a host city
- 2022 – Location hosts the games

#### **Tahoe is Well Positioned**

The Tahoe region is well-recognized as a tourist destination and has a rich heritage of Olympic history for hosting the 1960 Squaw Games. With world class ski resorts, desirable accommodations and the recognized ability of the U.S. to host a very successful Olympic Games, Tahoe is well positioned to be the next location put forward by the USOC.

#### **Major Benefits to California**

Should the Winter Games take place in the region, California would experience major economic benefits, including tourism dollars, jobs, infrastructure enhancements and more. An Olympic Winter Games would also deliver economic benefits for other regions, including travel through the state's airports, restaurants, museums, hospitality, scenery and outdoor activities. The Vancouver 2010 Olympic Games brought an immediate \$800 million economic impact and resulted in rising home values and vastly improved transportation infrastructure. An Olympic Winter Games in Tahoe would bring an even larger regional impact.

#### **Short Term Benefits**

- \*Visitors/Tourism
- \*Employment
- \*Media Coverage
- \*Construction
- \*Fresh Cash Flow

#### **Long Term Benefits**

- \*Facilities/Infrastructure
- \*Renovation/Repair
- \*Image Enhancement
- \*Social Programs
- \*National Unity

#### **The Path Forward:**

Sacramento will serve as the "hub" of California's exploration and growth into a statewide campaign:

- |  |                         |
|--|-------------------------|
| *Home to statewide organizations       | *Key proximity to Tahoe |
| *Support venues for athletes           | *International airport  |
| *Hotel/restaurant/lodging capabilities | *Major media market     |

The official California committee will solidify our state's support effort – working in tandem with the existing committees and members of the Reno-Tahoe Winter Games Coalition. The CA committee aims to:

- Win key allies across business, government and non-governmental interests.
- Build financial resources.
- Create public support statewide.

**Contact: Patrick George at KP Public Affairs 916-498-7731 or [pgeorge@ka-pow.com](mailto:pgeorge@ka-pow.com).**

**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA**

**RE:**

**RESOLUTION PROCLAIMING )  
JUNE 23 INTERNATIONAL )  
OLYMPIC DAY )**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the California Winter Games Committee is a nonprofit organization, comprised of leaders from the business community, political arena and non-profit and non-governmental organizations, whose mission is to explore hosting a future Winter Olympic Games in the Lake Tahoe Region; and

**WHEREAS**, the United States Olympic Committee (USOC) may solicit as early as next year for the 2022 Winter Games bid process; and<sup>1</sup>

**WHEREAS**, the committee will explore how to best position the state for a bid to host the Winter Games; and

**WHEREAS**, competing for a host-city Winter Olympics bid will be a valuable endeavor for California and for the Sacramento region that will bring together our communities to highlight our state and region's best assets on the world stage; and

**WHEREAS**, the California Winter Games Committee will work closely alongside Nevada's Reno-Tahoe Winter Games Coalition to promote both states' individual and combined interests in a future Winter Olympic Games; and

**WHEREAS**, Olympics in Tahoe are expected to bring regional economic benefits<sup>2</sup> based on the data showing the Salt Lake City 2002 Winter Olympic Games brought \$76 million to state and local government, created 35,000 jobs and brought \$1.5 billion in labor income;<sup>3</sup> and

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<sup>1</sup> <http://renotahoewintergames.org/timeline.php>

<sup>2</sup> <http://www.2010legaciesnow.com/vanoc/>

<sup>3</sup> [http://www.cppa.utah.edu/publications/econ\\_dev/Olympics\\_Econ\\_Impact.pdf](http://www.cppa.utah.edu/publications/econ_dev/Olympics_Econ_Impact.pdf)

**WHEREAS**, the Tahoe region has a rich heritage of Olympic history for hosting the 1960 Squaw Games;<sup>4</sup> and

**WHEREAS**, the Tahoe region is equipped to host the Winter Games with world class ski resorts, desirable accommodations, and the recognized ability of the U.S. to host a very successful Olympic Games; and

**WHEREAS**, early public opinion polling commissioned by the California Winter Games Committee shows California residents overwhelmingly support California leaders pursuing the Winter Olympic Games in the Lake Tahoe Region (90%);<sup>5</sup> and

**WHEREAS**, the public opinion polling showed 95% of Californians believe hosting the games would have a positive impact of the economy overall;<sup>6</sup> and

**WHEREAS**, hosting the Winter Olympic Games will enhance California's international image;<sup>7</sup> and

**WHEREAS**, hosting the Olympic Games in California will increase tourism interest as Olympic attendees will likely travel through Sacramento and other parts of California – taking advantage of the state's airports, wine country, museums, hospitality, scenery and outdoor activities; and

**WHEREAS**, the first Olympic games appeared at Athens in the year 1896; and<sup>8</sup>

**WHEREAS**, International Olympic Day was firstly celebrated on 23rd June 1948.<sup>9</sup>

**NOW, THEREFORE, BE IT RESOLVED**, that the Yuba County Board of Supervisors commends and encourages the California Winter Games Committee to further pursue the opportunity to host the Winter Olympic Games in Lake Tahoe region; and

**BE IT FURTHER RESOLVED**, that the Yuba County Board of Supervisors recognizes June 23, 2011, as International Olympic Day; and

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<sup>4</sup> <http://www.olympic.org/squaw-valley-1960-winter-olympics>

<sup>5</sup> 2022 Winter Olympics Public Opinion Survey, CIC Research. March 15, 2011.

<sup>6</sup> 2022 Winter Olympics Public Opinion Survey, CIC Research. March 15, 2011.

<sup>7</sup> Gaining World City Status through Staging the Olympic Games. University of Plymouth, UK, 2004

<sup>8</sup> <http://www.olympic.org/>

<sup>9</sup> <http://www.altiusdirectory.com/Society/2008/06/international-olympic-day-celebrated.html>

**BE IT FURTHER RESOLVED**, that the Board transmit copies of this resolution to the United States Olympic Committee and the California Winter Games Committee.

**PASSED AND ADOPTED** at a regular meeting of the Board of Supervisors of the County of Yuba, State of California on the \_\_\_\_\_ day of \_\_\_\_\_, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Chairman

ATTEST:      DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

\_\_\_\_\_  
  
ANGIL P. MORRIS-JONES  
YUBA COUNTY COUNSEL  
APPROVED AS TO FORM:



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# *The County of Yuba*

## B O A R D O F S U P E R V I S O R S

MAY 10, 2011 – MINUTES



The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:30 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Roger Abe, and Hal Stocker. Supervisor Mary Jane Griego was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Abe presided.

- I. PLEDGE OF ALLEGIANCE - Led by Supervisor Abe
- II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker – Supervisor Griego absent.
- III. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.

MOTION: Move to approve Consent Agenda      MOVED: Hal Stocker      SECOND: John Nicoletti  
 AYES: Hal Stocker, John Nicoletti, Andy Vasquez, Roger Abe      NOES: None      ABSENT: Mary Jane Griego  
 ABSTAIN: None

### A. Auditor-Controller

1. Receive amended Treasurer's statement of assets for quarter ending December 31, 2010. (Continued from April 26, 2011) (165-11) Received.

### B. Clerk-Recorder/Elections

1. Authorize Budget Transfer in the amount of \$133,000 from Account No. 101-0000-3671-88-01 (Elections Revenue) to Account No. 101-4800-415-28-00 (Special Department Expense) to offset expenses associated with special election anticipated in 2011. (199-11) Authorized.

### C. Sheriff-Coroner

1. Approve agreement with Yuba Sutter Mental Health for continued laundry services performed by Yuba County inmates and authorize the Chairman to execute same. (200-11) Approved.
2. Approve a Memorandum of Understanding and a Letter of Understanding with BGE Yuba to provide supplemental law enforcement services at the Sleep Train Amphitheatre and authorize the Chairman to execute same. (201-11) Approved.

IV. PUBLIC COMMUNICATIONS:

Public Works Director Mike Lee provided updates on the following:

- Marysville Road storm damage repair work
- Meeting with Cal Trans on Wednesday, May 11, 2011 to discuss Tenth Street bridge repairs and potential bridge closure
- Feather River Boulevard storm damage repair work.

Economic Development Coordinator John Fleming reported on the following:

- Taxable sales for the 2nd, 3rd, and 4th quarters of 2010 were higher than expected
- Economic Development meeting May 20, 2011 at Bishops Pumpkin Farm at 7:30 a.m.

Mr. Mark Allen, Wheatland requested the Board review his claim for damages to his vehicle and trailer sustained from hitting a pothole on Hammonton Smartville Road.

V. COUNTY DEPARTMENTS

A. Sheriff-Coroner

1. Receive 2010 Annual Report and presentation. (Ten minute estimate) (202-11) Sheriff Steve Durfor recapped the report and highlighted the following:
  - Computer Statistics (COMPSTAT)
  - Community Policing projects
  - Crime Analysis
  - Awards and Commendations
  - Investigation Accomplishments
    - Bi County Gang Task Force
    - Student Parent Gang Awareness

In response to specific inquiries regarding costs, Sheriff Durfor recapped the following:

- High Risk Search Warrants
  - Gang or narcotics related
- Jail operations
  - Meals
  - Immigration and Customs Enforcement (ICE) contract
- State prisoner release
- Medical Marijuana compliance
- Animal Care Services
  - Volunteers working to increase pet adoptions

VI. ORDINANCES AND PUBLIC HEARINGS: The Deputy Clerk read the disclaimer.

- A. Public Hearing - Hold public hearing and adopt resolution confirming diagram and assessments within Gledhill Landscaping and Lighting District for Fiscal Year 2011/2012. (Five minute estimate) (203-11) Public Works Director Mike Lee recapped assessment and responded to Board inquiries.

Chairman Abe opened the public hearing. No one came forward.

MOTION: Move to adopt                      MOVED: John Nicoletti                      SECOND: Hal Stocker  
AYES: John Nicoletti, Hal Stocker, Andy Vasquez, Roger Abe   NOES: None   ABSENT: Mary Jane Griego  
ABSTAIN: None

- Chairman Abe opened the public hearing. No one came forward.

MOTION: Move to adopt                      MOVED: Hal Stocker                      SECOND: John Nicoletti  
AYES: Hal Stocker, John Nicoletti, Andy Vasquez, Roger Abe NOES: None ABSENT: Mary Jane Griego  
ABSTAIN: None

A. Provide direction regarding Proposed Final Yuba County General Plan 2030, release for public comment, and set Final Hearing for June 7, 2011. (60 minute estimate) (205-11) Supervisor Vasquez made a motion to table this item for 30 days to allow opportunity for other entities to make similar requests. Motion died for lack of a second.

County Counsel Angil Morris-Jones advised the General Plan Update would have to be adopted prior to changing the zoning designation.

- Cul-de-sacs
- Rail Spur
- Phasing Goals
- Travel Demand Management

- Mr. Nick Spaulding

MINUTE BOOK NO. 67 PAGE 81

VIII. CORRESPONDENCE - (206-11)

- A. Letter from Assemblyman Jim Nielsen regarding funding for the California fair network. Accepted
- B. Schedule from State Board of Equalization for Taxpayers' Bill of Rights hearings. Accepted

IX. BOARD AND STAFF MEMBERS' REPORTS: Reports were received on the following:

Supervisor Stocker:

- Sheriff's Town Hall meeting in Camptonville on Saturday, May 7, 2011
- North Yuba Water District meeting held Thursday, May 5, 2011

Supervisor Abe:

- First Thursday Dinner held May 5, 2011
- Local Agency Formation Commission meeting held Wednesday, May 4, 2011
- State Water Resources Control Board workshop held May 9, 2011
- Wheatland/Beale Community Fair at Bear River School Saturday, May 14, 2011 from 10 a.m. to 4 p.m.

X. CLOSED SESSION: The retired into closed session at 11:30 a.m. to discuss the following:

- A. Personnel pursuant to Government Code §54957(a) - Labor Negotiations - DDA/DSA/MSA/YCEA/Unrepresented and County of Yuba
- B. Personnel pursuant to Government Code §54957 - Public Appointment/Instructions/Library Director
- C. Personnel pursuant to Government Code §54957 - Department Head Evaluation/Agricultural Commissioner

The Board returned from Closed Session at 12:56 p.m. with all present as indicated above.

Chairman Abe advised no action was taken in regards to items "A" and "B," and input was provided on item "C."

XI. ADJOURN: 12:37 p.m. by Chairman Abe.

\_\_\_\_\_  
Chair

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

\_\_\_\_\_  
By: Rachel Ferris, Deputy Clerk

Approved: \_\_\_\_\_

# *The County of Yuba*

## BOARD OF SUPERVISORS

MAY 17, 2011 – MINUTES



The Honorable Board of Supervisors of the County of Yuba met in special session on the above date, commencing at 9:30 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Roger Abe, and Hal Stocker. Mary Jane Griego was absent. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Abe presided.

- I. PLEDGE OF ALLEGIANCE - Led by Supervisor Stocker
- II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker - All Present.
- III. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.

MOTION: Move to approve Consent Agenda

MOVED: Hal Stocker

SECOND: John Nicoletti

AYES: Hal Stocker, John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe

NOES: None ABSENT: None ABSTAIN: None

A. Clerk of the Board of Supervisors

1. Approve minutes of the regular meetings of April 26 and May 3, 2011. (210-11) Approved as written.
2. Appoint Robert W. Gass to the Yuba County Fish and Game Advisory Commission as the Yuba County Water Agency South representative with a term ending December 31, 2014. (211-11) Approved.

B. Health and Human Services

1. Approve amendment to agreement with Yuba Community College for services for the Independent Living Program for the term of July 1, 2010 through June 30, 2011, and authorize the Chairman to execute same. (Human Services Committee recommends approval) (212-11) Approved.

IV. PUBLIC COMMUNICATIONS:

Mr. Sean Crabtree, Plumas Lake, urged consideration of regulating pit bulls for public safety.

V. COUNTY DEPARTMENTS

A. Board of Supervisors

1. Appoint one at-large representative to the Yuba County Fish and Game Advisory Commission with term ending May 17, 2015. (Five minute estimate) (213-11) Appointed Randy Davis.

MOTION: Move to approve                      MOVED: Mary Jane Griego    SECOND: Hal Stocker  
AYES: Mary Jane Griego, Hal Stocker, Andy Vasquez, John Nicoletti, Roger Abe  
NOES: None    ABSENT: None    ABSTAIN: None

B. Probation

1. Authorize Contingency Fund Transfer in the amount of \$19,792 from Account No. 101-6900-410-7101 to various line item accounts to move grant funding back to the Family Resource budget. (Ten minute estimate) (214-11) Chief Probation Officer Jim Arnold recapped the need for the transfer due to grant funds not being encumbered back into the Trust Fund and responded to Board inquiries.

MOTION: Move to approve                      MOVED: Mary Jane Griego    SECOND: Hal Stocker  
AYES: Mary Jane Griego, Hal Stocker, Andy Vasquez, John Nicoletti, Roger Abe  
NOES: None    ABSENT: None    ABSTAIN: None

VI. ITEM OF PUBLIC INTEREST

- A. Consider exemption from commercial status from Oregon House Farms, Jeanette Cavaliere, and take action as appropriate. (Fifteen minute estimate) (215-11) Ms. Jeanette Cavaliere, Oregon House Farms, recapped her farming operation and the request for exemption as commercial and open as a farm produce stand. Ms. Cavaliere offered assistance in developing policies to allow the use.

Counsel Angil Morris-Jones advised with the adoption of the General Plan and interim zoning ordinance would allow produce stands, however, the Board could not approve an exemption.

Community Development and Services Director Kevin Mallen responded to Board inquiries regarding the interim zoning ordinance which would allow produce stands and was scheduled for hearing before the Planning Commission on May 18, 2011, and outlined the process for Board approval following adoption of the updated General Plan.

Following Board discussion, Ms. Cavaliere advised she would work through Community Development for approval and Environmental Health clearance for an opening in July.

VII. CORRESPONDENCE - (216-11)

- A. Letter from Pacific Gas and Electric regarding intent to file an application for a subsequent license for Narrows No. 2 Powerhouse Substation 60 Transmission Line Project. Received.
- B. Letter from Pacific Gas and Electric regarding final license application for the Drum Spaulding Project. Received.
- C. Letter from Nevada Irrigation District regarding final license application for the Yuba Bear Hydroelectric Project. Received.

VIII. BOARD AND STAFF MEMBERS' REPORTS: Reports were received on the following:

Supervisor Vasquez: Area 4 Agency on Aging Governing Board of Directors meeting held May 13, 2011

Supervisor Nicoletti: AMGEN Race through Yuba County May 16, 2011

Supervisor Griego:

- AMGEN Race through Yuba County May 16, 2011
- Local Agency Formation Commission Directors meeting held May 4, 2011
- Sacramento Area Council of Governments (SACOG) Land Use and Energy Committee meeting held May 5, 2011
- Cap to Cap Conference May 6 - 11, 2011 regarding FEMA meeting on agricultural communities and floodplain mapping and meeting with Army Corps of Engineers regarding the Section 104 credit denial and the new Section 2003 credit process, and meeting with Domestic Policy Staff on SACOG issues

Supervisor Stocker:

- Memorial Adjournment - Mrs. Rosemary Hernandez
- 4 H Camp use and caretaker
- Dobbins School construction project
- Permitting of solar projects

Supervisor Abe:

- North Central Counties Consortium Directors meeting held May 10, 2011
- Yuba County Housing Authority meeting held May 11, 2011
- Wheatland Lions Club helped with traffic control on AMGEN on May 16, 2011

IX. CLOSED SESSION: The Board retired into closed session at 10:36 a.m. to discuss the following:

- A. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 016-350-003 Negotiating Parties: Kevin Mallen, Mike Lee, and Robert Bendorf Negotiation: Terms, Conditions and/or Purchase Price
- B. Threatened litigation pursuant to Government Code 54956.9(b) - One Claim
- C. Personnel pursuant to Government Code §54957(a) - Labor Negotiations - DDA/DSA/MSA/YCEA/Unrepresented and County of Yuba
- D. Personnel pursuant to Government Code §54957 - Public Appointment/Instructions/Library Director

The Board returned from closed session at 11:25 a.m. with all present as indicated above.

Counsel advised the Board unanimously authorized settlement regarding the claim and gave direction on real property and other matters.

X. RECESS TO 1:30 P.M.: The Board recessed at 11:27 a.m. and reconvened at 1:30 p.m. with all present as indicated above.

## XI. COUNTY DEPARTMENTS

- A. Receive update on Fiscal Year 2011/2012 Budget; approve layoff notices to employees with an effective date of June 30, 2011; approve restructuring Public Works department; and provide additional budget direction to staff as necessary. (217-11) (Thirty minute estimate) County Administrator Robert Bendorf advised of the following changes to the recommended Board action:
- Issue layoff notices to employees no later than May 23rd
  - Attachment 1: Number of positions should be 21 to include County Counsel/Office Specialist, for a total of 21 positions with a net layoff of 18

Mr. Bendorf recapped the following regarding the 2011-2012 budget:

- Possibility of additional layoffs depending on State budget revise and realignment
- Decrease in estimated revenues for next fiscal year
- Budget development by departments and analysis
- 900 allocated positions with approximately 812 filled
- Reduction in staff due to layoffs over four years and management to staff ration of 1:15
- Process for issuance of notices and meetings with effected employees
- Proposed layoffs ratified with approval of proposed budget in June with an approximate net savings of \$1 million
- Reorganization of Public Works

Mr. Bendorf responded to Board inquiries regarding the following:

- Staff reductions due to layoffs at 67 positions to reduce structural deficit of \$11 million
- Early retirement incentives and associated payout costs
- Layoff procedures and priority for rehiring
- Tracking of expenditures and revenues
- Use of Public Safety Fund Balance and not funding of 14 positions to avoid layoffs within the Sheriff's Department

In response to Supervisor Griego, Health and Human Services Director Suzanne Nobles advised the public health nurse position was in the Child Welfare Services division and nurses were performing the services indicated at family resource centers, however, with Board direction the issue could be revisited.

Supervisor Stocker left meeting at 2:32 p.m. and returned at 2:33 p.m.

Assessor Bruce Stottlemeyer commented on staffing levels and property tax administration functions; advised further reduction in staff would negatively impact revenues produced; did not support the layoff of one auditor appraiser; and urged reinstatement of the position. Mr. Stottlemeyer responded to Board inquiries.

Mr. Bendorf responded to Board inquiries, felt the underlying problem of revenue loss and the structural deficit emphasized the need for a response from county employees regarding concessions and further felt policy makers at the State level should be encouraged to provide funding to counties for the services it does on the State's behalf.

Mr. Gary Stucky, Yuba County Employee Association, expressed concerns regarding the Federal and State budgets; advised meetings were set to discuss possible employee concessions to mitigate employee impact and maintain services to the public; and expressed concerns regarding Public Works.

Community Development and Services Director Kevin Mallen clarified proposed layoffs within the Planning Division and the reorganization of Public Works advising of further discussions with the union on efficiency of the organization.

In response to Board inquiry, Auditor Dean Sellers advised with the layoff of the Assistant Auditor position, he would contract for certain audit and financial statement functions.

MOTION: Move to approve issuing layoff notices by May 23 to employees with an effective date of June 30, 2011

MOVED: John Nicoletti

SECOND: Andy Vasquez

AYES: Mary Jane Griego, Hal Stocker, Andy Vasquez, John Nicoletti, Roger Abe

NOES: None ABSENT: None ABSTAIN: None

MOTION: Move to approve restructuring Public Works Department

MOVED: Mary Jane Griego

SECOND: John Nicoletti

AYES: Mary Jane Griego, Hal Stocker, Andy Vasquez, John Nicoletti, Roger Abe

NOES: None ABSENT: None ABSTAIN: None

XII. ADJOURN: 3:28 p.m. in memory of Mrs. Rosemary Hernandez by Chairman Abe.

---

Chair

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

---

Approved: \_\_\_\_\_

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# The County of Yuba


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## Office of Clerk of the Board of Supervisors

---



To: Board of Supervisors

From: Donna Stottlemeyer, Clerk of the Board 

Subject: Area 4 Agency on Aging Advisory Council

Date: June 7, 2011

### Recommendation

Appoint Elden Fowler to the Area 4 Agency on Aging Advisory Council with a term ending date of June 30, 2013.

### Background and Discussion

The Local Appointment List of all Boards/Commissions/Committees is continually posted indicating vacancies, appointees, terms of office, qualifications and meeting information and is updated monthly. This vacancy was posted as un-scheduled vacancy due to the resignation of Mr. Felix Mata. An application from Elden Fowler is attached for your review.

In light of the expressed interest, it would be appropriate to make these appointments at this time.

### Fiscal Impact

None

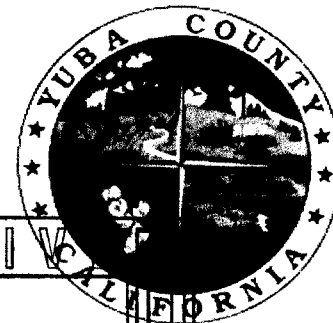
### Committee Action

None required.

attachments

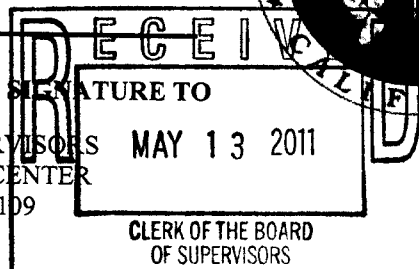
# The County of Yuba

Application for Board/Commission/Committee  
Appointed by the Board of Supervisors



RETURN APPLICATION WITH ORIGINAL SIGNATURE TO

CLERK OF THE BOARD OF SUPERVISORS  
YUBA COUNTY GOVERNMENT CENTER  
915 EIGHTH STREET, SUITE 109  
MARYSVILLE, CA 95901  
(530) 749-7510



Area 4 Agency on Aging Advisory  
PLEASE FILL IN NAME OF BOARD/COMMISSION/COMMITTEE ON WHICH YOU WOULD LIKE TO SERVE

APPLICANT NAME:

Elden Fowler

MAILING ADDRESS:

PHYSICAL ADDRESS:

TELEPHONE:

OCCUPATION/PROFESSION:  
SUPERVISOR/ DISTRICT  
NUMBER:

Retired

District 5

REASONS YOU WISH TO  
SERVE ON THIS BODY:

Community Service

QUALIFICATIONS:

Serve on other Committees, currently  
active in Community and local events.

LIST PAST AND CURRENT

PUBLIC POSITIONS HELD:

DO YOU HAVE ANY CRIMINAL CONVICTION THAT MAY BE CONSIDERED A CONFLICT OF INTEREST WITH THE COMMITTEE YOU WISH TO SERVE UPON? ☐ YES ☒ NO

IF YES, PLEASE EXPLAIN. NOTE: THAT A FELONY CONVICTION SHALL PRECLUDE YOU FROM SERVICE.

I UNDERSTAND THAT IF APPOINTED TO A BOARD/COMMISSION/COMMITTEE AND WHAT MAY BE CONSIDERED A CONFLICT OF INTEREST ARISES, THAT I HAVE A DUTY TO GIVE WRITTEN NOTICE OF SUCH TO THE COUNTY.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE

Elden Fowler

DATE

5-10-11

## THIS SECTION FOR OFFICE USE ONLY

☐ NO VACANCY CURRENTLY EXISTS ON ABOVE-MENTIONED BODY. APPLICANT NOTIFIED.

☐ APPLICANT APPOINTED: \_\_\_\_\_

☐ OTHER: \_\_\_\_\_

# The County of Yuba

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**Office of Clerk of the Board of Supervisors**

---



**To:** Board of Supervisors

**From:** Donna Stottlemeyer, Clerk of the Board

**Subject:** Brownsville Cemetery District

**Date:** June 7, 2011

## **Recommendation**

Appoint Elden Fowler to the Brownsville Cemetery District with a term ending date of June 7, 2015.

## **Background and Discussion**

The Local Appointment List of all Boards/Commissions/Committees is continually posted indicating vacancies, appointees, terms of office, qualifications and meeting information and is updated monthly. This vacancy was posted as scheduled vacancy. An application from Elden Fowler is attached for your review.

In light of the expressed interest, it would be appropriate to make these appointments at this time.

## **Fiscal Impact**

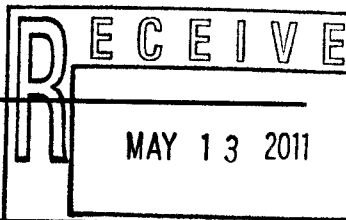
None

## **Committee Action**

None required.

attachments

# The County of Yuba



Application for Board/Commission/Committee  
Appointed by the Board of Supervisors

RETURN APPLICATION WITH ORIGINAL SIGNATURE TO

CLERK OF THE BOARD OF SUPERVISORS  
YUBA COUNTY GOVERNMENT CENTER  
915 EIGHTH STREET, SUITE 109  
MARYSVILLE, CA 95901  
(530) 749-7510

Brownsville Cemetery District

PLEASE FILL IN NAME OF BOARD/COMMISSION/COMMITTEE ON WHICH YOU WOULD LIKE TO SERVE

APPLICANT NAME:

Elden Fowler

MAILING ADDRESS:

PHYSICAL ADDRESS:

TELEPHONE:

OCCUPATION/PROFESSION:  
SUPERVISOR/ DISTRICT  
NUMBER:

Retired

District 5

REASONS YOU WISH TO  
SERVE ON THIS BODY:

Community Service

QUALIFICATIONS:

serve on other Committees, currently active  
in community and local events.

LIST PAST AND CURRENT

PUBLIC POSITIONS HELD:

DO YOU HAVE ANY CRIMINAL CONVICTION THAT MAY BE CONSIDERED A CONFLICT OF INTEREST WITH THE COMMITTEE YOU WISH TO SERVE UPON? ☐ YES ☒ NO  
IF YES, PLEASE EXPLAIN. NOTE: THAT A FELONY CONVICTION SHALL PRECLUDE YOU FROM SERVICE.

I UNDERSTAND THAT IF APPOINTED TO A BOARD/COMMISSION/COMMITTEE AND WHAT MAY BE CONSIDERED A CONFLICT OF INTEREST ARISES, THAT I HAVE A DUTY TO GIVE WRITTEN NOTICE OF SUCH TO THE COUNTY.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE

Elden Fowler

DATE

5-10-11

## THIS SECTION FOR OFFICE USE ONLY

☐ NO VACANCY CURRENTLY EXISTS ON ABOVE-MENTIONED BODY. APPLICANT NOTIFIED.

☐ APPLICANT APPOINTED: \_\_\_\_\_

☐ OTHER: \_\_\_\_\_

# The County of Yuba

---

**Office of Clerk of the Board of Supervisors**

---



**To:** Board of Supervisors

**From:** Donna Stottlemeyer, Clerk of the Board

**Subject:** Yuba County Trails Commission – Bicycle Representative

**Date:** June 7, 2011

## **Recommendation**

Reappoint William Appleby as the Bicycle Representative to the Yuba County Trails Commission for term to expire June 7, 2013.

## **Background and Discussion**

The Local Appointment List of all Boards/Commissions/Committees is continually posted indicating vacancies, appointees, terms of office, qualifications and meeting information and is updated monthly. This is a scheduled vacancy due to the expiration of Mr. Appleby's term. Mr. Appleby has been serving on the Board since 2005 and wishes to continue in this capacity.

In light of the expressed interest, it would be appropriate to appoint two individuals at this time.

## **Fiscal Impact**

None

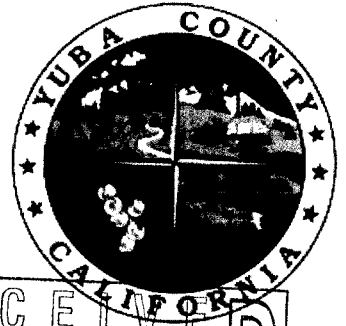
## **Committee Action**

None required.

Attachments

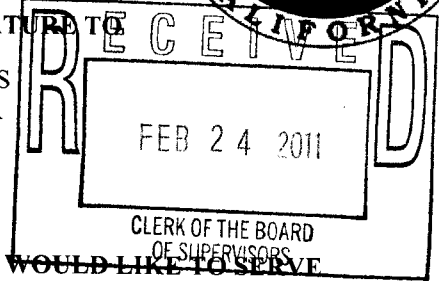
# The County of Yuba

Application for Board/Commission/Committee  
Appointed by the Board of Supervisors



RETURN APPLICATION WITH ORIGINAL SIGNATURE TO

CLERK OF THE BOARD OF SUPERVISORS  
YUBA COUNTY GOVERNMENT CENTER  
915 EIGHTH STREET, SUITE 109  
MARYSVILLE, CA 95901  
(530) 749-7510



NAME OF BOARD/COMMISSION/COMMITTEE ON WHICH YOU WOULD LIKE TO SERVE

YUBA COUNTY TRAILS COMMISSION BICYCLE MEMBER

APPLICANT NAME:

WILLIAM APPLEBY

MAILING ADDRESS:

[REDACTED]

PHYSICAL ADDRESS:

MARYSVILLE (P.O.) LOMA RICA CA 95901

TELEPHONE:

HOM

[REDACTED]

WORK:

OCCUPATION/PROFESSION:

RESPIRATORY THERAPIST (RCP)

SUPERVISOR / DISTRICT

NUMBER:

HAL STOCKER DIST. #5

REASONS YOU WISH TO

SERVE ON THIS BODY:

I WISH TO ADVANCE CYCLING AND WALKING  
FACILITIES IN YUBA COUNTY.

QUALIFICATION FOR THIS

SERVICE:

I HAVE A B.A. DEGREE IN THIS FIELD WITH THESIS  
IN BICYCLE POLICY DESIGN. I AM A CYCLING ADVOCATE  
WITH MEMBERSHIP IN SEVERAL ADVOCATE ORGANIZATIONS.

LIST PAST AND CURRENT

FRAMMD HEARING BOARD

PUBLIC POSITIONS HELD:

TRAILS COMMISSION TERM EXPIRES 5/2011

HAVE YOU EVER BEEN CONVICTED OF A FELONY

☐ YES

☒ NO

A FELONY CONVICTION MAY PRECLUDE YOU FROM SERVICE.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT  
TO THE BEST OF MY KNOWLEDGE.

*William Appleby*  
SIGNATURE

2/15/2011  
DATE

## THIS SECTION FOR OFFICE USE ONLY

☐ NO VACANCY CURRENTLY EXISTS ON ABOVE-MENTIONED BODY. APPLICANT NOTIFIED.

☐ APPLICANT APPOINTED: \_\_\_\_\_

☐ OTHER: \_\_\_\_\_

# The County of Yuba

## Community Development & Services Agency

**Kevin Mallen, Director**

Phone - (530) 749-5430 • Fax - (530) 749-5434

915 8<sup>th</sup> Street, Suite 123  
Marysville, California 95901

[www.co.yuba.ca.us](http://www.co.yuba.ca.us)



223-11

**BUILDING**  
-5440 • Fax 749-5616

**CODE ENFORCEMENT**  
749-5455 • Fax 749-5464

**ENVIRONMENTAL HEALTH • CUPA**  
749-5450 • Fax 749-5454

**HOUSING AND COMMUNITY SERVICES**  
749-5460 • Fax 749-5464

**PLANNING**  
749-5470 • Fax 749-5434

**PUBLIC WORKS • SURVEYOR**  
749-5420 • Fax 749-5424

**FINANCE AND ADMINISTRATION**  
749-5430 • Fax 749-5434

June 7, 2011

TO: YUBA COUNTY BOARD OF SUPERVISORS

FROM: MICHAEL LEE, PUBLIC WORKS DIRECTOR

SUBJ: ACCEPT ALCOUFFE COMMUNITY PARK PROJECT AS COMPLETE AND RELEASE  
THE PERFORMANCE BOND (#0534325), CONTRACT NO. 2010-5064C

### RECOMMENDATION:

Accept Alcouffe Community Park Project as complete and release the Performance Bond (#0534325) for the project.

### BACKGROUND:

Parker Landscape Development, Inc. was awarded the contract for the Alcouffe Community Park Project. The project consisted of constructing a new baseball field, a new parking lot, picnic area and a children's playground area.

### DISCUSSION:

The contractor has completed the project within the allotted time. Per County Ordinance the Board of Supervisors has the authority to release the bond. Once the Board takes action to release the Bond, the Public Works Department will file a Notice of Completion, return the Performance Bond (#0534325), and return the Labor & Materials Bond 90 days after the Notice of Completion is filed.

### COMMITTEE ACTION:

The Land Use & Public Works Committee was bypassed due to the routine nature of this request.

### FISCAL IMPACT:

None.

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# Yuba County Sheriff's Department

*Steven L. Durfor, Sheriff - Coroner*

215 5th Street, Suite 150, Marysville, CA 95901  
Ph: 530-749-7777 • Fax: 530-741-6445

JUNE 7, 2011

To: YUBA COUNTY BOARD OF SUPERVISORS

Fr: STEVEN L. DURFOR, SHERIFF-CORONER 

Re: LAW ENFORCEMENT AGREEMENT WITH YUBA COUNTY WATER AGENCY

**RECOMMENDATION:**

Approve the agreement with Yuba County Water Agency for law enforcement services for the limited term, May 15, 2011 through September 15, 2011.

**BACKGROUND:**

For the past fourteen years, the Water Agency has paid the Sheriff's Department for patrol coverage at the Bullard's Bar for the months of mid-May through mid-September. The coverage included a Deputy Sheriff III for eight hours per day, 40 hours per week.

**DISCUSSION:**

This is the continuation of an agreement that is a benefit to both the Water Agency and the Sheriff's Department. This service provides additional coverage at the lake, with no fiscal impact to the regular Boat Patrol budget or the General Fund. The Sheriff's Department will hire an extra help Deputy III for the seasonal period, to work in conjunction with the regular Boat Patrol deputies. Additionally, the Yuba County Water Agency agrees to reimburse the Yuba County's Sheriff's Department for 25% of salary and benefits of the Marine Enforcement Sergeant's position to provide additional law enforcement presence at the New Bullard's Bar Reservoir and associated recreational lands.

**FISCAL IMPACT:**

No additional cost to the Sheriff's Department or General Fund. Revenues from the Water Agency of approximately \$51,393 will cover the necessary costs for the additional coverage, including the extra help salaries, overtime, and overhead costs.

**COMMITTEE ACTION:**

Due to time constraints, and the routine nature of this request, this item was placed directly on the Board of Supervisor's agenda.

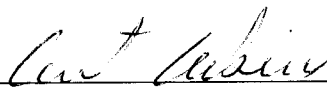
**OPERATING AGREEMENT BETWEEN YUBA COUNTY SHERIFF'S DEPARTMENT  
AND THE YUBA COUNTY WATER AGENCY**

In return for the full time assignment of a Yuba County Deputy III for 40 hours per week to patrol and provide law enforcement services at New Bullards Bar Reservoir and associated recreational lands, the Yuba County Water Agency agrees to reimburse the Yuba County Sheriff's Department for salary, benefits and overtime costs in support of Yuba County Water Agency operational requirements. The period of service will be from May 15, 2011 through September 15, 2011.


Additionally, the Yuba County Water Agency agrees to reimburse the Yuba County Sheriff's Department for 25% of salary and benefits of the Marine Enforcement Sergeant's position to provide additional law enforcement presence at the New Bullard's Bar Reservoir and associated recreational lands. Billings will be made at the following rates for 2011:

|   |          |
|---|----------|
| Deputy III (\$5,188 per month):           | \$20,752 |
| Overtime rate: \$34.00 (maximum 40 hours) | \$ 1,360 |
| Marine Enforcement Sergeant               | \$29,281 |

Total billings are expected to be no more than \$51,393. Billings will be made in two increments-one on July 1, 2011 and one upon the completion of service in September 2011. Both parties can make a different billing schedule or changes to this agreement upon negotiation and agreement. We the undersigned concur with all aspects of the above detailed operating agreement.

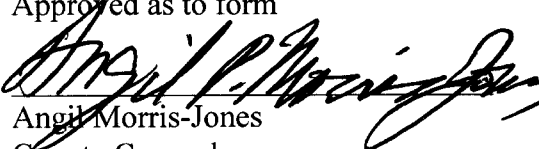
  
Curt Aikens  
General Manager  
Yuba County Water Agency

Date: 5-17-11

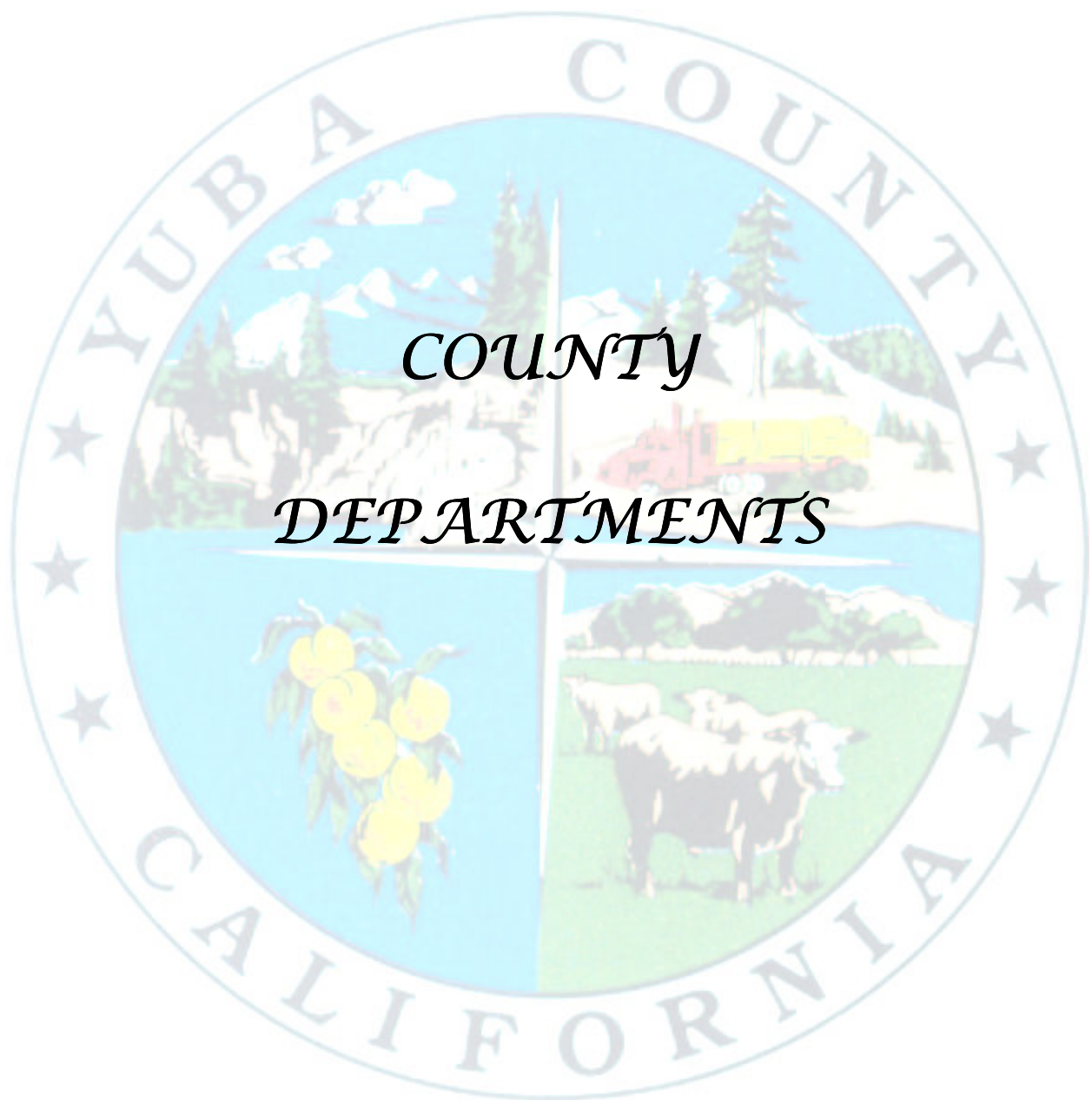
  
Steven L. Durfor  
Sheriff-Coroner  
Yuba County Sheriff's Department

Date: 05/18/11

\_\_\_\_\_  
Chairman, Board of Supervisors  
County of Yuba

Approved as to form  
  
Angil Morris-Jones  
County Counsel

Date: May 23, 2011



*COUNTY*  
*DEPARTMENTS*

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# The County of Yuba

## Clerk of the Board of Supervisors

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June 7, 2011

**TO:** Board of Supervisors  
**FROM:** Donna Stottlemeyer, Clerk of the Board of Supervisors  
**SUBJECT:** Olivehurst Public Utility District – Fire Suppression Assessment

### Recommendation

Case ballots for Olivehurst Public Utility District Levy of Fire Suppression Assessment.

### Background and Discussion

Olivehurst Public Utility District (OPUD) provides fire suppression within the boundaries of the fire district. To maintain services and equipment, the district has proposed a special benefit assessment district.

The County has a number of parcels which are identified on the attached ballots. Many of these parcels do not indicate an assessment. Those properties with assessment are six parcels comprising the Airport, one parcel comprising the Victim Witness facility, and one single family resident in the Neighborhood Stabilization Program

The attached information on the assessment indicates ballots are weighted according to each parcel's financial obligation. Cast ballots should be submitted prior to the close of the public hearing scheduled June 16, 2011 at 7:00 p.m. at OPUD and will then be counted.

### Committee Action

Brought directly to the Board for consideration.

### Fiscal Impact

If the proposed assessment is supported, Fiscal Year 2011/2012 total assessments paid by the County would be \$5,604.44 as represented on the ballots. This amount would need to be budgeted to the appropriate department overseeing the property. In subsequent years, the assessment will decrease, increase, or remain the same based on an adjustment for inflation using the Consumer Price Index All Urban Consumers, West B/C.

Attachments

**Return to:**

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

4240 DUN AVE - VICTIM  
 3.34 acres  
 STATUS = V  
 VALUE = 0

**PARCEL # 014-190-035-000**  
**AMOUNT CHARGEABLE TO YOUR PARCEL: \$154.65**

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES**

**NO**

☐
☐

\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

**Note:**

If title to this property is held in joint tenancy, tenancy in common, community property, or other type of joint ownership, each individual that proves his or her ownership interest to the satisfaction of the District may request an official ballot by contacting the District Offices at 530-743-0317. In the event that multiple owners of a single parcel submit ballots, each ballot will be weighted according to the financial obligation represented by the signors ownership share.

In all other circumstances, a ballot signed by one record owner of property whose name and address appears on the last equalized assessment roll shall be counted as to the entire property.

**Return to:**

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

*Ampt 10/11  
2.50 acres*

**PARCEL # 013-560-051-000**  
**AMOUNT CHARGEABLE TO YOUR PARCEL: \$130.82**

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES**

**NO**

☐

☐

\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

**Note:**

If title to this property is held in joint tenancy, tenancy in common, community property, or other type of joint ownership, each individual that proves his or her ownership interest to the satisfaction of the District may request an official ballot by contacting the District Offices at 530-743-0317. In the event that multiple owners of a single parcel submit ballots, each ballot will be weighted according to the financial obligation represented by the signors ownership share.

In all other circumstances, a ballot signed by one record owner of property whose name and address appears on the last equalized assessment roll shall be counted as to the entire property.

**Return to:**

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

1346 St Harbor Dr. = Airport

341.53 Acres  
 Status = V  
 Value = 0

**PARCEL # 013-560-047-000**

**AMOUNT CHARGEABLE TO YOUR PARCEL: \$463.46**

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES**

**NO**



\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

Note:

If title to this property is held in joint tenancy, tenancy in common, community property, or other type of joint ownership, each individual that proves his or her ownership interest to the satisfaction of the District may request an official ballot by contacting the District Offices at 530-743-0317. In the event that multiple owners of a single parcel submit ballots, each ballot will be weighted according to the financial obligation represented by the signors ownership share.

In all other circumstances, a ballot signed by one record owner of property whose name and address appears on the last equalized assessment roll shall be counted as to the entire property.

Return to:

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

*North Section of  
 Airport*  
*271.95 acres*  
*State = V*  
*Value = 6*

**PARCEL # 013-410-105-000**

**AMOUNT CHARGEABLE TO YOUR PARCEL: \$56.71**

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES**

**NO**



\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

**Note:**

If title to this property is held in joint tenancy, tenancy in common, community property, or other type of joint ownership, each individual that proves his or her ownership interest to the satisfaction of the District may request an official ballot by contacting the District Offices at 530-743-0317. In the event that multiple owners of a single parcel submit ballots, each ballot will be weighted according to the financial obligation represented by the signors ownership share.

In all other circumstances, a ballot signed by one record owner of property whose name and address appears on the last equalized assessment roll shall be counted as to the entire property.

**Return to:**

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

*purposely*  
*1.43 acres*  
*status = V*  
*value = 2*

**PARCEL # 013-410-107-000**

**AMOUNT CHARGEABLE TO YOUR PARCEL: \$391.11**

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES**

**NO**



\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

**Note:**

If title to this property is held in joint tenancy, tenancy in common, community property, or other type of joint ownership, each individual that proves his or her ownership interest to the satisfaction of the District may request an official ballot by contacting the District Offices at 530-743-0317. In the event that multiple owners of a single parcel submit ballots, each ballot will be weighted according to the financial obligation represented by the signors ownership share.

In all other circumstances, a ballot signed by one record owner of property whose name and address appears on the last equalized assessment roll shall be counted as to the entire property.

**Reissued** 6/26/11

Return to:

OLIVEHURST PUBLIC UTILITY DISTRICT  
1970 9<sup>th</sup> Avenue  
P.O. Box 670  
Olivehurst, CA 95961

2000000

PARCEL # 013-410-061-000

AMOUNT CHARGEABLE TO YOUR PARCEL: \$ 3,667.35

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?

YES

NO

☐

☐

\_\_\_\_\_  
Signature of Landowner

\_\_\_\_\_  
Signature of Landowner

**Note:**

If title to this property is held in joint tenancy, tenancy in common, community property, or other type of joint ownership, each individual that proves his or her ownership interest to the satisfaction of the District may request an official ballot by contacting the District Offices at 530-743-0317. In the event that multiple owners of a single parcel submit ballots, each ballot will be weighted according to the financial obligation represented by the signors ownership share.

In all other circumstances, a ballot signed by one record owner of property whose name and address appears on the last equalized assessment roll shall be counted as to the entire property.

Reissued on 5/24/14

Return to:

OLIVEHURST PUBLIC UTILITY DISTRICT  
1970 9<sup>th</sup> Avenue  
P.O. Box 670  
Olivehurst, CA 95961

copy 1  
22-11

PARCEL # 013-410-112-000

AMOUNT CHARGEABLE TO YOUR PARCEL: \$ 588.80

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?

YES

NO

☐

☐

\_\_\_\_\_  
Signature of Landowner

\_\_\_\_\_  
Signature of Landowner

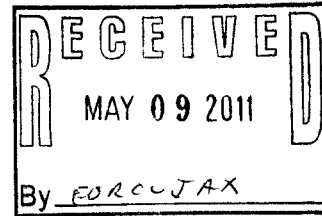
**Note:**

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In all other circumstances, a ballot signed by one record owner of property whose name and address appears on the last equalized assessment roll shall be counted as to the entire property.

**Return to:**

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**



*4/30/11 Early on Dr  
 1st of March  
 Stabilization  
 Program*

**PARCEL # 014-550-020-000**  
**AMOUNT CHARGEABLE TO YOUR PARCEL: \$151.54**

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES**

**NO**

☐
☐

\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

**Note:**

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**Return to:**

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

1421 Sky Harbor Dr = Airport  
 10.47 acres  
 status = V  
 value = 0

**PARCEL # 013-560-031-000**

**AMOUNT CHARGEABLE TO YOUR PARCEL: \$ \_\_\_\_\_**

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES**

**NO**

☐
☐

\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

**Note:**

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**Return to:**

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

4442 Arboleda = 2.2 acres  
 2.2 acres  
 37000 = 1  
 Value = 0

**PARCEL # 013-560-011-000**  
**AMOUNT CHARGEABLE TO YOUR PARCEL: \$ \_\_\_\_\_**

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES**

**NO**



\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

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**Return to:**

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

4510 Skyway Dr. = Airp<sup>rt</sup>  
 2.1 acres  
 status = V  
 value = 0

**PARCEL # 013-560-010-000**

**AMOUNT CHARGEABLE TO YOUR PARCEL: \$ \_\_\_\_\_**

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES**

**NO**



\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

**Note:**

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Return to:

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

*Approved  
 4592 Highway 100  
 60172  
 10-10-80-38*

**PARCEL #** 013-560-016-000  
**AMOUNT CHARGEABLE TO YOUR PARCEL: \$** \_\_\_\_\_

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES**

**NO**

☐
☐

\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

**Note:**

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**Return to:**

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

4263 Pyrrhus Rd  
 1.24 acres  
 State V  
 VUU - 5

**PARCEL #** 014-160-061-000  
**AMOUNT CHARGEABLE TO YOUR PARCEL: \$** \_\_\_\_\_

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES****NO**☐☐

\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

**Note:**

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Return to:

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**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

*Clark Slough  
 unimproved land  
 12.06 acres  
 1970-71 ✓  
 value = \$*

PARCEL # 013-690-001-000 \_\_\_\_\_

AMOUNT CHARGEABLE TO YOUR PARCEL: \$ \_\_\_\_\_

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

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**YES**

**NO**

☐
☐

\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

**Note:**

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**Return to:**

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

1.82 acres  
 2000  
 value = \$

**PARCEL # 013-560-032-000**  
**AMOUNT CHARGEABLE TO YOUR PARCEL: \$ \_\_\_\_\_**

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above (“Amount Chargeable to Your Parcel”) for the above parcel number (“Parcel #”) per year, payable in a single annual installment?**

**YES**

**NO**



\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

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Return to:

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

*Donated Land =  
 Drain along WPRR  
 Co. H = 0  
 Status = V  
 Value = 0*

**PARCEL # 013-440-056-000**

**AMOUNT CHARGEABLE TO YOUR PARCEL: \$ \_\_\_\_\_**

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES**

**NO**

☐

☐

\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

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Return to:

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**1970 9<sup>th</sup> Avenue**  
**P.O. Box 670**  
**Olivehurst, CA 95961**

*Don't send!*  
*sg. ft = 0*  
*acc. V*  
*value = 0*

**PARCEL # 013-410-101-000**  
**AMOUNT CHARGEABLE TO YOUR PARCEL: \$ \_\_\_\_\_**

**OFFICIAL BALLOT**  
**OLIVEHURST PUBLIC UTILITY DISTRICT**  
**LANDOWNER BALLOT ON PROPOSED LEVY OF**  
**FIRE SUPPRESSION ASSESSMENT**

**QUESTION PRESENTED**

**In order to provide a sustainable fire suppression revenue stream for the Olivehurst Fire Department, shall the District levy the an assessment up to the amount listed above ("Amount Chargeable to Your Parcel") for the above parcel number ("Parcel #") per year, payable in a single annual installment?**

**YES**

**NO**

☐

☐

\_\_\_\_\_  
**Signature of Landowner**

\_\_\_\_\_  
**Signature of Landowner**

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In all other circumstances, a ballot signed by one record owner of property whose name and address appears on the last equalized assessment roll shall be counted as to the entire property.

# NOTICE OF PROPOSED FIRE SUPPRESSION BENEFIT ASSESSMENT AND OF PUBLIC HEARING AND ELECTION THEREON

The Olivehurst Public Utility District proposes a Special Benefit Assessment to provide sustainable funding for fire suppression within OPUD fire district boundaries.

- 1) Reasons for Assessment: The Olivehurst Public Utility District (District) will use the funds to provide special benefit fire suppression service to parcels located within the OPUD fire district boundaries. The assessment is necessary to provide adequate funding to maintain facilities, equipment and manning of the fire department. If approved, this assessment will supersede all previous assessments.
- 2) Amount and Basis for Assessment:
  - a) The maximum amount of the assessment for the entire District for fiscal year 2011/2012 will be \$569,805. The methodology uses fire loss data gathered from the National Fire Protection Association (NFPA) and Olivehurst Fire Department call data to allocate costs to each individual parcel based on proportionate special benefit. See the detailed Engineer's Report for further information on methodology and basis for the assessment. Table 7 (attached) is an excerpt from the Engineer's Report and it details the maximum assessment amount for each parcel.
  - b) The assessment amount will decrease, increase, or remain the same based on an adjustment conducted every year in June for inflation using the Consumer Price Index All Urban Consumers (CPI-U), West-B/C.
  - c) A detailed Engineer's Report has been prepared in support of the proposed assessment and is available for review at the District office, 1970 9<sup>th</sup> Avenue, Olivehurst, California.
- 3) Amount of Special Benefit Assessment on Your Parcel Should a Majority Protest Not Occur: The maximum amount chargeable to your parcel, assuming a worst case financial scenario, for the fiscal year 2011/2012 is shown above and on the upper right corner of your enclosed ballot. If the District does not need to levy up to the maximum assessment amount to satisfy the budget amount for the applicable fiscal year, the District will only levy the amount necessary to fund the applicable fire suppression budget.
- 4) Assessment Duration: The Olivehurst Public Utility District Board of Directors may levy this assessment annually for an indefinite term.
- 5) How the Vote is Conducted: You have one (1) vote for each dollar of the proposed assessment that could be assessed to your property. A ballot form is included for each parcel owned by you. Please indicate your support or opposition to the Fire Suppression Benefit Assessment on the ballot, and return the ballot to District Headquarters at:

**OLIVEHURST PUBLIC UTILITY DISTRICT**  
1970 9<sup>th</sup> Avenue  
P.O. Box 670  
Olivehurst, CA 95961

If the ballots, weighted according to each parcel's financial obligation, that are submitted in opposition to the assessment exceed those submitted in its favor the assessment shall not be imposed. If the assessment is approved, an assessment up to the amount shown on the ballot will be charged annually to the parcel and collected with the property taxes.

- 6) Public Hearing: A Public Hearing to hear comments and protests and to count ballots shall be held at Olivehurst Public Utility District Board Room located at 1970 9<sup>th</sup> Avenue, Olivehurst California at 7:00 pm on June 16, 2011.

The deadline for submission of your ballot to the District will be by the close of the public hearing referenced above. If you wish to change or withdraw your vote you may do so prior to the deadline by contacting the District. For further information and review of the Engineer's Report, please call (530) 743-0317 or visit OPUD's website at [WWW.opud.org](http://WWW.opud.org).

OLIVEHURST PUBLIC UTILITY DISTRICT

**Table 7**  
**Fire Suppression Assessment**  
**Fire Suppression Assessment Per Unit**

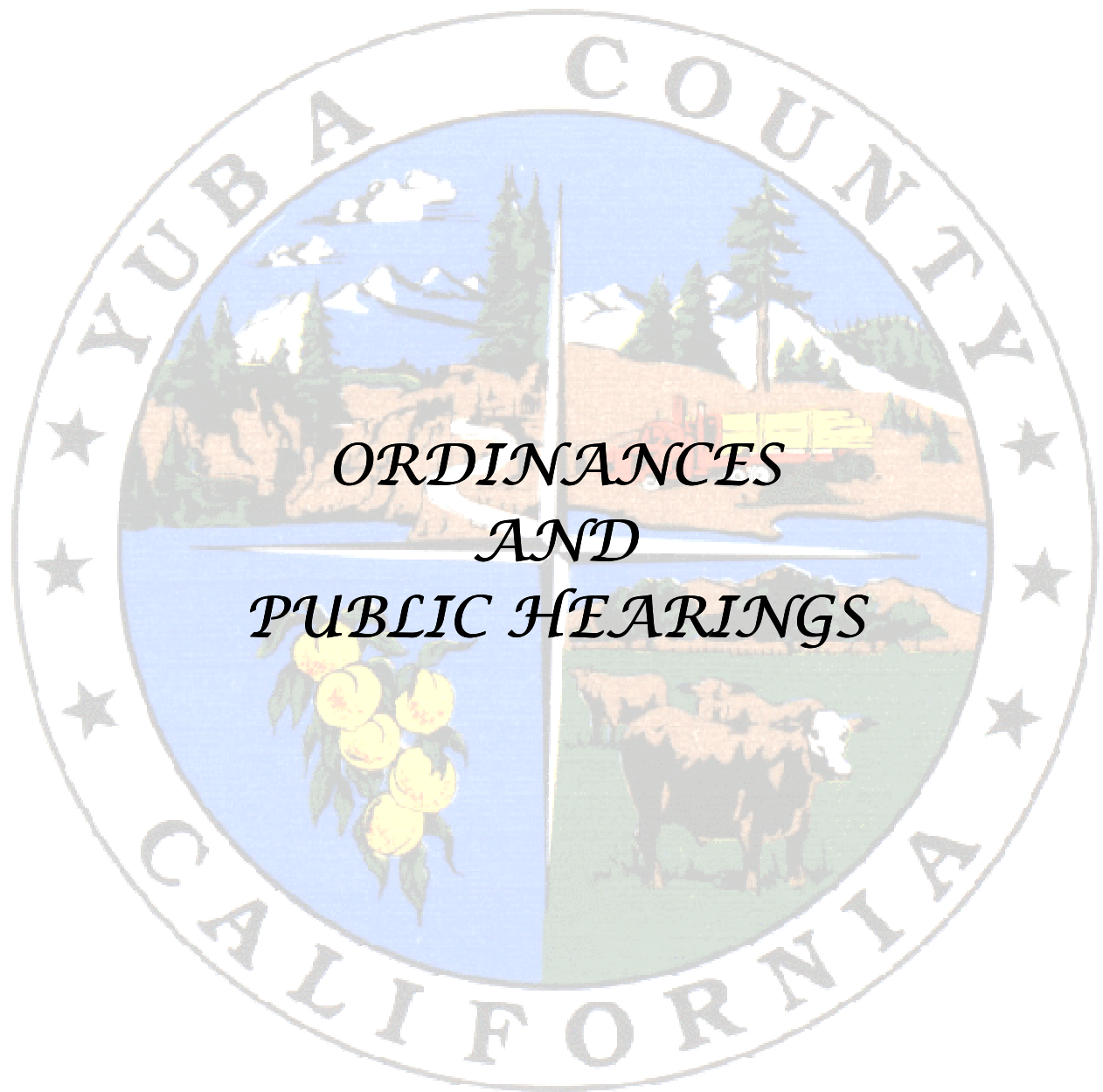
| Land Use Category                     |     | Benefit<br>Factor | Fire<br>Suppression<br>Assessment | Units                   | Assessment<br>Per<br>Unit     |
|---------------------------------------|-----|-------------------|-----------------------------------|-------------------------|-------------------------------|
| Residential 1 to 2 Units              | [1] | 0.8688            | \$495,066                         | <i>parcels</i><br>3,267 | <i>per parcel</i><br>\$151.54 |
| Residential 1 to 2 Units (River Glen) | [2] |                   |                                   | 235                     | \$56.20                       |
| Residential 3 or more Units           |     | 0.0225            | \$12,833                          | 140                     | \$91.67                       |
| Store and Offices                     |     | 0.0278            | \$15,842                          | <i>sf</i><br>157,216    | <i>per sf</i><br>\$0.101      |
| Restaurant                            |     | 0.0007            | \$382                             | 838                     | \$0.456                       |
| Basic Industry                        |     | 0.0167            | \$9,530                           | 411,570                 | \$0.023                       |
| Storage                               |     | 0.0071            | \$4,048                           | 201,850                 | \$0.020                       |
| Educational                           |     | 0.0006            | \$325                             | 295,686                 | \$0.001                       |
| Institutional                         |     | 0.0032            | \$1,808                           | 231,184                 | \$0.008                       |
| Assembly                              |     | 0.0015            | \$881                             | 78,293                  | \$0.011                       |
| Vacant                                |     | 0.0511            | \$29,089                          | <i>acres</i><br>222     | <i>per acre</i><br>\$130.82   |
| <b>Totals [3]</b>                     |     |                   | <b>\$569,805</b>                  |                         |                               |

*"assessment"*

[1] The assessment of \$151.54 is the result of \$495,066 divided by 3,267. Within the 3,267 parcels, there are 235 parcels in River Glen that will receive a reduced assessment of \$56.20 as the parcels are charged a fire assessment under CSA 66.

[2] Parcels in River Glen will pay a total of \$151.54 in fire assessments - \$56.20 under this assessment district and \$95.34 through CSA 66.

[3] The combined assessments for CSA 66 and this fire suppression assessment will generate \$569,805 annually in the first fiscal year.



*ORDINANCES  
AND  
PUBLIC HEARINGS*

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# The County of Yuba

## Community Development & Services Agency

**Kevin Mallen, Director**

Phone - (530) 749-5430 • Fax - (530) 749-5434  
915 8<sup>th</sup> Street, Suite 123  
Marysville, California 95901  
www.co.yuba.ca.us



225-11

**BUILDING**  
749-5440 • Fax 749-5616

**CODE ENFORCEMENT**  
749-5455 • Fax 749-5464

**ENVIRONMENTAL HEALTH • CUPA**  
749-5450 • Fax 749-5454

**HOUSING AND COMMUNITY SERVICES**  
749-5460 • Fax 749-5464

**PLANNING**  
749-5470 • Fax 749-5434

**PUBLIC WORKS • SURVEYOR**  
749-5420 • Fax 749-5424

**FINANCE AND ADMINISTRATION**  
749-5430 • Fax 749-5434

**TO:** Board of Supervisors

**FROM:** Wendy Hartman, Planning Director *WH*  
Dan Cucchi, Project Planner *DC*

**DATE:** June 7, 2011

**SUBJECT:** Proposed Final Yuba County 2030 General Plan & Final EIR

### **RECOMMENDATION**

Adopt the Resolution Certifying an EIR, Approving a Mitigation Monitoring Plan, Adopting California Environmental Quality Act Findings, Adopting a Statement Of Overriding Considerations, and Adopting the Yuba County 2030 General Plan (Attachment 1).

### **BACKGROUND / DISCUSSION**

The Proposed Final 2030 General Plan (Attachment 5) is the culmination of four years of community workshops, meetings with the General Plan Update Advisory Committee, and hearings before the Planning Commission and Board of Supervisors among other methods for public participation. The following is a brief overview of the various documents prepared for your consideration and the relevance to the Board's decision making process.

#### **2030 GENERAL PLAN**

The above described process led to the creation of a Draft General Plan and subsequent revisions since its release to ensure the final product is aligned with the goals of the County's Strategic Plan. The following is a brief description of how these goals have been achieved:

#### **Public Health & Safety**

The 2030 General Plan puts a strong emphasis on ensuring Yuba County remains and strengthens its commitment to Public Health & Safety. The plan recognizes the hard fought benefits of the County's commitment to flood protection and calls for the development of a comprehensive Wildfire Safety Plan to address the threat of wildfire in the Yuba County foothills. It puts an emphasis on ensuring a sufficient level of public services is provided to the community as the County experiences growth over the next 20 years. General Plan Policies and Actions also recognize the important role of adequate parks, schools, and open space in contributing to the health of local residents.

### Economic Development

One of the most prominent themes of the 2030 General Plan is the promotion of entrepreneurship and economic independence. Policies are designed to increase both the quantity & quality of job opportunities to achieve a better jobs/housing ratio, as well as to foster the economic independence of local residents by creating implementation systems that support the entire business life-cycle from home-based businesses and small business incubators to full-scale retail & industrial employment centers. Additionally, the 2030 General Plan supports finding opportunities to streamline the permitting process whenever possible.

### Responsible Growth

The 2030 General Plan recognizes the importance of Responsible Growth in a number of ways. Managed growth allows for a more efficient expansion of infrastructure and services to meet the needs of both new and existing residents. Policies such as the inclusion of the Valley Growth Boundary (VGB) and Rural Communities balances the need to accommodate growth while ensuring the protection of important agricultural lands, vital to the County's long-term interests. Additionally, the inclusion of a large capacity of growth within the VGB ensures the plan will not artificially create land scarcity concerns while providing for future growth capacity to meet the County's needs for the future.

### Organizational Excellence

A strong emphasis in the 2030 General Plan is on achieving high quality of services through both streamlining and innovation. Whenever possible, policies are designed to foster flexibility and innovation through concepts like fiscal incentive programs, such as the Traffic Demand Ordinance, or flexible regulatory systems that allow for the County to quickly adapt to changing realities, like the use of only six land use categories in the Land Use Diagram. It also includes policies designed to encourage strong cooperation between other state and local agencies to ensure communication and cooperation to provide the best possible service to residents.

## FINAL EIR & MITIGATION MONITORING AND REPORTING PLAN

Staff received 27 comment letters on the Draft EIR. A number of letters provided valuable adjustments to information in the Draft EIR, though no changes were considered significant enough to change the ultimate analysis or require recirculation of the document. The result of the review of comment letters by interested agencies and members of the public is the Final EIR (Attachment 6), which incorporates the Draft EIR with the appropriate changes identified in redline-strikeout. The responses to all comments received can be found in Chapter 9 of the Final EIR.

The 2030 General Plan was drafted to be a self-mitigating document, meaning the inclusion of some of the policies and actions are designed to minimize potential adverse impacts to the environment. Despite the inclusion of these policies, the Draft EIR identified a number of significant & unavoidable impacts related to the adoption of the 2030 General Plan, while also recognizing a few areas that required additional mitigation measures to fully address the impacts identified through the California Environmental Quality Act (CEQA) process. The significant & unavoidable impacts are more thoroughly reviewed in the attached summary (Attachment 4). The additional mitigation measures are identified and organized in the Mitigation Monitoring

and Reporting Plan (Attachment 3), a document required by CEQA to assist with the implementation of the mitigation throughout the life of the project.

### **FINDINGS OF FACT & STATEMENT OF OVERRIDING CONSIDERATIONS**

A key component of the decision making process is the adoption of Findings of Fact & Statement of Overriding Considerations (Attachment 2) when the CEQA process has identified significant & unavoidable impacts associated with the project. The findings and statement identify the reasons and support for the Board of Supervisors' decision to approve the project despite these known effects on the environment that could/will occur due to the project's implementation. Findings for each significant & unavoidable impact have been drafted to support the Board of Supervisors' decision. Additionally, the Statement of Overriding Considerations provides the reasons for the Board of Supervisors, balancing the economic, legal, social, technological, and other benefits against the unavoidable environmental risks, to approve the 2030 General Plan (Attachment 2 – Chapter 3).

### **COMMITTEE ACTION**

This item is the final action of an item last heard by the Board of Supervisors on May 10, 2011.

### **FISCAL IMPACT:**

Adoption of the Proposed Final 2030 General Plan and certification of the Final EIR is covered by the current scope and budget for the project as approved. Implementation of the 2030 General Plan will be funded through various sources such as: impact fees, grants, general fund, permit fees, and federal and state sources.

### **Attachments:**

1. Resolution Certifying an EIR, Approving a Mitigation Monitoring Plan, Adopting California Environmental Quality Act Findings, Adopting a Statement Of Overriding Considerations, and Adopting the Yuba County 2030 General Plan.
2. Exhibit A – CEQA Findings of Fact and Statement of Overriding Considerations of the Yuba County 2030 General Plan Environmental Impact Report (document also available online at [www.yubavision2030.org](http://www.yubavision2030.org))
3. Exhibit B – Mitigation Monitoring & Reporting Plan for the Yuba County 2030 General Plan (document also available online at [www.yubavision2030.org](http://www.yubavision2030.org))
4. Summary of Significant & Unavoidable Impacts
5. Proposed Final 2030 General Plan (under separate cover) (document also available online at [www.yubavision2030.org](http://www.yubavision2030.org))
6. Final Environmental Impact Report for the Yuba County 2030 General Plan (under separate cover) (document also available online at [www.yubavision2030.org](http://www.yubavision2030.org))

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**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA**

**A RESOLUTION CERTIFYING AN )  
EIR, APPROVING A MITIGATION )  
MONITORING PLAN, ADOPTING )  
CALIFORNIA ENVIRONMENTAL )  
QUALITY ACT FINDINGS, ) RESOLUTION NO. \_\_\_\_\_  
ADOPTING A STATEMENT OF )  
OVERRIDING CONSIDERATIONS, )  
AND ADOPTING THE YUBA )  
COUNTY 2030 GENERAL PLAN )**

---

**WHEREAS**, Section 65300 of the State of California Government Code states that each planning agency shall prepare and the legislative body of each county shall adopt a comprehensive, long-term general plan for the physical development of the county and any land outside its boundaries which, in the planning agency's judgment, bears relation to its planning; and

**WHEREAS**, Section 65354 of the State of California Government Code states that the local agency's planning commission shall make a written recommendation on the adoption or amendment of a general plan; and

**WHEREAS**, State law requires that local agencies adopt general plans addressing specific mandatory topics; and

**WHEREAS**, State law also provides for periodic review, updates, and amendments of local general plans; and

**WHEREAS**, the County of Yuba initiated an update to the General Plan in 2007, which consisted of numerous town hall meetings, General Plan Update Advisory Committee meetings, and meetings with the Planning Commission and the Board of Supervisors; and

**WHEREAS**, the County determined that the General Plan Update (also referred to herein as the "2030 General Plan" and the "Project") was a project requiring review pursuant to the California Environmental Quality Act (CEQA), Public Resources Code 21000 et seq., and that an Environmental Impact Report (EIR) be prepared to evaluate the potential environmental effects of the project; and

**WHEREAS**, a Notice of Preparation was released for public and agency review and comment on June 18, 2010, for the 2030 General Plan Draft EIR, with public review period starting June 18, 2010, and ending on July 19, 2010, and a public scoping meeting to receive comments on topics and issues that should be evaluated in the Draft EIR was held by the County on July 7, 2010; and

**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF YUBA**

|                                    |   |                             |
|------------------------------------|---|-----------------------------|
| <b>A RESOLUTION CERTIFYING AN</b>  | ) |                             |
| <b>EIR, APPROVING A MITIGATION</b> | ) |                             |
| <b>MONITORING PLAN, ADOPTING</b>   | ) |                             |
| <b>CALIFORNIA ENVIRONMENTAL</b>    | ) |                             |
| <b>QUALITY ACT FINDINGS,</b>       | ) | <b>RESOLUTION NO. _____</b> |
| <b>ADOPTING A STATEMENT OF</b>     | ) |                             |
| <b>OVERRIDING CONSIDERATIONS,</b>  | ) |                             |
| <b>AND ADOPTING THE YUBA</b>       | ) |                             |
| <b>COUNTY 2030 GENERAL PLAN</b>    | ) |                             |
| _____                              | ) |                             |

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**WHEREAS**, the County held two public meetings on August 25, 2010 and September 8, 2010 to receive public comments on the 2030 General Plan; and

**WHEREAS**, the Planning Commission considered the draft 2030 General Plan during a noticed public hearing on September 22, 2010 and additionally considered the 2030 General Plan Draft EIR on December 15, 2010; and

**WHEREAS**, on December 10, 2010, a Notice of Completion for the Draft EIR (State Clearinghouse #2010062054) was submitted to the State Clearinghouse and a Notice of Availability for the Draft EIR was posted at the County Clerk's office and the local public library; and

**WHEREAS**, the Notice of Availability was also circulated in a local newspaper of general circulation on December 10, 2010; and

**WHEREAS**, the County provided a 60-day review and comment period from December 10, 2010 to February 9, 2011 for the Draft EIR and the draft 2030 General Plan; and

**WHEREAS**, a duly noticed public hearing was opened and closed on February 9, 2011 after the Board of Supervisors had heard and received further public comment on the Draft EIR and the Draft 2030 General Plan; and

**WHEREAS**, the Board of Supervisors, based on public comments on the General Plan and the Draft EIR received at, on or before the public hearing held on February 9, 2011, and the Board's discussions on refinement of the General Plan's language at the public meetings held on February 16, 2011, March 21, 2011, and May 10, 2011, wherein staff was directed to make minor changes to the 2030 General Plan and to prepare the Proposed Final 2030 General Plan and Final EIR; and

**WHEREAS**, the Board of Supervisors has reviewed all evidence presented both orally and in writing and certain findings in compliance with CEQA, which are described below and more fully set forth in Exhibit-A, entitled "CEQA Findings of Fact and Statement of Overriding Considerations of the Yuba County 2030 General Plan Environmental Impact Report".

**NOW, THEREFORE, BE IT RESOLVED**, the Yuba County Board of Supervisors hereby attests as follows:

1. The above recitals are true and correct.
2. Based upon the testimony and information presented at the hearing, including the Environmental Impact Report and all evidence in the whole record pertaining to this matter, the Board of Supervisors finds that the Environmental Impact Report has been properly prepared pursuant to the California Environmental Quality Act and that the document reflects the independent judgment of the Yuba County Board of Supervisors.

3. The complete CEQA Findings of Fact and Statement of Overriding Considerations of the Yuba County 2030 General Plan Environmental Impact Report, Exhibit-A, are hereby incorporated into this Resolution by reference.
4. The Board of Supervisors certifies the 2030 General Plan EIR as adequate. A copy of the certified EIR is kept on file with the Planning Department.
5. The Board of Supervisors adopts the CEQA Findings and Statements of Overriding Considerations attached as Exhibit-A.
6. The Board of Supervisors approves the 2030 General Plan EIR Mitigation Monitoring and Reporting Program, attached as Exhibit-B.
7. The Board of Supervisors adopts the 2030 General Plan, a copy of which is kept on file with the Planning Department, and repeals the prior General Plan, except for the 2008-2013 Housing Element.
8. All of the findings and conclusions made by the Board of Supervisors pursuant to this Resolution and the exhibits incorporated herein are based on substantial evidence in the entire record before the Board of Supervisors.
9. If any provision of this Resolution is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of this Resolution shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.
10. This Resolution is effective immediately upon adoption.

**PASSED AND ADOPTED** at a regular meeting of the Board of Supervisors of the County of Yuba, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_ 2011, by the following vote.

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

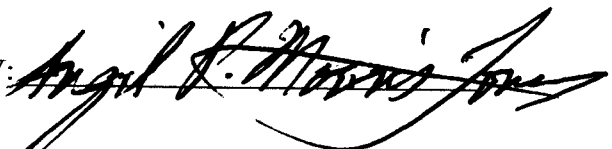
\_\_\_\_\_  
ROGER ABE, CHAIRMAN  
YUBA COUNTY BOARD OF SUPERVISORS

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

ANGIL P. MORRIS-JONES  
YUBA COUNTY COUNSEL  
APPROVED AS TO FORM:

BY: \_\_\_\_\_

BY: \_\_\_\_\_



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EXHIBIT A

**CEQA Findings of Fact and  
Statement of Overriding Considerations  
of the Yuba County 2030 General Plan  
Environmental Impact Report**

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## ABBREVIATIONS AND ACRONYMS

|                    |   |
|--------------------|---|
| AFB                | Beale Air Force Base  |
| CEQA               | California Environmental Quality Act                            |
| CLUP               | Comprehensive Land Use Plan                                     |
| dbh                | diameter at breast height                                       |
| EIR                | Environmental Impact Report                                     |
| EDU                | equivalent dwelling unit  |
| FRAQMD             | Feather River Air Quality Management District                   |
| FTA                | Federal Transit Administration                                  |
| Advisory Committee | General Plan Update Advisory Committee                          |
| GHG                | greenhouse gas  |
| global warming     | increased global average temperatures                           |
| VMT                | Increased Vehicle Miles of Travel                               |
| NEPA               | National Environmental Policy Act                               |
| NCCP               | Natural Community Conservation Plan                             |
| NOA                | Notice of Availability  |
| NOC                | Notice of Completion  |
| NOP                | Notice of Preparation   |
| PM <sub>10</sub>   | particulate matter less than or equal to 10 microns in diameter |
| PRC                | Public Resources Code   |
| RWQCB              | Regional Water Quality Control Board                            |
| TPZs               | Timberland Preserve Zones                                       |
| TACs               | Toxic air contaminants  |
| USACE              | U.S. Army Corps of Engineers                                    |
| YCWA               | Yuba County Water Agency  |
| YSEDC              | Yuba Sutter Economic Development Corporation                    |

# 1 PROJECT DESCRIPTION

The following describes the Yuba County 2030 General Plan (2030 General Plan), including the location, history, and objectives of the proposed project and the relationship of the proposed project to related plans and regulations. The 2030 General Plan includes policy for development of new growth areas throughout the unincorporated County, areas for long-term conservation, as well as land use change and reinvestment in existing developed areas.

The 2030 General Plan and Environmental Impact Report (EIR) were drafted in tandem as a part of a single cohesive and mutually supportive process. The existing conditions analysis and alternatives analysis that supported selection of a “Preferred Alternative” for the General Plan also provided a platform for discussing how the design and narrative content of the plan could be structured to minimize or avoid significant impacts. As a part of the policy development of the 2030 General Plan, the County explicitly considered narrative policy, actions, and diagrammatic policies that could reduce environmental impacts associated with General Plan buildout. The County has, to the extent feasible, created a self-mitigating plan – one where the very design of the plan itself serves to reduce potential environmental impacts.

The General Plan EIR is a “program EIR,” as described under the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq. [14 CCR 15000 et seq.]). Programmatic documents analyze “a series of actions that can be characterized as one large project and are related...in connection with the issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program” (State CEQA Guidelines Section 15168[a][3]). Through implementation of the 2030 General Plan, the County has provided tiering and streamlining potential for projects that are consistent with the diagrams, narrative policies, and actions of the 2030 General Plan. The County intends to take advantage of streamlining provided by CEQA, and will make use of emerging streamlining techniques, such as those related to implementation of the Sustainable Communities Strategy (Public Resources Code [PRC] Section 21155). The analysis in this program EIR is considered the first tier of environmental review and creates the foundation upon which future, project-specific CEQA documents can build (Public Resources Code Section 21083.3 and CEQA Guidelines Section 15152). Project-level environmental analysis for projects that are consistent with, and implement the General Plan can be streamlined to limit the scope of site-specific approvals (Public Resources Code Section 21083.3 and CEQA Guidelines Section 15168(d)). Since the County endeavored to create a largely self-mitigating plan, projects that incorporate 2030 General Plan policies and actions, as appropriate, at the project level can minimize a wide range of potential impacts simply through consistency with the 2030 General Plan.

## 1.1 PROJECT LOCATION

The “project site,” as defined by CEQA, is the unincorporated areas of Yuba County. The County’s boundaries are defined by the Feather River on the west, the Bear River on the south, and Honcut Creek on the north. The eastern boundary is not defined by natural features, but is generally along the alignment of State Route 49.

Yuba County has three general physiographic regions: the valley, foothills and mountains. The valley includes Marysville, Wheatland, and urbanized unincorporated areas, as well as agricultural lands and Beale Air Force Base (AFB). The foothills and mountain areas include land used for grazing, timber production, and mining. Rural residential development is an increasing part of the foothill and mountain landscape.

The nearest major metropolitan area to Yuba County is Sacramento, which lies approximately 30 miles south of the southern edge of the County, by way of State Highways 70 and 65. Located in Yuba County are the incorporated cities of Marysville, the county seat, and Wheatland. Major unincorporated communities include Linda, Olivehurst-Plumas Lake, and Hallwood on the valley floor and Loma Rica, Browns Valley, Challenge, Brownsville, Oregon House, Dobbins, Camptonville, Smartsville, and Camp Far West in the foothill and

mountain region. Bordering counties include Sutter County, Placer County, Nevada County, Sierra County, Plumas County, and Butte County.

Yuba County's population as of January 1, 2010, was estimated by the California Department of Finance to be 73,380. Population centers are the incorporated cities of Marysville and Wheatland, as well as the unincorporated communities of Olivehurst-Plumas Lake, Linda, Beale AFB, Challenge-Brownsville, and Loma Rica. The unincorporated population in 2010 was estimated to be 56,955.

Yuba County has attracted agricultural-based industries and has relied on these types of industries for employment. Also, since the 1940s, Beale AFB has been a major employer of both military and civilian personnel. According to the Yuba Sutter Economic Development Corporation (YSEDC), in the Yuba-Sutter County area, agriculture is the largest component of the local economy. Agriculture is a billion-dollar industry for the region. One out of every four people in the region is employed either directly or indirectly in agriculture. Almost 75 percent of all the land in Yuba and Sutter counties is used for some sort of agricultural purpose. The largest use of agricultural land was for field crops and vegetables. Fruit and nut crops accounted for the second highest use of acreage. Recently, the employment base and local economic activity has started to diversify. In the last decade, many of the new jobs that have been created are in the service sector, government, retail, transportation, public utilities and construction.

The Yuba-Sutter region is served by State Highways 70, 65, 20, and 49, and U.S. Highway 99. The region is just north of the intersection of two major interstates, I-5 and I-80. Approximately 11 million people now live within a two-hour drive of the Yuba City/Marysville area. Union Pacific connects the Yuba-Sutter area to the nation's railway system. The rail system is used primarily to transport agricultural goods and other goods produced in the region. Amtrak serves passenger travel needs.

Yuba County is located along the eastern edge of the Sacramento Valley within the Sacramento River Basin. It is one of the largest basins in California, encompassing approximately 26,500 square miles. The County is predominantly drained by the Feather, Yuba, and Bear Rivers, which flow into the Sacramento River and ultimately into the Pacific Ocean through San Francisco Bay. The melting snow pack in the Sierra Nevada, in combination with the operation of numerous reservoirs within the system, maintains flows in Sacramento year round. The primary drainages in Yuba County are the Bear River, North, Middle, and mainstem Yuba Rivers, Dry Creek, Honcut and South Honcut Creeks, and the Feather River. Reservoirs include Englebright, Merle Collins, New Bullards Bar, Lake Francis, and Camp Far West.

Some parts of Yuba County have changed substantially since the last General Plan update (adopted 1996), including Olivehurst - Plumas Lake, Linda, and the city of Wheatland. Large areas along State Route (SR) SR-65 and SR-70 have been developed or approved for development. Most foothill areas of the County have not experienced substantial development, although there have been minor subdivisions and small projects. Many foothill and mountain areas are publicly held open space, grazing lands, or otherwise rural and agricultural in nature.

## **1.2 PROJECT HISTORY**

The County initiated the current General Plan Update process in 2007. The County has solicited input from citizens, public agencies, and decision makers in this long-range planning process. County staff has held numerous meetings with the community, workshops with the Board of Supervisors and Planning Commission, and workshops with local high school students. In addition, the County has conducted eight public meetings with the General Plan Update Advisory Committee (Advisory Committee). In addition to these meetings, the County has solicited and received many comments and requests involving hundreds of combined participants. This input has helped to identify important issues, propose solutions, and ultimately create a vision for the future of the County. Many of the issues identified during this outreach process relate to environmental topics that were addressed in the program EIR.

## 1.3 PROJECT OBJECTIVES

The 2030 General Plan proposes an update of the County's existing 1996 General Plan. The updated General Plan has been significantly revised and reorganized. The overarching purpose of the updated plan is to provide policy guidelines for future development and conservation in the County and adapt to issues that have emerged since the creation of the previously written elements.

The General Plan provides the framework for decisions guiding where and how development should occur and the priorities given to the County's natural resources in order to achieve the highest quality of life possible for its residents. The 2030 General Plan objectives include:

- ▶ Proactively direct long-term development in the unincorporated County according to the General Plan Update Vision, Goals, and Strategies.
- ▶ Revitalize existing communities, neighborhoods and primary transportation corridors.
- ▶ Offer a variety of housing types to meet “lifecycle” needs (young adulthood through retirement), freedom of choice, and affordability to local workers.
- ▶ Protect agricultural lands, rural landscapes, air and water quality, and natural resource areas that prove to be positive characteristics of Yuba County.
- ▶ Strive for a balance between jobs and housing—both numerically and demographically—by promoting jobs for our residents.
- ▶ Promote and encourage new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents.
- ▶ Through efficient infrastructure planning and prudent financing mechanisms, keep impact fees as low and competitive as possible in order to attract employment opportunities to the County.
- ▶ Promote existing growth areas as the engines of the economy by focusing on existing cities, downtown areas, and primary corridors.
- ▶ Continue to promote our recreational and tourism opportunities.
- ▶ Encourage retail, services, and jobs conveniently located for residents in order to reduce travel demand, reduce vehicle miles traveled and associated air pollution, lower household transportation costs, and reduce transportation infrastructure costs.
- ▶ Encourage the ability for future incorporation and/or annexation of unincorporated areas by establishing realistic and manageable growth boundaries.
- ▶ Focus on build out of the partially built existing specific plans and promote modification to those plans consistent with the vision and goals of the General Plan when opportunities arise.
- ▶ Preserve foothill community boundaries that will continue to enhance and allow for open space, grazing lands, deer herds and oak woodlands which define the rural character of the foothills and the County as a whole.
- ▶ Guide long-term development and conservation within the County's rural communities, in order to make them more environmentally and economically sustainable places.

- Protect prime agricultural lands, rural landscapes, and other natural resources.

## 1.4 PROJECT SUMMARY

The General Plan is the County's overarching policy and planning document. The General Plan indicates the County's long-range objectives for physical development and conservation. The General Plan provides decision makers, County staff, property owners, interested property developers and builders, and the public-at-large with the County's policy direction for managing land use change. The General Plan is comprehensive in scope, addressing land use, transportation, housing, conservation of resources, economic development, public facilities and infrastructure, public safety, and open space, among many other subjects.

### 1.4.1 PURPOSE

The 2030 General Plan Update process provides the necessary information and analysis to allow decision makers and the public to identify consensus goals for the future. The General Plan also identifies the policies and actions that are necessary to achieve these goals between the present and 2030, while also fulfilling legal requirements in California for comprehensive planning. The combined narrative and diagrammatic information in the General Plan represents the County's overarching policy direction for physical development and conservation. The General Plan puts decision makers, County staff, property owners, property developers and builders, and the general public on notice regarding the County's approach to managing land use change. Basic functions of the General Plan include:

- **A clear vision for the future.** The General Plan describes the desired future of Yuba County. Based on consensus developed during the Update process, the General Plan establishes the vision for the type, amount, character, and location of development, priorities for conservation, and the overall quality of life that should be enjoyed locally.
- **Guide for decision making and proactive measures.** The General Plan provides educational material and background information to help the reader understand planning issues and provide context to help the reader understand the policy guidance. A thorough understanding of the policy guidance in the General Plan will help the County in daily and longer-term decision making that moves toward the General Plan's goals. The County will review the General Plan in correlation with decisions on private development projects, public investments, and other important decisions, making any necessary revisions to plans and projects to achieve consistency with the General Plan. The General Plan process offers the County the opportunity to plan proactively, based on the vision for Yuba County, rather than simply reacting to individual development proposals. The General Plan describes several areas where proactive measures must be taken on economic development, community revitalization, and other priority areas in order to achieve Countywide planning goals.
- **Legal requirement.** The General Plan has been prepared to fulfill the requirements of State law and guidelines adopted by the California Office of Planning and Research. State law not only requires adoption of the General Plan, but also that zoning, subdivision regulations, specific plans, capital improvement programs, and other local measures be consistent with the General Plan. The General Plan provides the framework for the County to exercise its land use entitlement authority in unincorporated areas.

The framework for land use change provided in the General Plan allows the County and other public service providers (such as the community services districts, public utility districts, fire districts, water and irrigation districts, and school districts) to plan for services and facilities consistent with the Plan. The General Plan is also the basis for all other planning efforts, such as specific plans, community plans and redevelopment plans.

## 1.4.2 PROCESS OF DEVELOPING THE PREFERRED ALTERNATIVE

A fundamental part of the process of preparing or updating a general plan is the selection of a possible course of action for future growth, development, conservation, and reinvestment in a community. According to California general plan guidelines, alternative concepts for the future of the community should be developed and examined before writing the general plan. This process enables the community to weigh the pros and cons of a variety of possible directions for the future. The County considered several diverse conceptual land use and circulation alternatives. These conceptual alternatives represented distinct approaches to achieving long-range planning and environmental goals, as defined through decision maker and public input.

These conceptual alternatives are not the same as the CEQA alternatives evaluated in the EIR. Unlike site-specific projects, the development of a general plan begins by looking at all conceivable possibilities. As the process moves forward, the County begins to narrow down the options by establishing the goals and principles it wants to achieve in the general plan. Finally, from these goals and principles, the Preferred Alternative is crafted.

In the case of the 2030 General Plan, the Board of Supervisors approved narrative guidance in a document entitled “*Yuba County General Plan Update Vision, Goals & Strategies*” and a diagram called *Sustainable Yuba County: Economy, People & Natural Resources*. The Board of Supervisors provided consensus direction to County staff that this document and diagram was to be used to guide preparation of the 2030 General Plan.

### IMPROVE THE OVERALL QUALITY OF LIFE

To achieve this goal, we will:

- ▶ Have safe neighborhoods/communities that preserve community character and meet resident’s service needs.
- ▶ Create a healthy economy with a balance between the number/types of jobs and the needs of working residents.
- ▶ Revitalize existing communities, neighborhoods and primary transportation corridors.
- ▶ Have schools, parks, and public gathering places that provide a safe enjoyable environment and promote active, healthy lifestyles.
- ▶ Provide public services such as law enforcement, fire protection, public transportation and civic facilities at appropriate levels for urban and rural communities.
- ▶ Provide the highest level of flood protection possible for our residents.
- ▶ Encourage efficient, cost-effective, and sustainable infrastructure.
- ▶ Offer a variety of housing types to meet “lifecycle” needs (young adulthood through retirement), freedom of choice, and affordability to local workers.
- ▶ Protect agricultural lands, rural landscapes, air and water quality, and natural resource areas that prove to be positive characteristics of Yuba County.

### ECONOMIC INDEPENDENCE

To achieve this goal, we will:

- ▶ Strive for a balance between jobs and housing—both numerically and demographically—by promoting jobs for our residents.

- ▶ Promote and encourage new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents.
- ▶ Through efficient infrastructure planning and prudent financing mechanisms, keep impact fees as low and competitive as possible in order to attract employment opportunities to the County.
- ▶ Promote appropriate home business opportunities which utilize advances in electronic technology and have minimal impacts on residential areas.
- ▶ Continue to support and take advantage of our existing economic assets such as Beale AFB, Yuba College, Yuba County Airport, agriculture, and existing local businesses.
- ▶ Promote existing growth areas as the engines of the economy by focusing on existing cities, downtown areas, and primary corridors.
- ▶ Continue to promote our recreational and tourism opportunities.

## **SUSTAINABLE AND VIBRANT VALLEY COMMUNITIES**

To achieve this goal, we will:

- ▶ Encourage retail, services, and jobs conveniently located for residents in order to reduce travel demand, reduce vehicle miles traveled and associated air pollution, lower household transportation costs, and reduce transportation infrastructure costs.
- ▶ Support the vision, goals and policies of the cities of Marysville and Wheatland in order to achieve their future sustainability.
- ▶ Encourage the ability for future incorporation and/or annexation of unincorporated areas by establishing realistic and manageable growth boundaries.
- ▶ Focus on build out of the partially built existing specific plans and promote modification to those plans consistent with the vision and goals of the General Plan when opportunities arise.
- ▶ Provide flexibility for a property owner to sell their land development entitlement to another property owner (Transfer of Development Rights) if the transfer does not result in impacts to either the receiving or transferring community that cannot be adequately mitigated
- ▶ Link new transportation, water and sewer infrastructure to sound and sustainable policies.
- ▶ Efficiently provide public improvements and services. Consider lifecycle costs– long-term operation and maintenance costs in addition to initial construction costs. Strive for regionalized facilities.
- ▶ Ensure that existing and future communities are healthy places to live by promoting a physically active lifestyle with clean air to breathe and safe facilities to meet the community's needs.
- ▶ Invest in the physical infrastructure of existing communities through infill, reuse, and intensification of well-serviced centers and corridors.
- ▶ Build communities that respond to the social and cultural needs of existing and new residents.
- ▶ Strive to create a distinctive sense of place, character, and vibrancy for every community that attracts people and investment.

## **PRESERVATION OF RURAL LIFESTYLE**

To achieve this goal, we will:

- ▶ Reexamine existing plans in the foothills that provide for urban or suburban levels of density that may no longer be preferred for the County and should be re-evaluated in light of infrastructure feasibility, interests of the community, etc.
- ▶ Preserve foothill community boundaries that will continue to enhance and allow for open space, grazing lands, deer herds and oak woodlands which define the rural character of the foothills and the County as a whole.
- ▶ Reexamine feasibility of continued subdivision into five acre parcels within the foothill community boundaries based on water availability, adequate soil for waste disposal, and other environmental or physical constraints.
- ▶ Ensure that existing residences and resources are protected in the process of evaluating future subdivisions.

## **RESOURCE PROTECTION**

To achieve this goal, we will:

- ▶ Protect prime agricultural lands, rural landscapes, and other natural resources. Consider importance of these lands to the County's quality of life.
- ▶ Increase the viability of our agricultural areas by allowing for compatible agricultural related businesses such as, but not limited to, processing facilities, agro-tourism, and boutique farming.
- ▶ Encourage and promote the use and harvesting of natural resources in ways that benefit the County as a whole.
- ▶ Protect agricultural lands from residential encroachment.
- ▶ Protect our air and water quality by implementing responsible and realistic policies that protect these precious resources.

## **2 FINDINGS REQUIRED UNDER CEQA**

### **2.1 PROCEDURAL FINDINGS**

The Board of Supervisors of the County of Yuba finds as follows:

Based on the nature and scope of the Yuba County 2030 General Plan, SCH #2010062054, (herein after the “project”), the Yuba County Planning Department determined, based on substantial evidence, that the project may have a significant effect on the environment and prepared a program environmental impact report (“EIR”) for the project. The EIR was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code Sections 2100 et seq. (“CEQA”) and the CEQA Guidelines (14 California Code of Regulations Sections 1500 et. Seq.), as follows:

- A. A Notice of Preparation (“NOP”) of the Draft EIR was filed with the Office of Planning and Research and each responsible and trustee agency and was circulated for public comments from June 17<sup>th</sup>, 2010 through July 16<sup>th</sup>, 2010.
- B. A Notice of Completion (“NOC”) and copies of the Draft EIR were distributed to the Office of Planning and Research on December 10<sup>th</sup>, 2010, to those public agencies that have jurisdiction by law with respect to the project, or which exercise authority over resources that may be affected by the project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought. The County sought input on the Draft EIR between December 10<sup>th</sup>, 2010 and February 9<sup>th</sup>, 2011. The County provided a longer period of time than required in order to allow greater public review and input.
- C. An official 60-day public comment period for the Draft EIR was established by the Office of Planning and Research. The public comment period began on December 10, 2010 and ended on February 9, 2011.
- D. A Notice of Availability (NOA) of the Draft EIR was mailed to all interested groups, organizations, and individuals who had previously requested notice in writing on December 10, 2010. The NOA stated that the County has completed the Draft EIR and that copies were available at [www.yubavision2030.org](http://www.yubavision2030.org), the Yuba County Community Services & Development Services Agency, Planning Department, 915 8<sup>th</sup> Street, Suite 123, Marysville, or at the Yuba County Public Library, 303 2<sup>nd</sup> Street, Marysville.
- E. A public notice was placed in the Appeal-Democrat on December 10, 2010, which stated that the Draft EIR was available for public review and comment.
- F. A public notice was posted in the office of the Yuba County Clerk on December 10, 2010.
- G. Following closure of the public comment period, all comments received on the Draft EIR during the comment period, the County’s written responses to the significant environmental points raised in those comments, and additional information added by the County were added to the Draft EIR to produce the Final EIR.

### **2.2 RECORD OF PROCEEDINGS**

For purposes of CEQA and these findings, the record before the County includes the following:

- 1. The DEIR and all appendices to the DEIR
- 2. The FEIR and all appendices to the FEIR;

3. All notices required by CEQA, staff reports, and presentation materials related to the 2030 General Plan;
4. All studies conducted for the 2030 General Plan and contained in, or referenced by, staff reports, the DEIR, or the FEIR;
5. All public reports and documents related to the 2030 General Plan prepared for the County and other agencies;
6. All documentary and oral evidence received and reviewed at public hearings, study sessions, and workshops and all transcripts and minutes of those hearings related to the 2030 General Plan, the DEIR, and the FEIR;
7. For documentary and informational purposes, all locally-adopted land use plans and ordinances, including, without limitation, general plans, specific plans and ordinances, master plans together with environmental review documents, findings, mitigation monitoring programs, and other documentation relevant to planned growth in the area; and,
8. Any additional items not included above if otherwise required by law.

The Final EIR is incorporated into these findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the project in spite of the potential for associated significant and unavoidable adverse impacts.

## **2.3 FINDINGS**

The 2030 General Plan is substantially self-mitigating through the inclusion of environmentally beneficial goals, policies, and actions. Some components of the General Plan will be required through the development approval process, while other parts will be implemented through public investments or other proactive programs undertaken by the County during the planning horizon of the 2030 General Plan. For the purposes of these findings, the impact discussions include the relevant General Plan policies and actions, as well as the separate mitigation measures imposed to reduce the impacts where the policies did not result in a less-than-significant impact. In the findings that follow, impact numbers are provided. The impact numbers correspond to sections of the County's EIR which contain an expanded discussion of impacts. Please refer to the referenced impact sections of the EIR for more detail.

### **2.3.1 SIGNIFICANT OR POTENTIALLY SIGNIFICANT IMPACTS MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL**

The following impacts of the project are reduced to a less-than-significant level through the implementation of policies and actions in the General Plan or separate mitigation measures and are set out below. Pursuant to California Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), as to each impact, the Yuba County Board of Supervisors, based on the evidence in the record before it, finds that changes or alterations incorporated into the project by means of conditions or otherwise, mitigate, avoid, or substantially lessen to a level of insignificance these environmental impacts of the project. Some changes or alterations are incorporated into the project by means of policies and actions contained in the 2030 General Plan. In other cases, the County has provided separate mitigation measures, as needed, to address potentially significant impacts. The basis for the finding for each impact is set forth below.

The section numbering used in the summary of findings below are the same used in the County's General Plan EIR. In addition to the supporting information presented below, please refer to the EIR, under separate cover, for greater detail.

## BIOLOGICAL RESOURCES

**IMPACT 4.4-2** **Impacts to Special-Status Plants.** *Adopting and implementing the 2030 General Plan would accommodate development in areas of the County that support habitat for special-status plant species, which could result in loss of special-status plants either through direct removal or through habitat degradation, if they are present..*

### Relevant Policies of the 2030 General Plan

- ▶ **Policy NR5.1:** New developments that could adversely affect special-status species habitat shall conduct a biological resources assessment and identify design solutions that avoid such adverse effects. If, after examining all feasible means to avoid impacts to special-status species habitat through project design, adverse effects cannot be avoided, then impacts shall be mitigated in accordance with guidance from the appropriate state or federal agency charged with the protection of the subject species, including pre-construction surveys conducted according to applicable standards and protocols, where necessary.
- ▶ **Policy NR5.5:** The County will support cooperative restoration, development, and promotion of natural resources with the U.S. Fish and Wildlife Service, the Army Corps of Engineers, the Bureau of Reclamation, the U.S. Forest Service, and other public agencies with an interest in the Yuba County's water and wildlife assets.

### Finding

Implementing 2030 General Plan policies will reduce adverse effects on special-status plant species in the County to a less-than-significant level because the policies require new developments to identify and avoid special-status plant populations and their habitats and to mitigate unavoidable impacts in coordination with state and federal agencies, which use standards and protocols designed to mitigate biological resource impacts to less-than-significant levels. With the implementation of the above mentioned policies, along with the Open Space Diagram (Exhibit Natural Resources-1), the Land Use Diagram (Exhibit Community Development-2), and the Land Cover Exhibit (Exhibit Natural Resources-5 in the 2030 General Plan, implementing the 2030 General Plan would not result in the irreversible decline of any special-status plant species or substantially reduce the number or restrict the range of a special-status plant species. Therefore, General Plan policies would ensure that this impact would be **less than significant**.

**IMPACT 4.4-5** **Potential for Direct and Indirect Impacts on Federally Protected Wetlands and Other Waters of the United States.** *Implementation of the 2030 General Plan could result in direct impacts to federally protected wetlands and other waters of the United States, including vernal pools, freshwater emergent wetlands, and rivers, streams, and other water bodies. Impacts could occur through habitat conversion, encroachment, routine maintenance, or other activities in the immediate vicinity of rivers and other water bodies and in habitat supporting wetlands. Indirect impacts could result from adjacent development that leads to habitat modifications such as changes in hydrology.*

### Relevant Policies and Actions of the 2030 General Plan

- ▶ **Policy NR5.4:** New developments shall be located and designed to preserve and incorporate existing native vegetation to the maximum extent feasible. Fire safety standards may override consideration of retaining existing vegetation in certain circumstances.
- ▶ **Policy NR5.5:** The County will support cooperative restoration, development, and promotion of natural resources with the U.S. Fish and Wildlife Service, the Army Corps of Engineers, the Bureau of Reclamation, the U.S. Forest Service, and other public agencies with an interest in the Yuba County's water and wildlife assets.

- ▶ **Policy NR5.6:** The County will seek funding to enhance and restore habitat along the Yuba River, in coordination with development of recreational facilities and public access.
- ▶ **Policy NR5.9:** New developments shall be designed to avoid the loss of jurisdictional wetlands. If loss is unavoidable, the County will require applicants to mitigate the loss on a “no net loss” basis through a combination of avoidance, minimization, restoration, and/or constructed wetlands, in accordance with federal and state law.
- ▶ **Policy NR5.15:** Roads, water lines, sewer lines, drainage facilities, and other public facilities constructed to serve unincorporated County development shall be located and designed to avoid substantial impacts to stream courses, associated riparian areas, and wetlands, to the greatest extent feasible.
- ▶ **Action NR5.1: Environmental Review and Mitigation.** The County will maintain information on biological resources, including data gathered for this General Plan and the NCCP/HCP, and will use this information to determine whether projects could have potentially significant impacts on biological resources, and whether project-level biological assessments would be required prior to project approval. Private and public projects will be required to comply with provisions of the California Environmental Quality Act (CEQA), including documentation and mitigation of potentially significant impacts. The County will identify a range of exemptions and streamlining for infill development projects where the County is the CEQA lead agency, including streamlining of biological resource information that is necessary to entitle such development projects. For projects that would affect the function and value of river, stream, lake, pond, or wetland features, each of these features shall be delineated. For wetlands, the delineation shall be conducted in accordance with the U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual and verified by USACE. The County will identify standard mitigation and survey requirements, if necessary, for use with project level CEQA review, as well as National Environmental Policy Act (NEPA) review, where needed. The standard mitigation and survey requirements will be consistent with applicable guidance from trustee and responsible agencies, such as the California Department of Fish & Game, the Army Corps of Engineers, and the U.S. Fish and Wildlife Service. Mitigation monitoring shall be conducted to ensure performance criteria are met.
  - **Related Goals:** Goal NR5, Goal NR10, Goal HS3, Goal HS8, Goal CD11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Project applicant funding for private plans and projects, various sources of funding for public projects
  - **Time Frame:** Ongoing, as projects are proposed under the 2030 General Plan
- ▶ **Action NR5.3: Wetland and Riparian Buffers.** Through review of proposed private and public projects near wetlands and riparian areas, the County will require buffering to protect these important habitats. Setbacks are expected to range from 33 to 150 feet in width. Where stream courses are contained within levees, as in the case of the Bear, Feather, and Yuba Rivers, required setbacks shall be measured from the outside toe of the levee. Where levees are not present, the buffer shall be measured from the edge of the active floodway. Setbacks will be included as a part of conditions of approval for proposed projects. The depth of the setback shall be determined based upon site-specific conditions and communication with appropriate trustee and responsible agencies, such as the California Department of Fish & Game, the U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service. Depending on the vegetation type, ongoing management of buffers may be necessary to address invasive species, human disturbance, and to sustain habitat and water quality functions. Buffers should generally be subject to a permanent covenant, such as a conservation easement, and shall include an ongoing maintenance agreement with a land trust or other qualified organization. In the case of vernal pool wetlands, sufficient area shall be preserved to maintain the hydrologic integrity of each vernal pool to be preserved. Low-impact recreation could be allowed in buffer areas so long as impacts to these

sensitive habitats are avoided or fully mitigated. Human and pet disturbance in sensitive habitat areas should be discouraged as a part of buffer and project design.

- **Related Goals:** Goal NR5, Goal NR10, Goal HS3, Goal HS8, Goal CD11
- **Agency/Department:** Community Development and Services Agency
- **Funding Source:** Project applicant funds
- **Time Frame:** Ongoing, as projects are proposed

## Mitigation Measures

### **Mitigation Measure 4.4-5: Waters of the United States.**

The following measures shall be implemented, in addition to the 2030 General Plan policies and actions, to reduce significant impacts on wetlands and other waters of the United States:

- ▶ A permit from the USACE will be required for any activity resulting in impacts of “fill” of wetlands and other waters of the United States. If the impact acreage is below one half acre, the project may qualify for a Nationwide Permit. If impacts exceed one half acre, a letter of permission or individual permit from the USACE will be required prior. Project applicants shall be required to obtain this permit prior to project initiation. A wetland mitigation plan that satisfies USACE requirements will be needed as part of the permit application.
- ▶ Projects applicants that obtain a Section 404 permit will also be required to obtain certification from the Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of the CWA. If the project involves work on the bed and bank of a river, stream or lake, a Streambed Alteration Agreement for CDFG pursuant to Section 1600 et al. of the Fish and Game Code will also be needed. Project applicants shall be required to obtain all needed permits prior to project implementation, to abide by the conditions of the permits, including all mitigation requirements, and to implement all requirements of the permits in the timeframes required therein.

## Finding

Implementing 2030 General Plan policies and actions, along with the additional mitigation measures, is expected to reduce significant impacts on wetland and other waters of the United States to a **less-than-significant** level by requiring delineation and avoidance of these habitats to the maximum extent feasible, establishment of wetland habitat buffers, and limiting activities such as maintenance and recreation within those buffers, and by providing compensation for unavoidable impacts in a manner that would ensure no net loss of overall wetland habitat.

## **GEOLOGY, SOILS, MINERAL RESOURCES, AND PALEONTOLOGICAL RESOURCES**

**IMPACT 4.6-8** **Potential damage from a seiche.** *The 2030 General Plan Land Use Diagram and Open Space Diagram indicate that new development would be limited around Collins Lake and substantial new development would not be consistent with the General Plan around New Bullards Bar Reservoir. However, it is possible that buildout of the 2030 General Plan could accommodate a very limited amount of development in areas located at risk of damage from a seiche. Enclosed water bodies within the County are potential locations for a seiche to occur as a result of an earthquake and lake users, lake shorelines, and areas downstream of dams are at risk of potential damage from a seiche.*

## Relevant Policies and Actions of the 2030 General Plan

- ▶ **Policy HS9.1:** The County will review development projects, plans, and public investment decisions to ensure consistency with the Multi-Jurisdictional Multi-Hazard Mitigation Plan.
- ▶ **Policy HS9.2:** The County will provide public access to emergency response procedures in such locations as the Government Center, the County library, and public schools and will otherwise promote awareness of emergency response and evacuation plans.
- ▶ **Policy HS9.3:** The County will coordinate with Caltrans to maintain Highways 20, 70, 49, and 65 in the lower half of the County and the County will maintain Marysville Road, Frenchtown Road, and La Porte--Quincy Road in the upper half of the County as primary emergency access and evacuation routes and improve other roads, as necessary, such as Plumas Arboga Road, to create additional evacuation routes.
- ▶ **Policy HS9.4:** The County's development and improvement standards will require a circulation system with multiple access points, adequate provision for emergency equipment access, and evacuation egress.
- ▶ **Action HS9.1: Emergency Access and Evacuation Routes.** The County will seek funding to implement Action Items listed in the Multi-Hazard Mitigation Plan and future revisions to this Plan, including those actions intended to avoid flooding over emergency access routes. The County will consider, as a part of future revisions to the Multi-Hazard Mitigation Plan, whether new growth accommodated under the General Plan will require improvements to circulation or drainage in order to ensure adequate emergency access and evacuation egress, even in the event of a flood. As noted in Action HS1.2, the County will collaborate with Wheatland and Marysville on development of a flood emergency plan.
  - **Related Goals:** Goal HS9
  - **Agency/Department:** County Office of Emergency Services
  - **Funding Source:** Grant funding
  - **Time Frame:** Ongoing, as funding is available

## Finding

The 2030 General Plan Land Use Diagram and Open Space Diagram indicate that new development would be limited around Collins Lake, reducing the number of additional people and properties potentially exposed to risk from a possible seiche. Substantial new development around New Bullards Bar Reservoir would not be consistent with the General Plan Land Use Diagram, limiting the number of people and amount of property that could be affected by a seiche. In the event of a seiche, both people and property could be affected. While highly unlikely, a large seiche could lead to dam failure. Implementation of the policies and actions of the 2030 General Plan would reduce the risks associated with a potential seiche and possible dam failure that could occur as a result of such an event because people and improved properties would be limited from locating near areas that could be affected by a seiche. According to the Yuba County Multi-Jurisdictional Multi-Hazard Mitigation Plan, "failure of [County] dams during a catastrophic event such as a severe earthquake is considered a very unlikely event. Due to the method of construction, they have performed well and failure is not expected to occur" (YCWA 2005). In addition, the 2030 General Plan provides clear direction for emergency access, evacuation, and concurrence with the Multi-Hazard Mitigation Plan. Exhibit Public Health & Safety-11 in the Public Health & Safety Element identifies primary evacuation routes. Action HS9.1 describes the County's intent to maintain and improve emergency access as new development occurs during buildout of the 2030 General Plan. These policies and actions would ensure that should a seiche occur, County residents would be protected. By limiting development around Collins Lake and New Bullards Bar Reservoir, improved properties would not be in areas that could be

significantly affected by a seiche. With incorporation of 2030 General Plan policies and actions, along with adherence to existing regulations, the impact is considered **less than significant**.

## NOISE AND VIBRATION

**IMPACT 4.11-4** **Increases in Vibration Levels.** *Construction of projects accommodated under the 2030 General Plan could cause a temporary, short-term disruptive vibration if construction activities were to occur near sensitive receptors. Under the 2030 General Plan, future development of new vibration-sensitive land uses could occur within vibration-generating areas (e.g., railroads). However, the 2030 General Plan would also include policies and actions to reduce the potential for vibration levels to exceed established standards.*

### Relevant Policies of the 2030 General Plan

- ▶ **Policy HS10.6:** New developments shall provide all feasible noise mitigation to reduce construction and other short-term noise and vibration impacts as a condition of approval.
- ▶ **Policy HS10.13:** New developments that propose vibration-sensitive uses within 100 feet of a railroad or heavy industrial facility shall analyze and mitigate potential vibration impacts, to the greatest extent feasible.
- ▶ **Policy HS10.15:** New developments that would generate substantial long-term vibration shall provide analysis and mitigation, as feasible, to achieve velocity levels, as experienced at habitable structures of vibration-sensitive land uses, of less than 78 vibration decibels.

### Finding

2030 General Plan requires use of project-specific vibration mitigation measures (preparation of vibration analysis and implementation of vibration abatement measures, as necessary and to the greatest extent feasible) to mitigate vibration impacts to sensitive land uses. Implementation of the above referenced policies in the 2030 General Plan would reduce the potential for vibration levels in areas of new vibration-sensitive land uses to exceed the standards contained in Policy HS10.15 (78 vibration decibels [VdB]). According to the Federal Transit Administration (FTA) 80 VdB is the maximum-acceptable vibration standard with respect to human annoyance for residential uses. Since the County's policy would require analysis and mitigation to ensure against vibration impacts that have been determined to cause annoyance for humans in the context of residential use, this impact is considered **less than significant**.

**IMPACT 4.11-5** **Noise Levels Near Airports.** *Future development of noise-sensitive land uses would occur under the 2030 General Plan within areas that are affected by noise from airport operations. However, the 2030 General Plan would also include policies and actions to reduce the potential for noise levels to exceed established standards at noise-sensitive receptors.*

### Relevant Policies and Actions of the 2030 General Plan

- ▶ **Policy HS4.3:** New construction within the Air Installation Compatibility Use Zone 65 dBA CNEL noise contours for the existing and potential future missions [at Beale AFB] shall use building materials and construction techniques to mitigate noise impacts.
- ▶ **Policy HS10.2:** If existing noise levels exceed the acceptable levels listed in Table 4.11-10, new developments are required to incorporate mitigation to reduce noise exposure in outdoor activity areas to the maximum extent feasible and include mitigation designed to achieve acceptable interior noise levels, as defined in Table 4.11-10.

- ▶ **Policy HS10.4:** If existing noise levels exceed the maximum allowable levels listed in Table 4.11-11, projects are required to incorporate mitigation to reduce noise exposure in outdoor activity areas to the maximum extent feasible and include mitigation to achieve acceptable interior noise levels, as defined in Table 4.11-10.
- ▶ **Policy HS10.11:** Lands within the 65 dBA CNEL noise contour of Beale Air Force Base, Yuba County Airport, and Brownsville Airport shall be maintained in agricultural, open space, commercial, industrial, or other uses permitted by the subject airport's adopted Comprehensive Land Use Plan (CLUP) and consistent with the recommendations of the Beale Joint Land Use Study, including noise contours associated with future hypothetical missions, as appropriate.
- ▶ **Action HS10.1: Airport Land Use Planning.** The County will coordinate development requests in areas addressed by Airport Comprehensive Land Use Plans (CLUPs) according to the land use restrictions embodied in those plans and will initiate amendments to the General Plan and revisions to zoning, if necessary, following updates to local CLUPs.
  - **Related Goals:** Goal HS10
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Project applicant funding
  - **Time Frame:** Ongoing, as projects are proposed within zones addressed by local CLUPs

## Finding

The potential for noise in sensitive areas is reduced by policies in the 2030 General Plan that require use of project-specific noise mitigation measures (building design improvements, and implementation of other noise abatement measures, as necessary) and require that development of land uses be consistent with CLUPs to mitigate noise impacts to sensitive land uses. Implementation of policies and actions in the 2030 General Plan would reduce the potential for noise levels in areas of new noise-sensitive land uses so that such uses are not affected by noise in excess of local standards attributable to airport operations. Therefore, this impact is considered **less than significant**.

## UTILITIES AND SERVICE SYSTEMS

**IMPACT 4.14-1 Exceed Wastewater Treatment Requirements.** *Implementation of the 2030 General Plan would result in the development of new residential, commercial, industrial, and civic uses, which would increase local demand for wastewater treatment facilities. It is possible that land use change could exceed the capacity of wastewater treatment facilities. It is possible that, depending on the specific uses developed under the 2030 General Plan, wastewater treatment requirements may be exceeded.*

## Relevant Policies and Actions of the 2030 General Plan

- ▶ **Policy CD12.2:** New developments will be required to construct and dedicate and/or fund on a fair-share basis wastewater collection, conveyance, and treatment facilities consistent with applicable local, State, and federal standards.
- ▶ **Action CD12.1: Facility Planning.** Following adoption of the General Plan, as funding allows, the County will seek to draft and/or update long range facility plans for relevant County departments. The Community Development and Services Agency will provide detail on population growth assumptions for different parts of the County to assist with the facility planning effort. It is anticipated that joint-use and operation opportunities would arise from a coordinated facility planning process that involves multiple County departments. The

County should identify and prioritize discrete projects in the facilities master plan. Facility master plan projects would be a part of the County's ongoing capital improvements programming and the subject of grant applications. For example, the County should coordinate facility master plan updates with applications for the US Department of Agriculture's Rural Development low-interest loan and grant programs for rural parts of the County.

- **Related Goals:** Goal CD12
  - **Agency/Department:** Community Development and Services Agency; Administrative Services Department; Library Department
  - **Funding Source:** Impact fees; federal and state funds; General Fund
  - **Time Frame:** Update facility master plans by 2015
- **Action CD14.1: Impact Fees and Tax/Revenue Agreements.** Following General Plan adoption, the County will coordinate with the cities and other public service agencies on revenue sharing, redevelopment pass-through funding, development impact fees, and other important fiscal arrangements to implement General Plan policies.
- **Related Goals:** Goal CD1, Goal CD2, Goal CD12, Goal CD13, Goal CD14, Goal CD15, Goal CD16, Goal CD17
  - **Agency/Department:** Community Development and Services Agency and County Administrator's Office.
  - **Funding Source:** General Fund
  - **Time Frame:** Ongoing during General Plan buildout.

## **Mitigation Measures**

### ***Mitigation Measure 4.14-1: Wastewater Treatment Verification.***

The County shall implement the following measures to ensure the availability of adequate wastewater collection and removal systems for land development projects in the unincorporated county under the 2030 General Plan:

- Before approval of any tentative subdivision map for a proposed residential project, the County shall formally consult with the appropriate wastewater system provider that would serve the proposed subdivision to make a factual showing or impose conditions to ensure the availability of an adequate wastewater removal system for the proposed development.
- Before recordation of any final subdivision map, or before County approval of any project-specific discretionary approval or entitlement for nonresidential land uses, the project applicant shall demonstrate, based on substantial evidence, the availability of a long-term, reliable wastewater collection and treatment system for the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of a written verification that existing treatment capacity is, or will be available and that needed physical improvements for treating wastewater from the project site will be in place before occupancy.

## Finding

Relevant policies and actions within the 2030 General Plan would reduce the potential to exceed wastewater treatment requirements because new development would be required to construct or fund wastewater treatment facilities capable of accommodating new development. Mitigation Measure 4.14-1 would further ensure that this impact is reduced by requiring the County and project applicants to confirm that adequate wastewater collection and removal systems available for new development prior to the approval of such development. Because developments would not be approved without confirmation of adequate facilities, this impact is considered **less-than-significant**.

### 2.3.2 SIGNIFICANT OR POTENTIALLY SIGNIFICANT IMPACTS FOR WHICH MITIGATION IS OUTSIDE THE COUNTY'S RESPONSIBILITY OR JURISDICTION

Measures to mitigate, avoid, or substantially lessen the following significant and potentially significant environmental impacts from the project are the responsibility and within the jurisdiction of another public agency rather than the County. Pursuant to California Public Resources Code Section 21081(a)(2) and CEQA Guidelines Section 15091(a)(2), the Yuba County Board of Supervisors, based on the evidence in the record before it, finds for each impact that implementation of these mitigation measures can and should be undertaken by another public agency. The County will request, but cannot compel, implementation of the identified mitigation measures described. The impact and mitigation measure and the facts supporting the determination that mitigation is within the responsibility and jurisdiction of another public agency, and not the County, are set forth below. Notwithstanding the disclosure of these impacts, the Board of Supervisors elects to approve the project due to the overriding considerations set forth below in Section 3, the statement of overriding considerations.

#### PUBLIC SERVICES AND FACILITIES

**IMPACT 4.12-4** **Need for New or Expanded Parks and/or Recreation Facilities and Potential for Accelerated Deterioration of Existing Parks.** *Implementation of the 2030 General Plan would result in an increase in population in Yuba County, which would result in an increase in demand for parks and recreation services and require the construction of additional and/or expanded parks and recreation facilities. The construction of facilities could potentially have adverse impacts on the physical environment. Increased population in the unincorporated County could result in heavier use of existing parks within and outside of the unincorporated County, which could lead to accelerated deterioration of such facilities. The General Plan provides the policy direction necessary to fund and construct parks and recreational facilities needed to respond to increased demand. However, this would depend on the cooperation of agencies outside the County's direct control.*

#### Relevant Policies and Actions of the 2030 General Plan

- ▶ **Policy NR1.1:** The County will collaborate with other agencies to ensure a quality park, recreation, natural open space, and trail system that is efficient to administer and cost-effective to maintain.
- ▶ **Policy NR1.2:** Local parks should be developed according to local needs, including those identified in the County's Parks Master Plan and the Olivehurst Public Utilities District Park Master Plan.
- ▶ **Policy NR1.3:** New developments shall contribute in-lieu fees and/or set aside land and dedicate improved, publicly accessible parkland and trails in locations and amounts dictated by applicable park standards, the County's Parks Master Plan, and the County Code.
- ▶ **Policy NR1.4:** The County's requirements for parkland provision may allow parkland credit for passive recreational open space, but at a reduced rate, compared to improved active parkland.

- ▶ **Policy NR1.5:** New developments shall provide for open space corridors consistent with the County's Parks Master Plan, and as needed to provide naturalized drainage and bike/pedestrian connections to nearby neighborhoods and destinations.
- ▶ **Policy NR1.6:** Specific Plans and Community Plans shall provide for publicly accessible parkland and trails, consistent with the General Plan and applicable standards.
- ▶ **Policy NR1.7:** Valley Neighborhoods should provide a diversity of park types at a ratio of at least 5 acres for every 1,000 residents.
- ▶ **Policy NR1.8:** Local parks should be located central to the neighborhood they serve and designed to encourage pedestrian and bicycle access.
- ▶ **Policy NR1.9:** The County will encourage collaboration among recreation providers and local school districts on planning, financing, and development of joint-use parkspace and recreational facilities.
- ▶ **Policy NR1.10:** The County's recreational open space should be designed to provide multiple benefits, including recreational, circulation, and stormwater drainage conveyance and detention. Applicable impact and in-lieu-fees will be reduced to reflect these overlapping uses for developments that include multi-use open space.
- ▶ **Policy NR1.11:** Recreational open space along rivers and streams should incorporate flood control objectives, habitat preservation, and habitat restoration, as appropriate.
- ▶ **Policy NR1.12:** The County will incorporate trails along canals, transmission lines, and other easements and rights-of-way, where feasible, including trail development atop levees, so long as flood protection facilities are not adversely affected.
- ▶ **Policy NR1.13:** The County will communicate with neighboring counties and cities to explore connections with Yuba County's planned regional trail system.
- ▶ **Policy NR1.14:** Recreational facilities and open space should be designed to use recycled materials and green building techniques, minimize surface runoff, reduce water demand, provide habitat for native species, reduce the need for ongoing maintenance, and incorporate universal access principles to facilitate use by people of all ages and abilities. Active portions of parks that may generate light and noise should be located and designed to promote compatibility with the surrounding neighborhood.
- ▶ **Policy NR1.15:** The County will support the establishment and expansion of ecological and agricultural tourism and recreation activities, consistent with the General Plan.
- ▶ **Policy NR1.16:** Natural and recreational open space areas should be provided along the Feather River, the Yuba River and Gold Fields, federal- and state-owned lands, and other river channels, river corridors, and reservoirs in collaboration with relevant agencies and willing property owners.
- ▶ **Policy NR1.17:** The County will collaborate with other service providers and/or a future regional parks and recreation authority to provide youth and adult recreation programming.
- ▶ **Action NR1.1: Regional Park Authority or District.** In order to address regional parks and recreation demand, the communities of Yuba County should take a leadership role in forming a new regional parks and recreation authority and managing recreational programming. This effort will involve close cooperation and coordination among local park authorities, City of Marysville, Olivehurst Public Utilities District, City of Wheatland, Yuba Feather Community Services Districts, school districts, levee districts, and community service groups. The County will initiate the process for forming the regional authority/district in collaboration

with partner agencies and the Yuba Local Agency Formation Commission. There are a variety of organizational and legal forms that this new authority could assume, although an independent park district with its own board of directors may be the best fit for Yuba County. The new park and recreation authority should take on regional-scale projects within Yuba County. The regional authority should provide assistance to community groups, county and city staff, and any other interested parties regarding how to improve their local and regional parks. The regional authority should circulate information about potential park funding sources to these interested parties. It is anticipated that the regional authority's staff would be an important resource for connecting local parks and recreation projects to available funding sources. Following the creation of the regional authority, Yuba County could continue to plan for local parks in unincorporated areas, consistent with the General Plan and Parks Master Plan, using in-lieu fees and other funding approaches. Maintenance and operation would be funded using county service areas, landscape and lighting districts, or other local funding mechanisms. The two cities and the Olivehurst Public Utility District (along with any future utility districts or incorporated cities) could continue to be responsible for planning, development, maintenance, and funding for local parks within their boundaries. Each agency should also be a part of the preliminary cooperative efforts leading up to the creation of a regional park authority/district. A park district can secure funding for capital and operations in a variety of ways. A park district has taxation and bonding authority, subject to voter approval, and can create benefit assessment districts. Regional funding will need to be clearly differentiated from local funding.

- **Related Goals:** Goal NR1, Goal NR2
- **Agency/Department:** Community Development and Services Agency
- **Funding Source:** General Fund, grant funding, fees, and other funding sources, as available
- **Time Frame:** Initiate regional discussions regarding feasibility of regional authority by 2013.

## Finding

Development and operation of new parks that may be needed to serve additional population accommodated under the General Plan could result in adverse impacts on the physical environment. Developed park facilities would be located within the Valley Growth Boundary and the Rural Community boundaries. Natural and recreational open space may be provided in areas outside the Valley Growth Boundary and Rural Community Boundary areas. Regional park and bike trail facilities could potentially be developed in more rural areas of the County. The General Plan includes policies and actions that will reduce impacts of park development both within and outside of the Valley Growth Boundary and Rural Community Boundary areas. The impacts of park development were considered along with the impact analysis of all land use change that could be accommodated under the General Plan. Potential environmental impacts that could result from the construction of facilities, such as parks, are analyzed at a program level in each of the individual subject area sections of the County's General Plan EIR. As appropriate, facilities construction plans would be subject to project-level CEQA analysis and mitigation, once details are available and projects are proposed. Because it is not specifically known at this time the exact locations of future park facilities, there is no additional significant specific impact related to construction of these facilities beyond that which is comprehensively analyzed throughout the General Plan EIR that can be analyzed at this time. That level of detailed analysis is not warranted in the program-level General Plan EIR. In addition, the General Plan identifies the County's policy approach to ensuring adequate provision of parkland as the County grows. This will ensure against overuse of existing facilities that may cause their deterioration.

The 2030 General Plan establishes the overall parkland standard as "a diversity of park types at a ratio of at least 5 acres for every 1,000 residents." Implementation of this standard will require land dedication and/or fees and planning for parkland of different types that is integrated into new growth areas, as well as redevelopment areas. The County, however, is not the primary provider of developed park facilities or recreational programming for all unincorporated areas. Providing a diversity of parkland at ratios that are adequate to avoid overuse of existing facilities will require the cooperation of, and action by other agencies beyond the County's direct control.

The General Plan provides the complete framework for providing parkland and recreational programming (see Action NR1.1), but the County does not have jurisdiction to direct these actions and so cannot unilaterally implement this policy and implementation framework. Because the County cannot guarantee the full implementation of parkland and recreational policies and actions, and because it is possible that parkland and recreational facilities may not be provided at an adequate rate to avoid overuse of existing facilities, mitigation of these potential impacts to a less-than-significant level is facially infeasible, and this impact is considered **significant and unavoidable**.

## TRANSPORTATION AND TRAFFIC

**IMPACT 4.13-3** **Potential Traffic Impacts in Other Jurisdictions.** *Implementation of the 2030 General Plan would contribute to roadways and intersections degrading below the applicable LOS standard of the incorporated Cities of Wheatland, Marysville, and Yuba City, and the adjacent counties of Sutter, Placer, Butte, and Nevada.*

### Relevant Policies of the 2030 General Plan

- ▶ **Policy CD14.4:** The County will coordinate with special districts, cities, LAFCO, SACOG, Caltrans, joint powers authorities, and other relevant agencies to provide efficient local and regional infrastructure, public facilities, and public services.
- ▶ **Policy CD14.9:** The County will support agreements with Marysville and Wheatland that promote mutual goals for fiscal sustainability, growth management, review of spheres of influence, transportation planning, agricultural preservation, emergency access and response, flood protection, renewable energy development, regional infrastructure provision, and other important planning and environmental issues, consistent with the General Plan.
- ▶ **Policy CD17.6:** New developments and specific plans shall analyze and mitigate impacts related to increased travel demand, as feasible and consistent with County General Plan policy.
- ▶ **Policy CD18.2:** County staff will seek input from Marysville and Wheatland, Sutter County, Butte County, Nevada County, Placer County, Sierra County and Yuba City during land use and transportation planning efforts that may have regional effects.
- ▶ **Policy CD18.6:** The County will evaluate and consider the effects of future land use changes on regional circulation facilities as part of land use planning decisions.

### Finding

The above policies require that Yuba County collaborate with adjacent jurisdictions regarding transportation and land use decisions. The County has included all feasible available methods related to regional impacts and reducing travel demand in the form of General Plan policies and actions. Please refer to the 2030 General Plan for details of the relevant policies and actions that would reduce travel demand and also provide other social, economic, and environmental benefits. These include policies CD1.1, CD1.3, CD1.4, CD2.1, CD2.2, CD2.3, CD2.4, CD2.5, CD2.6, CD2.7, CD3.4, CD4.1, CD4.2, CD4.3, CD4.4, CD4.5, CD4.6, CD5.1, CD5.2, CD5.3, CD5.4, CD5.5, CD6.1, CD6.2, CD6.3, CD6.4, CD6.5, CD6.6, CD7.1, CD7.3, CD7.4, CD7.5, CD7.6, CD7.7, CD7.8, CD8.1, CD8.2, CD8.3, CD8.4, CD8.5, CD8.7, CD8.9, CD8.10, CD8.11, CD9.6, CD9.9, CD9.10, CD9.11, CD10.1, CD10.3, CD10.5, CD10.6, CD10.7, CD13.1, CD13.2, CD13.3, CD13.5, CD14.5, CD15.4, CD15.9, CD15.10, CD16.1, CD16.5, CD16.10, CD16.11, CD17.1, CD17.2, CD17.3, CD17.4, CD17.5, CD17.6, CD18.8, CD19.1, CD19.2, CD19.3, CD19.4, CD19.5, CD19.6, CD19.7, CD19.8, CD19.9, CD19.10, CD19.11, CD19.12, CD19.13, CD19.14, CD19.15, CD19.16, CD19.17, CD19.18, CD19.19, CD19.20, CD20.1, CD20.2, CD20.3, CD20.4, CD20.5, CD20.6, CD20.7, CD20.8, CD20.9, CD20.10, CD20.11, CD21.1, CD21.2, CD21.3, CD21.4,

CD21.6, CD21.7, NR1.5, NR1.8, NR1.12, NR1.13, NR2.1, NR2.2, HS3.17, HS5.1, HS5.3, HS5.4, HS5.5, HS5.9, and HS5.12.

Actions proposed by the 2030 General Plan that would also reduce travel demand, include CD3.1, CD5.1, CD7.1, CD10.2, CD15.1, CD16.2, CD17.1, CD19.1, CD19.2, CD19.3, CD21.1, NR2.1, and HS5.1.

Finally, the County's policy diagrams, Exhibits CD-2 and CD-15, provide spatial direction for development patterns and identify, in conceptual terms, non-automobile transportation facilities, the presence of which will help to provide alternatives to automobile travel and therefore reduce travel demand overall.

Potential traffic impacts on other jurisdictions would be reduced by the above policies and actions because consultation between jurisdictions would raise awareness of potential impacts and provide solutions to avoid potential impacts. However, Yuba County cannot unilaterally ensure the timely implementation of needed improvements in adjacent cities or counties because it has no jurisdiction to compel construction of these improvements. Therefore, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact remains **significant and unavoidable**.

**IMPACT 4.13-4**      **Traffic Impacts on Caltrans' Facilities.** *Implementation of the 2030 General Plan would result in Caltrans' facilities degrading below the applicable LOS standard.*

### **Relevant Policies and Actions of the 2030 General Plan**

In addition to policies and actions listed above under the findings for Impact 4.13-3, several General Plan policies specifically address the need to mitigate for impacts to the state highway system.

- ▶ **Policy CD18.3:** The County will pursue agreements with Sutter County, Yuba City, Caltrans, and SACOG to construct a third bridge across the Feather River.
- ▶ **Policy CD18.4:** The County will work cooperatively with Nevada County, Caltrans, and SACOG to improve capacity on State Highway 20 east of Marysville.
- ▶ **Policy CD18.7:** New developments shall analyze impacts to Caltrans facilities and shall provide fair-share funding to address impacts to Caltrans facilities, as feasible.
- ▶ **Policy CD18.8:** The County will coordinate with Caltrans to implement context-sensitive improvements to State facilities that are keyed to local multi-modal transportation needs.

### **Finding**

2030 General Plan policies require that Yuba County coordinate with Caltrans regarding improvements to state facilities and provision of fair-share funding from new developments to address impacts to Caltrans facilities. The County has included extensive narrative and diagrammatic policies and actions intended to reduce travel demand, in addition to providing other benefits. Relevant policies of the 2030 General Plan would reduce impacts on Caltrans' facilities because new developments would be required to provide fair-share funding to address potential impacts from new development. Also, coordination between Yuba County and various agencies regarding traffic issues would further reduce this impact because agencies would work together to identify and implement improvements to reduce traffic impacts. However, Yuba County cannot ensure the timely implementation of needed improvements to Caltrans facilities because they are owned and operated by Caltrans. Therefore, because the County does not have jurisdiction to implement these improvements, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact remains **significant and unavoidable**.

## UTILITIES AND SERVICE SYSTEMS

**IMPACT 4.14-2** **Construction of New or Expanded Water or Wastewater Facilities.** *Implementation of the 2030 General Plan would result in the development of new residential, commercial, industrial, and civic uses, which would increase local demand for water conveyance and wastewater collection, conveyance, and treatment facilities. In addition, implementation of the 2030 General Plan could accommodate development in areas that currently are not served by water systems or a wastewater treatment provider. Construction of new or expanded water and wastewater facilities could have adverse effects on the physical environment.*

### Relevant Policies and Actions of the 2030 General Plan

- ▶ **Policy CD3.5:** Prior to approval, new developments are required to demonstrate consistency with established standards for setbacks from landfills, airports, sewage treatment plants, and other similar uses, as applicable.
- ▶ **Action CD3.1: Compatibility Review and Conditioning of Projects and Plans.** The County will review projects against policies in this General Plan and analysis in the General Plan Environmental Impact Report (EIR) to reduce noise and air quality impacts. The County Zoning Ordinance and development standards should identify design and performance standards for noise, light, glare, air pollution, and other relevant issues. The County will use the General Plan to determine the adequacy of proposed buffering between residential land uses, highways, railroads, airports, industries, mining operations, agricultural operations, and other potentially incompatible uses. The County will condition projects, as appropriate, to provide consistency with this General Plan and the General Plan EIR. The County will balance its goals for infill and mixed-use development with policies and standards for noise, vibration, light and glare, and other issues of compatibility.
  - **Related Goals:** Goal CD3, Goal NR11, Goal HS5, Goal HS10, Goal HS11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; applicant funding for project-specific work
  - **Time Frame:** Ongoing
- ▶ **Policy CD12.2:** New developments will be required to construct and dedicate and/or fund on a fair-share basis wastewater collection, conveyance, and treatment facilities consistent with applicable local, State, and federal standards.
- ▶ **Action CD12.1: Facility Planning.** Following adoption of the General Plan, as funding allows, the County will seek to draft and/or update long range facility plans for relevant County departments. The Community Development and Services Agency will provide detail on population growth assumptions for different parts of the County to assist with the facility planning effort. It is anticipated that joint-use and operation opportunities would arise from a coordinated facility planning process that involves multiple County departments. The County should identify and prioritize discrete projects in the facilities master plan. Facility master plan projects would be a part of the County's ongoing capital improvements programming and the subject of grant applications. For example, the County should coordinate facility master plan updates with applications for the US Department of Agriculture's Rural Development low-interest loan and grant programs for rural parts of the County.
  - **Related Goals:** Goal CD12
  - **Agency/Department:** Community Development and Services Agency; Administrative Services Department; Library Department

- **Funding Source:** Impact fees; federal and state funds; General Fund
- **Time Frame:** Update facility master plans by 2015
- **Policy CD14.1:** The County will support regional electricity, water, wastewater, water conservation, and other agreements, where cost-effective and environmentally sustainable.
- **Action CD14.1: Impact Fees and Tax/Revenue Agreements.** Following General Plan adoption, the County will coordinate with the cities and other public service agencies on revenue sharing, redevelopment pass-through funding, development impact fees, and other important fiscal arrangements to implement General Plan policies.
  - **Related Goals:** Goal CD1, Goal CD2, Goal CD12, Goal CD13, Goal CD14, Goal CD15, Goal CD16, Goal CD17
  - **Agency/Department:** Community Development and Services Agency and County Administrator's Office.
  - **Funding Source:** General Fund
  - **Time Frame:** Ongoing during General Plan buildout.
- **Policy HS3.10:** New developments proposing private well and septic systems shall demonstrate compliance with the County's standards for water wells and sewage disposal systems, which are designed to protect the public and environmental health.

## Finding

The 2030 General Plan policies and actions, in addition to the environmental topic specific policies and actions included throughout the General Plan and referenced throughout the EIR would reduce impacts associated with construction and operation of needed water delivery and wastewater treatment, collection, and conveyance facilities because new development would be required to construct or fund (on a fair-share basis) required facilities and Yuba County would coordinate with other agencies regarding provisions for new or expanded facilities.

By adhering to the policies proposed in the 2030 General Plan, as well as all applicable requirements pertaining to water supply, wastewater treatment, and septic systems, the County could minimize impacts associated with construction of new wastewater treatment facilities or extension of existing facilities or infrastructure. Sections 4.1 through 4.15 of the EIR evaluate the effects of construction activities relative to specific environmental issue areas, such as biological resources (Section 4.4), air quality (Section 4.3), etc., at a programmatic level of detail, as is appropriate for a general plan. Specifically, implementation of the policies and actions of the 2030 General Plan and mitigation measures found in the EIR, where necessary, to reduce or avoid impacts, would help to reduce impacts on the physical environment that could occur as a result of new or expanded water or wastewater facilities. In addition, policies, actions, and mitigation measures that call for funding for improvements can possibly help to reduce impacts on the physical environment by providing adequate funding for environmentally-superior facility design, future environmental analysis, and mitigation, if necessary. However, because it is not specifically known at this time the exact locations of future water or wastewater facilities, there is no additional significant specific impact related to construction or operation of these facilities beyond that which is comprehensively analyzed throughout the General Plan EIR that can be analyzed at this point.

Despite adherence to relevant policies and actions and the application of any necessary project-level mitigation measures, construction and operation of new or expanded water delivery and wastewater conveyance and treatment infrastructure may result in significant environmental effects. Because construction of such

infrastructure could be initiated and carried out by entities not under the control of Yuba County (e.g., Olivehurst Public Utilities District and Linda County Water District), Yuba County cannot ensure complete mitigation. Thus, because Yuba County does not have primary responsibility for construction of such infrastructure, mitigation to a less-than-significant level is not possible and this impact remains **significant and unavoidable**.

## ENERGY

**IMPACT 4.15-2** **Increased Energy Demand and Need for Additional Energy Infrastructure.** *Implementation of the 2030 General Plan would increase energy demand and would result in the need to extend services and infrastructure to new users in Yuba County. Policies of the 2030 General Plan, as well as existing regulations and project-level review would reduce energy demand. However, the future energy demand would require construction and operation of energy-related facilities*

### Relevant Policies and Actions of the 2030 General Plan

- ▶ **Policy NR7.1:** New developments shall address energy conservation in landscaping methods, materials, and design.
- ▶ **Policy NR7.2:** New buildings shall meet state standards for energy efficiency and should provide for renewable energy development and use, to the greatest extent feasible.
- ▶ **Policy NR7.3:** New developments should be designed to take advantage of passive or natural summer cooling and winter solar access.
- ▶ **Policy NR7.4:** New developments should provide street and lot orientation and lot dimensions that facilitate the use of solar energy.
- ▶ **Policy NR7.5:** New developments within the Valley Growth Boundary should orient the majority of buildings so that the longer axis of the building, also known as the ridge line, is oriented east-to-west, in order to maximize the potential for passive solar heating in the winter and to minimize heat gain from the afternoon summer sun.
- ▶ **Policy NR7.6:** New developments should consider energy conservation in building-site orientation and construction, with articulated windows, roof overhangs, appropriate insulation materials and techniques, and other architectural features that improve passive interior climate control.
- ▶ **Policy NR7.7:** Shade trees or other appropriate plantings should be used in new developments to protect buildings from unwanted solar gain in summer months. Using deciduous trees on the southern side of structures is encouraged to allow cooling in the summer and solar gain in winter. Short front setbacks are encouraged to allow shade trees planted in the public right-of-way to provide summertime shading.
- ▶ **Policy NR7.8:** New buildings should emphasize passive and natural lighting systems in architectural design to conserve electricity.
- ▶ **Policy NR7.10:** The County will seek regional, state, and federal funding for energy efficiency improvements in existing buildings and the public realm.
- ▶ **Policy NR7.11:** The County and Yuba County Water Agency should explore opportunities related to future access to hydroelectric power, energy provision, strategic use of local energy resources for employment development, and other programs that have dual environmental-economic benefits.

- ▶ **Policy NR7.12:** The County will encourage financing programs designed to facilitate the installation of renewable energy systems, including those that establish a benefit district and allow property owners to repay over the long term through a special assessment on the property tax bill.
- ▶ **Action NR7.1: Energy Efficiency Retrofits in Buildings and the Public Realm.** The County will proactively track and apply for regional, state, and federal funding to be used for energy efficiency improvements and renewable energy systems installation in existing buildings and the public realm (public rights-of-way, etc.). The County will seek funding for energy efficient systems, energy-efficient appliances, insulation, energy-efficient doors and windows, and other improvements. The County will also consider the feasibility of using fees or actions required to meet County greenhouse gas efficiency policies on a fair-share basis to fund energy efficiency improvements and renewable energy systems in existing developed buildings and the public realm.

The County will update zoning and development standards, as well as permit processes to encourage the use of renewable energy systems that are sited and designed to ensure public safety and reduce aviation conflicts.

- **Related Goals:** Goal NR2, Goal NR7, Goal CD15, Goal HS5
  - **Agency/Department:** Administrative Services
  - **Funding Source:** Grant funding, low-interest loans, impact fees, General Fund, and other appropriate funding sources
  - **Time Frame:** Ongoing, as funding is available.
- ▶ **Policy CD13.1:** Growth should be phased from developed areas and existing infrastructure outward in a logical, efficient manner, and in a way that avoids premature conversion of agricultural lands, changes in rural character, and unnecessary loss of other land-based natural resources.
  - ▶ **Policy CD13.2:** The County will not induce growth by supporting the provision of services or infrastructure in areas that are not planned for development.
  - ▶ **Policy CD14.1:** The County will support regional electricity, water, wastewater, water conservation, and other agreements, where cost-effective and environmentally sustainable.
  - ▶ **Policy CD14.4:** The County will coordinate with special districts, cities, LAFCO, SACOG, Caltrans, joint powers authorities, and other relevant agencies to provide efficient local and regional infrastructure, public facilities, and public services.
  - ▶ **Policy CD15.2:** New developments shall provide for their fair-share cost of providing infrastructure, facilities, and services to serve such development.
  - ▶ **Policy CD15.3:** New developments will be required to designate lands in appropriate locations, sizes, and free of constraints to accommodate public facilities and infrastructure needed to serve such development and/or pay a fair-share fee for land acquisition.
  - ▶ **Policy CD15.12:** The County will require any proposed electrical transmission lines to be located and designed in a way that reduces agricultural and other environmental impacts.

## Finding

The policies described above would reduce the growth rate in local energy demand, increase energy efficiency, and promote opportunities for increased production in ways that reduce the depletion of non-renewable resources.

Additionally, 2030 General Plan policies would ensure that energy infrastructure is coordinated and planned as growth occurs. Federal, state, and local regulations and, including but not limited to the National Energy Act, Energy Policy Act, California Energy Code, California Green Building Standards Code, California Energy Action Plan, AB 32, and SB 375, would be implemented and would ensure that sufficient energy supplies are available to serve the needs of the County. The development and operation of energy facilities within unincorporated Yuba County would be subject to all 2030 General Plan policies and actions, including those intended to reduce aesthetics, air quality, biological, climate change, cultural, noise, hydrology, geology and soils, and other impact areas would also apply to new construction, expansion, and extension of local energy facilities. However, energy use and demand would substantially increase as a consequence of future growth associated with implementation of the 2030 General Plan.

Each of the technical sections (Sections 4.1 through 4.15) of the County's General Plan EIR evaluate the effects of construction activities relative to specific environmental issue areas, such as biological resources (Section 4.4), air quality (Section 4.3), etc., at a programmatic level of detail, as is appropriate for a general plan. These sections comprehensively address direct impacts of 2030 General Plan implementation, as well as indirect effects related to changes needed to support General Plan implementation, such as the construction and operation of new energy facilities.

The County's policies and actions listed above would reduce impacts associated with construction and operation of needed energy facilities at a programmatic level by promoting energy conservation and efficiency for new development. By adhering to the policies proposed in the 2030 General Plan, as well as all applicable State and federal requirements pertaining to energy facilities construction and operation, impacts associated with construction and operation of energy facilities to meet 2030 General Plan demands would be reduced. However, because information about specific project components, including location, are not yet known, future environmental analysis will be necessary to ensure that specific impacts are disclosed and mitigated, if needed. In addition, responsibility for construction and operation of any new energy facilities would be the responsibility of PG&E. Thus, mitigation for impacts resulting from construction or operation of new energy facilities would be beyond the control of Yuba County and this impact remains **significant and unavoidable**.

### 2.3.3 SIGNIFICANT AND UNAVOIDABLE IMPACTS

The following significant and potentially significant environmental impacts of the project are unavoidable and cannot be mitigated in a manner that would substantially lessen the environmental impact. Notwithstanding the disclosure of these impacts, the Board of Supervisors elects to approve the project due to overriding considerations as set forth below in Section 3, the statement of overriding considerations.

#### AESTHETICS

**IMPACT 4.1-1** **Adverse Impacts on Scenic Vistas.** *Yuba County contains varying topography and land cover that provides many different types of views and scenic vistas. Prominent aesthetic resources visible within Yuba County include the Sutter Buttes, Sierra Nevada foothills and mountains, the valley floor, expansive agricultural lands, rivers and river valleys, and lakes and reservoirs. Future development anticipated under the General Plan could potentially block or result in changes to certain scenic views..*

#### Relevant Policies and Actions of the 2030 General Plan

- **Policy NR9.1:** New developments near the Yuba, Bear, and Feather Rivers should be designed and located in a way that retains or enhances scenic views of these important visual resources.

- ▶ **Policy NR9.2:** New plans and projects in western Yuba County should be designed to provide view corridors to the Sutter Buttes, where practical.
- ▶ **Policy NR9.3:** Development in Rural Communities should be designed to preserve important scenic resources, landmarks, and icons that positively contribute to the rural character.
- ▶ **Policy NR9.4:** New buildings in areas of natural and scenic beauty should be placed and designed in a way that preserves scenic vistas available from public rights-of-way, parks, and other public viewing areas.
- ▶ **Policy NR9.5:** The County supports the designation of State Route 49 as a State Scenic Highway, and will guide land use change in areas visible from this highway in a way that preserves important aspects of the visual character.
- ▶ **Policy NR9.6:** Grading and drainage for new developments in foothill and mountain areas should preserve and take advantage of the natural landforms and vegetation (see Exhibit Natural Resources-8).
- ▶ **Policy NR9.7:** New construction should be designed to avoid excessive cut and fill shall by following the natural contour of the subject site.
- ▶ **Policy NR10.1:** Building placement, grading, and circulation should be planned to retain as much existing native vegetation as feasible, with a priority on preserving existing oak trees that have a diameter at breast height (dbh) of 6 inches or greater and all other trees that have a dbh of 30 inches or greater. The County's policies and standards for fire safety may override consideration of retaining existing vegetation in certain circumstances.
- ▶ **Policy NR10.2:** The County will encourage the preservation of healthy, attractive native vegetation during land development. Where this is not feasible, the County will require site landscaping that uses appropriate native plant materials.
- ▶ **Action NR10.1:** Oak Woodlands and Tree Preservation. Following adoption of the 2030 General Plan, the County will adopt and implement a tree preservation and mitigation ordinance. This ordinance will implement state requirements for oak woodlands mitigation (as required by Public Resources Code Section 21083.4, including certain exemptions). The tree preservation ordinance will address native oak trees measuring 6 inches or more in diameter at breast height (dbh) and all other trees greater than 30 inches dbh. The ordinance will describe the process by which the County determines the significance of impacts related to tree removal. For oak woodlands, mitigation can occur through: conservation easements; planting (up to 50% of mitigation requirement); restoration; contribution to the Oak Woodlands Conservation Fund; or equally effective mitigation formulated by the County during development of this ordinance.
  - Related Goals: Goal NR4, Goal NR5, Goal NR9, Goal NR10, Goal HS7
  - Agency/Department: Community Development and Services Agency
  - Funding Source: General fund
  - Time Frame: Adopt ordinance by 2015
- ▶ **Policy NR11.1:** New developments are encouraged to include architectural styles that complement local historic styles including, but not limited to gold rush, agrarian, craftsman, bungalow, American cottage, mountain or rustic styles, and other appropriate styles (Exhibit Natural Resources-9).

- **Policy NR11.2:** In new development areas, service, utility, loading areas, roof-mounted equipment, and noise-generating equipment shall be screened, designed, and located to reduce visibility, odor, and noise as experienced at surrounding properties and pedestrian areas.
- **Policy NR11.3:** New utilities constructed within the Valley Growth Boundary shall be placed underground, where feasible. New utilities in rural areas outside the Valley Growth Boundary shall avoid ridge lines and blocking expansive views from public viewing locations, where feasible.
- **Policy NR11.5:** The County will review and condition nonresidential, multi-family, large single-family projects, and projects located in historically significant areas for compliance with General Plan policy and design guidelines, once guidelines are developed. Large single-family projects are those that propose more than 10 units.

## Finding

The 2030 General Plan policies listed above would help minimize adverse impacts to scenic vistas because urban development would be limited to areas within the County's Valley Growth Boundary, which would help to maintain sweeping views of agricultural lands currently available from foothill and mountain areas. The policies would also ensure that new development is designed to take advantage of and protect visual resources with the least amount of interference with existing views, as feasible. While these policies would reduce adverse impacts on scenic vistas, development associated with implementation of the 2030 General Plan would still result in the permanent degradation of some of the County's scenic views, both partially and wholly. The County has addressed each of the identified important aesthetic resources in the General Plan background documentation, the 2030 General Plan itself, and in the County's General Plan EIR, and has provided policy intended to avoid or lessen impacts related to these aesthetic resources to guide future projects accommodated under the 2030 General Plan.

No feasible mitigation beyond the methods for reducing impacts included in policies under the 2030 General Plan is available to reduce this impact to less than significant because it is impossible to accommodate long-term land use change in the unincorporated County while also preserving all existing views of open space. The project's purpose is to provide a framework governing development of long-term development and conservation in Yuba County. Therefore, complete avoidance of degradation of potentially scenic views is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to develop open land and at the same time preserve views of that open land, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.1-3 Degradation of Visual Character.** *Implementation of the 2030 General Plan would substantially alter the visual character of the unincorporated communities in Yuba County through conversion of agricultural and other open space lands to developed urban uses.*

## Relevant Policies and Actions of the 2030 General Plan

The 2030 General Plan Update contains many goals, policies, and programs which attempt to reduce impacts on visual resources and maintain the County's existing visual character. These policies and actions are shown above under the finding for Impact 4.1-1 and identified throughout the 2030 General Plan.

## Finding

Policies of the 2030 General Plan would maintain or improve the visual character of Yuba County and promote compact development around existing developed areas because relevant policies would preserve visual character of open space and natural visual landscapes in the unincorporated county to the maximum extent feasible. View

corridors, such as views of the Sutter Buttes and areas near the Yuba, Bear, and Feather Rivers would be preserved through building siting and design. New buildings in areas of natural and scenic beauty would be placed and designed in a way that preserves scenic vistas available from public rights-of-way, parks, and other public viewing areas. The preservation of existing trees and native vegetation coupled with the addition of landscaping would preserve and enhance the visual environment. However, the purpose of the 2030 General Plan is to accommodate long-term development needs. It is inevitable that structures developed under the General Plan to accommodate long-term population and employment growth will result in changes to the visual character of the County..

The County has addressed each of the identified important aesthetic resources in the General Plan background documentation, the 2030 General Plan itself, and in the County's General Plan EIR, and has provided policy intended to avoid or lessen impacts related to these aesthetic resources to guide future projects accommodated under the 2030 General Plan. The visual character of both the County's natural and manmade elements is addressed through General Plan policies and actions.

The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. There are no feasible policies or actions that could maintain fully the character of existing visual resources (e.g., agricultural lands, open spaces) while also accommodating long-term population and employment growth in the unincorporated County. Therefore, avoidance of degradation of visual character to a less-than-significant level is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to develop urban uses on existing open space while at the same time preserve the views of that open space, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.1-4** **Increase in Nighttime Lighting and Daytime Glare.** *Development projects would require nighttime lighting and could include construction of buildings with reflective surfaces that inadvertently cast light and glare toward motorists on the County's highways and roadways. Development under the 2030 General Plan would increase the amount of daytime and nighttime light and glare and would introduce a new source of nighttime lighting in an existing rural area.*

### Relevant Policies of the 2030 General Plan

- **Policy NR11.4:** To the maximum extent feasible, new developments shall avoid adverse light and glare effects on adjacent roads, neighboring properties, and pedestrian areas through careful location of on-site lighting, use of non-reflective paint and building materials, screening or shielding light at the source, use of vegetation screening, use of directional lighting, use of lower intensity lighting, use of timing devices or sound/motion-controlled lighting, or other equally effective means.

### Finding

A substantial increase in the amount of nighttime light and glare could result from development of urban land uses throughout Yuba County, potentially obscuring views of stars and other features of the nighttime sky. Lighting and reflective surfaces on buildings (e.g., reflective window glazing) in planned development areas could result in light and glare shining onto motorists traveling along highways and roadways. While this could cause adverse impacts, lighting of new development is necessary for safety and convenience.

Policy NR11.4 of the 2030 General Plan focuses on reducing impacts from lighting and ensuring light intrusion does not cause adverse lighting and glare issues. Most development under the 2030 General Plan is adjacent to existing developed communities, where the addition of new light sources would not create drastically noticeable differences in nighttime views. However, there are undeveloped areas that could be the subject of development projects under the General Plan. Development of greenfield areas, such as the Highway 65 corridor, the area south of Erle Road and east of Highway 70, and certain portions of Rural Communities would add substantial sources of

light and glare compared to current conditions. Adherence to Policy NR11.4 would reduce lighting impacts because it would require that new development consider placement, use of non-reflective materials, screening or shielding, lower-intensity lighting, timing devices, or other means of reducing impacts of new lighting sources.

Development anticipated under the 2030 General Plan would require substantial new lighting and could result in construction of buildings with reflective surfaces that could cast glare toward motorists on local roadways. The 2030 General Plan anticipates development of currently undeveloped areas, such as croplands and grazing lands that are currently void of substantial lighting sources. Development of urban land uses identified in the 2030 General Plan would introduce substantial new light sources adjacent to existing urban communities and new lighting sources in rural portions of Yuba County. This could potentially cause light trespass into the night sky and would create new sources of skyglow. Development under the General Plan could obscure views of stars and other features of the nighttime sky, as viewed from some portions of the unincorporated County. This impact is considered **significant**.

No feasible mitigation beyond the methods for reducing impacts included in policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is impossible to allow new development without some new sources of nighttime lighting or daytime glare. The proposed project's purpose is to provide a framework governing long-term development within the unincorporated County. Lighting is needed to ensure safety within the context of new development. There is not currently available technology that at the same time allows safe levels of lighting for areas around buildings, sidewalks, roadways, and other public rights-of-way, while completely avoiding the potential for adverse effects to the nighttime sky and other light and glare-related effects. Avoidance of nighttime lighting and daytime glare is not possible, while still allowing full buildout of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to develop open land while not adding sources of nighttime lighting or daytime glare, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

## **AGRICULTURE AND FORESTRY RESOURCES**

**IMPACT 4.2-1** **Loss of Important Farmland and Conversion of Agricultural Land to Non-Agricultural Uses.** *Buildout of the 2030 General Plan could result in the conversion of as many as 5,682 acres of Important Farmland and 44,901 acres of grazing land to nonagricultural uses.*

### **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy NR1.15:** The County will support the establishment and expansion of ecological and agricultural tourism and recreation activities, consistent with the General Plan.
- ▶ **Policy NR3.1:** The County's zoning and development standards will be designed to support and avoid conflict with ongoing viable agricultural operations, as well as agriculture-related economic activities.
- ▶ **Policy NR3.2:** New developments adjacent to ongoing agricultural operations shall provide written notice to landowners and residents regarding potential noise, dust, odors, and other effects of adjacent agriculture.
- ▶ **Policy NR3.3:** The County will not consider agricultural operations to be a nuisance in cases where new development occurs in areas near ongoing agricultural operations.
- ▶ **Policy NR3.4:** New developments adjacent to ongoing agriculture shall incorporate design, construction, and maintenance techniques to minimize conflicts with adjacent agricultural uses, including, but not limited to the use of agricultural buffers.

- ▶ **Policy NR3.5:** Agricultural buffers are only required at the edges of Rural Community Boundary areas and the Valley Growth Boundary where there are adjacent ongoing agricultural operations. Buffers are not required in areas adjacent to planned urban development shown on the General Plan Land Use Diagram.
- ▶ **Policy NR3.6:** Agricultural buffers are not required for portions of developments adjacent to existing rural residential development or other types of development on parcels of primarily 5 acres or less.
- ▶ **Policy NR3.7:** Agricultural buffers should be designed to accommodate drainage, trails, roads, other facilities or infrastructure, community gardens, native landscaping, and other uses that would be compatible with ongoing agricultural operations and provide valuable services or amenities.
- ▶ **Policy NR3.8:** The County will support small-scale farming on Valley Neighborhood properties, where such operations are compatible with surrounding uses.
- ▶ **Policy NR3.9:** The County will support agricultural tourism, small-scale agriculture and agricultural processing, such as olive oil production and wineries, in Rural Community Boundary areas, where compatible with surrounding uses.
- ▶ **Policy NR3.10:** Cropland and grazing land may be used for habitat conservation and mitigation purposes, consistent with the Yuba-Sutter County Natural Community Conservation Plan/Habitat Conservation Plan, once adopted.
- ▶ **Policy NR3.11:** Residential dwellings developed in cropland areas shall be secondary to, and supportive of ongoing agricultural operations.
- ▶ **Policy NR3.12:** The County will support the incorporation of renewable energy generation and distribution projects into agricultural operations.
- ▶ **Policy NR3.13:** The County's Economic Development Strategy and Work Plan should include as a focus the expansion of existing agriculture and agriculture-related industries and development of new value-added activities, agricultural processing, distribution, marketing and sales, and other agriculture-related economic activities.
- ▶ **Policy NR3.14:** The County's entitlement process for agricultural operations and improvements will be designed and managed in a way that is efficient and predictable.
- ▶ **Policy NR3.15:** The County will support efforts to agree on a regional approach in the Yuba-Sutter area among counties and cities to protect local agricultural resources and the local agricultural economic base.
- ▶ **Action NR3.1:** Agricultural Zoning. As a part of the comprehensive Zoning Ordinance update that will follow adoption of the General Plan, the County will establish minimum parcel sizes on Cropland and Grazing Land designed to promote their long-term viability for agricultural use. In general, higher per-acre value agricultural operations could accommodate relatively smaller long-term viable parcel sizes, depending on the crop type. Lower per-acre value types of agricultural activity, such as grazing, would need larger parcel sizes in order to be viable on a long-term basis. Determining the minimum viable agricultural parcel size depends on several factors that are subject to change over time. A recent study by the UC Davis Department of Agricultural and Resource Economics does not establish minimum viable parcel size, but suggests that for walnuts in Yuba and Sutter counties, the minimum viable parcel size is more than 20 acres.<sup>1</sup> County staff will collaborate with local experts from UC Cooperative Extension, the Yuba-Sutter Farm Bureau, and other organizations, as well as local farmers for guidance on minimum parcel sizes required to support ongoing

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<sup>1</sup> Karen Klonsky, Department of Agricultural and Resource Economics, UC Davis. Economically Viable Parcel Size. August 28, 2006.

viable operations within the context of local crop types and grazing operations. The County's Zoning Ordinance will be revised to regulate land use and parcel size on Cropland and Grazing Lands outside the Valley Growth Boundary and Rural Communities, based on this guidance.

- **Related Goals:** Goal NR3
  - **Agency/Department:** Community Development and Services Agency; Agricultural Commissioner
  - **Funding Source:** General Fund and/or permit fees
  - **Time Frame:** The County's zoning and development standards will be revised following the General Plan Update. The target date for approving a revised zoning code is 2013.
- **Action NR3.2:** Agricultural/Urban Interface. The County will develop and approve guidelines for the required location and design of agricultural buffers (Exhibit Natural Resources-4). Allowed land uses within buffer areas would include drainage swales, trails, roads, other facilities and infrastructure, community gardens, native landscaping, linear parkland, and other uses that are compatible with ongoing agricultural operations. Buffer guidelines will illustrate methods to avoid conflicts between ongoing agricultural uses and encroaching urban development. Buffers will be designed to avoid nuisance complaints related to dust, spraying, noise, and other relevant issues. The County's guidelines will provide guidance on the appropriate width of buffers. The width will depend on such factors as prevailing winds, crop types, agricultural practices, and other relevant factors. The width of roads, trails, drainage ways, other rights-of-way, and easements may count as part of the buffer.
- **Related Goals:** Goal NR3, Goal HS1
  - **Agency/Department:** Community Development and Services Agency and Agricultural Commissioner
  - **Funding Source:** General Fund and/or fees
  - **Time Frame:** The target date for approving guidelines for agricultural buffers is 2014.

## Finding

As shown, the 2030 General Plan includes policies that are intended to conserve agricultural land and reduce the number of acres converted to other uses by maintaining zoning appropriate for long-term agriculture, continuing the disclosure of agricultural operations and potential inconveniences to nearby residences, directing growth away from important agricultural lands, directing development patterns that consume less agricultural land than past development in the County, and requiring agricultural buffers. However, the purpose of the 2030 General Plan is to develop a framework for future long-term development, and it is inevitable that some conversion of agricultural land to non-agricultural use would occur in accommodating long-term growth needs. The impact is considered **significant**.

Policies and implementation measures under the General Plan seek to reduce impacts to agricultural resources and conserve areas for ongoing agricultural production – as opposed to requiring conservation easements over agricultural land or other approaches that could potentially add cost to development within the Valley Growth Boundary and Rural Community Boundary areas. This is consistent with direction approved by the Board of Supervisors in August and October of 2009 in the document entitled, “*Yuba County General Plan Update Vision, Goals & Strategies*,” including the desire to, “[t]hrough efficient infrastructure planning and prudent financing mechanisms, keep impact fees as low and competitive as possible in order to attract employment opportunities to the County.” Although the appraised value of agricultural conservation easements depends on a number of factors and can be highly variable, a survey of completed agricultural conservation easement projects through grants by

the California Farmland Conservancy Program reveals that, for projects in Butte, San Joaquin, Sutter, Yolo, Solano, Amador, Stanislaus, and Placer counties, the cost of agricultural conservation easements on cropland has varied from roughly \$1,500 to roughly \$16,600 per acre (Department of Conservation 2010).

The 2030 General Plan introduces the concept of a “Valley Growth Boundary.” The intent of the Valley Growth Boundary is, among other objectives, to reduce the overall footprint of future urban development and reduce potential conflicts at the urban-rural edge as part of the County’s overall strategy for agricultural and open space preservation. Through a comprehensive planning approach, the Valley Growth Boundary sets the long-term spatial limits of urban development in the valley portion of the County to accommodate most development needs between present and buildout of the 2030 General Plan. The Valley Growth Boundary was created to support development patterns with cost-effective infrastructure and public facilities; protect important natural resources, rural landscapes, air and water quality, farmland, and other important open spaces; promote revitalization and infill development in existing communities; encourage development patterns that support walking, biking, and public transit; and, reduce “leapfrog” and incomplete, piecemeal developments.

Rural Community Boundary areas serve a similar purpose outside the Valley. In addition, policies and actions, such as disclosure requirements and anti-nuisance ordinances would reduce impacts related to the indirect conversion of agricultural land, including Important Farmland. The Valley Growth Boundary and Rural Community Boundary areas were created, in part, from an analysis of different resource areas in the unincorporated County, such as mining, forestland, agricultural lands, riparian habitat, and other types of open spaces. The County developed 10 different conceptual land use and circulation alternatives in preparation of the General Plan. Among the analysis of these alternatives was a comparison of the agricultural and other open space lands lost under each proposed alternative. The “preferred alternative,” which was used to develop the 2030 General Plan Land Use Diagram is informed by the public and decision maker consensus regarding open space issues. The location and extent of development allowed under the 2030 General Plan is designed to avoid areas with Prime Farmland and Farmland of Statewide Importance as much as possible while also taking into account other competing objectives, such as planning for long-term development within unincorporated areas of the County.

In addition, the County has defined several open space designations in the Natural Resources Element, including agricultural lands (cropland, grazing, and processing areas), wetlands and riparian areas, grasslands, woodlands, and forests. As noted in the 2030 General Plan, “open spaces are important for resource production and extraction, buffering between incompatible uses, biological habitat, recreation, cultural resources, aesthetics, and other functions. Agricultural, forest, and mining lands are crucial to the County’s economic standing” (Natural Resources Element, page Natural Resources-2). The open space designations and the accompanying Open Space Diagram are used to communicate the County’s intent for these resource areas. The open space designations identify uses that are supportive to the subject open space function, as well as uses that could potentially conflict with the protected open space function.

No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because the avoidance of converting agricultural and other open space lands to a less-than-significant level would not allow the County to meet its economic development goals, including local job creation, described previously in this Findings document. The 2030 General Plan includes policies that are intended to conserve agricultural land and reduce conflicts between agricultural operations and adjacent uses. However, the 2030 General Plan identifies areas for development that are currently used for agriculture and areas currently zoned for agricultural use. The proposed project’s purpose is to provide a framework governing long-term development within the unincorporated county. Avoidance of conversion of agricultural land to nonagricultural to a less-than-significant level is not possible, while still allowing full buildout of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to develop open land while maintaining existing farmland and grazing land, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.2-2** **Loss of Forest Land or Conversion of Forest Land to Non-Forest Use.** *Implementation of the 2030 General Plan would not result in large-scale conversion of forest lands to non-forest uses, but some timberland areas in Rural Community Boundary areas could be affected by implementation of the 2030 General Plan.*

### **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy NR4.1:** The County's zoning and development standards for Forest areas will be designed and implemented to support and avoid conflict with ongoing timber harvest operations and forestry-related economic activities.
  - ▶ **Policy NR4.2:** Uses in Timberland Preserve Zones (TPZs) shall be compatible with ongoing forestry and timber harvest operations.
  - ▶ **Policy NR4.3:** The County will generally defer to the State for timber harvest plan review, but will assist with efforts to address land use conflicts in the context of timber harvest plan review, where possible.
  - ▶ **Policy NR4.4:** Any new residences constructed in or near timber harvest areas shall mitigate impacts on adjacent timber harvesting operations.
  - ▶ **Policy NR4.5:** The County will discourage location of public improvements and utilities in Timberland Preserve Zones, where the public improvements or the land acquisition required for the improvements would have a substantial adverse affect on timber production.
  - ▶ **Policy NR4.6:** The County will encourage conservation easement programs that combine sustainable forest management with timber production.
  - ▶ **Policy NR4.7:** The County will support forest management and product certification, as well as new forestry related economic practices and product development, including renewable energy development and sawmills.
  - ▶ **Policy NR4.8:** The County will support carbon offset programs within Yuba County's forests, according to established protocols, and will support local carbon sequestration programs as an important aspect of local and regional greenhouse gas reduction requirements.
  - ▶ **Action NR4.1:** Carbon Sequestration Programs. The County will proactively coordinate with local and regional agencies to investigate the feasibility of setting up a carbon offset program. The County will coordinate with the U.S. Forest Service, Bureau of Land Management, Yuba County Water Agencies, and private timber companies and nonprofits to encourage local development of state-certified carbon sequestration projects. The County should encourage local application of regional greenhouse gas (GHG) offset fees, if feasible. If the County implements a GHG mitigation program tied to its GHG objectives, local GHG fees collected for projects that do not achieve GHG efficiency objectives on a per-capita, per-employee, or per-service population basis should be able to mitigate impacts using local, verified, GHG offset programs, if feasible.
- **Related Goals:** Goal HS5, Goal NR4
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Mitigation fees, grant funding, other available funding sources
  - **Time Frame:** Implement program, if feasible, by 2020

## Finding

Much of the County's forest lands are located on protected federal lands, which would preclude major development from affecting those lands. Most of the development anticipated under implementation of the 2030 General Plan would occur within the Valley Growth Boundary rather than in the foothills and mountains, where the County's forest resources are located. Policies and actions in the 2030 General Plan would reduce adverse impacts to forest lands. Rural development under the 2030 General Plan would be focused within a series of Rural Community areas, which include a minor amount of timberland. As noted, there is the potential for the conversion of approximately 245 acres of timberland. This is considered a **significant** impact.

As with agricultural resources, the County is using a growth management approach that limits development outside the Rural Community Boundary areas and the Valley Growth Boundary area in order to conserve important open space functions, including forestry.

In addition, the County has defined a series of open space designations, presented in the Natural Resources Element, including forests. The open space designations and the accompanying Open Space Diagram are used to communicate the County's intent for these resource areas. The open space designations identify uses that are supportive to the subject open space function, as well as uses that could potentially conflict with the protected open space function.

No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because the avoidance of converting forest land to a less-than-significant level would not allow the County to meet its economic development goals, including local job creation, described previously in this Findings document. Project objectives include planning proactively for long-term development and conservation within the County's rural communities, in order to make them more environmentally and economically sustainable places. Another objective of this project is to "[p]reserve foothill community boundaries that will continue to enhance and allow for open space, grazing lands, deer herds and oak woodlands which define the rural character of the foothills and the County as a whole." The forest land areas that could potentially be affected by implementation of the General Plan are within the existing (1996) Community Boundary Areas. The County, with this 2030 General Plan, has elected not to expand the existing Community Boundary Areas that exist in the foothill and mountain portions of the County under the existing (pre-update) General Plan. Avoidance of conversion of forest land to a less-than-significant level is not possible, while still allowing buildout of the Rural Community Boundary Areas. Thus, because it is impossible to develop open land while maintaining existing forest land, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

## AIR QUALITY

**IMPACT 4.3-1** **Generation of Long-Term Operational, Regional Emissions of Criteria Air Pollutants and Precursors and Consistency with Air Quality Planning Efforts.** *Future development in Yuba County would generate emissions of criteria air pollutants (PM<sub>10</sub> and PM<sub>2.5</sub>) and ozone precursors, both of which affect regional air quality. The 2030 General Plan would accommodate additional population and employment development, which would lead to operational (mobile-source and area-source) emissions that are not accounted for in the current applicable air quality plan and would exceed FRAQMD thresholds.*

## Relevant Policies and Actions of the 2030 General Plan

- **Policy CD1.1:** Urban and suburban development in the unincorporated County not related to agriculture, mining, or some natural or cultural resource-oriented purpose is prohibited in valley areas outside the Valley Growth Boundary.

- ▶ **Policy CD1.3:** Urban land use designation/s will not be assigned within the Planning Reserve area unless the County determines that these lands are needed to fulfill either the County's regional housing needs allocation or accommodate job-generating developments needed to achieve the County's jobs-housing goals.
- ▶ **Policy CD1.4:** New developments proposing urban land uses will not be approved within the Planning Reserve area until the County assigns the appropriate General Plan land use designation/s and approves zoning and development standards consistent with the Community Development Element.
- ▶ **Policy CD2.1:** The County will encourage infill development and redevelopment of vacant and underutilized properties within existing unincorporated communities.
- ▶ **Policy CD2.2:** The County will support specific plans, redevelopment plans, corridor plans, and community plans that promote infill development and reinvestment.
- ▶ **Policy CD2.3:** The County will support reinvestment in Linda and Olivehurst that increases local shopping, job, and housing opportunities.
- ▶ **Policy CD2.4:** The County will maintain flexible development standards, infrastructure standards, and impact fees that promote infill development and promote lot consolidation for redevelopment, where necessary.
- ▶ **Policy CD2.5:** The County will prioritize public spending on infrastructure within infill areas in order to induce reinvestment, remove blight, and reduce poverty.
- ▶ **Policy CD2.6:** The County will support public/private partnerships that encourage infill development consistent with the General Plan.
- ▶ **Policy CD2.7:** The County will actively promote vacant industrial sites in the Linda and Olivehurst areas for employment development.
- ▶ **Policy CD3.1:** Commercial and industrial developments shall be located, buffered, or otherwise designed to avoid significant noise and air quality impacts.
- ▶ **Policy CD3.2:** New residential projects near railroads and highways should provide multi-use open space buffers designed to avoid adverse air quality, noise, vibration, light, and glare issues.
- ▶ **Policy CD3.3:** New residential development shall provide multi-use buffers and site plans designed to avoid pressure to convert long-term planned agriculture, mining, and forestry lands to urban development.
- ▶ **Policy CD3.4:** The County will use performance-based standards in mixed-use areas to ensure that important aspects of compatibility (air, noise, vibration, heavy truck traffic, light, glare) are addressed without impeding mixed-use development.
- ▶ **Policy CD3.5:** Prior to approval, new developments are required to demonstrate consistency with established standards for setbacks from landfills, airports, sewage treatment plants, and other similar uses, as applicable.
- ▶ **Action CD3.1: Compatibility Review and Conditioning of Projects and Plans.** The County will review projects against policies in this General Plan and analysis in the General Plan Environmental Impact Report (EIR) to reduce noise and air quality impacts. The County Zoning Ordinance and development standards should identify design and performance standards for noise, light, glare, air pollution, and other relevant issues. The County will use the General Plan to determine the adequacy of proposed buffering between residential land uses, highways, railroads, airports, industries, mining operations, agricultural operations, and other potentially incompatible uses. The County will condition projects, as appropriate, to provide consistency with this General Plan and the General Plan EIR. The County will balance its goals for infill and mixed-use

development with policies and standards for noise, vibration, light and glare, and other issues of compatibility.

- **Related Goals:** Goal CD3, Goal NR11, Goal HS5, Goal HS9, Goal HS10, Goal HS11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; applicant funding for project-specific work
  - **Time Frame:** Ongoing
- **Action CD3.2: Open Space Buffers along State Highways and Railroads.** The County will seek funding for design and implementation of air quality, noise, and visual buffers along regional transportation routes. The County will coordinate with regional transportation agencies and drainage providers to find opportunities to use these same buffer areas for natural drainage conveyance, multi-modal transportation routes, visual buffering, community gardens, and for other useful public purposes.
- **Related Goals:** Goal CD2, Goal CD3, Goal CD 19, Goal NR11, Goal HS5, Goal HS10, Goal HS11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; federal and state funds; other funding, as appropriate.
  - **Time Frame:** Ongoing, as funding opportunities arise.
- **Policy CD4.1:** Employment and Commercial Centers shall be developed in coordination with local transit provider/s to ensure proper placement and design of transit stops and accommodate public transit for both employees and patrons.
- **Policy CD4.2:** Employment and Commercial Centers shall be designed to provide convenient and safe pedestrian and bicycle access from surrounding developed and planned neighborhoods.
- **Policy CD4.3:** In Commercial and Employment Centers, developments should place buildings close to the frontage street and emphasize the public realm by providing plazas, wide sidewalks, spaces for entertainment and other community events, outdoor seating and gathering areas, and other similar uses and activities.
- **Policy CD4.4:** Commercial projects of more than 20 acres in land area shall use public streets or small private streets to break up proposed development areas into blocks.
- **Policy CD4.5:** New commercial projects in Commercial Centers and other locations shall distribute proposed parking around the project site and not concentrate parking exclusively between the front building façade and the primary abutting street.
- **Policy CD4.6:** The County will encourage development of workforce housing around Employment Centers that is ancillary to, and supportive of employment-generating land uses.
- **Policy CD5.1:** Valley Neighborhoods should provide for most daily and weekly destinations, including a mix of commercial retail and services, schools, parks, and other civic uses.
- **Policy CD5.2:** Valley Neighborhoods should provide compact development patterns that conserve land and place homes in close proximity to destinations.

- ▶ **Policy CD5.3:** Valley residential development in existing and planned Valley Neighborhoods should provide for the full range of housing types and densities.
- ▶ **Policy CD5.4:** New developments within the Valley Growth Boundary shall provide a highly connected travel network that supports all local travel modes.
- ▶ **Policy CD5.5:** The County's development standards will allow narrow lots, narrow driveways, alleyway access, zero lot line housing, and other compact housing configurations in Valley Neighborhoods.
- ▶ **Action CD5.1: Update Zoning Ordinance.** Following the General Plan adoption, the County will review and revise the Zoning Ordinance, consistent with the updated General Plan. As a part of the revisions, the County will ensure the updated Zoning Ordinance accommodates compact growth patterns, consistent with the General Plan, while continuing to provide for the public health and safety. The County will consider provisions in the Zoning Ordinance that focus more on building form, function, and placement; lot design; and the relationship of buildings to the public realm (streets, plazas, public parks, etc.) and less emphasis on regulating specific land uses.

To ensure land use compatibility while also encouraging a mix of land uses, the County will base performance standards in the Zoning Ordinance on General Plan policies for such topics as noise, vibration, light, glare, air pollution, and traffic. Such performance standards could be used to ensure compatibility in situations where nonresidential uses are located close to residential uses. The ordinance will also be revised to address nuisances, such as blight, stockpiling, and other similar issues.

- **Related Goals:** Goal CD2, Goal CD3, Goal CD4, Goal CD6, Goal CD7, Goal CD8, Goal CD19, Goal HS5, Goal HS10, Goal HS11, Goal NR11
- **Agency/Department:** Community Development and Services Agency
- **Funding Source:** General Fund; federal and state funds, as available
- **Time Frame:** Update Zoning Ordinance by 2013
- ▶ **Policy CD6.1:** Valley Neighborhoods shall contain one or more Neighborhood Center, where medium- and higher-density residences, neighborhood commercial, and public services are focused.
- ▶ **Policy CD6.2:** Neighborhood Center activities, retail, and services should serve roughly 3,000 to 5,000 existing or planned residents in the surrounding neighborhood.
- ▶ **Policy CD6.3:** Neighborhood Centers should be developed on approximately 4 to 15 acres of land and sized according to the needs of the surrounding neighborhood.
- ▶ **Policy CD6.4:** Higher-density residential development and services in Neighborhood Centers should transition to less intense development at the edges of existing and planned Valley Neighborhoods.
- ▶ **Policy CD6.5:** Neighborhood Centers should provide for a pedestrian-friendly mix of uses and a range of housing types to meet the needs of the County's diverse households.
- ▶ **Policy CD6.6:** Neighborhood Centers shall be located and designed to provide convenient and safe bicycle, pedestrian, and transit access to and from surrounding neighborhoods.
- ▶ **Policy CD7.1:** The County will pursue funding for reinvestment along Olivehurst Avenue, McGowan Parkway, North Beale Road, Lindhurst Avenue, and other appropriate corridors.

- ▶ **Policy CD7.3:** The County will encourage – through entitlement, streamlining, flexibility in development standards, fee structures, and other incentives – infill development in vacant or underutilized sections of Mixed-Use Corridors.
- ▶ **Policy CD7.4:** Developments in Mixed-Use Corridors should have pedestrian-friendly property frontages with buildings built close to the street frontage.
- ▶ **Policy CD7.5:** Development in Mixed-Use Corridors should be designed so that building façades, street trees, and other landscaping are more visually prominent compared to surface parking lots and commercial signage.
- ▶ **Policy CD7.6:** The County will promote public plazas, outdoor dining, awnings, large windows, and other elements along property frontages that enhance pedestrian attractiveness and activity in Mixed-Use Corridors.
- ▶ **Policy CD7.7:** The County will seek funding to add drainage, bicycle, pedestrian, and transit facilities along Mixed-Use Corridors.
- ▶ **Policy CD7.8:** The County will seek funding to add street trees along Mixed-Use Corridors, particularly in areas that would shade sidewalks, parking areas, transit stops, and any public gathering places.
- ▶ **Action CD7.1: Corridor Planning.** The County will seek funding to support corridor planning efforts for McGowan Parkway, Olivehurst Avenue, Lindhurst Avenue, North Beale Road, the northern section of Feather River Boulevard, and surrounding areas. The County may also identify other Mixed-Use Corridors to address during buildout of the General Plan. Mixed-Use Corridor Plans would be designed to (Exhibit Community Development-10): Guide mixed-use, infill development consistent with the applicable land use designation/s and zoning district/s; Identify multimodal transportation improvements to support development; Describe public infrastructure and facilities needed to encourage private investment; and Identify incentives and streamlining that would induce private investment in these areas. The Plans would be structured to provide a mix and density of development with adequate transportation facilities such that walking, bicycling, or taking transit is viable for daily needs of the residents of surrounding neighborhoods. The County will pursue grant funding and regional partnerships to revitalize its Mixed-Use Corridors. The County will plan and fund infrastructure designed to support increased density and intensity around future transit stops, near planned bicycle/pedestrian facilities, and in other targeted reinvestment areas.
  - **Related Goals:** Goal CD4, Goal CD7, Goal CD8, Goal CD10, Goal CD11, Goal CD15, Goal CD19, Goal NR7, Goal HS5, Goal HS11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; federal and state funds
  - **Time Frame:** Ongoing, according to funding opportunities as they arise.
- ▶ **Policy CD8.1:** New developments should be designed to provide direct and convenient access to nearby parks, trails, commercial and public services, and transit stops.
- ▶ **Policy CD8.2:** Valley Neighborhood developments and residential portions of Employment Village areas shall provide relatively short block lengths and continuity of streets in order to facilitate convenient pedestrian, bicycle, and vehicle movement.<sup>2</sup>

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<sup>2</sup> “Block length,” for the purpose of this policy, is the distance between four-way intersection centerlines. Block length can also be measured along the one leg of a three-way intersection that terminates into a cross street.

- ▶ **Policy CD8.3:** New cul-de-sacs are allowed within the Valley Neighborhoods and residential portions of Employment Village areas where they would not create a barrier for pedestrian and bicycle access or circulation between homes and destinations.
- ▶ **Policy CD8.4:** New buildings in Valley Neighborhoods and residential portions of Employment Village areas should, in general, be oriented toward, and placed close to frontage streets.
- ▶ **Policy CD8.5:** New developments shall be designed so that parking areas and garages are not the dominant visual element of site frontage.
- ▶ **Policy CD8.6:** County development standards will allow shallow residential front-yard setbacks to provide a human scale to development and allow for relatively larger, private back yards.
- ▶ **Policy CD8.7:** The County's development standards will allow alley-loaded garages.
- ▶ **Policy CD8.8:** New developments should use porches, stoops, windows, and other elements that provide "eyes on the street" onto yards, entrances, streets, and other public and semi-public places.
- ▶ **Policy CD8.9:** Fences and walls are discouraged along public travelways where they would present substantial barriers to casual surveillance or multi-modal travel.
- ▶ **Policy CD8.10:** New developments in the Valley Growth Boundary should provide streets lined with trees selected and located to provide a shade canopy at maturity.
- ▶ **Policy CD8.11:** Multi-family housing developments should be well connected to the surrounding neighborhood. Parking areas should be sized and broken up to avoid creating barriers to pedestrian and bicycle circulation.
- ▶ **Policy CD9.6:** The County will support planning for Rural Centers in foothill and mountain portions of the County that would provide a variety of activities and services needed or anticipated to be needed by the local population, including, but not limited to medical and educational services.
- ▶ **Policy CD9.9:** Rural Communities can provide clusters of housing constructed at the upper end of allowable density ranges near Rural Centers, but in general should provide larger lots at the edges of the community that transition to the surrounding open space areas.
- ▶ **Policy CD9.11:** Rural Centers should be focused on County collector and arterial roads and highways, and particularly at "crossroads" locations central to the surrounding rural communities.
- ▶ **Policy CD9.12:** Rural Centers should be located along existing or planned future transit routes.
- ▶ **Policy CD10.1:** The County will encourage development that improves the balance between local jobs and housing, including new commercial, industrial, home-based businesses, business incubators, and other development that generates net revenues for the County and produces local jobs.
- ▶ **Policy CD10.3:** The County will phase growth with efficient infrastructure planning in order to keep fees as low as possible and coordinate with service providers to ensure the savings of this efficient infrastructure planning is passed on to occupants of employment-generating developments.
- ▶ **Policy CD10.5:** The County will support community and specific planning efforts following General Plan adoption that identify employment-generating uses and the housing and infrastructure that is needed to support the local workforce.

- ▶ **Policy CD10.6:** The County will encourage residential development that is priced, sized, and located to serve the needs of local employers and workers.
- ▶ **Policy CD10.7:** Large residential development projects should be phased or timed to occur concurrently with development projects that will provide employment in the County.
- ▶ **Action CD10.2: Land Use Monitoring.** The County will monitor progress toward the jobs-housing goal and, as necessary, amend the General Plan, Zoning Ordinance, Specific Plans, Community Plans, and other relevant plans and codes, as appropriate. Any amendments shall address imbalances between job and population growth, and may include revisions to allowable land uses or development standards, financial/regulatory incentives to accelerate the development of job-generating uses, and other actions.
  - **Related Goals:** Goal CD1, Goal CD4, Goal CD10
  - **Agency/Department:** Community Development and Services Agency and Economic Development Coordinator.
  - **Funding Source:** General Fund
  - **Time Frame:** Report on jobs-housing balance at least once per year to the Board of Supervisors.
- ▶ **Policy CD11.6:** The County will encourage rail spur development and increased use of local railroad routes for freight and passenger service, especially along in the Highway 65 corridor and areas designated Employment Village.
- ▶ **Policy CD13.1:** Growth should be phased from developed areas and existing infrastructure outward in a logical, efficient manner, and in a way that avoids premature conversion of agricultural lands, changes in rural character, and unnecessary loss of other land-based natural resources.
- ▶ **Policy CD13.2:** The County will not induce growth by supporting the provision of services or infrastructure in areas that are not planned for development.
- ▶ **Policy CD13.3:** Unincorporated County development between present and 2030 will be focused within the Valley Growth Boundary and Rural Communities.
- ▶ **Policy CD13.4:** For areas designated Planning Reserve, allowable land use will be regulated according to the underlying land use designation unless the Board of Supervisors approves the following findings:
  - The subject project or plan proposed within the Planning Reserve Area promotes the goals and is consistent with the policies of the Community Development Element, Natural Resources Element, Housing Element, and Public Health & Safety Element of the General Plan; and
  - A Specific Plan or master plan meeting the County's requirements has been prepared; and
  - The subject project or plan is planned and designed to improve the match between local jobs and the local labor force, consistent with the goal of accommodating 0.8 total local jobs for every member of the labor force; and
  - The subject project or plan proposed within the Planning Reserve Area will directly provide substantial basic (exporting) employment development potential; or

- The subject project or plan proposed within the Planning Reserve Area will construct water, wastewater, and drainage infrastructure that will serve future employment development, with the understanding that project applicants are repaid on a fair-share basis.
- ▶ **Policy CD14.6:** The County will coordinate its land use planning with local school districts to ensure adequate educational facilities with safe and convenient pedestrian and bicycle access to and from surrounding neighborhoods.
- ▶ **Policy CD14.7:** The County will support joint-use facilities, shared maintenance, and projects with other local service agencies and districts that are coordinated to provide enhanced public levels of service and/or long-term cost savings.
- ▶ **Policy CD14.8:** The County will support and encourage joint-use parks for school and community use, joint-use parks for recreational and drainage conveyance and detention, joint-use libraries for school and community use, and other appropriate joint-use facilities. The County will encourage the use of schools as community centers to provide a range of services.
- ▶ **Policy CD15.4:** The County's impact fees will be revised to consider cost efficiencies associated with compact, mixed-use, age- or income-restricted, and infill development.
- ▶ **Policy CD15.5:** New developments should incorporate water conservation techniques to reduce water demand, including the use of reclaimed water for landscaping and irrigation.
- ▶ **Policy CD15.9:** The County will require that new developments include safe and convenient access to nearby schools and work with the local school districts to ensure safe access.
- ▶ **Policy CD15.10:** The County will locate its own administrative facilities in downtown areas, along Mixed-Use corridors, or in Neighborhood Centers, whenever possible.
- ▶ **Action CD15.1: Revise Impact Fees.** The County will have prepared a Nexus Fee Study following the 2030 General Plan update to support revised development impact fees. One focus of this updated effort would be to ensure that compact development that makes efficient use of land has lower fees, where this approach to development is shown to have lower costs. The County will consider basing fees on an equivalent dwelling unit (EDU) basis, a per-capita basis, or per-acre basis, depending on the type of fee. The per-EDU, per-capita, or per-acre approach would be considered rather than presenting fees on a flat-rate, per unit basis. Different types of dwelling units have different demands for services and different associated costs. The County will also consider reduced fees for infill development that has access to existing infrastructure with adequate capacity to serve that development.
- **Related Goals:** Goal CD1, Goal CD2, Goal CD5, Goal CD6, Goal CD7, Goal CD8, Goal CD11, Goal CD12, Goal CD13, Goal CD14, Goal CD15, Goal CD16, Goal CD19, Goal NR12, Goal HS9
- **Agency/Department:** Community Development and Services Agency
- **Funding Source:** General Fund
- **Time Frame:** Nexus Fee Study and revised fees by 2014
- ▶ **Policy CD16.1:** The County will maintain roadway levels of service that recognize differences between urban and rural environments and consideration of other community character, economic, and environmental policies of the County.

- ▶ **Policy CD16.5:** Where a new development would exceed the County's Level of Service policies, applicants shall first consider feasible revisions to the proposed development that would increase connectivity, enhance bicycle/pedestrian/transit access, provide additional travel demand management measures, and/or provide other revisions that would help to meet LOS standards by reducing vehicle miles traveled on roads exceeding the target LOS, prior to consideration of adding capacity to roadways and intersections.
- ▶ **Policy CD16.10:** The County will not use traffic level of service policies to analyze and mitigate CEQA impacts of new developments, but instead will use its level of service policies to assess fair-share funding of transportation facilities necessary to serve new projects.
- ▶ **Policy CD16.11:** The County will analyze and mitigate transportation impacts in CEQA documents according to their relative increase in vehicular travel demand.
- ▶ **Action CD16.2: Traffic Impact Fees.** Following adoption of the General Plan, the County will revise its Countywide Traffic Mitigation Fee Program based on a nexus study meeting state law requirements. The County will continue to require specific plans to identify funding for transportation facilities needed to serve development within each subject specific plan. The countywide program would focus on improvements needed to serve development within the unincorporated County not within a specific plan. The County's impact fee programs will be sensitive to elements of proposed projects that reduce their per-unit and per-employee trip generation rates. Centrally located projects, projects with high densities and employment intensities, located in areas with good transit service, located in mixed-use environments, for example, would be expected to have lower per-unit fees. Commercial traffic impact fees should take into account whether the commercial project is designed to attract drivers or oriented toward providing services to neighborhoods.
  - **Related Goals:** Goal CD2, Goal CD7, Goal CD8, Goal CD13, Goal HS5
  - **Agency/Department:** Public Works Department
  - **Funding Source:** Capital improvement funds
  - **Time Frame:** Update Countywide Traffic Mitigation Fee Program by 2014.
- ▶ **Policy CD17.1:** New developments shall be designed to facilitate safe and convenient travel by pedestrians, bicyclists, transit users, and drivers.
- ▶ **Policy CD17.2:** The County will coordinate approval of projects and plans with local transit providers to ensure that transit service is provided for work, shopping, school, and other types of trips within the Valley Growth Boundary.
- ▶ **Policy CD17.3:** The County will coordinate with Yuba College to provide housing and commercial services within walking and bicycling distance of the Linda campus and plan for convenient and safe pedestrian, bicycle, and transit options for students attending Yuba College.
- ▶ **Policy CD17.4:** The County will provide incentives to businesses that sponsor transit routes or create their own travel demand management programs, which may include, but are not limited, to streamlined permitting, and reduction of parking requirements.
- ▶ **Policy CD17.5:** The County will review and condition large employment generating projects, defined as new projects that could accommodate more than 50 full-time equivalent employees, according to the provisions of a County Travel Demand Management Ordinance.
- ▶ **Policy CD17.6:** New developments and specific plans shall analyze and mitigate impacts related to increased travel demand, as feasible and consistent with County General Plan policy.

- ▶ **Action CD17.1: Travel Demand Management Ordinance.** The County will develop a Travel Demand Management ordinance that provides options for large employers in mitigating the traffic related impacts of proposed projects. Reducing travel demand could be used in-lieu of providing traffic impact fees, where demonstrated to reduce trips, particularly during peak demand periods. Options for reducing travel demand in this ordinance could include, but are not limited to providing incentives for employees to commute via transit, bicycle, on foot, or by carpool, rather than the single-occupant vehicular commute. The County may promote, as a part of this Ordinance, membership in the Yuba-Sutter Transportation Management Association.
  - **Related Goals:** Goal CD4, Goal HS5, Goal CD16, Goal CD17, Goal CD19
  - **Agency/Department:** Public Works
  - **Funding Source:** General Fund
  - **Time Frame:** Ongoing
- ▶ **Policy CD18.8:** The County will coordinate with Caltrans to implement context-sensitive improvements to State facilities that are keyed to local multi-modal transportation needs.
- ▶ **Policy CD19.1:** The County will promote mixed-use, infill development and redevelopment in order to reduce dependence on the private automobile.
- ▶ **Policy CD19.2:** New developments and specific plans with a buildout population greater than 2,000 dwelling units shall designate Neighborhood Centers, consistent with the policies of the General Plan.
- ▶ **Policy CD19.3:** New developments in the Valley Growth Boundary should provide focused nodes of population and employment density around transit stops, planned in coordination with Yuba-Sutter Transit, with a target of 9 units per acre of residential development, 20 employees per acre for nonresidential development, or 20 or more persons plus employees per acre for mixed-use development within ¼ mile of existing and planned transit stops.
- ▶ **Policy CD19.4:** The County will plan its investments and condition new developments to provide pedestrian, bicycle, and transit facilities designed to provide multi-modal connections within neighborhoods, within unincorporated communities, and between communities and cities in the County.
- ▶ **Policy CD19.5:** New developments shall include the construction or pro-rata funding of transportation infrastructure that may include a connected and integrated system of bicycle and pedestrian facilities, consistent with County standards.
- ▶ **Policy CD19.6:** New developments shall provide attractive streetscapes with street trees and sidewalks, planting strips, transit shelters, benches, and pedestrian-scale lighting, as required by County standards, as well as safe and frequent crosswalks along roadways, particularly in areas expected to have higher pedestrian traffic.
- ▶ **Policy CD19.7:** The County's improvement standards and street classification system will be designed to accommodate the full range of locally available travel modes. Intersection dimensions and turning radii should be minimized in areas where high pedestrian and bicycle activity is expected.
- ▶ **Policy CD19.8:** The County will seek funding for and, as feasible, install traffic-calming measures, such as planted medians, landscaped planter strips, landscaped traffic circles, and other designs in areas with excessive or high-speed traffic, as appropriate. The County will not support street closures, half closures, or other measures that limit connectivity as a way to calm traffic.

- ▶ **Policy CD19.9:** Secure bicycle parking shall be located at or near public buildings, business districts, parks, playgrounds, shopping centers, schools, transit terminals, bus stops, and other bicycle traffic generators.
- ▶ **Policy CD19.10:** The County will collaborate with Yuba-Sutter Transit, other regional transit providers, and local businesses to:
  - Ensure transit stops are accommodated in the context of new development and redevelopment;
  - Encourage local businesses to collaborate with transit providers to develop transit incentive programs for local employees;
  - Plan for and condition projects to provide for park-and-ride facilities; and
  - Support paratransit and other forms of transit service for those unable to use conventional transit service.
- ▶ **Policy CD19.11:** The County will support feasible opportunities to provide intra-county and inter-county passenger rail service for Yuba County residents and businesses, including support for expansion of AMTRAK passenger service and transit, along with bicycle, and pedestrian-friendly development around rail and transit stations.
- ▶ **Policy CD19.12:** The County will encourage programs that facilitate County employees' use of pedestrian, bicycle, and transit facilities to reach the workplace.
- ▶ **Action CD19.1: Pedestrian and Bikeway Master Planning.** The County will collaborate with other agencies during buildout of the General Plan to maintain pedestrian/bicycle master plans designed to meet growth needs. The master plan updates should be designed to improve bicycle and pedestrian connections between each city in the County, cities in adjacent counties, and each unincorporated community. Bicycle/pedestrian master planning efforts should be coordinated with local irrigation districts, special districts, and public agencies with easements and rights-of-way, the railroad, other property owners, and other agencies and interested parties to acquire and/or use existing easements and rights-of-way for development of off-street pedestrian and bicycle pathways. Master plans will focus on improving links between neighborhoods and important destinations, such as schools, shops, commercial services, public services, and recreational opportunities.
  - **Related Goals:** Goal CD15, Goal CD16, Goal CD17, Goal CD18, Goal CD19
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Grant funding; regional funding
  - **Time Frame:** Adopt Yuba-Sutter Bikeways Master Plan by 2013
- ▶ **Action CD19.2: Revise Development Code & Improvement Standards.** Following adoption of the 2030 General Plan, the County will revise its development code and improvement standards, where necessary, to encourage a high level of pedestrian, bicycle, and transit-friendliness in new development. In general, the County will consider revisions to its codes and standards to reduce road widths, reduce the amount of paved areas of roadways and parking lots, reduce pedestrian crossing distances, and reduce curb radii at intersections, in consideration of pedestrian and bicycle comfort and safety, while also considering turning templates needed for service and emergency vehicles. The County will consider revisions to its codes and standards that require wider sidewalks in areas where higher pedestrian and bicycle activity would be anticipated.

- **Related Goals:** Goal CD2, Goal CD8, Goal CD13, Goal CD15, Goal CD19, Goal CD 21, Goal HS3, Goal HS5, Goal HS8, Goal HS11, Goal NR7
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; grant funding
  - **Time Frame:** Revise zoning, development codes, and improvement standards by 2013
- **Action CD19.3: Transit Planning & Facilities Expansion.** During buildout of the General Plan, the County will proactively pursue funding for transit designed to meet the needs of Yuba County children, seniors, persons with disabilities, low-income, and all transit-dependent persons. The County will pursue air quality mitigation efforts that fund transit in coordination with Feather River Air Quality Management District and other interested agencies and nonprofits. The County will plan for, and implement expansion of transit service, as funding is available. Transit projects will be included in the County's capital improvements planning, as appropriate. The County will examine the need for intermodal transit transfer facilities as the transportation system expands. The County will proactively coordinate with Yuba-Sutter Transit on grant funding opportunities to fund transit expansion, consistent with the General Plan, with a focus on transit in areas with at least 20 persons plus employees per acre.
- **Related Goals:** Goal CD13, Goal CD15, Goal CD16, Goal CD17, Goal CD18, Goal CD19, Goal HS5, Goal HS11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Grant funding
  - **Time Frame:** As funding is available
- **Policy CD20.1:** New developments shall be designed to discourage concentration of traffic at a few intersections. Multiple points of access shall be provided wherever feasible.
- **Policy CD20.2:** New developments in the Valley Growth Boundary shall arrange roads in an interconnected block pattern, so that local pedestrian, bicycle, and automobile traffic do not have to use Arterials to circulate within the neighborhood. The maximum average block length in new subdivisions approved in the Valley Growth Boundary should be approximately 450 feet. Smaller block sizes should be used around Neighborhood Centers, Community Centers, and Employment Centers.
- **Policy CD20.3:** New developments shall connect with adjacent roadways and stubbed roads and shall provide frequent stubbed roadways in coordination with future planned development areas. Plans and projects shall connect to adjacent planned development areas and adjacent roadways at a minimum of 600-foot intervals. This minimum interval does not apply to development areas that are adjacent to existing or planned future limited-access highways, freeways, or expressways, or other areas where physical constraints would make this level of connectivity infeasible.
- **Policy CD20.4:** The County discourages the use of sound walls within neighborhoods. Traffic dispersal on a finely connected network of smaller roadways and other planning and site design solutions should be used instead of sound walls to address noise issues, to the greatest extent feasible.
- **Policy CD20.5:** Since gated residential areas discourage connectivity, the County will only allow such developments if multi-modal connectivity and emergency access to and from surrounding areas will not be significantly impaired. The County will not allow gates unless emergency access can be provided consistent with the standards of the relevant fire district.

- ▶ **Policy CD20.6:** The maximum allowable length of a cul-de-sac within the Valley Growth Boundary is 400 feet unless an exception is approved by the Community Development Director, in consultation with local emergency service providers. Where cul-de-sacs are allowed, they should incorporate bicycle/pedestrian through access, where feasible.
- ▶ **Policy CD20.7:** The County will seek frequent street and trail connections between new residential developments and established Valley Neighborhoods.
- ▶ **Policy CD20.8:** Speed bumps, which can inhibit connectivity and emergency access, are discouraged as a method of traffic calming.
- ▶ **Policy CD21.1:** New development projects should be designed to minimize the amount of on-site land required to meet parking, internal circulation, and delivery/loading needs.
- ▶ **Policy CD21.2:** New developments shall break up any proposed surface parking with landscaping and provide pedestrian routes from parking areas to building entrances.
- ▶ **Policy CD21.3:** Land uses with different parking needs that peak at different times of the day shall be encouraged to maximize opportunities to share parking.
- ▶ **Policy CD21.4:** In Rural Communities and the Valley Growth Boundary, parking areas for nonresidential uses should generally be focused to the side or rear of the facility being served.
- ▶ **Policy CD21.5:** New developments shall plant at least one tree for every four parking spaces or shall demonstrate adequate planting to provide at least 50 percent shading of parking areas at maturity.
- ▶ **Policy CD21.6:** The County's parking standards will be reduced or eliminated for infill and affordable housing projects in consideration of shared parking, on-street parking, and reduced travel demand attributable to these types of projects.
- ▶ **Policy CD21.7:** The County will consider adopting parking maximums in areas where high pedestrian and bicycle activity is expected and in areas around transit stops.
- ▶ **Action CD21.1: Revise Development Code & Improvement Standards.** Following adoption of the 2030 General Plan, the County will revise its development code and improvement standards. The County will consider reduced surface parking in areas where pedestrians and bicyclists are concentrated and where transit service is planned. The County will consider strategies to optimize parking supply through shared parking; use of on-street parking to meet demand of nearby properties; and other strategies. The County will consider establishing parking maximums, as well as minimums, as part of the development code and improvement standard revisions.
  - **Related Goals:** Goal CD2, Goal CD7, Goal CD8, Goal CD19, Goal CD21, Goal NR11, Goal HS3, Goal HS5
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; grant funding
  - **Time Frame:** Revise zoning and development codes by 2013, revise improvement standards by 2014.

- ▶ **Policy NR1.5:** New developments shall provide for open space corridors consistent with the County's Parks Master Plan, and as needed to provide naturalized drainage and bike/pedestrian connections to nearby neighborhoods and destinations.
- ▶ **Policy NR1.8:** Local parks should be located central to the neighborhood they serve and designed to encourage pedestrian and bicycle access.
- ▶ **Policy NR1.12:** The County will incorporate trails along canals, transmission lines, and other easements and rights-of-way, where feasible, including trail development atop levees, so long as flood protection facilities are not adversely affected.
- ▶ **Policy NR1.13:** The County will communicate with neighboring counties and cities to explore connections with Yuba County's planned regional trail system.
- ▶ **Policy NR1.14:** Recreational facilities and open space should be designed to use recycled materials and green building techniques, minimize surface runoff, reduce water demand, provide habitat for native species, reduce the need for ongoing maintenance, and incorporate universal access principles to facilitate use by people of all ages and abilities. Active portions of parks that may generate light and noise should be located and designed to promote compatibility with the surrounding neighborhood.
- ▶ **Policy NR2.1:** The County will encourage urban greening projects that are designed to: improve air and water quality; protect natural resources; increase the attractiveness of affordable housing and existing developed areas; promote public health and the development of a healthy community; increase access to safe areas for physical activity; improve access to healthy, local food sources; improve and use existing infrastructure systems and other community resources; promote public health; reduce greenhouse gas emissions; and adapt to future climate conditions.
- ▶ **Policy NR2.2:** The County will encourage for urban greening projects to be developed in underserved areas of Linda and Olivehurst, such as tree planting and maintenance, natural drainage systems improvements, ecological restoration, park development, renewable energy development and energy conservation projects, trail development, community gardens, and other appropriate project types.
- ▶ **Policy NR2.3:** Urban greening projects shall be designed to improve access to recreational spaces for existing residents and improve existing developed areas of the County.
- ▶ **Policy NR2.4:** Urban greening projects can also be designed to integrate open spaces in existing developed areas with open spaces designed to connect with planned development areas.
- ▶ **Policy NR2.5:** The County will coordinate with local and regional agencies on the identification of potential urban greening projects.
- ▶ **Policy NR2.6:** The County will invite local service agencies, residents, property owners, and other organizations and individuals to contribute ideas for local urban greening projects.
- ▶ **Action NR2.1: Urban Greening Projects.** During this General Plan time horizon, the County will identify and seek funding for urban greening projects that provide for a range of benefits, such as: Reducing greenhouse gas emissions; Decreasing air and water pollution; Reducing the consumption of natural resources and energy; Increasing the reliability of local water supplies, and/or Increasing adaptability to climate change. The County's urban greening projects will be designed to promote infill development and social equity, protect environmental resources, including agricultural lands, and encourage efficient development patterns. The County will coordinate with local school districts, local utility providers, cities, and other local and regional agencies, where appropriate, for Urban Greening Projects of mutual benefit. Urban greening projects

will be identified that improve air and water quality, increase the attractiveness and availability of affordable housing, improve infrastructure systems or their function, and promote public health.

- **Related Goals:** Goal NR1, Goal NR2, Goal CD8, Goal CD11, Goal CD12, Goal CD19
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Grant funding, as available
  - **Time Frame:** Throughout General Plan implementation, as funding is available
- **Policy NR4.8:** The County will support carbon offset programs within Yuba County's forests, according to established protocols, and will support local carbon sequestration programs as an important aspect of local and regional greenhouse gas reduction requirements.
- **Action NR4.1: Carbon Sequestration Programs.** The County will proactively coordinate with local and regional agencies to investigate the feasibility of setting up a carbon offset program. The County will coordinate with the U.S. Forest Service, Bureau of Land Management, Yuba County Water Agency and water districts, and private timber companies and nonprofits to encourage local development of state-certified carbon sequestration projects. The County should encourage local application of regional greenhouse gas (GHG) offset fees, if feasible. If the County implements a GHG mitigation program tied to its GHG policies, local GHG fees collected for projects that do not achieve GHG efficiency policies on a per-capita, per-employee, or per-service population basis should be able to mitigate impacts using local, verified, GHG offset programs, if feasible.
- **Related Goals:** Goal HS5, Goal NR4
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Mitigation fees, grant funding, other available funding sources
  - **Time Frame:** Implement program, if feasible, by 2020.
- **Policy NR7.1:** New developments shall address energy conservation in landscaping methods, materials, and design.
- **Policy NR7.2:** New buildings shall meet state standards for energy efficiency and should provide for renewable energy development and use, to the greatest extent feasible.
- **Policy NR7.3:** New developments should be designed to take advantage of passive or natural summer cooling and winter solar access.
- **Policy NR7.4:** New developments should provide street and lot orientation and lot dimensions that facilitate the use of solar energy.
- **Policy NR7.5:** New developments within the Valley Growth Boundary should orient the majority of buildings so that the longer axis of the building, also known as the ridge line, is oriented east-to-west, in order to maximize the potential for passive solar heating in the winter and to minimize heat gain from the afternoon summer sun.
- **Policy NR7.6:** New developments should consider energy conservation in building-site orientation and construction, with articulated windows, roof overhangs, appropriate insulation materials and techniques, and other architectural features that improve passive interior climate control.

- ▶ **Policy NR7.7:** Shade trees or other appropriate plantings should be used in new developments to protect buildings from unwanted solar gain in summer months. Using deciduous trees on the southern side of structures is encouraged to allow cooling in the summer and solar gain in winter. Short front setbacks are encouraged to allow shade trees planted in the public right-of-way to provide summertime shading.
- ▶ **Policy NR7.8:** New buildings should emphasize passive and natural lighting systems in architectural design to conserve electricity.
- ▶ **Policy NR7.9:** New developments proposing parking lots shall incorporate shade trees or shade structures to provide a minimum of 50 percent shading (at maturity, where trees are used).
- ▶ **Policy NR7.10:** The County will seek regional, state, and federal funding for energy efficiency improvements in existing buildings and the public realm.
- ▶ **Policy NR7.11:** The County and Yuba County Water Agency should explore opportunities related to future access to hydroelectric power, energy provision, strategic use of local energy resources for employment development, and other programs that have dual environmental-economic benefits.
- ▶ **Policy NR7.12:** The County will encourage financing programs designed to facilitate the installation of renewable energy systems, including those that establish a benefit district and allow property owners to repay over the long term through a special assessment on the property tax bill.
- ▶ **Action NR7.13: Energy Efficiency Retrofits in Buildings and the Public Realm.** The County will proactively track and apply for regional, state, and federal funding to be used for energy efficiency improvements and renewable energy systems installation in existing buildings and the public realm (public rights-of-way, etc.). The County will seek funding for energy efficient systems, energy-efficient appliances, insulation, energy-efficient doors and windows, and other improvements. The County will also consider the feasibility of using fees or actions required to meet County greenhouse gas efficiency policies on a fair-share basis to fund energy efficiency improvements and renewable energy systems in existing developed buildings and the public realm.
  - **Related Goals:** Goal NR2, Goal NR7, Goal CD15, Goal HS5
  - **Agency/Department:** Administrative Services
  - **Funding Source:** Grant funding, low-interest loans, impact fees, General Fund, and other appropriate funding sources
  - **Time Frame:** Ongoing, as funding is available
- ▶ **Policy NR12.4:** The County will encourage the use of recycled water and water from irrigation districts that is not treated to urban standards for outdoor irrigation, toilet flushing, fire hydrants; commercial and industrial processes, carwashes, concrete batching, laundromats; dust control; parks, golf courses, and other landscaped areas, and other appropriate water-intensive uses.
- ▶ **Policy NR12.5:** New developments shall use climate appropriate landscaping in parks and open space, landscaping within new rights of way, yards, and other appropriate spaces, to the maximum extent feasible.
- ▶ **Policy NR12.6:** New developments shall include water conservation technologies such as low-flow toilets, efficient clothes washers, and efficient water-using industrial equipment, in accordance with state law.

- ▶ **Policy HS3.17:** New developments shall limit construction of new impervious surfaces, such as parking lots, travelways, vehicle waiting areas, and vehicle loading areas to the minimum amount needed to implement the subject project.
- ▶ **Policy HS5.1:** The County will guide land use change, direct investments, and apply its fees and programs to encourage more GHG-efficient development patterns, as feasible.
- ▶ **Policy HS5.2:** The County's regulations, investments, and fee programs should be structured to reduce net greenhouse gas emissions for new development in the unincorporated County consistent with the level of emissions needed per-capita or per service population to achieve the County's fair share of the state's emissions mandate.
- ▶ **Policy HS5.3:** Since transportation is the largest sector contributing to GHG emissions both locally and at the statewide level, the County will prioritize land use/transportation projects that manage travel demand by increasing housing/employment density, placing homes in closer proximity with destinations, increasing accessibility to transit, or otherwise decreasing vehicle miles traveled (per household, per capita, and/ or per employee).
- ▶ **Policy HS5.4:** The County will use an efficiency-based threshold (net emissions per-capita + employee) to evaluate proposed urban land uses, such as homes, retail, office, and other uses where the location, density, and mix of uses in the project area is important to the level of greenhouse gas generation.
- ▶ **Policy HS5.7:** The County will work collaboratively with state agencies and public/private utility providers charged with regulating building efficiency, mobile-source emissions controls, energy sources and uses, and other components of GHG emissions to create the opportunity for more GHG-efficient local development.
- ▶ **Policy HS5.8:** The County will actively pursue funding for GHG-efficient transportation systems and other needed infrastructure, building and public realm energy efficiency upgrades, renewable energy production, land use-transportation modeling, and other projects to reduce local greenhouse gas emissions.
- ▶ **Policy HS5.11:** Rural Community Plans should address strategies to diversify the local land use mix to meet more resident needs within each community, increase energy efficiency, shorten trips, and encourage non-vehicular travel, as feasible, to increase greenhouse gas efficiency.
- ▶ **Action HS5.1:** Greenhouse Gas Reduction Plan. The County will prepare and adopt a plan to reduce greenhouse gas (GHG) emissions. *[Please see the 2030 General Plan Public Health & Safety Element, under separate cover, for additional information on the County's Greenhouse Gas Reduction Plan.]*
  - **Related Goals:** Goal HS1, Goal HS2, Goal HS3, Goal HS5, Goal HS11, Goal CD2, Goal CD4, Goal CD5, Goal CD6, Goal CD7, Goal CD8, Goal CD10, Goal CD15, Goal NR2, Goal NR7
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General fund, grant funding
  - **Time Frame:** Adopt by 2013, monitoring reports and needed revisions in coordination with Housing Element updates and updates to the Regional Transportation Plan.
- ▶ **Action HS5.2: Assist Farmers to Reduce Greenhouse Gas Emissions.** The County will meet with local agricultural groups, such as the Yuba-Sutter Farm Bureau, UC Davis Extension representatives, local organic farming groups, and other public and private groups representing farmers to discuss the best available programs to reduce agricultural greenhouse gas (GHG) emissions. Methods to be explored may include, but

are not limited to reduction strategies from changes in crop management, animal wastes, energy use, crop residue burning, livestock management, soil management, solid waste management, fertilizers, and off-road equipment. The County will seek funding, through carbon offsets or other sources, to provide incentives that encourage farmers to participate in consensus GHG reduction programs for agriculture.

- **Related Goals:** Goal HS5, Goal NR3
- **Agency/Department:** Community Development and Services Agency and Agricultural Commissioner, in collaboration with local farming groups.
- **Funding Source:** General fund, grant funding, carbon offset fees
- **Time Frame:** Ongoing, as funding is available

## Finding

Future development accommodated under the 2030 General Plan would generate emissions of ozone precursors, PM<sub>10</sub>, and PM<sub>2.5</sub>, primarily through the use of motor vehicles, but also from stationary sources. Future development could also potentially place new people and residences within close proximity to sources of these pollutants. The 2030 General Plan contains numerous goals, policies, and actions intended to reduce VMT and resulting air pollution, as well as air pollution from other sources. The County includes a wide range of policies designed to provide compact, mixed-use development and infill development. These types of development patterns place homes closer to destinations, reducing vehicle miles traveled and accommodating non-auto trips. The General Plan also aligns public infrastructure and facilities planning and fee structures with the County's approach for future development patterns. Although reductions in VMT can reduce exposure to PM<sub>10</sub> and PM<sub>2.5</sub>, other factors, such as the location of sensitive land uses relative to the locations where these pollutants originate, can also result in exposure. The County's policies also are designed to improve energy and water conservation and therefore reduce emissions associated with energy generation and water delivery. Policies and actions in the General Plan designed to address greenhouse gas emissions would also have the benefit of reducing criteria air pollutant emissions, in many cases. In summary, the General Plan addresses air quality in a comprehensive manner, with relevant policies and actions in each General Plan Element. However, even with implementation of these goals, policies, and actions, operational emissions could exceed applicable emissions thresholds. Therefore, this impact would be **significant**.

Implementation of the various 2030 General Plan goals, policies, and actions would reduce air pollutant emissions that affect both Yuba County and the region. However, the 2030 General Plan would still result in operational emissions in excess of threshold assumptions used by FRAQMD for relevant clean air plans. No feasible mitigation beyond the methods for reducing impacts included as policy in the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is impossible to accommodate long-term land use change within the unincorporated County without emitting criteria air pollutants and ozone precursors that could potentially exceed locally applicable significance thresholds and potentially impede attainment planning efforts. The proposed project's purpose is to provide a framework governing long-term development within the unincorporated County. Therefore, avoidance of emissions of criteria air pollutants and ozone precursors to a less-than-significant level is not possible, while still allowing full buildout of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to permit new development without some criteria air pollutant and ozone precursor emissions, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.3-2**      **Generation of Short-Term Construction-Related Emissions of Criteria Air Pollutants and Precursors.**  
*Emissions of Criteria Air Pollutants and precursors resulting from construction activities accommodated under the 2030 General Plan would exceed FRAQMD's significance thresholds of 25 lb/day for ROG and NO<sub>x</sub> and 80 lb/day for PM<sub>10</sub>. Policies in the 2030 General Plan would support compliance with FRAQMD-*

*recommended standard construction mitigation practices. This would appreciably reduce construction-generated air pollutant emissions from buildout of the 2030 General Plan. However, due to the large amount of total development proposed over the buildout period, construction-generated emissions of criteria air pollutants and precursors is considered substantial, and could violate an ambient air quality standard, contribute substantially to an existing or predicted air quality violation, and/or expose sensitive receptors to substantial pollutant concentrations.*

## **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy CD5.5:** The County's development standards will allow narrow lots, narrow driveways, alleyway access, zero lot line housing, and other compact housing configurations in Valley Neighborhoods.
- ▶ **Policy CD14.7:** The County will support joint-use facilities, shared maintenance, and projects with other local service agencies and districts that are coordinated to provide enhanced public levels of service and/or long-term cost savings.
- ▶ **Policy CD14.8:** The County will support and encourage joint-use parks for school and community use, joint-use parks for recreational and drainage conveyance and detention, joint-use libraries for school and community use, and other appropriate joint-use facilities. The County will encourage the use of schools as community centers to provide a range of services.
- ▶ **Policy CD21.3:** Land uses with different parking needs that peak at different times of the day should maximize opportunities to share parking, where feasible.
- ▶ **Policy CD21.3:** Land uses with different parking needs that peak at different times of the day shall be encouraged to maximize opportunities to share parking.
- ▶ **Policy CD21.6:** The County's parking standards will be reduced or eliminated for infill and affordable housing projects in consideration of shared parking, on-street parking, and reduced travel demand attributable to these types of projects.
- ▶ **Policy CD21.7:** The County will consider adopting parking maximums in areas where high pedestrian and bicycle activity is expected and in areas around transit stops.
- ▶ **Action CD21.1: Revise Development Code & Improvement Standards.** Following adoption of the 2030 General Plan, the County will revise its development code and improvement standards. The County will consider reduced surface parking in areas where pedestrians and bicyclists are concentrated and where transit service is planned. The County will consider strategies to optimize parking supply through shared parking; use of on-street parking to meet demand of nearby properties; and other strategies. The County will consider establishing parking maximums, as well as minimums, as part of the development code and improvement standard revisions.
  - **Related Goals:** Goal CD2, Goal CD7, Goal CD8, Goal CD19, Goal CD21, Goal NR11, Goal HS3, Goal HS5
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; grant funding
  - **Time Frame:** Revise zoning and development codes by 2013, revise improvement standards by 2014

- ▶ **Policy NR1.14:** Recreational facilities and open space should be designed to use recycled materials and green building techniques, minimize surface runoff, reduce water demand, provide habitat for native species, reduce the need for ongoing maintenance, and incorporate universal access principles to facilitate use by people of all ages and abilities. Active portions of parks that may generate light and noise should be located and designed to promote compatibility with the surrounding neighborhood.
- ▶ **Policy NR7.1:** New developments shall address energy conservation in landscaping methods, materials, and design.
- ▶ **Policy NR7.2:** New buildings shall meet state standards for energy efficiency and should provide for renewable energy development and use, to the greatest extent feasible.
- ▶ **Policy HS3.17:** New developments shall limit construction of new impervious surfaces, such as parking lots, travelways, vehicle waiting areas, and vehicle loading areas to the minimum amount needed to implement the subject project.
- ▶ **Policy HS6.1:** New developments shall implement emission control measures recommended by the Feather River Air Quality Management District for construction, grading, excavation, and demolition, to the maximum extent feasible.

## Finding

Construction-related activities would result in emissions of criteria air pollutants (e.g., PM<sub>10</sub>) and precursors (e.g., ROG and NO<sub>x</sub>) from site preparation (e.g., excavation, grading, and clearing); exhaust from off-road equipment, material delivery vehicles, and worker commute vehicles; vehicle travel on paved and unpaved roads; and other miscellaneous activities (e.g., building construction, asphalt paving, application of architectural coatings, and trenching for utility installation). The 2030 General Plan provides policies that would reduce construction-related emissions because Yuba County would encourage joint-use of facilities, new development would address energy conservation, new development would be required to implement emission control measures recommended by FRAQMD, and other provisions designed to reduce construction emissions. These policies will reduce the amount of construction and land disturbance that would be required compared to the separate construction of each individual public facility. The 2030 General Plan also includes policies designed to reduce the area devoted to parking, vehicle access, and roadway construction. This would reduce both construction and operational emissions compared to the continued application of 1996 General Plan policies, which do not include this approach.

The County's policies also require compliance with standard mitigation measures recommended by the Feather River Air Quality Management District (FRAQMD). The incorporation of District-recommended control measures cannot be analyzed in detail for the large and diverse set of projects that could be accommodated under the General Plan. Although FRAQMD measures are designed to reduce or avoid impacts, it is possible that emission control measures applied to projects accommodated under the General Plan would still result in exceedance of relevant significance thresholds. Construction-related emissions of fugitive dust could violate an air quality standard, contribute substantially to an existing or projected air quality violation, and/or expose sensitive receptors to substantial pollutant concentrations.

FRAQMD standard mitigation typically would include fugitive dust reduction measures. Open burning of vegetative waste (natural plant growth wastes) or other burn materials (trash, demolition debris) would normally be prohibited. FRAQMD would normally regulate construction equipment exhaust emissions, fuels, and idling time. Instead of fuel-powered equipment, existing power sources (e.g., power poles) or clean fuel generators would be used wherever feasible. Implementation of FRAQMD standard mitigation measures would reduce short-term, construction-related emissions.

The County cannot demonstrate at this time that these measures would reduce impacts to a less-than-significant level. It is possible that construction-related emissions of criteria air pollutants and precursors could still exceed significance thresholds. Such emissions could violate or contribute substantially to an existing or projected air quality violation and/or expose sensitive receptors to substantial pollutant concentrations. Because of the large amount of development and potential for simultaneous construction of multiple sites, the nonattainment status, and modeled emissions that exceed applicable thresholds, implementation of the 2030 General Plan could have **significant** construction-related impacts. Please refer to Section 4.3 of the County's General Plan EIR for more details.

No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level. The proposed project's purpose is to provide a framework governing long-term development within the unincorporated County. It is not technically possible at this time to provide mitigation that would at once accommodate long-term development within the unincorporated areas, as needed under the 2030 General Plan, while also ensuring that emissions of criteria air pollutants and ozone precursors would occur at levels below the applicable significance thresholds, and therefore mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.3-4** **Exposure of Sensitive Receptors to Emissions of Toxic Air Contaminants.** *Implementation of the 2030 General Plan would reduce the potential for exposure of sensitive land uses to substantial concentrations of TACs.*

### **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy HS7.4:** New residential developments proposed in areas adjacent to ongoing agriculture shall provide buffers or other design features adequate to protect residents from harmful effects of agricultural chemical use.
- ▶ **Policy HS7.5:** The County will support compliance with state law regarding the location of school sites and sources of hazardous air emissions to ensure against endangerment of public health.
- ▶ **Policy CD3.1:** Commercial and industrial developments shall be located, buffered, or otherwise designed to avoid significant noise and air quality impacts.
- ▶ **Policy CD3.2:** New residential projects near railroads and highways should provide multi-use open space buffers designed to avoid adverse air quality, noise, vibration, light, and glare issues.
- ▶ **Policy CD3.3:** New residential development shall provide multi-use buffers and site plans designed to avoid pressure to convert long-term planned agriculture, mining, and forestry lands to urban development.
- ▶ **Policy CD3.4:** The County will use performance-based standards in mixed-use areas to ensure that important aspects of compatibility (air, noise, vibration, heavy truck traffic, light, glare) are addressed without impeding mixed-use development.
- ▶ **Policy CD3.5:** Prior to approval, new developments are required to demonstrate consistency with established standards for setbacks from landfills, airports, sewage treatment plants, and other similar uses, as applicable.
- ▶ **Action CD3.1: Compatibility Review and Conditioning of Projects and Plans.** The County will review projects against policies in this General Plan and analysis in the General Plan Environmental Impact Report (EIR) to reduce noise and air quality impacts. The County Zoning Ordinance and development standards should identify design and performance standards for noise, light, glare, air pollution, and other relevant issues. The County will use the General Plan to determine the adequacy of proposed buffering between

residential land uses, highways, railroads, airports, industries, mining operations, agricultural operations, and other potentially incompatible uses. The County will condition projects, as appropriate, to provide consistency with this General Plan and the General Plan EIR. The County will balance its goals for infill and mixed-use development with policies and standards for noise, vibration, light and glare, and other issues of compatibility.

- **Related Goals:** Goal CD3, Goal NR11, Goal HS5, Goal HS10, Goal HS11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; applicant funding for project-specific work
  - **Time Frame:** Ongoing
- **Action CD3.2: Open Space Buffers along State Highways and Railroads.** The County will seek funding for design and implementation of air quality, noise, and visual buffers along regional transportation routes. The County will coordinate with regional transportation agencies and drainage providers to find opportunities to use these same buffer areas for natural drainage conveyance, multi-modal transportation routes, visual buffering, community gardens, and for other useful public purposes.
- **Related Goals:** Goal CD2, Goal CD3, Goal CD 19, Goal NR11, Goal HS5, Goal HS10, Goal HS11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; federal and state funds; other funding, as appropriate.
  - **Time Frame:** Ongoing, as funding opportunities arise.
- **Policy HS6.1:** New developments shall implement emission control measures recommended by the Feather River Air Quality Management District for construction, grading, excavation, and demolition, to the maximum extent feasible.

## Finding

The General Plan includes policies that would require buffers between sensitive land uses and sources of toxic air contaminants (TACs). The General Plan anticipates that the review and conditioning of projects, including buffering and other measures to promote compatibility of adjacent land uses, would be formalized through updates to County Codes. Despite the implementation of 2030 General Plan policies and actions, existing regulations, it is possible that sensitive land uses may be exposed to substantial TAC concentrations. Therefore, the impact is considered **significant**.

The County, in the 2030 General Plan, has identified potential sources of TACs, along with existing and potential new sensitive receptors that could be affected by TACs. The 2030 General Plan addresses each situation where there is the potential for impact and provides policy direction intended to reduce or avoid such impacts. Agricultural buffers are required for residential developments encroaching into areas of ongoing agricultural production. School siting is to be addressed according to provisions of state law that are designed to avoid airborne hazardous materials related impacts. Commercial and industrial developments, which could potentially represent sources of TACs, are directed to avoid potential impacts through site design or other measures. Buffers along highways and railroads are recommended. County policies require compliance with standard mitigation measures recommended by the local air quality management district. No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is impossible for new development to occur without emissions of toxic air

contaminants. The proposed project's purpose is to provide a framework governing long-term development within the unincorporated County. Therefore, avoidance of toxic air contaminant concentrations in proximity of sensitive receptors to a less-than-significant level is not possible, while still allowing full buildout of the Valley Growth Boundary and Rural Community Boundary areas. Because it is impossible to permit new development without some potential for exposure to toxic air contaminant emissions, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.3-5** **Exposure of Sensitive Receptors to Emissions of Odors.** *Implementation of the 2030 General Plan could result in the exposure of sensitive receptors to emissions of objectionable odors.*

### **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy HS7.4:** New residential developments proposed in areas adjacent to ongoing agriculture shall provide buffers or other design features adequate to protect residents from harmful effects of agricultural chemical use.
  - ▶ **Policy CD3.1:** Commercial and industrial developments shall be located, buffered, or otherwise designed to avoid significant noise and air quality impacts.
  - ▶ **Policy CD3.2:** New residential projects near railroads and highways should provide multi-use open space buffers designed to avoid adverse air quality, noise, vibration, light, and glare issues.
  - ▶ **Policy CD3.3:** New residential development shall provide multi-use buffers and site plans designed to avoid pressure to convert long-term planned agriculture, mining, and forestry lands to urban development.
  - ▶ **Policy CD3.4:** The County will use performance-based standards in mixed-use areas to ensure that important aspects of compatibility (air, noise, vibration, heavy truck traffic, light, glare) are addressed without impeding mixed-use development.
  - ▶ **Policy CD3.5:** Prior to approval, new developments are required to demonstrate consistency with established standards for setbacks from landfills, airports, sewage treatment plants, and other similar uses, as applicable.
  - ▶ **Policy CD3.10:** Odor controls should be installed on new and existing sources, as feasible, to reduce exposure for existing and future residents. This policy does not apply to existing agricultural or agricultural-related operations.
  - ▶ **Policy CD3.11:** The deeds to all properties of proposed residential uses located near major odor sources, as defined by Feather River Air Quality Management District, shall include a disclosure clause advising buyers and tenants of the potential adverse odor impacts.
  - ▶ **Action CD3.1: Compatibility Review and Conditioning of Projects and Plans.** The County will review projects against policies in this General Plan and analysis in the General Plan Environmental Impact Report (EIR) to reduce noise and air quality impacts. The County Zoning Ordinance and development standards should identify design and performance standards for noise, light, glare, air pollution, and other relevant issues. The County will use the General Plan to determine the adequacy of proposed buffering between residential land uses, highways, railroads, airports, industries, mining operations, agricultural operations, and other potentially incompatible uses. The County will condition projects, as appropriate, to provide consistency with this General Plan and the General Plan EIR. The County will balance its goals for infill and mixed-use development with policies and standards for noise, vibration, light and glare, and other issues of compatibility.
- **Related Goals:** Goal CD3, Goal NR11, Goal HS5, Goal HS10, Goal HS11

- **Agency/Department:** Community Development and Services Agency
- **Funding Source:** General Fund; applicant funding for project-specific work
- **Time Frame:** Ongoing
- ▶ **Action CD3.2: Open Space Buffers along State Highways and Railroads.** The County will seek funding for design and implementation of air quality, noise, and visual buffers along regional transportation routes. The County will coordinate with regional transportation agencies and drainage providers to find opportunities to use these same buffer areas for natural drainage conveyance, multi-modal transportation routes, visual buffering, community gardens, and for other useful public purposes.
  - **Related Goals:** Goal CD2, Goal CD3, Goal CD 19, Goal NR11, Goal HS5, Goal HS10, Goal HS11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; federal and state funds; other funding, as appropriate.
  - **Time Frame:** Ongoing, as funding opportunities arise.

## Finding

Minor sources of odors (e.g., construction equipment, highways, railroads) would not result in exposure of sensitive receptors (on- or off-site) to excessive project-generated odor sources, with implementation of the 2030 General Plan.

As noted elsewhere, the County will require agricultural buffers in new development to reduce adverse impacts and complaints associated with encroaching urban development. It is possible that agricultural processing facilities, dairies, feedlots, or other agriculture related uses that produce major odors would occur adjacent to the areas with existing or future sensitive uses. Exposure to wastewater treatment facilities could increase in the future. Future sensitive receptors could be exposed to excessive odors from existing or future land uses on a recurring basis. This impact is **significant**.

Implementation of 2030 General Plan policies and actions would reduce the exposure of sensitive receptors to odorous emissions because new residential developments would be required to provide buffers to protect residents, new developments must demonstrate consistency with applicable policies designed to reduce impacts to existing and future residents, mandatory disclosures and other policies and actions would reduce potential odor impacts during the project planning phase. But the County cannot guarantee that odor sources can be effectively reduced such that complaints will not occur occasionally in the future. Due to the subjective nature of odor, it is possible that future impacts related to major and minor sources could be considered significant. No additional feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is impossible to allow new development without the risk of some exposure to odorous emissions. The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. Therefore, avoidance of odorous emissions to a less-than-significant level is not possible, while still allowing full buildout of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to develop open land without the possibility of odorous emissions, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

## BIOLOGICAL RESOURCES

**IMPACT 4.4-1** **Impacts to Special Status Wildlife and Fish Species.** *37 special-status wildlife and fish species are known to occur within areas that could be affected by implementation of the 2030 General Plan. Special-status species could occur in suitable habitats throughout areas that could be affected by implementation of the 2030 General Plan. Implementation of the 2030 General Plan would result in loss or degradation of existing*

*populations or of suitable habitat for these species.*

## **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy NR5.1:** New developments that could adversely affect special-status species habitat shall conduct a biological resources assessment and identify design solutions that avoid such adverse effects. If, after examining all feasible means to avoid impacts to special-status species habitat through project design, adverse effects cannot be avoided, then impacts shall be mitigated in accordance with guidance from the appropriate state or federal agency charged with the protection of the subject species, including pre-construction surveys conducted according to applicable standards and protocols, where necessary.
- ▶ **Policy NR5.2:** The County will coordinate its environmental review and mitigation requirements with the Yuba-Sutter NCCP/HCP, once adopted.
- ▶ **Policy NR5.5:** The County will support cooperative restoration, development, and promotion of natural resources with the U.S. Fish and Wildlife Service, the Army Corps of Engineers, the Bureau of Reclamation, the U.S. Forest Service, and other public agencies with an interest in Yuba County's water and wildlife assets.
- ▶ **Policy NR5.6:** New developments and public investments near Yuba County's streams and rivers shall be designed to avoid tree removal, erosion, or other modifications that would adversely affect salmonid habitat.
- ▶ **Policy NR5.7:** New private developments adjacent to riparian areas shall provide a buffer designed and maintained to preserve existing wildlife habitat; provide habitat conditions favorable to native local wildlife; restrict activities that may adversely affect wildlife habitat quality; and restore degraded habitat, where feasible.
- ▶ **Policy NR5.9:** The County will encourage measures on agricultural lands that conserve or restore habitat.
- ▶ **Policy NR5.10:** The County will support the use of mitigation fees from the Yuba-Sutter Natural Community Conservation/Habitat Conservation Plan to fund preservation and restoration elements of the County's open space strategy.
- ▶ **Policy NR5.11:** Any new developments adjacent to the Spenceville Wildlife Refuge, Marysville Wildlife Area, Feather River Wildlife Area, Daugherty Hill Wildlife Area, or Starbend Fishing Access shall be buffered from wildlife areas or otherwise designed to avoid adverse direct and indirect effects on wildlife. Buffers related to firearm use, if necessary, should occur within the public wildlife area.
- ▶ **Policy NR5.12:** New developments that could affect wildlife movement corridors shall conduct a biological assessment and avoid placing any temporary or permanent barriers within such corridors, if they are determined to exist on-site.
- ▶ **Policy NR5.14:** The County will discourage development that would substantially and adversely affect the designated winter and critical winter range of the Mooretown or Downieville deer herd.
- ▶ **Policy NR5.15:** Roads, water lines, sewer lines, drainage facilities, and other public facilities constructed to serve unincorporated County development shall be located and designed to avoid substantial impacts to stream courses, associated riparian areas, and wetlands, to the greatest extent feasible.
- ▶ **Action NR5.1: Environmental Review and Mitigation.** The County will maintain information on biological resources, including data gathered for this General Plan and the NCCP/HCP, and will use this information to determine whether projects could have potentially significant impacts on biological resources, and whether project-level biological assessments would be required prior to project approval. Private and public projects will be required to comply with provisions of the California Environmental Quality Act (CEQA), including

documentation and mitigation of potentially significant impacts. The County will identify a range of exemptions and streamlining for infill development projects where the County is the CEQA lead agency, including streamlining of biological resource information that is necessary to entitle such development projects. For projects that would affect the function and value of river, stream, lake, pond, or wetland features, each of these features shall be delineated. For wetlands, the delineation shall be conducted in accordance with the U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual and verified by USACE. The County will identify standard mitigation and survey requirements, if necessary, for use with project level CEQA review, as well as National Environmental Policy Act (NEPA) review, where needed. The standard mitigation and survey requirements will be consistent with applicable guidance from trustee and responsible agencies, such as the California Department of Fish & Game, the Army Corps of Engineers, and the U.S. Fish and Wildlife Service. Mitigation monitoring shall be conducted to ensure performance criteria are met.

- **Related Goals:** Goal NR5, Goal NR10, Goal HS3, Goal HS8, Goal CD11
- **Agency/Department:** Community Development and Services Agency
- **Funding Source:** Project applicant funding for private plans and projects, various sources of funding for public projects
- **Time Frame:** Ongoing, as projects are proposed under the 2030 General Plan

## Finding

The Open Space Diagram (Exhibit Natural Resources-1) in the Natural Resources Element and Land Use Diagram (Exhibit Community Development-2) in the Community Development Element are based, in part, on an analysis of sensitive habitats in the unincorporated County, as well as groundwater recharge areas, agricultural resources, forest resources, and other natural resources in the County. Successful implementation of the 2030 General Plan would reduce impacts on special-status wildlife species by requiring new development to avoid, minimize, and/or compensate for adverse effects on special-status wildlife and suitable habitat for these species. 2030 General Plan policies would provide for consultation with regulatory agencies, design solutions to avoid impacts, coordination with existing and future environmental regulations (the Yuba-Sutter NCCP/HCP), mitigation for impacts, and buffers to riparian areas and designated wildlife areas.

Some of these species and their habitats, such as riparian and aquatic species (e.g., California red-legged frog, giant garter snake, and western yellow-billed cuckoo) have already declined drastically. The loss of additional habitat on the scale that could result from implementing the 2030 General Plan could result in substantial impacts to these species.

However, complete avoidance may not be possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Thus, economic, legal, social, technological or other considerations may make it infeasible to implement all mitigating policies on every project, thus mitigation of these potential impacts to a less-than-significant level is facially infeasible. The County has included all feasible methods of reducing impacts as policies and actions in the 2030 General Plan. No additional feasible mitigation is available beyond compliance with existing regulations and 2030 General Plan policies and actions, and this impact is **significant and unavoidable**.

**IMPACT 4.4-3** **Loss and Degradation of Sensitive Habitats.** *Implementation of the 2030 General Plan would accommodate development in areas that support oak woodland and riparian habitats. Development in these areas would result in direct impacts on these sensitive habitats through vegetation removal. Loss and degradation of these habitat types could also result from indirect effects, such as altered hydrology, introduction of invasive species, and habitat fragmentation.*

## Relevant Policies and Actions of the 2030 General Plan

- ▶ **Policy NR5.4:** New developments shall be located and designed to preserve and incorporate existing native vegetation to the maximum extent feasible. Fire safety standards may override consideration of retaining existing vegetation in certain circumstances.
- ▶ **Policy NR5.5:** The County will seek funding to enhance and restore habitat along the Yuba River, in coordination with development of recreational facilities and public access.
- ▶ **Policy NR5.7:** New private developments adjacent to riparian areas shall provide a buffer designed and maintained to preserve existing wildlife habitat; provide habitat conditions favorable to native local wildlife; restrict activities that may adversely affect wildlife habitat quality; and restore degraded habitat, where feasible.
- ▶ **Policy NR5.15:** Roads, water lines, sewer lines, drainage facilities, and other public facilities constructed to serve unincorporated County development shall be located and designed to avoid substantial impacts to stream courses, associated riparian areas, and wetlands, to the greatest extent feasible.
- ▶ **Action NR5.3: Wetlands and Riparian Buffers.** Through review of proposed private and public projects near wetlands and riparian areas, the County will require buffering to protect these important habitats. Setbacks are expected to range from 33 to 150 feet in width. Where stream courses are contained within levees, as in the case of the Bear, Feather, and Yuba rivers, required setbacks shall be measured from the outside toe of the levee. Where levees are not present, the buffer shall be measured from the edge of the active floodway. Setbacks will be included as a part of conditions of approval for proposed projects. The depth of the setback shall be determined based upon site-specific conditions and communication with appropriate trustee and responsible agencies, such as the California Department of Fish & Game, the U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service. Depending on the vegetation type, ongoing management of buffers may be necessary to address invasive species, human disturbance, and to sustain habitat and water quality functions. Buffers should generally be subject to a permanent covenant, such as a conservation easement, and shall include an ongoing maintenance agreement with a land trust or other qualified organization. In the case of vernal pool wetlands, sufficient area shall be preserved to maintain the hydrologic integrity of each vernal pool to be preserved. Low-impact recreation could be allowed in buffer areas so long as impacts to these sensitive habitats are avoided or fully mitigated. Human and pet disturbance in sensitive habitat areas should be discouraged as a part of buffer and project design.
  - **Related Goals:** Goal NR5, Goal NR10, Goal HS3, Goal HS8, Goal CD11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Project applicant funds
  - **Time Frame:** Ongoing, as projects are proposed
- ▶ **Policy NR10.1:** Building placement, grading, and circulation should be planned to retain as much existing native vegetation as feasible, with a priority on preserving existing oak trees that have a diameter at breast height (dbh) of 6 inches or greater and all other trees that have a dbh of 30 inches or greater. The County's policies and standards for fire safety may override consideration of retaining existing vegetation in certain circumstances.
- ▶ **Action NR10.1: Oak Woodlands and Tree Preservation.** Following adoption of the 2030 General Plan, the County will adopt and implement a tree preservation and mitigation ordinance. This ordinance will implement state requirements for oak woodlands mitigation (as required by Public Resources Code Section 21083.4, including certain exemptions). The tree preservation ordinance will address native oak trees measuring 6

inches or more in diameter at breast height (dbh) and all other trees greater than 30 inches dbh. The ordinance will describe the process by which the County determines the significance of impacts related to tree removal. For oak woodlands, mitigation can occur through: conservation easements; planting (up to 50% of mitigation requirement); restoration; contribution to the Oak Woodlands Conservation Fund; or equally effective mitigation formulated by the County during development of this ordinance.

- **Related Goals:** Goal NR4, Goal NR5, Goal NR9, Goal NR10, Goal HS8
- **Agency/Department:** Community Development and Services Agency
- **Funding Source:** General fund and/or fees
- **Time Frame:** Adopt ordinance by 2015

## **Mitigation Measures**

### ***Mitigation Measure 4.4-3a: Oak Woodland Habitats.***

The following measures shall be implemented until the County has adopted an oak woodland preservation and mitigation ordinance. The County oak woodland preservation and mitigation plan may incorporate many of the measures listed below.

- ▶ During evaluation of development proposals, require that impacts on oak woodlands such as direct conversions, habitat fragmentation and adverse effects from adjacent land uses be avoided to the greatest extent feasible through project design and modification. This shall be accomplished through mapping oak woodland resources on the project site and establishing buffers around existing stands to prevent adverse effects.
- ▶ Require implementation of BMPs while working near oak woodlands to avoid inadvertent damage to oak trees. BMPs should include establishment of buffers to prevent root and crown damage, soil compaction, introduction and spread of invasive species and other indirect effects.
- ▶ For those impacts on oak woodland that cannot be avoided, the County shall require the project applicant to minimize adverse affects. All impacts that cannot be avoided shall be mitigated to ensure that loss of oak woodland habitat in the county is reduced to the maximum extent feasible. Mitigation shall include the following steps: mapping of oak woodlands on the project site, quantification of oak woodland impacts resulting from project implementation, determination of appropriate mitigation measures (avoidance, minimization, compensation), development of an oak woodland mitigation plan, and implementation of the plan including monitoring and remedial measures.
- ▶ Measures proposed in the oak woodland mitigation plan may include planting acorns and container stock from a local seed source; however planting may not account for more than 50% of the required mitigation and must occur on lands that are protected in perpetuity. Other measures to be included in the mitigation plan may include the enhancement of degraded stands of oak woodland, purchase of fee title of land and transfer to a public agency for management, and purchase of conservation easements.
- ▶ Oak woodland habitat placed under conservation easements should be at appropriate ratios to offset the loss of habitat functions and values of the oak woodland to be lost. Oak woodland habitat preserved this way should have similar tree sizes and densities, species composition, site condition, and landscape context to the oak woodland to be removed to serve the same function and have similar habitat value. The County may also consider the establishment of an oak woodland conservation fund which project applicants may contribute to for a percentage of their mitigation requirements, however a cap should be established for fund contributions,

similar to the cap for replacement planting; fund moneys would be used solely for purchase of conservation easements or for public lands to protect oak woodland resources.

- ▶ Wherever possible, mitigation lands shall be contiguous with lands already protected and managed for the long term protection of oak woodland and the associated plant and wildlife species to maximize the likelihood of mitigation success. The oak woodland plan shall be developed by a qualified professional such as a professional biologist, arborist or registered forester using the best available science and shall clearly state all mitigation measures required.
- ▶ The plan shall designate responsible parties for funding, implementing mitigation, monitoring, reporting and annual review, and shall include remedial action measures if the initial plan fails or if success levels fall below the thresholds specified in the plan. The County shall require the mitigation plan and proof of sufficient means to implement the plan prior to project approval and shall require annual reports for the implementation timeframe of the plan.

#### **Mitigation Measure 4.4-3b: Riparian Habitats**

The following measures shall be implemented as necessary to avoid significant impacts to riparian habitats.

- ▶ If complete avoidance is not feasible, and projects require encroachment into the riparian habitat, project applicants shall be required to develop a riparian habitat mitigation plan resulting in a no- net- loss of riparian habitat functions and values.
- ▶ Mitigation may be accomplished through replacement, enhancement of degraded habitat, or off -site mitigation at an established mitigation bank.
- ▶ If a proposed project requires work on the bed and bank of a stream or other water body, the project applicant shall also obtain a streambed alteration agreement under Section 1600 et al. of the Fish and Game Code from DFG prior to project implementation, and shall implement all requirements of the agreement in the timeframes required therein.

#### **Finding**

Implementing 2030 General Plan policies and actions, along with the mitigation measures outlined above, would reduce significant impacts related to the loss of oak woodland and riparian habitats by requiring avoidance through project design and establishment of riparian habitat buffers. Where complete avoidance is not feasible, projects will be required to quantify and mitigate impacts on these habitats. However, the County cannot demonstrate at this time that the implementation of these measures would reduce this impact to a less-than-significant level. The impact is considered **significant**.

No feasible mitigation measures beyond those included above are available to reduce this impact to a less-than-significant level because it is unknown if habitat acreage having similar tree sizes and densities, species composition, site condition, and landscape context to the habitats to be removed would be available for purchase and preservation in perpetuity; whether other lands could be acquired to create or restore a similar acreage and quality of oak woodland habitat; and whether sites suitable to successfully establish new valley oak woodlands are available in the County. The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. Therefore, avoidance of the potential loss of oak woodland habitat or riparian habitat to a less-than-significant level is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Even with the combination of preservation and creation of habitat, there would be a net loss of these sensitive habitats in the County, at least on a temporal scale until created habitats matured to a point where they would provide similar habitat functions and values as those lost.

Creating new woodland habitat through tree planting would result in temporal losses of woodland resources until the created habitat matured to a point where it would provide similar habitat functions and values as those lost (a process that would take decades). In addition, Public Resources Code (PRC) Section 21083.4 institutes a cap on planting oaks for habitat mitigation, specifically stating that not more than 50 percent of required mitigation can be in the form of replanting. Furthermore, the quality of sensitive habitats that are preserved within and adjacent to new developments would be diminished because they would be converted from large contiguous tracts of natural habitat to smaller habitat patches dissected by paved roads and fragmented by rural residential and urban development. Therefore, this impact is **significant and unavoidable**.

**IMPACT 4.4-4** **Interference with Movement or Migratory Patterns of Fish or Wildlife Species.** *Construction of infrastructure, roadways, or developments as part of the buildout of the 2030 General Plan could result in modifications to potential migratory routes or resting locations for fish or wildlife species. In addition, buildout of the 2030 General Plan would accommodate land use change that could alter migratory patterns for wildlife species.*

### **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy NR5.6:** New developments and public investments near Yuba County's streams and rivers shall be designed to avoid tree removal, erosion, or other modifications that would adversely affect salmonid habitat.
- ▶ **Policy NR5.7:** New private developments adjacent to riparian areas shall provide a buffer designed and maintained to preserve existing wildlife habitat; provide habitat conditions favorable to native local wildlife; restrict activities that may adversely affect wildlife habitat quality; and restore degraded habitat, where feasible.
- ▶ **Policy NR5.9:** The County will encourage measures on agricultural lands that conserve or restore habitat.
- ▶ **Policy NR5.10:** The County will support the use of mitigation fees from the Yuba-Sutter Natural Community Conservation/Habitat Conservation Plan to fund preservation and restoration elements of the County's open space strategy.
- ▶ **Policy NR5.11:** Any new developments adjacent to the Spenceville Wildlife Refuge, Marysville Wildlife Area, Feather River Wildlife Area, Daugherty Hill Wildlife Area, or Starbend Fishing Access shall be buffered from wildlife areas or otherwise designed to avoid adverse direct and indirect effects on wildlife. Buffers related to firearm use, if necessary, should occur within the public wildlife area.
- ▶ **Policy NR5.12:** New developments that could affect wildlife movement corridors shall conduct a biological assessment and avoid placing any temporary or permanent barriers within such corridors, if they are determined to exist on-site.
- ▶ **Policy NR5.14:** The County will discourage development that would substantially and adversely affect the designated winter and critical winter range of the Mooretown or Downieville deer herd.
- ▶ **Policy NR5.15:** Roads, water lines, sewer lines, drainage facilities, and other public facilities constructed to serve unincorporated County development shall be located and designed to avoid substantial impacts to stream courses, associated riparian areas, and wetlands, to the greatest extent feasible.
- ▶ **Action NR5.1: Environmental Review and Mitigation.** The County will maintain information on biological resources, including data gathered for this General Plan and the NCCP/HCP, and will use this information to determine whether projects could have potentially significant impacts on biological resources, and whether project-level biological assessments would be required prior to project approval. Private and public projects will be required to comply with provisions of the California Environmental Quality Act (CEQA), including

documentation and mitigation of potentially significant impacts. The County will identify a range of exemptions and streamlining for infill development<sup>3</sup> projects where the County is the CEQA lead agency, including streamlining of biological resource information that is necessary to entitle such development projects. For projects that would affect the function and value of river, stream, lake, pond, or wetland features, each of these features shall be delineated. For wetlands, the delineation shall be conducted in accordance with the U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual and verified by USACE. The County will identify standard mitigation and survey requirements, if necessary, for use with project level CEQA review, as well as National Environmental Policy Act (NEPA) review, where needed. The standard mitigation and survey requirements will be consistent with applicable guidance from trustee and responsible agencies, such as the California Department of Fish & Game, the Army Corps of Engineers, and the U.S. Fish and Wildlife Service. Mitigation monitoring shall be conducted to ensure performance criteria are met.

- **Related Goals:** Goal NR5, Goal NR10, Goal HS3, Goal HS8, Goal CD11
- **Agency/Department:** Community Development and Services Agency
- **Funding Source:** Project applicant funding for private plans and projects, various sources of funding for public projects
- **Time Frame:** Ongoing, as projects are proposed under the 2030 General Plan

## Finding

Implementation of the policies and actions of the 2030 General Plan would reduce potential adverse effects to migratory wildlife and habitat used in wildlife movement because new development would be required to avoid impacts to habitat through avoidance, buffers, and other means that would reduce impacts to fish or wildlife movement or migratory corridors. The policies and actions listed above include protection for anadromous fish habitat, deer ranges and migratory habitat, and riparian habitat, which is commonly used by various wildlife species for migration. However, the extent to which significant impacts would be reduced by implementing the General Plan policies and actions cannot be fully known in advance of specific project details. The impact is considered **significant**.

No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to less-than-significant level because it is impossible to allow new development without risking some potential impacts to wildlife movement patterns. The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. Therefore, avoidance of migratory wildlife and habitat used in wildlife movement to a less-than-significant level is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to develop open land and at the same time preserve all wildlife movement areas, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

## CULTURAL RESOURCES

**IMPACT 4.5-1 Damage to Identified Historical Resources and Unique Archaeological Resources.** *The 2030 General Plan contains policies and a growth template that would allow construction and development, as depicted in the Land Use Diagram. Yuba County has a high density of identified cultural resources. Many of these resources, upon evaluation, are likely to qualify as historical resources or unique archaeological resources under CEQA. Construction activity under the General Plan could affect one or more of these resources,*

<sup>3</sup> "Infill development," for the purposes of this General Plan, means projects that can be served by connecting to existing municipal water and sewer trunk lines that are present in the project vicinity.

*resulting in significant impacts by either direct disturbance through excavation or by changes to the setting.*

### **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy NR6.1:** The County will require environmental assessment and mitigation to reduce or avoid impacts to significant cultural resources, as feasible, per state and federal legislation and regulations.
- ▶ **Policy NR6.2:** If potential paleontological or prehistoric resources are detected during construction, work shall stop and consultation is required to avoid further impacts.
- ▶ **Policy NR6.3:** New developments, roads, water and sewer lines, and stormwater infrastructure should be located to avoid impacts to significant cultural resources.
- ▶ **Policy NR6.4:** The County will encourage adaptive reuse of historic structures in a way that maintains the character defining elements of the historic structure.
- ▶ **Policy NR6.5:** Priority investment should go to preserving or rehabilitating historic structures that are grouped in close proximity, are particularly good examples of a specific architectural style, or are associated with important people or events in the County's history.
- ▶ **Policy NR6.6:** The County will disseminate information to property owners regarding tax incentives and other federal and state programs that support the rehabilitation of historic structures.
- ▶ **Action NR6.1: Environmental Review and Mitigation.** Building on the analysis in the General Plan Program EIR, new development projects that could have significant adverse impacts to prehistoric or historic resources will be required to assess impacts and provide mitigation. The following steps, or those deemed equally effective by the County, will be followed:
  - Request information from the Native American Heritage Commission regarding Native American groups that may have important sites in areas that could be affected by project development.
  - Involve the local Native American community in determining the appropriate mitigation of impacts to significant prehistoric sites.
  - Consult the County's historic and cultural resources database and updated information from the North Central Information Center regarding cultural resource sites, structures, or landscapes that could be affected by project activities.
  - Based upon the sensitivity of the subject proposed project area (see Exhibit NR-6), additional technical work may be required. Where a cultural resources survey has not been performed:
    - a pedestrian survey may be required in areas of low sensitivity;
    - a pedestrian survey will be required in areas of moderate and high sensitivity; and
    - Based on findings of the pedestrian survey, additional technical studies may be required, such as geoarchaeological sensitivity analysis, Native American consultation, ethnographic studies, or other analysis scaled according to the nature of the individual project.
  - For new developments that would alter historic structures (structures 50 years old or older), a qualified architectural historian shall conduct a record search and assess the potential for the project to result in significant impacts to historical resources that occur as part of the existing built environment.

- Determination of impacts, significance, and mitigation (i.e., site monitors, avoidance, and/or other measures) shall be made by a qualified professional archaeologist or architectural historian, as appropriate.
- If impacts cannot be avoided through project design, appropriate and feasible treatment measures are required. Such measures may consist of, but are not limited to actions such as data recovery excavations, photographic documentation, or preparation of design drawings documenting the resource subject to significant impacts.
- Provide the North Central Information Center with appropriate California Department of Parks and Recreation site record forms and cultural resources reports documenting resources that may be identified through technical work performed to review projects accommodated under the 2030 General Plan.
- If human remains are discovered during construction of projects occurring under General Plan buildout, the project proponent and landowner shall comply with California Health and Safety Code Section 7050.5 and California Public Resources Code Section 7050.5.
- **Related Goals:** Goal NR6
- **Agency/Department:** Community Development and Services Agency
- **Funding Source:** Project applicant funds
- **Time Frame:** Ongoing, as construction occurs under the General Plan

## Finding

The policies listed above include avoidance of resources where possible, adaptive reuse of existing resources such as historic structures, and technical studies and preparation of treatment to minimize impacts that cannot be avoided. The 2030 General Plan also requires consultation with local Native American groups, as appropriate, when determining appropriate project-specific mitigation.

Although the General Plan is structured to avoid cultural resource impacts, the development of unincorporated Yuba County could affect the setting of one or more significant cultural resources. Also, the extent to which significant impacts could be reduced by implementing the General Plan policies and actions cannot be fully known in advance of specific project details. The impact is considered **significant**.

No feasible mitigation beyond the methods for reducing impacts included as policy in the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is technically impossible to allow new development while preserving the existing setting. The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. Therefore, avoidance of changing the existing setting to a less-than-significant level is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to develop new uses and at the same time maintain the existing setting, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.5-2** **Damage of Previously Unidentified Cultural Resources.** *Buildout of the areas designated for development within the planning area identified 2030 General Plan has the potential to damage or disturb previously unidentified cultural resources. The density of known cultural resources within Yuba County is high, indicating that additional resources occur that have not been recorded and which could be damaged by construction prior to discovery.*

## Relevant Policies and Actions of the 2030 General Plan

- ▶ **Policy NR6.1:** The County will require environmental assessment and mitigation to reduce or avoid impacts to significant cultural resources, as feasible, per state and federal legislation and regulations.
- ▶ **Policy NR6.2:** If potential paleontological or prehistoric resources are detected during construction, work shall stop and consultation is required to avoid further impacts.
- ▶ **Policy NR6.3:** New developments, roads, water and sewer lines, and stormwater infrastructure should be located to avoid impacts to significant cultural resources [the avoidance of identified resources would reduce the risk of damage to previously unidentified elements of the same resource].
- ▶ **Action NR6.1: Environmental Review and Mitigation.** Building on the analysis in the General Plan Program EIR, new development projects that could have significant adverse impacts to prehistoric or historic resources will be required to assess impacts and provide mitigation. The following steps, or those deemed equally effective by the County, will be followed:
  - Request information from the Native American Heritage Commission regarding Native American groups that may have important sites in areas that could be affected by project development.
  - Involve the local Native American community in determining the appropriate mitigation of impacts to significant prehistoric sites.
  - Consult the County's historic and cultural resources database and updated information from the North Central Information Center regarding cultural resource sites, structures, or landscapes that could be affected by project activities.
  - Based upon the sensitivity of the subject proposed project area (see Exhibit NR-6), additional technical work may be required. Where a cultural resources survey has not been performed:
    - a pedestrian survey may be required in areas of low sensitivity;
    - a pedestrian survey will be required in areas of moderate and high sensitivity; and
    - Based on findings of the pedestrian survey, additional technical studies may be required, such as geoarchaeological sensitivity analysis, Native American consultation, ethnographic studies, or other analysis scaled according to the nature of the individual project.
  - For new developments that would alter historic structures (structures 50 years old or older), a qualified architectural historian shall conduct a record search and assess the potential for the project to result in significant impacts to historical resources that occur as part of the existing built environment.
  - Determination of impacts, significance, and mitigation (i.e., site monitors, avoidance, and/or other measures) shall be made by a qualified professional archaeologist or architectural historian, as appropriate.
  - If impacts cannot be avoided through project design, appropriate and feasible treatment measures are required. Such measures may consist of, but are not limited to actions such as data recovery excavations, photographic documentation, or preparation of design drawings documenting the resource subject to significant impacts.

- Provide the North Central Information Center with appropriate California Department of Parks and Recreation site record forms and cultural resources reports documenting resources that may be identified through technical work performed to review projects accommodated under the 2030 General Plan.
- If human remains are discovered during construction of projects occurring under General Plan buildout, the project proponent and landowner shall comply with California Health and Safety Code Section 7050.5 and California Public Resources Code Section 7050.5.
- **Related Goals:** Goal NR6
- **Agency/Department:** Community Development and Services Agency
- **Funding Source:** Project applicant funds
- **Time Frame:** Ongoing, as construction occurs under the General Plan

## Finding

Relevant policies that reduce the risk of impacts to previously unidentified resources include background research and monitoring of areas of sensitivity for unidentified resources during construction. The 2030 General Plan also requires consultation with local Native American groups when determining appropriate mitigation. Consultation with such groups may result in identification of additional resources or areas of sensitivity.

In addition to monitoring areas of sensitivity for prehistoric archaeological resources, as indicated above in Action NR6.1, applicants for entitlements to construct improvements shall be required to retain a professional archaeologist to monitor ground-disturbing work in areas of high sensitivity for previously unidentified historic-era resources, if areas of sensitivity are identified during background research or on-the-ground surveys.

Because the density of resources in the County is relatively high, there is a reasonable potential that buildout of the General Plan will involve one or more projects that inadvertently disturb one or more previously unidentified cultural resources. Many of these resources are likely to qualify as historical resources or unique archaeological resources under CEQA or historic properties. The impact is considered **significant**.

The proposed policies of the 2030 General Plan constitute the feasible methods available to reduce impacts on previously unidentified cultural resources. However, the extent to which significant impacts would be reduced by implementing the General Plan policies and actions cannot be fully known in advance of specific project details. No feasible mitigation beyond the methods for reducing impacts included as policy in the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is technically impossible to allow new development without at least some potential damage to previously unknown cultural resources. The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. Therefore, mitigation to a less-than-significant level regarding previously unknown cultural resources may not be possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas.

No further mitigation is feasible beyond identification of potential resources in advance, consultation with relevant information repositories and the Native American community, monitoring construction and stopping of work if resources are identified. Therefore, this impact is **significant and unavoidable**.

**IMPACT 4.5-3**     **Disturbance and Damage to Human Remains.** *Buildout of the 2030 General Plan would allow construction in areas that could contain previously undiscovered buried human remains. Previously identified cultural resources within the County include prehistoric archaeological sites with human burials. In addition, historic archaeological deposits may include human remains and cemeteries. It is possible that ground-disturbing work that would be performed during buildout of the General Plan will encounter such remains, and potentially result in damage.*

#### **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy NR6.1:** The County will require environmental assessment and mitigation to reduce or avoid impacts to significant cultural resources, as feasible, per state and federal legislation and regulations.
- ▶ **Policy NR6.2:** If potential paleontological or prehistoric resources are detected during construction, work shall stop and consultation is required to avoid further impacts.
- ▶ **Policy NR6.3:** New developments, roads, water and sewer lines, and stormwater infrastructure should be located to avoid impacts to significant cultural resources.
- ▶ **Policy NR6.4:** The County will encourage adaptive reuse of historic structures in a way that maintains the character defining elements of the historic structure.
- ▶ **Policy NR6.5:** Priority investment should go to preserving or rehabilitating historic structures that are grouped in close proximity, are particularly good examples of a specific architectural style, or are associated with important people or events in the County's history.
- ▶ **Policy NR6.6:** The County will disseminate information to property owners regarding tax incentives and other federal and state programs that support the rehabilitation of historic structures.
- ▶ **Action NR6.1: Environmental Review and Mitigation.** Building on the analysis in the General Plan Program EIR, new development projects that could have significant adverse impacts to prehistoric or historic resources will be required to assess impacts and provide mitigation. The following steps, or those deemed equally effective by the County, will be followed:
  - Request information from the Native American Heritage Commission regarding Native American groups that may have important sites in areas that could be affected by project development.
  - Involve the local Native American community in determining the appropriate mitigation of impacts to significant prehistoric sites.
  - Consult the County's historic and cultural resources database and updated information from the North Central Information Center regarding cultural resource sites, structures, or landscapes that could be affected by project activities.
  - Based upon the sensitivity of the subject proposed project area (see Exhibit NR-6), additional technical work may be required. Where a cultural resources survey has not been performed:
    - a pedestrian survey may be required in areas of low sensitivity;
    - a pedestrian survey will be required in areas of moderate and high sensitivity; and
    - Based on findings of the pedestrian survey, additional technical studies may be required, such as geoarchaeological sensitivity analysis, Native American consultation, ethnographic studies, or other analysis scaled according to the nature of the individual project.

- For new developments that would alter historic structures (structures 50 years old or older), a qualified architectural historian shall conduct a record search and assess the potential for the project to result in significant impacts to historical resources that occur as part of the existing built environment.
- Determination of impacts, significance, and mitigation (i.e., site monitors, avoidance, and/or other measures) shall be made by a qualified professional archaeologist or architectural historian, as appropriate.
- If impacts cannot be avoided through project design, appropriate and feasible treatment measures are required. Such measures may consist of, but are not limited to actions such as data recovery excavations, photographic documentation, or preparation of design drawings documenting the resource subject to significant impacts.
- Provide the North Central Information Center with appropriate California Department of Parks and Recreation site record forms and cultural resources reports documenting resources that may be identified through technical work performed to review projects accommodated under the 2030 General Plan.
- If human remains are discovered during construction of projects occurring under General Plan buildout, the project proponent and landowner shall comply with California Health and Safety Code Section 7050.5 and California Public Resources Code Section 7050.5.
- **Related Goals:** Goal NR6
- **Agency/Department:** Community Development and Services Agency
- **Funding Source:** Project applicant funds
- **Time Frame:** Ongoing, as construction occurs under the General Plan

## Finding

In addition to monitoring areas of sensitivity for prehistoric archaeological resources as indicated above in Action NR6.1, applicants for entitlements to construct improvements will be required to retain a professional archaeologist to monitor ground-disturbing work in areas of high sensitivity for previously unidentified human remains, as appropriate.

Because prehistoric and historic archaeological sites that contain human remains can occur below ground with little or no surface manifestation, it may not be feasible to entirely avoid impacts to interred human remains during buildout of the 2030 General Plan, despite implementation of the County's proposed policies. If buried human remains are encountered during construction without prior discovery, they may be inadvertently damaged or destroyed. The impact is considered **significant**.

Compliance with the requirements of the 2030 General Plan represents the feasible measures that may be used to avoid impacts to interred human remains that could be encountered during ground-disturbing construction. No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is technically impossible to allow new development without at least some potential damage to previously unknown cultural resources. The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. Therefore, mitigation to a less-than-significant level for previously unknown cultural resources may not be possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas.

No further mitigation is feasible beyond identification of potential resources in advance, consultation with relevant information repositories and the Native American community, monitoring construction and stopping of work if resources are identified. Therefore, this impact is **significant and unavoidable**.

## **Geology, Soils, Mineral Resources, and Paleontological Resources**

**IMPACT 4.6-6** **Loss of Availability of Known Mineral Resources.** *Buildout of the 2030 General Plan could result in construction in areas near existing or potential future mineral resource development. While regionally significant mineral deposits located within Yuba County, including MRZ-2 zones located along the Yuba River between Marysville and Smartsville, will be preserved, it is possible that development under the 2030 General Plan would encroach on mining operations.*

## **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy NR8.1:** The County will strongly discourage residential developments outside Rural Community Boundary areas in areas adjacent to ongoing mining operations.
- ▶ **Policy NR8.2:** New developments adjacent to ongoing mining operations shall provide written notice to landowners and residents that the County will not consider ongoing adjacent lawful mining operations to be a nuisance in the instance of encroaching development.
- ▶ **Policy NR8.3:** The County's zoning and development standards will be designed to protect Mineral Resource Zones and prevent introduction of incompatible land uses in areas with ongoing, viable mining operations.
- ▶ **Policy NR8.4:** The County will support alternative methods for transporting aggregate, consistent with this General Plan.
- ▶ **Policy NR8.5:** Mining operations shall be reviewed and conditioned to mitigate impacts to water quality and flood protection facilities.
- ▶ **Policy NR8.6:** In addition to mitigating impacts, projects that extract non-renewable mineral resources within the County may require, at the discretion of the Board of Supervisors, public benefits or a fee for public benefits at a level commensurate with the resources that are extracted.
- ▶ **Action NR8.1: Planning and Regulating Land Use in Mineral Resource Areas.** The County will periodically review its regulations to ensure they remain consistent with the General Plan, account for changes in the environmental setting, promote a healthy local mineral extraction industry, and remain consistent with relevant state law. The County will review updates to Mineral Resource classifications and incorporate any needed revisions to the County's zoning and Open Space Diagram. The County will consider changes in designation/zoning of property when it can be demonstrated that mineral resources are not present or are not economically feasible. The County will consider modifications to its codes to allow mining operations on agricultural land if this is part of an ongoing agricultural operation and provided the land is returned to equivalent agricultural value.
  - **Related Goals:** Goal NR8
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund
  - **Time Frame:** Ongoing

## Finding

Implementation of the proposed policies and actions of the 2030 General Plan and implementation of existing regulations for SMARA Mineral Resource Zones, would reduce the impacts of buildout of the 2030 General Plan on mineral resources because development in areas of known mineral resources would be discouraged, existing mining operations would not be considered to be nuisances, and incompatible uses would be prevented. Nonetheless, it is possible that development of the County's Rural Community Boundary areas could preclude extraction of important County mineral resources along the Yuba River. The impact is considered **significant**.

The extent to which significant impacts would be reduced by implementing the General Plan policies cannot be known in advance of specific project details. Avoidance of known mineral resources to a less-than-significant level is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. One of the key objectives of the 2030 General Plan is to proactively guide development of rural areas of the County, including those that could be within areas of important mineral resources. Thus, because economic, legal, social, technological or other considerations may make it infeasible to implement all mitigating policies on every project, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.6-7 Possible Damage to Unknown, Potentially Unique Paleontological Resources.** *Construction activities could disturb previously unknown paleontological resources in areas addressed by the 2030 General Plan.*

## Relevant Policies and Actions of the 2030 General Plan

- ▶ **Policy NR6.2:** If potential paleontological or prehistoric resources are detected during construction, work shall stop and consultation is required to avoid further impacts.
- ▶ **Action NR6.2: Paleontological Resources.** If potential paleontological resources are detected during construction, work shall stop and consultation is required to avoid further impacts. Actions after work stoppage will be designed to avoid significant impacts to the greatest extent feasible. These measures could include construction worker education, consultation with a qualified paleontologist, coordination with experts on resource recovery and curation of specimens, and/or other measures, as appropriate.
  - **Related Goals:** Goal NR6
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Project applicant funds
  - **Time Frame:** Ongoing, as construction occurs under the General Plan

## Finding

Implementation of the policies and actions of the 2030 General Plan would reduce the impacts of buildout of the 2030 General Plan on unknown paleontological resources because construction activities shall stop if any potential paleontological resources are discovered during site work. Consultation with a paleontologist and measures to avoid further impact would be required. However, the County cannot guarantee that construction and development activities would avoid impacts to paleontological resources. Therefore, the impact is considered **significant**.

The proposed policies of the 2030 General Plan constitute the feasible methods available to reduce impacts on previously unknown, potentially unique paleontological resources. However, the extent to which significant impacts would be reduced by implementing the General Plan policies and actions cannot be fully known in

advance of specific project details. No feasible mitigation beyond the methods for reducing impacts included as policy in the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is technically impossible to allow new development without possible damage to previously unknown, potentially unique paleontological resources. The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. Therefore, mitigation to a less-than-significant impact related to previously unknown, potentially unique paleontological resources may not be possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Therefore, this impact is **significant and unavoidable**.

## CLIMATE CHANGE

**IMPACT 4.7-1 Increase in Greenhouse Gas Emissions.** *The 2030 General Plan would accommodate land use change that would increase GHG emissions. Buildout of the 2030 General Plan Update would result in substantially higher GHG emissions compared with existing levels. Climate change attributable to human-caused GHG emissions is a significant cumulative impact. 2030 General Plan GHG mass emissions could be cumulatively considerable when compared to existing mass emissions.*

### Relevant Policies and Actions of the 2030 General Plan

- ▶ **Policy CD1.1:** Urban and suburban development in the unincorporated County not related to agriculture, mining, or some natural or cultural resource-oriented purpose is prohibited in valley areas outside the Valley Growth Boundary.
- ▶ **Policy CD1.3:** Urban land use designation/s will not be assigned within the Planning Reserve area unless the County determines that these lands are needed to fulfill either the County's regional housing needs allocation or accommodate job-generating developments needed to achieve the County's jobs-housing goals.
- ▶ **Policy CD1.4:** New developments proposing urban land uses will not be approved within the Planning Reserve area until the County assigns the appropriate General Plan land use designation/s and approves zoning and development standards consistent with the Community Development Element.
- ▶ **Policy CD2.1:** The County will encourage infill development and redevelopment of vacant and underutilized properties within existing unincorporated communities.
- ▶ **Policy CD2.2:** The County will support specific plans, redevelopment plans, corridor plans, and community plans that promote infill development and reinvestment.
- ▶ **Policy CD2.3:** The County will support reinvestment in Linda and Olivehurst that increases local shopping, job, and housing opportunities.
- ▶ **Policy CD2.4:** The County will maintain flexible development standards, infrastructure standards, and impact fees that promote infill development and promote lot consolidation for redevelopment, where necessary.
- ▶ **Policy CD2.5:** The County will prioritize public spending on infrastructure within infill areas in order to induce reinvestment, remove blight, and reduce poverty.
- ▶ **Policy CD2.6:** The County will support public/private partnerships that encourage infill development consistent with the General Plan.
- ▶ **Policy CD2.7:** The County will actively promote vacant industrial sites in the Linda and Olivehurst areas for employment development.

- ▶ **Policy CD8.2.** Valley Neighborhood developments and residential portions of Employment Village areas shall provide relatively short block lengths and continuity of streets in order to facilitate convenient pedestrian, bicycle, and vehicle movement (Exhibit Community Development-11).<sup>4</sup>
  - ▶ **Policy CD8.3.** New cul-de-sacs are allowed within the Valley Neighborhoods and residential portions of Employment Village areas where they would not create a barrier for pedestrian and bicycle access or circulation between homes and destinations.
  - ▶ **Policy CD8.11.** Multi-family housing developments should be well connected to the surrounding neighborhood. Parking areas should be sized and broken up to avoid creating barriers to pedestrian and bicycle circulation.
  - ▶ **Policy CD9.6.** The County will support planning for Rural Centers in foothill and mountain portions of the County that would provide a variety of activities and services needed or anticipated to be needed by the local population.
  - ▶ **Policy CD9.9.** Rural Communities can provide clusters of housing constructed at the upper end of allowable density ranges near Rural Centers, but in general should provide larger lots at the edges of the community that transition to the surrounding open space areas.
  - ▶ **Policy CD9.11.** Rural Centers should be focused on County collector and arterial roads and highways, and particularly at “crossroads” locations central to the surrounding rural communities.
  - ▶ **Policy CD10.1.** The County will encourage development that improves the balance between local jobs and housing, including new commercial, industrial, home-based businesses, business incubators, and other development that generates net revenues for the County and produces local jobs.
  - ▶ **Policy CD10.3.** The County will phase growth with efficient infrastructure planning in order to keep fees as low as possible and coordinate with service providers to ensure the savings of this efficient infrastructure planning is passed on to occupants of employment-generating developments.
  - ▶ **Policy CD10.5.** The County will support community and specific planning efforts following General Plan adoption that identify employment-generating uses and the housing and infrastructure that is needed to support the local workforce.
  - ▶ **Policy CD10.6.** The County will encourage residential development that is priced, sized, and located to serve the needs of local employers and workers.
  - ▶ **Policy CD10.7.** Large residential development projects should be phased or timed to occur concurrently with development projects that will provide employment in the County.
  - ▶ **Action CD10.2: Land Use Monitoring.** The County will monitor progress toward the jobs-housing goal and, as necessary, amend the General Plan, Zoning Ordinance, Specific Plans, Community Plans, and other relevant plans and codes, as appropriate. Any amendments shall address imbalances between job and population growth, and may include revisions to allowable land uses or development standards, financial/regulatory incentives to accelerate the development of job-generating uses, and other actions.
- **Related Goals:** Goal CD1, Goal CD4, Goal CD10

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<sup>4</sup> “Block length,” for the purpose of this policy, is the distance between four-way intersection centerlines. Block length can also be measured along the one leg of a three-way intersection that terminates into a cross street.

- **Agency/Department:** Community Development and Services Agency and Economic Development Coordinator.
  - **Funding Source:** General Fund
  - **Time Frame:** Report on jobs-housing balance at least once per year to the Board of Supervisors.
- ▶ **Policy CD11.6.** The County will encourage rail spur development and increased use of local railroad routes for freight and passenger service, especially along in the Highway 65 corridor and areas designated Employment Village.
  - ▶ **Policy CD13.1.** Growth should be phased from developed areas and existing infrastructure outward in a logical, efficient manner, and in a way that avoids premature conversion of agricultural lands, changes in rural character, and unnecessary loss of other land-based natural resources.
  - ▶ **Policy CD13.2.** The County will not induce growth by supporting the provision of services or infrastructure in areas that are not planned for development.
  - ▶ **Policy CD13.3.** Unincorporated County development between present and 2030 will be focused within the Valley Growth Boundary and Rural Communities.
  - ▶ **Policy CD13.4.** For areas designated Planning Reserve, allowable land use will be regulated according to the underlying land use designation unless the Board of Supervisors approves the following findings:
    - The subject project or plan proposed within the Planning Reserve Area promotes the goals and is consistent with the policies of the Community Development Element, Natural Resources Element, Housing Element, and Public Health & Safety Element of the General Plan; and
    - A Specific Plan or master plan meeting the County's requirements has been prepared; and
    - The subject project or plan is planned and designed to improve the match between local jobs and the local labor force, consistent with the goal of accommodating 0.8 total local jobs for every member of the labor force; and
    - The subject project or plan proposed within the Planning Reserve Area will directly provide substantial basic (exporting) employment development potential; or
    - The subject project or plan proposed within the Planning Reserve Area will construct water, wastewater, and drainage infrastructure that will serve future employment development, with the understanding that project applicants are repaid on a fair-share basis.
  - ▶ **Policy CD14.6.** The County will coordinate its land use planning with local school districts to ensure adequate educational facilities with safe and convenient pedestrian and bicycle access to and from surrounding neighborhoods.
  - ▶ **Policy CD14.7.** The County will support joint-use facilities, shared maintenance, and projects with other local service agencies and districts that are coordinated to provide enhanced public levels of service and/or long-term cost savings.
  - ▶ **Policy CD14.8.** The County will support and encourage joint-use parks for school and community use, joint-use parks for recreational and drainage conveyance and detention, joint-use libraries for school and community use, and other appropriate joint-use facilities.

- ▶ **Policy CD15.4.** The County's impact fees will be revised to consider cost efficiencies associated with compact, mixed-use, age- or income-restricted, and infill development.
- ▶ **Policy CD15.5.** New developments should incorporate water conservation techniques to reduce water demand, including the use of reclaimed water for landscaping and irrigation.
- ▶ **Policy CD15.9.** The County will require that new developments include safe and convenient access to nearby schools and work with the local school districts to ensure safe access.
- ▶ **Policy CD15.10.** The County will locate its own administrative facilities in downtown areas, along Mixed-Use corridors, or in Neighborhood Centers, whenever possible.
- ▶ **Action CD15.1: Revise Impact Fees.** The County will have prepared a Nexus Fee Study following the 2030 General Plan update to support revised development impact fees. One focus of this updated effort would be to ensure that compact development that makes efficient use of land has lower fees, where this approach to development is shown to have lower costs. The County will consider basing fees on an equivalent dwelling unit (EDU) basis, a per-capita basis, or per-acre basis, depending on the type of fee. The per-EDU, per-capita, or per-acre approach would be considered rather than presenting fees on a flat-rate, per unit basis. Different types of dwelling units have different demands for services and different associated costs. The County will also consider reduced fees for infill development that has access to existing infrastructure with adequate capacity to serve that development.
  - **Related Goals:** Goal CD1, Goal CD2, Goal CD5, Goal CD6, Goal CD7, Goal CD8, Goal CD11, Goal CD12, Goal CD13, Goal CD14, Goal CD15, Goal CD16, Goal CD19, Goal NR12, Goal HS9
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund
  - **Time Frame:** Nexus Fee Study and revised fees by 2014
- ▶ **Policy CD16.1.** The County will maintain roadway levels of service that recognize differences between urban and rural environments and consideration of other community character, economic, and environmental policies of the County.
- ▶ **Policy CD16.5.** Where a new development would exceed the County's Level of Service policies, applicants shall first consider feasible revisions to the proposed development that would increase connectivity, enhance bicycle/pedestrian/transit access, provide additional travel demand management measures, and/or provide other revisions that would help to meet LOS standards by reducing vehicle miles traveled on roads exceeding the target LOS, prior to consideration of adding capacity to roadways and intersections.
- ▶ **Policy CD16.10.** The County will not use traffic level of service policies to analyze and mitigate CEQA impacts of new developments, but instead will use its level of service policies to assess fair-share funding of transportation facilities necessary to serve new projects.
- ▶ **Policy CD16.11.** The County will analyze and mitigate transportation impacts in CEQA documents according to their relative increase in vehicular travel demand.
- ▶ **Action CD16.2: Traffic Impact Fees.** Following adoption of the General Plan, the County will revise its Countywide Traffic Mitigation Fee Program based on a nexus study meeting state law requirements. The County will continue to require specific plans to identify funding for transportation facilities needed to serve development within each subject specific plan. The countywide program would focus on improvements

needed to serve development within the unincorporated County not within a specific plan. The County's impact fee programs will be sensitive to elements of proposed projects that reduce their per-unit and per-employee trip generation rates. Centrally located projects, projects with high densities and employment intensities, located in areas with good transit service, located in mixed-use environments, for example, would be expected to have lower per-unit fees. Commercial traffic impact fees should take into account whether the commercial project is designed to attract drivers or oriented toward providing services to neighborhoods.

- **Related Goals:** Goal CD2, Goal CD7, Goal CD8, Goal CD13, Goal HS5

- **Agency/Department:** Public Works Department

- **Funding Source:** Capital improvement funds

- **Time Frame:** Update Countywide Traffic Mitigation Fee Program by 2014.

- ▶ **Policy CD17.1.** New developments shall be designed to facilitate safe and convenient travel by pedestrians, bicyclists, transit users, and drivers.
- ▶ **Policy CD17.2.** The County will coordinate approval of projects and plans with local transit providers to ensure that transit service is provided for work, shopping, school, and other types of trips within the Valley Growth Boundary.
- ▶ **Policy CD17.3.** The County will coordinate with Yuba College to provide housing and commercial services within walking and bicycling distance of the Linda campus and plan for convenient and safe pedestrian, bicycle, and transit options for students attending Yuba College.
- ▶ **Policy CD17.4.** The County will provide incentives to businesses that sponsor transit routes or create their own travel demand management programs, which may include, but are not limited, to streamlined permitting, and reduction of parking requirements.
- ▶ **Policy CD17.5.** The County will review and condition large employment generating projects, defined as new projects that could accommodate more than 50 full-time equivalent employees, according to the provisions of a County Travel Demand Management Ordinance.
- ▶ **Policy CD17.6.** New developments and specific plans shall analyze and mitigate related to increased travel demand, as feasible and consistent with County General Plan policy.
- ▶ **Action CD17.1: Travel Demand Management Ordinance.** The County will develop a Travel Demand Management ordinance that provides options for large employers in mitigating the traffic related impacts of proposed projects. Reducing travel demand could be used in-lieu of providing traffic impact fees, where demonstrated to reduce trips, particularly during peak demand periods. Options for reducing travel demand in this ordinance could include, but are not limited to providing incentives for employees to commute via transit, bicycle, on foot, or by carpool, rather than the single-occupant vehicular commute. The County may promote, as a part of this Ordinance, membership in the Yuba-Sutter Transportation Management Association.

- **Related Goals:** Goal CD4, Goal HS5, Goal CD16, Goal CD17, Goal CD19

- **Agency/Department:** Public Works

- **Funding Source:** General Fund

- **Time Frame:** Ongoing

- ▶ **Policy CD18.8.** The County will coordinate with Caltrans to implement context-sensitive improvements to state facilities that are keyed to local multi-modal transportation needs.
- ▶ **Policy CD19.1.** The County will promote mixed-use, infill development and redevelopment in order to reduce dependence on the private automobile.
- ▶ **Policy CD19.2.** New developments and specific plans with a buildout population greater than 2,000 dwelling units shall designate Neighborhood Centers, consistent with the policies of the General Plan.
- ▶ **Policy CD19.3.** New developments in the Valley Growth Boundary should provide focused nodes of population and employment density around transit stops, planned in coordination with Yuba-Sutter Transit, with a target of 9 units per acre of residential development, 20 employees per acre for nonresidential development, or 20 or more persons plus employees per acre for mixed-use development within ¼ mile of existing and planned transit stops.
- ▶ **Policy CD19.4.** The County will plan its investments and condition new developments to provide pedestrian, bicycle, and transit facilities designed to provide multi-modal connections within neighborhoods, within unincorporated communities, and between communities and cities in the County.
- ▶ **Policy CD19.5.** New developments shall include the construction or pro-rata funding of transportation infrastructure that may include a connected and integrated system of bicycle and pedestrian facilities, consistent with County standards.
- ▶ **Policy CD19.6.** New developments shall provide attractive streetscapes with street trees and sidewalks, planting strips, transit shelters, benches, and pedestrian-scale lighting, as required by County standards, as well as safe and frequent crosswalks along roadways, particularly in areas expected to have higher pedestrian traffic.
- ▶ **Policy CD19.7.** The County's improvement standards and street classification system will be designed to accommodate the full range of locally available travel modes. Intersection dimensions and turning radii should be minimized in areas where high pedestrian and bicycle activity is expected.
- ▶ **Policy CD19.8.** The County will seek funding for and, as feasible, install traffic-calming measures, such as planted medians, landscaped planter strips, landscaped traffic circles, and other designs in areas with excessive or high-speed traffic, as appropriate. The County will not support street closures, half closures, or other measures that limit connectivity as a way to calm traffic.
- ▶ **Policy CD19.9.** Secure bicycle parking shall be located at or near public buildings, business districts, parks, playgrounds, shopping centers, schools, transit terminals, bus stops, and other bicycle traffic generators.
- ▶ **Policy CD19.10.** The County will collaborate with Yuba-Sutter Transit, other regional transit providers, and local businesses to:
  - Ensure transit stops are accommodated in the context of new development and redevelopment;
  - Encourage local businesses to collaborate with transit providers to develop transit incentive programs for local employees;
  - Plan for and condition projects to provide for park-and-ride facilities; and
  - Support paratransit and other forms of transit service for those unable to use conventional transit service.

- ▶ **Policy CD19.11.** The County will support feasible opportunities to provide intra-county and inter-county passenger rail service for Yuba County residents and businesses, including support for expansion of AMTRAK passenger service and transit, along with bicycle, and pedestrian-friendly development around rail and transit stations.
- ▶ **Policy CD19.12.** The County will encourage programs that facilitate County employees' use of pedestrian, bicycle, and transit facilities to reach the workplace.
- ▶ **Action CD19.1: Pedestrian and Bikeway Master Planning.** The County will collaborate with other agencies during buildout of the General Plan to maintain pedestrian/bicycle master plans designed to meet growth needs. The master plan updates should be designed to improve bicycle and pedestrian connections between each city in the County, cities in adjacent counties, and each unincorporated community. Bicycle/pedestrian master planning efforts should be coordinated with local irrigation districts, special districts, and public agencies with easements and rights-of-way, the railroad, other property owners, and other agencies and interested parties to acquire and/or use existing easements and rights-of-way for development of off-street pedestrian and bicycle pathways. Master plans will focus on improving links between neighborhoods and important destinations, such as schools, shops, commercial services, public services, and recreational opportunities.
  - **Related Goals:** Goal CD15, Goal CD16, Goal CD17, Goal CD18, Goal CD19
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Grant funding; regional funding
  - **Time Frame:** Adopt Yuba County Bikeway Master Plan by 2013
- ▶ **Action CD19.2: Revise Development Code & Improvement Standards.** Following adoption of the 2030 General Plan, the County will revise its development code and improvement standards, where necessary, to encourage a high level of pedestrian, bicycle, and transit-friendliness in new development. In general, the County will consider revisions to its codes and standards to reduce road widths, reduce the amount of paved areas of roadways and parking lots, reduce pedestrian crossing distances, and reduce curb radii at intersections, in consideration of pedestrian and bicycle comfort and safety, while also considering turning templates needed for service and emergency vehicles. The County will consider revisions to its codes and standards that require wider sidewalks in areas where higher pedestrian and bicycle activity would be anticipated.
  - **Related Goals:** Goal CD2, Goal CD8, Goal CD13, Goal CD15, Goal CD19, Goal CD 21, Goal HS3, Goal HS5, Goal HS9, Goal HS11, Goal NR7
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; grant funding
  - **Time Frame:** Revise zoning, development codes, and improvement standards by 2013
- ▶ **Action CD19.3: Transit Planning & Facilities Expansion.** During buildout of the General Plan, the County will proactively pursue funding for transit designed to meet the needs of Yuba County children, seniors, persons with disabilities, low-income, and all transit-dependent persons. The County will pursue air quality mitigation efforts that fund transit in coordination with Feather River Air Quality Management District and other interested agencies and nonprofits. The County will plan for, and implement expansion of transit service, as funding is available. Transit projects will be included in the County's capital improvements planning, as appropriate. The County will examine the need for intermodal transit transfer facilities as the

transportation system expands. The County will proactively coordinate with Yuba-Sutter Transit on grant funding opportunities to fund transit expansion, consistent with the General Plan, with a focus on transit in areas with at least 20 persons plus employees per acre.

- **Related Goals:** Goal CD13, Goal CD15, Goal CD16, Goal CD17, Goal CD18, Goal CD19, Goal HS5, Goal HS11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Grant funding
  - **Time Frame:** As funding is available
- ▶ **Policy CD20.1.** New developments shall be designed to discourage concentration of traffic at a few intersections. Multiple points of access shall be provided wherever feasible.
  - ▶ **Policy CD20.2.** New developments in the Valley Growth Boundary shall arrange roads in an interconnected block pattern, so that local pedestrian, bicycle, and automobile traffic do not have to use Arterials to circulate within the neighborhood. The maximum average block length in new subdivisions approved in the Valley Growth Boundary should be approximately 450 feet. Smaller block sizes should be used around Neighborhood Centers, Community Centers, and Employment Centers.
  - ▶ **Policy CD20.3.** New developments shall connect with adjacent roadways and stubbed roads and shall provide frequent stubbed roadways in coordination with future planned development areas. Plans and projects shall connect to adjacent planned development areas and adjacent roadways at a minimum of 600-foot intervals. This minimum interval does not apply to development areas that are adjacent to existing or planned future limited-access highways, freeways, or expressways, or other areas where physical constraints would make this level of connectivity infeasible.
  - ▶ **Policy CD20.5.** Since gated residential areas discourage connectivity, the County will only allow such developments if multi-modal connectivity and emergency access to and from surrounding areas will not be significantly impaired. The County will not allow gates unless emergency access can be provided consistent with the standards of the relevant fire district.
  - ▶ **Policy CD20.7.** The County will seek frequent street and trail connections between new residential developments and established Valley Neighborhoods.
  - ▶ **Policy CD21.1.** New development projects should be designed to minimize the amount of on-site land required to meet parking, internal circulation, and delivery/loading needs.
  - ▶ **Policy CD21.2.** New developments shall break up any proposed surface parking with landscaping and provide pedestrian routes from parking areas to building entrances.
  - ▶ **Policy CD21.3.** Land uses with different parking needs that peak at different times of the day shall be encouraged to maximize opportunities to share parking.
  - ▶ **Policy CD21.6.** The County's parking standards will be reduced or eliminated for infill and affordable housing projects in consideration of shared parking, on-street parking, and reduced travel demand attributable to these types of projects.
  - ▶ **Policy CD21.7.** The County will consider adopting parking maximums in areas where high pedestrian and pedestrian activity is expected and in areas around transit stops.

- ▶ **Action CD21.1: Revise Development Code & Improvement Standards.** Following adoption of the 2030 General Plan, the County will revise its development code and improvement standards. The County will consider reduced surface parking in areas where pedestrians and bicyclists are concentrated and where transit service is planned. The County will consider strategies to optimize parking supply through shared parking; use of on-street parking to meet demand of nearby properties; and other strategies. The County will consider establishing parking maximums, as well as minimums, as part of the development code and improvement standard revisions.
  - **Related Goals:** Goal CD2, Goal CD7, Goal CD8, Goal CD19, Goal CD21, Goal NR11, Goal HS3, Goal HS5
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; grant funding
  - **Time Frame:** Revise zoning and development codes by 2013, revise improvement standards by 2014.
- ▶ **Policy NR1.5.** New developments shall provide for open space corridors consistent with the County's Parks Master Plan, and as needed to provide naturalized drainage and bike/pedestrian connections to nearby neighborhoods and destinations.
- ▶ **Policy NR1.8.** Local parks should be located central to the neighborhood they serve and designed to encourage pedestrian and bicycle access.
- ▶ **Policy NR1.12.** The County will incorporate trails along canals, transmission lines, and other easements and rights-of-way, where feasible, including trail development atop levees, so long as flood protection facilities are not adversely affected.
- ▶ **Policy NR1.13.** The County will communicate with neighboring counties and cities to explore connections with Yuba County's planned regional trail system.
- ▶ **Policy NR1.14.** Recreational facilities and open space should be designed to use recycled materials and green building techniques, minimize surface runoff, reduce water demand, provide habitat for native species, reduce the need for ongoing maintenance, and incorporate universal access principles to facilitate use by people of all ages and abilities. Active portions of parks that may generate light and noise should be located and designed to promote compatibility with the surrounding neighborhood.
- ▶ **Policy NR2.1.** The County will encourage urban greening projects that are designed to: improve air and water quality; protect natural resources; increase the attractiveness of affordable housing and existing developed areas; promote public health and the development of a healthy community; increase access to safe areas for physical activity; improve access to healthy, local food sources; improve and use existing infrastructure systems and other community resources; promote public health; reduce greenhouse gas emissions; and adapt to future climate conditions.
- ▶ **Policy NR2.2.** The County will encourage urban greening projects to be developed in underserved areas of Linda and Olivehurst, such as tree planting and maintenance, natural drainage systems improvements, ecological restoration, park development, renewable energy development and energy conservation projects, trail development, community gardens, and other appropriate project types.
- ▶ **Policy NR2.3.** Urban greening projects shall be designed to improve access to recreational spaces for existing residents and improve existing developed areas of the County.

- ▶ **Policy NR2.4.** Urban greening projects can also be designed to integrate open spaces in existing developed areas with open spaces designed to connect with planned development areas.
- ▶ **Policy NR2.5.** The County will coordinate with local and regional agencies on the identification of potential urban greening projects.
- ▶ **Policy NR2.6.** The County will invite local service agencies, residents, property owners, and other organizations and individuals to contribute ideas for local urban greening projects.
- ▶ **Action NR2.1: Urban Greening Projects.** During this General Plan time horizon, the County will identify and seek funding for urban greening projects that provide for a range of benefits, such as: Reducing greenhouse gas emissions; Decreasing air and water pollution; Reducing the consumption of natural resources and energy; Increasing the reliability of local water supplies, and/or Increasing adaptability to climate change. The County's urban greening projects will be designed to promote infill development and social equity, protect environmental resources, including agricultural lands, and encourage efficient development patterns. The County will coordinate with local school districts, local utility providers, cities, and other local and regional agencies, where appropriate, for Urban Greening Projects of mutual benefit. Urban greening projects will be identified that improve air and water quality, increase the attractiveness and availability of affordable housing, improve infrastructure systems or their function, and promote public health.
  - **Related Goals:** Goal NR1, Goal NR2, Goal CD8, Goal CD11, Goal CD12, Goal CD19
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Grant funding, as available
  - **Time Frame:** Throughout General Plan implementation, as funding is available
- ▶ **Policy NR4.8.** The County will support carbon offset programs within Yuba County's forests, according to established protocols, and will support local carbon sequestration programs as an important aspect of local and regional greenhouse gas reduction requirements.
- ▶ **Action NR4.1: Carbon Sequestration Programs.** The County will proactively coordinate with local and regional agencies to investigate the feasibility of setting up a carbon offset program. The County will coordinate with the U.S. Forest Service, Bureau of Land Management, Yuba County Water Agencies, and private timber companies and nonprofits to encourage local development of state-certified carbon sequestration projects. The County should encourage local application of regional greenhouse gas (GHG) offset fees, if feasible. If the County implements a GHG reduction program tied to its GHG objectives, local GHG fees collected for projects that do not achieve GHG efficiency objectives on a per-capita, per-employee, or per-service population basis should be able to mitigate impacts using local, verified, GHG offset programs, if feasible.
  - **Related Goals:** Goal HS5, Goal NR4
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Mitigation fees, grant funding, other available funding sources
  - **Time Frame:** Implement program, if feasible, by 2020
- ▶ **Policy NR7.1.** New developments shall address energy conservation in landscaping methods, materials, and design.

- ▶ **Policy NR7.2.** New buildings shall meet state standards for energy efficiency and should provide for renewable energy development and use, to the greatest extent feasible.
  - ▶ **Policy NR7.3.** New developments should be designed to take advantage of passive or natural summer cooling and winter solar access.
  - ▶ **Policy NR7.4.** New developments should provide street and lot orientation and lot dimensions that facilitate the use of solar energy.
  - ▶ **Policy NR7.5.** New developments within the Valley Growth Boundary should orient the majority of buildings so that the longer axis of the building, also known as the ridge line, is oriented east-to-west, in order to maximize the potential for passive solar heating in the winter and to minimize heat gain from the afternoon summer sun.
  - ▶ **Policy NR7.6.** New developments should consider energy conservation in building-site orientation and construction, with articulated windows, roof overhangs, appropriate insulation materials and techniques, and other architectural features that improve passive interior climate control.
  - ▶ **Policy NR7.7.** Shade trees or other appropriate plantings should be used in new developments to protect buildings from unwanted solar gain in summer months. Using deciduous trees on the southern side of structures is encouraged to allow cooling in the summer and solar gain in winter. Short front setbacks are encouraged to allow shade trees planted in the public right-of-way to provide summertime shading.
  - ▶ **Policy NR7.8.** New buildings should emphasize passive and natural lighting systems in architectural design to conserve electricity.
  - ▶ **Policy NR7.9.** New developments proposing parking lots shall incorporate shade trees or shade structures to provide a minimum of 50 percent shading (at maturity, where trees are used).
  - ▶ **Policy NR7.10.** The County will seek regional, state, and federal funding for energy efficiency improvements in existing buildings and the public realm.
  - ▶ **Policy NR7.11.** The County and Yuba County Water Agency should explore opportunities related to future access to hydroelectric power, energy provision, strategic use of local energy resources for employment development, and other programs that have dual environmental-economic benefits.
  - ▶ **Policy NR7.12.** The County will encourage financing programs designed to facilitate the installation of renewable energy systems, including those that establish a benefit district and allow property owners to repay over the long term through a special assessment on the property tax bill.
  - ▶ **Action NR7.13: Energy Efficiency Retrofits in Buildings and the Public Realm.** The County will proactively track and apply for regional, state, and federal funding to be used for energy efficiency improvements and renewable energy systems installation in existing buildings and the public realm (public rights-of-way, etc.). The County will seek funding for energy efficient systems, energy-efficient appliances, insulation, energy-efficient doors and windows, and other improvements. The County will also consider the feasibility of using fees or actions required to meet County greenhouse gas efficiency policies on a fair-share basis to fund energy efficiency improvements and renewable energy systems in existing developed buildings and the public realm.
- **Related Goals:** Goal NR2, Goal NR7, Goal CD15, Goal HS5
  - **Agency/Department:** Administrative Services

- **Funding Source:** Grant funding, low-interest loans, impact fees, General Fund, and other appropriate funding sources
  - **Time Frame:** Ongoing, as funding is available
- ▶ **Policy NR12.4.** The County will encourage the use of recycled water and water from irrigation districts that is not treated to urban standards for outdoor irrigation, toilet flushing, fire hydrants; commercial and industrial processes, carwashes, concrete batching, laundromats; dust control; parks, golf courses, and other landscaped areas, and other appropriate water-intensive uses.
  - ▶ **Policy NR12.5.** New developments shall use climate appropriate landscaping in parks and open space, landscaping within new rights of way, yards, and other appropriate spaces, to the maximum extent feasible.
  - ▶ **Policy NR12.6.** New developments shall include water conservation technologies such as low-flow toilets, efficient clothes washers, and efficient water-using industrial equipment, in accordance with state law.
  - ▶ **Policy HS3.17.** New developments shall limit construction of new impervious surfaces, such as parking lots, travelways, vehicle waiting areas, and vehicle loading areas to the minimum amount needed to implement the subject project.
  - ▶ **Policy HS5.1.** The County will guide land use change, direct investments, and apply its fees and programs to encourage more GHG-efficient development patterns, as feasible.
  - ▶ **Policy HS5.2.** The County's regulations, investments, and fee programs should be structured to reduce net greenhouse gas emissions for new development in the unincorporated County consistent with the level of emissions needed per-capita or per service population to achieve the County's fair share of the state's emissions mandate.
  - ▶ **Policy HS5.3.** Since transportation is the largest sector contributing to GHG emissions both locally and at the statewide level, the County will prioritize land use/transportation projects that manage travel demand by increasing housing/employment density, placing homes in closer proximity with destinations, increasing accessibility to transit, or otherwise decreasing vehicle miles traveled (per household, per capita, and/ or per employee).
  - ▶ **Policy HS5.4.** The County will use an efficiency-based threshold (net emissions per-capita + employee) to evaluate proposed urban land uses, such as homes, retail, office, and other uses where the location, density, and mix of uses in the project area is important to the level of greenhouse gas generation.
  - ▶ **Policy HS5.8.** The County will work collaboratively with state agencies and public/private utility providers charged with regulating building efficiency, mobile-source emissions controls, energy sources and uses, and other components of GHG emissions to create the opportunity for more GHG-efficient local development.
  - ▶ **Policy HS5.9.** The County will actively pursue funding for GHG-efficient transportation systems and other needed infrastructure, building and public realm energy efficiency upgrades, renewable energy production, land use-transportation modeling, and other projects to reduce local greenhouse gas emissions.
  - ▶ **Policy HS5.12.** Rural Community Plans should address strategies to diversify the local land use mix to meet more resident needs within each community, increase energy efficiency, shorten trips, and encourage non-vehicular travel, as feasible, to increase greenhouse gas efficiency.
  - ▶ **Action HS5.1. Greenhouse Gas Reduction Plan.** The County will prepare and adopt a plan to reduce greenhouse gas (GHG) emissions. *[Please see the 2030 General Plan Public Health & Safety Element, under separate cover, for additional information on the County's Greenhouse Gas Reduction Plan.]*

- ▶ **Action HS5.2: Assist Farmers to Reduce Greenhouse Gas Emissions.** The County will meet with local agricultural groups, such as the Yuba-Sutter Farm Bureau, UC Davis Extension representatives, local organic farming groups, and other public and private groups representing farmers to discuss the best available programs to reduce agricultural greenhouse gas (GHG) emissions. Methods to be explored may include, but are not limited to reduction strategies from changes in crop management, animal wastes, energy use, crop residue burning, livestock management, soil management, solid waste management, fertilizers, and off-road equipment. The County will seek funding, through carbon offsets or other sources, to provide incentives that encourage farmers to participate in consensus GHG reduction programs for agriculture.

- **Related Goals:** Goal HS5, Goal NR3
- **Agency/Department:** Community Development and Services Agency and Agricultural Commissioner, in collaboration with local farming groups.
- **Funding Source:** General fund, grant funding, carbon offset fees
- **Time Frame:** Ongoing, as funding is available

## Finding

Implementation of the above policies and actions that are designed to reduce GHG emissions would promote consistency with the mandates of AB 32 (i.e., reduce statewide GHG emissions to 1990 levels by 2020). Many of the County's policies will significantly reduce VMT, which translates to large reductions in GHG emissions. The County recognizes in the 2030 General Plan that transportation is the largest source of GHGs in Yuba County and California. Therefore, land use and transportation planning to reduce vehicular travel is needed, in combination with other strategies (energy and water conservation, for example), to achieve GHG reduction goals. This is, especially true since, given the predominance of transportation as a source of GHG emissions that, if not significantly reduced, could easily outweigh improvements in building energy efficiency and other GHG emissions sectors. The County also recognizes that it does not have control over vehicle emissions technology or fuel economy standards, which are factors in calculating greenhouse gas emissions from the transportation sector. The County does not regulate energy generation, renewable energy targets, or other components of electricity related emissions. However, the County can exercise substantial influence on VMT through its land use entitlement authority. Through land use entitlement authority, the County can have a great influence on development patterns, community design, transportation facilities planning, and other factors that are closely related to VMT. Land use/transportation strategies to reduce VMT and GHGs are a primary focus of the 2030 General Plan.

However, because of the large amount of development and potential for simultaneous construction of multiple sites, taken together with modeled emissions, implementation of the 2030 General Plan could result in, or substantially contribute to GHG emissions. Because the 2030 General Plan would generate higher GHG emissions per service population than is needed at the state level to achieve the AB 32 target, and since a substantial quantity of GHG emissions would be generated through buildout of the General Plan, this impact is considered a **significant** impact of global climate change.

No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is technically impossible to accommodate long-term land use change within the unincorporated County without generating greenhouse gas emissions. The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. Therefore, avoidance of greenhouse gas emissions to a less-than-significant level is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to develop open land and at the same time prevent all greenhouse gas emissions, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.7-2** **Impacts of Climate Change on Yuba County.** *Climate change is expected to result in a variety of effects that could potentially impact Yuba County: alterations to agricultural production; changes to terrestrial and aquatic ecosystems; increased energy demand; decreased water supply; increased risk of flooding; and increased frequency and intensity of wildfire. Substantial negative effects on residents, resources, structures, and the economy could result. This impact would be **potentially significant**.*

### **Relevant Policies and Actions of the 2030 General Plan**

The 2030 General Plan contains many goals, policies, and programs which have the potential to aid the County's adaptation to climate change (reducing energy demand, reducing flood potential, decreasing wildfire risk, ensuring adequate water supply, increasing water conservation, preserving important habitat and open space areas). These policies and actions are shown above under the findings for Impact 4.7-1.

### **Finding**

Implementation of the policies and actions proposed in the 2030 General Plan would reduce the extent and severity of climate change-associated impacts by proactively planning for changes in climate and conditions, and providing methods for adapting to these changes. In addition, projections for the above discussed potential impacts of climate change on the unincorporated County occur over a time span far beyond the buildout of the 2030 General Plan. The 2030 General Plan proposes all feasible methods to respond and adapt to foreseeable impacts of climate change in the form of General Plan policies and actions, but the efficacy of the County's policy approach for dealing with the local effects of climate change is unknowable at this time. The impact is considered **significant**.

No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is technically impossible to allow new growth without exposing that new growth to impacts associated with climate change. The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. Therefore, avoidance of any climate change impacts to a less-than-significant level is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to allow new development and at the same time completely protect that new development from impacts associated with climate change, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

### **LAND USE PLANNING, POPULATION, AND HOUSING**

**IMPACT 4.10-4** **Induce Population Growth.** *Implementation of the 2030 General Plan could induce population growth in unincorporated Yuba County.*

### **Relevant Policy of the 2030 General Plan**

- **Policy CD13.2:** The County will not induce growth by supporting the provision of services or infrastructure in areas that are not planned for development.

### **Finding**

The purpose of the 2030 General Plan is to provide a framework for development and conservation in unincorporated Yuba County. Although the 2030 General Plan contains numerous policies and actions to provide an orderly growth framework for unincorporated Yuba County, the 2030 General Plan could accommodate a substantially greater population and employment growth than is included in existing forecasts and plans. The level of population and job growth that could potentially be accommodated under the 2030 General Plan is greater than

that accommodated under the existing 1996 General Plan. The level of job growth included in the 2030 General Plan is substantially more than current forecasts would indicate. If this level of job growth is realized, it is possible that population growth near future job centers could be induced, beyond that which is included under land use assumptions used for analysis under the General Plan EIR. Implementation of the 2030 General Plan could be considered growth inducing. This impact is considered **significant**.

No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is technically impossible to allow new development without increasing population. The project's purpose is to provide a framework governing future development and conservation in unincorporated Yuba County. In particular, the County is interested in providing for employment development, creating more jobs for its residents during this General Plan time horizon to provide a better balance of jobs to housing. Therefore, avoidance of increased population to a less-than-significant level is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to develop open land without inducing population growth, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.10-5 Displacement of Existing Population and Housing.** *The 2030 General Plan provides overarching guidance for development and conservation. The 2030 General Plan does not propose to remove existing housing or displace existing population or housing units. However, it is possible that areas designated for development could involve removal of existing housing.*

### **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy CD2.3:** The County will support reinvestment in Linda and Olivehurst that increases local shopping, job, and housing opportunities.
- ▶ **Policy CD4.6:** The County will encourage development of workforce housing around Employment Centers that is ancillary to, and supportive of employment-generating land uses.
- ▶ **Policy CD5.3:** Valley residential development in existing and planned Valley Neighborhoods should provide for the full range of housing types and densities.
- ▶ **Policy CD6.5:** Neighborhood Centers should provide for a pedestrian-friendly mix of uses and a range of housing types to meet the needs of the County's diverse households.
- ▶ **Policy CD7.3:** The County will encourage – through entitlement, streamlining, flexibility in development standards, fee structures, and other incentives – infill development in vacant or underutilized sections of Mixed-Use Corridors.
- ▶ **Policy CD10.6:** The County will encourage residential development that is priced, sized, and located to serve the needs of local employers and workers.
- ▶ **Policy H-1.1:** Ensure that sufficient sites are appropriately zoned, with access to public services and facilities, between 2008 and 2013, and beyond, to accommodate the County's share of regional housing needs.
- ▶ **Policy H-1.2:** Provide for a variety of housing types to meet the housing needs of special population groups.
- ▶ **Policy H-3.1:** Reduce regulatory barriers to the development of housing and promote alternative housing types.

- ▶ **Policy H-4.2:** The County will pursue a combination of public and private actions to rehabilitate and maintain the existing stock of housing.
- ▶ **Policy H-4.3:** The County will require the abatement or demolition of substandard housing that is not economically feasible to repair and which represents a health and safety threat and will seek to mitigate the displacement of low-income household resulting from demolition.
- ▶ **Implementation Program H-4.3.1: Relocation Assistance.** Yuba County will require owners of rental dwelling units that are vacated for violation of housing and building codes to pay relocation expenses for displaced low-income residents and to provide the displaced with the right of first refusal to return to the units upon its repair. If the owner refuses to pay for the relocation of low-income occupants, the County will use available funding to pay for relocation expenses and recover the relocation cost from the owner by placing a lien on the owner's property. If the property owner is unable to pay relocation expenses, the County may elect to waive the repayment requirement.
  - **Responsibility:** Community Development and Services Agency
  - **Time Frame:** Current and ongoing.
  - **Funding:** Permit fees; property owner contribution to tenant relocation, HOME.
  - **Objective:** To reduce displacement resulting from the County's code enforcement activities.
- ▶ **Policy H-5.1:** The County will seek to preserve the affordability of government-subsidized housing and other housing affordable to low-income households.
- ▶ **Implementation Program H-5.1.1: Preservation of Multifamily Rental Housing.** In the event that the County receives requests in the future for the conversion of rental apartments to condominium ownership, the County will require one year advanced notice and the payment by the owner of relocation expenses of low-income households residing in the development at the time of initial notice. The County will deny any conversion requests unless the notice and procedural requirements of state law are met. In the event 50% or more of the units have rents that are affordable to low-income households, the County will require that the right of first refusal be given to a private, non-profit, or public agency that will maintain the development as rental housing for low-income households. Additionally, the County will consider other methods of addressing potential conversion of properties through methods like a condo-conversion ordinance.
  - **Responsibility:** Community Development and Services Agency
  - **Time Frame:** Current and ongoing.
  - **Funding:** Permit fees.
  - **Objective:** To reduce displacement of low-income tenants during condominium conversion.
- ▶ **Implementation Program H-5.1.2: Preservation of Mobile home Parks.** The County will require owners of mobile home parks requesting conversions to other uses to provide residents with at least one-year advanced notice of the owner's intent to close the park and provide relocation assistance to low income residents and their mobile homes. For parks that appear feasible to rehabilitate and/or maintain for residential use, the County will meet with the owner to determine if the County can assist in accessing state or federal funding for park improvements. If residents have expressed an interest in purchasing their mobile home parks for resident ownership, the County will provide assistance in locating a nonprofit organization that can assist in conversion to resident ownership and applying for state or federal funding to purchase the park.

- **Responsibility:** Community Development and Services Agency
- **Time Frame:** Current and ongoing; provide owner or resident assistance upon request.
- **Funding:** Permit fees; State Mobile Home Park Assistance Program; USDA Rural Housing Services.
- **Objective:** To preserve existing mobile home parks and reduce displacement of park residents.

► **Implementation Program H-5.1.3: Preservation of “At-Risk” Rental Units.** The County will seek to preserve 90 units of subsidized rental housing that are at-risk of being converted to market-rate housing within the next ten years. Yuba County will provide technical assistance and coordinate state and federal financial assistance for lower-income households whose rental units are at-risk of being converted. The County will contact owners of at-risk housing units and set up an appointment to review the different methods available to preserve the affordability of at-risk units. If the owner states their intention to convert the at-risk property, the County will:

- Require that the owner notify tenants according to the requirements of state and federal law of the conversion request. The minimum advance notice period will be one- year, to be followed by a subsequent six- month and ninety- day notice. Notice will also be sent to the state department of housing and community development. At the time a notice is issued, the County will contact HCD to determine the status of state and/or federal programs that may be used to preserve the affordability of at-risk units;
- Distribute to tenants a list of comparable replacement rental units by number of bedrooms and cost that are available with no waiting list at approximately the same cost as the rental unit to be converted.
- Provide the owner of the at risk development with a list of eligible purchasers prepared by the California Department of Housing and Community Development that would continue to operate the rental development at affordable rents for low-income households. Contact nonprofit housing corporations to determine their interest in operating at-risk rental units as affordable housing. The determination of which non-profit corporations to contact would depend on their technical expertise and financial capacity.
- Review plans submitted by owners who desire to convert their projects to ensure that they are consistent with the County’s requirements and state and federal laws.
- Assist any interested purchasers who will maintain the affordability of the development in applying for a loan to modernize their rental units.

- **Responsibility:** Community Development and Services Agency, Housing Authority.
- **Time Frame:** Meet with owners at least one and one-half years before potential conversion.
- **Funding:** California Housing Finance Agency Help Program; Multifamily Housing Program; HOME, California Housing Finance Agency (preservation acquisition financing); Mortgage insurance for purchase/refinance (HUD).
- **Objective:** Preserve 90 at-risk rental housing units.

## Finding

The 2030 General Plan does not propose to displace substantial numbers of housing or people necessitating the construction of replacement housing elsewhere. The 2030 General Plan does not propose converting established

residential areas to a nonresidential land use or redeveloping existing residential areas with new residences by removing existing dwelling units. The 2030 General Plan proposes policies and actions that facilitate additional residential development opportunities and a variety of housing types on undeveloped land, vacant land, underutilized parcels, and through infill and redevelopment in existing communities. Compliance with 2030 General Plan policies and programs and the California Relocation Law would assist in ensuring that new development pursuant to 2030 General Plan would not displace substantial numbers of people, although there could be some cases in which California Relocation Law does not fully apply. However, it is possible that some housing could be removed during buildout. The impact is considered **significant**.

No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because it may be technically impossible to allow new development while preventing the removal of existing housing. The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. Therefore, avoidance of removal of existing housing to a less-than-significant level is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. The General Plan's purposes is to accommodate and guide land use change over the long term, some of which could involve removal and/or replacement of various residential and nonresidential structures. Thus, because it is impossible to allow new development without considering the possibility that some existing housing might be removed, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

## **NOISE AND VIBRATION**

**IMPACT 4.11-2** **Exposure to or Generation of Noise Levels in Excess of Local Standards.** *Future development of new noise-sensitive land uses would occur under the 2030 General Plan within areas that either are currently affected by noise from both transportation and non-transportation noise sources, or will be in the future. Uses allowed under the General Plan could potentially expose existing or planned noise-sensitive uses to noise levels that exceed local standards. However, the 2030 General Plan would include policies and actions to reduce the potential for noise levels to exceed established standards.*

### **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy HS10.1:** New developments that generate traffic or are affected by traffic noise shall provide design and mitigation, if necessary, to ensure acceptable daytime and nighttime land use/noise environment at outdoor activity areas of affected properties, as defined in Public Health & Safety – 1 Table 4.11-10.
- ▶ **Policy HS10.2:** If existing noise levels exceed the acceptable levels listed in Table 4.11-10, new developments are required to incorporate mitigation to reduce noise exposure in outdoor activity areas to the maximum extent feasible and include mitigation designed to achieve acceptable interior noise levels, as defined in Table 4.11-10.
- ▶ **Policy HS10.3:** New developments that would generate or be affected by non-transportation noise shall be located, designed, and, if necessary, mitigated below maximum levels specified in Table 4.11-11, as measured at outdoor activity areas of affected noise-sensitive land uses.
- ▶ **Policy HS10.4:** If existing noise levels exceed the maximum allowable levels listed in Table 4.11-11, projects are required to incorporate mitigation to reduce noise exposure in outdoor activity areas to the maximum extent feasible and include mitigation to achieve acceptable interior noise levels, as defined in Table 4.11-10.
- ▶ **Policy HS10.5:** The maximum noise level shall not exceed the performance standards shown in Table 4.11-12, as measured at outdoor activity areas of any affected noise-sensitive land use except:

- If the ambient noise level exceeds the standard in Table 4.11-12, the standard becomes the ambient level plus 5 dBA.
  - Reduce the applicable standards in Table 4.11-12 by 5 decibels if they exceed the existing ambient level by 10 or more dBA.
- ▶ **Policy HS10.6:** New developments shall provide all feasible noise mitigation to reduce construction and other short-term noise and vibration impacts as a condition of approval.
  - ▶ **Policy HS10.7:** New developments shall ensure that construction equipment is properly maintained and equipped with noise control components, such as mufflers, in accordance with manufacturers' specifications.
  - ▶ **Policy HS10.8:** Noise attenuation barriers are strongly discouraged, except to attenuate noise for existing developed uses, and may be used in the context of new developments only when no other approach to noise mitigation is feasible.
  - ▶ **Policy HS10.9:** New developments shall disperse vehicular traffic onto a network of fully connected smaller roadways and minimize funneling of local traffic onto large-volume, high-speed roadways near existing or planned noise-sensitive land uses to the maximum extent feasible.
  - ▶ **Policy HS10.10:** Proposed noise-generating industrial and other land uses shall be located away from noise-sensitive land uses, shall enclose noise sources, or shall use other site planning or mitigation techniques to ensure acceptable noise levels.
  - ▶ **Policy HS10.11:** Lands within the 65 CNEL noise contour of Beale Air Force Base, Yuba County Airport, and Brownsville Airport shall be maintained in agricultural, open space, commercial, industrial, or other uses permitted by the subject airport's adopted Comprehensive Land Use Plan (CLUP) and consistent with the recommendations of the Beale Joint Land Use Study, including noise contours associated with future hypothetical missions, as appropriate.
  - ▶ **Policy HS10.12:** The County supports the construction of rail crossings designed to reduce or eliminate the use of rail horn blasts in areas with existing and planned noise-sensitive land uses.
  - ▶ **Policy HS10.13:** New developments that propose vibration-sensitive uses within 100 feet of a railroad or heavy industrial facility shall analyze and mitigate potential vibration impacts, to the greatest extent feasible.
  - ▶ **Policy HS10.14:** Public events, such as school sporting events, festivals, and other similar community and temporary events are exempt from the noise standards outlined in this Element.
  - ▶ **Policy HS10.15:** New developments that would generate substantial long-term vibration shall provide analysis and mitigation, as feasible, to achieve velocity levels, as experienced at habitable structures of vibration-sensitive land uses, of less than 78 vibration decibels.
  - ▶ **Action HS10.1: Airport Land Use Planning.** The County will coordinate development requests in areas addressed by Airport Comprehensive Land Use Plans (CLUPs) according to the land use restrictions embodied in those plans and will initiate amendments to the General Plan and revisions to zoning, if necessary, following updates to local CLUPs.
- **Related Goals:** Goal HS10
  - **Agency/Department:** Community Development and Services Agency

- **Funding Source:** Project applicant funding
  - **Time Frame:** Ongoing, as projects are proposed within zones addressed by local CLUPs
- **Action HS10.2:** Noise Generating Projects. Where development projects or roadway improvement projects could potentially create noise impacts, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design. Such analysis shall be the financial responsibility of the applicant and be prepared by a qualified person experienced in the fields of environmental noise assessment and architectural acoustics. Mitigation strategies shall emphasize site planning and design over other types of mitigation.
- **Related Goals:** Goal HS10
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Project applicant funding
  - **Time Frame:** Ongoing, as projects are proposed
- **Action HS10.3: Revise County Noise Standards.** The County will maintain noise control regulations consistent with the stated policies of this plan and within the capacity of the County to equitably enforce. The County's building, zoning, and subdivision, and public peace & safety codes will be revised to incorporate these policies. The County's code updates will provide construction noise guidance and will define special public events that are exempt from noise policies and standards.
- **Related Goals:** Goal HS10
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund
  - **Time Frame:** Adopt by 2013, update as needed
- **Policy HS4.3:** New construction within the Air Installation Compatibility Use Zone 65 dB CNEL noise contours for the existing and potential future missions [at Beale AFB] shall use building materials and construction techniques to mitigate noise impacts.
- **Policy NR1.15:** Active portions of parks that may generate light and noise should be located and designed to promote compatibility with the surrounding neighborhood.
- **Policy NR3.2:** New developments adjacent to ongoing agricultural operations shall provide written notice to landowners and residents regarding potential noise, dust, odors, and other effects of adjacent agriculture.
- **Policy NR3.4:** New developments adjacent to ongoing agriculture shall incorporate design, construction, and maintenance techniques to minimize conflicts with adjacent agricultural uses, including, but not limited to the use of agricultural buffers.
- **Policy NR3.5:** Agricultural buffers are only required at the edges of Rural Community Boundary areas and the Valley Growth Boundary where there are adjacent ongoing agricultural operations. Buffers are not required in areas adjacent to planned urban development shown on the General Plan Land Use Diagram.
- **Policy NR3.6:** Agricultural buffers are not required for portions of developments adjacent to existing rural residential development or adjacent to other types of development on parcels of primarily 5 acres or less.

- ▶ **Policy NR3.7:** Agricultural buffers should be designed to accommodate drainage, trails, roads, other facilities or infrastructure, community gardens, native landscaping, and other uses that would be compatible with ongoing agricultural operations and provide valuable services or amenities.
- ▶ **Action NR3.2: Agricultural/Urban Interface.** The County will develop and approve guidelines for the required location and design of agricultural buffers (Exhibit Natural Resources-4). Allowed land uses within buffer areas would include drainage swales, trails, roads, other facilities and infrastructure, community gardens, native landscaping, linear parkland, and other uses that are compatible with ongoing agricultural operations. Buffer guidelines will illustrate methods to avoid conflicts between ongoing agricultural uses and encroaching urban development. Buffers will be designed to avoid nuisance complaints related to dust, spraying, noise, and other relevant issues. The County's guidelines will provide guidance on the appropriate width of buffers. The width will depend on such factors as prevailing winds, crop types, agricultural practices, and other relevant factors. The width of roads, trails, drainage ways, other rights-of-way, and easements may count as part of the buffer.
  - **Related Goals:** Goal NR3, Goal HS1
  - **Agency/Department:** Community Development and Services Agency and Agricultural Commissioner
  - **Funding Source:** General Fund and/or fees
  - **Time Frame:** The target date for approving guidelines for agricultural buffers is 2014
- ▶ **Policy NR8.1:** The County will strongly discourage residential developments outside Rural Community Boundary areas in areas adjacent to ongoing mining operations.
- ▶ **Policy NR11.2:** In new development areas, service, utility, loading areas, roof-mounted equipment, and noise-generating equipment shall be screened, designed, and located to reduce visibility, odor, and noise to surrounding properties and pedestrian areas.

## Finding

Policies in the 2030 General Plan require use of project-specific noise mitigation measures (preparation of acoustical analysis, design improvements, buffering between incompatible uses, highly connected roadway networks, re-location of land uses, and implementation of other noise abatement measures, as necessary) to reduce noise impacts to sensitive land uses. Implementation of policies and actions in the 2030 General Plan, as described above, would reduce the potential for noise levels in areas of new noise-sensitive land uses to exceed the County's noise policies because new development shall provide design and mitigation for construction and operational noise impacts, land within designated noise contours shall be maintained consistent with applicable land use plans, and maintenance of noise control regulations within Yuba County as well as other policies designed to reduce noise impacts. The 2030 General Plan would also reduce noise generation in areas of existing and planned noise-sensitive land uses.

However, the County anticipates some development of noise-sensitive land uses in areas with unacceptable noise levels. The County anticipates a substantial increase in vehicular traffic along various County roadways, which could expose existing or planned sensitive uses to unacceptable levels of transportation noise. The impact is considered **significant**.

The County cannot demonstrate at this time that policies and actions in the 2030 General Plan would reduce impacts of each project and upon each project that could be developed under the General Plan to a less-than-significant level. It is not possible for the County to demonstrate that impacts would be reduced in all cases because funding may not be available for sound wall construction, land may not be available for buffer zones, or it may be cost-prohibitive to relocate existing roadways or other noise generating sources. Also, the County lacks the ability

to ensure that upgrades would be made to existing structures that would lessen noise impacts. Thus, because it is impossible to guarantee noise attenuation for all structures, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.11-3** **Increases in Ambient Noise Levels.** *Under the 2030 General Plan, future development of new noise-generating land uses could occur within areas containing noise-sensitive land uses.*

### **Relevant Policies and Actions of the 2030 General Plan**

The 2030 General Plan Update contains many goals, policies, and actions that are aimed at reducing noise impacts. These policies and actions are shown above under the findings for Impact 4.11-2.

### **Finding**

Under the 2030 General Plan, future development of noise-generating uses (e.g., industries, commercial loading docks, automotive maintenance facilities, recreational areas) in areas containing noise-sensitive land uses (e.g., residential dwellings, schools, hospitals, parks, hotels, places of worship, libraries) could cause noise levels to exceed acceptable limits. Overall, an increase in population would result in increased noise from increased traffic and activities occurring at new development projects that could be accommodated under the 2030 General Plan. The impact is considered **significant**.

However, the 2030 General Plan requires use of project-specific noise reduction measures (e.g., preparation of acoustical analysis, design improvements, re-location of land uses) to reduce this impact. Implementation of policies and actions in the 2030 General Plan would reduce the potential for increases in ambient noise levels because new development would be required to provide design and mitigation for potential operational impacts as well as adherence to all applicable regulations related to noise.

While in most locations and for most projects, compliance with General Plan policies and actions would reduce noise exposure to acceptable levels, the County cannot demonstrate at this time that no significant ambient noise exposure impacts could occur during buildout of the 2030 General Plan. No feasible mitigation beyond the methods for reducing impacts included as policy in the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is technically impossible to allow new development while maintaining existing ambient noise levels. The proposed project's purpose is to provide a framework governing development of long-term development on unincorporated Yuba County. Therefore, avoidance of increasing ambient noise levels to a less-than-significant level is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to develop open land without increasing ambient noise levels, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

### **TRANSPORTATION AND TRAFFIC**

**IMPACT 4.13-1** **Increase in Traffic Levels.** *Implementation of the 2030 General Plan would result in increases in traffic levels on roadways within Yuba County.*

### **Relevant Policies and Actions of the 2030 General Plan**

- **Policy CD1.1:** Urban and suburban development in the unincorporated County not related to agriculture, mining, or some natural or cultural resource-oriented purpose is prohibited in valley areas outside the Valley Growth Boundary.

- ▶ **Policy CD1.3:** Urban land use designation/s will not be assigned within the Planning Reserve area unless the County determines that these lands are needed to fulfill either the County's regional housing needs allocation or accommodate job-generating developments needed to achieve the County's jobs-housing goals.
  - ▶ **Policy CD1.4:** New developments proposing urban land uses will not be approved within the Planning Reserve area until the County assigns the appropriate General Plan land use designation/s and approves zoning and development standards consistent with the Community Development Element.
  - ▶ **Policy CD2.1:** The County will encourage infill development and redevelopment of vacant and underutilized properties within existing unincorporated communities.
  - ▶ **Policy CD2.2:** The County will support specific plans, redevelopment plans, corridor plans, and community plans that promote infill development and reinvestment.
  - ▶ **Policy CD2.3:** The County will support reinvestment in Linda and Olivehurst that increases local shopping, job, and housing opportunities.
  - ▶ **Policy CD2.4:** The County will maintain flexible development standards, infrastructure standards, and impact fees that promote infill development and promote lot consolidation for redevelopment, where necessary.
  - ▶ **Policy CD2.5:** The County will prioritize public spending on infrastructure within infill areas in order to induce reinvestment, remove blight, and reduce poverty.
  - ▶ **Policy CD2.6:** The County will support public/private partnerships that encourage infill development consistent with the General Plan.
  - ▶ **Policy CD2.7:** The County will actively promote vacant industrial sites in the Linda and Olivehurst areas for employment development.
  - ▶ **Policy CD3.4:** The County will use performance-based standards in mixed-use areas to ensure important aspects of compatibility (air, noise, vibration, heavy truck traffic, light, glare) are addressed without impeding mixed-use development.
  - ▶ **Action CD3.1:** Compatibility Review and Conditioning of Projects and Plans. The County will review projects against policies in this General Plan and analysis in the General Plan Environmental Impact Report (EIR) to reduce noise and air quality impacts. The County Zoning Ordinance and development standards should identify design and performance standards for noise, light, glare, air pollution, and other relevant issues. The County will use the General Plan to determine the adequacy of proposed buffering between residential land uses, highways, railroads, airports, industries, mining operations, agricultural operations, and other potentially incompatible uses. The County will condition projects, as appropriate, to provide consistency with this General Plan and the General Plan EIR. The County will balance its goals for infill and mixed-use development with policies and standards for noise, vibration, light and glare, and other issues of compatibility.
- **Related Goals:** Goal CD3, Goal NR11, Goal HS5, Goal HS10, Goal HS11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; applicant funding for project-specific work
  - **Time Frame:** Ongoing

- ▶ **Policy CD4.1:** Employment and Commercial Centers shall be developed in coordination with local transit provider/s to ensure proper placement and design of transit stops and accommodate public transit for both employees and patrons.
- ▶ **Policy CD4.2:** Employment and Commercial Centers shall be designed to provide convenient and safe pedestrian and bicycle access from surrounding developed and planned neighborhoods.
- ▶ **Policy CD4.3:** In Commercial and Employment Centers, developments should place buildings close to the frontage street and emphasize the public realm by providing plazas, wide sidewalks, spaces for entertainment and other community events, outdoor seating and gathering areas, and other similar uses and activities.
- ▶ **Policy CD4.4:** Commercial projects of more than 20 acres in land area shall use public streets or small private streets to break up proposed development areas into blocks.
- ▶ **Policy CD4.5:** New commercial projects in Commercial Centers and other locations shall distribute proposed parking around the project site and not concentrate parking exclusively between the front building façade and the primary abutting street.
- ▶ **Policy CD4.6:** The County will encourage development of workforce housing around Employment Centers that is ancillary to, and supportive of employment-generating land uses.
- ▶ **Policy CD5.1:** Valley Neighborhoods should provide for most daily and weekly destinations, including a mix of commercial retail and services, schools, parks, and other civic uses.
- ▶ **Policy CD5.2:** Valley Neighborhoods should provide compact development patterns that conserve land and place homes in close proximity to destinations.
- ▶ **Policy CD5.3:** Valley residential development in existing and planned Valley Neighborhoods should provide for the full range of housing types and densities.
- ▶ **Policy CD5.4:** New developments within the Valley Growth Boundary shall provide a highly connected travel network that supports all local travel modes.
- ▶ **Policy CD5.5:** The County's development standards will allow narrow lots, narrow driveways, alleyway access, zero lot line housing, and other compact housing configurations in Valley Neighborhoods.
- ▶ **Action CD5.1: Update Zoning Ordinance.** Following the General Plan adoption, the County will review and revise the Zoning Ordinance, consistent with the updated General Plan. As a part of the revisions, the County will ensure the updated Zoning Ordinance accommodates compact growth patterns, consistent with the General Plan, while continuing to provide for the public health and safety. The County will consider provisions in the Zoning Ordinance that focus more on building form, function, and placement; lot design; and the relationship of buildings to the public realm (streets, plazas, public parks, etc.) and less emphasis on regulating specific land uses.

To ensure land use compatibility while also encouraging a mix of land uses, the County will base performance standards in the Zoning Ordinance on General Plan policies for such topics as noise, vibration, light, glare, air pollution, and traffic. Such performance standards could be used to ensure compatibility in situations where nonresidential uses are located close to residential uses. The ordinance will also be revised to address nuisances, such as blight, stockpiling, and other similar issues.

- **Related Goals:** Goal CD2, Goal CD3, Goal CD4, Goal CD6, Goal CD7, Goal CD8, Goal CD19, Goal HS5, Goal HS10, Goal HS11, Goal NR11

- **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; federal and state funds, as available
  - **Time Frame:** Update Zoning Ordinance by 2013
- ▶ **Policy CD6.1:** Valley Neighborhoods shall contain one or more Neighborhood Center, where medium- and higher-density residences, neighborhood commercial, and public services are focused.
  - ▶ **Policy CD6.2:** Neighborhood Center activities, retail, and services should serve roughly 3,000 to 5,000 existing or planned residents in the surrounding neighborhood.
  - ▶ **Policy CD6.3:** Neighborhood Centers should be developed on approximately 4 to 15 acres of land and sized according to the needs of the surrounding neighborhood.
  - ▶ **Policy CD6.4:** Higher-density residential development and services in Neighborhood Centers should transition to less intense development at the edges of existing and planned Valley Neighborhoods.
  - ▶ **Policy CD6.5:** Neighborhood Centers should provide for a pedestrian-friendly mix of uses and a range of housing types to meet the needs of the County's diverse households.
  - ▶ **Policy CD6.6:** Neighborhood Centers shall be located and designed to provide convenient and safe bicycle, pedestrian, and transit access to and from surrounding neighborhoods.
  - ▶ **Policy CD7.1:** The County will pursue funding for reinvestment along Olivehurst Avenue, McGowan Parkway, North Beale Road, Lindhurst Avenue, and other appropriate corridors.
  - ▶ **Policy CD7.3:** The County will encourage – through entitlement, streamlining, flexibility in development standards, fee structures, and other incentives – infill development in vacant or underutilized sections of Mixed-Use Corridors.
  - ▶ **Policy CD7.4:** Developments in Mixed-Use Corridors should have pedestrian-friendly property frontages with buildings built close to the street frontage.
  - ▶ **Policy CD7.5:** Development in Mixed-Use Corridors should be designed so that building façades, street trees, and other landscaping are more visually prominent compared to surface parking lots and commercial signage.
  - ▶ **Policy CD7.6:** The County will promote public plazas, outdoor dining, awnings, large windows, and other elements along property frontages that enhance pedestrian attractiveness and activity in Mixed-Use Corridors.
  - ▶ **Policy CD7.7:** The County will seek funding to add drainage, bicycle, pedestrian, and transit facilities along Mixed-Use Corridors.
  - ▶ **Policy CD7.8:** The County will seek funding to add street trees along Mixed-Use Corridors, particularly in areas that would shade sidewalks, parking areas, transit stops, and any public gathering places.
  - ▶ **Action CD7.1: Corridor Planning.** The County will seek funding to support corridor planning efforts for McGowan Parkway, Olivehurst Avenue, Lindhurst Avenue, North Beale Road, the northern section of Feather River Boulevard, and surrounding areas. The County may also identify other Mixed-Use Corridors to address during buildout of the General Plan. Mixed-Use Corridor Plans would be designed to (Exhibit Community Development-10): Guide mixed-use, infill development consistent with the applicable land use designation/s and zoning district/s; Identify multimodal transportation improvements to support development; Describe public infrastructure and facilities needed to encourage private investment; and Identify incentives

and streamlining that would induce private investment in these areas. The Plans would be structured to provide a mix and density of development with adequate transportation facilities such that walking, bicycling, or taking transit is viable for daily needs of the residents of surrounding neighborhoods. The County will pursue grant funding and regional partnerships to revitalize its Mixed-Use Corridors. The County will plan and fund infrastructure designed to support increased density and intensity around future transit stops, near planned bicycle/pedestrian facilities, and in other targeted reinvestment areas.

- **Related Goals:** Goal CD4, Goal CD7, Goal CD8, Goal CD10, Goal CD11, Goal CD15, Goal CD19, Goal NR7, Goal HS5, Goal HS11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; federal and state funds
  - **Time Frame:** Ongoing, according to funding opportunities as they arise
- ▶ **Policy CD8.1:** New developments should be designed to provide direct and convenient access to nearby parks, trails, commercial and public services, and transit stops.
  - ▶ **Policy CD8.2:** Valley Neighborhood developments and residential portions of Employment Village areas shall provide relatively short block lengths and continuity of streets in order to facilitate convenient pedestrian, bicycle, and vehicle movement (Exhibit Community Development-11).
  - ▶ **Policy CD8.3:** New cul-de-sacs are allowed within the Valley Neighborhoods and residential portions of Employment Village areas where they would not create a barrier for pedestrian and bicycle access or circulation between homes and destinations.
  - ▶ **Policy CD8.4:** New buildings in Valley Neighborhoods and residential portions of Employment Village areas should, in general, be oriented toward, and placed close to frontage streets.
  - ▶ **Policy CD8.5:** New developments shall be designed so that parking areas and garages are not the dominant visual element of site frontage.
  - ▶ **Policy CD8.7:** The County's development standards will allow alley-loaded garages.
  - ▶ **Policy CD8.9:** Fences and walls are discouraged along public travelways where they would present substantial barriers to casual surveillance or multi-modal travel.
  - ▶ **Policy CD8.10:** New developments in the Valley Growth Boundary should provide streets lined with trees selected and located to provide a shade canopy at maturity.
  - ▶ **Policy CD8.11:** Multi-family housing developments should be well connected to the surrounding neighborhood. Parking areas should be sized and broken up to avoid creating barriers to pedestrian and bicycle circulation.
  - ▶ **Policy CD9.6:** The County will support planning for Rural Centers in foothill and mountain portions of the County that would provide a variety of activities and services needed or anticipated to be needed by the local population, including, but not limited to medical and educational services.
  - ▶ **Policy CD9.9:** Rural Communities can provide clusters of housing constructed at the upper end of allowable density ranges near Rural Centers, but in general should provide larger lots at the edges of the community that transition to the surrounding open space areas.

- ▶ **Policy CD9.11:** Rural Centers should be focused on County collector and arterial roads and highways, and particularly at “crossroads” locations central to the surrounding rural communities.
- ▶ **Policy CD10.1:** The County will encourage development that improves the balance between local jobs and housing, including new commercial, industrial, home-based businesses, business incubators, and other development that generates net revenues for the County and produces local jobs.
- ▶ **Policy CD10.3:** The County will phase growth with efficient infrastructure planning in order to keep fees as low as possible and coordinate with service providers to ensure the savings of this efficient infrastructure planning is passed on to occupants of employment-generating developments.
- ▶ **Policy CD10.5:** The County will support community and specific planning efforts following General Plan adoption that identify employment-generating uses and the housing and infrastructure that is needed to support the local workforce.
- ▶ **Policy CD10.6:** The County will encourage residential development that is priced, sized, and located to serve the needs of local employers and workers.
- ▶ **Policy CD10.7:** Large residential development projects should be phased or timed to occur concurrently with development projects that will provide employment in the County.
- ▶ **Action CD10.2: Land Use Monitoring.** The County will monitor progress toward the jobs-housing goal and, as necessary, amend the General Plan, Zoning Ordinance, Specific Plans, Community Plans, and other relevant plans and codes, as appropriate. Any amendments shall address imbalances between job and population growth, and may include revisions to allowable land uses or development standards, financial/regulatory incentives to accelerate the development of job-generating uses, and other actions.
  - **Related Goals:** Goal CD1, Goal CD4, Goal CD10
  - **Agency/Department:** Community Development and Services Agency and Economic Development Coordinator.
  - **Funding Source:** General Fund
  - **Time Frame:** Report on jobs-housing balance at least once per year to the Board of Supervisors
- ▶ **Policy CD13.1:** Growth should be phased from developed areas and existing infrastructure outward in a logical, efficient manner, and in a way that avoids premature conversion of agricultural lands, changes in rural character, and unnecessary loss of other land-based natural resources.
- ▶ **Policy CD13.2:** The County will not induce growth by supporting the provision of services or infrastructure in areas that are not planned for development.
- ▶ **Policy CD13.3:** Unincorporated County development between present and 2030 will be focused within the Valley Growth Boundary and Rural Communities.
- ▶ **Policy CD13.4:** For areas designated Planning Reserve, allowable land use will be regulated according to the underlying land use designation unless the Board of Supervisors approve the following findings:
  - The subject project or plan proposed within the Planning Reserve Area promotes the goals and is consistent with the policies of the Community Development Element, Natural Resources Element, Housing Element, and Public Health & Safety Element of the General Plan; and

- A Specific Plan or master plan meeting the County's requirements has been prepared; and
  - The subject project or plan is planned and designed to improve the match between local jobs and the local labor force, consistent with the goal of accommodating 0.8 total local jobs for every member of the labor force; and
  - The subject project or plan proposed within the Planning Reserve Area will directly provide substantial basic (exporting) employment development potential; or
  - The subject project or plan proposed within the Planning Reserve Area will construct water, wastewater, and drainage infrastructure that will serve future employment development, with the understanding that project applicants are repaid on a fair-share basis.
- ▶ **Policy CD14.5:** The County will coordinate its land use planning with local school districts to ensure adequate educational facilities with safe and convenient pedestrian and bicycle access to and from surrounding neighborhoods.
  - ▶ **Policy CD15.4:** The County's impact fees will be revised to consider cost efficiencies associated with compact, mixed-use, age- or income-restricted, and infill development.
  - ▶ **Policy CD15.9:** The County will require that new developments include safe and convenient access to nearby schools and work with the local school districts to ensure safe access.
  - ▶ **Policy CD15.10:** The County will locate its own administrative facilities in downtown areas, along Mixed-Use corridors, or in Neighborhood Centers, whenever possible.
  - ▶ **Action CD15.1: Revise Impact Fees.** The County will have prepared a Nexus Fee Study following the 2030 General Plan update to support revised development impact fees. One focus of this updated effort would be to ensure that compact development that makes efficient use of land has lower fees, where this approach to development is shown to have lower costs. The County will consider basing fees on an equivalent dwelling unit (EDU) basis, a per-capita basis, or per-acre basis, depending on the type of fee. The per-EDU, per-capita, or per-acre approach would be considered rather than presenting fees on a flat-rate, per unit basis. Different types of dwelling units have different demands for services and different associated costs. The County will also consider reduced fees for infill development that has access to existing infrastructure with adequate capacity to serve that development.
- **Related Goals:** Goal CD1, Goal CD2, Goal CD5, Goal CD6, Goal CD7, Goal CD8, Goal CD11, Goal CD12, Goal CD13, Goal CD14, Goal CD15, Goal CD16, Goal CD19, Goal NR12, Goal HS9
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund
  - **Time Frame:** Nexus Fee Study and revised fees by 2014
- ▶ **Policy CD16.1:** The County will maintain roadway levels of service that recognize differences between urban and rural environments and consideration of other community character, economic, and environmental policies of the County.
  - ▶ **Policy CD16.5:** Where a new development would exceed the County's Level of Service policies, applicants shall first consider feasible revisions to the proposed development that would increase connectivity, enhance bicycle/pedestrian/transit access, provide additional travel demand management measures, and/or provide

other revisions that would help to meet LOS standards by reducing vehicle miles traveled on roads exceeding the target LOS, prior to consideration of adding capacity to roadways and intersections.

- ▶ **Policy CD16.10:** The County will not use traffic Level of Service policies to analyze and mitigate CEQA impacts of new developments, but instead will use its Level of Service policies to assess fair-share funding of transportation facilities necessary to serve new projects.
- ▶ **Policy CD16.11:** The County will analyze and mitigate transportation impacts in CEQA documents according to their relative increase in vehicular travel demand.
- ▶ **Action CD16.2: Traffic Impact Fees.** Following adoption of the General Plan, the County will revise its Countywide Traffic Mitigation Fee Program based on a nexus study meeting state law requirements. The County will continue to require specific plans to identify funding for transportation facilities needed to serve development within each subject specific plan. The countywide program would focus on improvements needed to serve development within the unincorporated County not within a specific plan. The County's impact fee programs will be sensitive to elements of proposed projects that reduce their per-unit and per-employee trip generation rates. Centrally located projects, projects with high densities and employment intensities, located in areas with good transit service, located in mixed-use environments, for example, would be expected to have lower per-unit fees. Commercial traffic impact fees should take into account whether the commercial project is designed to attract drivers or oriented toward providing services to neighborhoods.
  - **Related Goals:** Goal CD2, Goal CD7, Goal CD8, Goal CD13, Goal HS5
  - **Agency/Department:** Public Works Department
  - **Funding Source:** Capital improvement funds
  - **Time Frame:** Update Countywide Traffic Mitigation Fee Program by 2014
- ▶ **Policy CD17.1:** New developments shall be designed to facilitate safe and convenient travel by pedestrians, bicyclists, transit users, and drivers.
- ▶ **Policy CD17.2:** The County will coordinate approval of projects and plans with local transit providers to ensure that transit service is provided for work, shopping, school, and other types of trips within the Valley Growth Boundary.
- ▶ **Policy CD17.3:** The County will coordinate with Yuba College to provide housing and commercial services within walking and bicycling distance of the Linda campus and plan for convenient and safe pedestrian, bicycle, and transit options for students attending Yuba College.
- ▶ **Policy CD17.4:** The County will provide incentives to businesses that sponsor transit routes or create their own travel demand management programs, which may include, but are not limited, to streamlined permitting, and reduction of parking requirements.
- ▶ **Policy CD17.5:** The County will review and condition large employment generating projects, defined as new projects that could accommodate more than 50 full-time equivalent employees, according to the provisions of a County Travel Demand Management Ordinance.
- ▶ **Policy CD17.6:** New developments and specific plans shall analyze and mitigate impacts related to increased travel demand, as feasible and consistent with County General Plan policy.
- ▶ **Policy CD17.7:** The County will help to manage travel demand within Rural Communities by encouraging the development of services that are needed by, and located convenient to the local population.

- ▶ **Action CD17.1: Travel Demand Management Ordinance.** The County will develop a Travel Demand Management ordinance that provides options for large employers in mitigating the traffic related impacts of proposed projects. Reducing travel demand could be used in-lieu of providing traffic impact fees, where demonstrated to reduce trips, particularly during peak demand periods. Options for reducing travel demand in this ordinance could include, but are not limited to providing incentives for employees to commute via transit, bicycle, on foot, or by carpool, rather than the single-occupant vehicular commute. The County may promote, as a part of this Ordinance, membership in the Yuba-Sutter Transportation Management Association.
  - **Related Goals:** Goal CD4, Goal HS5, Goal CD16, Goal CD17, Goal CD19
  - **Agency/Department:** Public Works
  - **Funding Source:** General Fund
  - **Time Frame:** Ongoing
- ▶ **Policy CD18.8:** The County will coordinate with Caltrans to implement context-sensitive improvements to state facilities that are keyed to local multi-modal transportation needs.
- ▶ **Policy CD19.1:** The County will promote mixed-use, infill development and redevelopment in order to reduce dependence on the private automobile.
- ▶ **Policy CD19.2:** New developments and specific plans with a buildout population greater than 2,000 dwelling units shall designate Neighborhood Centers, consistent with the policies of the General Plan.
- ▶ **Policy CD19.3:** New developments in the Valley Growth Boundary shall provide focused nodes of population and employment density around transit stops, planned in coordination with Yuba-Sutter Transit, with a target of 9 units per acre of residential development, 20 employees per acre for nonresidential development, or 20 or more persons plus employees per acre for mixed-use development within ¼ mile of existing and planned transit stops.
- ▶ **Policy CD19.4:** The County will plan its investments and condition new developments to provide pedestrian, bicycle, and transit facilities designed to provide multi-modal connections within neighborhoods, within unincorporated communities, and between communities and cities in the County.
- ▶ **Policy CD19.5:** New developments shall include the construction or pro-rata funding of transportation infrastructure that may include a connected and integrated system of bicycle and pedestrian facilities, consistent with County standards.
- ▶ **Policy CD19.6:** New development shall accommodate safe and frequent crosswalks along roadways, with more frequent crossings in areas expected to have higher pedestrian traffic.
- ▶ **Policy CD19.7:** The County's improvement standards and street classification system will be designed to accommodate the full range of locally available travel modes. Intersection dimensions and turning radii should be minimized in areas where high pedestrian and bicycle activity is expected.
- ▶ **Policy CD19.8:** The County will seek funding for and, as feasible, install traffic-calming measures, such as planted medians, landscaped planter strips, landscaped traffic circles, and other designs in areas with excessive or high-speed traffic, as appropriate. The County will not support street closures, half closures, or other measures that limit connectivity as a way to calm traffic.
- ▶ **Policy CD19.9:** Secure bicycle parking shall be provided at or near public buildings, business districts, parks, playgrounds, shopping centers, schools, transit terminals, bus stops, and other bicycle traffic generators.

- ▶ **Policy CD19.8:** The County will seek funding for and, as feasible, install traffic-calming measures, such as planted medians, landscaped planter strips, landscaped traffic circles, and other designs in areas with excessive or high-speed traffic, as appropriate. The County will not support street closures, half closures, or other measures that limit connectivity as a way to calm traffic.
- ▶ **Policy CD19.9:** Secure bicycle parking shall be provided at or near public buildings, business districts, parks, playgrounds, shopping centers, schools, transit terminals, bus stops, and other bicycle traffic generators.
- ▶ **Policy CD19.10:** The County will collaborate with Yuba-Sutter Transit, other regional transit providers, and local businesses to:
  - Ensure transit stops are accommodated in the context of new development and redevelopment;
  - Encourage local businesses to collaborate with transit providers to develop transit incentive programs for local employees;
  - Plan for and condition projects to provide for park-and-ride facilities; and
  - Supports paratransit and other forms of transit service for those unable to use conventional transit service.
- ▶ **Policy CD19.11:** The County will support feasible opportunities to provide intra-county and inter-county passenger rail service for Yuba County residents and businesses, including support for expansion of AMTRAK passenger service and transit, along with bicycle, and pedestrian-friendly development around rail and transit stations.
- ▶ **Policy CD19.12:** The County will encourage programs that facilitate County employees' use of pedestrian, bicycle, and transit facilities to reach the workplace.
- ▶ **Action CD19.1: Pedestrian and Bikeway Master Planning.** The County will collaborate with other agencies during buildout of the General Plan to maintain pedestrian/bicycle master plans designed to meet growth needs. The master plan updates should be designed to improve bicycle and pedestrian connections between each city in the County, cities in adjacent counties, and each unincorporated community. Bicycle/pedestrian master planning efforts should be coordinated with local irrigation districts, special districts, and public agencies with easements and rights-of-way, the railroad, other property owners, and other agencies and interested parties to acquire and/or use existing easements and rights-of-way for development of off-street pedestrian and bicycle pathways. Master plans will focus on improving links between neighborhoods and important destinations, such as schools, shops, commercial services, public services, and recreational opportunities.
  - **Related Goals:** Goal CD15, Goal CD16, Goal CD17, Goal CD18, Goal CD19
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Grant funding; regional funding
  - **Time Frame:** Adopt Yuba County Bikeway Master Plan by 2013
- ▶ **Action CD19.2: Revise Development Code & Improvement Standards.** Following adoption of the 2030 General Plan, the County will revise its development code and improvement standards, where necessary, to encourage a high level of pedestrian, bicycle, and transit-friendliness in new development. In general, the County will consider revisions to its codes and standards to reduce road widths, reduce the amount of paved areas of roadways and parking lots, reduce pedestrian crossing distances, and reduce curb radii at intersections, in consideration of pedestrian and bicycle comfort and safety, while also considering turning

templates needed for service and emergency vehicles. The County will consider revisions to its codes and standards that require wider sidewalks in areas where higher pedestrian and bicycle activity would be anticipated.

- **Related Goals:** Goal CD2, Goal CD8, Goal CD13, Goal CD15, Goal CD19, Goal CD 21, Goal HS3, Goal HS5, Goal HS9, Goal HS11, Goal NR7
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; grant funding
  - **Time Frame:** Revise zoning, development codes, and improvement standards by 2013
- **Action CD19.3: Transit Planning & Facilities Expansion.** During buildout of the General Plan, the County will proactively pursue funding for transit designed to meet the needs of Yuba County children, seniors, persons with disabilities, low-income, and all transit-dependent persons. The County will pursue air quality mitigation efforts that fund transit in coordination with Feather River Air Quality Management District and other interested agencies and nonprofits. The County will plan for, and implement expansion of transit service, as funding is available. Transit projects will be included in the County's capital improvements planning, as appropriate. The County will examine the need for intermodal transit transfer facilities as the transportation system expands. The County will proactively coordinate with Yuba-Sutter Transit on grant funding opportunities to fund transit expansion, consistent with the General Plan, with a focus on transit in areas with at least 20 persons plus employees per acre.
- **Related Goals:** Goal CD13, Goal CD15, Goal CD16, Goal CD17, Goal CD18, Goal CD19, Goal HS5, Goal HS11
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Grant funding
  - **Time Frame:** As funding is available
- **Policy CD20.1:** New developments shall be designed to discourage concentration of traffic at a few intersections. Multiple points of access shall be provided, wherever feasible.
- **Policy CD20.2:** New developments in the Valley Growth Boundary shall arrange roads in an interconnected block pattern, so that local pedestrian, bicycle, and automobile traffic do not have to use Arterials to circulate within the neighborhood. The maximum average block length in new subdivisions approved in the Valley Growth Boundary should be approximately 450 feet. Smaller block sizes should be used around Neighborhood Centers, Community Centers, and Employment Centers.
- **Policy CD20.3:** New developments shall connect with adjacent roadways and stubbed roads and shall provide frequent stubbed roadways in coordination with future planned development areas. Plans and projects shall connect to adjacent planned development areas and adjacent roadways at a minimum of 600-foot intervals. This minimum interval does not apply to development areas that are adjacent to existing or planned future limited-access highways, freeways, or expressways, or other areas where physical constraints would make this level of connectivity infeasible.
- **Policy CD20.4:** The County discourages the use of sound walls within neighborhoods. Traffic dispersal on a finely connected network of smaller roadways and other planning and site design solutions should be used instead of sound walls to address noise issues, to the greatest extent feasible.

- ▶ **Policy CD20.5:** Since gated residential areas discourage connectivity, the County will only allow such developments if multi-modal connectivity and emergency access to and from surrounding areas will not be significantly impaired. The County will not allow gates unless emergency access can be provided consistent with the standards of the relevant fire district.
- ▶ **Policy CD20.6:** The maximum allowable length of a cul-de-sac within the Valley Growth Boundary is 400 feet unless an exception is approved by the Community Development Director in consultation with local emergency service providers. Where cul-de-sacs are allowed, they should incorporate bicycle/pedestrian through access, where feasible.
- ▶ **Policy CD20.7:** The County will seek frequent street and trail connections between new residential developments and established Valley Neighborhoods.
- ▶ **Policy CD20.8:** Speed bumps, which can inhibit connectivity and emergency access, are discouraged as a method of traffic calming.
- ▶ **Policy CD21.1:** New development projects should be designed to minimize the amount of on-site land required to meet parking, internal circulation, and delivery/loading needs.
- ▶ **Policy CD21.2:** New developments shall break up any proposed surface parking with landscaping and provide pedestrian routes from parking areas to building entrances.
- ▶ **Policy CD21.3:** Land uses with different parking needs that peak at different times of the day should maximize opportunities to share parking, where feasible.
- ▶ **Policy CD21.4:** In Rural Communities and the Valley Growth Boundary, parking areas for nonresidential uses should generally be focused to the side or rear of the facility being served.
- ▶ **Policy CD21.6:** The County's parking standards will be reduced or eliminated for infill and affordable housing projects in consideration of shared parking, on-street parking, and reduced travel demand attributable to these types of projects.
- ▶ **Policy CD21.7:** The County will consider adopting parking maximums in areas where high pedestrian and bicycle activity is expected and in areas around transit stops.
- ▶ **Action CD21.1: Revise Development Code & Improvement Standards.** Following adoption of the 2030 General Plan, the County will revise its development code and improvement standards. The County will consider reduced surface parking in areas where pedestrians and bicyclists are concentrated and where transit service is planned. The County will consider strategies to optimize parking supply through shared parking; use of on-street parking to meet demand of nearby properties; and other strategies. The County will consider establishing parking maximums, as well as minimums, as part of the development code and improvement standard revisions.
  - **Related Goals:** Goal CD2, Goal CD7, Goal CD8, Goal CD19, Goal CD21, Goal NR11, Goal HS3, Goal HS5
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund; grant funding
  - **Time Frame:** Revise zoning and development codes by 2013, revise improvement standards by 2014

- ▶ **Policy NR1.5:** New developments shall provide for open space corridors consistent with the County's Parks Master Plan, and as needed to provide naturalized drainage and bike/pedestrian connections to nearby neighborhoods and destinations.
- ▶ **Policy NR1.8:** Local parks should be located central to the neighborhood they serve and designed to encourage pedestrian and bicycle access.
- ▶ **Policy NR1.12:** The County will incorporate trails along canals, transmission lines, and other easements and rights-of-way, where feasible, including trail development atop levees, so long as flood protection facilities are not adversely affected.
- ▶ **Policy NR1.13:** The County will communicate with neighboring counties and cities to explore connections with Yuba County's planned regional trail system.
- ▶ **Policy NR2.1:** The County will support urban greening projects that are designed to: Improve air and water quality; Protect natural resources; Increase the attractiveness of affordable housing and existing developed areas; Promote public health and the development of a healthy community; Increase access to safe areas for physical activity; Improve access to healthy, local food sources; Improve and use existing infrastructure systems and other community resources; Promote public health; Reduce greenhouse gas emissions; and Adapt to future climate conditions.
- ▶ **Policy NR2.2:** The County encourage urban greening projects to be developed in underserved areas of Linda and Olivehurst, such as tree planting and maintenance, natural drainage systems improvements, ecological restoration, park development, renewable energy development and energy conservation projects, trail development, community gardens, and other appropriate project types.
- ▶ **Action NR2.1: Urban Greening Projects.** During this General Plan time horizon, the County will identify and seek funding for urban greening projects that provide for a range of benefits, such as: Reducing greenhouse gas emissions; Decreasing air and water pollution; Reducing the consumption of natural resources and energy; Increasing the reliability of local water supplies, and/or Increasing adaptability to climate change. The County's urban greening projects will be designed to promote infill development and social equity, protect environmental resources, including agricultural lands, and encourage efficient development patterns. The County will coordinate with local school districts, local utility providers, cities, and other local and regional agencies, where appropriate, for Urban Greening Projects of mutual benefit. Urban greening projects will be identified that improve air and water quality, increase the attractiveness and availability of affordable housing, improve infrastructure systems or their function, and promote public health.
  - **Related Goals:** Goal NR1, Goal NR2, Goal CD8, Goal CD11, Goal CD12, Goal CD19
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Grant funding, as available
  - **Time Frame:** Throughout General Plan implementation, as funding is available
- ▶ **Policy HS3.17:** New developments shall limit construction of new impervious surfaces, such as parking lots, travelways, vehicle waiting areas, and vehicle loading areas to the minimum amount needed to implement the subject project.
- ▶ **Policy HS5.1:** The County will guide land use change, direct investments, and apply its fees and programs to encourage more GHG-efficient development patterns.

- ▶ **Policy HS5.2:** The County's regulations, investments, and fee programs should be structured to reduce net greenhouse gas emissions for new development in the unincorporated County consistent with the level of emissions needed per-capita or per service population to achieve the County's fair share of the state's emissions mandate.
- ▶ **Policy HS5.3:** Since transportation is the largest sector contributing to GHG emissions both locally and at the statewide level, the County will prioritize land use/transportation projects that manage travel demand by increasing housing/employment density, placing homes in closer proximity with destinations, increasing accessibility to transit, or otherwise decreasing vehicle miles traveled (per household, per capita, and/ or per employee).
- ▶ **Policy HS5.4:** The County will use an efficiency-based threshold (net emissions per-capita + employee) to evaluate proposed urban land uses, such as homes, retail, office, and other uses where the location, density, and mix of uses in the project area is important to the level of greenhouse gas generation.
- ▶ **Policy HS5.8:** The County will actively pursue funding for GHG-efficient transportation systems and other needed infrastructure, building and public realm energy efficiency upgrades, renewable energy production, land use-transportation modeling, and other projects to reduce local greenhouse gas emissions.
- ▶ **Policy HS5.11:** Rural Community Plans should address strategies to diversify the local land use mix to meet more resident needs within each community, increase energy efficiency, shorten trips, and encourage non-vehicular travel, as feasible, to increase greenhouse gas efficiency.
- ▶ **Action HS5.1: Greenhouse Gas Reduction Plan.** The County will prepare and adopt a plan to reduce greenhouse gas (GHG) emissions. *[Please see the 2030 General Plan (Public Health & Safety-34, under separate cover, for additional information on the County's Greenhouse Gas Reduction Plan.)]*
  - **Related Goals:** Goal HS1, Goal HS2, Goal HS3, Goal HS5, Goal HS11, Goal CD2, Goal CD4, Goal CD5, Goal CD6, Goal CD7, Goal CD8, Goal CD10, Goal CD15, Goal NR2, Goal NR7
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General fund, grant funding
  - **Time Frame:** Adopt by 2013, monitoring reports and needed revisions in coordination with Housing Element updates and updates to the Regional Transportation Plan

## Finding

The 2030 General Plan includes policies that target new growth in strategic areas, integrated land use and transportation planning, and enhancement of alternative travel modes. New land developments will be required to provide for facilities to accommodate travel by all modes, and to include designs with improved street network connectivity and other smart growth principles.

Despite the implementation of these policies, increased levels of traffic will occur on roadways within Yuba County. Increases in travel demand could create **significant** impacts.

No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is technically impossible to allow new development without increasing traffic levels. The proposed project's purpose is to provide a framework governing the development of long-term development in unincorporated Yuba County. Therefore, avoidance of additional traffic to a less-than-significant level is not possible, while still allowing full build out of the Valley

Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to develop new land and at the same time preserve existing traffic levels, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.13-5**     **Increased Vehicle Miles of Travel (VMT).** *Implementation of the 2030 General Plan would result in greater VMT compared to existing conditions.*

#### **Relevant Policies and Actions of the 2030 General Plan**

The 2030 General Plan Update contains many goals, policies, and actions that are aimed at reducing traffic impacts. These policies and actions are shown above under the findings for Impact 4.13-1.

#### **Finding**

The above policies will place an even greater emphasis on reducing vehicle travel within Yuba County. Despite creating a 2030 General Plan that generates 19 percent less VMT on Yuba County roadways and 10 percent less VMT overall than the No Project alternative, an increase in VMT occurs over the existing condition due to the addition of new land uses. The impact is considered **significant**.

No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is technically impossible to allow new development without increasing the overall amount of vehicle miles traveled. The proposed project's purpose is to provide a framework for governing development of long-term development in unincorporated Yuba County. Therefore, maintaining the number of vehicle miles traveled may not be possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to allow new development without increasing the amount of vehicle miles traveled, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

**IMPACT 4.13-7**     **Introduce New Traffic Hazards.** *Implementation of the 2030 General Plan would not introduce new traffic hazards due to a design feature or incompatible use. The General Plan, however, would add traffic across existing at-grade railroad crossings and to areas where the County anticipates ongoing movement of agricultural equipment.*

#### **Relevant Policies and Actions of the 2030 General Plan**

- ▶ **Policy CD4.2:** Employment and Commercial Centers shall be designed to provide convenient and safe pedestrian and bicycle access from surrounding developed and planned neighborhoods.
- ▶ **Policy CD6.6:** Neighborhood Centers shall be located and designed to provide convenient and safe bicycle, pedestrian, and transit access to and from surrounding neighborhoods.
- ▶ **Policy CD8.3:** New cul-de-sacs are allowed within the Valley Neighborhoods only where they would not create a barrier for pedestrian and bicycle access or circulation between homes and destinations. Cul-de-sacs may be allowed around the edges neighborhoods, in areas adjacent to ongoing agricultural operations, in areas adjacent to existing large volume roadways, or where connectivity is limited by existing physical conditions.
- ▶ **Policy CD19.7:** The County's improvement standards and street classification system will be designed to accommodate the full range of locally available travel modes. Intersection dimensions and turning radii should be minimized in areas where high pedestrian and bicycle activity is expected.
- ▶ **Policy CD19.10:** The County will minimize intersection dimensions and turning radii, as appropriate, to preserve pedestrian safety and comfort, while also accommodating vehicular movements.

- ▶ **Policy CD20.1:** New developments shall be designed to discourage concentration of traffic at a few intersections. Multiple points of access shall be provided, wherever feasible.
- ▶ **Policy CD20.2:** New developments in the Valley Growth Boundary shall arrange roads in an interconnected block pattern, so that local pedestrian, bicycle, and automobile traffic do not have to use Arterials to circulate within the neighborhood. The maximum average block length in new subdivisions approved in the Valley Growth Boundary should be approximately 450 feet. Smaller block sizes should be used around Neighborhood Centers, Community Centers, and Employment Centers.
- ▶ **Policy CD20.5:** Since gated residential areas discourage connectivity, the County will only allow such developments if multi-modal connectivity and emergency access to and from surrounding areas will not be significantly impaired. The County will not allow gates unless emergency access can be provided consistent with the standards of the relevant fire district.
- ▶ **Policy CD20.6:** The maximum allowable length of a cul-de-sac within the Valley Growth Boundary is 400 feet unless an exception is approved by the Community Development Director in consultation with local emergency service providers. Where cul-de-sacs are allowed, they should incorporate bicycle/pedestrian through access, where feasible.
- ▶ **Policy CD20.8:** Speed bumps, which can inhibit connectivity and emergency access, are discouraged as a method of traffic calming.

## **Mitigation Measures**

### ***Mitigation Measure 4.13-7: Railroad Crossings***

- ▶ For developments that would add substantial traffic, defined as adding 5,000 or more daily trips, across existing at-grade railroad crossings, traffic analysis shall be submitted to the County for review. This analysis and report shall estimate daily and peak-hour traffic at the subject at-grade crossing, as well as accident data; estimates of train, vehicle, bicycle, and pedestrian travel at the crossing; and a description of existing and planned and funded equipment at at-grade rail crossings.
- ▶ The County will review traffic data in communication with the California PUC to identify improvements needed to ensure the public safety.
- ▶ As appropriate and feasible, the County will condition approval of projects and plans that add substantial traffic across at-grade crossings to participate in the funding for improvements needed to ensure the public safety as determined by the County. Such improvements may include coordinated highway/rail traffic signals, enhanced rail crossing signage, warning equipment, and markings, and grade-separations.
- ▶ Depending on the outcome of these studies, the County may include improvements in future updates to its Capital Improvement Program.

## **Finding**

The above policies will continue the County's policy of ensuring that proposed land use developments would not introduce new design hazards, and would not exacerbate existing deficiencies. Through periodic updates of its Improvement Standards and application of those standards to new development proposals, the County is providing for new facilities that do not create hazards and upgrading/replacing current facilities as needed. The above mitigation will ensure that large projects that would add substantial traffic to existing at-grade railroad crossings will provide analysis to the County and will be conditioned, as necessary, to fund needed improvements. With County's normal CIP process, application of future state and regional funds to needed railroad crossings,

and project review and conditioning, this impact would be reduced. However, the County cannot demonstrate that this would alleviate the potential impact to a less-than-significant level. The impact is considered **significant**.

The extent to which significant impacts would be reduced by implementing the General Plan policies cannot be known in advance of specific project details. Furthermore, avoidance to a less-than-significant level is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Thus, economic, legal, social, technological or other considerations may make it infeasible to implement all mitigating policies on every project, mitigation of these potential impacts to a less-than-significant level is facially infeasible and this impact is **significant and unavoidable**.

## UTILITIES AND SERVICE SYSTEMS

**IMPACT 4.14-3** **New or Expanded Storm Water Drainage Facilities.** *Buildout of the 2030 General Plan would accommodate an expansion of the urbanized landscape and construction of new impermeable surfaces that would generate additional stormwater runoff compared to baseline conditions. New land uses would be expected to include residential, commercial, industrial, and civic uses. Each of these land uses could involve addition of impermeable surfaces, with associated increases in stormwater runoff. The construction of new facilities and conveyance infrastructure or the expansion of existing facilities and infrastructure to handle this runoff could generate significant environmental effects.*

### Relevant Policies and Actions of the 2030 General Plan

- ▶ **Policy CD12.3:** The County will implement stormwater master plans designed to provide collection, detention, and conveyance consistent with local standards for developed areas within the Valley Growth Boundary. In general, new developments will be required to demonstrate no net increase in stormwater runoff prior to approval.
- ▶ **Action CD12.1: Facility Planning.** Following adoption of the General Plan, as funding allows, the County will seek to draft and/or update long range facility plans for relevant County departments. The Community Development and Services Agency will provide detail on population growth assumptions for different parts of the County to assist with the facility planning effort. It is anticipated that joint-use and operation opportunities would arise from a coordinated facility planning process that involves multiple County departments. The County should identify and prioritize discrete projects in the facilities master plan. Facility master plan projects would be a part of the County's ongoing capital improvements programming and the subject of grant applications. For example, the County should coordinate facility master plan updates with applications for the US Department of Agriculture's Rural Development low-interest loan and grant programs for rural parts of the County.
  - **Related Goals:** Goal CD12
  - **Agency/Department:** Community Development and Services Agency; Administrative Services Department; Library Department
  - **Funding Source:** Impact fees; federal and state funds; General Fund
  - **Time Frame:** Update facility master plans by 2015
- ▶ **Policy CD15.7:** County and reclamation district drainage fees should be structured to provide incentives for use of Low Impact Development and natural drainage approaches that slow down, disperse, and filter stormwater runoff.

- ▶ **Policy CD15.8:** The County will encourage the joint use of parks for school and public use, as well as stormwater detention, as appropriate.
- ▶ **Action CD15.1: Revise Impact Fees.** The County will have prepared a Nexus Fee Study following the 2030 General Plan update to support revised development impact fees. One focus of this updated effort would be to ensure that compact development that makes efficient use of land has lower fees, where this approach to development is shown to have lower costs. The County will consider basing fees on an equivalent dwelling unit (EDU) basis, a per-capita basis, or per-acre basis, depending on the type of fee. The per-EDU, per-capita, or per-acre approach would be considered rather than presenting fees on a flat-rate, per unit basis. Different types of dwelling units have different demands for services and different associated costs. The County will also consider reduced fees for infill development that has access to existing infrastructure with adequate capacity to serve that development.
  - **Related Goals:** Goal CD1, Goal CD2, Goal CD5, Goal CD6, Goal CD7, Goal CD8, Goal CD11, Goal CD12, Goal CD13, Goal CD14, Goal CD15, Goal CD16, Goal CD19, Goal NR12, Goal HS9
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** General Fund
  - **Time Frame:** Nexus Fee Study and revised fees by 2014
- ▶ **Policy HS3.16:** New developments are encouraged to incorporate open, vegetated swales to filter, slow down, and convey stormwater and encourage groundwater infiltration.
- ▶ **Policy HS3.17:** New developments shall limit construction of new impervious surfaces, such as parking lots, travelways, vehicle waiting areas, and vehicle loading areas to the minimum amount needed to implement the subject project.
- ▶ **Policy HS3.18:** New developments shall break up parking areas, intersperse parking with vegetated areas, and incorporate other best management practices that filter and slow down runoff and promote infiltration.
- ▶ **Action HS3.1: Ongoing Monitoring and Corrective Actions.** During General Plan buildout, the County may conduct water quality monitoring along key waterways and watersheds. The County may require more stringent water quality standards for developments that may affect waterways or watersheds with identified water quality problems. The County, in collaboration with regional water supply providers, will conduct ongoing monitoring to ensure the application and effectiveness of construction and environmental policies and standards. Ongoing monitoring would be designed to identify problems that may require corrective actions. The County will collaborate with regional and state agencies on the need for corrective actions for ongoing uses that pollute the County's water supply.
  - **Related Goals:** Goal HS3, NR12
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** State and federal grants, other State or federal funding, and private funding for projects near the County's waterbodies
  - **Time Frame:** Ongoing, with corrective actions, as needed
- ▶ **Policy NR1.10:** The County's recreational open space should be designed to provide multiple benefits, including recreational, circulation, and stormwater drainage conveyance and detention. Applicable impact and

in-lieu-fees will be reduced to reflect these overlapping uses for developments that include multi-use open space.

- ▶ **Policy NR6.3:** New developments, roads, water and sewer lines, and stormwater infrastructure should be located to avoid impacts to significant cultural resources.
- ▶ **Action NR6.2: Paleontological Resources.** If potential paleontological resources are detected during construction, work shall stop and consultation is required to avoid further impacts. Actions after work stoppage will be designed to avoid significant impacts to the greatest extent feasible. These measures could include construction worker education, consultation with a qualified paleontologist, coordination with experts on resource recovery and curation of specimens, and/or other measures, as appropriate.
  - **Related Goals:** Goal NR6
  - **Agency/Department:** Community Development and Services Agency
  - **Funding Source:** Project applicant funds
  - **Time Frame:** Ongoing, as construction occurs under the General Plan

## Finding

Implementation of the 2030 General Plan would require new and expanded stormwater infrastructure. Sections 4.1 through 4.15 of the General Plan EIR evaluate the effects of construction activities relative to each environmental issue area, such as biological resources (Section 4.4), air quality (Section 4.3), etc., at a programmatic level of detail, as is appropriate for a general plan. Specifically, implementation of the policies and actions of the 2030 General Plan and mitigation measures found throughout the EIR, where necessary, to reduce or avoid impacts, would help to reduce impacts on the physical environment that could occur as a result of future or expanded stormwater drainage facilities. In addition, policies, and actions that call for funding for improvements can possibly help to reduce impacts on the physical environment by providing adequate funding for environmentally-superior facility design, future environmental analysis, and mitigation, if necessary. However, because it is not specifically known at this time the exact locations of future stormwater drainage facilities, there is no additional significant specific impact related to construction or operation of these facilities beyond that which is comprehensively analyzed throughout the General Plan EIR that can be analyzed at this point.

Despite mitigating policies and actions and the application of necessary mitigation measures, construction and operation of new or expanded drainage facilities and infrastructure may result in significant environmental effects. The impact is considered **significant**.

No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is technically impossible to allow new development without generating additional stormwater runoff. The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. Therefore, avoidance of any new stormwater runoff is not possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. Thus, because it is impossible to develop open land without creating additional stormwater runoff, mitigation of these significant impacts to a less-than-significant level is facially infeasible, and the impact is **significant and unavoidable**.

## 2.4 FINDINGS RELATED TO CUMULATIVE IMPACTS

In addition to the direct and indirect significant impacts caused by the 2030 General Plan, the Board of Supervisors finds that implementation of the 2030 General Plan will result in the following significant and unavoidable cumulative impacts:<sup>5,6</sup>

### AESTHETICS

Development in Sutter County, Butte County, Nevada County, and Yuba County cities would cause substantial changes to the existing visual character. There is a **significant** cumulative aesthetics impact.

As development occurs in the unincorporated County and surrounding areas, substantial changes in visual conditions would continue. The effect of these changes, when considering the related projects, on aesthetic resources from past and planned future projects is a cumulatively **significant** impact.

The 2030 General Plan includes all feasible methods of reducing impacts in the form of policies and actions. Beyond these, there is no mechanism to allow implementation of the 2030 General Plan and the related projects while avoiding the conversion of open space and agricultural use to urban development. No feasible mitigation is available to completely mitigate impacts on visual resources associated with the conversion of agricultural land and open space to urban development, impacts on views of scenic vistas (including views of agricultural landscapes and the Sutter Buttes), and contribution to light and glare; there is no mechanism to allow implementation of development projects while avoiding the conversion of the local viewsheds from agricultural land uses and open spaces to urban development.

The County's aesthetic priorities are described in the Natural Resources Element, Visual Resources Goals NR 9, NR 10 and NR 11. The Natural Resources Element goals and policies address conservation of locally-important visual resources, as well as maintaining view corridors for important regional visual resources, such as the Sutter Buttes. Among other visual resources noted in the 2030 General Plan area are large native trees found with the riparian forest habitat along the Feather River and Bear River, there are scattered native trees and large nonnative trees along roadsides and agricultural fields throughout the County that contribute to the local and regional aesthetic character.

The 2030 General Plan includes implementing actions to develop a tree preservation ordinance to preserve oak woodlands, oak trees, and other large trees (Action NR 10.1). The County's land use policies to encourage infill development and redevelopment of vacant and underutilized properties within existing unincorporated communities have visual, as well as air quality benefits. The County will seek funding for design and implementation of visual buffers along regional transportation routes. The County will coordinate with regional transportation agencies and drainage districts to find opportunities to use these same buffer areas for natural drainage conveyance, multi-modal transportation routes, visual buffering, community gardens, and for other useful public purposes. Despite the range of policies and programs in the 2030 General Plan that would reduce or avoid adverse aesthetics impacts throughout Yuba County, urban development of agricultural lands and open space would occur. Growth and development in adjacent counties (Sutter County, Butte County, Nevada County and Placer County) would involve similar conversion of former agricultural lands, open space, and elements of the rural landscape.

Given the large scale of this development and the rural nature of the regional setting, the impacts on visual resources from implementing projects accommodated under the 2030 General Plan is **cumulatively considerable**. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. It is not

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<sup>5</sup> The proper context for impacts related to greenhouse gas emissions is cumulative.

<sup>6</sup> Refer to the findings for direct impacts of the 2030 General Plan for additional detail on the related cumulative effects.

possible to, at once, allow for long-range land use change needed to accommodate growth needs in the County and at the same time avoid impacts to visual resources. This impact is **significant and unavoidable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts related to change of the aesthetic environment.

## **AGRICULTURAL AND FOREST RESOURCES**

Conversion of Important Farmland in the Sacramento Valley is a **significant** cumulative impact resulting from urbanization. The cumulative loss of forestland through development in the region is considered a **significant** cumulative impact, also. Implementation of the 2030 General Plan would permanently convert Prime Farmland, Farmland of Statewide Importance, and Unique Farmland, located in Yuba County to nonagricultural, urban and built up uses. The 2030 General Plan would combine with past, present, and future development within the Sutter, Butte, and Yuba County farming areas and larger Sacramento Valley region to convert Important Farmland to urban use.

The 2030 General Plan includes policies and actions to balance the need for development with the need to protect the County's ongoing agricultural heritage and economic base. The 2030 General Plan Land Use Diagram calls for development to be focused within the Valley Growth Boundary, with limited development outside of the boundary. This Valley Growth Boundary effectively establishes long-term agricultural areas within valley portions of the unincorporated County to be conserved for ongoing agricultural activities (see Policy CD1.1, Policy CD1.2, and Policy CD1.3). The Land Use Diagram also maps Rural Community boundaries for the unincorporated communities, which are mostly located in the foothill and mountain portions of the County, which will serve a similar function in directing any development to areas within Rural Community Boundary areas and preserving open space areas, including those serving an agricultural purpose. The 2030 General Plan includes policies that are intended to conserve agricultural land by maintaining zoning appropriate for long-term agriculture, continuing the disclosure of agricultural operations and potential inconveniences to nearby residences, directing growth away from important agricultural lands, and use of agricultural buffers, as appropriate. The County is using the tools available under the auspices of the General Plan policies and implementation measures to reduce impacts to agricultural resources and conserve areas for ongoing agricultural production – as opposed to requiring conservation easements over agricultural land or other approaches that could potentially add cost to development within the Valley Growth Boundary and Rural Community Boundary areas. This is consistent with direction approved by the Board of Supervisors in August and October of 2009 in the document entitled, "*Yuba County General Plan Update Vision, Goals & Strategies*," including the desire to, "[t]hrough efficient infrastructure planning and prudent financing mechanisms, keep impact fees as low and competitive as possible in order to attract employment opportunities to the County." The intent of the Valley Growth Boundary is closely related to the County's overall strategy for agricultural and open space preservation, along with other related issues. The Valley Growth Boundary sets the long-term spatial limits of developed lands in the valley portions of the County, which will accommodate most development needs between present and buildout of the 2030 General Plan. The Valley Growth Boundary was created to support development patterns with cost-effective infrastructure and public facilities; protect important natural resources, rural landscapes, air and water quality, farmland, and other important open space in areas outside the Valley Growth Boundary; promote urban and suburban revitalization; stimulate development patterns that support walking, biking, and public transit; and, reduce the instance of "leapfrog" and incomplete, piecemeal-type developments by allowing for comprehensive planning. Rural Community Boundary areas serve similar purposes. The location and extent of development allowed under the 2030 General Plan is designed, in part, to avoid areas with Prime Farmland and Farmland of Statewide Importance, as feasible, while also taking into account other competing objectives, including the need to plan for long-term development within unincorporated areas of the County. In addition, the County has defined a series of open space designations, presented in the Natural Resources Element, including agricultural lands (cropland, grazing, and processing areas), wetlands and riparian areas, grasslands, woodlands, and forests. As noted in the 2030 General Plan, "open spaces are important for resource production and extraction, buffering between

incompatible uses, biological habitat, recreation, cultural resources, aesthetics, and other functions. Agricultural, forest, and mining lands are crucial to the County's economic standing" (Natural Resources Element, page Natural Resources-2). The open space designations and the accompanying Open Space Diagram are used to communicate the County's intent for these resource areas. The open space designations identify uses that are supportive to the subject open space function, as well as uses that could potentially conflict with the protected open space function.

No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level. The 2030 General Plan includes policies that are intended to conserve agricultural land and reduce conflicts between agricultural operations and adjacent uses. Avoidance of conversion of agricultural land to nonagricultural to a less-than-significant level is not possible, while still allowing full buildout of the Valley Growth Boundary and Rural Community Boundary areas. Conversion of agricultural land would contribute to the incremental decline of Important Farmland in the region and result in the irreversible conversion of this agricultural land. The loss of Important Farmland is a **cumulatively considerable** impact when considered in connection with the significant cumulative losses that would occur through implementation of the proposed project, past farmland conversions, and planned future development.

Much of the County's forest lands are located on protected federal lands, which would preclude major development from affecting those lands. Most of the development anticipated under implementation of the 2030 General Plan would occur within the Valley Growth Boundary rather than in the foothills and mountains, where the County's forest resources are located. Policies and actions in the 2030 General Plan would reduce adverse impacts to forest lands. Rural development under the 2030 General Plan would be focused within a series of Rural Community Boundary areas, which include a minor amount of timberland.

Project objectives include planning proactively for long-term development and conservation within Yuba County's rural communities, in order to make them more environmentally and economically sustainable places. Another objective of this project is to maintain the existing Rural Community Boundary areas, which are reflected in the existing (1996) General Plan. The forest land areas that could potentially be affected by implementation of the General Plan are within the existing (1996) Rural Community Boundary areas. The conversion of forestland in Yuba County combined with timberland conversion in adjacent counties as a result of rural community development and rural subdivisions is a **significant** cumulative impact. The 2030 General Plan, while maintaining existing (1996) rural community boundaries, would make a **considerable contribution** to this significant cumulative impact.

Project objectives include planning proactively for long-term development and conservation within the County's rural communities, in order to make them more environmentally and economically sustainable places. Another objective of this project is to "[p]reserve foothill community boundaries that will continue to enhance and allow for open space, grazing lands, deer herds and oak woodlands which define the rural character of the foothills and the County as a whole." The forest land areas that could potentially be affected by implementation of the General Plan are within the existing (1996) Community Boundary Areas. The County, with this 2030 General Plan, has elected not to expand the existing Community Boundary Areas that exist in the foothill and mountain portions of the County under the existing (pre-update General Plan). Avoidance of conversion of forest land to a less-than-significant level is not possible, while still allowing buildout of the Rural Community Boundary areas. Other than the policies and actions included in the General Plan, there is no additional feasible mitigation available to address this potentially significant impact. This impact is **significant and unavoidable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts on agricultural and forest resources.

## AIR QUALITY

Air quality in the region does not meet State of California standards. Construction and operation of projects accommodated under regional plans could have a long-term impact on a region's emission profile and ability to attain and maintain NAAQS and CAAQS. The cumulative effects from short- and long-term criteria pollutants generated from the proposed 2030 General Plan, combined with related projects, creates a **significant** cumulative impact.

Construction-related and operational criteria air pollutant emissions associated with General Plan buildout would exceed FRAQMD significance thresholds. Therefore, the 2030 General Plan would have a **cumulatively considerable** contribution to air pollutants in the region.

The General Plan provides policies intended to reduce construction-related emissions. The General Plan includes policies that encourage joint-use of facilities, thereby reducing the amount of construction and land disturbance compared to a situation involving separate construction of individual public facilities. The General Plan also includes policies designed to reduce the area devoted to parking, vehicle access, and roadway construction. This would reduce both construction and operational emissions compared to the continued application of 1996 General Plan policies, which do not include this approach. The County's policies also require compliance with standard mitigation measures recommended by FRAQMD, including fugitive dust reduction measures. Open burning of vegetative waste (natural plant growth wastes) or other burn materials (trash, demolition debris) would normally be prohibited. FRAQMD would normally regulate construction equipment exhaust emissions, fuels, and idling time. Instead of fuel-powered equipment, existing power sources (e.g., power poles) or clean fuel generators would be used wherever feasible. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan and compliance with existing standards (including FRAQMD standard construction mitigation). However, the County cannot demonstrate at this time that mitigation incorporated as policy in the 2030 General Plan would reduce impacts to a less-than-cumulatively-considerable level. This impact is **significant and unavoidable**.

Toxic air contaminants (TACs) are considered in land use planning in association with sensitive land uses. Projects and plans throughout the region would contribute roadway and railway traffic that could occur near sensitive receptors, resulting in a **significant** cumulative impact. Although commercial and industrial uses that would be developed under the 2030 General Plan have not been specifically identified, it is likely that commercial uses that could be developed under the 2030 General Plan would have tenants that would require large delivery and shipping trucks that use diesel fuel. Despite the implementation of 2030 General Plan policies and actions, existing regulations, it is possible that sensitive land uses may be exposed to substantial TAC concentrations. Growth in roadway and railroad traffic under the 2030 General Plan, combined with regional growth in the cumulative scenario could represent a significant cumulative impact. The County considers the contribution of the 2030 General Plan to be **cumulatively considerable**.

The County does not have the ability to remove existing sensitive receptors from areas that could be affected by any existing sources of TACs. However, the County can influence land use change through General Plan policy and implementation. The General Plan includes policies that would require buffers between sensitive land uses and sources of TACs. The General Plan anticipates that the review and conditioning of projects, including buffering and other measures to promote compatibility of adjacent land uses, would be formalized through updates to County Codes. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts on air quality.

## BIOLOGICAL RESOURCES

Past development in Yuba County, ranging from conversion of land to agricultural production to recent expansion of urban development, has resulted in a substantial loss of native habitat to other uses. The net loss of native habitat for plants and wildlife, agricultural lands, and open space areas that support important biological resources in Yuba County and related areas will continue. The cumulative loss of habitat for special status species, such as habitat for riparian and aquatic species, has already resulted in drastic declines in numbers of these species. This is a **significant cumulative impact**.

Implementing the 2030 General Plan could result in further loss of special status species and their habitat. Continued development of natural resources areas will result in the incremental decline in the amount of habitat remaining to support special-status species and sensitive natural communities. The 2030 General Plan would contribute to an ongoing decline of special status species and habitats. Habitat modification and fragmentation as a result of development that could occur under the 2030 General Plan could degrade habitat quality to a degree that it no longer supports special-status plant populations. The 2030 General Plan would have a **cumulatively considerable** contribution to this significant cumulative impact.

The 2030 General Plan policies and actions require avoidance of impacts to special-status species and their habitats. The Natural Resources Element also designates various types of open space, including open space required to protect critical habitat and other important biological resources. Therefore, the 2030 General Plan's contribution to a significant cumulative impact would be reduced by implementing the General Plan policies and actions.

It may not be feasible to completely avoid direct and indirect impacts, while still allowing full build out of the designated land uses. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

Agricultural, residential, and industrial water use and land development have resulted in a **significant cumulative** reduction in the extent of riparian habitats in the County and surrounding region. The 2030 General Plan would have a **cumulatively considerable** contribution to this significant cumulative impact.

Implementing Action NR 5.3, which requires private and public projects to provide setbacks to protect riparian habitat as a condition of project approvals, is expected to substantially reduce impacts on riparian habitats. However, avoidance to a less-than-significant level is not possible while still allowing full build out of the designated land uses. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

The complexity and range of habitats in Yuba County and adjacent counties supports abundant and diverse fauna because large tracts of land are covered by habitats known to have outstanding value for wildlife, such as mixed coniferous forests and oak woodlands. Migratory bird species use these forests for breeding during summer months and rice fields in the northern Sacramento Valley, including western Yuba County and Sutter County are also considered important wildlife habitat because of their position in the Pacific Flyway, the westernmost of North America's four flyways, or migration routes. Conversion of agricultural lands and forests and woodlands for developed land uses in the region has resulted in a **significant cumulative impact** to wildlife that are dependent upon these habitats.

The Open Space Diagram in the Natural Resources Element and Land Use Diagram in the Community Development Element are based, in part, on an analysis of sensitive habitats in the unincorporated County, as well as groundwater recharge areas, agricultural resources, forest resources, and other natural resources in the County. Successful implementation of the 2030 General Plan would reduce impacts on special-status wildlife species by requiring new development to avoid, minimize, and/or compensate for adverse effects on special-status wildlife and suitable habitat for these species. 2030 General Plan policies provide for consultation with regulatory agencies, design solutions to avoid impacts, coordination with existing and future environmental regulations (the

Yuba-Sutter NCCP/HCP), mitigation for impacts, and buffers to riparian areas and designated wildlife areas. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

The policies and programs of the 2030 General Plan would avoid, minimize, and/or compensate for potential adverse effects to migratory wildlife and habitat used in wildlife movement. These policies include protection for anadromous fish habitat, deer ranges and migratory habitat, and riparian habitat which is commonly used by various wildlife species for migration. However, avoidance of migratory routes and potential migratory habitat is not mandatory and the 2030 General Plan does not identify or designate any land specifically for migratory habitat conservation. Therefore the extent to which significant impacts would be reduced by implementing the General Plan policies cannot be known in advance of specific project details. Avoidance to a less-than-significant level would not be possible while still allowing full build out of the designated land uses. The 2030 General Plan would have a **cumulatively considerable** contribution to this significant cumulative impact. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

The alteration of the hydrologic condition supporting long-term soil saturation and conversion to other uses, primarily agriculture, has resulted in a **significant cumulative impact** to freshwater emergent wetlands in Yuba County and the surrounding region. These habitat types are considered sensitive by the California Department of Fish and Game (DFG) and also typically fall under the jurisdiction of the U.S. Army Corps of Engineers, pursuant to the Federal Clean Water Act.

Implementing the 2030 General Plan could result in the loss of freshwater emergent wetland and vernal pool complex with vernal pools and swales. Implementing the General Plan policies and actions, along with the additional mitigation measures, is expected to reduce significant impacts on wetland and other waters of the United States requiring delineation and avoidance of these habitats to the maximum extent feasible, establishment of wetland habitat buffers, and by providing compensation for unavoidable impacts in a manner that would ensure no net loss of overall wetland habitat in the County. Avoidance to a less-than-significant level would not be possible while still allowing full build out of the designated land uses.

Therefore, the 2030 General Plan would have a **cumulatively considerable** contribution to this significant cumulative impact. The County anticipates that implementation of the Yuba-Sutter Natural Community Conservation Plan (NCCP) / Habitat Conservation Plan (HCP) would reduce cumulative biological resources impacts. The Yuba-Sutter NCCP/HCP is a cooperative planning effort intended to: continue economic growth and community development; retain the economic vitality of the local agricultural community; maintain recreation, hunting, fishing, and other public uses of the local open space; simplify and expedite land use and conservation planning in the plan area; protect threatened and endangered species; and preserve plant and wildlife communities. The Yuba-Sutter Regional NCCP/HCP will provide an opportunity to mitigate potential impacts to biological resources that may occur through implementation of the General Plan. The NCCP/HCP is still in draft form as of the writing of this document, but the County anticipates that it will be finalized and adopted before the 2030 General Plan is fully implemented. 2030 General Plan policies and actions to ensure compliance with the NCCP/HCP, once adopted. However, although the NCCP/HCP would help to address these impacts at a cumulative level, it cannot be guaranteed that that project will be fully implemented. The 2030 General Plan includes policies and actions to coordinate with the conservation strategies in the NCCP/HCP in the event that it is completed prior to full implementation of the 2030 General Plan, but neither the 2030 General Plan nor the EIR can rely upon the NCCP/HCP to fully mitigate for potential impacts. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts on biological resources.

## CULTURAL RESOURCES

During the 19th and 20th centuries, urbanization and intensive agricultural use in the region caused the destruction or disturbance of numerous prehistoric sites, while many structures now considered to be historic were erected. From the latter half of the 20th century to the present, prehistoric and historic structures have been disturbed and destroyed. Cultural resources are degraded or destroyed as development in the region proceeds. Development of projects and plans assumed in the cumulative scenario has the potential to result in the discovery of undocumented subsurface cultural resources or unmarked historic-era or prehistoric Native American burials. Growth in population, households, and jobs would require commensurate increases in infrastructure, capital facilities, services, housing, and commercial uses in Yuba County, its incorporated cities, and areas adjacent counties. Each of these increases carries with it a corresponding increase in the magnitude of ground disturbance and the construction of new buildings and structures and other site development activities. The impact on archaeological deposits, human remains, and paleontological resources would be substantial given the past extent of urban development, and anticipated gains in population, jobs, and housing. There is a **significant** cumulative impact to cultural resources.

Due to the nature of cultural resources, adverse impacts are site-specific and need to be determined on a project-by-project basis. The incorporation of standard measures addressing the response when undocumented resources are discovered would address this potential impact. With the level of development and earth disturbance accommodated under the 2030 General Plan, it is possible that significant cultural resources could be affected. The impact is considered **cumulatively considerable**.

The proposed policies of the 2030 General Plan constitute methods available to reduce impacts on cultural resources due to development in the unincorporated County. With implementation of General Plan policies and actions, in addition to other applicable state regulations, the impacts of the 2030 General Plan would be reduced. All feasible methods to reduce impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts on cultural resources.

## GEOLOGY AND SOILS

The loss of access to mineral resources is a **significant** cumulative impact resulting from encroachment by development into areas with mineral resources.

It is possible that development of the County's Rural Community Boundary areas could preclude extraction of important County mineral resources along the Yuba River. The 2030 General Plan would have a **cumulatively considerable** contribution to a significant cumulative impact.

Implementation of the proposed policies and actions of the 2030 General Plan and implementation of existing regulations for SMARA Mineral Resource Zones, would reduce the impacts of buildout of the 2030 General Plan on mineral resources. One of the key objectives of the 2030 General Plan is to proactively guide development of rural areas of the County, including those that could be within areas of important mineral resources. The County has included all feasible methods for reducing impacts in the form of policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

The fact that vertebrate fossils have been recovered throughout the Sacramento and San Joaquin Valleys in these sediments suggests that there is a potential for uncovering additional similar fossil remains during construction-related earthmoving activities. Development under the cumulative scenario could adversely affect these resources, resulting in a **significant** cumulative impact. Certain portions of the County are underlain by Pleistocene-age

alluvial deposits, which are considered paleontologically sensitive. The 2030 General Plan would have a **cumulatively considerable** contribution to a significant cumulative impact.

Implementation of the policies and actions of the 2030 General Plan would reduce the impacts of buildout of the 2030 General Plan on paleontological resources. Work stoppage is required where resources are discovered. Consultation with a paleontologist and measures to avoid further impact would be required. However, the County cannot guarantee that construction and development activities would avoid impacts to paleontological resources. It is not possible to identify the location and avoid earth movement in areas where it is possible that there could be significant paleontological resources in the unincorporated County. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts related to geology and soils.

## **GREENHOUSE GAS EMISSIONS**

Greenhouse gas emissions from sources around the globe have and will increase global GHG concentrations, which affects the global climate system. Global GHG emissions represent a **significant** cumulative impact.

Land use and building patterns resulting from local government development policies can affect VMT, water use, wastewater generation, solid waste generation, and building energy use. Future residents, employees, and visitors in projects accommodated under the 2030 General Plan would drive vehicles that generate GHG emissions. The 2030 General Plan would generate higher rates of GHG emissions than needed to achieve statewide GHG reduction targets. A substantial quantity of GHG emissions would be generated though buildout of the General Plan. This is a **cumulatively considerable** contribution to the significant impact of global climate change.

Some GHG emission sectors can be affected by the County's actions, while others cannot. GHG emission sectors such as transportation (fuel efficiency and carbon content of fuels) and electricity will be regulated by the implementation of state-wide emission reduction programs (e.g., vehicle emissions standards, renewable energy portfolio standards). Legislation already in effect will achieve state-wide reductions of GHG emissions associated with electricity production, industry, and other sources. It is anticipated that future legislation and regulations at the state and federal levels would further reduce GHG emissions, with different reduction potential available for each sector.

The 2030 General Plan includes a variety of narrative and diagrammatic policies, as well as actions aimed at addressing GHG emissions. The proposed Land Use Diagram supports and enables the implementation of these proposed policies and actions. Specifically, the 2030 General Plan balances residential land uses with destination land uses and provides the opportunity for local employment (although the County cannot guarantee that a majority of residents will work locally). The General Plan calls for development of complete neighborhoods and diversity of land uses, including destination land uses within close proximity to residents. This type of development would enable residents to have easy access to daily amenities by walking, bicycle, or public transit instead of the need for a car.

The 2030 General Plan provides a framework for assessing and reducing GHG emissions associated with future projects within the unincorporated County. Implementation of 2030 General Plan policies and actions that are designed to reduce GHG emissions would promote consistency with the mandates of AB 32 (i.e., reduce statewide GHG emissions to 1990 levels by 2020). The General Plan addresses each substantial source of GHG emissions relevant to the unincorporated County as a part of policies and actions. No feasible mitigation beyond the methods for reducing impacts included as policy under the 2030 General Plan is available to reduce this impact to a less-than-significant level because it is impossible to allow new growth without exposing that new growth to impacts associated with climate change. The proposed project's purpose is to provide a framework governing development of long-term development in unincorporated Yuba County. Therefore, complete

avoidance of any climate change impacts may not be possible, while still allowing full build out of the Valley Growth Boundary and Rural Community Boundary areas. It is impossible to allow new development and at the same time completely protect that new development from impacts associated with climate change and complete mitigation of this potential impact is infeasible. The impact is considered **significant and unavoidable**.

In addition to GHG emissions from implementation of the 2030 General Plan, another cumulative impact of climate change includes increased global average temperatures (global warming) through the intensification of the greenhouse effect, and associated changes in local climatic conditions. Areas of the unincorporated County could experience increased average temperatures; modifications to the timing, amount, and form (rain vs. snow) of precipitation; changes in the timing and amount of runoff; reduced water supply; deterioration of water quality; elevated sea level; and other **significant** cumulative impacts.

Policies and actions in the 2030 General Plan would reduce the extent and severity of climate change-related impacts by proactively planning for changes in climate and conditions, and providing methods for adapting to these changes. Impact of climate change on Yuba County would occur during a time span far beyond the buildout of the 2030 General Plan. The 2030 General Plan proposes all feasible methods for reducing impacts to respond and adapt to foreseeable impacts of climate change in the form of General Plan policies and actions, but the efficacy of the County's policy approach for dealing with the local effects of climate change is unknowable at this time. For the purposes of the County's General Plan EIR, the impact is considered **significant and unavoidable** and the County's contribution is **cumulatively considerable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts related to greenhouse gas emissions and climate change.

## **LAND USE, HOUSING, AND POPULATION**

General plans in the region, along with specific plans that are outside the development assumptions from local general plans, would potentially accommodate substantially greater population and employment growth compared to regional forecasts and planning efforts. Population and employment growth beyond those included in local and regional land use and transportation plans could induce population growth, which could have a **significant** cumulative impact.

Implementation of the 2030 General Plan would accommodate an increase in population, housing, and employment within unincorporated Yuba County. Increases in land availability for residential development could directly induce population growth. Additionally, increases in land designated for industrial and commercial uses could indirectly induce population growth by increasing the number of jobs in the County. The 2030 General Plan could accommodate a substantially greater population and employment growth than is included in existing state and regional forecasts and plans. If this level of job growth is realized, it is possible that population growth near future job centers could be induced. The amount of new development anticipated as a part of the 2030 General Plan exceeds growth anticipated for unincorporated Yuba County included in regional population and employment forecasts, SACOG's MTP, air quality attainment planning, and other regional plans. The 2030 General Plan would have a **cumulatively considerable** contribution to this significant cumulative impact.

The purpose of the 2030 General Plan is to provide a framework for development and conservation in unincorporated Yuba County. The 2030 General Plan contains all feasible methods for reducing impacts in the form of policies and actions that provide an orderly growth framework for unincorporated Yuba County. The County has designed the 2030 General Plan to balance land uses in order to avoid growth inducement elsewhere. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

Regional growth could displace existing housing and population, requiring the construction of housing elsewhere, representing a **significant** cumulative impact.

The 2030 General Plan provides overarching guidance for development and conservation. The 2030 General Plan does not propose to remove existing housing or displace existing population or housing units. However, it is possible that areas designated for development could involve removal of existing housing. The 2030 General Plan proposes policies and actions that facilitate development opportunities on vacant land, underutilized parcels, and through infill and redevelopment. The 2030 General Plan could have a **cumulatively considerable** contribution to this significant cumulative impact.

The 2030 General Plan proposes numerous policies and actions to conserve the existing housing stock. However, it is possible that some housing could be removed during buildout. The County's basic objectives for the 2030 General Plan include providing overarching guidance for land use change to meet the County's social, environmental, and economic objectives. In certain cases, the basic project objectives of the General Plan could involve removal of existing housing to be replaced with new housing or other land uses. It is not possible to, at once, provide for land use change needed to accommodate future growth needs within the unincorporated County while also prohibiting land use change involving existing residences. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts related to land use, housing, and population.

## **NOISE**

Traffic noise levels will increase along major regional roadway corridors as a result of the additional traffic generated by buildout of the 2030 General Plan, coupled with regional growth. This represents a **significant** cumulative impact.

The primary factor for a cumulative noise impact analysis is the consideration of future traffic volumes. Implementation of the 2030 General Plan, along with regional growth and traffic conditions, would cause changes in traffic noise levels over existing traffic noise levels. The 2030 General Plan would make a **cumulatively considerable** contribution to this significant cumulative impact.

The 2030 General Plan requires analysis and mitigation for newly establishing noise-sensitive uses, as well as newly establishing sources of noise in order to achieve acceptable noise levels. As noted in the General Plan, this could involve location of new development, site planning techniques, use of construction materials designed to attenuate noise, provision of a connected transportation network that distributes traffic and avoids any one route with substantial traffic noise, and other techniques. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts related to noise.

## **PUBLIC SERVICES AND FACILITIES**

Buildout of the 2030 General Plan would involve changes to land use type, density, and scale, which would increase demands on public services and facilities. The cumulative impacts on, public education services, parks and recreation, fire protection and emergency services, criminal justice services, and library services are described below.

### **Parks and Recreation Impacts**

Development and operation of new parks that may be needed to serve additional population accommodated under the General Plan could result in adverse impacts on the physical environment. Developed park facilities would be

located within the Valley Growth Boundary and the Rural Community Boundary and natural and recreational open space may be provided in areas outside the Valley Growth Boundary and Rural Community Boundary areas. Regional park and bike trail facilities could potentially be developed in more rural areas of the County. Because the County cannot guarantee the full implementation of parkland and recreational policies and actions, and because it is possible that parkland and recreational facilities may not be provided at an adequate rate to avoid overuse of existing facilities, a **potentially significant** cumulative impact related to park facilities would occur. The 2030 General Plan would make a **cumulatively considerable** contribution to a significant cumulative impact.

The General Plan includes policies and actions that will reduce impacts of park development both within and outside of the Valley Growth Boundary and Rural Community Boundary areas. The 2030 General Plan establishes the overall parkland standard as “a diversity of park types at a ratio of at least 5 acres for every 1,000 residents.” Implementation of this standard will require land dedication and/or fees and planning for parkland of different types that is integrated into new growth areas, as well as redevelopment areas. The County, however, is not the primary provider of developed park facilities or recreational programming for all unincorporated areas. Providing a diversity of parkland at ratios that are adequate to avoid overuse of existing facilities will require the cooperation of, and action by other agencies beyond the County’s direct control. The General Plan provides the complete framework for providing parkland and recreational programming (see Action NR1.1), but the County cannot unilaterally implement this policy. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts related to public services and facilities.

## TRANSPORTATION AND TRAFFIC

The traffic analysis included in the County’s General Plan EIR addresses cumulative impacts to the regional transportation system. A regional traffic model was used to analyze impacts of the proposed General Plan at buildout, along with projected regional growth. The regional traffic model already assumes a level of growth for other nearby jurisdictions based on plans and population/employment projections. The transportation analysis supporting the 2030 General Plan and the County’s General Plan EIR takes into account regional growth specifically on streets and highways connecting the County with adjacent jurisdictions. Regional population and employment growth is anticipated to result in traffic volumes along regional roadways, such as SR 70, that could exceed acceptable levels of service. This represents a **significant** cumulative impact.

The 2030 General Plan would make a **cumulatively considerable** contribution to this significant cumulative impact. The 2030 General Plan includes various policies to reduce traffic demand and mitigation for roadway segments and intersections. Please refer to the 2030 General Plan for a more comprehensive idea of the relevant policies and actions that reduce travel demand and also provide other social, economic, and environmental benefits, including policies CD1.1, CD1.3, CD1.4, CD2.1, CD2.2, CD2.3, CD2.4, CD2.5, CD2.6, CD2.7, CD3.4, CD4.1, CD4.2, CD4.3, CD4.4, CD4.5, CD4.6, CD5.1, CD5.2, CD5.3, CD5.4, CD5.5, CD6.1, CD6.2, CD6.3, CD6.4, CD6.5, CD6.6, CD7.1, CD7.3, CD7.4, CD7.5, CD7.6, CD7.7, CD7.8, CD8.1, CD8.2, CD8.3, CD8.4, CD8.5, CD8.7, CD8.9, CD8.10, CD8.11, CD9.6, CD9.9, CD9.10, CD9.11, CD10.1, CD10.3, CD10.5, CD10.6, CD10.7, CD13.1, CD13.2, CD13.3, CD13.5, CD14.5, CD15.4, CD15.9, CD15.10, CD16.1, CD16.5, CD16.10, CD16.11, CD17.1, CD17.2, CD17.3, CD17.4, CD17.5, CD17.6, CD18.8, CD19.1, CD19.2, CD19.3, CD19.4, CD19.5, CD19.6, CD19.7, CD19.8, CD19.9, CD19.10, CD19.11, CD19.12, CD19.13, CD19.14, CD19.15, CD19.16, CD19.17, CD19.18, CD19.19, CD19.20, CD20.1, CD20.2, CD20.3, CD20.4, CD20.5, CD20.6, CD20.7, CD20.8, CD20.9, CD20.10, CD20.11, CD21.1, CD21.2, CD21.3, CD21.4, CD21.6, CD21.7, NR1.5, NR1.8, NR1.12, NR1.13, NR2.1, NR2.2, HS3.17, HS5.1, HS5.3, HS5.4, HS5.5, HS5.9, and HS5.12 in the Draft 2030 General Plan. Programmatic activities proposed by the 2030 General Plan would also reduce travel demand, including Actions CD3.1, CD5.1, CD7.1, CD10.2, CD15.1, CD16.2, CD17.1, CD19.1, CD19.2, CD19.3, CD21.1, NR2.1, and HS5.1. Finally, the County’s policy diagrams provide spatial direction for development patterns and

identify, in conceptual terms, non-automobile transportation facilities, the presence of which will help to provide alternatives to automobile travel and therefore reduce travel demand overall. However, traffic is anticipated to exceed level of service standards at certain roadway segments and intersections. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts related to transportation and traffic.

## UTILITIES AND SERVICE SYSTEMS

### Wastewater Management Services

Growth in Yuba County, Sutter County, Butte County, and other nearby areas would contribute to additional demands for wastewater collection and treatment, leading to a need for additional wastewater facilities in the future. The construction and operation of these facilities and the cumulative potential for water quality violations related to wastewater treatment represent **significant** cumulative impacts. It is possible that 2030 General Plan could involve **cumulatively considerable** contribution to these significant cumulative impacts.

The County has included throughout the 2030 General Plan all feasible measures available to mitigate such impacts. By adhering to the policies proposed in the 2030 General Plan, as well as all applicable requirements pertaining to wastewater treatment and septic systems, the County could minimize impacts associated with construction of new wastewater treatment facilities or extension of existing facilities or infrastructure. Sections 4.1 through 4.15 of the General Plan EIR evaluate the effects of construction activities relative to specific environmental issue areas, such as biological resources (Section 4.4), air quality (Section 4.3), water quality (Section 4.9), etc., at a programmatic level of detail, as is appropriate for a general plan. The 2030 General Plan includes policies and actions, and the County's General Plan EIR includes mitigation measures, where necessary, to reduce or avoid impacts, as noted throughout Section 4.0 of the County's General Plan EIR. Despite mitigating policies and actions and the application of necessary mitigation measures, construction and operation of new or expanded wastewater treatment facilities and infrastructure may result in significant environmental effects. All feasible methods for reducing impacts are included as policies and actions of the 2030 General Plan. This impact is **significant and unavoidable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts related to utilities and service systems.

## ENERGY

Regional growth would involve new building construction, development projects and plans, transportation facilities, and other activities that would demand additional energy resources. This will require the construction of new energy infrastructure, the construction and operation of which could have **significant** cumulative impacts.

The demand for energy and consumption of energy resources will increase in the region. Future land use patterns, new construction and building renovations, and commuting patterns would increase demand for energy in the County. Cumulative development throughout the County and the region would result in a significant cumulative increase in the demand for energy and the need for construction of additional facilities to generate and/or distribute electricity. This is considered a **significant** cumulative impact. The 2030 General Plan would have a **cumulatively considerable contribution** to this significant cumulative impact.

The 2030 General Plan includes a wide range of energy conservation strategies for land use, transportation, community design, public facilities and infrastructure. The 2030 General Plan includes policies and

implementation measures that recognize the need to design buildings, coordinate development patterns, coordinate transportation planning, coordinate regional infrastructure investment, and comply with regional planning requirements during General Plan buildout to achieve energy conservation, as well as other objectives. The County has included all feasible methods for reducing impacts as policies and actions in the 2030 General Plan. This impact is **significant and unavoidable**.

As is fully explained in the Statement of Overriding Considerations in Section 3, the environmental, economic, social, and other benefits of the proposed project outweigh and override the significant adverse cumulative impacts related to energy.

## **2.5 FINDINGS RELATED TO THE RELATIONSHIP BETWEEN SHORT-TERM USES OF THE ENVIRONMENT AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY**

Based on the EIR and the entire record before the Board of Supervisors, the Board of Supervisors makes the following findings with respect to the project's balancing of local short-term uses of the environment and the maintenance of long-term productivity:

1. As the 2030 General Plan is implemented, certain impacts would occur in the short term. Where feasible, policies and actions have been incorporated in the 2030 General Plan and mitigation measures added to the General Plan EIR, as appropriate, to mitigate these potential impacts.
2. The 2030 General Plan would result in the long-term commitment of resources to implement the 2030 General Plan including water, natural gas, fossil fuels, and electricity. The long-term implementation of the 2030 General Plan would provide important social, economic, and environmental benefits to Yuba County. The 2030 General Plan will guide development and conservation within unincorporated areas of the County, consistent with the County's economic, environmental, and social objectives. The 2030 General Plan will provide for safe neighborhoods and healthy communities and encourage revitalization and reinvestment in existing neighborhoods and business districts. The 2030 General Plan will provide for the protection and improvement of the public health for existing and future citizens. The 2030 General Plan will provide for more efficient and cost-effective public services, facilities, and infrastructure. The 2030 General Plan will provide for employment development and in particular local job development that can take advantage of existing economic assets.
3. Notwithstanding the foregoing, some long-term impacts would result from implementation of the 2030 General Plan.

Despite short-term and long-term adverse impacts that would result from implementation of the 2030 General Plan, the short-term and long-term benefits of implementation of the 2030 General Plan justify implementation.

## **2.6 CEQA PROJECT ALTERNATIVES**

As stated in one of the recent court decisions addressing alternatives: "The issue of feasibility arises at two different junctures: (1) in the assessment of alternatives in the EIR and (2) during the agency's later consideration of whether to approve the project. [citation] Differing factors come into play at each stage. [citation] For the first phase - inclusion in the EIR - the standard is whether the alternative is *potentially* feasible. [citation] By contrast, at the second phase - the final decision on project approval- the decision making body evaluates whether the alternatives are *actually* feasible. At that juncture, the decision makers may reject as infeasible alternatives that were identified in the EIR as potentially feasible." (*Cal. Native Plants Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 981.) These Findings represent the second phase of the Alternatives analysis, and the County is making the final decision on whether the Alternatives are feasible.

As noted under the heading “Findings Required under CEQA,” an alternative may be “infeasible” if it fails to achieve the lead agency’s underlying goals and objectives with respect to the project. Thus, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors” of a project (*City of Del Mar v. City of San Diego* [1982] 133 Cal.App.3d 401, 417).

Any one of the stated reasons identified under an Alternative is sufficient to find that Alternative infeasible.

## **2.6.1 ALTERNATIVES CONSIDERED AND DISMISSED FROM FURTHER CONSIDERATION**

Although the County considered a variety of approaches to land use and transportation as a part of the General Plan Update process, there were no other alternatives specifically developed for consideration in the context of the County’s General Plan EIR. As discussed below, the alternatives selected by the County for study represent a reasonable stratem designed to reduce or avoid a range of potentially significant impacts associated with the 2030 General Plan

## **2.6.2 SUMMARY OF ALTERNATIVES CONSIDERED**

The County considered four alternatives as part of the General Plan EIR process.

### **ALTERNATIVE 1 - NO PROJECT (1996 GENERAL PLAN)**

The No Project Alternative (Alternative 1) assumes that the 2030 General Plan would not be implemented, and that the County would build out as anticipated under the existing 1996 General Plan. Alternative 1 would add 80,000 to 90,000 residents and 34,000 to 35,000 housing units to the unincorporated County.

### **Finding**

Alternative 1 – No Project (1996 General Plan) is infeasible because it fails to meet key project objectives.

### **Facts in Support of Finding of Infeasibility**

Alternative 1 fails to “proactively direct long-term development in the unincorporated County according to the General Plan Update Vision, Goals, and Strategies” (see Project Objectives, section 1.3, above) and therefore, the Board of Supervisors finds this alternative infeasible.. Because the 1996 General Plan was drafted prior to the development of the General Plan Update Vision, Goals, and Strategies and other County project objectives enumerated in Section 1.3 of these Findings, it does not fulfill the goals and strategies identified by the Board of Supervisors during the general plan process.

Alternative 1 fails to “revitalize existing communities, neighborhoods, and primary transportation corridors,” and “strive for a balance between jobs and housing,” in conflict with the County’s objectives for the General Plan (see Section 1.3) and therefore , the Board of Supervisors finds this alternative infeasible. For example, Alternative 1 would not provide proactive policy guidance for larger-scale employment areas along the State Route 65 corridor, which was identified by the County Board of Supervisors several times during discussion on the 2030 General Plan as the major focus for employment development for the future. This would result in a failure to revitalize a primary transportation corridor as well as achieve the balance between jobs and housing. Also, under the land use diagram for Alternative 1, there would be some potential for industrial, light industrial, and other types of basic employment developments, but the County has been operating under the land use array embodied in Alternative 1 and has not experienced employment growth to accompany residential growth since 1996. Thus, Alternative 1 has failed, and will continue to fail, to provide a proper balance between jobs and housing.

In addition to failing to “strive for a balance between jobs and housing,” Alternative 1 also fails to “promote and encourage new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents” and “encourage retail, services, and jobs conveniently located for residents in order to reduce travel demand, reduce vehicle miles traveled and associated air pollution, lower household transportation costs, and reduce transportation infrastructure cost” (see Project Objectives, Section 1.3), and therefore, Alternative 1 is infeasible. In 2009, the County had roughly 0.56 jobs for every housing unit. During the 1990s and 2000s, Yuba County added a substantial number of dwelling units, particularly in the southern, valley portions of the County. This housing was constructed largely to serve employees of Sacramento, south Placer County, and other employment centers. Between 1990 and 2009, the jobs-to-housing ratio decreased by approximately 33 percent (see 2030 General Plan Community Development Element, page Community Development-21). Employment estimates and land needs for employment development projects vary depending on the type of land use and the intensity of site development. For example, large-scale retail, warehousing, mining operations, and manufacturing tend to have lower employment densities and require larger parcels, while office uses have higher employment densities and can potentially be accommodated on smaller parcels. Alternative 1 would not provide employment development opportunities on larger parcels sizes in areas away from existing development and otherwise unconstrained for larger-scale employment development projects. Without providing for the necessary balance between jobs and housing and encouraging commercial and industrial development by providing adequate development opportunities, Alternative 1 fails to meet basic project objectives by continuing to restrict the development of employment-generating development.

In summary, this alternative would result in similar significant impacts and would not meet the project objectives listed below. Therefore, the No Project Alternative is infeasible.

- ▶ Proactively direct long-term development in the unincorporated County according to the General Plan Update Vision, Goals, and Strategies.
- ▶ Revitalize existing communities, neighborhoods and primary transportation corridors.
- ▶ Strive for a balance between jobs and housing—both numerically and demographically—by promoting jobs for our residents.
- ▶ Promote and encourage new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents.
- ▶ Through efficient infrastructure planning and prudent financing mechanisms, keep impact fees as low and competitive as possible in order to attract employment opportunities to the County.
- ▶ Promote existing growth areas as the engines of the economy by focusing on existing cities, downtown areas, and primary corridors.
- ▶ Continue to promote our recreational and tourism opportunities.
- ▶ Encourage retail, services, and jobs conveniently located for residents in order to reduce travel demand, reduce vehicle miles traveled and associated air pollution, lower household transportation costs, and reduce transportation infrastructure costs.
- ▶ Encourage the ability for future incorporation and/or annexation of unincorporated areas by establishing realistic and manageable growth boundaries.
- ▶ Focus on build out of the partially built existing specific plans and promote modification to those plans consistent with the vision and goals of the General Plan when opportunities arise.

## **ALTERNATIVE 2 - GROWTH SCENARIO 1**

Alternative 2 was developed to analyze the impacts of development of portions of the Valley Growth Boundary closest to existing infrastructure and development. Relative to the 2030 General Plan, this alternative would have a smaller development footprint and would assume roughly the same gross density and land use mix as the 2030 General Plan. Both this alternative and the 2030 General Plan would accommodate the full range of housing types mixed in with destination uses, such as schools, small parks, neighborhood-serving retail and services, a wide range of public and quasi-public uses, and professional offices. This alternative would also include schools, parks, and other supportive land uses located throughout the developed portions of the County.

### **Finding**

Alternative 2 – Growth Scenario 1 is infeasible because it fails to meet key project objectives.

### **Facts in Support of Finding of Infeasibility**

Alternative 2/Growth Scenario 1 fails to “proactively direct long-term development in the unincorporated County according to the General Plan Update Vision, Goals, and Strategies” (see Project Objectives, section 1.3, above) and therefore, the Board of Supervisors finds this alternative infeasible. This alternative would conflict with the diagram that accompanied the County’s approved General Plan Update Vision, Goals, and Strategies document, which indicates the Board of Supervisors’ policy preferences for development of the 2030 General Plan. The County’s General Plan Update Vision, Goals, and Strategies document is specifically referenced by the County’s project objectives. Alternative 2 would not provide proactive policy guidance for larger-scale employment areas along the State Route 65 corridor, which was identified by the County Board of Supervisors several times during discussion on the 2030 General Plan as the major focus for employment development for the future.

Alternative 2 would not “promote and encourage new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents” and “keep impact fees as low and competitive as possible in order to attract employment opportunities” to the extent necessary to achieve the County’s project objectives, and therefore, Alternative 2 is infeasible. Alternative 2 would provide for a reduced level of residential and nonresidential development and fewer units and projects to distribute costs of constructing and maintaining infrastructure to support new development. Thus, Alternative 2 would not be able to keep impact fees as low and competitive as possible in order to attract employment opportunities to the County and achieve the desired balance between jobs and housing.

Alternative 2 would not provide proactive policy guidance for larger-scale employment areas along the State Route 65 corridor, which was identified by the County Board of Supervisors several times during discussion on the 2030 General Plan as the major focus for employment development for the future, and therefore, Alternative 2 is infeasible.

Alternative 2 would not “promote and encourage new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents” (see Project Objectives, Section 1.3) because it would not provide employment development opportunities on larger parcels sizes in areas away from existing development and otherwise unconstrained for larger-scale employment development projects. This would result in less economic opportunities for businesses. Therefore, Alternative 2 is infeasible.

In summary, while Alternative 2 would lessen some of the environmental impacts anticipated under the 2030 General Plan, this alternative would conflict with one or more of the basic project objectives listed below and described in more detail above and therefore is infeasible.

- ▶ Proactively direct long-term development in the unincorporated County according to the General Plan Update Vision, Goals, and Strategies.

- ▶ Promote and encourage new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents.
- ▶ Through efficient infrastructure planning and prudent financing mechanisms, keep impact fees as low and competitive as possible in order to attract employment opportunities to the County.

### **ALTERNATIVE 3 - SACOG BLUEPRINT PREFERRED SCENARIO ALTERNATIVE**

Alternative 3 was developed to analyze the differential environmental impacts that would result if the County were to develop consistent with the level and mix of development identified for unincorporated areas under the SACOG Blueprint Preferred Scenario. This alternative assumes a total added population of 15,000 to 17,000. This alternative assumes the addition of approximately 18,000 to 19,000 jobs. Relative to the 2030 General Plan, this alternative would have a smaller development footprint and would assume roughly the same gross density as with the 2030 General Plan. This alternative was designed to reduce the impacts associated with construction of utilities and facilities needed to serve growth. Alternative 3 was also designed as a way to reduce air quality impacts (including those attributable to greenhouse gas emissions). This alternative was also meant to reduce conversion of agricultural land, reduce noise impacts from transportation, and reduce impacts related to aesthetic changes to rural open space areas. Alternative 3 is the environmentally superior alternative.

### **Finding**

Alternative 3 – SACOG Blueprint Preferred Scenario Alternative is infeasible because it fails to meet key project objectives.

### **Facts in Support of Finding of Infeasibility**

While Alternative 3 would also meet many of the project’s objectives, Alternative 3 would not meet those objectives to the degree anticipated required to fulfill the County’s project objectives, as explained more below.

Alternative 3 anticipates population and job growth substantially lower than envisioned under the project objectives, and therefore, Alternative 3 is infeasible because it would fail to accommodate the increased needs for residential and commercial growth.

Alternative 3 would not “proactively direct long-term development in the unincorporated County according to the General Plan Update Vision, Goals, and Strategies,” in conflict with one of the basic project objectives, and therefore, Alternative 3 is infeasible. It would not fulfill this project objection because it would conflict with the diagram that accompanied the County’s approved General Plan Update Vision, Goals, and Strategies document, which represented indicates the Board of Supervisors’ policy preferences for development of the 2030 General Plan. Alternative 3 would not provide proactive policy guidance for larger-scale employment areas for the whole of the State Route 65 corridor, which was identified by the County Board of Supervisors several times during discussion on the 2030 General Plan as the major focus for employment development for the future.

Alternative 3 would conflict with the project objectives to “promote and encourage new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents” and “keep impact fees as low and competitive as possible” because it would provide for a reduced level of residential and nonresidential development and fewer units and projects to distribute costs of constructing and maintaining infrastructure to support new development. Thus, Alternative 3 may not be able to keep impact fees as low and competitive as possible in order to attract employment opportunities to the County. For these reasons, Alternative 3 is infeasible.

Alternative 3 would not “promote and encourage new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents,” in conflict with one of the basic project objectives, because it would not provide proactive policy guidance for larger-scale

employment areas for the whole of the State Route 65 corridor, which was identified by the County Board of Supervisors several times during discussion on the 2030 General Plan as the major focus for employment development for the future. Therefore, Alternative 3 is infeasible.

In summary, while Alternative 3 would lessen some of the environmental impacts anticipated under the 2030 General Plan, this alternative would conflict with one or more of the basic project objectives (listed below) and therefore is infeasible.

- ▶ Proactively direct long-term development in the unincorporated County according to the General Plan Update Vision, Goals, and Strategies.
- ▶ Promote and encourage new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents.

## **ALTERNATIVE 4 – GROWTH SCENARIO 2**

Relative to full buildout of the 2030 General Plan, this alternative would have a smaller overall development footprint. However, with inclusion of new growth areas along the Highway 65 corridor, the development pattern in this Alternative would be less compact compared to Alternatives 2 and 3, and would require substantial infrastructure extension and expansion beyond that needed under Alternatives 2 or 3.

### **Finding**

Alternative 4 – Growth Scenario 2 is infeasible because it fails to meet key project objectives.

### **Facts in Support of Finding of Infeasibility**

Alternative 4/Growth Scenario 2, while similar to the 2030 General Plan, would lessen some environmental impacts relative to the 2030 General Plan. However, Alternative 4 would conflict with or not fulfill some of the basic project objectives, as described below.

Alternative 4 would not “proactively direct long-term development in the unincorporated County according to the General Plan Update Vision, Goals, and Strategies,” in conflict with one of the basic project objectives because it would conflict with the diagram that accompanied the County’s approved General Plan Update Vision, Goals, and Strategies document, which indicates the Board of Supervisors’ policy preferences for development of the 2030 General Plan. This alternative would assume approximately half the development potential along the State Route 65 corridor, as compared with the 2030 General Plan. Alternative 4 would provide for some larger-scale employment areas for the State Route 65 corridor, but not enough development capacity to achieve project objectives identified by the County, including encouraging new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents.

Alternative 4 would not “keep impact fees as low and competitive as possible in order to attract employment opportunities to the County” (see Project Objectives, section 1.3 above) because it would provide for a reduced level of residential and nonresidential development and fewer units and projects to distribute costs of constructing and maintaining infrastructure to support new development. Therefore, Alternative 4 would not be able to keep impact fees as low and competitive as possible in order to attract employment opportunities to the County. Alternative 4 is considered infeasible.

Alternative 4 would not “promote and encourage new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents,” in conflict with one of the basic project objectives, and therefore, Alternative 4 is infeasible. It would not fulfill this project objective because it would assume approximately half the development potential along the State Route 65 corridor. Alternative 4 would provide for some larger-scale employment areas for the State Route 65 corridor, but

not enough development capacity to achieve the necessary balance between jobs and housing identified by the County.

In summary, while Alternative 4 would lessen some of the environmental impacts anticipated under the 2030 General Plan, this alternative would conflict with one or more of the basic project objectives (listed below) and therefore is infeasible.

- ▶ Proactively direct long-term development in the unincorporated County according to the General Plan Update Vision, Goals, and Strategies.
- ▶ Promote and encourage new commercial and industrial development to balance the recent residential development, generate revenues, and create local jobs and services for residents.

## **2.7 FINDINGS REGARDING EIR ERRATA AND RECIRCULATION**

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the draft EIR but before certification of the Final EIR. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The CEQA Guidelines provide the following examples of significant new information under this standard (CEQA Guidelines, Section 15088.5, subd. [a].):

- ▶ A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- ▶ A substantial increase in the severity of an environmental impact would result unless mitigation are adopted that reduce the impact to a level of insignificance.
- ▶ A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- ▶ The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043).

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. (CEQA Guidelines, Section 15088.5, subd. (b).)

The County has published for review proposed revisions to the text in the Final EIR and 2030 General Plan. The Yuba County Board of Supervisors finds that the changes identified in the proposed revisions do not identify any new impacts or identify any substantial increase in the severity of an environmental impact that would not be reduced to a less-than-significant level through mitigation, nor would the revised mitigation measures result in new significant environmental impacts. Instead, the revised mitigation measures clarify and strengthen the effectiveness of the mitigation measures to help further reduce or avoid an impact. Because no new unmitigated impacts have been identified or created by the revised mitigation, the EIR is not changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the 2030 General Plan. The revisions to the EIR’s mitigation measures represent improvements to the analysis and mitigation of impacts, and therefore do not require recirculation of the EIR.

### 3 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to State CEQA Guidelines Section 15092, the Yuba County Board of Supervisors finds that in approving the 2030 General Plan, it has eliminated or substantially lessened all significant and potentially significant effects of the 2030 General Plan on the environment where feasible, as shown in the EIR and described in these Findings.

The Board of Supervisors further finds that it has balanced the economic, legal, social, technological, and other benefits, including regional or statewide environmental benefits of the 2030 General Plan against the remaining unavoidable environmental risks in determining whether to approve the 2030 General Plan and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The impacts which were determined to be significant and unavoidable are: 4.1-1, 4.1-3, 4.1-4, 4.2-1, 4.2-2, 4.3-1, 4.3-2, 4.3-4, 4.3-5, 4.4-1, 4.4-3, 4.4-4, 4.5-1, 4.5-2, 4.5-3, 4.6-6, 4.6-7, 4.7-1, 4.7-2, 4.10-4, 4.10-5, 4.11-2, 4.11-3, 4.12-4, 4.13-1, 4.13-3, 4.13-4, 4.13-5, 4.13-7, 4.14-2, 4.14-3, and 4.15-2. The Board of Supervisors makes this statement of overriding considerations in accordance with State CEQA Guidelines Section 15093 in support of approval of the 2030 General Plan.

In the Board of Supervisors' judgment, the 2030 General plan and its benefits outweigh its unavoidable significant effects. The following statement identifies the reasons why, in the Board's judgment, the benefits of the 2030 General Plan as approved outweigh its unavoidable significant effects.

Any one of the stated reasons below is sufficient to justify approval of the 2030 General Plan in spite of the unavoidable impacts. Thus, even if a court were to conclude that not every reason set forth in this Statement is supported by substantial evidence, the Board finds that any individual reason is separately sufficient. This Statement is supported by the substantial evidence set forth in the Draft EIR, Final EIR, Errata, the Findings set forth above, and in the documents contained in the administrative record.

#### **FRAMEWORK FOR ACHIEVING THE COUNTY'S VISION AND GOALS**

The 2030 General Plan Update process provides the necessary information and analysis to allow decision makers and the public to identify consensus goals for the future. The General Plan also identifies the policies and actions that are necessary to achieve these goals between the present and 2030, while also fulfilling legal requirements in California for comprehensive planning. The combined narrative and diagrammatic information in the General Plan represents the County's overarching policy direction for physical development and conservation. The General Plan puts decision makers, County staff, property owners, property developers and builders, and the general public on notice regarding the County's approach to managing land use change.

The development boom of the early 2000s gave the County a taste of forward momentum that had not been felt since the gold rush era. The 2030 General Plan capitalizes on the lessons learned during that time. One of the most valuable lessons learned from the recent development boom was the need for clarity: clarity from the current residents and businesses of our County as to the vision for the future and clarity to future residents and businesses as to how they can be a part of our future success. The 2030 General Plan strives to achieve this by laying out a clear vision with supporting goals, policies, and actions. The 2030 General Plan is a guide for both land use change and resource conservation in unincorporated Yuba County through 2030. It contains the policy framework necessary to fulfill the County's vision for the 2030 General Plan:

*"To create a golden future for Yuba County by: inspiring a community of participation, embracing our unique history, and discovering the wealth of our untapped potential."*

Based on this overall vision, there are themes that run throughout the 2030 General Plan and guide the specific language included as goals, policies, and actions, including:

- ▶ **Economic, environmental, and social sustainability.** The County recognizes the dynamic relationship between economic, social, and environmental objectives. The 2030 General Plan policies and actions are designed to achieve the optimal balance among these sometimes-competing objectives.
- ▶ **Managed Growth and Development of land use and infrastructure.** The County encourages revitalization and development of land uses and infrastructure from existing areas outward, where greenfield development occurs. The County's policies are designed to avoid "leapfrog development," and carefully consider the regional land use and economic context. As the County develops, there will be new opportunities to improve and diversify the economy, preserve and enhance the environment, and provide better and more affordable housing. Growth will be managed to preserve and enhance the quality of life for residents rather than allowing the benefits to accrue only to newcomers or people living outside Yuba County. Infrastructure and other public improvements will be planned for in advance of development, utilizing the General Plan as a basis for commitment of public funds, and by requiring development to finance specific infrastructure and improvements.
- ▶ **Use and Conservation of Resources.** The County's natural resources, especially agriculture and timber, are important parts of the local economy along with water, mineral resources, and existing and future sources of energy.
- ▶ **Protection of Public Health, Safety, and Welfare.** The General Plan places great emphasis on protecting environmental and public health. The County wants to promote healthy communities through its policies and programs.
- ▶ **Regional Planning and Coordination** with the cities, surrounding counties, SACOG, state and federal agencies, special districts and school districts, Beale Air Force Base, the Local Agency Formation Commission, and other public agencies. The County's General Plan supports regionalization of infrastructure and services, where this make sense, and strategically considers the County's position in the region and policies necessary to achieve a future desired position in the region.
- ▶ **Rural Lifestyle.** Rural residential areas will be preserved, recognizing the need to provide for a variety of lifestyles. On the valley floor, lands that are the least productive for agricultural purposes will be committed to development while higher value agricultural land will be protected from encroachment and preserved for future generations of farmers.
- ▶ **Local Quality of Life** will be crucial to the County's success during buildout of the 2030 General Plan. Employment development will depend on high quality parks, schools, culture, retail, services, and natural beauty, among other factors.

The County's vision and goals for the 2030 General Plan were developed with input received at no less than 15 community meetings, 12 workshops with the Board of Supervisors and Planning Commission, two workshops with local high school students, eight meetings of the General Plan Update Advisory Committee, and various solicitations for comments. As such, special attention must be paid to the vision and goals, since they represent a consensus among the community and decision makers.

The 2030 General Plan reflects the priorities of Yuba County's people. Although certain elements of the 2030 General Plan are required by State law, the customized goals, policies, and actions of the 2030 General Plan are specific to Yuba County based on the vision and goals.

The framework for land use change provided in the General Plan allows the County and other public service providers (such as the community services districts, public utility districts, fire districts, water and irrigation districts, and school districts) to plan for services and facilities consistent with the Plan. The General Plan is also the basis for all other planning efforts, such as specific plans, community plans and redevelopment plans.

## **ECONOMIC DEVELOPMENT**

The quality of life experienced by Yuba County residents is greatly affected by the local economy and their sense of economic well-being. Yuba County's economy is rooted primarily in agricultural-based industries, though new jobs in the service sector, government, retail, transportation, public utilities, and construction have emerged within the last decade.

Between 1990 and 2009, Yuba County added a large number of new homes, which led to a decrease in the jobs-to-housing ratio by approximately 33% (see DEIR, page 4.10-12). This means that many Yuba County residents do not work in Yuba County. In order to fulfill the 2030 General Plan vision and goals, Yuba County seeks to create new employment opportunities within the County.

The General Plan is designed to improve the County's jobs-housing balance by providing a diversity of employment options at buildout. The Land Use Diagram provides various employment development opportunities in Valley Neighborhood, Commercial Mixed Use, Employment, Employment Village, Rural Community, and Natural Resources land use designations. Sufficient land is provided under the 2030 General Plan to facilitate approximately 1.7 new jobs per household added, using the development assumptions embodied in this General Plan. The County has provided substantial flexibility for land use and has provided adequate land for long-term population, commercial, and employment growth. There is sufficient planned development capacity in the Valley Growth Boundary to accommodate projected population growth and the County's goals for job growth and economic development through 2030.

## **LONG-RANGE GUIDE FOR GROWTH MANAGEMENT**

The 203 General Plan provides Yuba County with a guide for day-to-day decision making toward long-term prosperity and sustainability. Together, the General Plan Elements are a comprehensive statement of the goals, policies, standards, and implementation measures for managing growth and conservation within Yuba County.

The General Plan is structured to achieve its goals by the year 2030. The planning process allows periodic updates to address any deviations from the General Plan's goals or political-economic conditions. The General Plan's goals and policies are intended to maintain and enhance the character of Yuba County, while allowing for economic growth and conservation of environmental resources. The updated policies are considered feasible and as such, take into account current land economic conditions and realistic growth assumptions. The growth estimates used in developing the General Plan and analyzing environmental impacts are consistent with emerging land use policies and goals at the regional level.

## **GENERAL PLAN UPDATE REFLECTS CURRENT ENVIRONMENTAL AND PLANNING TRENDS**

Yuba County has changed substantially since the last general plan update in 1996, when only four elements were updated. Two elements have not been updated since 1980. Since two elements are more than 30 years old and others are nearing the end of their time horizon, this comprehensive update will reflect these substantial changes.

The 2030 General Plan contains a variety of policies and actions that incorporate the latest State and federal regulations on wetlands and habitat preservation, air quality management, water quality protection, cultural resources, hazards and hazardous materials, and other key topics. The 2030 General Plan reflects the existing on-the-ground land use context, which has changed substantially since the last update.

The Yuba County Board of Supervisors directed staff to prepare an update to the General Plan to achieve what the County desires for the next 20 years and beyond. The Board of Supervisors recognized the need to update the General Plan to address the following topics:

- ▶ The need to address the interests of a number of outside agencies such as Beale Air Force Base, Caltrans, the cities, and utility districts;
- ▶ The need for a public outreach component to provide opportunities for citizens to voice their concerns and present their ideas for consideration;
- ▶ The need to assess potential impacts from development occurring consistent with the General Plan and use the General Plan policies as mitigation measures for such impacts;
- ▶ The need to provide a General Plan EIR that is useful, both practically and legally for a number of future actions, including but not limited to: adoption of implementing ordinances, approval of infrastructure plans, and changes in land use;
- ▶ The need to improve the local jobs/housing balance in the County;
- ▶ The need to encourage economic growth in commercial and industrial land uses that will be necessary for the long-term economic health of the County;
- ▶ The need to address the Highway 65 corridor, between Linda and Wheatland, as a key area of consideration;
- ▶ The need to strategically encourage revitalization, redevelopment, and community improvements in the Linda and Olivehurst areas;
- ▶ The need to protect areas of commercial agricultural uses that are expected to be viable over the long term;
- ▶ The need to address the public facilities and infrastructure necessary to support not only the new residential growth proposed but the commercial, industrial and institutional land uses necessary over the long-term to balance the County's economy and allow specific key areas (such as the Hwy. 65 corridor) to develop appropriately and in a timely fashion;
- ▶ The need to address new routes that have been planned for sometime but not yet constructed, including the Highway 65 bypass of Wheatland, the Goldfields Parkway, and a connector between Highway 65 and Highway 70 through the Plumas Lake area;
- ▶ The need to address the need for major new arterials to serve new growth areas;
- ▶ The need to assess current and future projected traffic conditions;
- ▶ The need to incorporate work from the ongoing Natural Communities Conservation Plan/Habitat Conservation Plan;
- ▶ The need to conserve significant State Wildlife areas, such as Spenceville and Daugherty, which will provide permanently protected habitat in the foothill areas;
- ▶ The need to preserve river corridors, floodplains, and agricultural lands;
- ▶ The need to address flooding and fire as the most significant natural hazards affecting Yuba County residents
- ▶ The need to incorporate updated noise contours for Beale Air Force Base;
- ▶ The need to provide updated noise analysis for other noise generators including railroads, highways, and airports.

## **CONCLUSION**

The Board of Supervisors has considered these benefits and considerations and has considered the potentially significant unavoidable environmental effects of the 2030 General Plan. The Board of Supervisors has determined that the economic, legal, social, technological, and other benefits of the 2030 General Plan, including regional benefits, outweigh the identified impacts. The Board of Supervisors has determined that the 2030 General Plan benefits set forth above override the significant and unavoidable environmental costs associated with implementation of the 2030 General Plan.

The Board of Supervisors adopts the mitigation measures in the final Mitigation Monitoring and Reporting Program, incorporated by reference into these Findings, and finds that any residual or remaining effects on the environment resulting from the 2030 General Plan, identified as Significant and Unavoidable in the Findings of Fact, are acceptable, due to the benefits set forth in this Statement of Overriding Considerations. The Board of Supervisors makes this statement of overriding considerations in accordance with State CEQA Guidelines Section 15093 in support of approval of the 2030 General Plan.

## **4 REFERENCES**

Department of Conservation. 2010. California Farmland Conservancy Program Proposition 40 Completed Projects.

Yuba County Water Agency (YCWA). 2005. Yuba County Water Agency Multi-Hazard Mitigation Plan.

EXHIBIT B

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**APPENDIX G**

Mitigation Monitoring and Reporting Program

# **MITIGATION MONITORING AND REPORTING PROGRAM**

## **1.1 CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENT**

Where a CEQA document has identified significant environmental effects, Public Resources Code Section 21081.6 requires adoption of a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval to mitigate or avoid significant effects on the environment.”

This Environmental Mitigation Monitoring and Reporting Program (MMRP) has been prepared to provide for the monitoring of mitigation measures required of the 2030 General Plan (the project), as set forth in the Final Environmental Impact Report (FEIR).

The County of Yuba (the County) is the Lead Agency that must adopt the MMRP for development and operation of the project. This report will be kept on file with the Yuba County Community Development & Services Agency, 915 8th St. Suite 123, Marysville, CA 95901.

The CEQA Statutes and Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15097(d), “each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise.” This discretion will be exercised by implementing agencies at the time they undertake any portion of the project, as identified in the EIR.

The 2030 General Plan and EIR were drafted in tandem as a part of a single cohesive, consistent, and mutually supportive process. As a part of the policy development of the 2030 General Plan, the County explicitly considered narrative policy, actions, and diagrammatic policies that could reduce environmental impacts associated with General Plan buildout. The County has, to the extent feasible, created a self-mitigating plan – one where the very design of the plan itself serves to reduce potential environmental impacts. Policies and actions that would reduce or avoid environmental impacts are built into the General Plan and will be implemented and enforced through the application of the 2030 General Plan to land use and planning decisions. The monitoring plan for policies and actions in the General Plan that would reduce or avoid impacts is the General Plan itself. The reporting program for these mitigating policies is the County’s annual reporting process (see CEQA Guidelines Section 15097 (b)). This document addresses only mitigation measures that are separately identified in the EIR.

## **1.2 PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM**

The intent of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures. The MMRP will be used by County staff and others responsible for project implementation.

This document identifies the individual mitigation measures, party responsible for implementing the measure, and space to confirm implementation of the mitigation measures.

### **1.3 ROLES AND RESPONSIBILITIES**

Monitoring and documenting the implementation of mitigation measures will be coordinated by Yuba County. Applicants of projects accommodated under the General Plan will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP.

The table attached to this report identifies both the responsible party for implementing the measure and the party responsible for monitoring the measure. The County is responsible for overall administration of the MMRP and for verifying that County staff members and/or the construction contractor has completed the necessary actions for each measure.

### **1.4 CHANGES TO MITIGATION MEASURES**

Any substantive change in the MMRP shall be reported in writing. Modifications to the mitigation measures may be made by the County, subject to one of the following findings, to be documented by evidence included in the public record:

- ▶ The mitigation measure included in the FEIR and the MMRP is no longer required because the significant environmental impact identified in the FEIR has been found not to exist, or to occur at a level which makes the impact less than significant as a result of changes in the project, changes in environment conditions, or other factors.

OR,

- ▶ The modified or substitute mitigation measure provides a level of environmental protection equal to, or greater than that afforded by the mitigation measure included in the FEIR and the MMRP; and,
- ▶ The modified or substitute mitigation measure or measures do not have significant adverse effects on the environment in addition to, or greater than those which were considered by the responsible hearing bodies in their decisions on the FEIR and the proposed project; and,
- ▶ The modified or substitute mitigation measures are feasible, and the County, through measures included in the MMRP or other County procedures, can ensure implementation.

### **1.5 SUPPORT DOCUMENTATION**

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the project file with this MMRP and shall be made available to the public, upon request.

### Mitigation Monitoring and Reporting Program for the 2030 General Plan

| Mitigation Measure  | Implementation/<br>Monitoring<br>Responsibility | Timing/Schedule  | Verification<br>Responsibility | Monitoring Compliance<br>(Provide Name & Date) |
|---|---|--|--------------------------------|--|
| <p><b>4.4 BIOLOGICAL RESOURCES</b></p> <p><b>4.4-3a: Oak Woodland Habitats.</b><br/>The following measures shall be implemented until the County has adopted an oak woodland preservation and mitigation ordinance. The County oak woodland preservation and mitigation plan may incorporate many of the measures listed below.</p> <ul style="list-style-type: none"> <li>▲ During evaluation of development proposals, require that impacts on oak woodlands such as direct conversions, habitat fragmentation and adverse effects from adjacent land uses be avoided to the greatest extent feasible through project design and modification. This shall be accomplished through mapping oak woodland resources on the project site and establishing buffers around existing stands to prevent adverse effects.</li> <li>▲ Require implementation of BMPs while working near oak woodlands to avoid inadvertent damage to oak trees. BMPs should include establishment of buffers to prevent root and crown damage, soil compaction, introduction and spread of invasive species and other indirect effects.</li> <li>▲ For those impacts on oak woodland that cannot be avoided, the County shall require the project applicant to minimize adverse affects. All impacts that cannot be avoided shall be mitigated to ensure that loss of oak woodland habitat in the county is reduced to the maximum extent feasible. Mitigation shall include the following steps: mapping of oak woodlands on the project site, quantification of oak woodland impacts resulting from project implementation, determination of appropriate mitigation measures (avoidance, minimization, compensation), development of an oak woodland mitigation plan, and implementation of the plan including monitoring and remedial measures.</li> </ul> | Project applicant and/or contractors            | Plan approved by County prior to approval of discretionary development projects. Ongoing reporting through project implementation. | Yuba County                    |  |

| Mitigation Monitoring and Reporting Program for the 2030 General Plan   |   |                 |                                |  |
|---|---|-----------------|--------------------------------|--|
| Mitigation Measure  | Implementation/<br>Monitoring<br>Responsibility | Timing/Schedule | Verification<br>Responsibility | Monitoring Compliance<br>(Provide Name & Date) |
| <p>▲ Measures proposed in the oak woodland mitigation plan may include planting acorns and container stock from a local seed source; however planting may not account for more than 50% of the required mitigation and must occur on lands that are protected in perpetuity. Other measures to be included in the mitigation plan may include the enhancement of degraded stands of oak woodland, purchase of fee title of land and transfer to a public agency for management, and purchase of conservation easements.</p> <p>▲ Oak woodland habitat placed under conservation easements should be at appropriate ratios to offset the loss of habitat functions and values of the oak woodland to be lost. Oak woodland habitat preserved this way should have similar tree sizes and densities, species composition, site condition, and landscape context to the oak woodland to be removed to serve the same function and have similar habitat value. The County may also consider the establishment of an oak woodland conservation fund which project applicants may contribute to for a percentage of their mitigation requirements, however a cap should be established for fund contributions, similar to the cap for replacement planting; fund moneys would be used solely for purchase of conservation easements or for public lands to protect oak woodland resources.</p> <p>▲ Wherever possible, mitigation lands shall be contiguous with lands already protected and managed for the long term protection of oak woodland and the associated plant and wildlife species to maximize the likelihood of mitigation success. The oak woodland plan shall be developed by a qualified professional such as a professional biologist, arborist or registered forester using the best available science and shall clearly state all mitigation measures required.</p> |   |                 |                                |  |

| Mitigation Monitoring and Reporting Program for the 2030 General Plan   |   |   |  |  |  |
|---|---|---|--|--|--|
| Mitigation Measure  | Implementation/<br>Monitoring<br>Responsibility | Timing/Schedule   | Verification<br>Responsibility   | Monitoring Compliance<br>(Provide Name & Date) |  |
| <p>▶ The plan shall designate responsible parties for funding, implementing mitigation, monitoring, reporting and annual review, and shall include remedial action measures if the initial plan fails or if success levels fall below the thresholds specified in the plan. The County shall require the mitigation plan and proof of sufficient means to implement the plan prior to project approval and shall require annual reports for the implementation timeframe of the plan.</p>   |   |   |  |  |  |
| <p><b>4.4-3b: Riparian Habitats</b><br/>The following measures shall be implemented as necessary to avoid significant impacts to riparian habitats.</p> <p>▶ If complete avoidance is not feasible, and projects require encroachment into the riparian habitat, project applicants shall be required to develop a riparian habitat mitigation plan resulting in a no-net-loss of riparian habitat functions and values.</p> <p>▶ Mitigation may be accomplished through replacement, enhancement of degraded habitat, or off-site mitigation at an established mitigation bank.</p> <p>If a proposed project requires work on the bed and bank of a stream or other water body, the project applicant shall also obtain a streambed alteration agreement under Section 1600 et al. of the Fish and Game Code from DFG prior to project implementation, and shall implement all requirements of the agreement in the timeframes required therein.</p> | Project applicant and/or contractors            | Plan approved by County prior to approval of discretionary development projects. Ongoing reporting, as appropriate. | Yuba County and, as appropriate, the California Department of Fish & Game                          |  |  |
| <p><b>4.4-5: Waters of the United States.</b><br/>The following measures shall be implemented, in addition to the 2030 General Plan policies and actions, to reduce significant impacts on wetlands and other waters of the United States:</p>  | Project applicant and/or contractors            | Prior to issuance of grading permit and any earth disturbance.  | Yuba County, U.S. Army Corps of Engineers, and Central Valley Regional Water Quality Control Board |  |  |

| Mitigation Monitoring and Reporting Program for the 2030 General Plan   |  |  |                                |  |
|---|--|--|--------------------------------|--|
| Mitigation Measure  | Implementation/<br>Monitoring<br>Responsibility      | Timing/Schedule  | Verification<br>Responsibility | Monitoring Compliance<br>(Provide Name & Date) |
| <p>▶ A permit from the USACE will be required for any activity resulting in impacts of "fill" of wetlands and other waters of the United States. If the impact acreage is below one half acre, the project may qualify for a Nationwide Permit. If impacts exceed one half acre, a letter of permission or individual permit from the USACE will be required prior. Project applicants shall be required to obtain this permit prior to project initiation. A wetland mitigation plan that satisfies USACE requirements will be needed as part of the permit application.</p> <p>▶ Projects applicants that obtain a Section 404 permit will also be required to obtain certification from the Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of the CWA. If the project involves work on the bed and bank of a river, stream or lake, a Streambed Alteration Agreement for CDFG pursuant to Section 1600 et al. of the Fish and Game Code will also be needed. Project applicants shall be required to obtain all needed permits prior to project implementation, to abide by the conditions of the permits, including all mitigation requirements, and to implement all requirements of the permits in the timeframes required therein.</p> |  |  |                                |  |
| <b>4.13 TRANSPORTATION AND TRAFFIC</b>  |  |  |                                |  |
| <p><b>4.13-7: Railroad Crossings</b></p> <p>▶ For developments that would add substantial traffic, defined as adding 5,000 or more daily trips, across existing at-grade railroad crossings, traffic analysis shall be submitted to the County for review. This analysis and report shall estimate daily and peak-hour traffic at the subject at-grade crossing, as well as accident data; estimates of train, vehicle, bicycle, and pedestrian travel at the crossing; and a description of existing and planned and funded equipment at at-grade rail crossings.</p> <p>▶ The County will review traffic data in communication with the California PUC to identify improvements needed to ensure the public safety.</p>   | Project applicant and/or contractors and Yuba County | Prior to approval of discretionary development projects. | Yuba County                    |  |

| Mitigation Monitoring and Reporting Program for the 2030 General Plan   |   |  |                                |  |
|---|---|--|--------------------------------|--|
| Mitigation Measure  | Implementation/<br>Monitoring<br>Responsibility | Timing/Schedule  | Verification<br>Responsibility | Monitoring Compliance<br>(Provide Name & Date) |
| <ul style="list-style-type: none"> <li>As appropriate and feasible, the County will condition approval of projects and plans that add substantial traffic across at-grade crossings to participate in the funding for improvements needed to ensure the public safety as determined by the County. Such improvements may include coordinated highway/rail traffic signals, enhanced rail crossing signage, warning equipment, and markings, and grade-separations.</li> <li>Depending on the outcome of these studies, the County may include improvements in future updates to its Capital Improvement Program.</li> </ul>   |   |  |                                |  |
| <b>4.14 UTILITIES AND SERVICE SYSTEMS</b>   |   |  |                                |  |
| <p><b>4.14-1: Wastewater Treatment Verification.</b><br/>The County shall implement the following measures to ensure the availability of adequate wastewater collection and removal systems for land development projects in the unincorporated county under the 2030 General Plan:</p> <ul style="list-style-type: none"> <li>Before approval of any tentative subdivision map for a proposed residential project, the County shall formally consult with the appropriate wastewater system provider that would serve the proposed subdivision to make a factual showing or impose conditions to ensure the availability of an adequate wastewater removal system for the proposed development.</li> </ul> | Yuba County and project applicant/contractors   | Prior to approval of discretionary development projects. | Yuba County                    |  |

| Mitigation Monitoring and Reporting Program for the 2030 General Plan  |   |                 |                                |  |
|--|---|-----------------|--------------------------------|--|
| Mitigation Measure   | Implementation/<br>Monitoring<br>Responsibility | Timing/Schedule | Verification<br>Responsibility | Monitoring Compliance<br>(Provide Name & Date) |
| <p>► Before recordation of any final subdivision map, or before County approval of any project-specific discretionary approval or entitlement for nonresidential land uses, the project applicant shall demonstrate, based on substantial evidence, the availability of a long-term, reliable wastewater collection and treatment system for the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of a written verification that existing treatment capacity is, or will be available and that needed physical improvements for treating wastewater from the project site will be in place before occupancy.</p> |   |                 |                                |  |



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# *County of Yuba*

## **Community Development & Services Agency**

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915 8<sup>th</sup> Street, Suite 123, Marysville, CA 95901

### **Planning Department**

Phone: (530) 749-5470

Fax: (530) 749-5434

Web: [http:// www.co.yuba.ca.us](http://www.co.yuba.ca.us)

## **ATTACHMENT 4**

### **FINAL ENVIRONMENTAL IMPACT REPORT (FEIR)**

**FEIR Conclusions:** Table 2-1, "Summary of Environmental Impacts and Mitigation Measures" and Section 6.1.4, "Cumulative Effects of the 2030 General Plan" of the FEIR identify the potential environmental impacts and required mitigation measures for the 2030 General Plan. The FEIR analysis found that the following impacts would be potentially significant, but could be reduced to a less-than-significant level with implementation of proposed policies and feasible mitigation measures:

#### **Project-Impacts**

- Potential for Direct and Indirect Impacts on Federally Protected Wetlands and Other Waters of the United States;
- Increases in Vibration Levels;
- Noise Levels Near Airports; and,
- Exceed Wastewater Treatment Requirements.

The FEIR analysis found that the following impacts could not be adequately mitigated and would remain **significant and unavoidable**. They are identified by two different categories of impact.

The first category of identified impacts is those that will have a direct impact on the resource or issue due to the full implementation of the 2030 General Plan. They are as follows:

#### **Project-Impacts**

- Adverse Impacts on Scenic Vistas;
- Degradation of Visual Character;
- Increase in Nighttime Lighting and Daytime Glare;
- Loss of Important Farmland and Conversion of Agricultural Land to Non-Agricultural Uses;
- Loss of Forest Land or Conversion of Forest Land to Non-Forest Use;
- Generation of Long-Term Operational, Regional Emissions of Criteria Air Pollutants and Precursors and Consistency with Air Quality Planning Efforts;
- Generation of Short-Term Construction-Related Emissions of Criteria Air Pollutants and Precursors;
- Exposure of Sensitive Receptors to Emissions of Toxic Air Contaminants;
- Exposure of Sensitive Receptors to Emissions of Odors;
- Impacts to Special Status Wildlife and Fish Species;
- Loss and Degradation of Sensitive Habitats;

- Interference with Movement or Migratory Patterns of Fish or Wildlife Species;
- Damage to Identified Historical Resources and Unique Archaeological Resources;
- Damage of Previously Unidentified Cultural Resources;
- Disturbance and Damage to Human Remains;
- Loss of Availability of Known Mineral Resources;
- Possible Damage to Unknown, Potentially Unique Paleontological Resources;
- Increase in Greenhouse Gas Emissions;
- Impacts of Climate Change on Yuba County;
- Induce Population Growth;
- Displacement of Existing Population and Housing;
- Exposure to or Generation of Noise Levels in Excess of Local Standards;
- Increases in Ambient Noise Levels;
- Increase in Traffic Levels;
- Increased Vehicle Miles of Travel (VMT);
- Introduce New Traffic Hazards;
- New or Expanded Storm Water Drainage Facilities;
- Cumulative aesthetic resources impacts;
- Cumulative agricultural and forest resources impacts;
- Cumulative air quality impacts;
- Cumulative biological resources impacts;
- Cumulative cultural resources impacts;
- Cumulative air quality impacts;
- Cumulative cultural resources impacts;
- Cumulative geology & soils impacts;
- Cumulative greenhouse gas emissions impacts;
- Cumulative hydrology & water quality impacts;
- Cumulative land use, housing, and population impacts;
- Cumulative noise impacts;
- Cumulative transportation & traffic impacts;
- Cumulative wastewater management services impacts; and,
- Cumulative energy impacts.

The other category of identified impacts is one that must be considered significant and unavoidable, because the County does not control implementation of some or all of the actions necessary to address it and thus cannot guarantee that the impact will be fully mitigated. They are as follows:

**Project-Impacts**

- Need for New or Expanded Parks and/or Recreation Facilities and Potential for Accelerated Deterioration of Existing Parks;
- Potential Traffic Impacts in Other Jurisdictions;
- Traffic Impacts on Caltrans' Facilities;
- Construction of New or Expanded Water or Wastewater Facilities;
- Increased Energy Demand and Need for Additional Energy Infrastructure; and
- Cumulative parks & recreation impacts.



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# County of Yuba

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RECEIVED BY CLERK  
BOARD MEMBERS

### INFORMATIONAL MEMORANDUM

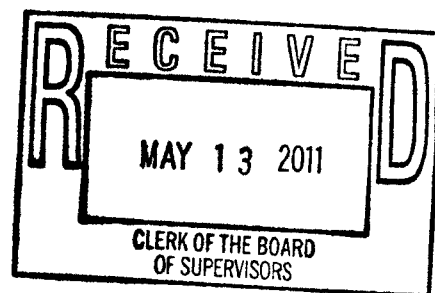
**DATE:** May 12, 2011

**TO:** Board of Supervisors

**CC:** Robert Bendorf, CAO  
Kevin Mallen, CDSA Director

**FROM:** Wendy Hartman, Planning Director *WH*

**SUBJECT:** Sacramento Area Council of Governments (SACOG)  
Sustainable Communities Regional Planning Grant  
Memorandum of Understanding



SACOG recently received a Sustainable Communities Regional Planning Grant from the U.S. Department of Housing and Urban Development (HUD), which is an element of the new Partnership for Sustainable Communities between the Department of Transportation, Environmental Protection Agency, and HUD. SACOG will be using the grant to partially fund the update of its Metropolitan Transportation Plan (MTP), which includes the region's first Sustainable Communities Strategy (SCS) as required under Senate Bill 375. The MTP will be expanded into a Regional Plan for Sustainable Development (RPSD).

The grant required a MOU (See Attachment A) among SACOG's members and grant partners signed by May 24, 2011 in order to establish a Regional Consortium to participate in the work of the grant. Given the short turnaround time to get a signed MOU, Robert Bendorf, CAO signed the attached agreement which was reviewed by County Counsel.

Details of the Regional Consortium as well as more information on the Sustainable Communities Regional Planning Grant project can be found in Attachment B. Below is a brief summary of the areas that the consortium would work on as part of the MTP update:

- Development of the SCS to exceed a seven percent greenhouse gas emission reduction target for the Region by 2020 and 16 percent reduction by 2035;
- Development of strategies for economic development that create transit supportive land uses, and investment in Transit Priority Areas, which will serve to increase transit ridership, expanded housing, employment, and quality of life;
- Reassessment of the housing product mix in order to create greater choices in the market;



# County of Yuba

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BOARD MEMBERS

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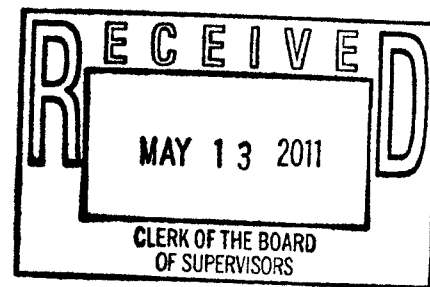
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- Development of strategies for economic development that create transit supportive land uses, and investment in Transit Priority Areas, which will serve to increase transit ridership, expanded housing, employment, and quality of life;
- Reassessment of the housing product mix in order to create greater choices in the market;

- Expansion of linkage between MTP and the Regional Housing Needs Plan (RHNP);
- Analysis of linkages between local, state, and federal housing production programs and the regional MTP and RHNP to better integrate them;
- Expansion of the range of impacts analyzed and comprehensive analysis of impacts on natural resources; and
- Take maximum advantage of CEQA streamlining benefits for higher density housing and mixed use projects.

Local governments would continue the work necessary to implement the RPSD in their jurisdictions through Transit Priority Area Action Plans and other mechanisms. To ensure that work performed meets local and regional needs for sustainable communities, local jurisdictions would involve SACOG throughout the RPSD process. However, local jurisdictions would still have authority over land use and other issues.

### **Advantages to the County**

A decision to sign the MOU with SACOG was made due to the advantages participation would provide to the County. First of all, it will give us a voice in the discussion on the content of the SCS and the tasks describe above. As a rural community that is very different from our more urban members of SACOG it is important that the document reflect the needs of all of its members. In addition to the CEQA streamlining benefits mentioned above, signing the MOU provides us membership into HUD's new Preferred Sustainability Status Program (available to the 42 awardees of their Sustainable Communities Regional Planning Grant). Future applications to HUD will receive extra points for being a member of SACOGs Consortium and HUD's Sustainability Status Program. As you are aware, the Community Development & Services Agency has applied for several HUD grants in the past. These national grants are highly competitive and therefore the extra points may assist us in being awarded future grant funds.

### **Fiscal Impact**

The County would not be required to pay a monetary fee towards the RPSD process or towards being a member of the Regional Consortium. However, staff time would be required for the support of the development and implementation of the RPSD within the City, such as public awareness and involvement in the planning process, informing SACOG of regulatory schedules and requirements, and providing comment on the RPSD recommendations.

### **Attachments**

- A. Memorandum of Understanding
- B. Attachment D to the Memorandum of Understanding: "Sacramento Region Consortium Sustainable Communities Planning Grant Project"

**MEMORANDUM OF UNDERSTANDING  
BY AND BETWEEN  
SACRAMENTO AREA COUNCIL OF GOVERNMENTS  
CITY OF AUBURN  
CITY OF CITRUS HEIGHTS  
CITY OF COLFAX  
CITY OF DAVIS  
CITY OF ELK GROVE  
CITY OF FOLSOM  
CITY OF GALT  
CITY OF ISLETON  
CITY OF LINCOLN  
CITY OF LIVE OAK  
TOWN OF LOOMIS  
CITY OF MARYSVILLE  
CITY OF PLACERVILLE  
CITY OF RANCHO CORDOVA  
CITY OF ROCKLIN  
CITY OF ROSEVILLE  
CITY OF SACRAMENTO  
CITY OF WEST SACRAMENTO  
CITY OF WHEATLAND  
CITY OF WINTERS  
CITY OF WOODLAND  
CITY OF YUBA CITY  
COUNTY OF EL DORADO  
COUNTY OF PLACER  
COUNTY OF SACRAMENTO  
COUNTY OF SUTTER  
COUNTY OF YOLO  
COUNTY OF YUBA  
SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY  
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  
URBAN LAND INSTITUTE  
VALLEY VISION, INC.  
THE MCKINLEY GROUP  
REGIONAL WATER AUTHORITY**

**FOR THE PURPOSE OF CREATING A CONSORTIUM  
TO DEVELOP A REGIONAL PLAN FOR SUSTAINABLE DEVELOPMENT**

This Memorandum of Understanding ("MOU") is made effective \_\_\_\_\_, by and between the Sacramento Area Council of Governments, City of Auburn, City of Citrus Heights, City of Colfax, City of Davis, City of Elk Grove, City of Folsom, City of Galt, City of Isleton, City of Lincoln, City of Live Oak, Town of Loomis, City of Marysville, City of Placerville, City of Rancho Cordova, City of Rocklin, City of Roseville, City of Sacramento, City of West Sacramento, City of Wheatland, City of Winters, City of Woodland, City of Yuba City, County of El Dorado, County of Placer, County of Sacramento, County of Sutter, County of Yolo, County of Yuba, Sacramento Housing and Redevelopment Agency, The Regents of the University of California, Urban Land Institute, Valley

Vision, Inc., The McKinley Group, and Regional Water Authority, (collectively the "Parties" or "Consortium").

WHEREAS, City of Auburn, City of Citrus Heights, City of Colfax, City of Davis, City of Elk Grove, City of Folsom, City of Galt, City of Isleton, City of Lincoln, City of Live Oak, Town of Loomis, City of Marysville, City of Placerville, City of Rancho Cordova, City of Rocklin, City of Roseville, City of Sacramento, City of West Sacramento, City of Wheatland, City of Winters, City of Woodland, City of Yuba City, County of El Dorado, County of Placer, County of Sacramento, County of Sutter, County of Yolo, and County of Yuba are members of SACOG and, through SACOG, have worked together with other local governments and their representatives since 1981 to discuss and study area wide problems of mutual interest and concern and facilitate the development of policies and action recommendations for the solution of such problems; and

WHEREAS, SACOG, as a council of governments and MPO, provides services on behalf of the six counties and 22 cities in the greater Sacramento region (referred to collectively as "Members" and individually as "Member"), and each local government Member appoints at least one representative of its elected council or board to make decisions as a SACOG Board member; and

WHEREAS, SACOG and Sacramento Housing and Redevelopment Agency, a joint powers agency, have worked closely to develop the application for the U.S. Housing and Urban Development's Fiscal Year 2010 Sustainable Communities Regional Planning Grant ("HUD grant project") and are specially trained and/or have the experience and expertise necessary to competently perform services related to the HUD grant project, and

WHEREAS, Valley Vision is a California non-profit corporation established for the public benefit and tax exempt pursuant to IRC Section 501(c)(3); and represents that it is specially trained and/or has the experience and expertise necessary to competently perform services related to the HUD grant project, and

WHEREAS, Regional Water Authority is a joint powers authority; and represents that it is specially trained and/or has the experience and expertise necessary to competently perform services related to the HUD grant project, and

WHEREAS, The Regents of the University of California, ("University" or "Contractor") acting by and through its UC Davis campus Center for Regional Change, represents that it is specially trained and/or has the experience and expertise necessary to competently perform services related to the HUD grant project, and

WHEREAS, the McKinley Group, a California Sole Proprietorship, represents that it is specially trained and/or has the experience and expertise necessary to competently perform services related to the HUD grant project, and

WHEREAS, the Urban Land Institute is a 501(c)(3) nonprofit research and education organization and represents that it is specially trained and/or has the experience and expertise necessary to competently perform services related to the HUD grant project, and

WHEREAS, it is in the best interest of the Parties to coordinate housing, land use, economic and workforce development, transportation, and infrastructure investments in a manner that empowers jurisdictions to consider the interdependent challenges of: (1) economic competitiveness and revitalization; (2) social equity, inclusion, and access to opportunity; (3) energy use and climate change; and (4) public health and environmental impact; and

WHEREAS, SACOG has agreed to bring together other public, private and nonprofit entities in the region to expand the Metropolitan Transportation Plan into a Regional Plan for Sustainable Development ("RPSD") that aligns with the Livability Principles articulated by the federal Partnership for Sustainable Communities, and then work with such entities in the implementation of the RPSD; and

WHEREAS, the Parties wish to engage in an active working relationship, recognizing local and regional needs for planning and implementation of sustainable communities principles.

NOW, THEREFORE, the Parties agree as follows:

1. The Parties hereby establish a Consortium for the purposes of the U.S. Department of Housing and Urban Development ("HUD") Fiscal Year 2010 Sustainable Communities Regional Planning Grant Program ("Program") and adopt the Consortium Responsibilities and Governance Structure set forth in Attachment "A," attached hereto and incorporated herein. As detailed in Attachment "A," SACOG shall act in the representative capacity with HUD on behalf of the Consortium and assume administrative responsibility for ensuring that the Consortium's program is carried out in compliance with all HUD requirements.
2. The Parties agree to the following general principles:
  - a. The work performed under this MOU is for the benefit of all Members of SACOG and, by extension, the entire population of the greater Sacramento region;
  - b. The Parties will rely on SACOG's advisory committees and community outreach and involvement activities articulated in its Public Participation Plan described in Attachment C, along with stakeholder involvement strategies guided by the Consortium and generally described in Section 5 below, to ensure that a wide range of input is given in the development of the Regional Plan for Sustainable Development ("RPSD");
  - c. The Joint Powers Agreement for the Sacramento Area Council of Governments, effective July 2003, and the Rules for the Sacramento Area Council of Governments, effective July 2005, will serve as the governance structure for all financial and policy decisions of the Consortium, as further described in Section 5 of Attachment "A";
  - d. The Parties shall settle any disputes among themselves pursuant to the Dispute Resolution provision set forth in Section 6 of Attachment "A";
  - e. The Parties acknowledge local authority over land use and other issues and will involve SACOG Members throughout the RPSD process to ensure the work performed meets local needs for sustainable communities;
  - f. The Parties intend that this MOU shall not supersede the exercise of those powers within the exclusive jurisdiction of the City of Auburn, City of Citrus Heights, City of Colfax, City of Davis, City of Elk Grove, City of Folsom, City of Galt, City of Isleton, City of Lincoln, City of Live Oak, Town of Loomis, City of Marysville, City of Placerville, City of Rancho Cordova, City of Rocklin, City of Roseville, City of Sacramento, City of West Sacramento, City of Wheatland, City of Winters, City of Woodland, City of Yuba City, County of El Dorado, County of Placer, County of Sacramento, County of Sutter, County of Yolo, County of Yuba, which shall continue to be subject to their governance.
  - g. SACOG and the Sacramento Housing and Redevelopment Agency, will work within the Consortium as members of a steering committee to facilitate collaboration between regional public housing authorities, jurisdictions, and the broader housing community to conduct the analysis of impediments to fair housing and most of the work elements needed to complete the Enhanced Regional Housing Plan with full details of their work shown in Attachment B.
  - h. SACOG and the Regional Water Authority will work within the Consortium as members of a steering committee to facilitate participation from water purveyors, the sanitation districts, electric utilities, as well as city and county jurisdictions in support of assessing adequate infrastructure and investment for high levels of service to all parties in Transit Priority Areas (TPAs) to encourage private and public investment in the RPSD with full details of their work shown in Attachment B.
  - i. SACOG and the University of California Davis campus Center for Regional Change will work within the Consortium as members of a steering committee to provide guidance, analysis and recommendations for social equity performance measures, appropriate material development, and assistance in the development of public workshops that are meaningful, engaging, and inclusive of the hardest to reach populations with full details of their work shown in Attachment B.
  - j. SACOG and the Urban Land Institute will work within the Consortium as members of a steering committee to ensure broad representation and active engagement of stakeholders with the highest level of education around critical issues related to healthy communities from both the private

development and public community perspectives. They will also publish the results of the TPA screening process and TPA Action Plan Development as a case study with full details of their work shown in Attachment B.

- k. SACOG and Valley Vision will work within the Consortium as members of a steering committee to regularly update the public and other interested entities about the work of the Consortium and its progress in developing and implementing an RPSD through various communications channels with full details of their work shown in Attachment B. SACOG shall take the lead role in regularly updating the public on the work of the Consortium.
  - l. SACOG and the McKinley Group will work within the Consortium as members of a steering committee to obtain final approval for the Six County Aquatic Resources Database, facilitate discussions on the Sustainable Communities Strategies (SCS)/Metropolitan Transportation Plan (MTP) environmental review with the Federal and State regulatory agencies, and help with the development of mitigation measures for the MTP Environmental Impact Report (EIR) with full details of their work shown in Attachment B.
3. The Parties agree that the purpose of this MOU is to continue and expand cooperation among the Parties, as well as among: (a) All SACOG Members; (b) The Federal Government, its agencies or departments, or entities established by the Federal Government, in particular members of the Interagency Partnership for Sustainable Communities and the Partnership itself; (c) The State of California, its agencies or departments, or entities established by the State; (d) Metropolitan planning organizations, councils of governments, rural planning organizations, or local or regional transportation agencies, either working in the region or within the State of California; (e) Public housing agencies; (f) Special districts; (g) Unified school districts; (h) Indian tribes; (i) Nonprofit organizations, foundations, and educational institutions; and (j) Other public authorities, districts, business leadership groups, or regional governmental organizations working to further the sustainability of the greater Sacramento region.
  4. The Parties will seek formal and informal agreements with the entities described in Section 3 above to gather public input and enhance the work on the RPSD, building on SACOG's integration of input from SACOG's Members, the Consortium and public into the RPSD.
  5. The Parties shall, to the extent practicable, recruit and work with a broad cross-section of public, nonprofit, educational, and private sector entities and individuals in the region through four working groups: Economic Development; Social Equity, Housing and Health; Natural Resources; and Infrastructure.
  6. Each Party shall provide leadership and support for the development and implementation of the RPSD within their respective communities and across jurisdictional boundaries. This may include, but shall not be limited to, encouraging public awareness and public involvement in the planning process, informing SACOG of conflicting regulatory schedules and requirements that increase planning and development costs for member jurisdictions, providing comment on the RPSD recommendations that could lead to legislative proposals for more efficient regulatory processes, and using the recommendations in the RPSD to improve planning processes.
  7. This MOU is intended to facilitate further agreements between the Parties, each of which is expected to be more specific as development of the RPSD progresses and becomes more focused.
  8. This MOU acknowledges that HUD's new Preferred Sustainability Status will provide additional points on grant applications to HUD through the process outlined in Attachment A.
  9. Any notice under this MOU shall be in writing and either personally delivered or sent by First Class U.S. Mail, postage pre-paid, addressed as follows:

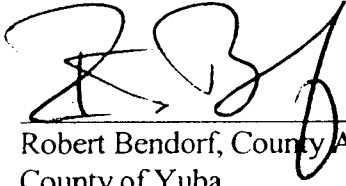
**SACOG:**  
Mike McKeever  
Chief Executive Officer

Sacramento Area Council of Governments  
1415 L Street, Suite 300  
Sacramento, CA 95814

10. The persons signing on behalf of the Parties to this MOU each warrant they have the legal authority to execute this MOU.
11. This MOU may be signed in one or more counterparts, each of which will constitute an original and all of which taken together shall constitute one and the same instrument.

APPROVED AS TO FORM  
ANGIL P. MORRIS-JONES  
COUNTY COUNSEL  
BY: Angil P. Morris-Jones

**MEMORANDUM OF UNDERSTANDING  
FOR THE PURPOSE OF CREATING A CONSORTIUM  
TO DEVELOP A REGIONAL PLAN FOR SUSTAINABLE DEVELOPMENT**

A handwritten signature in black ink, appearing to read 'R. Bendorf', is written over a horizontal line.

Robert Bendorf, County Administrator  
County of Yuba

**ATTACHMENT D**  
**SACRAMENTO REGION CONSORTIUM**  
**SUSTAINABLE COMMUNITIES PLANNING GRANT PROJECT**

***Improving Our Planning***

In early 2010, the SACOG Board of Directors adopted a new, draft growth projection for the region, prepared by Stephen Levy at the Center for Continuing Study of the California Economy. Although the revised forecast still calls for substantial growth in the Sacramento region compared to the other large metropolitan areas in the state, it has a slower growth rate than the current Metropolitan Transportation Plan (MTP2035). Projected population in 2035 has been reduced by 194,000 people, projected new jobs by 200,000 and projected new demand for housing units by 150,000.

Given these revised growth projections SACOG, along with its 28 local governments, 13 transit operators and the State Department of Transportation is updating the financial plan that underpins the current MTP, and will form the foundation for the updated MTP. The region's recession has led to an unprecedented decline in local and state revenues for transportation and it is anticipated to have long-term impacts. Preliminary revenue projections for the next 25 years suggest that slower growth in the region and the state's chronic budget deficit will challenge us to meet critical transportation investment needs. Less than 20% of projected transportation revenues in the region will come from relatively stable federal sources so pressure may increase on local governments and transit districts to consider a series of new fees, more service reductions, and taxes that may pit transportation needs against other community investment needs and strain household budgets for those who can least afford it.

Less growth and less money to spend means that it is essential that the region make the very best decisions possible. The economic stress in the region necessitates top-rate decision making. The silver lining is that when economic abundance is the norm the lack of a sense of urgency can lead to subpar decision making. We do not have that luxury in the current environment. We must focus and align our priorities to ensure that every public investment delivers specific, measurable results. **Specific areas that the consortium, as part of SACOG's MTP Update, will work on include:**

- Develop and adopt a Sustainable Communities Strategy (SCS) that meets or exceeds the 7% by 2020 and 16% by 2035 greenhouse gas emissions reduction targets for the region established by the California Air Resources Board
- Develop strategies for economic development that create transit supportive land uses and new investment in Transit Priority Areas (TPAs), as defined in Senate Bill 375. As they are implemented, the strategies will serve multiple goals, including higher transit ridership and fare box recovery rates, and expanded housing, employment and quality of life for all segments of our region's population
- Specifically reassess the housing product mix in the current MTP to determine whether market, demographic and other considerations warrant further increases in the percentage of future housing built in an attached and small-lot, single family formats in order to create greater choice in the market
- Expand the purposeful linkage between the MTP and the region's current housing plan, the Regional Housing Needs Plan (RHNP), to further optimize the cross-cutting impacts of the two documents
- For the first time, analyze the linkages between various local, state and federal housing production programs and the regional MTP and RHNP and better integrate these documents together
- Broaden the number and type entities participating in the region's sustainability and quality of life initiatives through the creation of the Sacramento Regional Consortium. Through this project, new stakeholders from water, sewer and electrical utilities will work with SACOG to assess and plan for sustainable communities.

- Expand the range of impacts that are analyzed, and the range of people who are involved in the process, as implementation plans are developed for the TPAs
- Comprehensively analyze the impacts on natural resources of the next MTP and integrate the MTP planning with the plans and regulatory processes of the federal resource agencies.
- Take maximum advantage of the CEQA regulatory streamlining benefits for higher density housing and mixed use projects that are available through SB 375.

A regional compact development pattern will not be realized with just an inside-out strategy. An outside-in strategy also will be needed. The success of transit-supportive development in urban areas is dependent in part on the successful protection and conservation of the region's natural resources, and vice versa. Geographically, most of the natural resources, agricultural and water resources issues are on the current urban edge of the SACOG region. All of our analysis for the Blueprint and MTP indicates that smart growth in this region will require smart, new greenfield development as well as infill and redevelopment. The location of this greenfield development will determine whether we have leapfrog and sprawl development, or a concentrated urban pattern that is possible to efficiently serve with transit and other infrastructure. It is essential that the region succeed in completing these various natural resources planning efforts so that it is possible to enable both the adjacent urban development that is needed as well as protect the high value resources.

### ***Partnerships through the Sacramento Regional Consortium***

The Sacramento region has a proven track record of involving broadly representative groups of residents and stakeholders to develop and implement innovative regional plans. We will build on those successful strategies. At the outset of the current MTP cycle, SACOG met with 16 focus groups, including affordable housing; development; water; agriculture; education; state and federal agencies; goods and freight movement; climate action planners; environment and transportation advocates; social equity, public health and human services; clean energy; economy and philanthropy; faith- and community- based organizations; senior and aging populations; and redevelopment and community development to provide input on greenhouse gas targets, MTP scenarios, performance metrics, and provide advice on how to effectively involve their constituents in the process. These focus groups included a broad list of stakeholders, in part because we had been following the development of Sustainable Communities Partnership and its advance NOFA process with PolicyLink and agreed that its focus broad participation could help us improve our past involvement processes even further. SACOG followed the focus groups with nine subregional interactive workshops in October 2010 for the general public seeking input on three alternative SCS scenarios. All of that input will provide a broad and deep foundation to build upon when the project activities proposed here start in January 2011.

Future transportation funding decisions in the region represent one of the most direct leveraged resources that will make up the Regional Plan for Sustainable Development. SACOG expects its next MTP to determine approximately \$35 billion in local, regional, state and federally funded transportation investments through 2035. The Regional Plan for Sustainable Development will be enhanced through partnerships with public, private, and nonprofit sectors to examine issues of economic development, social equity, environmental protection, and sustainable growth. These partnerships will help build capacity and share knowledge across the region, with researchers and academics working to increase the region's awareness of its economic assets, and business and government working to develop strategies for activating economic potential.

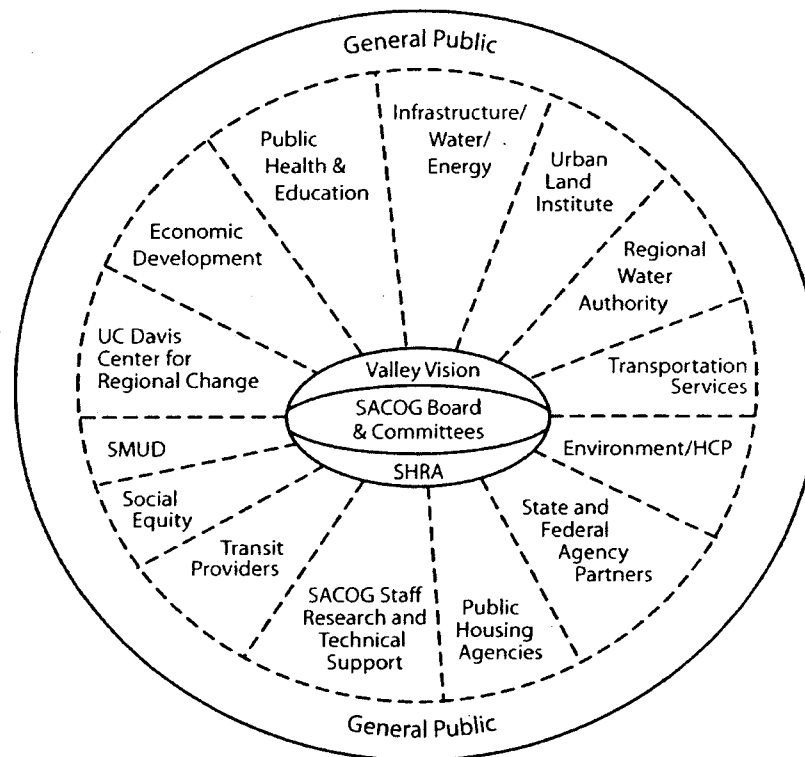
The Consortium development process will build on SACOG's adopted Public Participation Plan (PPP) to design a process that is both inclusive and effective at providing input in a timely manner to impact the SCS and RHNP to be adopted by April 2012, and is consistent with state and federal requirements. The Consortium composition will include economic development, social equity, housing, infrastructure, transportation and other interests. Members of the public will be encouraged to participate in the Consortium across interest areas. Specific outreach will be made to Tribal governments in this region, to encourage participation on the Consortium.

## ***Governance and Management Consortium Structure***

SACOG's Board of Directors is the decision-making body convening the Consortium and undertaking the work to develop the Regional Plan for Sustainable Development. The Consortium will be led by a Steering Committee representing a diversity of interest groups and experience to advise the project work plan. Throughout the project, stakeholders from a broad cross section of interests and members from the general public will be invited to monthly meetings of Sacramento Regional Consortium. Members of the Consortium Steering Committee will summarize the progress to date and take comments on the next phase of work to develop the region's first Regional Plan for Sustainable Development. SACOG will develop and maintain an interactive website dedicated to communication the Consortium work activities—past, ongoing, and future. The website will include audio or video record of the meetings, documents related to project, meeting notes, work updates, and educational materials.

SACOG's Board of Directors consists of elected officials from 28 local governments including 22 cities and six counties, with three representatives from the county of Sacramento and two from the city of Sacramento, representing the greatest concentration of population for the region. The direct representation on the SACOG Board by local governments from each of the six counties and 22 cities is not always found in other councils of governments and MPOs around country. Each of SACOG's members will be asked to sign the Consortium agreement. The full SACOG Board supports this project and the project's geographic scope covers the full region. As a combined council of governments and MPO, SACOG provides services on behalf of all local governments to improve the quality of life in the Sacramento region.

The diagram below illustrates that while the SACOG Board of Directors is the decision making body, the Sacramento Regional Consortium will be advised by a broad group of interests through regular meetings open to all stakeholders. Through the development of the Regional Plan for Sustainable Development, the SACOG region will be building the constituency that will ultimately make up the Sacramento Regional Consortium.



**SACOG Board & Committees**  
elected officials from 28 local governments  
with input from local government staff

### ***Consortium Roles***

The Consortium Steering Committee, on behalf of the entire Consortium, will regularly update the public and other interested entities about the work of the Consortium and its progress in developing and implementing Regional Plan for Sustainable Development through regular public meetings and other outreach activities. These meetings will be noticed to the full Consortium, but may only have the attendance of certain participants as meeting notes will be made publicly available. Noticing for meetings and correspondence shall be consistent with SACOG's PPP. Defining an effective method for input from social equity and environmental justice interests will be a particular focus of the Consortium from the outset.

### ***Consortium Steering Committee Members***

**SACOG** will serve as the hub for coordinating the public, private, and nonprofit groups involved in executing the regional plan. Local government staff will be involved in the development of the work activities necessary to execute the Regional Plan for Sustainable Development. Local governments will also work on their end to continue the work necessary to implement the plan in their jurisdictions, through Transit Priority Area Action Plans and other mechanisms. SACOG will share input with participants of the Consortium observing the unique governance structure of partner agencies and organizations and informing all parties of the benefits of integrated planning.

**Sacramento Housing and Redevelopment Agency (SHRA)** serves as deputy project manager as we develop the Regional Plan for Sustainable Development. SHRA is a joint powers authority serving as the housing authority and redevelopment agency for the city and county of Sacramento and the leading public investor of affordable housing with residential and commercial revitalization activities in 16 redevelopment areas, a 2010 budget of \$269 million with 2,930 public housing units and 11,449 housing choice vouchers. Community development activities include economic development, affordable housing policy and production, and reinvestment in lower income communities to improve the quality of life for Sacramento's residents. SHRA will work within the consortium to facilitate collaboration between regional public housing authorities (PHAs), jurisdictions, and broader housing community to conduct the analysis of impediments to fair housing and most of the work elements needed to complete the Enhanced Regional Housing Plan.

**Valley Vision** is a nonprofit association working to secure the social, environmental and economic health of the Sacramento region. Founded in 1994, the organization is committed to regional problem-solving as well as impartial research for sound decision making. Valley Vision partners with a broad cross-section of the region's leadership from business, government, agriculture, the environmental community, organized labor, education, utilities and the nonprofit sector to develop coalitions, strategies and specific actions that improve quality of life in the Sacramento region. Valley Vision served as civic engagement partner with SACOG for the original Blueprint Visioning Project, the development of the Metropolitan Transportation Plan for 2035, and the Rural-Urban Connections Strategy. Valley Vision will develop key stakeholders who can help leverage critical regional economic assets including the Green Capital Alliance (a public-private partnership managed by Valley Vision), Sacramento Area Regional Technology Alliance, Sacramento Area Commerce and Trade Organization, the Sacramento Metro Chamber and all of our higher educational institutions (UC Davis, Sacramento State University, Los Rios Community College, Drexel University).

**Urban Land Institute (ULI)** is a nonprofit research and education organization serving as the preeminent, multidisciplinary real estate forum, for industry leaders and policy makers dedicated to creating better places. In the greater Sacramento area, ULI has assisted in the implementation of Transit Oriented Development with elected officials, public agency staff, agency commissioners, developers and others interested in creating change in our communities. ULI will work within the consortium to ensure broad representation and active engagement of stakeholders with highest level of education around critical issues related to healthy communities from both the private development and public community perspectives. They will also publish the results of the TPA screening process and TPA Action Plan Development as a case study.

**The University of California, Davis Center for Regional Change (CRC)** actively works across disciplines to break down silos and bridge divides to address social, economic, political and environmental dimensions of sustainability on community and regional scales. CRC conducts critical work on place-making with youth and environmental justice groups including affordable housing advocates and developers, transportation advocates and providers, organized labor, the faith community, and ethnic and age-related organizations with focus on objectives including: diverse communities with fair access to jobs, schools, transportation, and quality housing; walkable and accessible neighborhoods; investment in existing communities and infrastructure; preservation of working farms and ranches; and clean air, water and fresh food options. The CRC has core competencies in GIS and community-based mapping of social equity and environmental justice indicators as well as multiple method analysis of regional change. CRC will work with both data and outreach staff providing guidance, analysis and recommendations for social equity performance measures, appropriate material development, and assistance in the development of public workshops that are meaningful, engaging, and inclusive of the hardest to reach populations.

**Regional Water Authority (RWA)** is a joint powers authority that serves and represents the interests of 21 water providers in the greater Sacramento, Placer, El Dorado and Yolo counties to help protect and enhance the reliability, availability, affordability and quality of water resources. RWA consolidated several regional associations to promote collaboration and provide a unified voice on Northern California water issues including significant programs and services on a regional scale, for water efficiency, best management practices, and implementation of the American River Basin Regional Conjunctive Use Program. RWA's forward focus is on saving rate-payer dollars by pooling resources, providing a forum for regional policy development and collaboration, protecting surface water and groundwater rights to assure reliable future supplies, assistance with new state and federal regulations and security requirements, and developing and implementing a regional water master plan. RWA will facilitate participation from water purveyors, the sanitation district, electric utilities, as well as city and county jurisdictions in support of assessing adequate infrastructure and investment for high level of service to all parties in TPAs to encourage private and public investment in Regional Plan for Sustainable Development.

**The McKinley Group (McK)** has assisted SACOG with natural resource preservation work with the Placer County Conservation Plan and South Sacramento County Habitat Conservation Plan processes as they conduct negotiations with federal agencies ahead of their final environmental review. The McKinley Group was also instrumental in work with the U.S. Army Corps of Engineers (USACE) to secure American Recovery and Reinvestment Act and other funding to develop a comprehensive aquatic resources inventory for SACOG's six county region. The McKinley Group will work with USACE, the U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service to obtain final approval for the Six County Aquatic Resources Inventory. The approval will include an examination of permitting strategies that can increase the certainty of the federal permitting processes. The McKinley Group will also facilitate discussions on the SCS/MTP environmental review with the federal and state regulatory agencies, and help with the development of mitigation measures for the MTP Environmental Impact Report (EIR).

### **Work Plan**

A key focus of the activities is to significantly increase the opportunities for the economic development in existing and future transit corridors, most of which are in the inner areas of the region. This activity is closely aligned with regional housing planning. As indicated earlier, the state now requires SACOG to execute the RHNP in a manner that is consistent with the SCS, a component of the MTP. The method for integrating the RHNP with the SCS must be adopted concurrently with the MTP, with the specific market rate and affordable housing responsibilities for each of the 22 cities and six counties established by April 2012 and local government general plan housing elements amended for consistency no later than October 2013.

**Work Activity #1: Significantly increase opportunity for the construction of housing and employment opportunities in Transit Priority Areas in a manner that promotes social equity, inclusion, access to opportunity, public health, and neighborhood revitalization and reduces environmental impacts.**

*Overview*

The plan will maximize the performance benefits of higher amounts of housing and employment in TPAs in the SCS. We will use the grant funds to enhance and leverage the existing activities in the region's MTP update process. The enhancements to the MTP process will help the region build on the two pillars of Blueprint success: state-of-the-art information, and stakeholder-driven planning and robust public engagement.

The current MTP includes 163,000 acres of land within TPAs. In Fall 2010, SACOG held nine interactive workshops to gather input from residents, stakeholders and local governments on the pros and cons of three scenarios for the SCS. This past work will help to: refine the TPA component of the SCS for the MTP update, select priority areas within the TPAs to concentrate implementation planning and infrastructure investments, and develop Implementation Action Plans for at least four areas within the TPAs with a broadening range of stakeholders.

**Task 1.1: Establish Performance Metrics**

Existing performance metrics will be reviewed and expanded to support analysis conducted for the range of possible TPAs to identify the unique characteristics of subareas. At a minimum, the later analysis will address the issues listed below, with performance metrics developed prior to analysis to provide consistency, objectivity and clarity. SACOG has much of these data already, and will work with other partners to incorporate new data and collectively determine appropriate metrics.

- a. **Land use characteristics** (e.g., number/ type of dwellings and jobs; park and open space acres, schools). Both the top employers and top employment areas will be reviewed for accessibility by transit and auto travel to both current and forecasted households.
- b. **Housing, transportation & energy affordability** (i.e., share of income dedicated to these costs). The SACSIM transportation demand model will provide the consortium parcel level travel characteristics to help define the destinations that make up HUD's defined Livable Communities.
- c. **Demographic characteristics** (e.g., age, income, ethnicity, households with children). The UC Davis CRC will help apply and expand existing research on youth and social equity issues in the region that they have recently completed with funding from the Sierra Health Foundation and the California Endowment.
- d. **Infrastructure conditions** (e.g., current capacity and condition of water, sewer, energy and transportation infrastructure and the capacity of each type of infrastructure to support planned levels of growth). The RWA and SMUD, the region's primary electric utility, will provide the core data for this analysis.
- e. **Environmental issues** (e.g., brownfields, exposure to air pollutants) SACOG's transportation forecasting tools helped defined some of the national standards for air quality analysis of mixed land use areas. All of these tools will help support informed decisions in the project.
- f. **Social equity and environmental justice considerations** (e.g. concentrations of poverty, economic opportunity, housing choice, gentrification effects, levels of physical activity and body mass index)
- g. **Employment and economic opportunities** (e.g., employment centers, redevelopment districts)

**End Product:** Report Performance Metrics for the SCS/MTP - June 2011 (SACOG-1) (ULI-2)

## Task 1.2: Enhance Data and Analytical Tools

After identifying the performance metrics, the region will use grant funds to enhance its data and analysis capacity at the fine-grain level for TPAs. Specifically, we will:

- a. **Identify employment challenges and opportunities.** This will be both a bottom up and top down analysis. The existing employment conditions in the TPAs (i.e., types and wages of jobs available, employment levels of current residents) will be inventoried. Regional employment trends will also be inventoried to identify both challenges and opportunities for expanding good wage jobs in the TPAs. Key stakeholders will be asked for input into this process through the Economic Development Working Group of the Sacramento Regional Consortium
- b. **Update market conditions information and apply I-PLACE<sup>3</sup>S Return on Investment (ROI) analytical function to estimate the financial viability of various types of development.** A key test will be the market viability of higher density, mixed-use products that would generate higher levels of transit ridership, especially 60 dwellings per acre and above. We will update the the ROI functionality of I-PLACE<sup>3</sup>S and use this and SACOG's Infrastructure Cost Model to inform the three consortium working groups.
- c. **Assess needs of special populations.** Working with the Center for Regional Change (CRC), we will draw on existing research on youth, seniors, economically disadvantaged and disabled populations. This analysis will also include comprehensive analysis of transportation needs, including paratransit and services provided by transit providers, transportation demand management organizations, and intelligent transportation systems programs.
- d. **Conduct social equity analysis.** Focusing growth in TPAs creates the potential to reduced total cost of living through savings in housing, transportation and energy costs. This work will incorporate the social equity and analysis into the MTP/SCS and serve as an example for how analyses like these can be used to enhance integrated sustainability planning. All indices described in Task 1.1 will specify the distribution of opportunities and vulnerabilities across the range of places (neighborhoods, communities, in urban, suburban and rural places) and a range of special needs populations (identified by race, ethnicity, socio-economic status, education, age, and other salient factors).
- e. **Assess infrastructure deficiencies and the cost of needed upgrades.** We will work with RWA, SMUD, the Sacramento Regional County Sanitation District, and local governments to create this analysis, which will also examine their methods of determining when to install infrastructure upgrades, in part to determine if a vertical (underground) component can be added to the surface-level concept of "complete streets". Many RWA members are updating infrastructure plans in conjunction with local plans and/or the Blueprint. This collaboration will allow the region to further integrate water, sewer and electrical infrastructure planning with land use and transportation planning efforts. RWA and its members will serve in an advisory capacity, providing infrastructure data and analysis, attending meetings throughout the project, and closely coordinating ongoing planning efforts to maximize the mutual benefits to the region.  
  
Data availability will dictate which infrastructure components we examine; however, at a minimum, we will evaluate water, sewer, and electrical capacity and conditions. We will use various local and regional growth plans to determine the level of infill and redevelopment potential. Growth areas will be compared to existing capacity to determine which areas are ready for intensification, and which need new infrastructure to meet growth plans. This work will represent the first regional effort to comprehensively integrate infrastructure and growth planning.
- f. **Create visualization component for public input on land use modeling.** SACOG will develop an open-source, web-based interface for a tool that looks at the connection between land use travel generation and detailed, micro-level land use characteristics: density, diversity, design, destination accessibility, demographics, and distance to transit (the "Ds"). The Ds tool will allow the public to review the land

uses contained in the SCS and see how changes to those land uses change the travel characteristics and green house gas generated from that travel. As this tool was designed for use by California MPOs for their MTPs, the methodology used in this new visualization tool will be transferable to other regions across the country.

**End Product:** Report on the enhanced tools development of Social Vulnerability, Environmental Justice Vulnerability, and Economic and Health Opportunity Indices and the analysis used to expand these tools for use in this project. – August 2011 (CRC-1)(ULI-1)

### **Task 1.3: Conduct Screening Analysis to Select Transit Priority Areas**

We will work with the local Urban Land Institute (ULI) chapter to develop a system for analyzing all of this information and applying it to categorize the TPAs into phasing priorities (i.e., near-, mid- and longer-term opportunities). A ULI charette process will be used to involve a broad range of stakeholders in applying the screening analysis and selecting at least four priority areas for more detailed implementation planning. ULI will also publish the results of this as a case study for national use. It is not possible to know in advance how the analysis will categorize the TPAs, but we expect there will be some that show strong near- to mid-term potential because of existing infrastructure, higher land values or proximity to attractions such as jobs. Other TPAs may show high need and benefits from TPPs, but significant implementation challenges due to poor existing infrastructure, lower land values and lack of strong current amenities.

The Screening Analysis will be the basis for selecting the TPAs to target implementation activities during the early years of SCS implementation. Development within the TPAs will occur over the 24-year life of the SCS. We anticipate a wide variety of conditions to be represented within the priority areas, helping to ensure the transferability of the results. Today, some of the areas meeting the definition of a TPA include:

- The nation's largest urban infill project (the Railyards adjacent to downtown Sacramento), with existing and planned light rail, urban streetcar, local and commuter buses, intercity rail and high-speed rail
- A prospective technology center and university village on and adjacent to Sacramento State University with existing light rail and buses, and a planned tram and/or streetcar
- Mixed-use development area near a community college and new health care center, with existing and planned light rail and bus
- Mixed-use development area near an emerging major employment center on an Air Force base reuse site with a burgeoning clean energy focus, with existing bus and planned Bus Rapid Transit
- Multiple planned mixed-use transit corridors in new master-planned communities near the region's second and third largest employment centers (suburban)
- Multiple corridors along aging auto-oriented corridors with existing light rail or planned higher capacity buses
- Underutilized and vacant land around multiple existing light rail stops serving economically distressed areas
- Multiple urban infill projects across the river from downtown Sacramento on a planned streetcar route
- Downtowns in smaller cities surrounded by the region's most economically productive farmland.

The screening analysis will be used to narrow the three alternative scenarios analyzed in the fall workshops and make final decisions on the substance of the SCS that will be analyzed in the EIR and presented to the SACOG board for adoption by April 2012.

**End Product:** Report on Regional Equity Analysis applied to SACOG's Sustainable Community Strategy – September 2011 (CRC-2);

Report on the TPA Screening Process and Public Charrette – September 2011 (ULI-3)

#### **Task 1.4: Prepare CEQA Analysis and Documentation**

We will work in partnership with local governments for the selected TPAs to conduct the analysis required to activate the CEQA regulatory reform benefits available through SB 375. This may include establishing standards of significance, evaluating the impacts and identifying mitigation measures as appropriate for 17 impact areas identified in Appendix G of the CEQA Handbook. These impacts include a wide range of topics, from transportation, air quality, hydrology/water quality and population/housing to cultural resources, noise and aesthetics. We will analyze and consider relevant programs of the Interagency Partnership for Sustainable Communities partners, such as EPA's WaterSense and Low Impact Development as part of the water impact analysis. State programs focused on analyzing air toxics from stationary and mobile sources will also be considered.

We will use grant funds to hire environmental consultants to work with SACOG and a team of contract and public agency attorneys to produce a CEQA document for TPPs that will not only directly benefit the region, but be a model for other regions in California whose SB375 implementation occurs later. Private developers interested in building higher density, mixed-use projects in the TPAs should receive the clear signal that the welcome mat is out for transit oriented development, with certainty, speed and cost required to get local entitlements to build in these areas substantially improved.

**End Product:** Draft EIR for SACOG SCS/MTP with Mitigation Measures – December 2011 (SACOG-8)

#### **Task 1.5: Develop Implementation Action Plans for Priority Areas**

The Implementation Action Plans will address all of the topic areas covered above. We will continue our work with the local ULI chapter to develop and implement a standardized methodology that can be applied to developing these plans. ULI will publish the results of this work as a model for others as well. The intent is for the methodology and outreach process to be transferable to future planning efforts in the region that extend beyond the areas covered in this project, as well as to other regions around the country. The plans may include recommended actions that a range of governmental and nongovernmental partners are encouraged to take. The plans will have timelines (see page 25), responsible parties, and financing options whenever possible. These implementation plans will include recommendations regarding how the work of this Work Activity will relate to SACOG's RHNP, the EIR for the SCS/MTP, and the MTP itself.

**End Product:** Report on Action Plans for the Transit Priority Areas including methodology for tracking measures of equity through the plan implementation. – June 2012 (CRC-3)

#### **Task 1.6: Develop Communications Plan for Grant Project**

This task was added following the grant award to clarify how the outreach for this grant project is connected to the outreach for the update of the MTP. Outreach activities under this project are primarily funded from the MTP Project. The plan will outline the development of the monthly Consortium meeting process and the four working groups that will develop content for the project.

**End Product:** Communications Plan for Sustainable Communities Planning Grant Project (SACOG-6)

**Work Activity #2: Improve the integration of the housing, land use and transportation components of region's consolidated, transportation and Regional Plan for Sustainable Developments.**

#### *Overview*

State-mandated regional and local housing plans represent the current regional housing plan. The Blueprint principles have been instrumental in this plan and resulted in coordination between the growth allocation of the adopted MTP, the RHNP, and local housing elements. Many of the local jurisdictions have further developed affordable housing programs including inclusionary zoning, housing trust funds and aggregation of local housing resources to optimize access to housing choice. Although the region has made great strides toward equitable and fair regional housing planning we see key areas of work to enhance this framework particularly to ensure sufficient affordable housing growth in the TPAs, as well as continued access to fair and equitable housing

opportunities without discrimination in the region. To enhance regional housing planning, we will work in six areas:

#### **Task 2.1: Assessment of Existing Conditions**

Assess existing conditions, trends and barriers to equitable housing including analyzing the past patterns of affordable housing production and investments made within the region and their relation to transit, employment opportunity areas and other equity metrics.

**End Product:** Memo discussing affordable housing produced in relation to overall production; location analysis; view of housing investment concentrations in the region; recommendations for on-going collection and land use data. - July 2011 (SHRA-1)

#### **Task 2.2: Inventory Housing Policies and Funding**

Work with the state and local jurisdictions to inventory local housing policies and federal, state, and local funding priorities identified in but not limited to housing elements, PHA five-year plans, consolidated plans, analysis of impediments to fair housing, continuum of care or HEARTH systems, state's low-income housing tax credit and mortgage revenue bond allocation programs, local redevelopment implementation plans, inclusionary housing programs and housing trust fund programs. This analysis will be regional, but will describe TPA conditions specifically to support Work Activity #1.

**End Product:** Memo analyzing policy and programmatic consistencies and differences between jurisdictions and/or the State investment of housing resources in TPA and high opportunity areas.- December 2011 (SHRA-2)

#### **Task 2.3: Jobs-Housing Fit Tool**

We will develop a new methodology to assess how the cost of the housing planned compares to the wages from the jobs planned to be accessible from planned affordable housing in the region. We will work with PHAs to develop regionally appropriate metrics, and identify data sources to populate the new module. It will be pilot tested on the TPA priority areas, but applicable region-wide and available to other users across the country. Locally, we will work with PHAs to integrate this new jobs-housing fit into the planning for the Consolidated Plans within our region. Addressing jobs-housing fit was a key social equity recommendation of the SB 375 Regional Targets Advisory Committee. This tool will be an important part of the TPAs work in Work Activity #1 as well.

**End Product:** Report on the Development of Jobs Housing Fit Tool with CARB Subcommittee – June 2011 (SACOG-2)

#### **Task 2.4: Job Accessibility and Transportation Cost Analysis**

Apply the SACSIM parcel level accessibility measures and transportation cost estimates from the housing information collected from the housing plans. A workshop on the results will collect input on how this analysis can inform required planning by the PHAs and local jurisdictions.

**End Product:** Jobs Accessibility and Transportation Cost Analysis for the SCS/MTP. – November 2011 (SACOG-3)

#### **Task 2.5: Regional Analysis of Impediments to Fair Housing**

Conduct a regional analysis of impediments (AI) to fair housing choice in coordination with the region's PHAs, jurisdictions

**End Product:** Memo documenting the Regional Analysis to Impediments to fair and equitable housing, focusing on access to TPA and high opportunity areas. Conduct a regional analysis of impediments (AI) to fair housing choice in coordination with the region's PHAs by gathering information that may be available in current AIs, housing elements, PHA plans, consolidated plans, Continuum of Care, redevelopment implementation plans and other information pertinent to fair housing. - January 2012 (SHRA-3)

#### **Task 2.6: Enhanced Regional Housing Needs Plan (RHNP)**

In addition to the updated Regional Housing Needs Allocation methodology that will be adopted by the SACOG Board by the end of 2011, and applied in 2012, recommendations will be made on how each of the region's local housing plans can continue to create and preserve permanent accessible housing. Of particular focus will be policy, programmatic and funding strategies for addressing impediments to equity and fair housing; housing persons with disabilities and special needs and access to equitable housing in TPAs, employment and high opportunity areas. Plan outcomes would also include improved regional measurements on progress regarding the creation or preservation of a reasonable share of affordable housing in high opportunity neighborhoods.

**End Product:** Comprehensive regional housing plan that reflects strategies to address housing needs in jurisdictions housing plans and the analysis to impediments. – June 2012 (SHRA-4)

### **Work Activity #3: Integrate natural resources planning with the Regional Plan for Sustainable Development to protect valuable environmental assets and increase housing opportunities near employment centers**

#### *Overview*

There are a number of important ways that the natural resources analysis will be enhanced for the SCS and the MTP Update. SB 375 requires that SACOG use the best available data to analyze and consider the impacts of its SCS/MTP on a wide variety of resource areas. The definition of natural resource areas, in part, covers habitat conservation plans, natural community conservation plans, habitat for species covered by state and federal endangered species acts, agricultural lands, and lands subject to flooding. SACOG was instrumental in securing funding through USACE for a regional Aquatic Resources Inventory, which is under final review will be directly useful to this required natural resources analysis.

#### **Task 3.1: Secure Federal Agency Approval for Final Inventory of Natural Resources**

SACOG has an extensive GIS inventory of natural resources in the region. SACOG has coordinated with federal and state agencies for a number of years, in part through the NEPA streamlining process, to ensure our data are up to date. However, the requirements of SB 375 are quite extensive in this area, and there will be a good deal of effort required to expand that inventory to cover all of the required topics. FEMA is regularly updating its floodplain maps in this region, so we need to update that inventory. Likewise, when the Aquatic Resources Inventory is completed it will be added to the SACOG GIS inventory. SACOG's RUCS project has developed extensive, state-of-the-art, parcel specific crop data. These data, along with soils and agricultural land classification data, will be included in the database. We will consult with federal agencies to ensure that they are satisfied that the final database represents state-of-the-art data sufficient for policy making decisions.

**End Product:** Working Paper documenting the Natural Resource Inventory Federal and State Permitting Strategies that will use the Six-County Aquatic Resources Inventory. - November 2011 (SACOG-4) (McK-1)

#### **Task 3.2: Develop Tool to Measure Natural Resource Impacts of Alternative SCS Scenarios**

The three land use/transportation scenarios we analyze in public workshops and our CEQA EIR will have varying amounts of development in TPAs, and therefore varying amounts of development in greenfield areas. This almost certainly will result in variable impacts on natural resources lands. These data will be included in the overall performance metrics for the alternatives that are reported and considered in the process of arriving at a preferred SCS/MTP. I-PLACE<sup>3</sup>S currently calculates the impacts of alternative scenarios on natural resources, but it does not have any pre-established indicators that are able to report those results automatically. That function is particularly important for using I-PLACE<sup>3</sup>S interactively in public meetings.

**End Product:** Memo on the Methodology used to develop the GIS Measurement – November 2011 (SACOG-5)

#### **Task 3.3: Continue Integration with Habitat Conservation Plans**

SACOG will continue its efforts, especially in Placer and Sacramento counties, to ensure that the HCPs and SCS/MTP are consistent and integrated with each other. This will include on-going participation on various working committees of both projects and work with the three primary federal resources agencies to work towards successful completion of these planning efforts. Particular attention will be placed on ensuring that

USACE and USEPA CWA issues are adequately addressed in the documents so that both comprehensive environmental protection and development streamlining benefits are available for projects consistent with the HCP.

**End Product:** Working memo on how the Six-County Aquatic Resources Inventory will be used in each of the CP processes. – April 2012 (McK-2b)

### Task 3.4: Prepare Analysis for Preferred Alternative, Including Mitigation Measures

All prior data and analysis in this work activity will be considered in the development of the preferred SCS/MTP and explained for comment through the draft CEQA EIR. It also seems certain that the CEQA document will include mitigation measures related to these natural resources areas. We will work with the Interagency Partnership agencies as well as USACE, EPA, and U.S. Fish and Wildlife Service in the development of these mitigation measures. These mitigation measures provide a prime opportunity for deep alignment of local, regional and federal priorities.

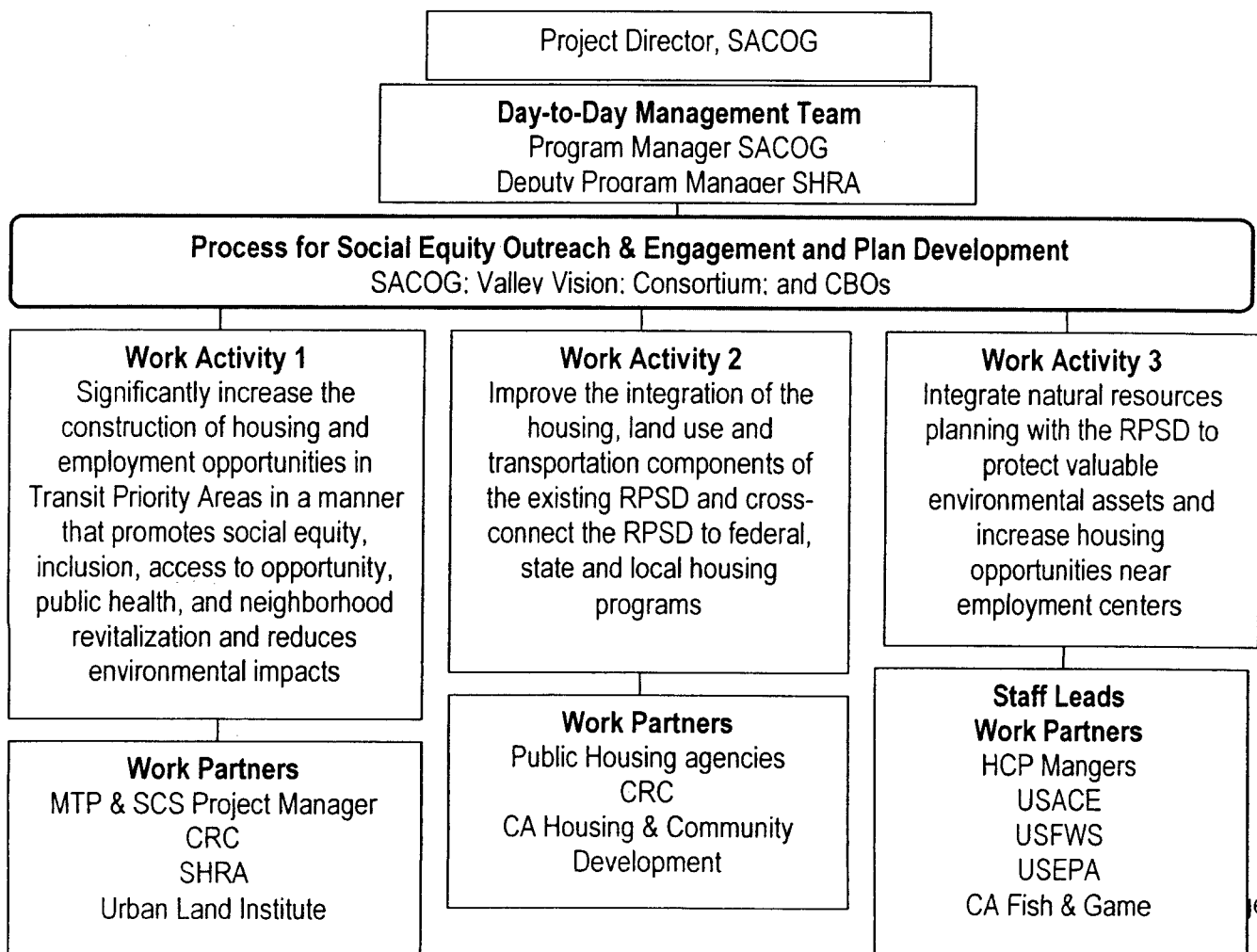
**End Product:** Memo documenting comments received on the draft mitigation measures -  
December 2011 (McK-2a) (McK-3)

### Task 3.5: Report on Integrating SCS with Draft Council on Environmental Quality (CEQ) Principles and Guidelines

Throughout this analysis, we will continue to work closely with CEQ and the principal federal agencies involved in writing the Principles and Guidelines document to identify the cross-connections between that document, the SCS and the Interagency Partnership's Livability Principles. We will prepare a report setting forth those interrelationships, recommending any appropriate refinements to the draft Principles and Guidelines as well as recommendations to the Interagency Partnership regarding how these natural resources issues might be more fully integrated with the Interagency Partnership as it moves forward. The Sacramento region can serve as a living laboratory pilot test for that draft document. The timing of the two processes aligns nearly perfectly. The CEQ has expressed an interest in working with SACOG at this level of detail to assist it in ground-truthing and refining its preliminary work. – April 2012 (McK-4)

**End Product:** Report on Integration SCS/MTP with draft CEQ Principles and Guidelines (McK-4)

#### Project Organizational Chart



## **Work Activity #4: Prepare and Deliver the Regional Plan for Sustainable Development**

### *Overview*

The final product for the project is the delivery of the Regional Plan for Sustainable Development. This plan will combine elements of the SCS/MTP, the improved Regional Housing Needs Plan, and strategies and needs uncovered through the planning process into a single view of the project outcomes.

### Key Staff

**Mike McKeever**, Chief Executive Officer, SACOG

**Joe Concannon**, Data Services Manager, SACOG

**Monica Hernández**, Community Outreach Specialist, SACOG

**Lisa Bates**, Deputy Executive Director, Sacramento Housing and Redevelopment Agency (SHRA)

**Bill Mueller**, President and CEO, Valley Vision

**Dr. Jonathan London** and **Dr. Chris Benner**, Center for Regional Change, UC Davis

**Stacey McKinley**, Principal, The McKinley Group

**Allen K. Folks**, District Council Chair and Vice President, Urban Land Institute Sacramento; Principal, AECOM

### *Project Schedule*

The work plan is designed to execute a series of targeted activities designed to maximize the quality of the MTP, RHNP and develop on-going relationships and performance tracking programs to improve the region's policies and plans. The work will improve both the technical information as well as the chances for developing a political consensus around the policies and recommendations. This region is ready to develop our first Regional Plan for Sustainable Development to provide for more transportation choices, promote equitable, affordable housing, enhance economic competitiveness, support existing communities, coordinate policies that all public leverage investment through this new comprehensive and integrated approach to planning.

Monthly meetings of the Sacramento Regional Consortium that are outlined below will begin the process that builds this new integrated planning process.

- February 23 – Project Overview/MTP Workshop Results/Comments on Performance Measures & Working Group Development
- March 30 – Demographic Trends/Working Groups/ Comments on Livability Principles and Equity Measures
- April 27 – Components of Complete Communities/MTP Land Use, Transportation and Transit Priority Areas/Comments on Screening Criteria
- May 25 – Review of Transit Priority Area Screening/Comments on Environmental Justice
- June 22 – Presentation on Transit Priority Project Sites/Comments on Components on Action Plan Components
- Other Meeting Topics for the remainder of the year will be announced a quarter before the meeting.

| <b>Project Implementation Schedule</b><br><b>Plan for Sustainable Development</b><br><b>Activities*</b> |  | 1/2011 | 2/2011 | 3/2011 | 4/2011 | 5/2011 | 6/2011 | 7/2011 | 8/2011 | 9/2011 | 10/2011 | 11/2011 | 12/2011 | 1/2012 | 2/2012 | 3/2012 | 4/2012 | 5/2012 | 6/2012 |
|---|--|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|---------|---------|--------|--------|--------|--------|--------|--------|
| <b>1</b>  | <b>Transit Priority Areas</b>  |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 1.1   | Establish Performance Metrics  |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 1.2   | Enhance Data & Analytical Tools  |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 1.3   | Conduct Screening Analysis to Select TPAs                                      |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 1.4   | Prepare CEQA Analysis and documentation  |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 1.5   | Develop Implementation Action Plans  |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| <b>2</b>  | <b>Enhance Housing Plans</b>   |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 2.1   | Assessment of Existing Conditions  |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 2.2   | Inventory Housing Policies & Funding   |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 2.3   | Jobs-Housing Fit Tool  |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 2.4   | Job Accessibility & Cost Analysis  |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 2.5   | Regional Analysis of Impediments to Fair Housing                               |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 2.6   | Improved Regional Housing Needs Plan   |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| <b>3</b>  | <b>Natural Resources Planning</b>  |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 3.1   | Secure Federal Agency Approval for Final Inventory of Natural Resources        |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 3.2   | Develop Tool to Measure Natural Resources Impacts of Alternative SCS Scenarios |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 3.3   | Continue Integration with Habitat Conservation Plans                           |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 3.4   | Prepare Analysis for Preferred Alternative, including Appropriate Mitigation   |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 3.5   | Report on Integrating SCS with draft CEQ Principles & Guidelines               |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |
| 4.0   | Prepare and Deliver the Regional Plan for Sustainable Development              |        |        |        |        |        |        |        |        |        |         |         |         |        |        |        |        |        |        |

# California Citizens Redistricting Commission

The Commission on Citizens Redistricting



## CERTIFICATE OF APPRECIATION

The California Citizens Redistricting Commission would like to extend its appreciation to the Yuba County Board of Supervisors for hosting a public hearing which allowed the citizens of Marysville and the surrounding region the opportunity to provide input into the redistricting process. Your support for this historic event will permit the Commission to fulfill the Constitutional requirements, put in place by the voters, to draw district lines "with integrity and fairness".

*Gabino Aguirre*  
Gabino Aguirre

*Maria Blanco*  
Maria Blanco

*Jodie Filkins*  
Jodie Filkins

*Michael Ward*  
Michael Ward

*Angelo Ancheta*  
Angelo Ancheta

*Cynthia Dai*  
Cynthia Dai

*Stanley Forbes*  
Stanley Forbes

*M. Andre Parvenu*  
M. Andre Parvenu

*Peter Yaq*  
Peter Yaq

*Vincent Barabba*  
Vincent Barabba

*Michelle DiGuilio*  
Michelle DiGuilio

*Connie Galambos Malloy*  
Connie Galambos Malloy

*Jeannette Raya*  
Jeannette Raya

**The Veterans' Day  
Parade Committee:**

Cindy Verrill,  
American Legion Post 807  
and Co-Chairman,  
743-2390  
[sierra195@live.com](mailto:sierra195@live.com)

Chuck Carver,  
VFW Post 948 and  
Co-Chairman  
743-7554  
[pcarver@  
clear-cxn.net](mailto:pcarver@clear-cxn.net)

Bonnye Hughes,  
Veterans Memorial  
Committee  
701-9085  
[bonnyehughes@yahoo.com](mailto:bonnyehughes@yahoo.com)

Mike Fitzgerald  
Local Businessman  
742-6387  
[FitzMike@syix.com](mailto:FitzMike@syix.com)

Donna Hannaford  
Volunteer  
846-3375  
[djhdesigns@yahoo.com](mailto:djhdesigns@yahoo.com)

T.J. Feters,  
American Legion Post 807,  
1171 Phillips Rd. YC, CA  
95991  
673-2961  
[tjfeters45@gmail.com](mailto:tjfeters45@gmail.com)

**Honorary Committee  
Members**

The City Council,  
Marysville, CA

American Legion  
Post 807

Veterans of Foreign Wars  
Post 948

**THE VETERANS' DAY PARADE 2011**

*"Celebrate Those Who Have Served"*

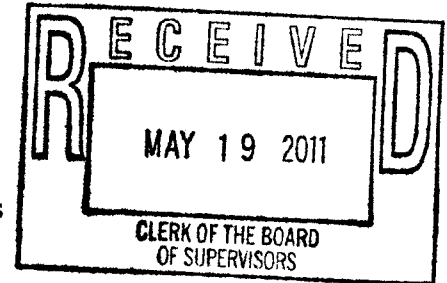
P.O. Box 522

Olivehurst, CA 95961

530-743-2390 or 530-701-7349

May 18, 2011

To: Yuba County Board of Supervisors  
915 Eighth St.  
Marysville, CA 95901



In the past, the City of Marysville has joined us as a sponsor-partner in hosting the Annual Veterans Day Parade. This year's will take place on Friday, November 11, 2011 at 11:00 AM.

Each year we request the City of Marysville to waiver the fees associated with this event and they've agreed, once again, for the 2011 parade. But, as this parade had become such a large community event, I believe it would help everyone if the fees were shared by the surrounding communities.

I would like to request that your County Board consider making a donation to the City of Marysville to help defray the costs of the Annual Veteran's Day Parade.

I will make an in person presentation, if needed, to secure a donation. I just need a date and time.

Please join us in honoring those who have served and those who continue to serve as guardians of our freedom and way of life.

Thank You,

Cynthia M. Verrill  
Co-Chairman, Veterans Day Parade Committee

5/19/11: Referred to Proposed Budget and advised/ds



BOS CORRESPONDENCE C

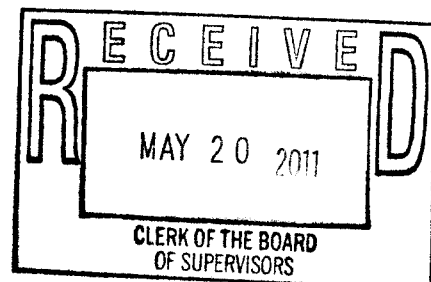
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Upland  
**Jack Baylis**, Member  
Los Angeles

**EDMOND G. BROWN, JR.**



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(916) 653-5040 Fax  
fgc@fgc.ca.gov

STATE OF CALIFORNIA  
**Fish and Game Commission**



May 17, 2011

This is to provide you with a copy of the notice of proposed regulatory action relative to sections 300, 311, and 472, Title 14, California Code of Regulations, relating to upland game hunting, which will be published in the California Regulatory Notice Register on May 20, 2011.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

**Dr. Eric Loft, Chief, Wildlife Branch, Department of Fish and Game, phone (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations.**

Sincerely,

Sheri Tiemann  
Staff Services Analyst

Attachment

**TITLE 14. Fish and Game Commission  
Notice of Proposed Changes in Regulations**

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 203, 355, 3680 and 3800 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 203, 203.1, 215, 220, 355, 356, 3680, 3801 and 3801.5 of said Code, proposes to amend sections 300, 311 and 472, Title 14, California Code of Regulations, relating to upland game hunting.

**Informative Digest/Policy Statement Overview**

**Amend Section 300, Title 14, CCR, Re: Upland Game Birds**

Current regulations provide general hunting seasons for taking resident game birds. The Department is recommending 2 changes, including a range of permit numbers for the 2011 sage-grouse hunting season and changing the regulation for white-winged dove harvest to make it consistent with proposed changes to Federal regulations.

Existing regulations provide a number of permits for the general sage-grouse season in each of 4 zones. These specific numbers are replaced by a range of numbers for the 2011 season as listed below. The final number will be proposed in June after spring lek counts are completed and annual data are analyzed.

Permit ranges for sage-grouse hunting in 2011:

East Lassen: 0-50 (2-bird) permits  
Central Lassen: 0-50 (2-bird) permits  
North Mono: 0-100 (1-bird) permits  
South Mono: 0-100 (1-bird) permits

Existing regulations in Section 300 (a)(3)(F)(2) provide for take by falconry and establish a 1 bird per day, 2 bird per season limit in the North Mono and South Mono zones. This regulation is inconsistent with subsections 300(a)(1)(D)(2) and 300 (a)(2)(D)(2) where the bag and possession limits are 1 per day and 1 per season, in the North Mono and South Mono zones.

Also, minor editorial changes are proposed to clarify and simplify the regulations.

Existing regulations permit white-winged dove harvest in San Bernardino, Riverside and Imperial counties. A proposal to amend the federal regulations to permit white-winged dove harvest throughout California and the entire Pacific Flyway has been made by the Pacific Flyway. If adopted by the Federal government, federal regulations would permit the harvest of white-winged doves throughout California. The proposal would make the state regulation consistent with the Federal regulation.

Additionally, an alternative is provided to consider an early youth-only hunt for chukar and quail in the Mojave National Preserve. This proposal from the National Park Service would provide for a youth-only hunt for chukar and quail for the first Saturday in October extending for two days. Existing regulations for general quail season in Zone Q3 (balance of the state excluding Zone Q2) open the quail and chukar seasons on the third Saturday in October and extends through the last Sunday in January.

**Amend Section 311, Title 14, CCR, Re: Methods Authorized for Taking Resident Small Game**

Current regulations provide methods authorized for taking resident small game. Air rifles are authorized for taking resident small game with a minimum of a 0.20 caliber for taking wild turkeys. This proposal would change regulations to allow a minimum of a 0.177 caliber for taking wild turkeys.

**Amend Section 472, Title 14, CCR, Re: Non-game Animals**

Under current regulations (Section 472, Title 14, CCR), only English sparrow and starling, both non-native, non-game birds, may be taken at any time of the year and in any number. The Fish and Game Code (Section 3680) however, provides for the take of domestic pigeon, in addition to English sparrow and starling (Section 3801).

The proposed regulatory change will improve the consistency of California Code of Regulations, Title 14, Section 472 with Fish and Game Code (Section 3680) and clearly provide for the take of domestic pigeons.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, on all options relevant to this action at a hearing to be held at the Lexington Plaza Waterfront Hotel, 110 West Fremont Street, Stockton, California, on Thursday, June 30, 2011, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, on all actions relevant to this action at a hearing to be held at the State of California, Resources Agency Building Auditorium, 1416 Ninth Street, Sacramento, California, on Thursday, August 4, 2011, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before July 28, 2011, at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on August 1, 2011. All comments must be received no later than August 4, 2011, at the hearing in Sacramento, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Jon K. Fischer, Acting Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Sheri Tiemann at the preceding address or phone number. **Dr. Eric Loft, Chief, Wildlife Programs Branch, phone (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

### **Availability of Modified Text**

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

### **Impact of Regulatory Action**

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

There are no economic or business impacts foreseen or associated with the proposed regulation change.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Nondiscretionary Costs/Savings to Local Agencies: None.

- (f) Programs mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on Any Local Agency or School District that is required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

**Effect on Small Business**

It has been determined that the adoption of these regulations may affect small business.

**Consideration of Alternatives**

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

Dated: May 10, 2011

Jon K. Fischer  
Executive Director

**COMMISSIONERS**  
**Jim Kellogg**, President  
Discovery Bay  
**Richard Rogers**, Vice President  
Montecito  
**Michael Sutton**, Member  
Monterey  
**Daniel W. Richards**, Member  
Upland  
**Jack Baylis**, Member  
Los Angeles

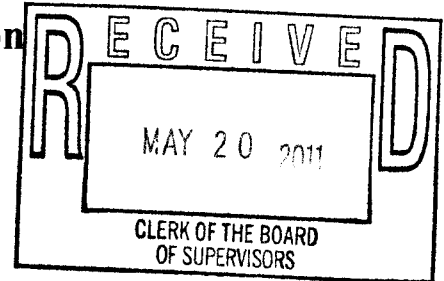
**EDMOND G. BROWN, JR.**



Governor

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Sacramento, CA 94244-2090  
(916) 653-4899  
(916) 653-5040 Fax  
fgc@fgc.ca.gov

STATE OF CALIFORNIA  
**Fish and Game Commission**



May 17, 2011

This is to provide you with a copy of the notice of proposed regulatory action relative to Section 502, Title 14, California Code of Regulations, relating to waterfowl hunting, which will be published in the California Regulatory Notice Register on May 20, 2011.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

**Dr. Eric Loft, Chief, Wildlife Branch, Department of Fish and Game, phone (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations.**

Sincerely,

A handwritten signature in cursive script that reads "Sheri Tiemann".

Sheri Tiemann  
Staff Services Analyst

Attachment

**TITLE 14. Fish and Game Commission**  
**Notice of Proposed Changes in Regulations**

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 202 and 355 of the Fish and Game Code and to implement, interpret or make specific sections 202, 355 and 356 of said Code, proposes to amend Section 502, Title 14, California Code of Regulations, relating to waterfowl hunting.

**Informative Digest/Policy Statement Overview**

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and establish daily bag and possession limits. In addition to the five proposals contained herein, the U.S. Fish and Wildlife Service (Service), after analysis of waterfowl population survey and other data, may change federal regulations; if this occurs, changes in existing and proposed regulations in California may be necessary. Changes in federal regulations for season opening and closing dates, elimination or creation of special management areas, season length, and daily bag limits for migratory birds may occur. Items 1, 2, and 4 require changes in the federal regulations and must be approved by the Pacific Flyway Council at its meeting on July 21, 2011. Item 5 (including the table below) provide a proposed range of season dates and bag limits for waterfowl. The Service will consider recommendations from the Flyway Council at their meeting on July 28, 2011. At this time, the California Waterfowl Breeding Population Survey has not been conducted and the Service has not established federal regulation "frameworks" which will occur in August after the analysis of current waterfowl population survey, other data, input from the Flyway Councils and the public. Also, minor editorial changes are proposed to clarify and simplify the regulations and to comply with existing federal frameworks.

The Department's proposals are as follows:

1. Remove the restriction on the Small Canada goose daily bag limit in the Northeastern Zone.
2. Increase the white-fronted and white goose season length to 105 days in the Balance of State Zone and split the season into two segments.
3. Increase the white-fronted goose daily bag limit to 6 geese per day in the Northeastern, Southern San Joaquin Valley, and Balance of State zones.
4. Extend the white-fronted goose season length in the Sacramento Valley Special Management area by 7 days.
5. Provide a range of waterfowl hunting season lengths (which may be split into two segments) between 38 and 107 days (including 2 youth waterfowl hunt days) for all hunting methods. A range of daily bag limits is also given for ducks in all zones. Federal regulations require that California's hunting regulations conform to those of Arizona in the Colorado River Zone. See table below for season and bag limit ranges.

## Summary of Proposed Waterfowl Hunting Regulations

| AREA   | SPECIES                        | SEASONS   | DAILY BAG & POSSESSION LIMITS  |
|--|--------------------------------|---|--|
| <b>Statewide</b>   | Coots & Moorhens               | Concurrent w/duck season  | 25/day. 25 in possession   |
| <b>Northeastern Zone</b><br><i>Season may be split for Ducks, Pintail, Canvasback and Scaup.</i>                           | Ducks                          | Between 38 & 105 days   | 4-7/day, which may include: 3-7 mallards but no more than 1-2 females,   |
|  | Pintail<br>Canvasback<br>Scaup | Between 0 & 105 days  | 0-3 pintail, 0-3 canvasback, 0-2 redheads, 0-7 scaup.<br>Possession limit double the daily bag.  |
|  | Geese                          | 100 days  | 8/ day, which may include: 6 white geese, 6 dark geese no more than 4-6 white-fronts, 2 Large Canada geese, 1-6 Small Canada goose.<br>Possession limit double the daily bag.              |
| <b>Southern San Joaquin Valley Zone</b><br><i>Season may be split for Ducks, Pintail, Canvasback and Scaup.</i>            | Ducks                          | Between 38 & 105 days   | 4-7/day, which may include: 3-7 mallards no more than 1-2 females,   |
|  | Pintail<br>Canvasback<br>Scaup | Between 0 & 105 days  | 0-3 pintail, 0-3 canvasback, 0-2 redheads, 0-7 scaup.<br>Possession limit double the daily bag.  |
|  | Geese                          | 100 days  | 8/ day, which may include: 6 white geese, 6 dark geese no more than 4-6 white-fronted geese.<br>Possession limit double the daily bag.   |
| <b>Colorado River Zone</b>   | Ducks                          | Between 38 & 105 days   | 4-7/day, which may include: 3-7 mallards no more than 1-2 hen mallards or Mexican-like ducks, 0-3 pintail, 0-3 canvasback, 0-2 redheads, 0-7 scaup. Possession limit double the daily bag. |
|  | Pintail<br>Canvasback<br>Scaup | Between 0 & 105 days  |  |
|  | Geese                          | Between 101 & 105 days  | 6/ day, up to 6 white geese, up to 3 dark geese. Possession limit double the daily bag.  |
| <b>Southern California Zone</b><br><i>Season may be split for Ducks, Pintail, Canvasback and Scaup.</i>                    | Ducks                          | Between 38 & 105 days   | 4-7/day, which may include: 3-7 mallards no more than 1-2 females,   |
|  | Pintail<br>Canvasback<br>Scaup | Between 0 & 105 days  | 0-3 pintail, 0-3 canvasback, 0-2 redheads, 0-7 scaup.<br>Possession limit double the daily bag.  |
|  | Geese                          | 100 days  | 8/day, up to 6 white geese, up to 3 dark geese. Possession limit double the daily bag.   |
| <b>Balance of State Zone</b><br><i>Season may be split for Ducks, Pintail, Canvasback, Scaup and Dark and White Geese.</i> | Ducks                          | Between 38 & 105 days   | 4-7/day, which may include: 3-7 mallards no more than 1-2 females,   |
|  | Pintail<br>Canvasback<br>Scaup | Between 0 & 105 days  | 0-3 pintail, 0-3 canvasback, 0-2 redheads, 0-7 scaup.<br>Possession limit double the daily bag.  |
|  | Geese                          | 100-105 days<br>(Large Canada geese 105 days)   | 8/ day, which may include: 6 white geese, 6 dark geese no more than 4-6 white-fronted geese.<br>Possession limit double the daily bag.   |
| SPECIAL AREA   | SPECIES                        | SEASON  | DAILY BAG & POSSESSION LIMITS  |
| <b>North Coast</b><br><i>Season may be split</i>   | All Canada Geese               | 105 days except for Large Canada geese which can not exceed 100 days or extend beyond the last Sunday in January. | 6/day, only 1 may be a Large Canada goose. Possession limit double the daily bag.  |
| <b>Humboldt Bay South Spit</b>   | All species                    | Closed during brant season  |  |
| <b>Sacramento Valley</b>   | White-fronted geese            | Open concurrently with general goose season through Dec 14-21   | 2/day. Possession limit double the daily bag.  |
| <b>Morro Bay</b>   | All species                    | Open in designated areas only   | Waterfowl season opens concurrently with brant season.   |
| <b>Martis Creek Lake</b>   | All species                    | Closed until Nov 16   |  |
| <b>Northern Brant</b>  | Black Brant                    | From Nov 7 for 30 days  | 2/day. Possession limit double the daily bag.  |

|   |                        |   |   |
|---|------------------------|---|---|
| Balance of State Brant                        | Black Brant            | From the second Saturday in November for 30 days  | 2/day. Possession limit double the daily bag. |
| Imperial County<br><i>Season may be split</i> | White Geese            | 102 days  | 6/day. Possession limit double the daily bag. |
| <b>YOUTH WATERFOWL HUNTING DAYS</b>           | <b>SPECIES</b>         | <b>SEASON</b>   | <b>DAILY BAG &amp; POSSESSION LIMITS</b>      |
| Northeastern Zone                             | Same as regular season | The Saturday fourteen days before the opening of waterfowl season extending for 2 days. | Same as regular season                        |
| Southern San Joaquin Valley Zone              |                        | The Saturday following the closing of waterfowl season extending for 2 days.            |   |
| Southern California Zone                      |                        | The Saturday following the closing of waterfowl season extending for 2 days.            |   |
| Colorado River Zone                           |                        | The Saturday following the closing of waterfowl season extending for 2 days.            |   |
| Balance of State Zone                         |                        | The Saturday following the closing of waterfowl season extending for 2 days.            |   |
| <b>FALCONRY OF DUCKS</b>                      | <b>SPECIES</b>         | <b>SEASON</b>   | <b>DAILY BAG &amp; POSSESSION LIMITS</b>      |
| Northeastern Zone                             | Same as regular season | Between 38 and 105 days   | 3/ day, possession limit 6                    |
| Balance of State Zone                         |                        | Between 38 and 107 days   |   |
| Southern San Joaquin Valley Zone              |                        | Between 38 and 107 days   |   |
| Southern California Zone                      |                        | Between 38 and 107 days   |   |
| Colorado River Zone                           | Ducks only             | Between 38 and 107 days   |   |

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, on all options relevant to this action at a hearing to be held at the Lexington Plaza Waterfront Hotel, 110 West Fremont Street, Stockton, California, on Thursday, June 30, 2011, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, on all actions relevant to this action at a hearing to be held at the State of California, Resources Agency Building Auditorium, 1416 Ninth Street, Sacramento, California, on Thursday, August 4, 2011 at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before July 28, 2011, at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). **Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on August 1, 2011. All comments must be received no later than August 4, 2011, at the hearing in Sacramento, CA.** If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Jon K. Fischer, Acting Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Sheri Tiemann at the preceding address or phone number. **Dr. Eric Loft, Chief, Wildlife Programs Branch, phone (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

### **Availability of Modified Text**

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

### **Impact of Regulatory Action**

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are intended to provide additional recreational opportunity to the public. The response is expected to be minor in nature.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Nondiscretionary Costs/Savings to Local Agencies: None.

- (f) Programs mandated on Local Agencies or School Districts: None.

- (g) Costs Imposed on Any Local Agency or School District that is required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

**Effect on Small Business**

It has been determined that the adoption of these regulations may affect small business.

**Consideration of Alternatives**

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

Dated: May 10, 2011

Jon K. Fischer  
Executive Director

**COMMISSIONERS**  
**Jim Kellogg**, President  
Discovery Bay  
**Richard Rogers**, Vice President  
Montecito  
**Michael Sutton**, Member  
Monterey  
**Daniel W. Richards**, Member  
Upland  
**Jack Baylis**, Member  
Los Angeles

**EDMUND G. BROWN, JR.**

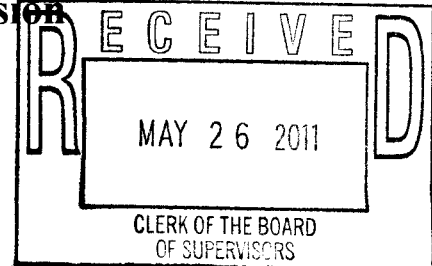


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Sacramento, CA 94244-2090  
(916) 653-4899  
(916) 653-5040 Fax  
fgc@fgc.ca.gov

STATE OF CALIFORNIA

**Fish and Game Commission**

May 24, 2011



TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a Notice of Receipt of Amended Petition to list the American pika (*Ochotona princeps*) as a threatened species. This notice will appear in the California Regulatory Notice Register on May 27, 2011.

Sincerely,

Sheri Tiemann  
Staff Services Analyst

Attachment

**CALIFORNIA FISH AND GAME COMMISSION  
NOTICE OF RECEIPT OF AMENDED PETITION**

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2073.7 of the Fish and Game Code, the California Fish and Game Commission, at its May 4, 2011, meeting in Ontario, determined that a 43-page letter dated March 31, 2011, from the Center for Biological Diversity amounted to a substantive amendment of the petition submitted to list the American pika (*Ochotona princeps*) as a threatened species.

The American pika inhabits talus fields fringed by suitable vegetation on rocky slopes of alpine areas throughout western North America.

Pursuant to Section 2073.7 of the Fish and Game Code, the Commission transmitted the amended petition to the Department of Fish and Game for review pursuant to Section 2073.5 of said code. Interested parties may contact Dr. Eric Loft, Wildlife Branch, Department of Fish and Game, 1812 Ninth Street, Sacramento, CA 95811, or telephone (916) 445-3555 for information on the petition or to submit information to the Department relating to the petitioned species.

Fish and Game Commission

May 17, 2011

Jon K. Fischer  
Acting Executive Director

**COMMISSIONERS**

**Jim Kellogg**, President

Discovery Bay

**Richard Rogers**, Vice President

Montecito

**Michael Sutton**, Member

Monterey

**Daniel W. Richards**, Member

Upland

**Jack Baylis**, Member

Los Angeles

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STATE OF CALIFORNIA

**Fish and Game Commission**

May 27, 2011

**To All Interested and Affected Parties,**

This is to provide you with a copy of the notice of proposed regulatory action relative to Subsection 7.50(b)(1.5) – “Alameda Creek”, and Sections 2.10 – “Hook and Weight Restrictions”, 27.65 – “Filleting of Fish on Vessels”, and 29.80 – “Gear Restrictions”, Title 14, California Code of Regulations, relating to Sport Fishing Regulations, which will be published in the California Regulatory Notice Register on May 27, 2011.

Associated documents will also be published to the Fish and Game Commission website at <http://www.fgc.ca.gov/regulations/new/2011/proposedregs11.asp>.

Please note, on page three of the attachment, the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

**Mr. Scott Barrow**, Fisheries Program Branch, Department of Fish and Game, phone (916) 544-7600, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Jon D. Snellstrom  
Associate Governmental Program Analyst

Attachment

BOS CORRESPONDENCE D4

**TITLE 14. Fish and Game Commission**  
**Notice of Proposed Changes in Regulations**

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 215, 220, 240, 315 and 316.5 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 205, 206, 215, 220, 316.5, 5508 and 5509, of said Code, proposes to amend Sections 2.10, 7.50(b)(1.5), 27.65 and 29.80, Title 14, California Code of Regulations, relating to sport fishing regulations.

**Informative Digest/Policy Statement Overview**

**Section 2.10 Hook and Weight Restrictions**

Under current regulation Section 2.10(b)(2) of Title 14, CCR states "It is unlawful to use any hook which is directly or indirectly attached closer than 18 inches to any weight exceeding ½ ounce."

In the section of the San Joaquin River from State Highway 140 in Merced County downstream to Airport Way Road in San Joaquin County, there is an annual problem with the illegal take of White Sturgeon. The illegal method of take deals with anglers taking spawning sturgeon by impaling the fish with large hooks. The method of take is commonly referred to as snagging. The snagging activity occurs when the White Sturgeon migrate up the San Joaquin River between February to May of each year. The San Joaquin River located between State Highways 140 to Airport Way Road is shallow, narrow and slow moving. As a result of this, sturgeon is easy prey for illegal take. Restricting the type of gear used in this area will allow for legal and routine fishing while eliminating the techniques that are typically used to illegally take the sturgeon. The preferred method of take by a select group of anglers involves the use of excessively heavy weights and maximum hook sizes. The weight used by these anglers is typically 8 oz. to 1½ pounds in weight. It may vary in a small range by the depth and speed of the river. It must be stressed that the San Joaquin River is very narrow in this area. In much of the area, it is less than twenty-five yards wide. The weight is attached to the bottom of heavy line such as 200-pound test double braided fishing line. Located above the weight there are up to three hooks, indirectly and or directly attached to the line. The methodology in using this equipment requires the angler to closely attend their line. The fishing line is maintained in a very taut manner where the line has no bow or slack. This is why the weight must be so heavy. Moreover, because the river is so shallow, the line passes through the river at a very shallow angle, allowing the majority width of the river to have a line strung across it. As a sturgeon swims past the line, the fish will bump or scrape along the fishing line. Once the angler feels the bump on the taut line, they will pull back violently on the line and then run up the bank of the river dragging the weight and hooks through the water. The weight keeps the line and hooks firmly against the side, back or belly of the sturgeon. The hooks eventually travel to the body of the sturgeon and penetrate deeply into the fish. Since the fish has not voluntarily taken the hook by mouth, it is an illegally taken fish and must be released. Even if released, which the majority are not, the fish now has a deep gash in the body from the large hook. Unfortunately, many of the anglers using this technique fish in this section of the San Joaquin River for days and weeks at a time when the White Surgeon area moving up river to spawn. Closing the river would not deter the take of the sturgeon. In addition, it would restrict and eliminate the ability of otherwise lawful angling activity. By placing a gear restriction on this section of the river, it would eliminate the use of the heavy weights and large hook technique described above, yet allow for legal angling activity in the area. The proposed regulation change would help eliminate this type of angling activity and prevent numerous sturgeon from being snagged in this illegal manner. Sturgeon report cards turned into the Department have shown that there has been green sturgeon caught in this general area of the San Joaquin River. One angler reports he caught a total of five green sturgeon in this area of the river during the combined 2009 and 2010 report card periods. It is not specifically known how often green sturgeon are snagged in this area using this type of illegal fishing.

By placing a gear restriction on this stretch of river, it will assist in limiting snagging activity as well as help protect both green and white sturgeon that spawn in the area.

**Section 7.50(b)(1.5) Alameda Creek**

Subsection 7.50(b)(1.5) has a year round closure for all species for Alameda Creek and tributaries downstream of San Antonio, Calaveras and Del Valle reservoirs. The Alameda Creek tributaries upstream of San Antonio, Calaveras, and Del Valle reservoirs are open to catch and release fishing for

trout from the last Saturday in April through November 15 and only artificial lures with barbless hooks may be used.

During the Commission's February 2010 meeting's public forum, an angler requested the Commission allow catch and release fishing for bass and catfish in the ponds in the Arroyo Del Valle adjacent to East Bay Regional Parks District's Shadow Cliffs Recreational Area in Pleasanton. These ponds were closed all year to all fishing effective March 1, 2010 to increase protection for the anadromous steelhead in the lower Alameda Creek watershed. The ponds are separated from the main creek channel by a gravel bar covered with dense bulrush and cattails. The Arroyo Del Valle stream flow could mix with these ponds during high flood events.

These ponds are a fairly popular bass and catfish fishing location and are important recreational fishing access within the greater Shadow Cliffs Recreational Area. At this time, no steelhead or trout are found in these ponds.

The Department believes allowing catch and release fishing in this location is highly unlikely to impact any salmonids.

The Department proposes opening up the portion of the Arroyo Del Valle adjacent the Shadow Cliffs Regional Recreation Area to catch-and-release fishing with artificial lures with barbless hooks only.

Subsection 7.50(b)(1.5) will still have a year round closure for all species for Alameda Creek and tributaries downstream of San Antonio, Calaveras and Del Valle reservoirs with the following exception:

1) Arroyo Del Valle between Bernal Avenue and the Thiessen Street intersection with Vineyard Avenue will remain open all year to catch and release fishing to allow access to the non-salmonids species.

There are no proposed changes for the Alameda Creek tributaries upstream of San Antonio, Calaveras, and Del Valle reservoirs.

#### **Section 27.65 Filleting of Fish on Vessels**

Currently subsection 27.65(b)(10), Title 14, CCR states "All other species except those listed in subsection (c) of this section: Each fillet shall bear intact a one inch square patch of skin. The fillets may be of any size."

Subsection 27.65(c), Title 14, CCR states "No person shall fillet on any boat or bring ashore as fillets the following fish: cabezon, greenlings of the genus *Hexagrammos*, salmon, striped bass, sturgeon, and any species of flatfish except California halibut may be filleted or brought ashore as fillets south of Point Arena (Mendocino County)."

There is currently no specified filet size limit for Leopard Shark which has a size limit of 36 inches, California Sheephead which has a size limit of 12 inches and Redtail Surfperch which has a size limit of 10½ inches.

Subsection 27.65(b)(10) allows for the filleting of Leopard Shark, CA Sheephead, and Redtail Surfperch on a vessel as long as one inch skin patch is attached and the fillets may be of any size. The legal overall size limit for these species is unenforceable once filleted on a boat or on shore since there is no legal filet size specified in regulations.

Wardens in the field are issuing numerous citations to subjects taking undersize leopard sharks in San Francisco Bay. Under current regulations, undersize leopard sharks are being taken illegally and filleted to avoid detection of the undersized fish by Game Wardens. The same problem exists for Sheephead and Redtail Surfperch.

Wardens are expressing frustration over these regulations when they find filleted leopard shark on a vessel and can not determine if the shark was a legal size. Wardens are finding an increasing number of filleted leopard shark on vessels and increasing knowledge by anglers of the loophole in the regulations. Wardens have issued citations to anglers for violation of Fish & Game Code Section 5508 when they find filleted Leopard Shark, Redtail Surfperch and Sheephead. Fish and Game Code section 5508 states it is unlawful to possess on any boat or to bring ashore any fish upon which a size or weight limit is prescribed in such a condition that its size or weight cannot be determined. Unfortunately when a person goes to

court and points out subsections 27.65 (b)(10) and (c), the cases are dismissed due to the loop hole in the regulations.

Anglers are expressing confusion over the regulations as well as some have been issued citations for Section 5508, Fish & Game Code, yet they were following the 27.65 regulations in the Ocean Sport Fishing Regulation handbook.

The Department's legal office has determined that Section 5508, Fish & Game Code and Section 27.65, Title 14, CCR are in conflict and Section 27.65, Title 14, and needs to be amended to protect species with size limits. Wording needs to be added to Section 27.65 stating, unless there is a fillet, chunk, or steak size limit for a fish with an overall size limit, that fish may not be steaked, chunked or filleted aboard a vessel.

### **Section 29.80 Gear Restrictions**

In 2010 this section was changed so there could be a legal definition for a hoopnet. The definition included two types of hoopnets to include the traditional style hoopnet as well as a new style hoopnet on the market that was more rigid where the top ring of the hoopnet sat above the bottom ring supported by solid arms. The regulation specified that no more than four arms could be used to support the upper ring. After the regulation was approved by the Office of Administrative Law, the public started calling and complaining about the hoopnet definition and said that there are two current manufactured hoopnets that specifically have five and six rigid arms that support the top ring of the net.

Further research confirmed there are currently at least three types of hoopnets commercially manufactured that have support arms which support the top ring of the hoopnet. The number of arms used to support the top ring of the hoopnets varies from four to six. These hoopnets are manufactured by Promar and Danielson companies. According to a representative from one of the companies, the added rigid arms make the hoopnet more of a sturdy design and therefore the hoopnet will hold up better in detrimental conditions. The added support arms do not assist in making the hoopnet any more efficient in taking crab or lobster.

Changing the wording in the hoopnet definition to allow the Type B hoopnet to have up to six support arms, will allow the existing manufactured hoopnets on the market to be used by the public without increasing the take efficiency of the currently described hoopnet.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Lexington Plaza Waterfront Hotel, Stockton, California, on Thursday, June 30, 2011, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the State of California Resources Agency Building Auditorium, 1416 Ninth Street, Sacramento, California, on Thursday, August 4, 2011, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before July 25, 2011 at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on July 25, 2011. All comments must be received no later than August 4, 2011, at the hearing in Ontario, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Jon K. Fischer, Acting Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Jon K. Fischer or Jon Snellstrom at the preceding address or phone number. **Scott Barrow, Department of Fish and Game, (916) 445-7600, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

### Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

### Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businessmen to Compete with Businesses in Other States.

2.10 - The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

7.50(b)(1.5) – The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes will offer more fishing opportunities with no adverse economic impacts.

27.65 – The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

29.80 – The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. By changing the support arms from 4 to 6 these regulations will actually make available additional hoop nets that are already produced, but currently not legal to use.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California.

None.

- (c) Cost Impacts on Private Persons.

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State.

None.

- (e) Other Nondiscretionary Costs/Savings to Local Agencies.

None.

- (f) Programs Mandated on Local Agencies or School Districts.

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4.

None.

- (h) Effect on Housing Costs.

None.

#### Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

#### Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### FISH AND GAME COMMISSION

Dated: May 17, 2011

Jon K. Fischer  
Acting Executive Director

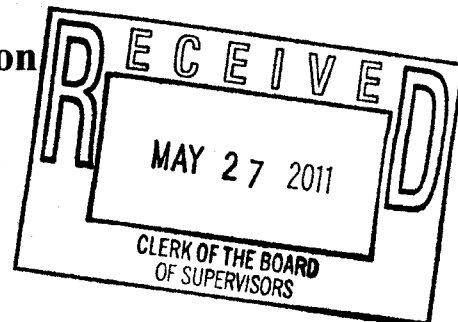
**COMMISSIONERS**  
**Jim Kellogg**, President  
Discovery Bay  
**Richard Rogers**, Vice President  
Montecito  
**Michael Sutton**, Member  
Monterey  
**Daniel W. Richards**, Member  
Upland  
**Jack Baylis**, Member  
Los Angeles

**EDMOND G. BROWN, JR.**



1416 Ninth Street  
Box 944209  
Sacramento, CA 94244-2090  
(916) 653-4899  
(916) 653-5040 Fax  
fgc@fgc.ca.gov

STATE OF CALIFORNIA  
**Fish and Game Commission**



May 27, 2011

**To All Interested and Affected Parties,**

This is to provide you with a copy of the notice of proposed regulatory action relative to amendments of Sections 671.1 and 703, and addition of Section 671.8, Title 14, California Code of Regulations, relating to Inspection of Facilities for Restricted Species, which will be published in the California Regulatory Notice Register on May 27, 2011.

Associated documents will also be published to the Fish and Game Commission website at <http://www.fgc.ca.gov/regulations/new/2011/proposedregs11.asp>.

Please note, on page three of the attachment, the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

**Dr. Eric Loft, Department of Fish and Game, phone (916) 544-3555, has been designated to respond to questions on the substance of the proposed regulations.**

Sincerely,

Jon D. Snellstrom  
Associate Governmental Program Analyst

Attachment

**TITLE 14. Fish and Game Commission  
Notice of Proposed Changes in Regulations**

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 215, 220, 240, 315 and 316.5 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 205, 206, 215, 220, 316.5, 5508 and 5509, of said Code, proposes to amend Sections 671.1 and 703, and Add Section 671.8, Title 14, California Code of Regulations, relating to Inspection of Facilities for Restricted Species.

**Informative Digest/Policy Statement Overview**

Existing regulations specify the conditions under which an individual or entity can lawfully possess restricted species in California. The proposed regulatory change completes the modifications needed in regulation to comport with AB 820 (Statutes of 2005) (now sections 2116-2195 Fish and Game Code). The statute and consequent regulations are intended to implement a more comprehensive, self-sustaining, self-funded program for inspection and monitoring of facilities in California.

There is a provision in regulation that essentially delegated Department authority for facility inspections to veterinarians in some cases and resulted in waived fees to permit holders. The Department has determined that the authority needs to be with the Department and that the Department still had incurred costs/expenses even when a veterinarian exercised the approval.

Fish & Game Code section 2150.2 explicitly requires that the inspection program be self-funding. To conform to this requirement, the Department must eliminate the veterinarian "fee waiver" provision. Because the Department is obligated to conduct its own inspections under Fish & Game Code section 2150.4 regardless of whether or not a veterinarian also inspects the animals, the fee waiver would cause the Department to conduct inspections without receiving any compensation; were the Department to do so, the program would not be self-funding.

The Department has assessed the anticipated costs to implement this inspection program and based on cost-calculations, has estimated an average annual cost per permit (Table 1). The \$670 annual inspection fee is to cover the costs of implementing the legislation and regulation through hiring of two environmental scientists and a half-time office assistant.

**Table 1. Estimated Average Inspection Costs for Restricted Species Permits (assumes 320 permits/year and excluding fish/aquaculture permits)**

***200 mile round trip (estimated average) from duty station to permit facilities and return***

|   |  |              |
|---|--|--------------|
| Inspection time <sup>1</sup>  | 2 hrs.   | \$105        |
| Vehicle travel costs <sup>2</sup>                                     | 200 miles  | \$100        |
| Lodging and meals <sup>3</sup>  | Estimated that 1/3 of trips will require overnight travel (average cost) | \$47         |
| Travel time <sup>4</sup>  | 4 hrs.   | \$210        |
| Staff time and vehicle costs total                                    |  | \$462        |
| Dept. overhead (20.43%)   |  | \$116        |
| Fixed annual DFG costs (Office rent, Technology support) <sup>5</sup> |  | \$52         |
| One time fees- averaged over 5 year phase-in <sup>6</sup>             |  | \$40         |
| <b>Total Cost</b>   |  | <b>\$670</b> |

**Comprehensive estimated cost for each inspection assuming an average 200 mile roundtrip = \$670**

***Hourly Inspection Fee (applies to additional hours and represents average cost estimate whether the Department respondent is in a scientist classification or Law Enforcement classification)***

|  |       |                 |
|--|-------|-----------------|
| Inspection time <sup>7</sup>   | 1 hr. | \$60.00         |
| Staff time total   |       | \$60.00         |
| Dept. overhead (20% rounded)   |       | \$12.00         |
| <b>Total Cost per hour</b>   |       | <b>\$72.00</b>  |
| <b>Estimated cost for an extra hour of inspection time = \$72</b>  |       |                 |
| <b>One-time costs required to establish inspection team</b>  |       |                 |
| Vehicles (2)   |       | \$50,000        |
| Computers, Desks, Equipment  |       | \$15,000        |
|  |       |                 |
| <b>Total Cost</b>  |       | <b>\$65,000</b> |
| <b>Estimated One-time Costs to Implement Regulations (averaged in on a per inspection cost over five years and assuming 320 inspections/yr) = \$65,000</b> |       |                 |
| Footnotes  |       |                 |
| 1) Salary estimates derived from 2 ES positions (\$42.28/hr and 1 ½-time OA (\$10.24/hr).  |       |                 |
| 2) Vehicle costs based 50 cents per mile for vehicles.   |       |                 |
| 3) Lodging & meals based on estimate that 1 of 3 trips will be distant enough to require overnight travel.   |       |                 |
| 4) Travel time based is estimated considering travel in Southern California as well as N. California.  |       |                 |
| 5) Fixed costs are \$6,000/py/yr for office rent and \$750/py/yr for Technology support (x 2.5 py) = \$16,865/yr   |       |                 |
| 6) One-time costs to Implement Regulations (averaged in on a per inspection cost over five years and assuming 320 inspections/yr                           |       |                 |
| 7) Does not include administrative cost of Office Asst. position which is assumed to be the same for each inspection regardless of duration.               |       |                 |

Permitted individuals and facilities for restricted species occur throughout the state. Currently, the Department has approximately 320 permitted facilities that would require inspection. The Department estimates that 2.5 new positions (two Environmental Scientists (ES) for 160 inspections and reports each (one northern California, one Southern California); and one ½-time Office Assistant (OA) for compiling records and maintaining databases) could handle the workload. Estimated total costs for these positions is currently \$87,274/yr for each ES; and \$21,150/yr for the half-time OA, not including operating costs. Administrative costs would be borne by the Department at the estimated overhead rate of 20.43%. Department office rental costs are currently \$6,000/position, \$750/yr for technology support (emails, internet, etc.) or \$15,000/yr for this proposal. Operating costs consisting of training, two vehicles, computers/desks, inspection equipment, vehicle maintenance, fuel, and travel costs are approximately \$1,000/month per field position. One time costs for computers, vehicles, etc. would total approximately \$65,000.

Monthly vehicle rentals from the State garage are in approximately \$700/mo in addition to added cost of staff time to pick up and drop off. With the current number of permit inspections the cost to the department for state garage vehicles would annually exceed \$16,800; or \$84,000 prorated to five years. Additionally, these employees will have full time jobs traveling daily for inspections around the state. Use of private cars would be also an expensive alternative for the state at >0.50 cents a mile. Therefore the best financial solution for transportation will be to purchase two state owned vehicles at a five year prorated total of \$50,000; or \$10,000 annually.

Existing regulations specify fees for the permitted activities of possession of restricted species and activities that may be undertaken with them. The proposed regulatory changes will establish fees for inspection of restricted species facilities including clarifying the aquaculture and fish species facilities inspections.

The proposed regulatory change additionally clarifies the type of permit(s) required to enable a permit holder to sell restricted species.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Lexington Plaza Waterfront Hotel, Stockton, California, on Thursday, June 30, 2011, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the State of California Resources Agency Building Auditorium, 1416 Ninth Street, Sacramento, California, on Thursday, August 4, 2011, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before July 25, 2011 at the address given below, or by fax at (916) 653-5040, or by e-mail

to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on July 25, 2011. All comments must be received no later than August 4, 2011, at the hearing in Ontario, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Jon K. Fischer, Acting Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Jon K. Fischer or Jon Snellstrom at the preceding address or phone number. **Dr. Eric Loft, Department of Fish and Game, (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

#### Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

#### Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businessmen to Compete with Businesses in Other States.

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Considering the small number of permits issued over the entire state, this proposal is economically neutral to business in general. As the number of permitted persons is so small (approximately 300-320 in all of California) there will be cost impacts that a representative private person or business who is among the 300-320 permittees would necessarily incur in reasonable compliance with legislative requirements directing this proposed action. Fish and Game Code Section 2150.2 states the Department "shall establish fees... in amounts sufficient to cover the costs...". These costs would occur in applying for an inspection to house restricted wild animals and subsequent maintenance if deficiencies are found. Part of the reason that costs/person are at the proposed levels are because of the relatively small number of permittees and the high amount of Department staff time needed for reviewing/approving applications and/or conducting inspections.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California.

Due to the limited number of permittees, the impacts are expected to be minimal but are unknown at this time.

(c) Cost Impacts on Private Persons.

There will be cost impacts that a representative private person conducting business and who is among the 300-320 permittees would necessarily incur in reasonable compliance with legislative requirements directing this proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State.

Costs to the State for application reviews, processing, issuing permits, maintaining databases, inspections, development and maintenance of a mammal registry, and other administrative or enforcement costs are intended to be revenue neutral by being offset through an appropriate fee structure.

(e) Other Nondiscretionary Costs/Savings to Local Agencies.

None.

(f) Programs Mandated on Local Agencies or School Districts.

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4.

None.

(h) Effect on Housing Costs.

None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

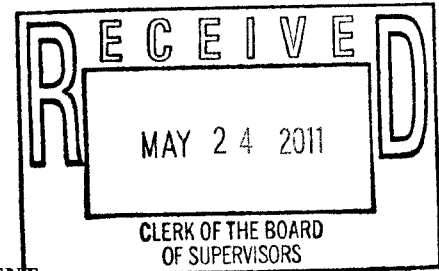
Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

Dated: May 17, 2011

Jon K. Fischer  
Acting Executive Director



## MEMORANDUM

### ELECTION OF SECOND VICE PRESIDENT

To: County Board Chairpersons, Parish Presidents, Borough Mayors,  
County Judges and Elected County Executives  
From: Glen Whitley, NACo President  
Date: May 4, 2011  
Subject: Voting Credentials – 2011 Annual Conference

NACo is preparing for the 76th Annual Conference to be held July 15-19, 2011, in Multnomah County, OR. It is important that your county participates in the association's annual election of officers and policy adoption. **In order to participate, a county must have paid its membership dues and have one paid registrant for the conference, according to NACo bylaws.**

Please read the enclosed information carefully. Indicate on the credentials form the name of the voting delegate and alternate authorized to pick up your county's voting materials. **You must also indicate your county's choice on the form in the event that your delegate does not pick up the county's ballot.** Your choices are:

- allow your **state association president (or designee)** to pick up your ballot
- allow **another county within your state** to pick up your ballot
- allow **no one** to pick up your county's ballot and therefore not have your vote cast

A checklist is enclosed to assist you in filling out the voting credentials form. Additionally, the chief elected official of your county must sign the form. A chief elected official may include the following:

- board chair/president
- mayor
- county judge
- **elected** county executive.

Please fill out this form in advance and mail or fax **ONLY** the enclosed form by **FRIDAY, JULY 1**.

**If you are not planning to attend the conference, you do not have to turn in the credentials form.**

Ilene Manster - Fax (202) 393-2630

Credentials Committee  
Attn: Ilene Manster  
National Association of Counties  
25 Massachusetts Ave, NW, Suite 500  
Washington, DC 20001

Membership Coordinator, Ilene Manster, can be reached at (202) 942-4291 or [imanster@naco.org](mailto:imanster@naco.org). We look forward to seeing you in Multnomah County!

**BOS CORRESPONDENCE E**

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## COMMITTEE MEETINGS

**5:15 P.M.**

**Land Use and Public Works Committee** - (Supervisors Abe and Stocker - Alternate Supervisor Nicoletti)

- A. Consider adding Chapter 8.77 to the Yuba County Ordinance Code relating to the Star Bend Boat Launch and day use area - Community Development and Services (Five minute estimate) (229-11)
- B. Consider establishing a policy on Public Works participation in the proposed Lower Yuba River Access Coalition - Community Development and Services (Five minute estimate) (230-11)

**Human Services Committee** - (Supervisors Stocker and Vasquez - Alternate Supervisor Abe)

- A. Consider budget transfer in the amount of \$50,000 from Account No. 106-0000-361-4707 (Health Grants) to Account No. 106-4700-441-2811 for higher than anticipated Children's Services program treatment cost expenditures for Fiscal Year 2010/2011 - Health and Human Services (Five minute estimate) (233-11)
- B. Consider budget transfer in the amount of \$6,750 for purchase of five high capacity water pumps - Health and Human Services (Five minute estimate) (234-11)

**Law and Justice Committee** - (Supervisors Nicoletti and Vasquez - Alternate Supervisor Stocker)

- A. Consider contract with Yuba Sutter Legal Center for Small Claims Litigant Assistance - County Administrator (Five minute estimate) (231-11)
- B. Consider amendment to the Public Defender Services Contract with Benjamin Wirtschafter - County Administrator (Five minute estimate) (232-11)

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# The County of Yuba

## Community Development & Services Agency

**Kevin Mallen, Director**

Phone - (530) 749-5430 • Fax - (530) 749-5434  
915 8<sup>th</sup> Street, Suite 123  
Marysville, California 95901  
www.co.yuba.ca.us



**BUILDING**  
749-5440 • Fax 749-5616

**CODE ENFORCEMENT**  
49-5455 • Fax 749-5464

**ENVIRONMENTAL HEALTH • CUPA**  
749-5450 • Fax 749-5454

**HOUSING AND COMMUNITY SERVICES**  
749-5460 • Fax 749-5464

**PLANNING**  
749-5470 • Fax 749-5434

**PUBLIC WORKS • SURVEYOR**  
749-5420 • Fax 749-5424

**FINANCE AND ADMINISTRATION**  
749-5430 • Fax 749-5434

June 07, 2011

TO: LAND USE AND PUBLIC WORKS COMMITTEE

FROM: MICHAEL LEE, PUBLIC WORKS DIRECTOR  
RYAN McNALLY, PARKS AND LANDSCAPE COORDINATOR

SUBJ: CONSIDER ORDINANCE ADDING CHAPTER 8.77 OF THE ORDINANCE CODE FOR THE STAR BEND BOAT LAUNCH AND DAY USE AREA

### RECOMMENDATION:

Consider the attached ordinance adding Chapter 8.77 of the Yuba County Ordinance Code for the Star Bend Boat Launch and Day Use Area.

### BACKGROUND:

With the recent improvements to the Star Bend Boat Launch and Day Use Area, as well as expanded recreational opportunities in the proposed Feather River Floodway project, the County expects a marked increase in its use by the public. Because of new and unique opportunities at Star Bend, including camping, an ordinance section dedicated to the facility is now warranted. Section 8.77 of the Yuba County Ordinance Code is currently unallocated, and if assigned to Star Bend, will allow the County to make changes to it as necessary without affecting other parks.

### DISCUSSION:

Historically, Star Bend has fallen under the purview of the County Parks and Recreation Areas in Ordinance 8.76. However, with recent improvements, Star Bend has become more dynamic in the opportunities it provides and to a degree, public safety needs to be addressed in a different manner. Although much of the proposed ordinance remains the same as other County parks, including day use hours, notable changes proposed in Y.C.O.C. 8.77 include:

- The ability for the Board of Supervisors to determine use fees by resolution
- Overnight camping (*No tent camping; max stay is three (3) days in any fourteen (14) day period*)
- Organized Events
- Third party vending upon County authorization

FISCAL IMPACT:

No impact to the General Fund.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ADDING YUBA COUNTY ORDINANCE CODE TITLE VIII,  
CHAPTER 8.77 RELATING TO THE STAR BEND BOAT LAUNCH AND DAY USE  
AREA**

The following ordinance consisting of three (3) sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Yuba, State of California, at a regular meeting of the Board of Supervisors held on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

AYES:

NOES:

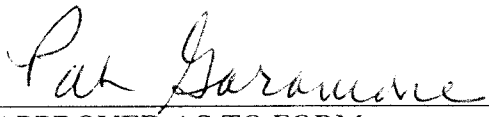
ABSENT:

ABSTAIN:

\_\_\_\_\_  
Chairman  
Yuba County Board of Supervisors

ATTEST: DONNA STOTTLEMEYER  
Clerk of the Board of Supervisors

By: \_\_\_\_\_

  
\_\_\_\_\_  
APPROVED AS TO FORM  
ANGIL MORRIS-JONES

THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA, STATE OF CALIFORNIA  
DOES ORDAIN AS FOLLOWS:

Section 1. This ordinance shall take effect thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper in the County of Yuba, State of California.

Section 2. Chapter 8.77 of the Yuba County Ordinance Code is hereby added in its entirety to read as follows:

**CHAPTER 8.77**  
**STAR BEND BOAT LAUNCH and DAY USE AREA**

**Sections**

- 8.77.010 Purpose**
- 8.77.020 Common Description**
- 8.77.030 Prohibition of Certain Uses without Permit**
- 8.77.040 Hazardous Games Prohibited**
- 8.77.050 Hours**
- 8.77.060 Camping and Organized Events**
- 8.77.070 Fees**
- 8.77.080 Stopping, Standing or Parking**
- 8.77.090 Use of Boat Ramp**
- 8.77.100 Operations of Vehicles at Star Bend**
- 8.77.110 Animals at Star Bend**
- 8.77.120 Signs**
- 8.77.130 Alcoholic Beverages**
- 8.77.140 Glass Containers**
- 8.77.150 Vending and Peddling**
- 8.77.160 Fire Prevention**
- 8.77.170 Trespassing**
- 8.77.180 Prohibited Acts**
- 8.77.190 Violations and Penalties**
- 8.77.200 Enforcement**

**8.77.010 Purpose.** The Star Bend Boat Launch and Day Use Area shall be used and maintained for the benefit and entertainment of the public generally, subject, however, to the restrictions and limitations contained in this chapter and such other regulations (including requirements for permits and the fees therefore) as the Board of Supervisors may adopt hereafter by resolution. The regulations set forth in this chapter shall apply to and be in full force and effect at Star Bend which is under the jurisdiction and control of the County. The regulations shall govern the use of such park and the observance of these regulations shall be a condition under which the public may use the park and recreation areas. (Ord. #1237)

### **8.77.020 Common Description.**

**Star Bend Boat Launch and Day Use Area** - As used herein, the term "Star Bend" shall include that area within the County of Yuba, State of California, and more particularly described as follows:

#### **Parcel 1:**

Portion of Lots 1 in Block 1 and a portion of Lot 16 in Block 36, as shown upon the map entitled, "Arboga Colony No. 2," on file in the office of the County Recorder of the County of Yuba, State of California in Book 2 of Maps, page 15 and being more particularly described as follows:

Beginning at a point on the line between lots 15 and 16 in said Block 36, which point is South 184.5 feet from an iron pin at the Northwest corner of the Southwest quarter of said Lot 16; thence South 49° 30' East 1006.1 feet, thence South 24° 19' 30" West 281.4 feet to the Northerly bank to the intersection of the Westerly line of said Lot 1; thence North along the Westerly line of said Lot 1 and Lot 16, a distance of 850 feet, more or less, to the point of beginning, containing 9 acres, more or less.

#### **Parcel 2:**

An easement 50 feet in width for public use and access over and across the following described parcel which is located in Lot 1 of Block 1 hereinbefore referred to:

Beginning at the Southeast corner of Lot 16, Block 36; thence West 766.97 feet along South line of Lot 16 to a square iron stake; thence South 45° 01' 30" East 361.68 feet to the true point of beginning; thence South 56 degrees 57' 30" East 137.55 feet; thence South 33° 02' 40" West 200 feet, more or less, to the Northerly bank of Feather River; thence Northerly along the high water line of the Feather River, a distance of 185 feet, more or less; thence North 24° 19' 30" East 170 feet, more or less; thence North 24° 19' 30" East 111.43 feet; thence South 81° 51 East to the point of beginning.

**8.77.030 Prohibition of Certain Uses Without Permit.** The Board of Supervisors may by resolution adopt regulations and policies with respect to the use of Star Bend. It shall be unlawful for any person to use Star Bend or conduct any activity at Star Bend without a permit if such permit is required by any law or regulation. In addition to any penalty otherwise provided, any person so using Star Bend without the necessary permit may be immediately ejected from said park by the County Sheriff. (#1237)

**8.77.040 Hazardous Games Prohibited.** It is unlawful for any person to fly a model airplane (motor-driven), propel a rocket or missile of any type, hit a golf ball, participate in archery.

horseshoe games, lawn darts or any similar game of a hazardous nature at Star Bend except at such places designated for such use by the County. (#1237)

**8.77.050 Hours.** It is unlawful for any person to enter or remain at Star Bend at any time from thirty (30) minutes after sunset until thirty (30) minutes before sunrise. This prohibition shall not apply to such person who camps overnight at Star Bend if such persons are camping there pursuant to approval of the Board of Supervisors or its designee granted under the provisions of Section 8.77.060 (#237)

**8.77.060 Camping and Organized Events.**

**a) Definitions**

1. Camping means to establish or maintain on public property a temporary place for cooking, sleeping, or storing personal belongings either: outdoors, with or without shelter; in, on, or under any structure not intended for human occupancy; in, on, or under any parked vehicle; or in, on, or under any abandoned or unoccupied structure. For purposes of this definition, establishing or maintaining a place for sleeping shall include setting up bedding, including, but not limited to, sleeping bags, blankets, mattresses, tents, hammocks, and cots for the purpose of sleeping. For purposes of this definition, personal belongings include, but are not limited to, clothing, sleeping bags, bed rolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar material.
2. Camp facilities include, and are limited to, a vehicle which is an enclosed motor home, travel trailer, truck camper, or camping trailer with or without motive power, designed for recreational human habitation, and having a self contained restroom. Tent camping is prohibited at Star Bend.
3. Camp paraphernalia includes but is not limited to tarpaulins, cots, beds, sleeping bags, hammocks, or similar equipment.

**b) Camping Regulations**

1. It shall be unlawful for any person to camp overnight at Star Bend except within designated areas and with a permit for such use issued by the County department designated by the Board of Supervisors to issue such permits. The County may at any time revoke the camping permit of any person, group or organization if the campsite occupied by such is not maintained in a reasonably clean, sanitary and attractive manner.
2. Camping permits shall be issued so as to expire after a maximum of three (3) days. All camping permits expire at 2:00 p. m. on the expiration day. No person shall camp for more than three (3) days in any fourteen (14) day period, and, once a person has camped for three (3) days within any fourteen (14) day period, that person shall not be permitted to camp for a

period of fourteen (14) additional days. It is the intent of Yuba County that the Star Bend Boat Ramp area be utilized for recreational purposes and not for extended periods of residency.

3. No person shall, without the prior written approval of the County, park more than two (2) motor vehicles or one (1) motor vehicle and one (1) boat trailer or (1) camp trailer at any one (1) campsite.
4. No more than six (6) persons may occupy any single designated campsite.
5. Quiet shall be observed in all camping areas of a county park between the hours of 10:00 p.m. and 7:00 a.m. During these hours, no person shall make, either verbally or mechanically, any excessive noise.
6. No person under the age of eighteen (18) shall camp within a county park unless accompanied by a parent, legal guardian, adult leader (e.g., teacher, coach, or scoutmaster) of a school or other youth group, or the parent or legal guardian of another minor camping in the same group.

**c) Organized Events**

Organized events are permitted at the Star Bend Boat Ramp within designated areas and with a permit issued by the County department designated by the Board of Supervisors to issue such, or in conjunction with a group which is participating in an organized event which has been approved in advance by the Board of Supervisors or its designee. Any such advance approval shall include such conditions as the Board of Supervisors or its designee deems necessary or appropriate including, without limitation, provision for:

1. A written application made at least five working days prior to the proposed event;
2. Liability insurance;
3. Cleanup deposits;
4. Security;
5. Portable toilets sufficient to accommodate the number of attendees; and
6. Other matters which apply generally to the use of county property.

The Board of Supervisors or its designee is authorized to refuse issuance of a permit when, in their opinion based upon the duration of occupancy and other factors, there is indication that the occupancy is for other than recreational purposes or may pose a threat to public health and safety.

**8.77.070 Fees.** The Board of Supervisors shall set the fees for daytime use, overnight camping and organized events by resolution. All applicable fees must be paid prior to using Star Bend.

**8.77.080 Stopping, Standing or Parking.** No person shall stop, stand or park a vehicle at Star Bend, except in those places specifically designated for such purpose.

**8.77.090 Use of Boat Ramp.** The boat ramp at Star Bend shall be used only for loading and unloading of boats into the Feather River. No person shall stop, stand or park a vehicle on or about the boat ramp except for such purpose.

**8.77.100 Operation of Vehicles at Star Bend.** It shall be unlawful for any person to operate or park any motor vehicle in or upon any park or recreation area, except in those places specifically provided or designated for such purpose. As used in this section, "motor vehicle" shall include any type of motor vehicle, including, without limitation, horse trailers, motorcycles, motorized two (2), three (3), or four (4) wheel vehicles, buses, and automobiles. Operation of off road vehicles is prohibited. Bicyclists shall be permitted to wheel or push bicycles by hand on any grassy area, trail, or path reserved for pedestrian use. All non-motorized vehicles shall be operated at all times with reasonable regard for the safety of others.

**8.77.110 Animals at Star Bend.**

(a) It shall be unlawful for any person who owns or has the charge, care, control or custody of any animal to allow, cause, or permit such animal to be at Star Bend, unless such animal is on a leash and is under the complete control of the person owning or in responsible charge of such animal. Such leash shall not be more than eight (8') feet in length.

(b) It shall be the responsibility of any person who owns or has charge, care, control or custody of any animal, while at Star Bend, to clean up fecal matter from their animal before leaving the facility and to properly dispose of same.

**8.77.120 Signs.** The Director of Public Works is authorized and directed to place and maintain appropriate signs giving notice of any restriction imposed by this chapter including, without limitations, signs regulating parking and overnight camping activities.

**8.77.130 Alcoholic Beverages.** Alcoholic beverages may be possessed at the Star Bend Boat Ramp and parking areas for the purpose of transit between vehicles and vessels intended to be launched or retrieved from the Feather River. Otherwise, alcoholic beverages may be used, possessed and consumed at Star Bend only in designated campsites.

**8.77.140 Glass Containers.** No glass containers of any type shall be permitted at Star Bend except within parked vehicles; or

- a. When conducting the transfer of personal belongings or refreshments when loading and unloading boats; and

- b. Within designated campground areas.

**8.77.150 Vending and Peddling.** It shall be unlawful for any person to engage in the business of soliciting, selling, or peddling any liquids or edibles for human consumption, or to distribute circulars, or to hawk, peddle, or vend any goods, services, wares, or merchandise, at Star Bend, except;

- a. When authorized to do so by the County; or
- b. As a third party vendor selected through bid process by Yuba County to act as a concessionaire for the management of camping, day use reservations, rentals and/or the sale of goods at Star Bend.

**8.77.160 Fire Prevention.** It shall be unlawful to carry, use or throw away any lit cigarette, cigar, ashes, or any other flaming or glowing substance except in designated barbeque areas, vehicles, or posted clear areas at Star Bend.

It shall be unlawful to kindle or maintain an open campfire or bonfire except in designated barbeque areas, fire pits, campfire rings or posted clear areas.

The County shall have authority to prohibit burning at Star Bend at any time if the danger of wildfire becomes elevated as determined in the County's sole discretion.

**8.77.170 Trespassing.** No person shall enter any portion of Star Bend which are posted with signs which state "No Entry," "Keep Out," "No Trespassing," "Closed Area," or when gates are locked or other prohibition of entry is indicated.

**8.77.180 Prohibited Acts.**

The following acts are prohibited at Star Bend:

- a. Dumping, depositing or leaving any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or other such refuse or trash except in proper receptacles provided for such purpose. Such refuse or trash so placed shall be generated only in connection with normal activities in, and/or through the use of the park or recreation area. Where such receptacles are not provided, all refuse or trash shall be carried away from the park or recreation area by the person(s) responsible for its presence and properly disposed of elsewhere.
- b. Breaking, cutting, carving, defacing, injuring, mutilating, transplanting, removing or otherwise damaging any animal, grass, turf, plant, tree, shrub, flower, wood, dirt, mulch, sand or rock.

- c. Marking, graffiti, defacing, disfiguring, injuring, tampering with, displacing, digging, removing, destroying, or obliterating any County-owned real or personal property of any kind.
- d. Tampering, damaging, breaking, or causing adjustment to any irrigation component including, but not limited to controllers, repeaters, weather monitoring stations, sprinklers, sprayers, access boxes, poly-hose, or pipe that would affect the irrigation pattern or otherwise cause for the malfunction of any County maintained irrigation system.
- e. Discharging a projectile from any firearm, cannon, compressed air or gas operated weapon, bow, crossbow, slingshot, or other deadly or dangerous weapon except in the defense of life or property or upon the authorization of the Board of Supervisors.
- f. Possessing, using, discharging or selling any firecrackers, torpedoes, rockets, explosives, or other fireworks of any type.
- g. Hunting for wild animals or wild birds.
- h. Trespassing upon any area, building, or portions thereof which are posted with signs disallowing entry or when gates, doors or other means of access are closed or locked for the purpose of prohibiting entry.
- i. Walking, standing, or sitting upon or otherwise use any monument, vase, fountain, railing, fence, or other property not designated or customarily used for such purposes.
- j. Disposing of, introducing or otherwise exposing any chemical, material or agent that may result in the pollution, temperature adjustment, chemical balance, aesthetic quality, change of color, change of texture or otherwise alter the natural occurrence of any body of water, water surface or water feature.
- k. Urinating, defecating or otherwise excreting any bodily fluid and/or by-product except within designated restroom areas. It shall be unlawful for males to use said restroom areas exclusively designated and marked for females, and for females to use said restroom areas exclusively designated and marked for males; provided however that restroom designation shall not apply to children accompanied by an adult person.
- l. Distributing, circulating, giving away, throwing or otherwise depositing any handbill, circular, dodger, pamphlet, paper or advertisement or post or affix the same to any tree, fence, building, or other property.

- m. Producing any loud, unnecessary or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area as outlined in Chapter 8.20 of the Yuba County Ordinance Code.

**8.77.190 Violations and Penalties.** Except as otherwise provided in this chapter, any person violating any provision of this chapter is guilty of a misdemeanor, and upon conviction thereof is punishable by imprisonment in the County jail for a term not exceeding six months or a fine not exceeding one-thousand dollars (\$1,000.00) or both. Each separate day during which any violation occurs is a separate offense.

**8.77.200 Enforcement.** The provisions of this chapter may be enforced by any duly appointed peace officer. Any person authorized to enforce the provisions of this chapter may issue such citation or notice to appear as may be appropriate under the circumstances.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

# The County of Yuba

## Community Development & Services Agency

**Kevin Mallen, Director**

Phone - (530) 749-5430 • Fax - (530) 749-5434  
915 8<sup>th</sup> Street, Suite 123  
Marysville, California 95901  
www.co.yuba.ca.us



**BUILDING**  
749-5440 • Fax 749-5616

**CODE ENFORCEMENT**  
749-5455 • Fax 749-5464

**ENVIRONMENTAL HEALTH • CUPA**  
749-5450 • Fax 749-5454

**HOUSING AND COMMUNITY SERVICES**  
749-5460 • Fax 749-5464

**PLANNING**  
749-5470 • Fax 749-5434

**PUBLIC WORKS • SURVEYOR**  
749-5420 • Fax 749-5424

**FINANCE AND ADMINISTRATION**  
749-5430 • Fax 749-5434

**PARKS AND RECREATION**  
749-5430 • Fax 749-5434

June 07, 2011

TO: LAND USE AND PUBLIC WORKS COMMITTEE

FROM: MICHAEL LEE, PUBLIC WORKS DIRECTOR  
RYAN McNALLY, PARKS AND LANDSCAPE COORDINATOR

SUBJ: ESTABLISH POLICY ON PUBLIC WORKS PARTICIPATION IN THE PROPOSED LOWER YUBA RIVER PUBLIC ACCESS COALITION

### RECOMMENDATION:

For the Board of Supervisors to establish policy and provide direction on how the Board would like Public Works to proceed in participating in the proposed Lower Yuba River Public Access Coalition.

### BACKGROUND:

On May 5<sup>th</sup>, 2011, Yuba County Public Works received an invitation from the Gold Country Fly Catchers to become a stakeholder in its plan to form the Lower Yuba River Public Access Coalition with the goal of improving public access to the Yuba River. A goal of the coalition would be to give anglers continued access to the south side of the Yuba River from the Highway 20 bridge at Parks Bar westward to BLM property. This property is owned by Western Aggregates, but they have historically granted public access in this pursuit. The coalition would endeavor to continue this understanding and further limit the unauthorized use of motorized vehicles through the property.

In addition, this coalition would also be in support of a permanent boat launch access at or near the Highway 20 bridge for appropriate vessels in pursuit of angling opportunities.

### DISCUSSION:

If the Board wishes to support this endeavor, the Coalition asks that the County return the form attached to their original letter. The letter is included as an attachment to this report.

### FISCAL IMPACT:

No foreseeable impact to the General Fund.



Date: May 5th, 2011

Re: Establishing a LOWER YUBA RIVER PUBLIC ACCESS COALITION

To: California Dept. of Fish and Game

Nevada Co. Fish and Wildlife Commission

Yuba Co. Fish and Game Commission

Yuba Co. Water Agency

Sierra Nevada Alliance

Yuba Co. Public Works

USFWS

Nevada County Board of Supervisors

NCCFFF

NCCFFF Clubs

My name is John Felde and as the chairman of the Conservation Committee of the Gold Country Fly Fishers, I am writing on behalf of the club. The club is located in Nevada County and consists of approximately 170 members. The Lower Yuba River is our home waters.

We have concerns over angler public access to the Lower Yuba as it serves as a major fishing location for both local residents and those who come from more urban areas like Sacramento and the San Francisco Bay area. This river has a long history as a favored fishing location,

particularly for fly fishers. Its fishery is well known and its quality is unparalleled in central California.

In recent years access for the public has become more and more restricted from Englebright Dam downstream to Marysville. The last vestige of historical public access is now from the Highway 20 Bridge to the BLM lands on the south side of the river. We recognize that Western Aggregate owns the land, but they have allowed access here for many years from Hammonton Road to the river. We share their concerns over inappropriate use of the land by ATVs and other motorized vehicles, and would like the opportunity to develop a shared access settlement for anglers.

Toward that end, we are interested in forming the LOWER YUBA RIVER PUBLIC ACCESS COALITION, a group of stake holders that are interested in maintaining public access for walk and wade fishing. Additionally, we support a permanent boat launch access at or near the Highway 20 Bridge, as this has long been a location that both guides and unattached anglers use for launching drift boats and other suitable watercraft. Therefore, we are soliciting your participation as a member of this coalition and your support of retaining public access.

If your organization is interested in being a part of this important opportunity to prevent privatization of access to a long established publicly owned waterway and ensure public access for fishing and other recreation uses, please complete the form below and mail it to Gold Country Fly Fishers.

Members will receive a list of participants via e-mail.

Very sincerely yours,

John Felde

Conservation Chair

Gold Country Fly Fishers

Name of Organization \_\_\_\_\_

President or Authorized Representative \_\_\_\_\_

Signature \_\_\_\_\_

Address of Organization \_\_\_\_\_

E-mail Address \_\_\_\_\_

Mail to:

Gold Country Fly Fishers

P. O. Box 2988

Grass Valley, Ca. 95945

# The County of Yuba

## HEALTH & HUMAN SERVICES DEPARTMENT

**Suzanne Nobles, Director**

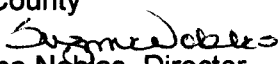
5730 Packard Ave., Suite 100, P.O. Box 2320, Marysville, California 95901  
Phone: (530) 749-6311 FAX: (530) 749-6281



233-11

**Joseph W. Cassady, D.O.,  
Health Officer**  
Phone: (530) 749-6366

**TO:** Human Services Committee  
Yuba County

**FROM:**   
Suzanne Nobles, Director  
Health & Human Services Department

**DATE:** June 7, 2011

**SUBJECT:** Authorization to Accept and Appropriate Additional California Children's Services (CCS) Revenue and Expenditure.

**RECOMMENDATION:** Board of Supervisors approval of the Health and Human Services Department's request to increase Public Health Grant Revenue by \$50,000.00 for the California Children's Services (CCS) Grant and increase Public Health Grant Line Item expenditure line for the same CCS Grant to cover the higher than anticipated CCS program treatment cost expenditures that have been incurred in Fiscal Year 2010/2011.

**BACKGROUND:** The CCS Program is mandated by Health and Safety Code, 123800 et seq. Assembly Bill 948 realignment legislation requires that the State and County CCS programs share in the cost of providing specialized medical care and rehabilitation to physically handicapped children through allocations of State General Fund and County monies. Funding for these medical services must be at least equivalent to the actual CCS expenditures claimed by the county during FY 1990/1991. The county Board of Supervisors annually appropriates this amount in the budget process to be held until diagnostic and treatment costs have been incurred for CCS program eligible children in Yuba County. The State is mandated to match these funds within available State General Funds. In the event that the CCS diagnostic and treatment expenditures for the county exceed the allocated amount, the county must increase their allocation appropriation or apply for emergency funding through the Department of Health Care Services.

**DISCUSSION:** In the current Fiscal year 2010/2011, CCS diagnostic and treatment expenditures have exceeded the current appropriation. Therefore, we are submitting a \$50,000 county appropriation increase. Appropriate paperwork has been submitted to the County Auditor for approval and submission to the State for matching funds.

**FISCAL IMPACT:** There is no fiscal impact to County Funds. The \$50,000.00 increase to both the Revenue on the Public Health Grant Line and the Grant Line Item Expenditure will be paid through the CCS Trust 348 revenue transfer.

WHITE AUDITOR - CONTROLLER  
YELLOW - COUNTY ADMINISTRATOR  
PINK - DEPARTMENT

*B. Sellers*

AUDITOR - CONTROLLER TRANSFER NO. \_\_\_\_\_

**COUNTY OF YUBA**  
**REQUEST FOR TRANSFER OR**  
**REVISION OF APPROPRIATION, ESTIMATED REVENUE OR FUNDS**

DATE: May 24, 20 11  
20

DEPARTMENT Health & Human Services - Health Division - 106

**REQUEST APPROVAL OF THE FOLLOWING TRANSFER FISCAL YEAR ENDING JUNE 30, 20** 11

**BUDGET OR ESTIMATED REVENUE**

- ☒ ESTIMATED REVENUE INCREASED  
☐ APPROPRIATION DECREASED

| ACCOUNT NO.        | NAME          | AMOUNT   |
|--------------------|---------------|----------|
| 106-0000-361.47-07 | Health Grants | \$50,000 |
|                    |               |          |
|                    |               |          |
|                    |               |          |
|                    |               |          |
|                    |               |          |
|                    |               |          |

- ☒ APPROPRIATION INCREASED

| ACCOUNT NO.        | NAME                   | AMOUNT   |
|--------------------|------------------------|----------|
| 106-4700-441.28-11 | Special Dept Exp - CCS | \$50,000 |
|                    |                        |          |
|                    |                        |          |
|                    |                        |          |
|                    |                        |          |
|                    |                        |          |
|                    |                        |          |

**FUND TRANSFERS**

FUNDS TO BE REDUCED:

| FUND          | AMOUNT   |
|---------------|----------|
| 348 CCS Trust | \$50,000 |

FUNDS TO BE INCREASED:

| FUND                                      | AMOUNT   |
|---|----------|
| 106-0000-371.99-01 Operating Transfers In | \$50,000 |

**GENERAL LEDGER (AUDITOR - CONTROLLER USE ONLY)**

| FUND | ACCOUNT | AMOUNT |        |  | FUND | ACCOUNT | AMOUNT |        |
|------|---------|--------|--------|--|------|---------|--------|--------|
|      |         | DEBIT  | CREDIT |  |      |         | DEBIT  | CREDIT |
|      |         |        |        |  |      |         |        |        |
|      |         |        |        |  |      |         |        |        |
|      |         |        |        |  |      |         |        |        |
|      |         |        |        |  |      |         |        |        |
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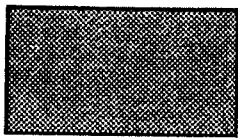
**REASON FOR TRANSFER:**

To cover higher than anticipated CCS Program Treatment expenditures that have been incurred in Fiscal Year 2010/2011

**APPROVED:**

☐ AUDITOR - CONTROLLER \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_ Signature *Dean E. Sellers* DEPARTMENT OR PUBLIC OFFICIAL

☐ COUNTY ADMINISTRATOR: \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_ Health & Human Services Director TITLE

|   |   |  |
|---|---|--|
| Approved as to Availability of Budget Amounts and Balances<br>by the Auditor/Controllers Office.<br>AUDITOR - CONTROLLER<br><br>Auditor/Controller, Dean E. Sellers |  | Approved:<br>BOARD OF SUPERVISORS<br><br>Clerk of the Board _____ Date _____ |
|---|---|--|

# The County of Yuba

## HEALTH & HUMAN SERVICES DEPARTMENT




234-11

### Suzanne Nobles, Director

5730 Packard Ave., Suite 100, P.O. Box 2320, Marysville, California 95901  
Phone: (530) 749-6311 FAX: (530) 749-6281

Joseph W. Cassady, D.O.,  
Health Officer  
Phone: (530) 749-6366

**TO:** Human Services Committee  
Yuba County

**FROM:**   
Suzanne Nobles, Director  
Health & Human Services Department

**DATE:** June 7, 2011

**SUBJECT:** Authorization for Appropriation of Funds and Approval to Purchase Equipment for the Public Health Emergency Preparedness Program (PHEP).

**RECOMMENDATION:** Board of Supervisors authorization to appropriate funds and approval to purchase five high capacity water pumps with filters to ensure potable water supplies for emergency medicines distribution sites (PODs), emergency shelters and alternate care sites. These pumps would primarily be used during initial emergency stages while waiting for other potable water sources to allow set-up and initial operations of emergency sites.

**BACKGROUND:** The Public Health Division, through its Health and Human Services Department, receives Public Health Emergency Preparedness/Pandemic Influenza (PHEP), grant funds in order to establish an infrastructure to plan and prepare for a response to acts of bioterrorism, as well as other infectious disease outbreaks and threats to public health. The state has approved the use of the grant funds for these purchases.

**DISCUSSION:** The Health and Human Services Department requests approval to purchase five high capacity water pumps with filters for a total cost of \$6,750.00 (see attached budgetary project proposal for detailed information) with funds from the PHEP grant. The purchase of these water pumps and filters will provide a means to obtain drinkable water at PODs, alternate care sites, emergency shelters, or wherever they are most needed in emergencies. It is anticipated that it will take time to arrange large supplies of drinkable water for these sites through traditional supply lines. These pumps will provide a stop-gap measure to allow set-up and initial operations of sites until these supplies become available. The state has approved the use of the grant funds for these purchases. We are requesting authorization to increase the 47-07 Revenue line item appropriating FY 2009-2010 funds approved for expenditure in FY 2010-2011 and increase our 62-00 (Fixed Assets) expenditure line by an equal amount.

**FISCAL IMPACT:** There is no fiscal impact to County Funds. The \$6,750.00 to purchase the equipment will be paid by the PHEP grant funds.

WHITE AUDITOR - CONTROLLER  
YELLOW - COUNTY ADMINISTRATOR  
PINK - DEPARTMENT

AUDITOR - CONTROLLER TRANSFER NO. \_\_\_\_\_

*03/20/11*

DATE: May 24, 20 11  
20

**COUNTY OF YUBA**  
**REQUEST FOR TRANSFER OR**  
**REVISION OF APPROPRIATION, ESTIMATED REVENUE OR FUNDS**

Health & Human Services - Health Division - 106

DEPARTMENT \_\_\_\_\_

REQUEST APPROVAL OF THE FOLLOWING TRANSFER FISCAL YEAR ENDING JUNE 30, 20 11

**BUDGET OR ESTIMATED REVENUE**

☒ ESTIMATED REVENUE INCREASED

☐ APPROPRIATION DECREASED

☒ APPROPRIATION INCREASED

| ACCOUNT NO.        | NAME          | AMOUNT  |
|--------------------|---------------|---------|
| 106-0000-361.47-07 | Health Grants | \$6,750 |
|                    |               |         |
|                    |               |         |
|                    |               |         |
|                    |               |         |
|                    |               |         |
|                    |               |         |

| ACCOUNT NO.        | NAME         | AMOUNT  |
|--------------------|--------------|---------|
| 106-4700-441.62-00 | Fixed Assets | \$6,750 |
|                    |              |         |
|                    |              |         |
|                    |              |         |
|                    |              |         |
|                    |              |         |
|                    |              |         |

**FUND TRANSFERS**

FUNDS TO BE REDUCED:

| FUND | AMOUNT |
|------|--------|
|      |        |
|      |        |

FUNDS TO BE INCREASED:

| FUND | AMOUNT |
|------|--------|
|      |        |
|      |        |

**GENERAL LEDGER (AUDITOR - CONTROLLER USE ONLY)**

| FUND | ACCOUNT | AMOUNT |        |  | FUND | ACCOUNT | AMOUNT |        |
|------|---------|--------|--------|--|------|---------|--------|--------|
|      |         | DEBIT  | CREDIT |  |      |         | DEBIT  | CREDIT |
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**REASON FOR TRANSFER:**

To purchase equipment that will be paid by the Public Health Preparedness Program (PHEP) grant funds.

**APPROVED:**

☐ AUDITOR - CONTROLLER \_\_\_\_\_  
Signature Date

Signature *Dean E. Sellers*  
DEPARTMENT OR PUBLIC OFFICIAL

☐ COUNTY ADMINISTRATOR: \_\_\_\_\_  
Signature Date

Health & Human Services Director

TITLE

Approved as to Availability of Budget Amounts and Balances  
by the Auditor/Controllers Office.

AUDITOR - CONTROLLER

Auditor/Controller, Dean E. Sellers



Approved:

BOARD OF SUPERVISORS

Clerk of the Board

Date



# The County of Yuba

## Office of the County Administrator

Robert Bendorf, County Administrator  
 John Fleming, Economic Development Coordinator  
 Russ Brown, Communications & Legislative Affairs Coordinator  
 Grace M Mull, Management Analyst  
 Teena L. Carlquist, Executive Assistant to the County Administrator  
 Yuba County Government Center  
 915 8th Street, Suite 115  
 Marysville, CA 95901

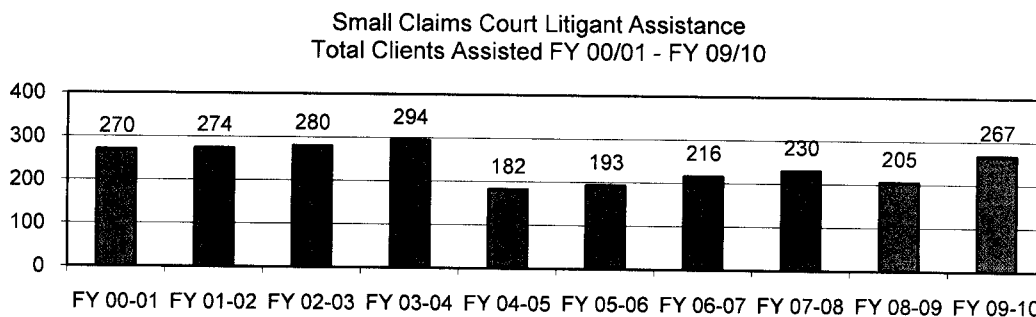
Phone: (530) 749-7575  
 Fax: (530) 749-7312  
 Email: rbendorf@co.yuba.ca.us  
 jfleming@co.yuba.ca.us  
 rbrown@co.yuba.ca.us  
 gmull@co.yuba.ca.us  
 tcarlquist@co.yuba.ca.us

**Date:** June 7, 2011  
**To:** Law & Justice Committee  
**From:** Robert Bendorf, County Administrator *RB/Bm*  
**By:** Grace Mull, Management Analyst  
**Re:** Small Claims Litigant Assistance Contract

**Recommendation:** Board of Supervisors approve and authorize Chairman to sign contract for Small Claims Court Litigant Assistance with the Yuba Sutter Legal Center.

**Background:** Code of Civil Procedure §116.260 requires counties to establish Small Claims Advisor programs to provide assistance to small claims court litigants and potential litigants without charge to the litigant. A portion of each small claims filing fee is distributed by the Courts to the County to help offset the costs associated with this service.

**Discussion:** The Yuba Sutter Legal Center has provided small claims advisor services since 1982. For the ten (10) year period FY 2000/01 – FY 2009/10, the average number of clients assisted annually was 241.



The Legal Center provides phone service as well as clinics where litigants can meet individually with the small claims advisor. The advisor reviews forms, assists in the completion of forms, and answers questions specific to the litigant's case. The Legal Center also provides advice by letter and provides sample completed forms for litigant use and copies of statutes relevant to their case.

**Fiscal Impact:** The fiscal impact associated with the proposed contract is \$6,500 per year for a three year period 7/1/11 – 6/30/14. Costs associated with this request for FY 11/12 are included in the proposed budget.

**AGREEMENT FOR SMALL CLAIMS COURT  
LITIGANT ASSISTANCE**

THIS AGREEMENT made and entered into this \_\_\_\_\_ of \_\_\_\_\_, 2011, by and between the Yuba Sutter Legal Center, a California non-profit corporation (hereinafter the "Legal Center") and the County of Yuba, a political subdivision of the State of California (hereinafter the "COUNTY")

**WITNESS**

WHEREAS, section 116.260 of the California Code of Civil Procedure requires individual assistance be made available to Small Claims Court litigants and potential litigants, and

WHEREAS, County desires to comply with said statute and provide said advice, and

WHEREAS, the Legal Center certifies that it is familiar with small claims court rules and procedures and competent to provide the necessary services, and

WHEREAS, County has the authority to enter into this agreement pursuant to Government Code section 31000.

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

1. Services Provided. The Legal Center shall provide individual personal advisory services to small claims court litigants suing in Yuba County's small claims court and to potential litigants in Yuba County's small claims court by either attorneys or trained paralegals working under the supervision of a member of the State Bar. Such advisory services shall be provided during normal business hours by clinics, or, when appropriate, by individual appointment, over the telephone or on a walk-in basis. Such services shall be available at all stages of Small Claims Court actions from pre-filing to appeal. However, once an appeal is

filed, the Legal Center has no obligation to provide such services. Such services shall be provided without a fee to the individuals involved.

The Legal Center will not assist in preparing documents for litigants or potential litigants or provide direct court room representation to any party.

2. Notice of Availability of Services. County shall provide written notice to plaintiffs and potential plaintiffs on the availability of the service and shall post a sign at the Clerk's counter. In addition, oral notification will be provided when appropriate. Defendants shall receive written notice of the availability of the service with the papers served on them by the plaintiffs.

3. Term. This Agreement shall commence on July 1, 2011, and shall continue until June 30, 2014.

4. Consideration. In consideration of services provided herein, County shall pay to Legal Center an annual fee of \$6,500. This fee will be paid in quarterly installments of \$1,625. Legal Center shall have no right to and the County shall have no liability for any additional monies.

5. Support Services. The Legal Center shall provide all secretarial and other personnel, office space and all materials, equipment, facilities and supplies necessary to provide the services under this contract.

6. Conflicts. The Legal Center shall administer the program so as to avoid the existence or appearance of a conflict of interest between the individuals providing the advisory services and any party to a particular small claims action or any judicial officer deciding small claims actions. If a possibility of a conflict of interest arises, the Legal Center will provide the individual with a copy of the small claims handbook and information on web sites and self help

law sites.

7. Record Keeping. The Legal Center shall keep monthly statistical records and make these records available to the Yuba County Superior Court and the Yuba County Administrator. Said statistical records shall indicate the number of persons requesting service, the frequency of contacts with each person, the number of contacts made, and the identification of the type of contacts made (i.e., telephone, walk-in, by appointment or at the Courthouse). The Legal Center shall submit formal reports to the Yuba County Board of Supervisors at the end of the second and fourth quarters of the contract year.

8. Attorney/Client Relationship. The parties agree that this agreement does not create the relationship of attorney and client between the Legal Center and the County and that if such a relationship is created, it is restricted to the Legal Center and those persons to whom services are provided as outlined herein.

9. Indemnification. Pursuant to Government Code section 818.9, the County, its officers, agents and employees shall not be liable because of any advice provided to Small Claims Court Litigants under this agreement. The Legal Center agrees to defend, indemnify and hold harmless the County against any costs, attorneys fees, expenses and all losses and liabilities which the County may incur or which may be threatened by reason of any suit, action, claim or procedure arising wholly or in part by any act or omission of the Legal Center or any other attorney under contract pursuant to Paragraph 6 herein and the performance of the services hereunder or by reason of a breach of this agreement by the Legal Center.

10. Early Termination. This Agreement may be terminated by either party, at their sole discretion, upon thirty (30) days advance written notice hereof to the other or canceled immediately by mutual consent.

The County, upon written notice to the Legal Center, may terminate this agreement if the Legal Center fails to perform properly any of its obligations hereunder. In the event of such termination, the County may proceed with the work in any reasonable manner it chooses.

11. Notices. All notices, demands and payment to be made or given under this agreement shall be deposited with the United States Postal Services, postage prepaid, and addressed as follows:

|                      |                                       |
|----------------------|---------------------------------------|
| To the County:       | County Administrator                  |
|                      | 915 8 <sup>th</sup> Street, Suite 115 |
|                      | Marysville, CA 95901                  |
| To the Legal Center: | Yuba Sutter Legal Center              |
|                      | 727 D Street                          |
|                      | Marysville, CA 95901                  |

Either party may from time to time change such address by notice in writing to the other party. Nothing in this paragraph shall prevent the giving of such notices or payment by personal service.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and date first shown above.

COUNTY OF YUBA

By: \_\_\_\_\_  
Roger Abe, Chairman Board of Supervisors

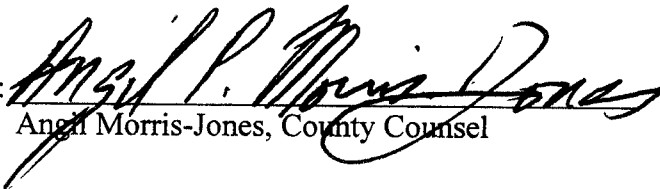
YUBA SUTTER LEGAL CENTER

By: \_\_\_\_\_  
Susan Townsend, Directing Attorney

ATTEST:

By: \_\_\_\_\_  
Donna Stottlemeyer, Clerk of the Board

APPROVED AS TO FORM:

By:  \_\_\_\_\_  
Angil Morris-Jones, County Counsel

# The County of Yuba

232-11



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## Office of the County Administrator

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Robert Bendorf, County Administrator  
John Fleming, Economic Development Coordinator  
Russ Brown, Communications & Legislative Affairs Coordinator  
Grace M Mull, Management Analyst  
Teena L. Carlquist, Executive Assistant to the County Administrator  
Yuba County Government Center  
915 8th Street, Suite 115  
Marysville, CA 95901

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Email: rbendorf@co.yuba.ca.us  
jfleming@co.yuba.ca.us  
rbrown@co.yuba.ca.us  
gmull@co.yuba.ca.us  
tcarlquist@co.yuba.ca.us

**Date:** June 7, 2011  
**To:** Law & Justice Committee  
**From:** Robert Bendorf, County Administrator *RB/gm*  
**By:** Grace Mull, Management Analyst  
**Re:** Amendment to Public Defender Services Contract

**Recommendation:** Board of Supervisors approve and authorize Chairman to sign amendment to the Public Defender Services contract with Benjamin Wirtschafter.

**Background:** Mr. Wirtschafter has been the County's Public Defender since June of 2004. Mr. Wirtschafter's current contract was approved by your Board in June 2010 and was set to expire on June 30, 2012. Provisions of the contract included a 2% Cost of Living Adjustment (COLA) effective July 2011.

**Discussion:** Staff met with Mr. Wirtschafter recently to negotiate a contract amendment due to budget constraints. Mr. Wirtschafter agreed to forego the COLA in lieu of a one (1) year contract extension through June 30, 2013.

**Fiscal Impact:** The fiscal impact associated with the contract amendment is a savings to the General Fund in the amount of \$26,890 for the two-year period remaining in the contract (7/1/11 – 6/30/13).

**AMENDMENT TO CONTRACT FOR LEGAL REPRESENTATION  
OF INDIGENT PERSONS IN THE COUNTY OF YUBA**

WHEREAS, County and Attorney desire to amend the existing contract providing for legal representation of indigent persons in the County of Yuba.

NOW, THEREFORE, County and Attorney amend the existing contract in the following respects:

1. Paragraph 9.0 (b) is amended to reflect extension of contract ending date and negotiated monthly rate for remainder of contract. "From July 1, 2011 to June 30, 2013, County shall pay Attorney at the rate of Sixty-Six Thousand, Four Hundred, Seventy Four Dollars (\$66,474)."
2. Paragraph 16.0 is amended to reflect extended contract ending date "This contract shall take effect July 1, 2010 and shall continue until June 30, 2013."
3. This amendment is made this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by and between the County of Yuba and Attorney.
4. Except as inconsistent herewith, the existing contract is ratified and incorporated herein by reference.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement on the date first above shown.

ATTEST

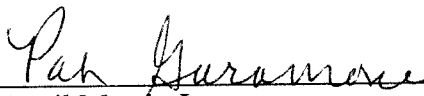
COUNTY OF YUBA

\_\_\_\_\_  
Donna Stottlemeyer,  
Clerk of the Board of Supervisors

\_\_\_\_\_  
Roger Abe, Chairman  
Board of Supervisors

APPROVED AS TO FORM

ATTORNEY

  
\_\_\_\_\_  
Angil Morris-Jones,  
County Counsel

\_\_\_\_\_  
Benjamin Wirtschafter