

# 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, 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 16, 2015**

**9:30 A.M. YUBA COUNTY BOARD OF SUPERVISORS - CANCELLED**

**11:00 A.M. YUBA COUNTY BOARD OF SUPERVISORS SPECIAL MEETING** - 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. No other business shall be conducted at this meeting. The public shall have an opportunity to address the Board of Supervisors only with respect to items set forth in this agenda. Each individual or group will be limited to no more than five 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.

I. **PLEDGE OF ALLEGIANCE** - Led by Supervisor Fletcher

II. **ROLL CALL** - Supervisors Vasquez, Nicoletti, Griego, Abe, Fletcher

III. **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 and such public comments will be limited to three minutes per individual or group.

A. Public Hearing - Hold public hearing to receive comments on Magnolia Ranch Specific Plan Draft Environmental Impact Report and direct staff to prepare responses to significant environmental issues. (Sixty minute estimate)

<http://www.co.yuba.ca.us/Departments/Community%20Development/Planning/Projects/Magnolia/Magnolia.aspx>

IV. **ADJOURN**

**2:00 P.M. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY**

In compliance with the Americans 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 two full business days 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.

# The County of Yuba

## Community Development & Services Agency

**Kevin Mallen, Director**

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**TO:** Board of Supervisors

**FROM:** Wendy W. Hartman, Planning Director *WH*  
Ed Palmeri, Principle Planner *EP*

**SUBJECT:** Public hearing to receive testimony on Magnolia Ranch Specific Plan Project Draft Environmental Impact Report (DEIR) State Clearinghouse (SCH) Number 2013022017 and direct staff to prepare responses to significant environmental issues.

**DATE:** June 16, 2015

***Recommendation:***

Open a public hearing and receive testimony on the Magnolia Ranch Specific Plan Project DEIR, close the public hearing, and direct staff to prepare responses to significant environmental issues.

***Background:***

On January 29, 2010, CEM Investments (the Applicant), on behalf of six property owners (see attachment) filed applications for a Specific Plan (SP2006-0002), Change of Zone (CZA2006-0010), Tentative Parcel Map (Large Lot Map) (TPM2006-0003), Tentative Subdivision Tract Map (Small Lot Map) (TSTM2006-0049), and Development Agreement (DA2006-0001) (“the Project”) on approximately 1,039 acres located in unincorporated Yuba County south of Ostrom Road, between Bradshaw and South Beale Roads, to State Route 65, and immediately southwest of Beale Air Force Base.

The Magnolia Ranch Specific Plan (MRSP) proposes a mix of land uses, including 3,000 to 4,200 dwelling units at different densities that could accommodate approximately 7,000 to 12,000 persons. Proposed land uses include very low density, low density, medium and high density residential units and units that are age restricted; neighborhood commercial areas, a business park, an elementary and intermediate school, parks, multi-purpose open space with park trails, and off-site improvements (the Project). Pursuant to provisions of the California

Environmental Quality Act (CEQA) and State CEQA Guidelines the county, serving as lead agency, determined the Project required preparation of an environmental impact report (EIR).

On September 14, 2010 the Board of Supervisors approved a reimbursement agreement with CEM Investments to recover all costs for planning and environmental services and an agreement for professional services with AECOM to review the proposed specific plan and prepared an EIR for the Project. On February 8, 2013 a Notice of Preparation stating an EIR would be prepared for the Project was filed with the State of California Department of Resources Clearinghouse and advertised in the local newspaper along with a scoping meeting notice. The NOP and scoping meeting notice requesting comments on the Project were mailed to Trustee and Responsible agencies, and interested parties. Given large parcel sizes in the area the property owners list was expanded and notices were sent to property owners within 1,500 feet of the Project (standard “valley floor” noticing is 300 feet) .

On February 25, 2013, a scoping meeting was conducted at the Government Center to receive comments as to what environmental issues should be addressed in the EIR. On May 18, 2015 the DEIR was completed and a Notice of Completion filed with the State Clearinghouse and a Notice of Availability (NOA) published and mailed out to Trustee and Responsible agencies, interested parties, and property owners within 1,500 of the Project. Pursuant to CEQA a 45 day review and comment period is provided for a DEIR. The review period started on May 19, 2015 and ends on July 2, 2015.

After the public review and comment period is closed, a Final EIR (FEIR) will be prepared, addressing comments received during the public review period and making any corrections to the DEIR if necessary. Pursuant to County Code the completed FEIR will be presented to the Board of Supervisors for certification, along with a Mitigation Monitoring Plan that lists the mitigation measures contained in the FEIR. Upon certification of the FEIR, the Board of Supervisors may then take action on the Magnolia Ranch Project.

***Discussion:***

CEQA guidelines encourages and Yuba County ordinance requires a public hearing during the review period by the decision making body to receive comments on the DEIR from federal, state, and local agencies, property owners, and interested parties. At this time comments received by the Board should focus on the DEIR and not on project merits. Comments on the merits of the project will be accepted at future public hearings. Dates have yet to be determined for the project hearings before the Planning Commission and Board of Supervisors.

The DEIR analysis examines both project and cumulative significant or potentially significant impacts that would occur with development of the Specific Plan Area and off-site improvement areas. The analysis also provides feasible mitigation measures, where available and applicable, to reduce significant or potentially significant impacts of the proposed Specific Plan to less than significant. The DEIR analysis also identifies significant and unavoidable impacts that would remain significant after mitigation measures were applied.

Table 2.1 starting on DEIR page 2-9 provides a summary of impacts which are less than significant, significant or significant and unavoidable:

No Impact or Less Than Significant Impacts:

The DEIR has identified the following significant or potentially significant impacts, for which no mitigation measures are required or mitigation measures have been identified which reduce the impacts to less than significant:

- 4.2-1: Temporary Disruption to Agricultural Operations.
- 4.2-2: Potential conflicts with On-Site and Off-Site Agricultural Operations.
- 4.3-3: Generation of Local Mobile Source CO Concentrations
- 4.3-4: Exposure of Sensitive Receptors to Emissions of Toxic Air Contaminants.
- 4.4-1: Potential Loss and Degradation of Jurisdictional Wetlands and Other Waters of the United States, and Waters of the State.
- 4.4-2: Potential Loss and Degradation of Habitat for Special-Status Wildlife and Fish Species and Potential Direct Take of Individuals.
- 4.4-3: Potential Loss of Special-Status Plants and Loss and Degradation of Habitat for Special-Status Plants.
- 4.5-1: Potential to cause a substantial adverse change in the significance of an archaeological resource or a historical resource as defined in Section 21083.2 of CEQA and Section 15065.5 of the State CEQA Guidelines.
- 4.5-2: Potential Disturbance of and Damage to Human Remains during Project Construction.
- 4.6-1: Possible Risks to People and structures Caused by Strong Seismic Ground Shaking.
- 4.6-2: Possible Seismically-Induced Risks to People and Structures Caused by Liquefaction.
- 4.6-3: Possible Temporary and Short-Term Construction-Related Erosion.
- 4.6-4: Potential Geologic Hazards Related to Construction in Unstable Soils.
- 4.6-5: Potential Damage to Structures and Infrastructure from Development in Expansive Soils.
- 4.6-6: Potential Damage to Structures and Infrastructure from Construction in Corrosive Soils.
- 4.6-7 Potential Loss of Mineral Resources – Construction Aggregate.
- 4.6-8: Potential Disturbance of Previously Unknown Paleontological resources During Earthmoving Activities.
- 4.8-1: Routine Transport, Use, or Disposal of Hazardous Materials during Construction and Operation that Could Create Hazards to the Public or Physical Environment.
- 4.8-2: Potential Human Health Hazards from Exposure to Existing On-Site Hazardous Material.
- 4.8-3: Emission or Handling of Hazardous or Acutely Hazardous Materials, Substances, or Waste within ¼-Quarter Mile of an Existing or Proposed School.
- 4.8-4: Safety Hazard for People Residing or Working Near Beale AFB.
- 4.8-5: Safety of Project Residents and Workers Proximate to UPRR Rail Line.

- 4.8-6: Interference with an Adopted Emergency-Response or Emergency Evacuation Plan.
- 4.9-1: Temporary and Short-term Construction-Related Water Quality Impacts.
- 4.9-2: Potential Increased Risk of Flooding from Increased Stormwater Runoff and Placement of Structures within the 100-year Flood Zone, as defined by FEMA.
- 4.9-3: Potential for Failure of a Dam.
- 4.9-4: Violation of Water Quality Standards.
- 4.9-6: Depletion of Groundwater Supplies and Interference with Groundwater Recharge.
- 4.10-1: Potential Inconsistency with Yuba County General Plan.
- 4.10-2: Potential Inconsistency with Other Adopted Plans or Agency Regulations.
- 4.10-4: Potential Displacement of One On-site Residential Structure.
- 4.11-4: Exposure to Transportation-Related Noise.
- 4.11-5: Long-Term Exposure of On-site Sensitive Receptors to On- and Off-site Non-transportation Noise Sources.
- 4.12-1: Increased Demand for Fire Protection Facilities, Systems, Equipment, and Services.
- 4.12-2: Increased Demand for Law Enforcement Facilities, Services, and Equipment.
- 4.12-3: Increased Demand for Public Elementary and Middle School Facilities and Services.
- 4.12-4: Increased Demand for Public High School Facilities and Services.
- 4.12-5: Increased Demand for Parks and Recreation Facilities.
- 4.12-6: Increased Demand for Other Public Services.
- 4.13-4: Inconsistency with the Yuba County Bikeway Master Plan.
- 4.13-5: Changes to Air Traffic Patterns.
- 4.13-6: Increase in Hazards due to a Design Feature of Incompatible Use.
- 4.13-7: Adverse Effects on Emergency Access.
- 4.14-1: Increased Demand for Water Supplies.
- 4.14-2: Increased Demand for Water Supply Storage and Conveyance Facilities.
- 4.14-3: Increased Demand for Wastewater Collection and Conveyance Facilities.
- 4.14-4: Increased Demand for OPUD WWTP Facilities.
- 4.14-5: Increased Generation of Solid Waste and Compliance with Solid Waste Regulations.
- 4.14-7: Increased Demand for Electricity, Natural Gas, and Communications Services and Required Extension of Related Infrastructure.

Significant and Unavoidable Impacts:

In addition to significant or potentially significant impacts the DEIR has identified the following significant and unavoidable impacts which cannot be reduced to less than significant:

- 4.1-1: Adverse changes to scenic vistas.
- 4.1-2: Degradation of Scenic Resources and Visual Character.

- 4.1-3 Increase In Nighttime Lighting and Daytime Glare and Skyglow Effects.
- 4.3-1: Generation of Long-Term Operational, Regional Emissions of Criteria Air Pollutants and Precursors and Consistency with Air Quality Planning Efforts.
- 4.3-2: Generation of Temporary and Short-Term Construction-Related Emissions of Criteria Air Pollutants and Precursors and Violation of an Ambient Air Quality Standard.
- 4.3-5: Exposure of Sensitive Receptors to Emissions of Odors.
- 4.7-1: Increase in Greenhouse Gas Emissions and Consistency with Relevant Plans.
- 4.9-5: Water Quality Impacts from Off-site Sources.
- 4.10-3: Induce Population Growth.
- 4.11-1: Potential for Temporary, Short-Term Exposure of Sensitive Receptors to Construction Noise.
- 4.11-2: Temporary Exposure of Sensitive receptors to Beale AFB Overflights.
- 4.11-3: Increase in Traffic Noise Levels at Existing Noise-Sensitive Receptors.
- 4.11-5: Potential Exposure of On- and Off-site Sensitive Receptors to Groundborne Noise and Vibration.
- 4.13-1: Increases to Peak-Hour Traffic Volumes, Resulting in Unacceptable LOS on Roadway Segments under Existing Plus Project.
- 4.13-2: Increases to Peak Hour Traffic Volumes, Resulting in Unacceptable LOS at Intersections under Existing Plus Specific Plan Conditions.
- 4.13-3: Unacceptable LOS on SR 65 between South Beale Road and Wheatland under Existing Plus Specific Plan Conditions.
- 4.14-6: Effects Related to Energy Consumption during Construction and Operation.

Cumulative Considerable:

Cumulative impacts consist of an impact which is created as a result of the combination of the project considered in the EIR together with other projects which, when considered together, compound or increase other environmental impacts. The DEIR identifies the following cumulative impacts as significant and unavoidable:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Hydrology and Water Quality
- Roadway Traffic Noise
- Transportation and Traffic
- Energy

***Committee Action:***

In that the Board on September 14, 2010 approved the professional services agreement with AECOM to review the proposed specific plan and prepared an EIR, this item was not discussed at the Land Use and Public Works Committee.

***Fiscal Impact:***

By approving the reimbursement agreement, the Board ensured that CEM Investments pays costs associated with professional planning services, environmental documents, fiscal analysis, and processing entitlements for the proposed project. No net decrease in County funds as a result of the approved reimbursement agreement.

***Attachment(s):***

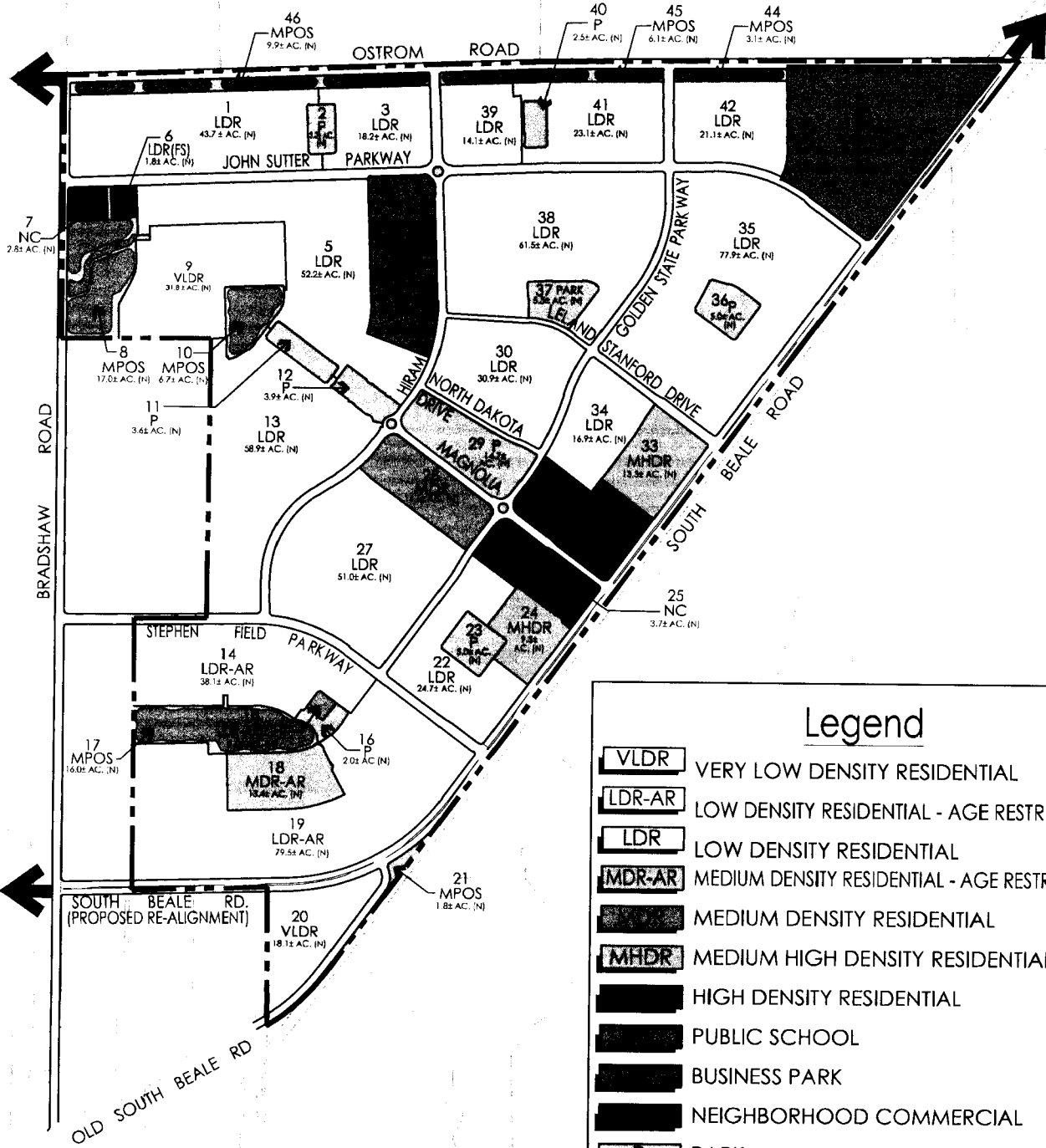
1. Project Map
2. Magnolia Ranch Specific Plan Draft Environmental Impact Report (Forwarded to Board members under separate cover on May 18, 2015. The document is also available for review at the Planning Department and Yuba County Library and on the Planning Department website at:

<http://www.co.yuba.ca.us/Departments/Community%20Development/Planning/Projects/Magnolia/Magnolia.aspx> )

# LAND USE EXHIBIT

## MAGNOLIA RANCH SPECIFIC PLAN

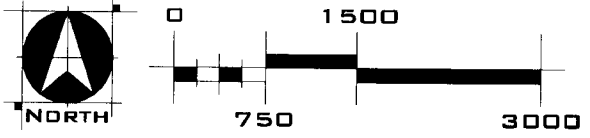
YUBA COUNTY, CALIFORNIA  
JANUARY 19, 2015



### Legend

<b>VLDR</b>	VERY LOW DENSITY RESIDENTIAL
<b>LDR-AR</b>	LOW DENSITY RESIDENTIAL - AGE RESTRICTED
<b>LDR</b>	LOW DENSITY RESIDENTIAL
<b>MDR-AR</b>	MEDIUM DENSITY RESIDENTIAL - AGE RESTRICTED
<b>MDR</b>	MEDIUM DENSITY RESIDENTIAL
<b>MHDR</b>	MEDIUM HIGH DENSITY RESIDENTIAL
<b>HS</b>	HIGH DENSITY RESIDENTIAL
<b>PS</b>	PUBLIC SCHOOL
<b>BP</b>	BUSINESS PARK
<b>NC</b>	NEIGHBORHOOD COMMERCIAL
<b>P</b>	PARK
<b>MPOS</b>	MULTI-PURPOSE OPEN SPACE

(CH = CLUBHOUSE) (FS = FIRE STATION)



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