

GENERAL PLAN

Volume IV **Environmental Documentation**

April 2019

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1 General Plan Environmental Assessment 1994

ENVIRONMENTAL ASSESSMENT

City of Sutter Creek General Plan

INTRODUCTION

The following subjects are all addressed in the introduction to the Sutter Creek General Plan:

- Project description;
- Environmental setting;
- The required components of a General Plan Environmental Impact Report (EIR);
- The EIR Notice of Preparation (NOP), and consultation processes; and
- Use of this document as a General Plan/Master Environmental Impact Report (GP/MEIR).

This Environmental Assessment section is intended to complete the requirements specified under Section 15143 of Article 9 of the California Administrative Code in which all components of the General Plan must be evaluated for their environmental impacts. The text is divided into ten sections. They are summarized as follows.

Initial Study Checklist - A copy of the State recommended Initial Study checklist is provided. The Initial Study was completed after the General Plan was drafted in August 1992. Each discussion of environmental effects in the sections that follow was developed by reviewing, in order, the listed environmental considerations found on the Initial Study checklist.

Insignificant Environmental Effects - This section lists those environmental effects that were dismissed as being clearly insignificant or overly speculative in relation to the Plan's goals, objectives, and policies.

Potentially Significant Impacts and Corresponding Mitigation Measures - This section lists all the environmental impacts that could occur as a result of the Plan's adoption but that will be mitigated by the Plan's policies, objectives, mitigation measures and standards. It references sections of the General Plan where each potential impact is addressed.

Unavoidable Significant Effects - This section lists all environmental effects that could be generated by implementation of the General Plan and that may not be mitigated under the power and authority of this Plan.

Cumulative Effects - This section discusses the environmental effects that may not be significant with respect to this General Plan alone, but when considered with relation to growth of the overall region they could become significant.

Mitigation Measures to be Fulfilled by Other Agencies - This section lists mitigation measures that must be adopted or implemented by other agencies if the General Plan/MEIR is to be accurate and successful.

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Alternatives - The comparative effects of three alternative plans are discussed. These include a no project alternative, a less constrained plan alternative and a more constrained plan alternative.

Long Term vs. Short Term Effects - This is a section discussing the long term effects of short term policies and objectives including the irreversible commitment of non-renewable resources.

Growth Inducing Effects - This section discusses the objectives and policies that are likely to have a growth inducing effect.

Mitigation Monitoring - This section addresses State requirement that the City operate a mitigation monitoring program to assure that all mitigation measures are carried out and monitored.

Statement of Overriding Consideration - This section lists the City's reasons for adopting the General Plan in spite of the fact that it may have some significant environmental effects as listed in previous sections.

It is very important to note that the format and content of this Environmental Assessment is not comparable to that typically seen in EIRs for development projects. This is because the requirements for various general plan elements and the purpose of this General Plan overlap with those of an EIR. In other words, both the General Plan and the MEIR are intendant upon minimizing the comprehensive negative effects of growth and development. It is for this reason that the Environmental Assessment does not repeat environmental issues and concerns or mitigating policies and objectives, rather it provides brief summarizations and cross references to their location in the General Plan text.

The environmental effects generated by adoption of the Sutter Creek General Plan will almost all be secondary or indirect effects rather than direct effects. This means that the Plan itself cannot cause an environmental effect, rather the subsequent actions allowed or encouraged by the Plan will cause the effect. Most of these activities will take place at some future date and more detailed, focused and site specific environmental analyses can be required. This "project" is a broad, long range plan as the term "general" plan implies and not a specific or detailed plan. For these reasons the discussion of environmental concerns is broad and the policies and objectives intended to mitigate these concerns are broad.

The California Environmental Quality Act allows that the degree of specificity in an EIR need be only as detailed as the activity or subject of the EIR. "An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan..." (California Administrative Code Section 15146 (a).)

INITIAL STUDY CHECKLIST (Page E-3, E-4, E-5 and E-6)

ENVIRONMENTAL CHECKLIST FORM

PROJECT LOCATION: City of Sutter Creek, County of Amador
City County

PROJECT ADDRESS: P.O. Box 366, Sutter Creek, CA 95685

DESCRIPTION OF PROJECT: City of Sutter Creek General Plan - An update of 7 mandated elements (land use, conservation, open space, circulation, safety, noise, and housing) and addition of 3 optional elements (historic, parks, and public services).

ENVIRONMENTAL IMPACTS:

(CEQA requires that an explanation of all "yes" and "maybe" answers be provided along with this checklist, including a discussion of ways to mitigate the significant effects identified. You may attach separate sheets with the explanations on them.)

Yes Maybe No

I. EARTH. Will the proposal result in:

- a) Unstable earth conditions or in changes in geologic substructures? Yes Maybe No
- b) Disruptions, displacements, compaction or overcovering of the soil? Yes Maybe No
- c) Change in topography or ground surface relief features? Yes Maybe No
- d) The destruction, covering or modification of any unique geologic or physical features? Yes Maybe No
- e) Any increase in wind or water erosion of soils, either on or off the site? Yes Maybe No
- f) Changes in deposition or erosion of beachsands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake? Yes Maybe No
- g) Exposure of people or property to geologic hazards, such as earthquakes, landslides, mudslides, ground failure, or similar hazards? Yes Maybe No

II. AIR. Will the proposal result in:

- a) Substantial air emissions or deterioration of ambient air quality? Yes Maybe No
- b) The creation of objectionable odors? Yes Maybe No
- c) Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally? Yes Maybe No

III. WATER. Will the proposal result in:

- a) Changes in currents, or the course of direction of water movements, in either marine or freshwaters? Yes Maybe No
- b) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? Yes Maybe No

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| | Yes | Maybe | No |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| c) Alterations to the course or flow of flood waters? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Changes in the amount of surface water in any water body? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Discharge into surface waters, or in any alteration of surface water quality, including, but not limited to, temperature, dissolved oxygen or turbidity? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Alteration of the direction or rate of flow of ground waters? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Substantial reduction in the amount of water otherwise available for public water supplies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Exposure of people or property to water related hazards such as flooding or tidal waves? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| IV. PLANT LIFE. Will the proposal result in: | | | |
| a) Change in the diversity of species, or number or any species of plants (including trees, shrubs, grass, crops, and aquatic plants)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Reduction of the numbers of any unique, rare, or endangered species of plants? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Reduction in acreage of any agricultural crop? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| V. ANIMAL LIFE. Will the proposal result in: | | | |
| a) Change in the diversity of species, or numbers of any species of animals (birds; land animals, including reptiles; fish and shellfish, benthic organisms or insects)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Reduction of the numbers of any unique, rare, or endangered species or animals? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Deterioration to existing fish or wildlife habitat? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| VI. NOISE. Will the proposal result in: | | | |
| a) Increases in existing noise levels? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of people to severe noise levels? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| VII. LIGHT and GLARE. Will the proposal: | | | |
| a) Produce new light or glare? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| VIII. LAND USE. Will the proposal result in: | | | |
| a) Substantial alteration of the present or planned land use of an area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| IX. NATURAL RESOURCES. Will the proposal result in: | | | |
| a) Increase in the rate of use of any natural resources? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| X. RISK OF UPSET. Will the proposal involve: | | | |
| a) A risk of an explosion or the release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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| | <i>Yes</i> | <i>Maybe</i> | <i>No</i> |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| b) Possible interference with an emergency response plan or an emergency evacuation plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| XI. POPULATION. Will the proposal: | | | |
| a) Alter the location, distribution, density or growth rate of the human population of an area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| XII. HOUSING. Will the proposal: | | | |
| a) Affect existing housing, or create a demand for additional housing? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| XIII. TRANSPORTATION/CIRCULATION. Will the proposal result in: | | | |
| a) Generation of substantial additional vehicular movement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Effects on existing parking facilities, or demand for new parking? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Substantial impact upon existing transportation systems? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Alterations to present patterns of circulation or movement of people and/or goods? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Alterations to waterborne, rail or air traffic? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| XIV. PUBLIC SERVICES. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: | | | |
| a) Fire protection? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Police protection? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Schools? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Parks or other recreational facilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Maintenance of public facilities, including roads? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Other governmental services? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| XV. ENERGY. Will the proposal result in: | | | |
| a) Use of substantial amounts of fuel or energy? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| XVI. UTILITIES and SERVICE SYSTEMS. Will the proposal result in a need for new systems, or substantial alterations to the following utilities: | | | |
| a) Power or natural gas? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Communications systems? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Water? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Sewer or septic tanks? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Storm water drainage? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Solid waste and disposal? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| XVII. HUMAN HEALTH. Will the proposal result in: | | | |
| a) Creation of any health hazard or potential health hazard (excluding mental health)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of people to potential health hazards? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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| | Yes | Maybe | No |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| XVIII. AESTHETICS. Will the proposal result in: | | | |
| a) The obstruction of any scenic vista or view open to the public? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) The creation of an aesthetically offensive site open to public view? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| XIX. RECREATION. Will the proposal result in: | | | |
| a) Impact upon the quality or quantity of existing recreational opportunities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| XX. CULTURAL RESOURCES. Will the proposal: | | | |
| a) Result in the alteration of or the destruction of a prehistoric or historic archaeological site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have the potential to cause a physical change which would affect unique ethnic cultural values? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Restrict existing religious or sacred uses within the potential impact area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| XXI. MANDATORY FINDINGS OF SIGNIFICANCE. | | | |
| a) Potential to degrade: Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Short-term: Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively, brief, definitive period of time. Long-term impacts will endure well into the future.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Cumulative: Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect on the total of those impacts on the environment is significant.) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Substantial adverse: Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

XXII. DISCUSSION OF ENVIRONMENTAL EVALUATION.

(This section may be filled out by using narrative, or by using a form, such as the example given in the CEQA Guidelines.)

(see following pages)

INSIGNIFICANT ENVIRONMENTAL EFFECTS

EIR guidelines allow that environmental effects of a project should be discussed in proportion to their severity and probability of occurrence. Based upon the General Plan's stated goals, objectives, policies and programs and the Plan's Land Use Map, the environmental effects that are considered to be either too speculative for evaluation or clearly unlikely to occur are those that are checkmarked "No" on the previous Environmental Checklist.

POTENTIALLY SIGNIFICANT IMPACTS AND CORRESPONDING MITIGATION MEASURES

In the following presentation, the left hand column lists the environmental effects that could be generated by adoption of the Sutter Creek General Plan (all those items checked "Yes" or "Maybe" on the Initial Study checklist). The right hand column refers to sections within the General Plan elements and/or later sections of this Environmental Assessment where corresponding environmental issues and effects are discussed. For the most part, mitigation measures are built into the policies, objectives and implementation measures found after the discussion of a particular environmental concern in the referenced section of the General Plan. All subjects that are not considered to be mitigable to the point of insignificance by enforcement and implementation of the General Plan's policies, objectives and standards are carried forward for further discussion in one of the following sections of the Environmental Assessment.

**SUTTER CREEK GENERAL PLAN
Environmental Assessment**

POTENTIALLY SIGNIFICANT EFFECTS AND CORRESPONDING MITIGATION MEASURES

**POTENTIAL, SECONDARY, AND
INDIRECT ENVIRONMENTAL EFFECTS**

**GENERAL PLAN ELEMENT AND
SECTION REFERENCE(S)**

I. Earth

Unstable earth conditions or in
in geologic substructures

SAFETY ELEMENT - Other Geologic changes
Hazards section

Disruptions, displacements,
compaction or overcovering of the
soil

LAND USE ELEMENT - Building Intensity
and Maximum Lot Coverage Requirements
*See also Cumulative Effects

Change in topography or ground
surface relief features

LAND USE ELEMENT - SP and VSA
designations

CONSERVATION/OPEN SPACE ELEMENT -
Soils, Erosion Control and Grading section

Increase in wind or water erosion
of soils

CONSERVATION/OPEN SPACE ELEMENT -
Soils, Erosion Control and Grading section

Changes in deposition or erosion
of beach sands, or changes in
siltation, deposition or erosion
which may modify the channel of a
river or stream

CONSERVATION/OPEN SPACE ELEMENT -
Surface and Groundwater Resources
section
*See also Cumulative Effects and
Mitigation Measures to be Fulfilled by
Other Agencies

Exposure of people or property to
geologic hazards such as earth-
quakes, landslides, mudslides,
ground failure, or similar hazards

SAFETY ELEMENT - Earthquakes and Other
Geologic Hazards section

II. Air

Substantial air emissions or
deterioration of ambient air
quality

CONSERVATION/OPEN SPACE ELEMENT -
Air Quality section
*See also Cumulative Effects and Mitigation
Measures to be Fulfilled by Other Agencies

**SUTTER CREEK GENERAL PLAN
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POTENTIALLY SIGNIFICANT EFFECTS AND CORRESPONDING MITIGATION MEASURES

**POTENTIAL, SECONDARY, AND
INDIRECT ENVIRONMENTAL EFFECTS**

**GENERAL PLAN ELEMENT AND SECTION
REFERENCE(S)**

III. Water

Changes in currents, or the course of direction of water movements, in fresh waters

CONSERVATION/OPEN SPACE ELEMENT -
Surface and Groundwater Resources
section

Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff

PUBLIC SERVICES AND FACILITIES
ELEMENT - Storm Drainage section

Alterations to the course or flow of flood waters

SAFETY ELEMENT - Flooding section

Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity

CONSERVATION/OPEN SPACE ELEMENT -
Surface and Groundwater Resources section
*See also Cumulative Effects and
Mitigation Measures to be Fulfilled by
Other Agencies

Substantial reduction in the amount of water otherwise available for public water supplies

PUBLIC SERVICES AND FACILITIES
ELEMENT - Water section
*See also Cumulative Effects and
Mitigation Measures to be Fulfilled by
Other Agencies

Exposure of people or property to water related hazards such as flooding or tidal waves

SAFETY ELEMENT - Flooding section
*See also Cumulative Effects and
Mitigation Measures to be Fulfilled by
Other Agencies

IV Plant Life

Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)

LAND USE ELEMENT -
SP and VSA designations

**SUTTER CREEK GENERAL PLAN
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POTENTIALLY SIGNIFICANT EFFECTS AND CORRESPONDING MITIGATION MEASURES

POTENTIAL, SECONDARY, AND INDIRECT ENVIRONMENTAL EFFECTS

GENERAL PLAN ELEMENT AND SECTION REFERENCE(S)

Reduction of the numbers of any unique, rare or endangered species of plants

CONSERVATION/OPEN SPACE ELEMENT -
Vegetation, Wildlife and Fisheries section
*See also Unavoidable Significant Effects

Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species

CONSERVATION/OPEN SPACE ELEMENT -
Vegetation, Wildlife and Fisheries section

V. Animal Life

Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)

LAND USE ELEMENT -
SP, VSA, and CSGW designations

Reduction of the numbers of any unique, rare or endangered species of animals

CONSERVATION/OPEN SPACE ELEMENT -
Vegetation, Wildlife and Fisheries section

Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals

CONSERVATION/OPEN SPACE ELEMENT -
Vegetation, Wildlife and Fisheries section

Deterioration to existing fish or wildlife habitat

CONSERVATION/OPEN SPACE ELEMENT -
Vegetation, Wildlife and Fisheries section

VI. Noise

Increases in existing noise levels

NOISE ELEMENT -
*See also Unavoidable Significant Effects

Exposure of people to severe noise

NOISE ELEMENT

VII. Light and Glare

New light or glare

*See Unavoidable Significant Effects

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POTENTIALLY SIGNIFICANT EFFECTS AND CORRESPONDING MITIGATION MEASURES

POTENTIAL, SECONDARY, AND INDIRECT ENVIRONMENTAL EFFECTS GENERAL PLAN ELEMENT AND SECTION REFERENCE(S)

VIII. Land Use

Substantial alteration of the present or planned land use of an area

LAND USE ELEMENT -
*See Unavoidable Significant Effects

IX. Natural Resources

Increase in the rate of use of any natural resources
Energy

CONSERVATION/OPEN SPACE ELEMENT -
*See also Cumulative Effects (Water and Supplies)

X. Risk of Upset

A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions

SAFETY ELEMENT, CONSERVATION/OPEN SPACE ELEMENT -
Surface and Groundwater Resources section

Possible interferences with an response plan or an emergency evacuation plan

SAFETY ELEMENT -
Evacuation and Emergency Preparedness section

XI. Population

Alteration of the location, distribution, density, or growth human population of an area

LAND USE ELEMENT -
*See also Unavoidable Significant Effects

XII. Housing

Affect upon existing housing, or a demand for additional housing

HOUSING ELEMENT -
(See also Unavoidable Significant Effects)

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POTENTIALLY SIGNIFICANT EFFECTS AND CORRESPONDING MITIGATION MEASURES

**POTENTIAL, SECONDARY, AND
INDIRECT ENVIRONMENTAL EFFECTS**

**GENERAL PLAN ELEMENT AND SECTION
REFERENCE(S)**

XIII. Transportation/Circulation

Generation of substantial additional vehicular movement

CIRCULATION ELEMENT -
*See also Cumulative Effects and Mitigation Measures to be Fulfilled by Other Agencies

Effects on existing parking facilities, or demand for new parking

CIRCULATION ELEMENT -
Downtown Parking section

Substantial impact upon existing transportation systems

CIRCULATION ELEMENT -
*See also Unavoidable Significant Effects

Alterations to present patterns of circulation or movement of people and/or goods

CIRCULATION ELEMENT

Increase in traffic hazards to motor vehicles, bicyclists or pedestrians

CIRCULATION ELEMENT

XIV. Public Services

Fire protection

PUBLIC SERVICES AND FACILITIES
ELEMENT -
Fire Protection section
*See also Mitigation Measures to be Fulfilled by Other Agencies

Police protection

PUBLIC SERVICES AND FACILITIES
ELEMENT -
Police Protection section

Schools

PUBLIC SERVICES AND FACILITIES
ELEMENT -
Schools section
*See also Mitigation Measures to be Fulfilled by Other Agencies

Maintenance of public facilities, including roads

PUBLIC SERVICES AND FACILITIES
ELEMENT -
Funding City Services section

**SUTTER CREEK GENERAL PLAN
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POTENTIALLY SIGNIFICANT EFFECTS AND CORRESPONDING MITIGATION MEASURES

**POTENTIAL, SECONDARY, AND
INDIRECT ENVIRONMENTAL EFFECTS**

**GENERAL PLAN ELEMENT AND SECTION
REFERENCE(S)**

Parks or other recreational facilities

PARKS AND RECREATION ELEMENT -
*See also Cumulative Effects and Mitigation Measures to be Fulfilled by Other Agencies

Other governmental services

PUBLIC SERVICES AND FACILITIES ELEMENT -
City Offices section
*See also Mitigation Measures to be Fulfilled by Other Agencies

XV. Energy

use of substantial amounts of fuel or energy

CONSERVATION/OPEN SPACE ELEMENT -
*See also Cumulative Effects

XVI. Utilities

Power or natural gas

PUBLIC SERVICES AND FACILITIES ELEMENT -
Utilities section
*See also Mitigation Measures to be Fulfilled by Other Agencies

Communications system

PUBLIC SERVICES AND FACILITIES ELEMENT -
Utilities section
*See also Mitigation Measures to be Fulfilled by Other Agencies

Water

PUBLIC SERVICES AND FACILITIES ELEMENT -
Water section
*See also Mitigation Measure to be Fulfilled by Other Agencies

Sewer or septic tanks

PUBLIC SERVICES AND FACILITIES ELEMENT -
Sewer section

**SUTTER CREEK GENERAL PLAN
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POTENTIALLY SIGNIFICANT EFFECTS AND CORRESPONDING MITIGATION MEASURES

| POTENTIAL, SECONDARY, AND INDIRECT ENVIRONMENTAL EFFECTS | GENERAL PLAN ELEMENT AND SECTION REFERENCE(S) |
|--|---|
| Storm water drainage | PUBLIC SERVICES AND FACILITIES ELEMENT - Storm Drainage section |
| Solid waste and disposal | PUBLIC SERVICES AND FACILITIES ELEMENT - Solid Waste section *See also Cumulative Effects and Mitigation Measures to be Fulfilled by Other Agencies |
| XVII. Human Health | |
| Creation of any health hazard or potential health hazard (excluding mental health) | SAFETY ELEMENT |
| Exposure of people to potential health hazards | SAFETY ELEMENT |
| XVIII. Aesthetics | |
| Obstruction of any scenic vista or view open to the public, or the creation of an aesthetically offensive site open to public view | CONSERVATION/OPEN SPACE ELEMENT - Vegetation, Wildlife and Fisheries section LAND USE ELEMENT - *See also Unavoidable Significant Effects and Alternatives |
| XIX. Recreation | |
| Impact upon the quality or quantity of existing recreation opportunities | PARKS AND RECREATION ELEMENT |
| XX. Cultural Resources | |
| Alteration of or the destruction of a prehistoric or historic archaeological site | HISTORIC ELEMENT - Archaeologic section |

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POTENTIALLY SIGNIFICANT EFFECTS AND CORRESPONDING MITIGATION MEASURES

POTENTIAL, SECONDARY, AND INDIRECT ENVIRONMENTAL EFFECTS

GENERAL PLAN ELEMENT AND SECTION REFERENCE(S)

Adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object

HISTORIC ELEMENT

Potential to cause a physical change which would affect unique ethnic cultural values

HISTORIC ELEMENT

XXI. Mandatory Findings of Significance

Potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory

LAND USE ELEMENT
CONSERVATION/OPEN SPACE ELEMENT
HISTORIC ELEMENT

Potential to achieve short-term, to the disadvantage of long-term, environmental goals (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)

See Long Term vs. Short Term Effects

Impacts which are individually limited, but cumulatively considerable. (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

See Cumulative Effects

**SUTTER CREEK GENERAL PLAN
Environmental Assessment**

**POTENTIALLY SIGNIFICANT EFFECTS AND CORRESPONDING MITIGATION
MEASURES**

**POTENTIAL, SECONDARY, AND
INDIRECT ENVIRONMENTAL EFFECTS**

**GENERAL PLAN ELEMENT AND SECTION
REFERENCE(S)**

Substantial adverse effects on
human beings, either directly or
indirectly

SAFETY ELEMENT

UNAVOIDABLE SIGNIFICANT EFFECTS

- Introduction** The following is a list of the environmental effects that are considered significant and unavoidable if or when the growth and development allowed by this Plan takes place. The list assumes and relies upon all of the General Plan's policies, objectives, standards and programs being carried out. Other unavoidable significant effects are discussed in the next section under the heading "Cumulative Effects". All unavoidable significant effects are addressed further in the final section of the Environmental Assessment "Statement of Overriding Considerations".
- Plant Life** The urban growth allowed by the General Plan will reduce the actual numbers of native plants. In spite of standards and policies to replace native trees, provide ample open space and preserve riparian habitat, some persons may consider any reduction of native plants a significant effect.
- Animal Life** The urban development allowed by the General Plan will reduce the actual numbers of some native animal species and possibly increase the numbers of others. Urban development removes wildlife habitat displacing native animals. Since the biological "niches" in other habitats are usually already occupied by similar native animal species, the increased competition will lead to actual reductions in numbers of animals. Some wildlife species such as raccoon, opossum, mice, etc. may actually increase as they find more support for their numbers in an urbanized setting than they did in their natural setting.
- Noise** Incremental increase to noise will occur with increasing population. In spite of policies to keep them below certain thresholds, the current high quality of undisturbed and low noise levels in many parts of the City will be impacted.
- Light and Glare** Additional light and glare will be produced by new development in areas which presently, in their natural state, produce no light or glare.
- Land Use and Aesthetics** Development of presently vacant or natural lands which is proposed by this Plan will be significant. In spite of the General Plan's efforts to manage and mitigate this development there will be change; the replacement of vacant or natural areas with urban uses and loss of the present "smallness" of the City.
- This Plan also represents changes to the land use plan contained in the City's previous 1982 General Plan as well as the practice of land use planning in the City. These changes are discussed further in a section which follows titled "Alternatives".
- Population** The growth allowed by this plan will alter the present location, distribution and growth rate of the human population of the planning area.

SUTTER CREEK GENERAL PLAN
Environmental Assessment

State requirements that density bonuses be provided for developers providing affordable housing without regard for the City planned density could cause the Plan's population projections, assumptions, and management program to be exceeded.

Housing

The policies and objectives of this General Plan may cause housing developers to build outside of the City where design requirements, fees and costs are less constraining. This could lead to a reduction of available housing in the City of Sutter Creek. Over the long term, however, the City's desirability as a place to live may increase due in direct part to the objectives and policies of this Plan. The Housing Element contains a detailed program to assure that this desirability does not lead to the City's becoming a community where only the rich can afford to live.

**Trans-
portation/
Circulation**

The Circulation Element points out that growth in local and through traffic will cause the City's circulation system to reach unacceptable levels of service until the Highway 49 bypass is completed. Even though the Circulation Element contains measures to try and reduce this impact the only fully effective measure would be to stop all building in the City and begin to limit traffic visiting or passing through the City.

CUMULATIVE EFFECTS

Introduction

Cumulative effects are defined as "two or more individual small effects which when considered together, are considerable or which compound or increase other environmental impacts. (Section 15023.5, California Administrative Code.)" The General Plan itself addresses cumulative effects of individual development projects because it provides an indication of the ultimate densities, intensities, and types of human activity that would be allowed Citywide within the planning period. This discussion of cumulative effects tends, therefore, to focus more on regional impacts or the effects which, when considered in relation to this General Plan, appear to be insignificant but when viewed regionally they do appear significant.

Most of the listed cumulative effects are beyond the City's control. They lead, therefore, into the following section concerning significant effects to be mitigated by other agencies. In some instances, regional impacts are largely unmitigable and lead to the assessment's final section "Statements of Overriding Consideration".

**Earth and
Surface
Water
Quality**

Despite policies and objectives to minimize grading, control erosion and develop an adequate citywide drainage system, water quality in Sutter Creek and its tributaries will be impacted by new development. If the programs in the General Plan are fully implemented immediately, effects upon surface water quality may still be significant due to development projects outside of the city that affect the drainage system.

SUTTER CREEK GENERAL PLAN
Environmental Assessment

| | |
|--------------------------------|---|
| Air Quality | The <u>Environmental Impact Report For The Oak Knolls Subdivision</u> points out that "The continued growth in the Sacramento Valley with development extending into the foothill communities can be expected to degrade the regional air quality...Despite the ROG emission control measures currently in force, ozone remains a problem in the air basin. It is probable that ozone levels will increase and additional violations of the Federal standard will occur in future years as growth continues...For example, the use of woodstoves can be expected to continue. Any increases in the local housing stock therefore would exacerbate current air quality conditions (Nelson, 1992, p. 12-10)." |
| Water and Energy Supplies | Growth allowed by the Plan will cause incremental increase in the rate of use of water supplies and energy supplies. Although the effects upon these supplies created by buildout under the General Plan may be considered insignificant, growth of the region will have a significant long term effect upon them. |
| Transportation/ Circulation | The Circulation Element documents that a significant amount of traffic utilizing the City's circulation system, especially Highway 49, is either traveling through the City or visiting the City. Effects upon traffic and circulation systems are therefore the result of cumulative growth of the entire region and state, not just Sutter Creek. |
| Parks and Recreation | The Parks and Recreation Element documents that demands for organized sports facilities are regionwide. |
| Solid Waste Disposal | The County's dumpsite serves not only Sutter Creek but the entire county. A regional solid waste board has been organized with City representation. Solid waste and hazardous waste disposal requirements are being handled on a regional basis. See the Public Services and Facilities Element. |
| Land Use and Population | The cumulative effects of regional development and population growth will be similar to those summarized under the topics of Land Use and Population in the previous section titled "Unavoidable Significant Effects", except they will be broader and less regulated. |
| Flooding | New Development will add to the number of impervious surfaces thus increasing storm flows and peak runoff. Although the Plan calls for a Citywide plan to assess and control such flows, flood hazards may worsen if similar measures are not put in place by the County upon other developments in the drainage basin. |

SUTTER CREEK GENERAL PLAN
Environmental Assessment

Fiscal The section of the Public Services and Facilities Element titled "Funding City Services" points out that the cost to maintain adequate services in a number of individual public service areas is exceeding available revenues. The cumulative effect of each of these areas is a subject of further study according to the Plan. The cumulative effect of funding public services could have very significant direct and indirect impacts upon the City's environment.

MITIGATION MEASURES TO BE FULFILLED BY OTHER AGENCIES

Introduction The following is a brief summarization of the policies or objectives that must be carried out by agencies other than agencies of the City in order for the goals of the Sutter Creek General Plan to be achieved and for the adequacy of its Master Environmental Impact Report to be maintained. In some cases, the listed mitigation measures are addressed by actual policies or objectives contained within the General Plan. In many instances, however, they are not. Where they are not, boldfaced type is used. In these instances the City must use whatever means are appropriate or necessary to urge the identified agency to act responsibly and with regard for the City's General Plan. The list is subdivided by agency.

Amador County 1. Amador County should notify the City of any project that has a potential to significantly effect traffic or public services or facilities operated or maintained in the City. The County should require such projects to mitigate such effects in cooperation with the City.

2. The County should limit land uses near the City's boundaries north of Ridge Road according to policies 2.3, 2.4 and 2.5 of the Land Use Element.

3. The County should require new developments in the Sutter Creek drainage area to identify and mitigate to the point of insignificance any impact on water supplies in Sutter Creek including withdrawals of water, effects of peak storm runoff and any increase in organic and inorganic matter that may reach the drainage system (see Safety Element).

4. The County should keep the City informed and allow the City input concerning fulfillment of conditions, mitigation measures and monitoring required for the Lincoln Mine project.

5. The County Office of Emergency Services should complete an upgrade of the County Emergency Management Plan and coordinate interagency emergency preparedness drills with the City of Sutter Creek (see Safety Element).

County of Amador and Cities 6. The County and cities (specifically Jackson) should cooperate with the City of Sutter Creek in the establishment of a sports complex in the Sutter Hill/Martell area (see Parks and Recreation Element).

**SUTTER CREEK GENERAL PLAN
Environmental Assessment**

MITIGATION MEASURES TO BE FULFILLED BY OTHER AGENCIES (cont)

Amador
County Air
Pollution
Control
District

7. The Air Pollution Control District (APCD) should enforce emissions standards upon industrial operations in the region as may be necessary.

8. The APCD should monitor air quality and provide advisory or regulatory provisions to assure public health and safety in the region.

Sutter
Creek Fire
District

9. The Sutter Creek Fire District shall review all tentative subdivision maps and Fire planned developments to assure compliance with fire suppression and prevention requirements (see Safety Element).

Airport
Land Use
Commission

10. The Amador County Airport Land Use Commission (ALUC) should oversee enforcement of the Airport Land Use Plan.

Local Agency
Formation
Commission

11. The Amador County Local Agency Formation Commission (LAFCO) should only approve annexations to the City of Sutter Creek that meet with the City approval.

12. LAFCO should consider favorably annexations requested by the City based upon justification contained in the Sutter Creek General Plan.

Local Trans-
portation
Commission

13. The Amador County Local Transportation Commission (LTC) should complete a circulation plan for the Sutter Hill/Martell area (see Circulation Element).

14. The LTC should continue to pursue the Highway 49 bypass as the region's number one priority new state highway project (see Circulation Element).

Amador
Rapid
Transit

15. Amador Rapid Transit (ARTS) should be given ample time to review and comment upon transit facilities needs associated with all new development in the planning area (see Land Use Element and Circulation Element).

16. ARTS should provide extended service for special events that clog traffic in the planning area (see Circulation Element).

17. ARTS should expand service as demand dictates and as recommended in the Circulation Element.

**SUTTER CREEK GENERAL PLAN
Environmental Assessment**

MITIGATION MEASURES TO BE FULFILLED BY OTHER AGENCIES (cont)

- Amador County Water Agency
18. The Amador County Water Agency (ACWA) should pipe the Amador Canal, construction another reservoir/tank, expand treatment facilities, replace much of the existing circulation/distribution system, improve fire flows and obtain necessary revenues in timely accordance with growth projections of the Sutter Creek General Plan (see Public Services and Facilities Element).
19. The ACWA should adjust its "first development proposed -- first developments served" policy to reward jurisdictions that plan for growth by reserving water supplies based upon such plans (see Public Services and Facilities Element).
- Amador Regional Sanitation Authority
20. The Amador Regional Sanitation Authority (ARSA) should extend its agreement with the City regarding sewage disposal (see Public Services and Facilities Element).
- Amador County AB 939 Task Force
21. The Amador County AB 939 Task Force should oversee implementation of the source reduction and recycling element, household hazardous waste element on behalf of all cities and the County (see Public Services and Facilities Element).
- Amador County Unified School District
22. The City and the school district should cooperate to achieve mutual goals as explained in the Public Services and Facilities Element.
23. School facilities should remain available for public recreation purposes (see Parks and Recreation Element).
- California Transportation Commission
24. The California Transportation Commission (CTC) should fund completion of the Highway 49 bypass as soon as possible (see Circulation Element).
- California Department of Transportation
25. The California Department of Transportation (Caltrans) should expedite completion of Highway 49 bypass as soon as possible (see Circulation Element).
26. Caltrans should provide safe bicycle and pedestrian crossings on old and new Highway 49 that are convenient to the railway network to be designed by the City (see Circulation Element and Parks and Recreation Element).

SUTTER CREEK GENERAL PLAN
Environmental Assessment

MITIGATION MEASURES TO BE FULFILLED BY OTHER AGENCIES (cont)

- | | |
|--|---|
| California Department of Fish and Game | 27. The California Department of Fish and Game (CDFG) must be consulted where a project may divert, obstruct, or change the natural flow or bed of a watercourse as required by Section 1601-1603 of the California State Code. Fish and Game Code Sections 56SF gives the CDFG jurisdiction over the input of any deterring substances, such as silt resulting from construction activities, into the waters of the State of California (see Conservation/Open Space Element). |
| U.S. Army Corps of Engineers | 28. The U.S. Army Corps of Engineers has regulatory responsibility over activities in stream zones and wetlands. Under Section 404 of the Clean Water Act, the Corps regulates the disposal of dredged or fill materials into the "waters of the United States or adjacent wetlands". Hence, authorization from this agency may be required for development activities near drainage ways (see Conservation/Open Space Element). |
| U.S. Postal Service | 29. The U.S. Postal Service should extend delivery services throughout the downtown Sutter Creek area (see Public Services and Facilities Element and Circulation Element). |
| | 30. A new larger post office facility should be located in the Sutter Hill area (see Public Services and Facilities Element). |
| Electricity, Gas, Telephone Cable TV | 31. All power, gas, telephone, cable TV and other utility companies should plan to expand facilities to serve the City of Sutter Creek based upon growth assumption and design guidelines contained in the General Plan <u>as a minimum</u> . |

ALTERNATIVES

Introduction The California Environmental Quality Act requires that an EIR must "Describe a range of reasonable alternatives to the project" (California Administrative Code Section 15126 (d)). The method used for developing the draft Sutter Creek General Plan involved the consideration of numerous alternatives by the City's General Plan Task Forces as well as the City Council and Planning Commission in workshops. The draft represents selections of what were considered to be the best possible alternatives for future development of the City given the need to balance all known environmental, social, political and economic factors. The formalized public review process held prior to adoption of the General Plan and MEIR is designed to further review many such alternatives and adjust the plan as necessary.

SUTTER CREEK GENERAL PLAN
Environmental Assessment

Most alternatives to the plan will fall into one of three categories: (1) no project (no plan), (2) a less constrained plan, and (3) a more constrained plan. Each of these alternatives is summarized below.

No Project

If the updated Sutter Creek General Plan is not adopted, the City would continue to operate under its existing General Plan. An explanation as to why the City would not choose this alternative is presented in the section sub-titled "Project History" in the General Plan's introduction. The City would likely continue to rely upon CEQA to address most concerns including public service needs and the fiscal effects of growth which is a piecemeal, reactive approach as explained in the Public Services and Facilities Element. Without an adequate update, the City would remain vulnerable to costly lawsuits and possible State imposed building moratoriums.

**Less
Constrained
Plan**

A less constrained plan would likely not meet standards of adequacy for either a general plan or the EIR. The General Plan was drafted to meet State guidelines as well as the input of citizen task forces and responsible or concerned agencies. Any reduction in the Plan's policies, objectives, standards and programs would likely threaten State laws or guidelines, or bring about serious concern from local citizen or affected agencies.

In the chosen plan, there are a sizable number of unavoidable significant effects all of which have to be addressed in a Statement of Overriding Considerations in order for the proposed MEIR to be adopted. The reduction of any of the policies, objectives, standards or programs in the chosen plan would likely increase the number of unavoidable significant effects caused by the plan to the point that it is unacceptable and the Statement of Overriding Considerations cannot be adopted.

A less constrained plan could allow greater development of lots or buildings with less regulation leading to a number of consequences. Some of the major consequences are listed below:

- scattered development patterns
- loss of open space and historic, small town character
- less efficient provision of services
- greater strain upon revenues for public services
- greater potential for health hazards
- greater loss to components of the natural environment

**SUTTER CREEK GENERAL PLAN
Environmental Assessment**

**More
Constrained
Plan**

A more constrained plan could generate a number of specific effects including but not limited to the following:

- higher regulation and monitoring costs
- less individual choice
- less economic development
- fewer and less efficient services
- higher cost for services
- displacement of population and housing to other areas of the county

LONG TERM VS. SHORT TERM

The California Environmental Quality Act (CEQA) requires that an EIR must discuss the relationship between short term use of the environment and the maintenance and enhancement of long term productivity. As required by State General Plan law and the City's purpose, the General Plan is intended to serve long term as well as short term purposes. Consequently, there are few short term uses encouraged or allowed that would hinder long term productivity in the City.

The plan calls for the provision of public service and facilities that will be needed to support growth throughout both short term and long term planning periods. It calls for responsible fiscal planning which is a matter that is in need of current resolve in order to insure long term productivity.

The main irreversible long term environmental effect of adopting the plan is the growth and development that will be allowed to take place according to the plan. Growth and development is, however, inevitable in the City unless the City adopts a no growth plan; an alternative with such legal and economic consequences that it is not even considered reasonable for presentation in the previous section titled "Alternatives". A more permissive plan or no plan on the other hand, threatens to increase the long term impacts while possibly benefiting short term economic effects. The "managed" growth approach put forward by the General Plan is thus the best approach to balance the requirements of General Plan law, CEQA and the community's own goals with those of private business, land owners and the local economy. The General Plan demands a significant short term investment in time, money, communication and cooperation to provide the greatest acceptable assurance that long term impacts are not significant.

SUTTER CREEK GENERAL PLAN
Environmental Assessment

CEQA specifically asks that the EIR address the irreversible commitment of non-renewable resources through the plan. In general, the plan calls for conservation of the City's varied non-renewable resources. Some trade-offs are made nonetheless. These are listed as follows:

1. Extraction of mineral resources (timing dictated largely by discovery and market demand);
2. Loss in numbers to plants and wildlife through displacement of plants and animals from their natural environment by incompatible human development;
3. Increased noise levels;
4. Altered viewsheds;
5. Increased light and glare;
6. Increased incremental degradation of air quality.

GROWTH INDUCING EFFECTS

Designating where and what kind of development is permitted in Sutter Creek may stimulate land sales and construction. Sometimes the availability of a clear comprehensive plan removes doubt and makes a community a safer place to invest thereby attracting development. Because of the areas attractiveness and its proximity to Sacramento, the City could become a bedroom community for persons commuting to jobs in the Sacramento/San Joaquin valleys. As the Plan's policies, objectives and standards intended to improve services and maintain the City's "small town" and historic character become actualized, the desirability of the community as a place to visit or live will likely increase.

If all such developments are required to pay their way and other policies and objectives of the Plan are observed, growth in the City should have net beneficial effects. Some such effects might include more efficient and economic services, improvement of dilapidated or unattended properties, and increases in types and costs of housing availability. They could also include an improved business climate with spin-offs in favor of the local population such as jobs, better service, and greater consumer goods selection.

Some growth and development is specifically encouraged by the Plan. For example, the establishment of an Ombudsman for industry is recommended. New industry may bring new persons and add to demands for public services and facilities. Similarly, the Plan encourages a number of expansions in the recreation and tourism industry which, if successful, could cause the number of County visitors as well as the number of County residents to increase. Completion of the Highway 49 bypass may have the single most growth inducing effect both freeing up traffic downtown and encouraging development near the bypass due to new access and frontage.

MITIGATION MONITORING

The City has not yet formally adopted a mitigation monitoring program as required by California Public Resources Code Section 21081.6. In 1990 a draft program was provided to the City by Central Sierra Planning Council (CSPC). The CSPC draft provides several essential components including a mitigation monitoring coordinator and time frames for compliance. The mitigation monitoring coordinator most appropriate to monitor and oversee enforcement of and implementation of this General Plan and MEIR is the City Planner or planning department. Section 65400 of the California Government Code requires planning departments to report annually to the legislative body on "The status of the plan and progress in its implementation". The General Plan/MEIR's wide margin format is intended to allow the planning department and Planning Commission to keep margin notes and edit the document as it is used in anticipation of periodic updates.

Time frames are provided for all implementation measures in the form of specific target dates.

STATEMENTS OF OVERRIDING CONSIDERATIONS

Introduction The California Environmental Quality Act (CEQA) guidelines (Section 15093) require that if the City approves a project or adopts a General Plan that will lead to unavoidable adverse environmental effects, it must first adopt a Statement of Overriding Considerations explaining why each such affect is considered acceptable when balanced against the greater purposes of the Plan or project. The statement should be included in public record of the project approval and mentioned in the Notice of Determination filed for public and agency review with the County Recorder and the State Resources secretary. The following is a list of significant unavoidable and/or cumulative effects identified in previous sections of the Environmental Assessment together with specific statements of overriding considerations.

**SUTTER CREEK GENERAL PLAN
Environmental Assessment**

| | |
|-------------------------|---|
| Plant Life | Net reductions in overall numbers of native plants and wildlife is overridden by the need to provide a growing and healthy human community and the fact that the City has no desire to stop growth altogether. |
| Noise, Light and Glare | Though specifically controlled by General Plan measures, the listed effects will increase with increased human activity. The City has no desire to stop present or future human activity in the City altogether. |
| Land Use and Aesthetics | A certain degree of alteration was expected through preparation of a revised General Plan. Adoption of the revised Plan indicates the land use alterations found in the new Plan are preferred over the pre-existing plan or no plan at all. |
| Population | Populations will increase in Sutter Creek primarily due to in-migration regardless of the General Plan. The Plan's policies of managing growth will have minimal effect in limiting this growth, especially over the short term. Growth management is intended more to prevent the City from suffering "boomtown" type problems than controlling population. The City has no desire to accept less than its share of regional growth provided the General Plan's goals are assured. |
| Housing | <p>The City balances its need to accomplish all the goals of this Plan over the need to allow unconstrained land development policies.</p> <p>The City believes that the long term benefits associated with accomplishment of the Plan will override any short term reduction in housing resulting from the Plan's land development policies.</p> |
| Transportation | The only way to mitigate short term reductions in traffic circulation levels of service would be to stop all building in the City and begin to limit traffic visiting or passing through the City. The City prefers to manage growth and vigorously pursue construction of the Highway 49 Bypass. |

2 Gold Rush Ranch EIR 2010

3 Joint Housing Element Initial Study and Negative Declaration 2015

**2014 – 2019
Joint Housing Element
Initial Study and
Negative Declaration**

Prepared for:

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Prepared by:

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May 1, 2015

Approval of Initial Study/Negative Declaration

Certification by Those Responsible for Preparation of this Document. The City has been responsible for the preparation of this negative declaration and the incorporated initial study. I believe this document meets the requirements of the California Environmental Quality Act, is an accurate description of the proposed project, and that the lead agency has the means and commitment to implement the project design measures that will assure the project does not have any significant, adverse effects on the environment. I recommend approval of this document.

Mary Beth Van Voorhis, City Administrator, City of Sutter Creek

Date

Approval of the Project by the Lead Agency. Pursuant to Section 21082.1 of the California Environmental Quality Act, the City of Sutter Creek City Council has independently reviewed and analyzed the initial study and negative declaration for the proposed project and finds that the initial study and negative declaration for the proposed project reflect the independent judgment of the City of Sutter Creek. The lead agency finds that the project will be implemented as stated in the negative declaration.

I hereby approve this project.

Mayor, City of Sutter Creek

Date

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Appendix B Letter from HCD dated 3/13/15

Appendix C Comment Letters and Responses to Comments

1.0 INTRODUCTION

1.1 INITIAL STUDY

This Initial Study/Negative Declaration (IS/ND) has been prepared to address the potential environmental effects of the Sutter Creek Housing Element, located in Sutter Creek, California. An Initial Study is a preliminary environmental analysis that is used by the California Environmental Quality Act (CEQA) lead agency as a basis for determining whether an EIR, a Mitigated Negative Declaration, or a Negative Declaration is required for a project under CEQA guidelines. The IS/ND has been prepared pursuant to the California Environmental Quality Act (CEQA) of 1970, Cal. Pub. Res. Code §2100 et seq. The City of Sutter Creek is the lead agency for this project.

This IS/ND follows the standard content for environmental documents under CEQA. An EIR was determined to be unnecessary, as there are not potentially significant environmental effects associated with adoption of this Housing Element. This IS/ND is a full disclosure document, describing the Housing Element and its environmental effects in sufficient detail to aid decision-making.

Although not required by CEQA, the State Clearing House (SCH) requests a completed Notice of Completion (NOC) form to be submitted with the 15 copies of the draft IS/ND. This form facilitates the processing of environmental documents and is circulated to state agencies together with the IS/ND. The information from the NOC form is entered into the SCH database. The normal review period for a Negative Declaration submitted to the SCH is 30 calendar days (see CEQA Guidelines, Section 15105). Agency and public comments are forwarded to the SCH prior to the end of the assigned review period. At the end of the state review period, comments from the reviewing state agencies are collected at the SCH. A closing letter and a complete package of comments are forwarded to the Lead Agency on the day following the close of the review period.

Within five working days of approving a project for which a MND has been adopted, the City must file a Notice of Determination (NOD). The filing of the NOD begins a 30-calendar-day statute of limitations on court challenges to the project approval under CEQA.

The proposed project evaluated in this IS/ND is the adoption and implementation of the Sutter Creek Housing Element. With approval, the Housing Element would become part of the City of Sutter Creek General Plan and would replace the existing Housing Element. The focus of the analyses herein is on the replacement of the existing Housing Element and the potential environmental effects of implementing the Housing Element over its 5-year plan horizon.

This IS/ND was prepared to evaluate the potential environmental effects of the Housing Element using as a tool the CEQA initial study questions, responses, and supporting narrative. The analysis tiers and incorporates by reference specific analyses contained in the following environmental review documents, as appropriate:

- City of Sutter Creek, *General Plan and Master EIR*, certified and adopted by the City Council on November 21, 1994 (City GP EIR)
- City of Sutter Creek, *Gold Rush Ranch FEIR*, certified and adopted by the City Council on January 4, 2010 (includes update to City GP)

This program-level environmental document includes analysis that provide a foundation for subsequent environmental review. The Sutter Creek Housing Element IS/ND is also a program-level environmental

document. No specific development projects are proposed at this time or analyzed herein. All future projects within the City boundary would be subject to project-level environmental review and permitting by the City of Sutter Creek. Project-level environmental documents would require identification of, and mitigation for any potentially significant environmental impacts.

1.2 PUBLIC INVOLVEMENT

Opportunities for public participation in the development of the Housing Element have been ongoing through the process, and have included the following public involvement opportunities, to date:

- Housing Stakeholder Meeting - February 27, 2014
- Circulation of the Draft Housing Element – March 24, 2015-April 22, 2015

Opportunities to comment on the environmental review process are provided in order to promote open communication and better decision-making. All persons and organizations having a potential interest in the proposed Housing Element are invited to provide comments during the thirty (30) day comment period for the IS/ND.

Comments on this IS/ND will be accepted March 24, 2015 through April 22, 2015. Questions or comments regarding this IS/ND may be addressed to: Mary Beth Van Voorhis, Administrative Assistant, City of Sutter Creek, 18 Main Street, Sutter Creek, CA 95685, (209) 267-5647. Copies of the IS/ND for review are located at the City Office at 18 Main Street, Sutter Creek, CA 95685. A PDF copy is available on the City's website: <http://www.cityofsuttercreek.org/planning-department.html>.

The Final IS/ND resulted in no substantive modification to the March 2015 Draft IS/ND. Modifications are presented in legislative format. New text has been underlined and deleted text has been ~~struck out~~.

A total of two comment letters were received on the Draft IS/ND during the circulation period ending on April 22, 2015. Comments were submitted by Caltrans District 10 and the Central Valley Regional Water Quality Control Board (CVRWQCB). Caltrans District 10 indicated they received and reviewed the document and did not have any concern or comment on the document. The CVRWQCB commented that projects in Sutter Creek may be required to obtain various discharge permits based on the size and components of the project; however, their comments did not address the content of the IS/ND or Housing Element. The comment letters and responses to each individual comment received during the circulation period are located in Appendix C.

Pursuant to the requirements of CEQA, this IS/ND will be sent, along with a Notice of Completion to the California State Clearinghouse. After closure of the public review period, Sutter Creek staff will respond to all comments. Sutter Creek staff will then prepare an agenda item for the City Council's recommendation that include the IS/ND, comments on the IS/ND, and responses to the comments. If the City Council determines that the Housing Element would not have significant adverse impacts, the Council would adopt a Negative Declaration of environmental impact and adopt the Housing Element. Following Council approval, a Notice of Determination would be filed with the City recorder-clerk's office and with the California State Clearinghouse.

2.0 ENVIRONMENTAL CHECKLIST AND IMPACT ANALYSIS

1. Project Title:
Sutter Creek 2014-2019 Joint Housing Element
2. Lead agency name and address:
City of Sutter Creek
18 Main Street
Sutter Creek, California 95685
3. Contact person and phone number:
Mary Beth Van Voorhis
(209) 267-5647
4. Project location:
City of Sutter Creek in Amador County, California
5. Project sponsor's name and address:
City of Sutter Creek
18 Main Street
Sutter Creek, California 95685

6. General Plan designation: Not Applicable
7. Zoning: Not Applicable
8. Description of project:

The 2014-2019 Housing Element, which addresses a planning period of January 1, 2014 through June 30, 2019, is a comprehensive statement by the City of Sutter Creek of the current and projected housing needs that sets forth goals, policies, and programs that address those needs at all income levels. The 2014-2019 Housing Element supersedes the previously adopted housing elements and replaces Chapter 10 of the Sutter Creek General Plan. It is a joint countywide Housing Element for Amador County and the cities of Ione, Jackson, Plymouth, and Sutter Creek and has been prepared to meet the requirements of State law and local housing objectives.

Statutory Requirements

Article 10.6, Section 65580 – 65589.8, Chapter 3 of Division 1 of Title 7 of the Government Code establishes legal requirements for a housing element and encourages the provision of affordable and livable housing to meet statewide goals for cities and counties. This Housing Element is a guiding document for housing development; the allocation of housing resources, and the continuation of housing related services during the planning period of 2014-2019.

This Initial Study evaluates the potential environmental impacts that may result from implementation of the Housing Element within the City of Sutter Creek. This includes the potential development of up to 10 housing units over the planning period, which represents the City's "fair share" of housing based on the Regional Housing Needs Allocation (RHNA)

process. This includes one extremely low-income unit, one very low-income unit, two low-income units, two moderate-income units, and four above moderate-income units. The City has the capacity to develop over 523 residential units on over 154 acres, which is more than needed to accommodate these ten units.

Since the Housing Element is an update to the General Plan, the analysis of environmental impacts is broad and programmatic in nature as it would be too speculative to include future housing development designs that have not yet been proposed in this IS/ND. Should future residential development require discretionary action by the City, project-level CEQA review will be required to determine project-specific impacts. Analysis of the potential environmental impacts of the Housing Element assumes development will occur under the existing Zoning Code.

Housing Element Content

Pursuant to state law, the Housing Element includes:

- An overview and summary of state requirements, the framework for the joint housing element, data sources, and public participation process.
- Countywide housing goals, policies, and programs, including individual programs for the City of Sutter Creek.
- A housing needs assessment.
- A description of constraints to housing development and other housing goals.
- A description of the Regional Housing Needs Determination, including an inventory of existing housing opportunities and resources to meet housing needs.
- Review of the 2007–2014 Housing Element.
- An analysis of the communities within the Housing Element in relation to Senate Bill 244 regarding infrastructure needs

The 2014-2019 Housing Element outlines five joint goal statements and sets forth policies and programs for promoting affordable and fair housing, improving the existing housing stock through new construction, rehabilitation and resource conservation, reducing constraints to housing production while maintaining design, quality, environmental review, and fiscal responsibility, assisting special needs groups and providing housing subsidies. Many of these activities are exempt from the CEQA or not considered a project requiring CEQA review. Exemptions include:

- Financial assistance for the development and construction of residential housing for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code.

- Development project which consists of the construction, conversion, or use of residential housing consisting of not more than 100 units in an urbanized area, provided that it is either

- *Affordable to lower-income households, as defined in Section 50079.5 of the Health and Safety Code, and the developer provides sufficient legal commitments to the appropriate local agency to ensure that the housing units will continue to be available to lower income households for a period of at least 15 years; or*
- *Affordable to low and moderate-income households, as defined in paragraph (2) of subdivision (h) of Section 65589.5 of the Government Code, at monthly housing*

costs determined pursuant to paragraph (2) of subdivision (h) of Section 65589.5 of the Government Code.

- The adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code.

The 2014-2019 Housing Element does not substantially change the 2007 Housing Element or the impacts analyzed in the associated Initial Study (IS) and the 1994 Environmental Impact Report (EIR) for the Sutter Creek General Plan. Notable changes include amending the Zoning Code to allow residential care facilities in residential zones (Sutter Creek Program H-10), increasing the density bonus to 35 percent (Sutter Creek Program H-5), an update of potential funding programs (Program H-1.2), cooperative funding programs, creation of a housing taskforce and affordable housing funding programs (Programs H-1.4, -1.5, -2.1, -2.2, -2.3 and -5.3), weatherization program support (Program H-3.3), annual monitoring of Housing Element implementation (Program H-5.1), and assisting “at-risk” units (Sutter Creek Program H-11). The 2014-2019 Housing Element Update proposes various housing policies and programs to assist in providing housing options for low- and moderate-income households. Any future site-specific project will be required to submit environmental documentation with a planning application.

Specific Housing Element Program Changes

Program 1-3 regarding a change to the Zoning Ordinance and Program 1-9 regarding amendment to the Zoning Ordinance Map were eliminated from the 2014-2019 Housing Element as these programs have since been completed and are no longer necessary/applicable. Program 2-7 regarding manufactured housing has also been eliminated as the Zoning Ordinance already allows manufactured housing within the Manufactured Housing Combining Zone and this program is no longer necessary.

The Sutter Creek Individual Programs listed in the 2014-2019 Housing Element (Programs H-1 through H-9) are the continuation of 2007 Housing Element Update Programs 1-4, 1-7, 1-8, 2-1, 2-2, 2-3, 2-4, 3-1, 3-2, 3-3, and 4-3:

- Program H-1 is the continuation of Program 1-4;
- Program H-2 is the continuation of Program 1-7;
- Program H-3 is the continuation of Program 1-8;
- Program H-4 is the continuation of Programs 2-1 and 2-2;
- Program H-5 is the continuation of Program 2-3 with a minor update to reflect current density bonus law of 35% rather than the previous 25%;
- Program H-6 is the continuation of Program 2-4, with a minor change in text to better clarify how the City has been and continues to apply this program;
- Program H-7 is the continuation of Programs 3-1 and 3-2; and
- Program H-8 is the continuation of Program 3-3, with slight modification to reflect current requirements of SB 2 and to eliminate those portions of Program 3-3 that have been completed through the Zoning Code update allowing transitional housing and emergency shelters.
- Program H-9 is the continuation of Program 4-3.

The joint goals, policies, and programs include existing goals and programs from the 2007 Housing Element as well as new programs that reflect current housing laws and funding sources as well as opportunities for joint funding and/or educational actions.

Goal H-1 represents the goals of Goal 1 from the 2007 Housing Element regarding the provision of adequate affordable housing sites. Similarly, Program H-1.1 is a continuation of Programs 1-1 and 1-2, although the text has been somewhat revised to combine the two previous programs and clarify the inventory shall identify these sites for affordable second units, multi-family dwellings and special needs housing in addition to the broader definition of residential use.

Policy H-1.2 is added in regard to the use of state and federal housing funding programs and promoting the use of those funds. This policy is supported by Program H-1.2, which is the continuation of Program 2-6. The text of Program 2-6 is represented in Policy H-1.2 and also in Program H-1.2, although the new program includes a listing of the federal, state, and local funding programs, some of which are new. Although the text changed slightly, the provisions and applicability of the program have not changed.

Policy H-1.3 and Program H-1.3 are the continuation of 2007 Housing Element Program 1-5 regarding the promotion and provision of second unit dwellings. The text of the Program H-1.3 is the same as Program 1-5 and no change in the policy or implementation occurred. 2007 Housing Element Program 1-6 is also combined into Program H-1.3 as the provision for informational/technical assistance for second dwelling unit applicants is already stated in Program 1-5 and Program H-1.3.

Policy H-1.4 and Program H-1.4 are new and are included to assist in the development of extremely low-, very low-, and low-income housing through financial/technical assistance using CDBG funding for the First-time Homebuyer Program. Like Policy H-1.2 and Program H-1.2, this policy and program would utilize federal funding to assist low-income households.

Policy H-1.5 and Program H-1.5 are also new and are included for the joint communities to consider the establishment of Affordable Housing Trust Funds. The Affordable Housing Trust Fund would be funded through housing developers and/or employers. The Countywide Housing Committee would create a priority list for use of the funds and matching funds may be applied from the Local Housing Trust Fund Matching Grant Program through the State Housing and Community Development Department. This action first only requires the consideration of developing the trust fund. If Sutter Creek pursues the fund, then an additional funding mechanism would be available for affordable housing. As stated above, this program and the other funding programs established in the Housing Element are exempt from CEQA review as the application of funds does not represent a physical change to the environment.

Goal H-2 is similar to Goal 3 in the 2007 Housing Element as both goals support special-needs housing. Although Program H-2.1 is similar to Programs 3-1 and 3-2, Programs 3-1 and 3-2 are continued as Sutter Creek Program H-7. New Program H-2.1 sets forth for the City to work with non-profit and for-profit housing development corporations specializing in special-needs housing. It also seeks to provide public education on the necessity and benefits of affordable housing in the community and to eliminate negative perceptions of affordable housing. Program H-2.1 also establishes that the City will promote/publicize the availability of loans and grant funds if the City is successfully awarded funding. Coordination with special-needs housing developers and education programs would not affect the environment.

Program H-2.2 is added in compliance with Assembly Bill 2634. This program requires the quantification and analysis of extremely low-income housing needs and the prioritization of funding or incentives to encourage the development or rehabilitation of units affordable for

extremely low-income households.

Program H-2.3 is also new and requires the joint communities to consider working with the Amador-Tuolumne Community Action Agency (A-TCAA) to find suitable sites for special-needs households. This includes consideration of meeting with A-TCAA.

Goal H-3 represents the 2007 Housing Element Goals 4 and 6 regarding resource conservation and rehabilitation of the existing housing stock. Program H-3.1 is the continuation of Programs 4-1 and 4-2 regarding surveying the housing stock and pursuing rehabilitation program funding. The text is slightly altered in order to combine Programs 4-1 and 4-2, include the joint communities, and reflect current programs and organizations.

Policy H-3.2 and Program H-3.2 are new and are in regard to energy and water conservation. The Program states Sutter Creek will continue to enforce Title 24 energy requirements. Although this was not a previous program in the 2007 Housing Element, it is already a building requirement and is not new. Program H-3.2 also sets forth that the City shall consider partnering with A-TCAA and ACES, Inc. to promote energy conservation. This may include providing brochures on energy conservation or applying for funds for weatherization or rehabilitation projects.

Policy H-3.3 is the same as 2007 Housing Element Program 6-1 regarding working with utility companies to implement energy awareness programs. This policy is supported by new Program H-3.3 which states the City shall continue to support the County's weatherization program. The policy is also supported by Program H-3.4, which sets forth that the City may consider partnering with PG&E to promote energy saving programs by notifying home builders of PG&E design tools and posting a link to PG&E energy saving programs on the City website. The program also includes consideration of partnering with existing programs regarding utility rate assistance.

Goal 4 and Policy 4-1 regarding the provision of decent housing for all members of the community is the same as Goal 5 of the 2007 Housing Element. Program H-4.1 is the same as Program 5-1 of the 2007 Housing Element, except the statement regarding fair housing laws on utility bills has been deleted. Program H-4.2 is the same as Program 5-2 regarding housing discrimination complaints.

Goal 5 and the associated policies and programs in regard to housing production constraints are new although similar to 2007 Housing Element Program 2-5 and Goal 7. Policy H-5.1 and Program H-5.1 are the continuation of enforcement of land use policies allowing a variety of residential growth, ensuring consistency with the General Plan and Housing Element. This includes an annual monitoring program to review progress toward achieving housing element objectives. This action already occurs although it was not a program identified in the 2007 Housing Element. Currently, the General Plan and Housing Element are reviewed and a report is sent to HCD as stated in Program H-5.1. This program reflects current practice. Policy H-5.2 and Program H-5.2 refer to ongoing efforts to fast-track housing applications. This is similar to 2007 Housing Element Program 2-5 and sets forth action to minimize processing time and continue monitoring the development review process to minimize the process. Policy H-5.3 and Program H-5.3 are in regard to establishing a countywide housing task force, which would explore joint housing element programs.

Sutter Creek Individual Program H-10 will result in an amendment to the Zoning Code to allow

residential care facilities in residential zones either by right for small facilities serving six or fewer persons or by conditional use permit for large facilities serving seven or more persons in order to comply with current state law (SB 2).

Should the City of Sutter Creek have deed-restricted units in the future, Sutter Creek Individual Program H-11 will help provide assistance for “at-risk” units by contacting state and federal agencies that might provide affordable housing funds to determine if funding is available for preservation of assisted housing developments. Program H-11 also provides that the City will work with not-for-profit housing providers to apply for affordable housing subsidies that may be available for use, if necessary in the future.

9. Surrounding land uses and setting:

The City of Sutter Creek is in Amador County on the west slope foothills of the Sierra Nevada. The downtown area is a registered historic landmark by the state of California. The planning area consists of 3.75 square miles, approximately 930 acres (1.5 square miles) of which are presently within the City limits. The planning area is characterized by a small valley, drained by Sutter Creek and surrounded by hills of California oak grasslands. The surrounding vegetation also includes pine and chaparral.

State Highway 49 runs north-south through the downtown commercial and industrial center. Surrounding the commercial core, there are residential neighborhoods and open space.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):

None

2.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

If environmental factors are checked below, there would be at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

| | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology Resources |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

2.2 CEQA ENVIRONMENTAL DETERMINATION

On the basis of this Initial Study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Mary Beth Van Voorhis

Mary Beth Van Voorhis, Administrative Analyst
City of Sutter Creek

3/24/15

Date

2.3 EVALUATION OF ENVIRONMENTAL IMPACTS

The following environmental analysis has been prepared using the CEQA Guidelines Appendix G: Environmental Checklist Form to complete an Initial Study (IS).

CEQA requires a brief explanation for answers to the Appendix G: Environmental Checklist except "No Impact" responses that are adequately supported by noted information sources. Answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

| Table 4: CEQA Defined Levels of Impact Significance | |
|--|--|
| Impact Severity | Definition |
| No Impact | A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis). |
| Less than Significant Impact | "Less than Significant Impact" applies where the Project's impact creates no significant impacts based on the criterion or criteria that sets the level of impact to a resource and require no mitigation to avoid or reduce impacts. |
| Less than Significant Impact after Mitigation | "Less than Significant Impact after Mitigation" applies where the incorporation of mitigation measures has reduced an effect from potentially "Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. |
| Significant Impact | "Significant Impact" is appropriate if there is substantial evidence that an effect is potentially significant, as based on the criterion or criteria that sets the level of impact to a resource. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required. |
| Source: CEQA Appendix G Environmental Checklist Form 2010 | |

I Aesthetics

| <p>I. Aesthetics Would the project:</p> | <p>Potentially Significant Impact</p> | <p>Less Than Significant with Mitigation Measures</p> | <p>Less Than Significant Impact</p> | <p>No Impact</p> |
|--|--|--|--|-------------------------|
| <p>a) Have a substantial adverse effect on a scenic vista?</p> | | | <p>X</p> | |
| <p>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway?</p> | | | <p>X</p> | |
| <p>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</p> | | | <p>X</p> | |
| <p>d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?</p> | | | <p>X</p> | |

Discussion:

All potential impacts to aesthetics were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not significantly impact aesthetic resources. Any future site-specific project will be required to submit environmental documentation with a planning application.

The 1994 General Plan and subsequent updates set forth policies and programs that, generally, enhance the visual character of the Sutter Creek planning area and work in concert with additional density and development in a manner that would support the existing character of this historical landmark. The City enforces the Uniform Building Code (UBC) and California Codes. In 2014, the City adopted Ordinance 350, which adopts the 2013 California Building Standards Administrative Code, as well as other portions of the Title 24 of the California Code of Regulations/California Building Code and 1997 Uniform Code (International Conference of Building Officials). In 2005, the City adopted Ordinance No. 306, which establishes mandatory design and architectural review guidelines in all R-3, R-4, commercial and industrial zones and includes specific guidelines in relation to aesthetic character and site design. Draft Design Standards were developed in 2014.

New development may have an impact on major topographic features in the planning area, but would be mitigated by grading and development standards. For example, Open Space Policies 3.4 and 3.5 require the use of natural screens and the preservation of natural skylines, respectively. Compliance with grading and development standards, and design standards would mitigate potential visual impacts and individual, focused environmental review of subsequently proposed projects would provide additional review and mitigation, if necessary, based on the location and components of those future housing proposals.

New sources of lighting would be subject to City design guidelines and standards as well as Uniform Building Code standards.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

II Agriculture and Forest Resources

| II Agriculture and Forest Resources: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA Resources Agency, to a non-agricultural use? | | | | X |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | | | | X |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g), timberland (as defined by Public Resource Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | | | | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | | | | X |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | | | | X |

Discussion:

The City of Sutter Creek is not located on agricultural lands. All potential impacts to agriculture were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not propose changes to land use designations in regard to agricultural lands. As stated in the 2014-2019 Joint Housing Element, Sutter Creek contains over 530 vacant residential-designated sites, which is more than adequate to accommodate the 10 additional units required by the Regional Housing Needs Assessment. The surplus of vacant residential land indicates little potential for impact on agricultural land.

The General Plan Land Use Element designates 12 land use classifications. Agriculture is one of the designations but agriculture and timber production are not considered significant in the Sutter Creek planning area. Again, the Joint Housing Element does not impact agricultural lands in Sutter Creek.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

III. Air Quality

| III. Air Quality – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | | | X | |
| b) Violate any air quality standards or contribute substantially to an existing or projected air quality violation? | | | X | |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | | | X | |
| d) Expose sensitive receptors to substantial pollutant concentrations? | | | | X |
| e) Create objectionable odors affecting a substantial number of people? | | | | X |

Discussion:

Potential impacts to air quality were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth housing policies and programs to assist in providing housing for low- and moderate-income households and does not significantly impact air quality. The Regional Housing Needs Assessment requires 10 new housing units within the City. Ten housing units would result in some increase in temporary emissions during construction and permanent emissions resulting from increased vehicle trips and energy use, but would not substantially increase air emissions or conflict with Amador Air District air quality plans or regulations. Residential development is not associated with odors or high concentrations of pollutants.

Although Amador County is a non-attainment area for ozone, the programs in the Housing Element either promote energy efficiency or do not affect air quality as the programs relate to funding, outreach and other non-physical objectives. Any future site-specific project will be required to submit environmental documentation with a planning application. Policy 3.9, 3.10 and 3.11 of the Conservation and Open Space Element of the 1994 General Plan, respectively: set forth limits to industry that could have harmful effects on air quality; calls for the reduction of locally generated carbon monoxide and ozone air pollution; and supports efforts of the Amador County Air Pollution Control District.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

IV. Biological Resources

| IV. BIOLOGICAL RESOURCES: Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | | | X | |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (| | | X | |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | | | X | |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | | | X | |
| e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? | | | X | |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | | | X | |

Discussion:

All potential impacts to biological resources were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not significantly impact biological resources. The Regional Housing Needs Assessment requires 10 new housing units within the City of Sutter Creek. The addition of ten housing units would not substantially affect biological resources. Any future site-specific project will be required to submit environmental documentation with a planning application.

The planning area is located in the “upper Sonoran” or “foothill” life zone. Lists of specific plant and animal species common to the planning area are found in the 1994 General Plan EIR. The California Department of Fish and Wildlife (CDFW) commented that “the [General] Plan has the potential for

increased impacts to oak woodlands, grasslands, riparian habitat and wetlands. The habitats are experiencing increased pressure from development as California's population grows and are therefore becoming increasingly rare. As a result, many fish and wildlife species dependent on these habitats as part of their life requirements are in danger of local extirpation.”

CDFW advises that the General Plan discuss zoning alternatives that will minimize environmental impacts to fish and wildlife habitats, such as cluster housing, open space areas, and dedicated buffers around riparian strips and wetlands. The Land Use Element of the 1994 General Plan addresses these concerns directly through flexible zoning alternatives, which are intended to protect biological resources as Sutter Creek grows. The Open Space and Conservation Element sets forth policies 3.14 through 3.20, which outline protections for vegetation, wildlife, fisheries and associated habitats. In addition, the Joint Housing Element promotes second units (Policy H-1.3 and Program H.1-3) and clustered housing (Sutter Creek Program H-4), which will minimize new disturbance to biological resources.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

V. Cultural Resources

| V. CULTURAL RESOURCES: Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | | | X | |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | | | X | |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | | X | |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | | | X | |

Discussion:

All potential impacts to cultural resources were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not significantly impact cultural resources. Any future site-specific project will be required to submit environmental documentation with a planning application.

The City of Sutter Creek downtown is a registered historic landmark by the State of California. State Historic Building Codes apply to state and federally-designated, as well as locally-designated, buildings. The City has draft design standards for the Historic District.

The development of 10 additional residential units identified in the Joint Housing Element would not result in the interference with any object, building, structure, site, area, place, or record that the City determines to be historically or culturally significant. The Joint Housing Element includes Sutter Creek Program H-9 regarding historically significant structures that provides rehabilitation and adaptive reuse of structures. The 1994 General Plan Historic Element sets forth clear goals, policies and programs for the protection and preservation of historic and cultural resources. Additionally, the Land Use Element sets forth the Historic Residential Combining Zone ordinance to preserve existing residential structures (constructed prior to 1920) as a community resource. In 2006, Ordinance 316 amended Municipal Code Chapter 2.40 establishing regulations for the preservation and protection of old and historical buildings in the City. Future projects are subject to site-specific environmental review and Historic Element Policies 8.3 and 8.4 that require historical site review and require discretionary development projects to include conditions for inadvertent discoveries.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

VI. Geology and Soils

| VI. GEOLOGY AND SOILS: Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Strong seismic ground shaking? Seismic-related ground failure, including liquefaction? Landslides? | | | X | |
| b) Result in substantial soil erosion or the loss of topsoil? | | | X | |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | X | |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | | | X | |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water? | | | X | |

Discussion:

All potential impacts to geology and soils were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not significantly impact geology and soils. Any future site-specific project will be required to submit environmental documentation with a planning application.

Geologic and seismic hazards are inherent to development in California. Objectives, policies and implementation programs are clearly outlined in the Safety Element and address mitigation of fault rupture, strong ground motion, liquefaction, and unstable soils. All impacts will be reduced, mitigated or avoided through implementation of policies, programs, and standard engineering techniques.

The City of Sutter Creek currently enforces the Uniform Building Code and the 2013 California codes and compliance is not considered an undue constraint on affordable housing. Compliance with these codes enforces the policies and programs that support goals for quality housing supply.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

VII Greenhouse Gas Emissions

| VII. GREENHOUSE GAS EMISSIONS: Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | | | X | |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | | | X | |

Discussion:

Global climate change is caused in part by release of man-made emissions of GHGs into the atmosphere through the combustion of fossil fuels and other activities, such as deforestation and land-use change. According to the California Energy Commission (CEC), GHG emissions are attributable to human activities associated with industrial/manufacturing, utilities, transportation, residential, and agricultural sectors as well as natural processes (CEC 2006). Climate change is a global problem, and GHGs are global pollutants, unlike criteria air pollutants (such as ozone precursors) and toxic air contaminants that are primarily pollutants of regional and local concern. Because GHG emissions have long atmospheric lifetimes, GHGs are globally mixed and persist in the atmosphere longer than criteria pollutants such as ozone; therefore, GHG emission reduction strategies can be effectively undertaken on a global scale whereby the mitigation of local GHG emissions can be offset by distant GHG reduction activities.

Implementation of the 2014-2019 Joint Housing Element would result in a small number of new residential units and a slight increase in population. A slight increase in overall greenhouse gas emissions would occur due to new mobile-source emissions, additional energy consumption, and use of wood-heating appliances. The 2014 Joint Housing Element includes energy and natural resource conservation programs that would reduce non-mobile residential emissions both in new and existing residential units (Programs H-3.2, H-3.3, and H-3.4). An increase in greenhouse gas emissions would be considered significant if the project would obstruct implementation of any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions. This standard of significance approach for analysis of climate change impacts is generally supported by the California Air Resources Control Board (Preliminary Draft Staff Proposal - Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act, October 2008). With the reduction in non-mobile GHG emissions resulting from the implementation of Programs H-3.2, H-3.3, and H-3.4, the construction of 10 new housing units and implementation of the 2014-2019 Joint Housing Element would not obstruct plans for reducing GHG emissions. Reductions in project-generated GHG emissions associated with individual development projects would vary, depending on factors such as the site design and location, and proximity to local services. Anticipated development and population growth is not expected to make a considerable contribution to global climate change.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

VIII. Hazards and Hazardous Materials

| VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | | | | X |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | | | | X |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | | | | X |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | | | | X |
| e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | | | | X |
| f) For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the project area? | | | | X |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | | | | X |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | | | X | |

Discussion:

All potential hazards, including hazardous or toxic materials, were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not pose significant hazards. New residential development would occur on existing residential-designated land. Any future site-specific project will be required to submit environmental documentation with a planning application.

Policies 6.9 through 6.21, objectives 6.3 through 6.5, and implementation programs 6.3 through 6.5 set forth in the Safety Element of the 1994 General Plan address wild land and urban fires, evacuation and emergency preparedness, and hazardous materials.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

IX. Hydrology and Water Quality

| IX. HYDROLOGY AND WATER QUALITY: Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Violate any water quality standards or waste discharge requirements? | | | | X |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | | | | X |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | | | X | |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | | | X | |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | | | X | |
| f) Otherwise substantially degrade water quality? | | | X | |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | | | X | |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | | | X | |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | | | X | |
| j) Inundation by seiche, tsunami, or mudflow? | | | X | |

Discussion:

All potential impacts to hydrology and water quality were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not significantly impact hydrology and water quality. Any future site-specific project will be required to submit environmental documentation with a planning application. Runoff, flooding, and drainage pattern changes are subject to the site-specific design of future projects. The 2014 Joint Housing Element does not contain goals, policies, or programs specific to hydrology.

The Safety Element of the 1994 General Plan addresses flooding (Policies 6.2 through 6.6) and includes a Flood Hazard Reduction Plan. The Conservation and Open Space Element sets forth objective 3.1 and implementation measure 3.1 for the protection of water quality and the required use of best management practices (BMPs). Policy 3.6 prohibits upstream diversions of water from Sutter Creek.

No impacts to groundwater are expected because there are no large underground storage basins and there are no large-scale developments of groundwater resources in the planning area. The City of Sutter Creek is currently and has historically been served by surface water. There are adequate supplies of surface water to accommodate additional growth as discussed on page B-9 of the 2014-2019 Joint Housing Element.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

X. Land Use and Planning

| X. LAND USE AND PLANNING: Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Physically divide an established community? | | | | X |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | | X | | |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | | | | X |

Discussion

All potential impacts to land use were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not significantly impact land use. Any future site-specific project will be required to submit environmental documentation with a planning application.

The General Plan Land Use Element and Zoning Ordinance provide the framework within which development may take place. There are 12 land use designations. The Land Use Element outlines the permitted residential uses in each of these designations along with the compatible zoning code, maximum lot coverage, maximum building density, assumed population density and height limitations. In addition to the 12 zoning districts in Sutter Creek's Zoning Ordinance, there are overlay zones that also allow residential uses in specific areas: Historic Residential Combining (HR), Manufactured Housing Combining (MH), and Planned Development Combining (PD).

The 2014-2019 Joint Housing Element proposes to allow residential care facilities in residential zones by right (six persons or fewer) or by conditional use permit (seven or more persons) in accordance with current state law (Sutter Creek Program H-10). The Zoning Ordinance currently allows group dwellings, transitional housing and single-room occupancy dwellings in the R-4 Zone; however the Housing Accountability Act (SB 2 enacted in 2008) requires transitional and supportive housing for six or fewer persons be considered a residential use and requires them to be allowed in all residential zones where residential dwellings are allowed. Program H-10 will change the list of permissible or conditional uses in residential zones, but will not change the zoned use of an area, nor will it physically divide a community or conflict with an applicable conservation plan since the use would be residential in nature. Program H-10 requires an amendment to the Zoning Ordinance to allow residential care facilities as either a permissible or conditional use depending on the number of residents in all residential zones as such uses are not listed as permissible outside the R-4 zone. This program also requires amendment to the Zoning Ordinance to define Supportive and Transitional Housing, for which there is currently no definition in the Zoning Ordinance.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

XI. Mineral Resources

| XI. MINERAL RESOURCES: Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | | | | X |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | | | | X |

Discussion:

All potential impacts to mineral resources were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not significantly impact to mineral resources. Any future site-specific project will be required to submit environmental documentation with a planning application. Residential development resulting from implementation of the Housing Element would occur on land designated for residential use. Lands within the planning area that have been identified as mineral lands are zoned accordingly. The 2014-2019 Joint Housing Element will not require rezoning of lands zoned Mineral and will not result in a loss of mineral resources.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

XII. Noise

| XII. NOISE: Would the project result in: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | | | X | |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | | | X | |
| c) A substantial permanent increase in ambient noise levels in the Project vicinity above existing levels? | | | X | |
| d) A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above existing levels? | | | X | |
| e) For a Project located within an airport land use plan or within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? | | | X | |
| f) For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the project area to excessive noise levels? | | | X | |

Discussion:

Potential noise impacts were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not present significant noise impacts. The Regional Housing Needs Assessment requires 10 new housing units within the City of Sutter Creek. The addition of ten housing units would not substantially increase noise, nor would implementation of funding, educational, or other Housing Element programs designed to assist residents obtain, retain, or improve housing. Future site-specific projects will be required to submit environmental documentation with a planning application.

The Noise Element of the 1994 General Plan sets forth goals, policies and objectives that ensure that all areas of the City of Sutter Creek are free from excessive noise and that appropriate maximum levels have been adopted for residential, commercial, and industrial areas. The City ensures land uses are compatible with the related noise characteristics of those uses and noise sources are reduced to the extent possible.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

XIII. Population and Housing

| XIII. POPULATION AND HOUSING: Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | | | X | |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | | | X | |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | | | X | |

Discussion:

All potential impacts to population and housing were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not present significant impacts to population or housing. The Regional Housing Needs Assessment requires 10 new housing units within the City of Sutter Creek. The addition of ten housing units would support housing stock requirements and would not substantially alter the existing population. Any future site-specific project will be required to submit environmental documentation with a planning application.

The 1994 General Plan Land Use Element and Zoning ordinance provide the framework within which development may take place. The City of Sutter Creek has incorporated growth projections and growth management policies into the General Plan in order to ensure the preservation of the community's rural character. However, the City does not have any growth management programs that limit the number of residential units that can be built. The City has one policy in the General Plan that references growth management. Policy 2.1 in the Land Use Element states: "Growth management is necessary in order to preserve Sutter Creek's existing quality of life. When project applications are being considered for acceptance under the provisions of Government Code Section 65943 and the City's permit procedures, General Plan consistency should be evaluated. If the project proposal is not consistent, the applicant should be advised that the project may be denied if a General Plan amendment is not processed and approved first or concurrently. Included in this evaluation should be a comparison of the project's proposed population density and building intensity with the growth assumptions and policies of this plan."

Additionally, the Open Space and Conservation Element identifies usable open space, including: required parklands, common areas, landscaped areas, pedestrian paths, plazas and similar public or private areas. These open space requirements are considered the minimum necessary to balance allowable densities

with the City's goal to maintain its character and the State requirement that the City make definite plans to preserve open space (Government Code Section 66560 and PRC Section 5076).

Sutter Creek Land Use Element Table LU-7 shows that the city had a population of 2,015 and contained 925 dwelling units in 1994, with a 2014 projected population of 3,358 persons and 1,505 dwelling units. This represents an average annual growth rate of approximately 3 percent or about 67 persons per year and an average of 29 new units per year or average annual growth of 2.5 percent. Therefore, the projections included in the Regional Housing Needs Allocation Plan for Sutter Creek are much lower than the General Plan projections for Sutter Creek and growth would fall well within the anticipated growth rates analyzed for the Sutter Creek General Plan.

The 2014-2019 Joint Housing Element proposes various housing programs to assist in providing housing for low- and moderate-income households. Sutter Creek has a total inventoried capacity of 523 additional residential units on over 154 acres. The 2014-2019 Joint Housing Element will not result in displacement of existing residents, but will facilitate adequate housing for the City residents.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

XIV. Public Services

| XIV. Public Services | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| Fire protection? | | | X | |
| Police protection? | | | X | |
| Schools? | | | X | |
| Parks? | | | X | |
| Other public facilities? | | | X | |

Discussion:

All potential impacts to public services, including fire protection, medical aid, police protection, schools, parks and maintenance of public facilities, were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not significantly impact public services. The Regional Housing Needs Assessment requires 10 new housing units within the City of Sutter Creek. The addition of ten housing units would not substantially affect public services. Any future site-specific project will be required to submit environmental documentation with a planning application.

Public services are adequate to meet population growth associated with the development of the regional housing requirements identified in the 2014-2019 Joint Housing Element. Local government services are capable of expanding to meet unanticipated increases in demands although funding is a continuing concern. Programs encouraging a range of quality housing to meet the needs of various income levels and special needs, promoting conservation and rehabilitation of existing housing, and providing educational materials and funding would not significantly affect the City’s ability to provide services.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

XV. Recreation

| XV. Recreation | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | | | X | |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | | | X | |

Discussion:

All potential impacts to recreation were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not significantly impact to recreation. The Regional Housing Needs Assessment requires 10 new housing units within the City of Sutter Creek. The addition of ten housing units and associated population increase would not substantially affect recreation. Any future site-specific project will be required to submit environmental documentation with a planning application.

The City of Sutter Creek operates approximately 3.25 acres of parklands including several playgrounds, a ball field and a picnic facility. The Parks and Recreation Element of the General Plan sets forth policies and programs to improve and maintain a full range of parks and recreational facilities and the 2014-2019 Joint Housing Element will not impact these programs.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

XVI. Transportation and Traffic

| XVI. TRANSPORTATION/TRAFFIC: Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | | | X | |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | | | X | |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | | | | X |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | | | X | |
| e) Result in inadequate emergency access? | | | X | |
| f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | | | X | |

Discussion:

All potential impacts to transportation and traffic were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not significantly impact transportation and traffic. The Regional Housing Needs Assessment requires 10 new housing units within the City of Sutter Creek. The addition of ten housing units would not substantially affect traffic levels or transit services. Any future site-specific project will be required to submit environmental documentation with a planning application.

The Circulation Element of the General Plan contains goals, policies and implementation programs that are designed to provide a balanced circulation system for the City of Sutter Creek. The Joint Housing Element will not impact emergency access, air traffic patterns, parking or alternative transportation.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

XVII. Utilities and Service Systems

| XVII. UTILITIES AND SERVICE SYSTEMS: Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | | | X | |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (| | | X | |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | X | |
| d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed? | | | X | |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments? | | | X | |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs? | | | X | |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | | | X | |

Discussion:

All potential impacts to utilities and service systems were thoroughly analyzed in the 1994 EIR for the Sutter Creek General Plan and no additional impacts are identified. The 2014-2019 Joint Housing Element sets forth various housing policies and programs to assist in providing housing for low- and moderate-income households and does not significantly impact utilities and service systems. The Regional Housing Needs Assessment requires 10 new housing units within the City of Sutter Creek. The addition of ten housing units would not substantially affect utility services. Any future site-specific project will be required to submit environmental documentation with a planning application.

The adequacy of public facilities, services and infrastructure to accommodate planned residential growth through the end of the planning period (June 30, 2019) is discussed in the 2014-2019 Joint Housing Element. Wastewater service is discussed in page B-13. The City of Sutter Creek owns and operates a sewage treatment plant, treating wastewater from Amador City, Sutter Creek, and County Service Area 4 (in the Martell area). The plant is permitted to process approximately 480,000 gallons per day (gpd) and was operating at 300,000 gpd in 2013, leaving an available capacity of 180,000 gpd. This capacity is

adequate to serve pending tentative maps and infill developments for 166 units, but cannot accept additional projects without capacity expansion. The pending Gold Rush Ranch project would increase sewer capacity with construction of a new facility; however, the project has not progressed and capacity increases have not been funded. New residential developments proposed for annexation into the city are required to provide for sewer facilities including lift stations and pipes to meet their demands and/or pay an impact fee, and they are required to construct all internal sewer distribution system improvements associated with their projects. New development will be required to fund eventual wastewater treatment facilities expansion since the treatment plant will ultimately require expansion.

The Amador Water Agency (AWA) provides water service in Sutter Creek. The AWA provides potable and raw water to the City of Sutter Creek via the Tanner water treatment plant. As discussed on page B-9 of the 2014-2019 Joint Housing Element, housing sites in the city have adequate access to water services. New development is required to construct all internal water distribution system improvements to support their projects.

City facilities, services and infrastructure, including wastewater treatment, water supplies and landfill capacity, are adequate to accommodate development of vacant residential sites within the city limits.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

XVIII. Mandatory Findings of Significance

| XVIII. MANDATORY FINDINGS OF SIGNIFICANCE | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | | | X | |
| b) Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | | | X | |
| c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | | | X | |

Discussion:

The 2014-2019 Joint Housing Element identifies sites in the city that are already designated and zoned for residential development, but does not propose or approve any physical development, nor does it result in a change to the land use designation, land use designation map, or zoning code and map. The establishment of goals, policies, and programs that result in sufficient quantity, quality, and type of housing to address specific income and special needs through education, funding, compliance, and other measures would not result in significant impacts. This Initial Study determined that there would be no impact cumulatively considerable or associated with the potential to degrade the quality of the environment, affecting plants or

animals, eliminate important examples of the major periods of California history or prehistory, or result in adverse effects on human beings either directly or indirectly.

The adoption of the Housing Element does not invoke, to a significant level, any of the Mandatory Findings of Significance. The project does not have impacts beyond those that were analyzed in the 1994 General Plan EIR or 2010 Gold Rush Ranch EIR.

List of Mitigations: None

Mitigation Monitoring: None

Like the General Plan itself, the Housing Element is a collection of goals, policies, and programs designed to guide housing development in Sutter Creek. Because these policies are implemented over the long-term (i.e., 7 years) and are applicable to all housing programs and projects over this period, they are inherently cumulative in nature.

As described above, projects permitted through the Housing Element would require project-level environmental review and would be required to comply with applicable federal, state, and city regulations, including protections for human health and safety. Therefore, implementation of the Housing Element would not create a substantial direct or indirect adverse effect on human beings.

3.0 LIST OF PREPARERS AND REFERENCES

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PMC

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3.4 References:

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APPENDIX A:

2014-2019 City of Ione, City of Jackson, and City of Sutter Creek Housing Element Update

APPENDIX B

HCD Letter to City of Sutter Creek March 13, 2015

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY

EDMUND G. BROWN JR., Governor

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



March 13, 2015

Ms. Amy Gedney, City Manager
City of Sutter Creek
18 Main Street
Sutter Creek, CA 95685

Dear Ms. Gedney:

RE: City of Sutter Creek's 5th Cycle (2014-2019) Draft Housing Element

Thank you for submitting the City of Sutter Creek's draft housing element update which was received for review on January 14, 2015, along with additional revisions received on March 12, 2015. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review. Our review was facilitated by a telephone conversation on February 26, 2015 with Mary Beth Voorhis, Administrative Analyst; Andy Hague, Contract Planner; and Jennifer Gastelum and Amy Sinsheimer; the City's consultants.

The draft element meets the statutory requirements of State housing element law. The element will comply with State housing element law (GC, Article 10.6) when it is adopted and submitted to the Department, in accordance with GC Section 65585(g).

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

The Department appreciates the hard work and dedication Mary Beth Voorhis and Andy Hague provided in preparation of the housing element and looks forward to receiving Sutter Creek's adopted element. If you have any questions or need additional technical assistance, please contact Tom Brinkhuis, of our staff, at (916) 263-6651.

Sincerely,

A handwritten signature in blue ink that reads "Glen A. Campora".

Glen A. Campora
Assistant Deputy Director

APPENDIX C

Comment Letters and Responses

Letter 1

From: Demetras, Michele@DOT[mailto:michele.demetras@dot.ca.gov]
Sent: Monday, April 06, 2015 2:37 PM
To: mvanvoorhis@cityofsuttercreek.org
Subject: Joint Housing Element

Dear Ms. Van Voorhis:

Caltrans District 10 has received a copy of your 2014-2019 Joint Housing Element Initial Study and Negative Declaration from the State Clearinghouse. Thank you for the opportunity to study it. We have no concerns.

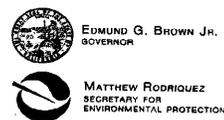
Please let me know if you have any questions.

Michele Demetras
Associate Transportation Planner
Caltrans District 10 - Office of Rural Planning
(209) 948-7647

Response to Comment Letter 1:

No response is necessary as no comment or concern was presented in the letter.

Letter 2



Central Valley Regional Water Quality Control Board

RECEIVED

15 April 2015

Mary Beth VanVoorhis
City of Sutter Creek
18 Main Street
Sutter Creek, CA 95685

CERTIFIED MAIL
7014 2870 0000 7535 8416

City of Sutter Creek

COMMENTS TO REQUEST FOR REVIEW FOR THE NEGATIVE DECLARATION, 2014-2019 CITY OF SUTTER CREEK JOINT HOUSING ELEMENT PROJECT, SCH# 2015032080, AMADOR COUNTY

Pursuant to the State Clearinghouse's 24 March 2015 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Negative Declaration* for the 2014-2019 City of Sutter Creek Joint Housing Element Project, located in Amador County.

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

Construction Storm Water General Permit

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

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

CO:Attache 4/21/15

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley



2014-2019 City of Sutter Creek
Joint Housing Element Project
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Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

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

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

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

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

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

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

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

Clean Water Act Section 404 Permit

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

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

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

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Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

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

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

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board’s website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory

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Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4684 or tcleak@waterboards.ca.gov.



Trevor Cleak
Environmental Scientist

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

Response to Comment Letter 2:

No response is necessary as no comment on the IS/ND or Housing Element was presented in the letter. No development projects are proposed. As stated in the analysis, projects proposed subsequent to the Housing Element would require environmental review and would need to apply for permits based on the size, components, timing, and other characteristics specific to those proposals and will be referred to the CVRWQCB.

4 General Plan Update Initial Study and Negative Declaration (In Process)