

1.0 INTRODUCTION

1.1 BACKGROUND

This Final Environmental Impact Report (FEIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines (Section 15132). The County of Nevada (County) is the lead agency for the environmental review of the proposed Housing Element Rezone Program Implementation (project) and has the principal responsibility for approving the project. This FEIR assesses the expected environmental impacts resulting from approval of the project and associated impacts from subsequent development of the project, as well as responds to comments received on the Draft EIR.

CEQA requires California public agencies to consider the environmental consequences of projects for which they have discretionary authority. The public agency with the principal responsibility for carrying out or approving a project is the “lead agency.” CEQA requires the lead agency to prepare an EIR if there is substantial evidence, in light of the whole record, that a project may have a significant effect on the environment. A significant effect is defined in CEQA as a substantial and adverse physical change in the environment. Nevada County (County) is the lead agency for the proposed project.

1.2 PURPOSE OF THE EIR

An EIR is an informational document that is written to inform public agency decision-makers and the public of the significant environmental effects of a proposed project. The purpose of an EIR is to:

- Analyze the environmental effects of a proposed project
- Indicate mitigation measures to avoid or minimize the potentially significant environmental effects of a proposed project
- Identify alternatives to the project that would avoid or substantially lessen the significant effects of the project

Environmental effects that are addressed in an EIR consist of potentially significant, adverse effects of the project across a full spectrum of environmental topics; growth-inducing effects of the project; and significant cumulative effects of past, present and reasonably anticipated future projects.

It is not the purpose of an EIR to recommend either approval or denial of a project. Rather, EIRs provide relevant information that will assist decision-makers in their decision to approve or deny a project. The lead agency may choose to approve a project that would result in significant environmental effects that cannot be mitigated. If this occurs, the lead agency is required to adopt a “Statement of Overriding Considerations.”

1.3 SCOPE OF THE EIR

The focus of this EIR is limited to specific issues and concerns identified as causing potentially significant effects on the environment.

1.3.1 NOTICE OF PREPARATION

The County deemed that an Initial Study would not provide a sufficient amount of environmental analysis for this particular project and elected to skip the preparation of an Initial Study and prepare an EIR. To determine the scope of the EIR, the County prepared and distributed a Notice of Preparation (NOP), dated September 21, 2012, for the proposed project. An NOP is a document that is sent by the lead agency to notify public agencies and interested parties that the lead agency plans to prepare an EIR for a proposed

project. The purpose of an NOP is to solicit comments from public agencies and interested parties, and to identify specific environmental issues that should be considered in the EIR.

The NOP identified the following issues to be addressed in this EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gases
- Hydrology and Water Quality
- Land Use and Planning
- Transportation/Traffic

The NOP was sent via certified mail to trustee and responsible agencies, and the State Clearinghouse for a 30-day public review period, extending from September 21 to October 26, 2012. The NOP and written comments received from public agencies and interested parties are contained in Appendix A (Notice of Preparation and Public Comments) of the Draft EIR.

1.3.2 PUBLIC REVIEW AND SCOPING MEETING

On October 3, 2012, a public meeting on the scope of the EIR was held. A public notice of the meeting was sent to members of the public and interested parties. At the meeting, members of the public had the opportunity to identify issues of special concern and to suggest additional issues to be considered in the EIR.

1.3.3 CONTENTS OF DRAFT EIR

All of the environmental issues listed in the NOP were determined to have potentially significant impacts, and the issues identified during the public review period for inclusion in the EIR have been incorporated into this EIR. For each environmental issue, the EIR describes the environmental setting (current conditions), then discusses and analyzes the potential related impacts that could be caused by project implementation.

For each potentially significant impact, the EIR specifies ways to mitigate the impact, including implementation of one or more of the following mitigation measures:

- Existing goals, objectives, policies and programs of the General Plan
- Applicable mitigation measures of the Draft and Final EIR for the General Plan
- Project-specific mitigation measures designed to mitigate one or more project impacts, as described in this EIR

The project developer must implement all mitigation measures identified in the EIR or their environmental equivalent. “Environmental equivalent” means any mitigation measure and/or timing thereof, subject to the approval of the County, that, when compared to the mitigation measure, would have the same or superior result and would have the same or superior effect on the environment. The Community Development Agency, in conjunction with appropriate agencies or other County departments, would determine the adequacy of any proposed environmental equivalent. Any costs associated with information or environmental documentation required to determine environmental equivalency would be borne by the

project developer. As with other mitigation measures, the County would ensure compliance with an environmental equivalent through the mitigation monitoring process.

1.4 FINAL EIR AND PROJECT APPROVAL

1.4.1 PUBLIC REVIEW OF DRAFT EIR

In accordance with CEQA, a good-faith effort has been made during the preparation of this EIR to contact all affected agencies, organizations and persons who may have an interest in this project.

This Draft EIR, with an accompanying Notice of Completion (NOC), was circulated to the California State Clearinghouse, trustee agencies, responsible agencies, other government agencies and interested members of the public for a 60-day review period exceeding the minimum required 45-day public review period as required by CEQA. The review period for the Draft EIR was between September 12 and November 12, 2013. The County held three public comment meetings, one in each of proposed areas of the County where the project is proposed, in addition to the County Planning Commission Hearing held on October 10, 2013.

1.4.2 CONTENTS OF FINAL EIR

In addition to the Draft EIR, the following requirements will collectively compose the Final EIR:

- **Chapter 1.0: Introduction**

Chapter 1.0 provides an overview of the EIR process to date and what the FEIR is required to contain.

- **Chapter 2:0 Errata**

Chapter 4.0 consists of revisions to the Draft EIR that are a result of responses to comments, as well as minor staff edits that do not change the intent or conclusions of the analysis or mitigation measures.

- **Chapter 3.0 Comments and Responses to Comments on the EIR**

Chapter 3.0 provides a list of commenters, copies of written comments, and the responses to those written comments made on the Draft EIR.

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