



County of Yuba

Community Development & Services Agency

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PLANNING COMMISSION STAFF REPORT

- Hearing Date:** December 14, 2006
- Case Number:** YUBA HIGHLANDS FINAL ENVIRONMENTAL IMPACT REPORT
- Request:** A request by Foothills Ranch, LLC and River Highlands Estates to certify an EIR for the Yuba Highlands Project.
- Location:** The project is located within the River Highlands Community Plan boundary, near the community of Smartsville. The project is south of Hammonton-Smartsville Road and East of Beale Air Force Base.
- Applicant:** Foothills Ranch LLC River Highlands Estates
3300 Douglas Blvd. 10442 Corfu Drive
Suite #440 Elk Grove, CA 95624
Roseville, CA 95661
- Action:** Re-open Public Hearing and receive testimony on the Environmental Impact Report for the Yuba Highlands Project

Background: A special meeting was held on November 29, 2006 to open the public hearing on the Environmental Impact Report for the Yuba Highlands Project. Many comments were received and the hearing was continued to December 14, 2006.

Environmental Determination: In March of 2001 a Notice of Preparation was released for the project. Subsequently, a Draft Environmental Impact Report (DEIR) was prepared and released to the public in January 2005. A public hearing was held in front of the Planning Commission in February, 2005 at which time the comment period for the DEIR was extended to 90 days, ending on May 2, 2005. Over 50 comment letters were received during this period. Through review of the comments, staff determined the need to re-circulate the Water Study portion of the DEIR in August, 2006 for 45 days in order to address some of the comments received. The Final EIR, which includes responses to comments, was made available to the public on November 1, 2006 and sent to everyone that commented on the DEIR. Additionally, a letter from the Dept. of Fish & Game was recently acquired and staff's proposed responses were distributed on November 29, 2006.

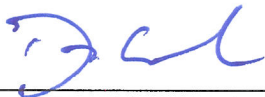
During the course of preparation of the Environmental Impact Report, most of the potential impacts to the environment which were identified could be reduced through mitigation measures to a level that is less than significant. These can be found in the DEIR. However, some significant and unavoidable impacts were identified which could not be fully mitigated. These areas will be discussed further at the public hearing and include the following:

1. Loss of natural undisturbed open space in the region;
2. Increases in traffic noise levels;
3. Short term regional and local air quality impacts;
4. Cumulative regional increases in air pollutants, including new air pollutant emissions of ozone precursors and PM10; and,
5. Impacts to traffic levels of service (LOS).

Section 15093 of the California Environmental Quality Act requires a decision-making agency, when it is determined that a project will have significant and unavoidable impacts on the environment, "to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project." The project and how it relates to the need for a Statement of Overriding Considerations will be discussed at a later time.

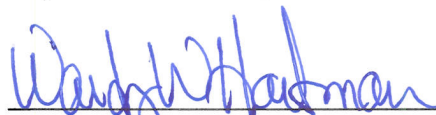
Discussion: The purpose of this meeting is to open the public hearing and finish receiving testimony on the Yuba Highlands EIR. Section 15088 (b) of the California Environmental Quality Act requires that "The lead agency shall provide a written proposed response to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report." Due to the recently acquired letter from the Department of Fish & Game, and staff's proposed response being released at the public hearing on November 29th, no action could be taken regarding certification of the EIR at that meeting. The project was continued to December 14, 2006 at which time the Planning Commission may finish receiving comments on the EIR and close the public hearing. Staff will return with proposed responses to testimony from the public hearing and a recommendation on certification of the EIR at a future date.

Report Prepared By:



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Report Reviewed By:



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