

# **APPENDIX A**

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NOP and Responses



Date: July 28, 2009

To: State Clearinghouse  
Responsible Agencies  
Trustee Agencies  
Interested Parties

From: Susan Grijalva, Planning Director  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642  
planning@co.amador.ca.us

Subject: **Notice of Preparation of a Draft Program Environmental Impact Report for the Amador County General Plan Update**

Public Review Period: **July 30, 2009, through August 31, 2009**

## **INTRODUCTION**

The County of Amador (County) is the lead agency for the preparation of a program environmental impact report (EIR) addressing adoption and implementation of the Draft Amador County General Plan (hereafter referred to as the proposed project). This notice of preparation (NOP) of an EIR has been prepared in compliance with the California Environmental Quality Act (CEQA). The proposed project consists of a comprehensive update to the County's existing General Plan.

Section 15082 of the State CEQA Guidelines states that after a decision is made to prepare an EIR, the lead agency must prepare an NOP to inform all responsible and trustee agencies that an EIR will be prepared. The purpose of an NOP is to provide information about the proposed project and its potential environmental impacts that is sufficient to allow agencies and the public to make a meaningful response related to the scope and content of the EIR. The project description, location, and the potential environmental effects are presented below. An initial study has not been prepared for this project because the EIR will address all issue areas.

Because the proposed project is of regional or areawide significance, Amador County will conduct two scoping meetings on Thursday, August 13, 2009, at 2:00 p.m. and 6:00 p.m. in the Board of Supervisors' Chambers at the County Administration Building, 810 Court Street, Jackson, CA 95642. The first of these scoping meetings is intended to provide for comment by responsible and trustee agencies, and the second is intended for comment by members of the public. However, agency representatives and the public are welcome at either meeting.

Because of the time limits mandated by state law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice. The public comment period closes at 5 p.m. on Monday, August 31, 2009. Please send your comments to Susan Grijalva, Director, Amador County Planning Department, at the address shown above. If you are commenting on behalf of an agency or organization, please include the name of a contact person.

## **PROJECT LOCATION AND REGIONAL SETTING**

Amador County is located in the foothills of the Sierra Nevada, approximately 25 miles east of Sacramento. State Route (SR) 49 traverses the county from north to south along the Mother Lode, connecting the cities of Plymouth, Sutter Creek, Amador City, and Jackson. SR 104 and SR 124 connect Ione with neighboring areas of Amador and Sacramento Counties, and SR 16 connects the county with Sacramento to the west. SR 88 extends from Stockton on the west, through the county to the Kirkwood ski resort, passing through Jackson, and the unincorporated

communities of Martell, Pine Grove, Pioneer, Red Corral, and Buckhorn. SR 88 is an important route over the Sierra Nevada, connecting the Central Valley to US 395 in the eastern Sierra Nevada.

Amador County is bordered by El Dorado County on the north, Alpine County on the east, Calaveras County on the south, and Sacramento and San Joaquin Counties on the west. The only public airport in Amador County is Westover Field, located in Martell. Private airports in the County include the Eagle's Nest Airport in the northwestern portion of the county, south of SR 16. The former Amador Central rail line extends from Ione to Martell, and connects to active Union Pacific lines in the Central Valley. Exhibit 1 illustrates the regional setting of Amador County.

Goals and policies, as well as land use and circulation plans set forth in the Draft Amador County General Plan (Draft General Plan) address unincorporated Amador County. For purposes of this NOP, the term "planning area" is the "project site" as defined by CEQA. The planning area encompasses all unincorporated land within Amador County (that is, excluding the land within the city limits of Amador City, Ione, Jackson, Plymouth, and Sutter Creek, as well as Tribal Trust Lands [e.g., Jackson Rancheria]). The Draft Land Use Diagram (Exhibit 2) identifies general plan land use designations proposed for lands within County jurisdiction.

## **PROJECT HISTORY AND PLANNING CONTEXT**

Amador County initiated a comprehensive General Plan update in 2006. Public participation played an important role in the preparation of the Draft General Plan. Because the Draft General Plan reflects the goals of the community, citizen input was essential to identify issues and formulate goals. The public had several opportunities to participate, including the following:

- ▶ Five introductory community workshops were held during September 2006. These workshops provided an introduction to the General Plan update process and a forum to discuss visions for the future. Discussion at each workshop focused on four broad elements – community, character, resources, and services.
- ▶ Twenty-seven (27) General Plan Advisory Committee (GPAC) meetings, were held on a bi-weekly to monthly basis from July 2006 through April 2008. The public participated in GPAC discussions of issues and opportunities, existing conditions, vision, goals, and land use alternatives.
- ▶ The County hosted workshops and open houses on alternatives, goals, and policies in June and September 2008.
- ▶ Two rounds of study sessions before a joint session of the Board of Supervisors and Planning Commission in October and November 2008, and March through July 2009.
- ▶ General Plan documents, including meeting agendas and summaries, background working papers, draft goals and policies, and draft land use alternatives, have been continuously posted on the county's website for public access since 2006.

## **PROJECT CHARACTERISTICS**

The Draft General Plan will consist of nine elements, or chapters, that together meet State requirements for a general plan. These elements are: 1) land use, 2) circulation, 3) economic development, 4) conservation, 5) open space, 6) noise, 7) governance, 8) safety, and 9) housing. The Draft General Plan will also include an introduction chapter and a glossary. Due to statutory requirements the Housing Element is proceeding on a separate timeline from the balance of the Draft General Plan Update and so will not be considered in this EIR,. A separate environmental review process for the Housing Element will be conducted.



The Draft General Plan represents the County’s policy for determining the appropriate physical development and character of Amador County, and establishes an overall future development capacity. The environmental impact analysis in the Program EIR will be based on the change between existing conditions and those associated with likely development in accordance with the Draft General Plan by 2030, as well as at theoretical build out.

## **Community Vision**

As part of the General Plan update public outreach process, county residents established a Community Vision Statement, “Vision 2030.” The Vision Statement is the foundation for General Plan goals, policies, and programs. It is an expression of residents’ shared values and requirements for Amador County’s future. The Vision identifies the ideal conditions to work toward over the next 20 years and provides guidance for policymakers as they work to improve the quality of life in Amador County. For purposes of this EIR, the vision statement establishes the basic premises of the project objectives.

### ***Preamble***

We, the citizens of Amador County, envision the County in the year 2030 as a place known for its high quality rural lifestyle, historic resources, healthy natural environment, vibrant local economy, scenic resources and vistas, and services that meet our people’s needs.

### ***Community***

Amador County continues to be a place of small, distinct towns where neighbors know and can depend on one another, where low crime rates foster a feeling of security, and residents are enabled to participate in the decision-making process. We have a vibrant economy—one that provides jobs with enough income to allow residents a reasonable quality of life, and encourages and supports business, especially locally-owned, unique businesses and our historic business districts. We have created a livable community—one with a supply of housing affordable to those who live and/or work in our community.

### ***Character***

We protect and enhance our County’s unique character – its history, natural beauty, and rural lifestyle. Due to our successful efforts, our historic and cultural heritage, scenic vistas, agriculture, rivers, streams, and other natural areas and historic buildings and towns continue to attract visitors.

### ***Resources***

We judiciously manage the County’s wealth of natural resources—mineral, agricultural, timber, surface and groundwater, soil, air, open space, and wildlife—managing and enhancing our resources for present and future generations. We preserve our resources while also protecting our property and personal rights.

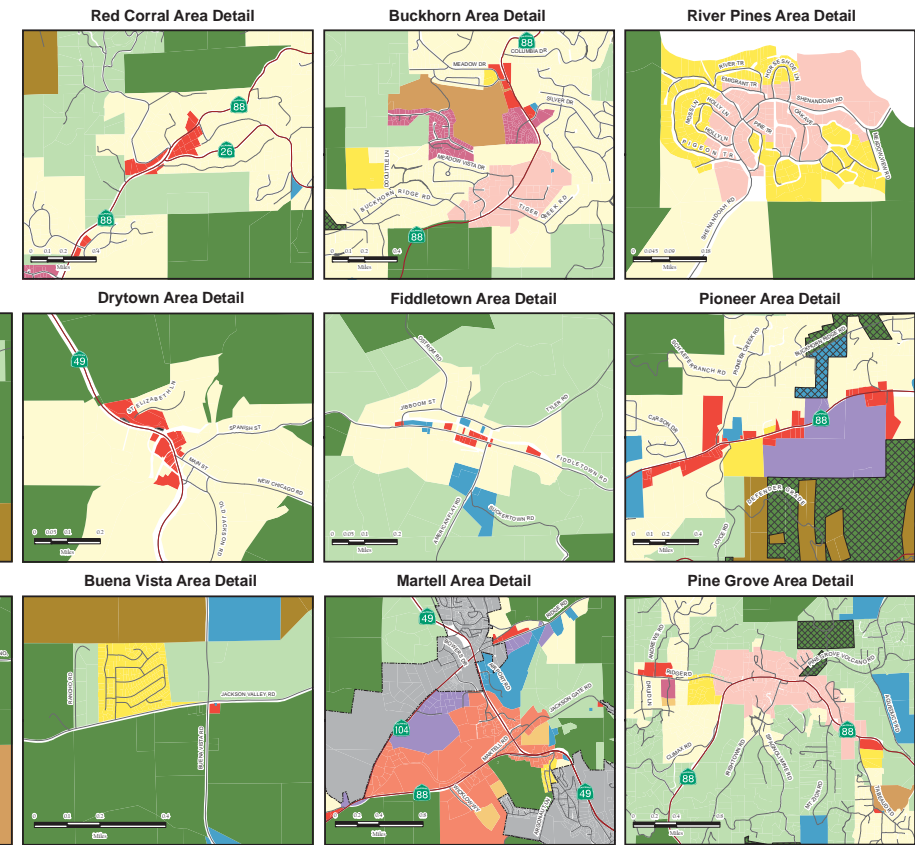
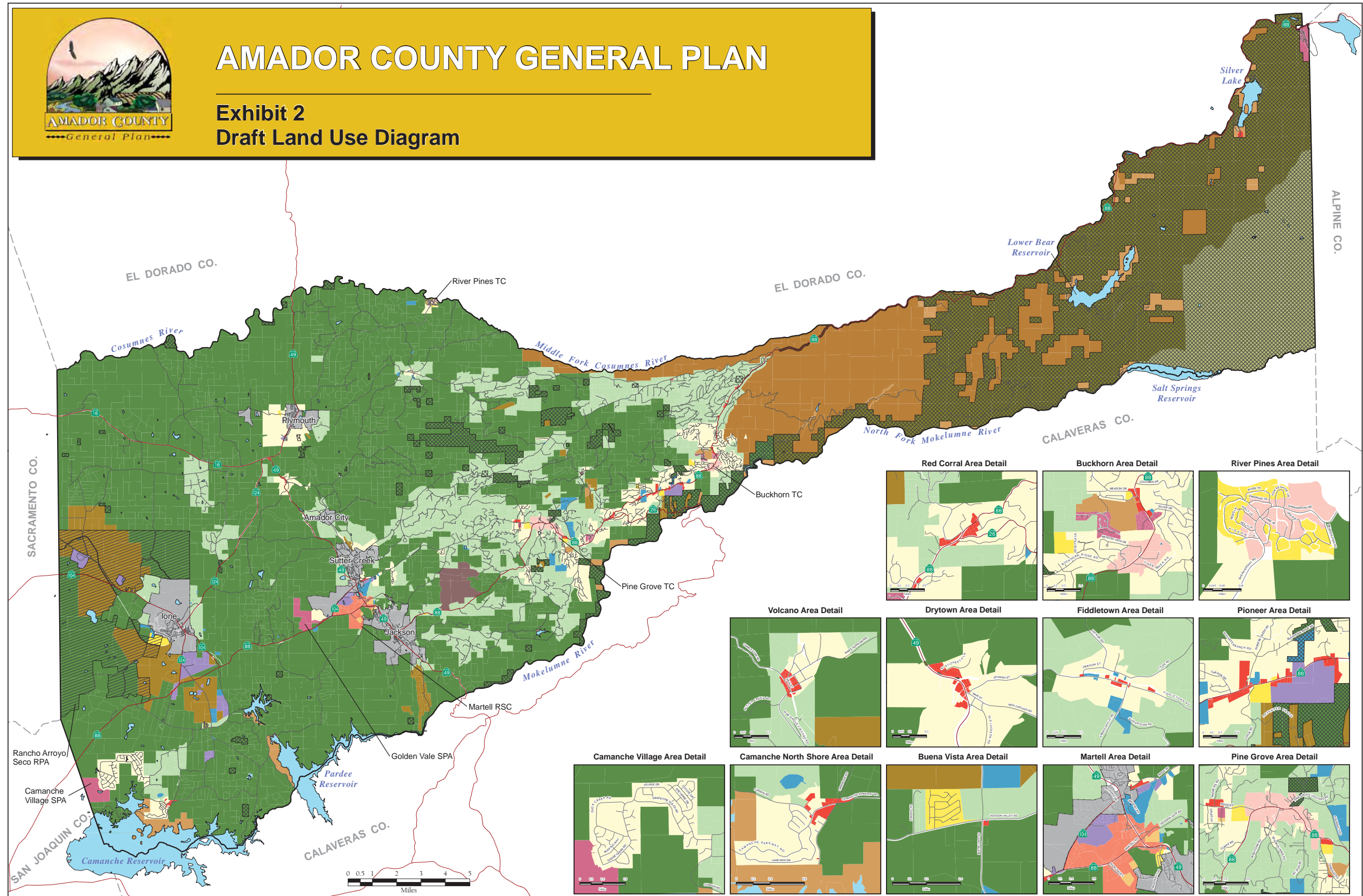
### ***Services***

We strive to serve current and future generations by providing utilities and services that are available, affordable, well-maintained, and well-planned while maintaining our rural character. We provide transportation choices through upkeep of our roadways, safe bicycle and pedestrian paths, and transit opportunities that respond to our needs. We have access to health services, professional, well-trained emergency service providers, quality child-care and senior services, and expanded opportunities for recreation and lifelong learning. Working with our local schools, we have created an excellent learning environment where both children and adults can obtain high-quality education and skills to achieve personal and economic success.



# AMADOR COUNTY GENERAL PLAN

## Exhibit 2 Draft Land Use Diagram



### LEGEND

- |                                                                                       |                                                                                                                                                               |                                                                                         |                                                                                                              |                                                                           |                                                                                                                       |                                           |                                                                                            |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------|
| <b>Agricultural Uses</b><br>Agricultural Transition (AT)<br>Agricultural General (AG) | <b>Resource and Open Space Uses</b><br>Open Recreation (OR)<br>General Forest (GF)<br>Open Forest (OF)<br>Open Wilderness (OW)<br>Mineral Resource Zone (MRZ) | <b>Non-Jurisdictional Areas</b><br>Urban Planning Area (UA)<br>Tribal Trust Lands (TTL) | <b>Residential Uses</b><br>Rural Residential (RR)<br>Residential Low Density (RL)<br>Residential Medium (RM) | <b>Industrial and Commercial Uses</b><br>Commercial (C)<br>Industrial (I) | <b>Mixed-Use Activity Centers</b><br>Town Center (TC)<br>Regional Service Center (RSC)<br>Special Planning Area (SPA) | <b>Public Uses</b><br>Public Service (PS) | Restricted Planning Area (RPA)<br>Federal Land<br>Water<br>City Limit<br>County Boundaries |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------|



July 2009



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## **Project Objectives**

The project objectives for the General Plan, based upon the premises established within the community vision, are expressed below.

- ▶ Project Objective 1: Adopt a General Plan that complies with current State law.
- ▶ Project Objective 2: Focus development of new residential, commercial, and industrial uses in and near existing communities.
- ▶ Project Objective 3: Encourage development of higher-wage jobs and support business, especially locally-owned and unique businesses.
- ▶ Project Objective 4: Support provision of housing affordable to those who live or work in Amador County.
- ▶ Project Objective 5: Protect Amador County's unique character, including historic and cultural heritage, scenic vistas, agriculture, rivers, streams, natural areas, and historic buildings and towns.
- ▶ Project Objective 6: Judiciously manage and enhance the County's natural resources, including mineral, agricultural, timber, water, soil, air, open space, and wildlife resources.
- ▶ Project Objective 7: Provide a multi-modal circulation network that accommodates vehicles, pedestrians, cyclists, and public transit.
- ▶ Project Objective 8: Maintain and enhance access to services, including health services, emergency services, quality child care and senior services, and educational opportunities for children and adults.
- ▶ Project Objective 9: Provide for the continued economic viability of the County's agricultural production.
- ▶ Project Objective 10: Conserve the land base necessary to conduct agricultural activities.

Based on the community vision, the General Plan defines long-term community goals, decision-making policies, and implementation actions through text and maps in each of nine elements (see below for a description of these elements). Each element also has implementation programs, which serve as the basis for future programming decisions related to the assignment of staff and expenditure of County funds. Please refer to Attachment A for a summary of proposed goals and policies to be included within the Draft General Plan. The policies presented in Attachment A reflect direction provided by the Board of Supervisors and Planning Commission through July 8, 2009. The Board of Supervisors and Planning Commission have directed County Staff to make certain changes to the goals and policies before they are brought back to the board in the draft General Plan Elements. These changes include specific revisions, along with general direction to streamline, simplify, and reduce redundancy of goals and policies. Some policies may also be reformatted as implementation programs. These goals and policies are presented only as a preliminary draft. Goals and policies are subject to revision by the Board of Supervisors and Planning commission up until the point of adoption of the updated General Plan.

## **CONTENTS OF THE GENERAL PLAN**

### **Land Use Element**

This Land Use Element describes the economic, social, physical, and cultural aspects of the planning area. The primary objectives of the element are to determine the future location, type, and intensity of land uses, and to establish the desired mix and relationship between land uses. The proposed land use designations identify the types and nature of development permitted throughout the planning area.

The Land Use Element includes a land use diagram that depicts the types, locations, and intensities of current and future land uses within the planning area, as illustrated in Exhibit 2, “Draft Land Use Diagram.” Table 1, “General Plan Development Capacity” compares the development capacity of the Draft General Plan to existing land use conditions. The development capacity presented in Table 1 assumes a population of 33,770 in the unincorporated area of the County in 2030, compared to an estimated 2009 population of 22,123. The projected population of 33,770 is larger than a forecast based on Department of Finance projections for the County as a whole (27,971), but smaller than a forecast based on the Amador Water Agency’s rate of new connections (40,324). The EIR will compare the development capacity of the existing General Plan to the development capacity of the Draft General Plan within the discussion of the “No Project” alternative, as required by CEQA.

Land Use Element goals include the following:

- ▶ Attain a diverse and integrated mix of residential, commercial, agricultural, industrial, recreational, public, and open space land uses.
- ▶ Enhance and maintain separate and distinct community areas within the county.
- ▶ Ensure the provision of effective law enforcement, fire, emergency medical services, and animal control throughout the county.
- ▶ Ensure adequate wastewater treatment, storage, and disposal capacity exists to serve the county’s current and future demand.
- ▶ Maintain efficient solid waste service.
- ▶ Ensure that safe and adequate water supply, wastewater disposal, and public services are available prior to development.
- ▶ Ensure the provision of health care services accessible to the population.
- ▶ Maintain high quality schools and libraries.
- ▶ Guide future residential and local commercial uses into established cities and unincorporated Town Centers.
- ▶ Focus services which cater to a regional market in Martell.
- ▶ Reduce the negative effects of new development on stormwater runoff and non-point source water pollution.
- ▶ Reduce fire risks to current and future structures.

## **Land Use Designations**

Each General Plan land use designation generally describes the intended land uses and establishes a permitted range of density or intensity of development. Corresponding zone districts will specify the permitted uses for each category as well as the applicable development standards. The maximum allowable density or intensity on any individual parcel may be affected by such factors as the physical characteristics of a parcel, access and infrastructure issues, and compatibility considerations. Dwelling unit per acre (unit/acre) densities are established for residential, agricultural, and open space designations, and floor area ratio (FAR) ranges are identified for Commercial and Industrial designations. For Town Center and Regional Service Center designations, both densities (du/acre) and intensities (FAR) are established. In cases where a range is established, the minimum value represents the least intense land use permitted within the area, while the maximum value represents the most intense land use permitted.

**Table 1  
Draft General Plan Development Capacity**

	Acres	Minimum du/ac	Maximum du/ac	Expected du/ac	FAR	Average FAR	Existing Units	Existing Sq. Ft.	2030 Units	2030 Sq Ft	Change from Existing
<b>AG</b>	191,545		0.025	0.015			1,921		2,200		279 units
<b>AT</b>	38,692	0.05	0.2	0.15			3,720		4,100		380 units
<b>C</b>	363				0.5	0.09		368,750		600,000	231,250 sq ft
<b>GF</b>	30,034		0.025	0.002			50		50		--
<b>I</b>	1,608				0.4	0.015		500,000		1,500,000	1,000,000 sq ft
<b>MRZ</b>	12,426		0.025	0.005			24		24		--
<b>OF</b>	56,039										
<b>OR</b>	5,902		0.2	0.01			50		55		5 units
<b>OW</b>	22,238										
<b>PS</b>	1,010										
<b>RL</b>	461	0.21	7	3.5			1,385		1,500		115 units
<b>RM</b>	90	7	25	18					200		200 units
<b>RR</b>	9,841	0.2	1	0.5			3,600		4,000		400 units
<b>RSC</b>	678	7.1	18				15	1,080,000	2,500	3,500,000	2,420,000 sq ft, 2,485 units
<b>SPA</b>	1,343	0.2	18	7			509		2,000		1,491 units
<b>TC</b>	593	0.21	7	4			405	314,000	1,250	585,000	271,000 sq ft, 845 units
<b>TTL</b>	1,384										
<b>UA</b>	7,408										
<b>Water</b>	2,899										
<b>ROW</b>	3,322										
<b>Grand Total</b>	<b>387,875</b>						<b>11,679</b>	<b>2,262,750</b>	<b>17,879</b>	<b>6,185,000</b>	<b>3,922,250 sq ft, 6,200 units</b>
<b>Population</b>							<b>22,173</b>		<b>33,770</b>		<b>11,597</b>

Source: Adapted by EDAW 2009

Note: du/ac – dwelling units per acre

FAR – floor area ratio

Projected dwelling units for 2030 are based on projected population of 33,770, 2.274 people/household (2009 DOF); and 16.94% vacancy rate (2009 DOF).

**Agricultural** land use designations include:

- ▶ **AG** Agricultural General (1 unit per 40 acre minimum lot size; expected density of 0.015 units/acre [67 acre lots])
- ▶ **AT** Agricultural Transition (1 unit per 5 acre to 1 unit per 20 acre minimum lot size[depending on zoning]; expected density of 0.15 units/acre [7 acre lots])

**Residential** land use designations include:

- ▶ **RR** Residential-Rural (0.20-1 unit/acre [1- to 5-acre minimum, 5 acre minimum lot size required in areas lacking public water service]; expected density of 0.5 unit/acre [2 acre lots])
- ▶ **RL** Residential-Low Density (1-7 units/acre; expected density of 3.5 units/acre)
- ▶ **RM** Residential-Medium Density (7.1-25 units/acre; expected density of 18 units/acre)

**Mixed-use activity center** designations include:

- ▶ **TC** Town Center (0.21-7 units/acre, 0.2 FAR; unit and square foot caps specific to each TC; 10 to 18 units/acre permitted for units meeting certain income restrictions)
- ▶ **RSC** Regional Service Center (7.1-18 units/acre, 0.5 FAR; cap of 3,000 units and 3.5 million square feet)
- ▶ **SPA** Special Planning Area (0.2-18 units/acre, 0.5 FAR; unit and square foot caps specific to each SPA)
- ▶ **RPA** Restricted Planning Area (overlay designation with no parcel division permitted; density or intensity based on underlying designation)

**Commercial and Industrial** designations:

- ▶ **C** Commercial (0.2 FAR; expected intensity of 0.12 FAR)
- ▶ **I** Industrial (0.5 FAR; expected intensity of 0.11 FAR)

**Open space and resource** designations:

- ▶ **OR** Open Recreation (0.2 units/acre)
- ▶ **GF** General Forest (1 unit per 40-acre minimum lot size)
- ▶ **MRZ** Mineral Resource Zone (0.1 units/acre)

**Public** designations

- ▶ **PS** Public Services (No density specified)
- ▶ **WP** Water Project (1 unit per 40-acre minimum lot size)

**Non-jurisdictional** designations:

- ▶ **OF** Open Forest (no residential use permitted)
- ▶ **OW** Open Wilderness (no residential use permitted)
- ▶ **UA** Urban Planning Area (No County jurisdiction; no density or intensity ranges specified)
- ▶ **TTL** Tribal Trust Lands (No County jurisdiction; no density or intensity ranges specified)

The Land Use Element describes individual land use designations, as well as offering more detailed descriptions of individual Special Planning Areas (SPAs), Town Centers (TCs), and a Regional Service Center (RSC) in Martell. The Land Use Element also provides specific requirements for an area in western Amador County subject to a Restricted Planning Area (RPA) overlay.

The Land Use Element addresses infill residential and commercial development, new mixed-use development through designation of the RSC and TC areas, and applies an RPA designation to areas requiring close supervision by the County. However, most of the county is not anticipated to experience land use change as a result of the General Plan update.

### ***Restricted Planning Area***

The RPA overlay is applied to areas which require carefully prepared and closely supervised planning and controls by the County due to their unique physical characteristics, resources, environmental, or other factors. The RPA designation does not have a minimum or maximum density. Instead, it applies the density and/or intensity associated with the underlying designation. RPA status enables land uses to occur consistently with designations identified on the land use diagram, subject to certain provisions established for each RPA area within the Land Use Element. Removing these provisions and/or development of these lands would require application for and approval of a general plan amendment, along with a corresponding Specific Plan which shall meet minimum criteria identified for each RPA area in the Land Use Element. Uses, provisions, and specific plan criteria are developed for each individual RPA.

The Draft General Plan identifies an RPA overlay within one area in western Amador County, with specific requirements as described below:

#### **Rancho Arroyo Seco Restricted Planning Area**

The Rancho Arroyo Seco RPA is an approximately 16,000-acre area located along the County's western border, north and west of the City of Ione. The area includes areas of Prime Farmland, mineral resource zones, and important biological, cultural, and historical resources. Based on these conditions, the area will require closely supervised planning and controls. Agricultural, mining, and other uses are allowed to continue pursuant to the underlying General Plan designation and existing zoning. Any future parcel division or proposed specific plan requires a general plan amendment which must comply with CEQA.

The following criteria must be met by any specific plan prepared for the Rancho Arroyo Seco RPA:

- ▶ New plans shall preserve and encourage valued mineral resource production.
- ▶ New plans shall encourage continued agricultural land use.
- ▶ New plans shall be required to provide and fund adequate public utilities and services, including water supply, sewer, drainage, police, fire, education and recreation.
- ▶ New plans shall preserve sensitive habitat types, wildlife corridors and open spaces.
- ▶ New plans shall be required to provide and fund adequate transportation and circulation systems.
- ▶ New plans shall provide a diversity of land uses.
- ▶ New plan sponsors shall engage the County, local residents, and communities in discussions about how community visions could be fulfilled.
- ▶ New plans shall encourage efficient use of existing infrastructure, where appropriate.
- ▶ New plans shall minimize potential conflicts between incompatible land uses.

No proposed plan or land use proposal is anticipated within the Rancho Arroyo Seco RPA area. Any future parcel division, specific plan, or general plan amendment proposing either removal of the RPA overlay or a change to underlying General Plan land use designations shown on the Land Use Diagram within this area would require separate review under CEQA. For this reason, the EIR assumes that the capacity of the area designated RPA is limited to the capacity of the four existing parcels and land use designations.

**Regional Service Centers and Town Centers**

The Draft General Plan allows for future development of residential, commercial, and industrial uses throughout the planning area. It is the County’s goal to focus growth towards existing unincorporated communities (the RSC at Martell, and TCs at River Pines, Pine Grove, and Buckhorn). The RSC and TC areas represent key centers within the County, each of which has unique future development objectives, responding to priorities established in the Vision Statement, and input from the community.

Following is a summary of specific objectives for each RSC and TC area. Number of dwelling units and square feet of commercial and industrial development are summarized in Table 2; these totals are included in the figures provided in Table 1.

**Martell Regional Service Center**

The Martell Regional Service Center (Martell RSC) would encompass approximately 900 acres of land located near the intersection of SR 49, SR 88, and SR 104 near Westover Field airport. This RSC is planned to include a mix of retail commercial uses, industrial uses, and higher-density housing, and the designation of this area as an RSC is intended to encourage more creative future development, including potential for mixed-use development. A total of approximately 2,500,000 square feet of commercial and 1,000,000 square feet of industrial uses (compared to about 1,080,000 square feet of existing commercial and industrial uses) may ultimately be accommodated within the Martell RSC. A total of 3.5 million square feet of commercial and industrial uses in Martell is based on 690 acres available for these uses (approximately 390 acres of which are currently vacant), developed at an overall intensity of 5,100 square feet per acre (0.12 FAR). This is a slightly higher density than existing uses, which average about 0.11 FAR. Two areas identified for SPA-R designation in the 2005 Housing Element (located on Wicklow Way and northwest of SR 88/Ridge Road) would be located in and near the Martell RSC. The Martell RSC would also accommodate 1,200 to 3,000 housing units over a 20-year period (the largest proportion of the approximately 6,200 housing units projected to be added in the planning area; 2,500 units are assumed in the RSC designation in Table 1) at densities ranging from 7 to 18 units per acre. Careful evaluation of individual proposals will be required to ensure that the desired mix of uses can be achieved while meeting development restrictions associated with the adjacent airport, particularly with respect to the location of housing.

**Table 2  
Town Centers, Regional Service Center, and Special Planning Area Capacities**

	Acres	Existing Units	Existing Sq. Ft.	2030 Units	2030 Sq. Ft.	Change (Units)	Change (Sq. Ft.)
<b>Martell RSC</b>	900	--	1,080,000	2,500	3,500,000	2,500	2,420,000
<b>Pine Grove TC</b>	360	250	215,000	900	400,000	650	185,000
<b>Buckhorn TC</b>	140	90	92,000	250	130,000	160	38,000
<b>River Pines TC</b>	35	65	7,000	100	20,000	35	13,000
<b>Golden Vale SPA</b>	450	--	--	1,200	--	1,200	--
<b>Camanche Village SPA</b>	500	--	--	1,000	75,000	1,000	75,000

Note: Totals from Table 2 are included in overall totals in Table 1.

## Pine Grove Town Center

The Pine Grove Town Center (Pine Grove TC) is proposed for approximately 360 acres of land in Pine Grove, centered along SR 88 between Ridge Road and Tabeaud Road. The Pine Grove TC would accommodate no more than 900 residential units, including 250 existing units, while allowing flexibility for commercial services to be provided in this area. Currently, about 215,000 square feet of commercial space is present in Pine Grove, and the future goal would be approximately 400,000 commercial square feet. Appropriate types of services include supermarkets, convenience stores, drugstores, restaurants, schools, and community facilities such as health clinics, while also providing for office and limited industrial opportunities. Jackson Creek flows through this proposed TC, and policies identifying the importance of the creek in the design character of the community are included as part of the Land Use Element.

## Buckhorn Town Center

The Buckhorn Town Center (Buckhorn TC) is proposed for an area of approximately 140 acres in Buckhorn, centered on SR 88 east of Buckhorn Ridge Road (near the Mace Meadow Golf Club). The Buckhorn TC would accommodate no more than 250 housing units (including 90 existing units), along with commercial uses focused on the upcountry communities, offices, and limited industrial uses. Currently, about 92,000 square feet of commercial space is present in Buckhorn, and the future goal would be approximately 130,000 commercial square feet.

## River Pines Town Center

The River Pines Town Center (River Pines TC) is proposed for an area of approximately 35 acres in River Pines, extending along Shenandoah Road to the Cosumnes River. The River Pines TC would accommodate no more than 100 housing units (including 65 existing units), along with commercial uses focused on providing tourist services related to the nearby Shenandoah Valley and Cosumnes River. Currently, about 7,000 square feet of commercial space is present in River Pines, and the future goal would be approximately 20,000 commercial square feet.

## ***Special Planning Areas***

The County has applied the SPA designation to several areas. Some of these areas (such as areas along Gayla Drive, Ponderosa Way, and near the Mace Meadows golf course) are small in size, and have already undergone parcel division. For these smaller areas, the EIR assumes that they will build out at a rate proportional to the growth of the planning area as a whole.

However, two larger SPA areas are also identified on the Land Use Diagram. Following is a summary of specific objectives for these larger areas. The number of dwelling units and square feet of commercial and industrial development to be permitted in each of these SPAs are included in the totals provided in Tables 1 and 2.

### Golden Vale Special Planning Area

The Golden Vale Special Planning Area (Golden Vale SPA) encompasses approximately 450 acres on the north side of SR 88, west of Martell. A specific plan would be required prior to development of this area. The specific plan would provide development standards describing the construction of between 486 and 675 units of high-density residential affordable housing, including duplexes, fourplexes, and larger complexes, along with an additional 750 single-family, timeshare, or hotel-type units. These housing types would be required to be mixed, with limited opportunities for commercial or job-generating uses to be provided in the Golden Vale SPA (although commercial opportunities are available in the nearby Martell RSC). Community and public service/utility uses would be provided such as police, fire, wastewater, schools, child care and urgent care facilities. Criteria for the County's evaluation of this plan would include connectivity of

pedestrian/bicycle/neighborhood electric vehicle (NEV) trails, use of Low Impact Development (LID) techniques to limit stormwater runoff, and dedication of open space.

### **Camanche Village Special Planning Area**

The Camanche Village Special Planning Area (Camanche Village SPA) encompasses approximately 500 acres of land on the western edge of the Camanche community. A specific plan would be required prior to development of this area. The Camanche Village SPA would accommodate no more than 1,000 residential units, while allowing flexibility for up to 75,000 square feet of commercial services. Appropriate types of services include supermarkets, convenience stores, service stations, drugstores, restaurants, boat or other outdoor services, and community facilities. This SPA would also permit office and limited industrial uses. Because this SPA is located adjacent to agricultural parcels in both Amador and San Joaquin Counties, future development shall be of a density and type that provides a visual transition between the agricultural lands and the developed portions of the Camanche Village SPA.

### **Circulation and Mobility Element**

The Circulation and Mobility Element addresses roadway circulation, public transportation, and bicycle and pedestrian transportation. The Element discusses existing routes and specific future roadway projects, and discusses Transportation Demand Management (TDM) and Transportation System Management (TSM) strategies. The element addresses major thoroughfares and transportation routes.

The Circulation and Mobility Element also describes public transit in Amador County, with a discussion of the Amador Regional Transit System (ARTS) network and identification of strategies and needs for the future. This element also includes a discussion of bike and pedestrian corridor development and prioritization.

Circulation Element goals include the following:

- ▶ Maintain adequate regional and local transportation facilities.
- ▶ Maintain a safe, efficient, and comprehensive traffic circulation system.
- ▶ Provide transportation alternatives to the automobile.
- ▶ Maintain and enhance the visual quality and scenic views along both designated and eligible scenic corridors.

### **Economic Development Element**

The Economic Development Element discusses the County's economic attractors, employment characteristics, and future trends, as well as agricultural production and major agricultural areas. The element includes a discussion of economic agencies and programs, including governmental, private, and non-profit groups which pursue economic development activities in Amador County.

This element then identifies the County's future economic development strategies, including providing economic development incentives, promoting education, and promoting and expanding tourism as a key industry in the County. The element also identifies agricultural economy strategies, including providing incentives for agricultural businesses and supporting generational succession of agricultural land.

Economic Development Element goals and policies include the following:

- ▶ Develop and maintain a favorable business environment in the county.
- ▶ Promote the availability of communications services to businesses and residents.
- ▶ Develop educational and training options for county residents.
- ▶ Improve the jobs-housing balance and maintain the fiscal health of the county.



- ▶ Promote cultural and economic development of rural communities throughout the county.
- ▶ Retain existing and attract new businesses to facilitate the expansion of Amador County’s economic base.
- ▶ Promote and expand tourism opportunities in Amador County.
- ▶ Preserve the land base necessary to sustain agricultural production and maintain long term economic viability of agricultural land uses.
- ▶ Promote sustainable forest management that ensures continued timber production, water quality, the timber land base, and reduces the risk of catastrophic fires.
- ▶ Maintain the viability of mineral and aggregate resources and encourage mineral and aggregate resource production in the county.

### **Conservation Element**

The Conservation Element addresses a variety of natural resource issues in Amador County. The element addresses water supply and water quality for agricultural and non-agricultural use and consideration/mitigation of non-point sources of water pollution (e.g., septic, agricultural). This element also discusses the County’s stormwater drainage policy, hydroelectric resources, renewable energy, and locally available energy sources.

The element includes policies to preserve important farmland and sets benchmarks for future preservation, procedures for documenting and preserving archaeological resources, and a process for developing resource sensitivity zones.

The Conservation Element also addresses air quality and global climate change by providing a description of the County’s current greenhouse gas (GHG) emissions, a discussion of emission-reduction techniques, and a discussion of the potential adaptation issues facing the County as our climate changes.

Goals and Policies of the Conservation Element include:

- ▶ Ensure that all future development permitted in the county can be provided with an adequate amount of water.
- ▶ Minimize negative effects of sewage treatment, point- and non-point sources on water quality.
- ▶ Reduce energy use and promote renewable and locally available sources of energy.
- ▶ Maintain the viability of hydroelectric (dam) power generation in the County.
- ▶ Maintain important farmlands for agricultural uses and agritourism.
- ▶ Maintain long term economic viability of agricultural land uses.
- ▶ Encourage alternative means of providing water to agricultural users.
- ▶ Promote sustainable forest management that ensures continued timber production, protects water quality and reduces the risk of catastrophic fires.
- ▶ Preserve the County’s historical and cultural resources.
- ▶ Maintain and improve air quality.
- ▶ Reduce GHG emissions from automobile travel.

- ▶ Reduce GHG emissions from electrical power generation.

## **Open Space Element**

The Open Space Element addresses scenic, recreational, agritourism, historic, cultural, and local business priorities for both visitors and local residents, and discusses park needs within populated areas of the county. The element also addresses wetlands, oak woodlands, wildlife movement corridors, vernal pools, and Ione chaparral, as well as special species habitats, riparian corridors and fisheries/aquatic habitats.

Open Space Element goals and policies include:

- ▶ Ensure provision of park and recreational facilities serving residents and visitors.
- ▶ Encourage the development and use of recreational and transportation trails within Amador County.
- ▶ Protect special status species and wildlife habitats, including sensitive environments and aquatic habitats, consistent with State and federal law.

## **Governance Element**

The Governance Element addresses the structure of Amador County's government, including responsibilities of the Board of Supervisors, the Planning Commission, the County Administrative Officer, County Counsel, and County departments responsible for implementing the General Plan. The element also briefly describes other local, state, and federal agencies which operate in Amador County, describes the customs and cultures of the County, and explains how local, state, and federal agencies interact with the County relative to land use decisions. Finally, the element summarizes the legal basis for land use planning in California, and describes how this process is applied in Amador County.

Governance Element goals and policies include:

- ▶ Amador County will make decisions in the public interest, and will seek meaningful public input to support its decisions.
- ▶ Amador County will promote the interests of its residents in its dealings with other local governments and coordinate with cities and other local government agencies to ensure orderly growth and efficient service provision.
- ▶ Amador County will promote the interests of its residents in its dealings with the State and federal governments.

## **Safety Element**

The Safety Element addresses a variety of hazards which could affect Amador County, including

- ▶ Seismically induced conditions such as ground shaking, surface rupture, ground failure, tsunami, seiche, and dam failure;
- ▶ Slope instability leading to mudslides, landslides, and avalanche;
- ▶ Subsidence, liquefaction, and other geologic hazards;
- ▶ Flooding; and
- ▶ Wild land and urban fires.

State law also allows additional issues to be addressed by specific communities. The County's Safety Element addresses several such issues, including evacuation routes, mining sites, hazardous material use, and emergency preparedness.

Safety Element goals and policies include:

- ▶ Prevent loss of life or property from flooding.
- ▶ Reduce fire risks to current and future structures.
- ▶ Maintain or improve fire response times.
- ▶ Protect people and property from seismic hazards.
- ▶ Protect people and resources from hazards posed by mining facilities and hazardous materials sites.
- ▶ Respond appropriately and efficiently to natural or human-caused emergencies.

## **Noise Element**

The Noise Element describes how noise is measured and addressed in the General Plan, and describes how the County will consider noise in the planning process. Topics addressed within the Noise Element include noise issues related to automobile, train, and air traffic, as well as other types of uses which generate noise. The element describes how the County will address incompatibilities with these generators, which include transportation modes, businesses, industries, and agricultural uses that are important to the County's economy and way of life.

Noise Element goals and policies include:

- ▶ Manage noise levels throughout the county and minimize noise conflicts between incompatible land uses.
- ▶ Minimize noise conflict with transportation sources and stationary noise generators.
- ▶ Minimize noise conflicts between airports and surrounding land uses.

## **3.7 INTENDED USES OF THE PROGRAM EIR**

The EIR will include only program-level, or "first-tier," analysis for the Draft General Plan, consistent with California Public Resources Code (PRC) Sections 21083.3, 21093, and 21094; and 14 California Code of Regulations (CCR) Sections 15152 and 15168. A Program EIR provides the necessary environmental review and impact mitigation for adoption and implementation of the Draft General Plan, as well as program-level review for any subsequent actions related to implementation of general plan goals, policies, programs, and implementation measures. The County will review subsequent projects for consistency with the Program EIR and prepare appropriate environmental documentation pursuant to CEQA provisions for subsequent projects.

In addition to disclosing and documenting environmental effects of the proposed project, the analysis provided in the program EIR document is intended to establish a framework for subsequent, more detailed analyses associated with individual project applications. One of the County's goals in preparing the current document is to reduce the amount of new information that would be required in the future at the project level by dealing as comprehensively as possible in this document with cumulative impacts, regional considerations, and similar big-picture issues. The County recognizes that this document does not include the level of detail necessary to qualify as a project EIR.

## **PROJECT SCHEDULE**

Following preparation and circulation of the draft EIR, a final EIR will be prepared that responds to public and agency comments received on the draft EIR. The County Board of Supervisors is expected to consider certification of the final EIR and approval of the proposed project in 2010.

## ENVIRONMENTAL EFFECTS

The County reviewed the proposed project and determined that a full-scope EIR should be prepared. The EIR will analyze the effects of the Draft General Plan's goals, policies, and anticipated development. The following environmental issues will be evaluated in the EIR. In addition to anticipated environmental issues, CEQA Guidelines Section 15082(a)(1)(C) states that the information in the NOP shall also include "probable environmental effects of the project." It is assumed that the proposed project would result in environmental effects in all issue areas, described below; however, the actual effects will be identified during the EIR process.

**Aesthetics** – The EIR will describe the potential effects of the proposed project on existing viewsheds. It also will describe the changes in visual character associated with land use designations contemplated in the 2030 General Plan. The EIR will provide an assessment of lighting/glare impacts within the planning area and surrounding areas.

**Agriculture** – The EIR will evaluate the proposed project's potential to convert agricultural land to other uses and identify any direct or indirect impacts on agricultural lands within the planning area and surrounding areas.

**Air Quality** – The EIR will describe regional and local air quality in the project vicinity and evaluate the potentially significant direct, indirect, and cumulative air quality effects of both short-term construction likely to occur pursuant to the Draft General Plan, as well as long-term operations of proposed land uses. The EIR will also evaluate the proposed project's estimated air emissions, toxic air emissions, potential sources of odor, and the project's effects on climate change.

**Biological Resources** – The EIR will describe the proposed project's effects on existing biological resources and evaluate the proposed project's direct, indirect, and cumulative impacts on these resources.

**Climate Change** – The EIR will describe the proposed project's effects on climate change, including emissions of greenhouse gases by mobile sources, fixed sources, and indirect emissions from energy generation and water use. The EIR will also include a discussion of potential impacts of climate change on the project, including changes in temperature, precipitation patterns, and changes in water supply and water quality.

**Cultural Resources** – The EIR will include a cultural resource impact assessment for the proposed project. The EIR will describe the existing cultural resources within the planning area and surrounding areas and evaluate the proposed project's impacts on these cultural resources, including the potential to affect undiscovered resources.

**Geology and Soils** – The EIR will evaluate seismicity of the local area, presence of existing fault lines and effect on development, the potential for erosion of site soils, soil stability, and expansive characteristics of soils within the planning area.

**Hydrology and Water Quality** – The EIR will evaluate the proposed project's effect on hydrology and water quality characteristics of the region, including water supply, alteration of drainage patterns, erosion, stormwater discharges, and flooding.

**Land Use and Planning** – The EIR will evaluate consistency with applicable adopted plans and studies, including, but not limited to the Comprehensive Airport Land Use Plan.

**Noise** – The EIR will describe the proposed project's construction and operational noise impacts (including traffic) and will compare these impacts to applicable noise thresholds. It will also address the noise/land use compatibility of the proposed project with existing and future expected noise levels, including noise generated by the County's airports and traffic noise generated at nearby roadways and freeways (using traffic noise modeling).

**Population, Employment, and Housing** –The EIR will discuss how the proposed project would affect the county and regional jobs/housing ratios. The EIR will also discuss the indirect effects of additional population, employees, and housing units on other environmental issues.

**Public Health and Hazards** – The EIR will summarize available hazardous materials data and determine potential impacts related to use of hazardous materials and emergency response plans. The EIR will address safety issues, if any, related to the County’s airports.

**Public Services** – The EIR will evaluate the proposed project’s potential to create adverse impacts on the provision of fire protection, police protection, libraries, parks, and public schools.

**Traffic and Circulation** – The EIR will evaluate the proposed project’s direct and cumulative impacts on local and regional transportation facilities. The traffic and circulation section also will analyze effects on public transit, as well as public transit needs and alternative modes of transportation.

**Utilities** – The EIR will evaluate the current capacity of water and wastewater systems within the planning area and the proposed project’s impact on these systems.

**Growth Inducement** – The EIR will evaluate the anticipated effects on population conditions in Amador County and examine the proposed project’s potential for inducing additional growth within the region.

**Cumulative Impacts** – The EIR will summarize the cumulative impacts of the proposed project as identified and described in each of the environmental technical sections.

## **ALTERNATIVES**

The State CEQA Guidelines (Section 15126.6) provide criteria for the development of alternatives to a proposed project. These criteria include (1) ability of the alternative to attain most of the basic objectives of the project, (2) potential feasibility of the alternative, and (3) ability of the alternative to avoid or substantially reduce one or more of the significant environmental effects of the project. Section 15126.6 of the State CEQA Guidelines states in part:

“The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making.”

The EIR will examine a range of feasible alternatives to the proposed project, including the No-Project Alternative. The alternatives that will be identified in the EIR will be developed in accordance with these CEQA provisions considering input received at scoping meetings, through public comments on this NOP, and as a result of the outcome of the environmental impact analysis.

The County considered a range of land use alternatives during preparation of the Draft General Plan. This process touched on many environmental issues, as well as social and economic issues. The previous public discussion of the Draft General Plan alternatives is distinct from the alternatives analysis which will be prepared in the EIR, although there may be overlap with certain concepts presented earlier.

## **SUBMITTING COMMENTS**

To ensure that the full range of project issues of interest to responsible agencies and the public are addressed, comments and suggestions are invited from all interested parties. Written comments or questions concerning the

Amador County General Plan EIR should be directed to Susan Grijalva, Planning Director, at the address above by 5:00 p.m. on Monday, August 31, 2009. If you are commenting on behalf of an agency or organization, please include the name of a contact person.

**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

**Project Title:** Amador County General Plan Update

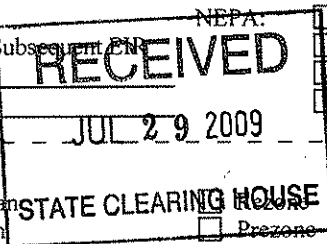
Lead Agency: County of Amador Contact Person: Susan Grijalva, Planning Director  
 Mailing Address: 810 Court Street Phone: (209) 223-6380  
 City: Jackson Zip: 95642 County: Amador

**Project Location:** County: Amador City/Nearest Community: Countywide

Cross Streets: n/a Zip Code: \_\_\_\_\_  
 Longitude/Latitude (degrees, minutes and seconds): \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " N / \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " W Total Acres: \_\_\_\_\_  
 Assessor's Parcel No.: \_\_\_\_\_ Section: \_\_\_\_\_ Twp.: \_\_\_\_\_ Range: \_\_\_\_\_ Base: \_\_\_\_\_  
 Within 2 Miles: State Hwy #: 16,026, 49, 88, 104, 124 Waterways: Mokelumne, Cosumnes Rivers and others  
 Airports: Westover Field; other private Railways: UP, Amador Central Schools: multiple

**Document Type:**

CEQA:  NOP  Draft EIR  Supplement/Subsequent EIR (Prior SCH No.)  Other: \_\_\_\_\_  
 NEPA:  NOI  EA  Draft EIS  FONSI  Joint Document  Final Document  Other: \_\_\_\_\_  
 Other: \_\_\_\_\_



**Local Action Type:**

General Plan Update  Specific Plan  Annexation  
 General Plan Amendment  Master Plan  Redevelopment  
 General Plan Element  Planned Unit Development  Use Permit  Coastal Permit  
 Community Plan  Site Plan  Land Division (Subdivision, etc.)  Other: \_\_\_\_\_

**Development Type:**

Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_  
 Office: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  
 Commercial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  
 Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  
 Educational: \_\_\_\_\_  
 Recreational: \_\_\_\_\_  
 Water Facilities: Type \_\_\_\_\_ MGD \_\_\_\_\_  
 Transportation: Type \_\_\_\_\_  
 Mining: Mineral \_\_\_\_\_  
 Power: Type \_\_\_\_\_ MW \_\_\_\_\_  
 Waste Treatment: Type \_\_\_\_\_ MGD \_\_\_\_\_  
 Hazardous Waste: Type \_\_\_\_\_  
 Other: \_\_\_\_\_

**Project Issues Discussed in Document:**

Aesthetic/Visual  Fiscal  Recreation/Parks  Vegetation  
 Agricultural Land  Flood Plain/Flooding  Schools/Universities  Water Quality  
 Air Quality  Forest Land/Fire Hazard  Septic Systems  Water Supply/Groundwater  
 Archeological/Historical  Geologic/Seismic  Sewer Capacity  Wetland/Riparian  
 Biological Resources  Minerals  Soil Erosion/Compaction/Grading  Growth Inducement  
 Coastal Zone  Noise  Solid Waste  Land Use  
 Drainage/Absorption  Population/Housing Balance  Toxic/Hazardous  Cumulative Effects  
 Economic/Jobs  Public Services/Facilities  Traffic/Circulation  Other: Climate Change

**Present Land Use/Zoning/General Plan Designation:**

multiple designations and land uses

**Project Description:** (please use a separate page if necessary)

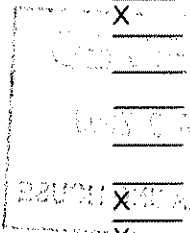
Comprehensive update of the County's General Plan. Please see attached summary.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

**Reviewing Agencies Checklist**

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".  
If you have already sent your document to the agency please denote that with an "S".

- |                                                                                 |                                                                              |
|---------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Air Resources Board                         | <input checked="" type="checkbox"/> Office of Emergency Services             |
| <input type="checkbox"/> Boating & Waterways, Department of                     | <input checked="" type="checkbox"/> Office of Historic Preservation          |
| <input type="checkbox"/> California Highway Patrol                              | <input type="checkbox"/> Office of Public School Construction                |
| <input checked="" type="checkbox"/> Caltrans District # <u>10</u>               | <input checked="" type="checkbox"/> Parks & Recreation, Department of        |
| <input checked="" type="checkbox"/> Caltrans Division of Aeronautics            | <input type="checkbox"/> Pesticide Regulation, Department of                 |
| <input type="checkbox"/> Caltrans Planning                                      | <input checked="" type="checkbox"/> Public Utilities Commission              |
| <input type="checkbox"/> Central Valley Flood Protection Board                  | <input checked="" type="checkbox"/> Regional WQCB # <u>5</u>                 |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy                     | <input checked="" type="checkbox"/> Resources Agency                         |
| <input type="checkbox"/> Coastal Commission                                     | <input type="checkbox"/> S.F. Bay Conservation & Development Comm.           |
| <input type="checkbox"/> Colorado River Board                                   | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input checked="" type="checkbox"/> Conservation, Department of                 | <input type="checkbox"/> San Joaquin River Conservancy                       |
| <input type="checkbox"/> Corrections, Department of                             | <input type="checkbox"/> Santa Monica Mtns. Conservancy                      |
| <input type="checkbox"/> Delta Protection Commission                            | <input checked="" type="checkbox"/> State Lands Commission                   |
| <input type="checkbox"/> Education, Department of                               | <input type="checkbox"/> SWRCB: Clean Water Grants                           |
| <input type="checkbox"/> Energy Commission                                      | <input type="checkbox"/> SWRCB: Water Quality                                |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>2</u>               | <input type="checkbox"/> SWRCB: Water Rights                                 |
| <input type="checkbox"/> Food & Agriculture, Department of                      | <input type="checkbox"/> Tahoe Regional Planning Agency                      |
| <input checked="" type="checkbox"/> Forestry and Fire Protection, Department of | <input checked="" type="checkbox"/> Toxic Substances Control, Department of  |
| <input type="checkbox"/> General Services, Department of                        | <input checked="" type="checkbox"/> Water Resources, Department of           |
| <input type="checkbox"/> Health Services, Department of                         | Other: _____                                                                 |
| <input checked="" type="checkbox"/> Housing & Community Development             | Other: _____                                                                 |
| <input type="checkbox"/> Integrated Waste Management Board                      |                                                                              |
| <input checked="" type="checkbox"/> Native American Heritage Commission         |                                                                              |



**Local Public Review Period (to be filled in by lead agency)**

Starting Date July 30, 2009 Ending Date August 31, 2009

**Lead Agency (Complete if applicable):**

Consulting Firm: EDAW, Inc. Applicant: \_\_\_\_\_  
 Address: 2022 J Street Address: \_\_\_\_\_  
 City/State/Zip: Sacramento/CA/95811 City/State/Zip: \_\_\_\_\_  
 Contact: Jeffrey Henderson, AICP Phone: \_\_\_\_\_  
 Phone: (916) 414-5800

Signature of Lead Agency Representative: *Susan C. Lujalva* Date: 7/27/09

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



Notice of Preparation

To: State Clearinghouse
1400 10th Street
Sacramento, CA 95814

From: Amador County Planning Dept
810 Court Street
Jackson, CA 95842

Subject: Notice of Preparation of a Draft Environmental Impact Report

The County of Amador

will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study ( [ ] is [ ] is not ) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Susan Grijalva, Planning Director at the address shown above. We will need the name for a contact person in your agency.

Project Title: Amador County General Plan Update

Project Applicant, if any:

Date July 28, 2009

Signature Susan Grijalva
Title Planning Director

Telephone (209) 223-6380

Reference: California Code of Regulations, Title 14. (CEQA Guidelines) Sections 15082(a), 15103, 15375.



**PLANNING DEPARTMENT  
LAND USE AGENCY**

County Administration Center  
810 Court Street ▪ Jackson, CA 95642-2132  
Telephone: (209) 223-6380  
Website: [www.co.amador.ca.us](http://www.co.amador.ca.us)  
E-mail: [planning@co.amador.ca.us](mailto:planning@co.amador.ca.us)

**NOTICE OF PREPARTION  
AND  
NOTICE OF PUBLIC SCOPING MEETING**

**NOTICE IS HEREBY GIVEN** a public Scoping Meeting will be held at a joint meeting of the Amador County Board of Supervisors and Planning Commission to identify the scope of the Program Environmental Impact Report (EIR) to be prepared for the adoption and implementation of the County’s General Plan Update. The Draft General Plan will consist of nine elements, or chapters, that together meet State requirements for a general plan. These elements are: 1) land use, 2) circulation, 3) economic development, 4) conservation, 5) open space, 6) noise, 7) governance, 8) safety, and 9) housing. The Draft General Plan will also include an introduction chapter and a glossary. The Housing Element will not be considered in this EIR as it is proceeding on a separate timeline from the balance of the Draft General Plan Update. Therefore, the County will complete a separate environmental review process for the Housing Element Update. The Draft General Plan represents the County’s policy for determining the appropriate physical development and character of Amador County, and establishes an overall future development capacity. The environmental impact analysis in the Program EIR will be based on the change between existing conditions and those associated with likely development in accordance with the Draft General Plan by 2030, as well as at theoretical build out. *For more detailed information on the proposed project please refer to the Notice of Preparation available on the County’s website at [www.co.amador.ca.us/depts/amadorgeneralplan/](http://www.co.amador.ca.us/depts/amadorgeneralplan/). Copies of the Notice of Preparation are also available for viewing at the County Library in Jackson and the Planning Department.*

**THE PROCESS:** Before any project decision can be made by the County, the California Environmental Quality Act (CEQA) requires the preparation and certification of a document which discloses the potential adverse effects to the physical environment which could occur from such a project. Also, mitigation measures must be developed which would, if possible, reduce those potential impacts to an acceptable level. It has been determined an Environmental Impact Report (EIR) must be prepared to address the proposed project's potential impacts. As part of the EIR preparation process a Notice of Preparation (NOP) is circulated to various state, federal, and local agencies (e.g., U.S. Forest Service, U.S. Fish and Wildlife, BLM, Fish and Game, Water Quality Control Board, CalFire, CalTrans, fire districts, school district, cities, etc.) informing them of the proposed project and requesting their responses to the NOP, feasible reasonable alternatives, and mitigation measures which will need to be explored in the EIR.

Also used as part of the EIR preparation process is Early Public Consultation. The County will hold a Scoping Meeting to hear the comments and concerns of agencies and area landowners/residents. At the Scoping Meeting a subject-by-subject checklist-type questionnaire will be utilized as the format for the meeting. The areas for comment will be:

- |                      |                                     |                         |
|----------------------|-------------------------------------|-------------------------|
| Aesthetics           | Geology and Soils                   | Public Services         |
| Agriculture          | Hydrology and Water Quality         | Traffic and Circulation |
| Air Quality          | Land Use and Planning               | Utilities               |
| Biological Resources | Noise                               | Growth Inducement       |
| Climate Change       | Population, Employment, and Housing | Cumulative Impacts      |
| Cultural Resources   | Public Health and Hazards           | Alternatives            |

Following this Scoping Meeting, and the close of the NOP comment period, a Draft EIR will be prepared to respond to the issues which have been raised by the public and various local, state and federal agencies. Once the draft of the EIR is completed, a public hearing will be held on the document. Eventually, the EIR may be certified as being adequate. Once the EIR has been certified, the County can then go on to make "yes" or "no" decisions on the project.

The certification of an EIR as being adequate is not an indication the County will or will not eventually approve the project. It simply means the environmental impacts have been fully disclosed and mitigation measures recommended.

All interested persons are invited to attend this Scoping Meeting to voice their environmental concerns. (NOTE: If possible, please provide a written copy of your verbal comments as it facilitates documentation for the record.) Please keep comments focused on environmental impact issues only at this preliminary stage of review; not arguments for, or against, the project. ***If you are unable to attend the meeting, you may submit your concerns in writing to the Amador County Planning Department at the address above, prior to 5:00 PM on Monday, August 31, 2009 (the close of the NOP comment period).***

(Continued on back)

**NOTICE IS HEREBY FURTHER GIVEN** said "Scoping Meeting" will be held:

**DATE: Thursday, August 13, 2009**

**TIMES: 2:00 p.m. and 6:00 p.m. (NOTE: It is not necessary to attend both sessions.)**

**PLACE: Board of Supervisors Chambers**

**County Administration Center**

**810 Court Street**

**Jackson, California**

If you have any questions or desire more information, please contact this office.

AMADOR COUNTY PLANNING DEPARTMENT

DATE OF NOTICE: July 28, 2009



# ATTACHMENT A: PRELIMINARY GENERAL PLAN GOALS AND POLICIES

*Revised by Joint Panel*

*July 2009*

## Contents

This document presents preliminary draft goals and policies, with revisions by the joint panel of the Board of Supervisors and the Planning Commission completed through July 8, 2009. The goals and policies are presented based on their organization into eight elements; Land Use, Circulation, Economic Development, Conservation, Open Space, Safety, Noise, and Governance. The ninth element, Housing, is being updated separately, and Housing Element goals and policies are not included here.

The Board of Supervisors and Planning Commission have directed County Staff to make certain changes to the goals and policies before they are brought back to the board in the draft General Plan Elements. These changes include specific revisions, along with general direction to streamline, simplify, and reduce redundancy of goals and policies. Some policies may also be reformatted as implementation programs. To reduce confusion between previous policy numbers, and likely future numbering changes associated with policy streamlining, goals and policies have not been re-numbered in this document. Some policies therefore appear out of sequence. This will be resolved in the draft General Plan Elements.

These goals and policies are presented only as a preliminary draft. Goals and policies are subject to revision by the Board of Supervisors and Planning Commission up until the point of adoption of the updated General Plan.

Definitions of important concepts, such as *issues*, *goals* and *policies* that will be used in the general plan are provided below to assist in understanding the relationship of these concepts.

## Definitions and Examples

The following definitions and examples are provided for important concepts to assist in understanding the relationship of these concepts within the general plan.

### Community Vision

A ***community vision*** has been drafted based on input received from the community and the GPAC at meetings at the beginning of the General Plan Update process. The community vision is the foundation of the general plan and an expression of what the county wants to be in the future.

## Issues

*Issues* have been developed through analysis of the content of the current general plan, background reports prepared for the general plan update, community workshops, GPAC meetings, and resident correspondence. Issues are general statements describing a planning need, concern, opportunity, or desire that should be addressed by the general plan.

## Goals

*Goals* are broad statements of community desires contained within the general plan elements. Goals are related to the community vision, and represent desired outcomes the County seeks to achieve through the implementation of general plan policies.

## Policies

*Policies* are statements that support the achievement of goals. Policies serve as guides to the Board of Supervisors, Planning Commission, other appointed County commissions and boards, and County staff in reviewing development proposals and making other decisions that affect future growth and development. Policies are written as action statements that illustrate the community's desired means to achieve goals.

## Implementation Programs

*Implementation programs* are specific actions that put policies into practice. Implementation programs are designed to collectively achieve established general plan goals. Programs are written in a variety of formats best suited to the topic at hand.

Implementation programs are the most specific type of policy statements contained in the plan. Often, these programs identify funding sources, responsible agencies, and time frames for completion. The programs will be developed and finalized with County staff as the individual General Plan elements are prepared, and will be a topic of public comment and modification by the Board of Supervisors and the Planning Commission in future hearings.

## Draft Community Vision

At GPAC meetings, committee members and the public provided input regarding the shared values, strengths, weaknesses, and issues that characterize Amador County. Based on that input, the following community vision was developed by the GPAC. Our objective is to ensure that subsequent goals, policies, and programs are responsive to the vision.

### *Vision 2030*

We, the citizens of Amador County, envision the county in the year 2030 as a place known for its high quality rural lifestyle, historic resources, healthy natural environment, vibrant local economy, scenic resources and vistas, and services that meet our people's needs.

#### **Community**

Amador County continues to be a place of small, distinct towns where neighbors know and can depend on one another, and where low crime rates foster a feeling of security and the residents are enabled to participate in the decision-making process. We have a vibrant economy – one that provides jobs with enough income to allow residents a reasonable quality of life, and encourages and supports business, especially locally-owned, unique businesses and our historic business districts. We have created a livable community – one with a supply of housing affordable to those who live and/or work in our community.



#### **Character**

We protect and enhance our County's unique character – its history, natural beauty, and rural lifestyle. Due to our successful efforts, our historic and cultural heritage; scenic vistas, agriculture, rivers, streams, and other natural areas; and historic buildings and towns continue to attract visitors.



#### **Resources**

We judiciously manage the County's wealth of natural resources – mineral, agricultural, timber, surface and groundwater, soil, air, open space, and wildlife – managing and enhancing our resources for present and future generations. We preserve our resources while also protecting our property and personal rights.



## Services

We strive to serve current and future generations by providing utilities and services that are available, affordable, well-maintained, and well-planned while maintaining our rural character. We provide transportation choices through upkeep of our roadways, safe bicycle and pedestrian paths, and transit opportunities that respond to our needs. We have access to health services, professional, well-trained emergency service providers, quality child-care and senior services, and expanded opportunities for recreation and lifelong learning. Working with our local schools, we have created an excellent learning environment where both children and adults can obtain high-quality education and skills to achieve personal and economic success.



## Preliminary Draft Issues, Goals and Policies

The community vision is forms the foundation of the general plan, and establishes a framework for the issues, goals and policies in each element, and implementation actions that put the goals and policies into action. The following pages list draft issues, goals and policies for each element of the proposed general plan update.

### Land Use Element

The Land Use Element describes desired patterns and distribution of land use, including agricultural, open space, residential, commercial, and industrial areas, in Amador County. Land Use policies affect goals and policies throughout the General Plan. The priorities identified in this element include maintaining diverse land uses within the county, providing public facilities and community services, and supporting economic development efforts to maintain a healthy tax base.

### Diverse Land Uses

The diversity of land uses within Amador County affects an important balance between the generation of public revenues and the provision of public services and facilities. Achieving and maintaining a diverse and desirable balance of land uses can help ensure the county's fiscal viability and promote a desirable community in which people can work, shop, live, visit, and recreate.

Compatibility between adjacent land uses is essential to maintaining safe, efficient, and well-organized communities. Issues which impact the compatibility of proposed projects include traffic generation, access locations, noise impacts, public service demands, site design and visual appearance, and public safety. Residents desire adequate buffering from light, noise, and traffic associated with non-residential uses. In turn, farmers and ranchers desire that surrounding residents understand and accept the noise, dust, and other effects of agriculture and ranching. Similarly, timber harvesting and mineral extraction are important parts of Amador County's history and economy, and residents must acknowledge the noise, dust, and other effects of these uses.

By providing for a diverse mix of land uses, Amador County can achieve a suitable inventory of housing for a range of income groups, a viable commercial and employment base for residents, productive agricultural lands, ample open space and recreational opportunities, and adequate public facilities and services.

**Goal LU-1:        Attain a diverse and integrated mix of residential, commercial, agricultural, industrial, recreational, public, and open space land uses.**

Policy LU-1.1:    Review proposed projects for consistency with goals, policies, and implementation programs of this general plan, and consider potential impacts on surrounding land uses and infrastructure.

Policy LU-1.2:    Promote development of light industrial, manufacturing, and other commercial businesses to diversify the county’s economic base.

Policy LU-1.3:    Encourage development of educational and health care facilities to serve county residents.

Policy LU-1.4:    Protect existing land uses and public facilities from encroachment by incompatible land uses.

Policy LU-1.5:    Designate residential areas of varying densities to create the opportunity to provide affordable housing for all income levels.

Policy LU-1.6:    Encourage development patterns which support water quality objectives; protect agricultural land and natural resources; promote community identities; minimize environmental impacts; enable viable transit, bicycle and pedestrian transportation; and contribute to reductions in greenhouse gas emissions.

Policy LU-1.7:    Consider affordable and senior housing needs in the siting and design of residential projects.

Policy LU-1.8:    Promote land use patterns which promote public health and wellness.

Policy LU-1.9:    Encourage the continued viability of timber harvesting and promote creation of defensible space and community wildfire protection.

Policy LU-1.10:    Ensure that county land use decisions do not reduce military readiness.

Policy LU-1.11:    Consider the fiscal impact of development proposals on public services, including cost and revenue effects.

Policy LU-1.12:    Encourage redevelopment of Brownfield properties.

Policy LU-1.13:    Encourage the continued viability of agricultural production in the County’s agricultural areas.



Policy LU-1.14: Balance the community's interests in agricultural protection, protection of historic, cultural, and natural resources, and species protection, with the property rights of individual landowners.

**Goal LU-2: Enhance and maintain separate and distinct community areas within the county.**

Policy LU-2.1: Direct development to areas with existing urban services and infrastructure, or to areas where extension of urban services is feasible given distance from developed areas and topographic, capacity, or land capability considerations.

Policy LU-2.2: Establish target areas for future commercial, industrial, and residential growth. *[Note: This policy will be updated to describe desired locations based on direction from the Board regarding Local and Regional Service Center locations.]*

Policy LU-2.3: Promote higher density or intensity development in infill areas, or areas adjacent to existing communities or activity centers.

## **Public Facilities**

Public facilities encompass a variety of uses, including public safety and fire facilities, corporation and service yards, and wastewater treatment plants. Public utilities, including water delivery and sewer facilities, are also included in this section. The goals and policies presented in this section will provide a guideline for the levels of service the county intends to support and provide.

**Goal LU-3: Ensure the provision of effective law enforcement, fire, emergency medical services, and animal control throughout the county.**

Policy LU-3.1: Ensure that effective public safety facilities, staffing, and equipment are provided to maintain service levels as the county's population and development change.

Policy LU-3.2: Coordinate with fire districts to maintain and improve fire service levels in the county.

Policy LU-3.3: Increase community awareness regarding public safety, fire, and emergency response issues.

**Goal LU-4: Ensure adequate wastewater treatment, storage, and disposal capacity exists to serve the county's current and future demand.**

Policy LU-4.1: Work with the County's cities and the Amador Water Agency to ensure that potential locations for wastewater treatment are protected from nearby incompatible uses.

- Policy LU-4.2: Consider infrastructure availability and expansion opportunities in the development review process to avoid exceeding wastewater conveyance or treatment capacity. (change to “review” in implementation, broaden in policy)
- Policy LU-4.3: Encourage the use of reclaimed water for irrigation, mining, and compatible agricultural, public, commercial, and industrial applications wherever possible in order to reduce the loading of the wastewater system and wastewater storage and disposal needs, and extend available water supplies.
- Policy LU-4.4: Support the Amador Water Agency’s efforts to educate the public on how to reduce water use, and utilize reclaimed water.
- Policy LU-4.5: Encourage countywide regional coordination and organizational structures to fully implement maximum recycled water reuse opportunities throughout Amador County.
- Policy LU-4.6: Encourage and promote water conservation and water reuse to reduce new effluent disposal needs.
- New Policy LU4a: Support efforts by the County’s wastewater providers to educate the public on wastewater collection, treatment, and disposal, including the proper handling and disposal of fats, oils, and greases. (*merge with other “educate” policy*)

**Goal LU-5: Maintain efficient solid waste service.**

- Policy LU-5.1: Educate the public and businesses regarding waste disposal requirements, such as universal and hazardous waste disposal practices.
- Policy LU-5.2: Increase public awareness of recycling, composting, and other waste reduction options.
- Policy LU-5.3: Ensure the continued availability of waste disposal sites for the county’s solid waste.
- Policy LU-5.4: Continue to make solid waste transfer stations available and accessible to county residents.
- Policy LU-5.5: Establish performance criteria for commercial and industrial developments to incorporate on-site waste reduction, waste segregation, and/or recycling of pre- and post-consumer wastes.

**Goal LU-13: Ensure that safe and adequate water supply, wastewater disposal, and public services are available prior to development.**

- Policy LU-13.1: Ensure that new development is able to meet water supply, wastewater disposal, and public service standards.

## Community Services

Community services, including health care, education, social support and senior services contribute to the superior quality of life found in Amador County. The County faces sizeable ongoing challenges in providing community services based on the relatively small and decentralized population.

Health care is a major community concern, based on the current and ever increasing age of the population. Education, including community schools and providing options for higher education, is another important issue. In addition, schools and libraries provide valuable locations for the community to gather.

**Goal LU-6:           Ensure the provision of health care services accessible to the population.**

Policy LU-6.1:       Support efforts to provide health care services in rural communities and activity centers located throughout the county as the population expands.

Policy LU-6.2:       Support and promote transportation options which permit seniors and residents with reduced mobility to receive adequate health care.

Policy LU-6.3:       Support education options, including community college programs, which provide training for health care workers.

Policy LU-6.4:       Promote the development of health care and early care and education services directed toward young children.

**Goal LU-7:           Maintain high quality schools and libraries.**

Policy LU-7.1:       Work with the Amador County Unified School District (ACUSD) to maintain local schools as community gathering and recreation locations. Work toward joint use of school facilities for recreation and lifelong learning wherever feasible and desirable.

Policy LU-7.2:       Work with ACUSD to ensure that new school facilities can be planned, financed, and constructed as necessary to serve current population and future development.

Policy LU-7.3:       Provide for County library facilities and services consistent with community needs.

Policy LU-7.4:       Ensure that new residential developments include on-site pedestrian facilities to provide safe routes to schools.

**Goal LU-8:           Ensure that land is available for future cemetery use.**

Policy LU-8.1:       Identify and designate areas suitable for future cemeteries.

## Town Centers

Amador County is a livable community comprised of cities and small, distinct unincorporated towns. The General Plan supports the continued viability of the County’s existing communities by focusing commercial, public facility, and residential growth into these areas. In addition to guiding future growth into the County’s incorporated cities, three mixed-use Town Centers—Pine Grove, Buckhorn, and River Pines—are designated in unincorporated areas.

**Goal LU-9: Guide future residential and local commercial uses into established cities and unincorporated Town Centers.**

Policy LU-9.1: Develop individual guidelines to govern future land uses within the boundaries of Town Centers. These guidelines should include the desired mix of commercial, residential, public facility, and other uses. Community participation should provide direction for these guidelines.

Policy LU-9.2: Develop form-based code specifications for the individual Town Centers. These specifications will be used to guide future development decisions in the Town Centers. Community participation should provide direction for these code specifications.

Policy LU-9.3: Support Town Centers as desired sites for small, locally-owned businesses.

Policy LU-9.4: The guidelines and boundaries of Town Centers located along SR 88 will be clearly established to avoid strip-style commercial development along SR 88.

## Regional Service Center

Martell will continue to be the preferred location for land uses which draw people from throughout Amador County and the surrounding region. The Regional Service Center (RSC) designation has been applied to Martell to support this role.

**Goal LU-10: Focus services which cater to a regional market in Martell.**

Policy LU-10.1: Develop guidelines to govern future land uses within the boundaries of the Martell RSC. These guidelines will include the desired mix of industrial, commercial, residential, public facility, and other uses.

Policy LU-10.2: Develop form-based code specifications for Martell. These specifications will be used to guide development decisions to support a mix of uses and alternative modes of transportation, especially bicycle and pedestrian transportation. Promote “green building” standards and low impact development (LID) practices, consistent with State and federal law.

## Low Impact Development and Water Quality

New development adds pavement and structures, often altering natural drainage patterns and reducing infiltration and percolation of rain and snow. Using low impact development (LID) strategies helps to reduce the amount of excess runoff generated by new development, and also to improve the quality of the water which drains off a property.

**Goal LU-11:** Reduce the negative effects of new development on stormwater runoff and non-point source water pollution.

Policy LU-11.1: Develop Low Impact Development (LID) standards for new construction. These standards should be incorporated into the County’s development ordinances. *(modify to reflect the intended focus on large developments, clarify in implementation)*

Policy LU-11.2: Encourage the use of LID strategies to help Amador County sustain and improve both surface- and groundwater quality.

## Fire Protection, Emergency Services, and Public Services

Amador County is a large, rural community. Public services—especially fire protection and emergency services, but also water, wastewater disposal, and roads—are difficult to provide to the entire County. Many areas of Amador County face infrastructure challenges, including lack of road connections, traffic capacity, emergency services, and fire protection. Adequate fire protection and emergency services must be available concurrent with future development.

**Goal LU-12:** Reduce fire risks to current and future structures.

Policy LU-12.1: Ensure that appropriate levels of emergency service, including fire protection, can be demonstrated for new development.

Policy LU-12.2: Ensure that new roadways meet County standards for firefighting access. These standards include minimum width, surface, grade, radius, turnaround, turnout, and bridge standards, as well as limitations on one-way roads, dead-end roads, driveways, and gate entrances.

Policy LU-12.3: Continue to ensure that the County’s development code addresses evacuation and emergency vehicle access, water supplies and fire flow, fuel modification for defensible space, and home addressing and signing.

Policy LU-12.3: Ensure that new development or redevelopment in the Wildland-Urban Interface meets building and development standards to ensure adequate defensible space.

## Circulation and Mobility Element

The Circulation Element addresses Amador County’s systems for moving people and goods. This element describes the general location and extent of existing and proposed major thoroughfares, roadway and non-roadway transportation routes, railroads and airports.

### Roadway Circulation

The local and regional roadway system serves the community’s primary needs for mobility and access, and consists of a hierarchy of streets to meet those needs, ranging from rural roads to State highways.

**Goal CM-1: Maintain adequate regional and local transportation facilities.**

Policy CM-1.1: Work with Caltrans, regional and local transportation agencies to address regional issues and opportunities related to growth, transportation financing and infrastructure, and other planning issues.

Policy CM-1.2: Plan for future maintenance and expansion of roadway, trail, and other circulation infrastructure on an annual basis, factoring for changes in funding and project priority or feasibility.

Policy CM-1.3: Encourage greater connectivity on local roads and improve the connections between the County’s communities. Ensure multiple routes are available between communities wherever possible.

Policy CM-1.4: Regional traffic should be directed around the historic centers of established communities where feasible.

**Goal CM-2: Maintain a safe, efficient, and comprehensive traffic circulation system.**

Policy CM-2.1: Plan, build, and maintain a multi-modal and hierarchical transportation system.

Policy CM-2.2: Identify key roads and intersections with historical or projected traffic congestion and/or safety problems and apply creative management measures to improve circulation.

Policy CM-2.3: Work with Caltrans, Amador County Transportation Commission (ACTC), cities and surrounding jurisdictions to improve regional roadways.

Policy CM-2.4: Maintain a Traffic Impact Fee program to encourage that new transportation needs generated by new development are paid for by the development on a fair-share basis. Increased roadway capacity should be funded through developer fees to the extent legally possible.

## Alternative Transportation

The majority of future trips in Amador County are expected to be completed in automobiles. However, increasing alternative transportation offerings, including public transit, pedestrian, and bicycle/NEV routes, can reduce the growth in automobile use and traffic congestion associated with future residential and commercial development within the county. Future development patterns and forms should be planned with an eye toward encouraging and maintaining a variety of transportation options.

Public transit offerings are primarily provided by the Amador Regional Transit System (ARTS). The rural development character of the county limits the scope of the public transit available. The County will consider the mobility needs of Amador County's residents and the availability of public transit in development decisions.

Pedestrian and bicycle transportation options are currently limited. Safety concerns related to the necessity of walking or riding on roadways which serve busy automobile traffic keep many residents in their cars. Amador County will consider the needs of pedestrians and bicyclists in future development plans. In addition, development patterns which place dwellings within a short distance of essential services and activity areas offer increased opportunities for alternative transportation, including pedestrian and bicycle transportation.

**Goal CM-3: Provide transportation alternatives to the automobile.**

- Policy CM-3.1: Identify priorities for the expansion of bicycle and pedestrian transportation that respect the rights of private property.
- Policy CM-3.2: Promote bicycle/NEV routes and pedestrian walkways. These routes should connect residents to communities, activity centers, and adjacent developments, and offer an alternative to automobile transportation.
- Policy CM-3.3: Coordinate with public agencies to connect trail facilities.
- Policy CM-3.4: Promote pedestrian and bicycle safety by communicating safety practices to the public, and maintaining consistent, recognizable facilities for pedestrians and bicyclists.
- Policy CM-3.5: Consider transportation needs in the context of new development proposals. Promote land use patterns which place residents near activity centers and essential services to reduce the need for frequent automobile travel.
- Policy CM-3.6: Coordinate with ARTS and other agencies to improve the availability of public transit connecting residents to services.
- Policy CM-3.7: Continue to provide public transportation from Amador County to regional job and activity centers located outside the county.

Policy CM-3.8: Encourage development of facilities which support carpooling and public transportation within the county.

## Scenic Highways

Several of Amador County's highways, including SR-49 and portions of SR-88, are eligible for designation as Scenic Highways by the State of California. In addition, the State of California has designated a portion of SR-88 as a Scenic Highway, and the U.S. Forest Service has designated a portion of SR-88 as a National Forest Scenic Byway. Together, Amador County's eligible and designated scenic highways and byways are referred to as scenic corridors. Protecting the visual character of these scenic corridors is a key consideration in future planning.

**Goal CM-4: Maintain and enhance the visual quality and scenic views along both designated and eligible scenic corridors.**

Policy CM-4.1: Ensure that new and relocated public utility distribution lines along designated and eligible scenic corridors are placed underground in compliance with Public Utilities Commission regulations for scenic highways. All other utility features should be placed and screened to minimize visibility.

Policy CM-4.2: Review development projects and timber harvest plans that include areas within 1,000 feet of designated scenic highways for their visual effects on the scenic corridors.

Policy CM-4.3: Review signs and advertising along scenic corridors to minimize their effects on the scenic corridor.

## Economic Development

The purpose of the economic development element is to focus attention and effort on the need to provide an appropriate balance between residential, commercial, industrial, agricultural, timber, and open space land uses. The appropriate balance will allow the county to provide the necessary and desirable service while maintaining a desired quality of life.

### Economic Development

A healthy, vibrant economy provides jobs for county residents, and also aids in the continuing fiscal viability of county services. Amador County's economy has historically depended on agricultural, commercial, industrial, mineral, mining, tourism, and forest production activities, and these industries will be important to the County's future, as well.

Economic development goals and policies include efforts to raise the jobs-to-housing ratio for the county and to increase the proportion of non-residential development to support the county's fiscal health. Efforts to provide employment and education opportunities that retain young people in Amador County are also important.



A favorable business environment includes an efficient and consistent regulatory environment, retention and expansion of existing businesses, technical assistance, and support for infrastructure and services needed to support job-generating development. Infrastructure and service needs for commercial and industrial businesses can include water, wastewater, transportation and transit infrastructure, high-speed communications, and basic utilities. Infrastructure improvements and expansion to support future economic development should not be at the expense of existing users.

For the County’s economic development activities, it is important to consider the fiscal impacts – both costs and benefits – of economic development efforts, including infrastructure expansion.

**Goal E-1: Develop and maintain a favorable business environment in the county.**

Policy E-1.1: Encourage an efficient and consistent regulatory environment, including a predictable development process. Consider changes to the development process to reduce time, cost, and complexity for applications. Avoid regulatory duplication.

Policy E-1.2: Support and collaborate with local economic development organizations to bring new businesses and industry to the county, and to help local businesses develop and expand.

Policy E-1.3: Mitigation fees and other County fees should be kept at a level that does not impede economic development. This may require incentive programs or other measures to mitigate project effects.

Policy E-1.4: Collaborate with local agencies and organizations to offer technical assistance to businesses seeking economic development grants, loans, and other funds from state, federal, and private sources.

Policy E-1.5: Encourage the retention and expansion of existing businesses within the county. Identify and reduce constraints that limit retention, expansion, or attraction of business and industry.

Policy E-1.6: Support efforts to build the “Amador Brand.” Continue to give preference to local businesses and suppliers for County business, and encourage residents to patronize local businesses and suppliers.

Policy E-1.5: Support improvement of infrastructure serving commercial and industrial development and agricultural business.

Policy E-1.6: Promote the availability of early care and education facilities at locations which permit the parents of small children to work.

**Goal E-2: Promote the availability of communications services to businesses and residents.**

Policy E-2.1: Coordinate with utilities and private service providers to encourage the provision of high-speed communications infrastructure and service throughout the county to encourage business development and expansion, and support home-based work.

**Goal E-3: Develop educational and training options for county residents.**

- Policy E-3.1: Facilitate the establishment of higher education facilities in the county, including a community college and technical education or trade school facilities.
- Policy E-3.2: Work with existing and new businesses located in the county to coordinate training opportunities with existing and planned job requirements.
- Goal E-4: Improve the jobs-housing balance and maintain the fiscal health of the county.**
- Policy E-4.1: Encourage the development of new commercial and industrial businesses in the county.
- Policy E-4.2: Promote a balance of commercial and industrial development to residential development which maintains the fiscal health of the county.
- Policy E-4.3: It is in the best interest of Amador County residents to protect the County’s small retail businesses. To that end, the County requires that large retailers submit a fiscal analysis that specifically identifies the impact their business would have on these small retail shops. (*“large” to be defined in Draft General Plan, perhaps based on definition in design review guidelines.*)
- Policy E-4.4: Require that residential developers submit fiscal impact analyses detailing the project’s impact to local services for all developments of NN units. (*threshold to be developed for Draft General Plan.*)
- Policy E-4.5: Focus job development activities on higher wage jobs for the local population and jobs which produce goods or services for export from the region in order to maximize potential benefits.
- Goal E-5: Promote cultural and economic development of rural communities throughout the county.**
- Policy E-5.1: Support existing and new programs and facilities which contribute to the cohesion and prosperity of rural communities, including local schools and shops.
- Policy E-5.2: Work to expand access to community services and opportunities available in the county’s rural communities.
- Goal E-6: Retain existing and attract new businesses to facilitate the expansion of Amador County’s economic base.**
- Policy E-6.1: Work with community members, business leaders, and local organizations to develop and implement a strategic plan for economic development in Amador County that encourages and attracts private sector investment.
- Policy E-6.2: Target key industries which are important to the future of the county for economic development.
- Policy E-6.3: Use Amador County’s quality of life as an economic development and business attraction tool.

- Policy E-6.4: Establish benchmarks to measure the success of local economic development activities.
- Policy E-6.5: Provide or assist businesses in ensuring necessary infrastructure improvements are provided to support new or expanding businesses in Amador County.

*Note: Additional language proposed by AEDC will be incorporated as an implementation program for the General Plan.*

## **Tourism**

The County will encourage continued expansion of tourism in Amador County. Amador County's tourist draws include agricultural areas and products, scenic and natural beauty, outdoor recreational opportunities, and gold rush history. In addition to providing economic benefits in its own right, increased tourism offers expanded opportunities to showcase the County's rural character and high quality of life. The County's tourism goals are further supported by goal OS-1 (Protect resources important to tourism and maintain the rural lifestyle valued by county residents) and associated policies, which can be found in the Open Space Element.

### **Goal E-7: Promote and expand tourism opportunities in Amador County.**

- Policy E-7.1: Partner with local and regional agencies to promote Amador County locally, nationally, and internationally as a tourist destination.
- Policy E-7.2: Identify key resources which are current or potential tourist draws, and work to maintain and enhance these resources. Encourage and promote nature tourism and outdoor recreational tourism. Identify key sites, locations, and activities which draw tourists, and develop a strategy to promote and market these resources.
- Policy E-7.3: Encourage agri-tourism which provides an additional source of income to farmers and ranchers.
- Policy E-7.4: Promote development of support businesses and tourism-related services in cities and rural communities near tourist sites, including retail uses such as lodging and restaurants.
- Policy E-7.5: Encourage and promote the County's mining and gold rush history as a tourism resource.
- Policy E-7.6: Promote coordination among cities and other jurisdictions, tourist industries and businesses in local areas and regional partnerships, linking multiple attractions.
- Policy E-7.7: Promote collaboration between the county, cities, and non-governmental organizations to share resources and plan effectively for tourism.
- Policy E-7.8: Identify historic and cultural resources within the county which are used by tourists. Promote the preservation of these resources, including interpretive and educational activities centered on these resources.

## Economically Viable Agriculture

The County will encourage the continued economic viability of farming and ranching. Agriculture-related businesses and agri-tourism can offer important sources of income for farmers and ranchers. The County will support continued use of agriculture-related businesses, including wine tasting and roadside stands. Provision of adequate water for farming is also a critical need for farmers. Conservation of agricultural land is key to the continued health of Amador County's agricultural economy. Goals, policies, and implementation programs which address the conservation of agricultural land are found in the Conservation Element, and include Goal C-7 (Maintain important farmlands for agricultural uses and agri-tourism), C-9 (Encourage alternative means of providing water to agricultural users), and C-10 (Support the efforts of farmers and ranchers to incorporate environmentally friendly practices in their business practices), as well as associated policies.

**Goal E-8: Preserve the land base necessary to sustain agricultural production and maintain long term economic viability of agricultural land uses.**

Policy E-8.1: Ensure that future land uses are appropriately located and scaled to fit in with the county's rural and agricultural context.

Policy E-8.2: On lands under Williamson Act contracts, provide for and support value-added agricultural activities designed to provide an additional source of farming income while maintaining the land for viable agricultural production, in accordance with state law.

Policy E-8.3: Provide for and support value-added agricultural activities (such as designed to provide an additional source of farming income while maintaining the land for viable agricultural production.

Policy E-8.4: Promote development of support businesses associated with agri-tourism.

**Goal C-7: Maintain important farmlands for agricultural uses and agritourism.**

Policy C-7.1: Maintain the right of individuals in Amador County to farm, including enforcement of the County's "Right to Farm" ordinance.

Policy C-7.2: Encourage use of Williamson Act contracts to maintain farm and ranch lands in agricultural use.

Policy C-7.3: Educate landowners about alternative methods of farmland preservation, including identification of funding for conservation easements.

Policy C-7.4: Direct future development toward "infill" areas (areas of existing urban development), areas contiguous to cities, and areas with infrastructure and services in order to maintain the viability of existing agricultural land.

Policy C-7.5: Review future development for compatibility with existing adjacent and nearby agricultural uses.

Policy C-7.6: Direct future development away from farmlands of local or statewide importance.

- Policy C-7.7: Discourage the extension of city spheres of influence into areas of important farmland. Infrastructure improvements into areas of important farmland should include conditions to avoid inducing urban growth.
- Policy C-7.8: Encourage provision of farm family and farm worker housing in a manner that conserves important farmlands.
- Policy C-7.9: Encourage the use of site planning techniques such as properly maintained buffers, building envelopes and setbacks on lands adjacent to agricultural uses in order to protect agriculture from encroachment by incompatible land uses.
- Goal C-9: Encourage alternative means of providing a sustainable water supply to agricultural users.**
- Policy C-9.1: Promote use of reclaimed water in compatible farming and ranching settings.
- Policy C-9.2: Support the continued availability of water supplies to agricultural users. Agricultural water users should be encouraged to efficiently utilize surface water supplies in the absence of available reclaimed water.
- Policy C-9.3: Encourage the County’s water suppliers to develop reduced rates for agricultural water users.
- Goal C-10: Support the efforts of farmers and ranchers to incorporate environmentally friendly practices in their business practices.**
- Policy C-10.1: Promote the use of environmentally and financially sustainable farming and ranching practices.
- Policy C-10.2: Promote education and incentives to support expansion of sustainable practices.

## **Timber Resources**

Timber harvesting is an important industry in Amador County. Although timber harvesting is often described as an agricultural activity, the cultural importance of timber production in Amador County is distinct from other agricultural production. Amador County supports the continued viability of timber harvesting. Proper management and production of timber resources can also reduce the risk of catastrophic wildfire, especially in the eastern portion of the County.

- Goal E-9: Promote sustainable forest management that ensures continued timber production, water quality and the timber land base, and reduces the risk of catastrophic fires.**
- Policy E-9.1: Encourage the continued viability of timber harvesting and promote creation of defensible space and community wildfire protection.
- Policy E-9.2: Maintain long term economic viability of timber harvesting.
- Policy E-9.3: Promote the use of environmentally and financially sustainable timber harvesting practices.

- Policy E-9.4: Maintain Timber Production Zone (TPZ) areas as a renewable source of timber and wood products.
- Policy E-9.5: Encourage value-added activities (such as sawmills, cogeneration plants, timber-based manufacturing, and other uses) which contribute to the viability of timber production.
- Policy E-9.6: Protect timber resource areas from encroaching incompatible uses.

## Mineral Resources

Mineral production has been an important part of Amador County’s economy and culture since the County’s founding. Amador County’s mineral resources include (among others) clay, sand, gravel, aggregate, quartz sand, copper, silver, gold, soapstone, marble, slate, greenstone, river rip rap, road base, limestone, sandstone, zinc, chromites, talc, lignite, and diamonds.

**Goal E-12: Maintain the viability of mineral and aggregate resources and encourage mineral and aggregate resource production in the county.**

- Policy E-12.1: Ensure that extraction and production of mineral resources and aggregate deposits present in the County may continue. Encourage extraction and production of mineral and aggregate resources.
- Policy E-12-3: Promote the expansion or greater utilization of Amador County’s mineral and aggregate resources.
- Policy E-12-3: Promote value-added manufacturing and processing of Amador County’s Minerals.
- Policy E-12-4: Guide development away from areas where mineral and aggregate extraction is currently occurring and where resources are known to exist. Consider the location of known resources in approving new development.
- Policy E-12-5: Develop standards for exploration, development, and reclamation activities associated with mineral extraction projects.

## Conservation Element

The goals and policies of the Conservation Element present strategies to protect and conserve water supply and water quality, energy resources, agriculture and agricultural lands, air quality, historic resources, and cultural resources.

## Water Supply and Water Quality

Adequate water supply for the county, including water for residential, agricultural, industrial, and commercial use, is of primary importance. Maintaining the water supply includes providing quality water for both current and future development.

The primary source of water for Amador County is surface water from the Mokelumne River, derived from both precipitation and snowmelt. Water from the Mokelumne River is transported to the areas of the county characterized by higher population and more water use.

Development of reclaimed water should play an important role in providing sustained water supply for appropriate uses and extending finite supplies. Conservation must also be expanded as an important mechanism of extending water supplies in addition to developing new water supply projects to meet future water demands.

Because surface water is the primary water supply source, preventing pollution from point- and non-point sources is important to the future well-being of the county. Providing adequate sewage treatment capacity is important for maintaining and improving water quality. In addition, residential development generates increased urban runoff to streams, which is a source of pollution. Agricultural practices can also generate pollutants such as eroded material from stream banks and fields, and pesticide, herbicide, and fertilizer runoff. The county's mining heritage and current mining activities also represent potential sources of pollution to streams and rivers, including heavy metals and eroded soil.

Water planning for Amador County should consider the Urban Water Management Plan and the California State Water Plan as updated and revised periodically. The Amador Water Agency (AWA) actively participates in the State Water Plan Updates.

**Goal C-1:            Ensure that all future development permitted in the county can be provided adequate amounts of water.**

Policy C-1.1:        Coordinate with the County's water suppliers to ensure that water is available to serve both current and future residential, commercial, industrial, and agricultural needs.

Policy C-1.2:        Guide future development to areas of the county where adequate water supplies can be ensured.

Policy C-1.3:        Limit reliance on groundwater wells as sources for community water systems. Where possible, encourage connection of developments to existing water supply systems.

Policy C-1.4:        Encourage new development, redevelopment, landscape, and agricultural projects to include water conservation measures, including use of graywater, reclaimed, or recycled water for landscaping irrigation, water-conserving plumbing fixtures, and low-water landscapes.

*Implementation C1: Where available, new development should be encouraged to participate in the extension of reclaimed water facilities (either off-site or on-site) for beneficial use.*

Policy C-1.5:        In consultation with the County's water suppliers, develop reasonable best management practices (BMPs) for water conservation in the county.

- Policy C-1.6: Encourage regional and interagency coordination to ensure future water supply. Include upland areas in future water management plans.
- Policy C-1.7: Coordinate with the County’s water suppliers to develop water-use standards and regulations to limit demands during water supply emergencies and droughts.
- Policy C-1.8: Coordinate with the County’s water suppliers to plan for future water supplies, and respond to future water supply emergencies and droughts.
- New Policy C1a: Encourage integrated management of surface water and groundwater resources, wastewater, stormwater treatment and use, and the development of reclaimed water.
- New Policy C1b: Encourage conjunctive use of groundwater and surface water by water agencies to improve water supply reliability.
- New Policy C1c: Support the County’s water suppliers, including public agencies and private entities within Amador County, in their efforts to protect water rights and water supply contracts.
- New Policy C1d: Pursue water and wastewater plans to develop new, reliable future sources of supply, including, but not limited to, the expansion of surface water storage and conjunctive use of surface water and groundwater, while promoting water conservation and water recycling. (move to implementation)
- New Policy C1e: Pursue management strategies that develop upstream/ downstream interregional conjunctive use/water transfer programs to meet future water needs in Amador County.
- New Policy C1f: Work with the County’s water suppliers and local agencies to identify and pursue alternative funding sources for projects that improve water resources management opportunity in Amador County.
- New Policy C1g: Support efforts by water and wastewater agencies to respond to State mandates addressing the future challenges posed by climate change.

**Goal C-2: Minimize negative effects of sewage treatment on water quality.**

- Policy C-2.1: Guide future development to areas of the county with the ability to obtain adequate wastewater service and treatment capacity.
- Policy C-2.2: Encourage recycling and water-saving features in new development, including use of graywater, recycled, or reclaimed water for irrigation, to limit the water flows to septic systems and leach fields.



- Policy C-2.3: Encourage countywide coordination and organizational structures to maximize recycled water reuse opportunities throughout the County.
- New Policy C2a: Encourage development of new treatment facilities or conveyance systems to minimize disposal by leach field in areas of marginal soils or site conditions which may lead to degrading groundwater quality.
- New Policy C2b: Encourage and support the installation of wastewater treatment facilities in existing communities that are experiencing significant on-site wastewater treatment system failures and/or are posing a potential threat to county water resources or the public.
- New Policy C2c: Require any new development, where septic or connection to an approved sewer system is not feasible, to demonstrate that sewer service will be provided from an alternative wastewater system with adequate financial, managerial, and operational resources. (to implementation)
- Goal C-3: Minimize negative effects of point and non-point sources on water quality.**
- Policy C-3.1: Encourage site plan elements in proposed development such as reduced pavement/cover and permeable pavement, as well as drainage features which limit runoff and increase infiltration and groundwater recharge. Measures may include reduced pavement or site coverage, permeable pavement, and/or drainage features.
- Policy C-3.2: Limit the effects of current and former mining and mineral extraction activities on groundwater and surface water, especially through planned avoidance of these sites.
- Policy C-3.3: Promote agricultural and development practices which limit soil erosion and runoff.
- Policy C-3.4: Promote use of buffers or protective measures to limit the effects of industrial or hazardous materials sites on surface water resources and groundwater recharge zones.
- Policy C-3.5: Develop and implement a comprehensive stormwater management program to limit the quantity and increase the water quality of runoff flowing to the county's streams and rivers. Any stormwater management program for agricultural land should be developed and maintained within the Amador County Agricultural Department and follow state agricultural guidelines.
- Policy C-3.6: Maintain and improve existing drainage and stormwater infrastructure, and develop new drainage and stormwater infrastructure as needed. Consolidation of this function to a single County department or responsible agency is desirable. When maintaining or developing drainage and/or stormwater infrastructure, consider vector control.

## **Mining and Aggregate Resources**

Amador County's mining history extends to the Gold Rush of 1849. Currently, mining in the county includes clay, gold, lignite, and aggregate materials, but the County's mineral resources include (among others), clay, sand, gravel, aggregate, quartz sand, copper, silver, gold, soapstone, marble, slate, greenstone, river rip rap, road base, limestone, sandstone, zinc, chromites, talc, lignite, and diamonds. The continued viability of mineral and aggregate resources in the county should be a factor in the consideration of future development within the county. Goal E-10 and associated policies in the Economic Development Element address the County's mineral resources, including protecting the continued viability of these resources.

## **Energy Resources**

Increasing energy efficiency and making better use of current and local energy resources is an important mechanism for reducing direct and hidden energy costs in the future, as energy costs rise and sources of energy become more difficult to obtain. Improving energy efficiency and increasing the amount of local, micro-scale energy generation will help reduce energy costs and the effects of our energy use on the environment.

**Goal C-5: Reduce energy use and promote renewable and locally available sources of energy.**

Policy C-5.1: Encourage new development to be pedestrian friendly, and located near existing activity centers to limit automobile transportation energy use.

Policy C-5.2: Encourage energy-efficient businesses and manufacturers of green products to locate in Amador County.

Policy C-5.3: Promote increased energy efficiency and green building practices through the County's use of these practices.

Policy C-5.4: Encourage development of alternative energy generation options.

Policy C-5.5: Support use of renewable and locally available sources of energy where feasible.

Policy C-5.6: Coordinate with other organizations and agencies to promote public education regarding energy efficient practices and technologies which can be used by individuals to reduce their energy use.

Policy C-5.7: Provide incentives (e.g. waived building or planning fees, or expedited processing) for use of energy-efficient features for residential and commercial construction.

Policy C-6.1: Reduce erosion and sediment loads which might limit the lifespan of existing facilities.

Policy C-6.2: Promote development patterns and practices which permit the continued use and future development of water power generation facilities on the County's streams and rivers.

Policy C-6.3: Guide future development to preserve possible future suitable locations for water storage or hydroelectric generation facilities.

## **Conserving and Protecting Agricultural Lands**

Agriculture remains a crucial industry for Amador County, both in terms of its economic importance and because farming and ranching lie at the core of the community's identity and culture. Amador County faces the challenge of ensuring the continued viability of agricultural practices and businesses in the face of increasing development pressure, while respecting the rights of individual landowners.

The County will encourage the continued economic viability of farming and ranching. Agriculture-related businesses and agri-tourism can offer important supplementary sources of income for farmers and ranchers. The County will support continued use of agriculture-related businesses, including wine tasting and roadside stands. Provision of adequate water for farming is also a critical need for farmers.

Farming and ranching activities can create noise and dust, and lead to the need for aerial spraying. Future residential development which would detract from the ability of farmers and ranchers to maintain their businesses on nearby properties will be restricted. Farming and ranching do have the potential to degrade water quality. Promoting sustainable farming and ranching practices can help protect the quality of surface water resources.

The Economic Development Element contains goals and policies which support conservation of agricultural lands by encouraging the continued economic viability of farming and ranching. Relevant goals include

## **Conserving and Protecting Timber Resources**

Timber harvesting is an important industry in Amador County. Although timber harvesting is often described as an agricultural activity, the cultural importance of timber production in Amador County is distinct from other agricultural production. Amador County supports the continued viability of timber harvesting. Proper management and production of timber resources can also reduce the risk of catastrophic wildfire, especially in the eastern portion of the County. The Economic Development Element includes a goal (E-11) and policies describing conservation and protection of timber resources.

## **Historical Resources**

Amador County has a rich history, and is characterized by historical structures, districts, and mines dating back to the Gold Rush of 1849. These historical resources offer an important tool for

education, help to provide a distinctive “sense of place” to the county, and are a significant resource in promoting tourism. The County will support the preservation of historical resources through both property owner incentives and educational and interpretive opportunities.

Use of building envelopes or cluster development will be explored as a method to allow development of properties while preserving cultural or historical resources located on the property. Cluster development is a development pattern where the total improvements (roads and residences) permitted for a property are “clustered” on a small portion of the original or proposed parcels, instead of being scattered evenly over the available space. The balance of the parcel is then dedicated to either open space or agricultural use. In addition to preserving land for agricultural or conservation uses, cluster development allows cheaper and more efficient provision of infrastructure such as roads, water, and sewer service.

**Goal C-12:           Preserve the County’s historical resources.**

- Policy C-12.1:       Balance the community’s interest in historic preservation with the rights of individual property owners.
- Policy C-12.2:       Use incentives where possible as a means of protecting and preserving historical structures and districts. Consider using Mills Act contracts as a way of providing such incentives.
- Policy C-12.3:       Promote use of building envelopes or cluster development as a means of protecting historical resources when land is developed.
- Policy C-12.4:       Support the preservation of historic structures, including rehabilitation and adaptive reuse of structures. Encourage property owners to preserve and maintain historic structures.
- Policy C-12.5:       Promote the preservation of historically significant Gold Rush sites, mining sites and other identified sites.
- Policy C-12.6:       Collaborate with interested groups to develop interpretive materials for historically important sites.
- Policy C-12.7:       Promote historic preservation as an engine for Amador County’s tourist economy.

## **Cultural Resources**

Cultural resources are important reminders and remnants of the rich history of the area. These resources offer physical evidence of the prehistoric and historic occupation and exploitation the county. Cultural resources sites include both prehistoric and mining related sites. Amador County will work with interested groups, including Native American communities, to preserve and protect cultural resources. Incentives and cluster development are two tools which may be used. In addition, an inventory of cultural resource locations maintained by the County can help landowners become aware of the presence of cultural or archaeological resources on their

properties, potentially affecting future development. Protection of cultural resources is mandated by the State of California through the CEQA environmental review process and the SB18 consultation process.

**Goal C-13: Preserve the County’s cultural resources.**

Policy C-13.1: Balance the community’s interest in the protection of cultural resources with the rights of individual property owners.

Policy C-13.2: Use incentives where possible as a means of protecting and preserving cultural and archaeological sites.

Policy C-13.3: Promote clustering of development as a means of protecting cultural and archaeological resources when land is developed.

Policy C-13.4: Educate local realtors, property owners, and developers regarding the need to protect and preserve cultural resources, with the objective of increasing cultural resource awareness among existing and new property owners.

Policy C-13.5: Utilize the County’s inventory of identified cultural resources to help educate property owners and developers, and alert them to potential cultural resources issues associated with new development.

Policy C-13.7: Enforce laws that preserve and protect Native American cultural and archaeological sites.

Policy C-13.8: Collaborate with other interested groups to develop interpretive materials for culturally and archaeologically important sites.

## **Air Quality**

Air quality is an issue throughout California. Automobile emissions are a major contributor to air quality problems, and efforts to improve air quality are increasingly directed at the relationship between growth, land use activities, and air quality. Land use patterns directly influence transportation demand which, in turn, affects air quality. Amador County can help to maintain its good air quality by modifying development patterns and offering alternative transportation options, as well as encouraging energy conservation and efficiency.

**Goal C-14: Maintain and improve air quality.**

Policy C-14.1: Encourage development of commercial or industrial businesses which provide jobs for county residents in order to reduce vehicle miles traveled for residents who must drive elsewhere for employment.

Policy C-14.2: Encourage infill development, and development near existing activity centers in order to encourage walking or bicycle use in running local errands.

- Policy C-14.3: Promote the separation of emission sources from sensitive receptors such as schools, day care centers, and health care facilities.
- Policy C-14.4: Encourage energy conservation and energy efficient design in new development projects.
- Policy C-14.5: Promote recycling of waste materials and the use of recycled materials.
- Policy C-14.6: Maintain viable public transportation options in Amador County, and provide transit connections such as park-and-ride services to job centers in nearby counties.
- Policy C-14.7: Work with state and federal agencies to seek recognition of air transport from valley to mountain counties as a contributor to reduced air quality.

## Global Climate Change

The California Global Warming Solutions Act (AB 32) was passed in September 2006. AB 32 requires that statewide Greenhouse Gas (GHG) emissions must be reduced to 1990 levels by 2020, which represents about a 25% reduction relative to current levels. Future planning efforts that do not encourage reductions in GHG emissions would conflict with AB 32, impeding California’s ability to comply with the policy. Binding and enforceable General Plan goals and policies which reduce GHG emissions are one outcome of AB 32.

In California, more than 40% of GHG emissions are associated with transportation. Reduction of GHG emissions will thus primarily require a reduction of motor vehicle fuel consumed and vehicle miles traveled (VMT). Other means of addressing global climate change include use of alternative low- or no-emission energy sources at the local and micro scale (i.e. solar cells), since electric power generation also accounts for nearly a quarter of GHG emissions. Conservation efforts which reduce energy use are also effective in reducing GHG emissions associated with electric power generation.

### **Goal C-15: Reduce GHG emissions from automobile travel.**

- Policy C-15.1: Guide new development to areas where pedestrian and bicycle/NEV access to existing activity centers are possible, in order to reduce the need for automobile travel and VMT. Require new development projects to provide bicycle/NEV and pedestrian facilities to increase the safety and feasibility of non-automobile travel.
- Policy C-15.2: On an annual basis, set goals and assess progress on the priorities identified by the Pedestrian and Bicycle Master Plan in order to improve pedestrian and bicycle circulation options in the county.
- Policy C-15.3: Work with service providers to ensure that transit offerings in the county are stable or expanding, and that transit is tailored to meet residents’ needs.

- Goal C-16: Reduce GHG emissions from electrical power generation.**
- Policy C-16.1: Require new development projects to incorporate building placement and design features to increase energy efficiency in new structures.
- Policy C-16.2: Identify a desired Leadership in Energy and Environmental Design (LEED) certification level for new commercial, industrial, public and multi-family residential buildings. Promote incentives for compliance with this standard as a way to increase the energy efficiency of new structures. Promote increased energy efficiency and green building practices through the County’s use of these practices. *[Note: General Plan text will identify the desired LEED certification level, and policy will be revised to reflect the standard.]*
- Policy C-16.3: Require that new residential building permits for more than 6 market-rate units provide solar power generation and/or solar heating systems for water on 25% of units. This may include participation in the California Energy Commission’s New Solar Homes Partnership rebate program.
- Policy C-16.4: Promote parcel-scale energy generation, including addition of solar panels for residential structures and cogeneration for larger commercial or industrial uses.
- Policy C-16.5: Expand recycling and waste minimization efforts, including recycling of construction and demolition materials.
- Policy C-16.6: Require that new residences use Energy Star-rated appliances and the most energy-efficient water heaters and air conditioning systems feasible.

## Open Space Element

Open space includes undeveloped land used for the preservation of natural resources, for the managed production of resources, for outdoor recreation, for public health and safety, and to maintain the rural lifestyle residents enjoy.

## Tourism

Tourism is an important contributor to Amador County’s economy. Tourist draws include agriculture and viticulture, scenery and natural resources, recreation, and historic sites, including Gold Rush and mining sites. The County will protect and promote resources which have importance in generating and maintaining tourism. Policies pertaining to tourism are found in the Economic Development Element under Goal E-4.

## Recreation

Recreational opportunities, including parks, trails, and water recreation areas, are important to residents and visitors alike. The Amador County Recreation Agency (ACRA) is responsible for

meeting the recreation facility needs for the county as a whole, including both unincorporated areas and cities. ACRA’s Recreation Master Plan establishes a blueprint for expansion of recreation facilities and program offerings in the county.

**Goal OS-2:           Ensure provision of park and recreational facilities serving residents and visitors.**

Policy OS-2.1:       Supports efforts by ACRA to maintain and enhance existing parks at levels which provide maximum recreational benefit.

Policy OS-2.2:       Support efforts by ACRA to provide a range of recreational facilities and programming to serve all county residents, including facilities and programs geared toward youth and seniors.

Policy OS-2.3:       Promote joint recreational use of open space lands and facilities owned by school districts and cities.

Policy OS-2.4:       Use the Recreation Master Plan as a guide to provide adequate park facilities to serve the current and projected population.

Policy OS-2.5:       Identify potential revenue sources to develop and maintain existing facilities, as well as to provide and expand recreational facilities as needed.

Policy OS-2.6:       Promote the provision of sanitation stations and solid waste collection facilities at trailheads and recreation areas as needed to minimize the impacts of this use.

**Goal OS-3:           Encourage the development and use of recreational and transportation trails within Amador County.**

Policy OS 3.1:       Promote the development of a network of recreational trails for pedestrians, hikers, equestrians, and bicyclists.

Policy OS 3.2:       Promote construction of trail facilities within the county.

Policy OS 3.3:       Promote construction of trails on public lands and rights of way within the county, respecting private property rights.

Policy OS 3.4:       Use existing property lines, avoid bisecting properties.

Policy OS 3.5:       Link trails to existing infrastructure, including other recreation opportunities, parks, schools, neighborhoods, and commercial areas.

Policy OS 3.6:       Where possible promote the functional use of trails as transportation corridors.



Policy OS-3.27: Coordinate with surrounding counties and communities, as well as the State, to connect county trails to regional and statewide systems.

## Natural Resource and Species Protection

Conservation and stewardship of the natural environment, including wildlife habitat, is important to the future of the county. The County will work to guide development and use of the land in ways which limit degradation of the natural environment, always seeking to maintain a balance between the community's interests in preservation and the rights of individual property owners.

**Goal OS-4: Protect wildlife habitats, including sensitive environments and aquatic habitats, consistent with State and federal law.**

Policy OS-4.1: Encourage preservation of oak woodlands in accordance with Public Resources Code Section 21083.4. Require assessment of impact to oak woodlands for new development, and mitigation per Public Resources Code Section 21083.4.

Policy OS-4.2: Encourage the conservation of corridors for wildlife movement, particularly in oak woodland areas and along rivers and streams. Use development tools, such as clustering, to maintain corridors where possible.

Policy OS-4.3: Support voluntary conservation easements to protect wildlife habitat, including oak woodlands.

Policy OS-4.4: Use site planning techniques, including, but not limited to, buffers, setbacks, and clustering of development to protect sensitive environments, including wetlands, riparian corridors, vernal pools, and sensitive species.

Policy OS-4.5: Protect aquatic habitats from effects of erosion, siltation, and alteration.

Policy OS-4.6: Encourage the use of appropriate native species for reclamation and revegetation components of development projects. Restrict the introduction of invasive exotic species.

**Goal OS-5: Protect special status species, including threatened and endangered species, consistent with State and federal law.**

Policy OS-5.1: Ensure that new development complies with State and federal laws concerning special status species preservation.

## Safety Element

The purpose of the Safety Element is to identify and address physical and environmental characteristics in Amador County which represent potential hazards to community residents, structures, community facilities, and infrastructure. This element identifies actions needed to

manage crisis situations such as earthquakes, fires, and floods. Specific policies and guidance to regulate development in hazard-prone areas (such as floodplains, seismic risk areas, or high fire-danger areas) are included.

## **Flood Hazards**

Amador County encompasses multiple rivers, streams, creeks, and associated watersheds. The county is situated in a region that dramatically drops in elevation from the Sierra Nevada Mountains in the east to the central and western portions, where excess rain or snow can contribute to downstream flooding.

Flood risk is generally focused on low lying areas located near streams and rivers, including Dry Creek, Sutter Creek, and Jackson Creek. Flood risk associated with dam failure is also a factor near rivers and streams. Developed uses are already present within the 100-year floodplain, particularly within incorporated areas of the county. Amador County will work to direct future development, including both the location and characteristics of development, to minimize the danger to life and property from flooding.

**Goal S-1: Prevent loss of life or property from flooding.**

Policy S-1.1: Direct future development to areas outside the floodway portion of the 100-year floodplain.

Policy S-1.2: Limit development in other areas prone to flooding, including the floodway fringe, other portions of floodplains and inundation areas. Require development in these areas to incorporate floodproofing measures for all new structures, including elevation above the 100-year floodplain profile.

Policy S-1.3: Reduce urban runoff and maintain the carrying capacity of floodplains or flood channels. Require provision of on-site retention and detention basins in new development to reduce downstream flooding hazards.

Policy S-1.4: Designate agriculture, passive parks, open space, and other low-intensity uses within floodplain areas.

## **Fire Protection**

Amador County is at very high risk to experience catastrophic wildfires. Because of the extensive distribution and quantities of wildland vegetation and developed properties, most of the county is considered to be in a wildland urban interface (WUI) zone. Wildfires that occur in the WUI zone pose severe risks to life, property, and infrastructure and are one of the most dangerous and complicated fire situations that firefighters encounter.

Fuel loading problems have substantially increased due to rapid population growth and residential construction in WUI zone areas. High levels of fuel loading combined with natural weather conditions such as drought, high temperatures, low relative humidity, and high winds can create prime conditions for frequent and catastrophic fires.

The County has identified goals and policies intended to improve fire prevention and fire defense capacities. Issues addressed include water supplies, structures built in fire-defensible spaces (building setback areas which are kept clear of brush and fuel), and building code provisions to protect new and renovated structures from fire danger. Goals and policies guide development towards areas with better fire suppression infrastructure and/or lower fire risk.

**Goal S-2: Reduce fire risks to current and future structures.**

Policy S-2.1: Require new buildings to be constructed to provide fire-defensible spaces, separated from property lines and other buildings on the same or adjacent properties by adequate building setbacks clear of brush and fuel. Require new buildings in areas of moderate to high fire risk to be constructed using building materials and designs that increase fire resistance.

Policy S-2.2: Guide new development to areas which allow adequate provision of fire protection and ensure provision of roads and water service adequate to permit fire response.

Policy S-2.3: Incorporate fire safety site planning techniques within new development proposals in high- or very-high fire risk areas. Encourage building envelope or cluster development techniques to increase defensible areas.

Policy S-2.4: Work with fire districts or other agencies and property owners to coordinate efforts to prevent wildfires and grassfires including consolidation of fuel buildup abatement efforts, fire fighting equipment access, and water service provision.

Policy S-2.5: Work with fire districts and other agencies to educate the public regarding fire risks and periods of elevated or extreme risk due to drought or other factors.

**Goal S-3: Maintain or improve fire response times.**

Policy S-3.1: Support efforts by fire districts to obtain adequate funding to provide fire protection at desired levels. Implement impact fees for new developments if needed to provide adequate fire service.

Policy S-3.2: Encourage cooperation and regional agreements among fire districts to maximize fire protection capabilities across the county.

## **Geological and Seismic Hazards**

Seismic hazard levels in Amador County are considered to be relatively low compared to other areas of California. No Alquist-Priolo Earthquake Fault Zones are located in the county, and areas subject to liquefaction, ground failure, or surface rupture have not been identified in the county. Ground shaking has been felt in Amador County from earthquakes with epicenters elsewhere.

Subsidence occurs when earth material sinks due to the underlying presence of natural or artificial voids. Past mining activities have also caused subsidence in some areas, and as future development occurs within the county, the incidence of subsidence above abandoned mines is likely to increase. Subsidence can result in serious structural damage to buildings, roads, underground utilities, irrigation ditches, and pipelines.

Landslides refer to a wide variety of processes that result in the perceptible downward and outward movement of soil, rock, and vegetation under gravitational influence. Although landslides are primarily associated with steep slopes (i.e., greater than 15 percent), landslides can also occur in areas of generally low relief and occur as cut-and-fill failures, river bluff failures, lateral spreading landslides, collapse of mine-waste piles, failures associated with quarries, and open-pit mines. Landslides may be triggered by both natural- and human-induced changes in the environment resulting in slope instability.

Avalanches occur when loading of new snow increases stress at a rate faster than the strength of the snowpack develops, causing the slope to fail. Critical stresses develop more quickly on steeper slopes and where deposition of wind-transported snow is common. The majority of avalanches occur during and shortly after storms. Avalanche hazards are present in eastern Amador County. Historically, avalanches occur within the county mostly between January and March, following snowstorms. Avalanche-prone areas include SR-88 in the Devil's Gate area and the Kirkwood area.

General Plan goals and policies aim to reduce damage caused by seismic hazards, and to reduce landslides and avalanches by avoiding development practices which steepen slopes or place structures in the path of these phenomena.

**Goal S-4: Protect people and property from seismic hazards.**

Policy S-4.1: Enforce site-specific seismic design category requirements per the California Building Code (CBC) to minimize earthquake damage.

Policy S-4.2: Require minimum setbacks for habitable construction along streams between the stream bank and structure, based upon the susceptibility of the bank to seismic shaking-induced lurching. [*Note: General Plan text would include an implementation measure to develop the setback standard.*]

Policy S-4.3: Make information about soils with a high shrink-swell potential readily available. Require proper foundation designs in these areas.

Policy S-4.4: Discourage new development projects in or near a seismic risk area or geologic hazard area unless these projects meet design standards to minimize or eliminate seismic risk.

Policy S-4.5: Site public facilities to avoid known seismic dangers, and construct these facilities to meet seismic safety requirements of the CBC.

**Goal S-5: Protect people and property from landslides, mudslides, and avalanches.**

Policy S-5.1: Establish development regulations which lessen the potential for erosion and landslides. Restrict site grading which steepens unstable slopes.

Policy S-5.2: Limit development in areas with high landslide, mudslide, or avalanche susceptibility.

## **Mining and Hazardous Materials Sites**

Amador County is home to more than 300 known mine locations, in addition to hundreds of hazardous materials storage and release sites. Mines are a significant source of contamination of surface water in the county. Abandoned mine sites also have the potential to cause subsidence at the ground surface.

Hazardous materials storage and release sites have the potential to impact public health and safety if human contact with these materials is not minimized or avoided.

**Goal S-6: Protect people and resources from hazards posed by mining facilities and hazardous materials sites.**

Policy S-6.1: Coordinate with state and federal agencies to limit hazardous materials risks through the land use planning process. Utilize existing County hazardous materials facility information to identify areas of hazardous materials use, and restrict the use of hazardous materials to non-residential and non-sensitive areas.

Policy S-6.2: Locate hazardous materials facilities to limit potential hazards related to the proximity of sensitive populations and the distance and routes traveled for local deliveries.

Policy S-6.3: Encourage the use of programs and products to reduce and replace the use of hazardous materials where feasible.

Policy S-6.4: Develop a map and inventory of former mine locations to alert property owners to areas with potential subsidence issues.

Policy S-6.5: Work with other agencies to limit the effects of former mining activities.

## **Public Safety and Emergency Preparedness**

No amount of planning or preparation can avoid all emergency situations. Amador County bears a risk of being affected by a variety of natural and human-caused disasters. Citizens and first responders must be prepared to react to such an emergency.

**Goal S-7: Respond appropriately and efficiently to natural or human-caused emergencies.**

- Policy S-7.1: Maintain a disaster response plan to coordinate response actions.
- Policy S-7.2: Educate and prepare citizens to react effectively in an emergency situation.
- Policy S-7.3: Continue to coordinate with other local public safety and law enforcement agencies to ensure effective emergency response.
- Policy S-7.4: Work with other agencies to designate evacuation routes for various natural or human-caused emergencies.

## Noise Element

The purpose of the Noise Element is to reduce noise through a combination of land use planning, site criteria, and enforcement strategies. The policies and programs described in this element focus on protecting the quality of life found within rural communities, residential areas, schools, and other noise-sensitive uses from the persistent hazards of excessive noise.

### Noise and Land Use Planning

Current community noise levels in Amador County are consistent with the population density and activities located around them. The General Plan ensures the enforcement of low community noise standards and encourages residents to take an active part in keeping the county noise levels low.

Noise issues should be considered during the planning process so that needed measures are incorporated into design and location of new development. In addition, the costs of noise attenuation measures can then be incurred by the property developer, and not by current or future landowners who may not anticipate additional noise.

**Goal N-1: Manage noise levels throughout the county through land use planning and development review.**

Policy N-1.1: Develop and enforce standards that will maintain acceptable noise limits. *[Note: General Plan text will present recommended exterior and interior noise standards.]* Develop a procedure based on common noise practices that establishes a county recognized process for measuring noise.

Policy N-1.2: Encourage the use of siting and building design techniques as a means to minimize noise impacts.

Policy N-1.3: Evaluate potential noise conflicts for individual sites and projects, and require mitigation of all significant noise impacts (including construction and short-term noise impacts) as a condition of project approval.

- Policy N-1.4: Protect existing areas with acceptable noise environments and also those locations deemed “noise sensitive.”
- Policy N-1.5: Promote the use of ‘smart design’ including berms, landscaping, setbacks, and architectural design features for noise abatement as an alternative to sound walls to enhance community aesthetics and minimize barriers to pedestrians. Use of sound walls should be strictly restricted, and sound walls should only be used when other methods have been exhausted.
- Policy N-1.6: Develop noise standards limiting loud activities during nighttime quiet hours. *[Note: Implementation for this policy may include preparing and adopting a County Noise Ordinance.]*

## Roadways and Railroads

As the main arteries of the county continue to carry more traffic the surrounding land use areas will need to be carefully regulated to prevent land use incompatibilities. Noise impacts from main arteries are expected to expand as traffic increases. Currently railroad traffic is not a major contributor to noise in the county but with future growth and change, encroachment on railroad corridors may be inevitable. The following goal and policies ensure that appropriate land uses are encouraged within areas surrounding roadways and railroads.

**Goal N-2: Minimize noise conflict with transportation sources.**

- Policy N-2.1: Minimize noise conflicts between current and proposed land uses and the circulation network by encouraging compatible land uses around critical roadway segments with higher noise potential.
- Policy N-2.2: Minimize noise conflicts between current and proposed land uses and railroad corridors by protecting railroad corridors from encroachment by incompatible land uses.

## Stationary Noise Generators

Several industrial operations are located in unincorporated areas of the county. Currently industrial noise does not generally affect noise sensitive land uses, but new development may increase the possibility of encroachment. The following goal and policies have been developed to ensure through land use planning that conflicts do not occur with stationary sources that could affect sensitive receptors.

**Goal N-3: Minimize noise conflicts with stationary noise generators.**

- Policy N-3.1: Protect the continued viability of economically valuable noise sources such as farm operations, mining activities, commercial and industrial facilities, and airports.

- Policy N-3.2: Restrict the location of sensitive land uses near major noise sources.
- Policy N-3.3: Prevent conflicts between future stationary noise sources and sensitive receptors.
- Policy N-3.4: Prevent the encroachment of noise sensitive land uses into areas designated for use by existing or future noise generators.

## **Aircraft Noise**

Westover Field’s noise impacts areas of designated residential uses. The airport noise section of the ALUP is incorporated into the General Plan. Eagle’s Nest is a community of pilots and aircraft enthusiasts. Noise contours for Eagle’s Nest do not currently exist, but may be needed in the future as the area grows.

### **Goal N-4: Minimize noise conflicts between airports and surrounding land uses.**

- Policy N-4.1: Ensure that future development in the vicinity of Westover Field and Eagles Nest Airport is compatible with current and projected airport noise levels for each facility. Maintain buffers between the airports and incompatible land uses.
- Policy N-4.2: Discourage future proposed airports from locating in areas near current or proposed sensitive receptors.

## **Governance Element**

Goals and policies for the Governance element provide direction regarding how the County government intends to conduct its interactions with the public and with other agencies. Governance issues addressed within the General Plan include public notification and information distribution, public participation opportunities, and successful collaboration with other agencies to achieve mutual goals.

### **Public Involvement**

Amador County’s culture is characterized by strong local involvement and pride in the community. The Board of Supervisors, Planning Commission, and all levels of County government will continue to work in and for the community, and our decisions will continue to be the result of respectful and meaningful input and deliberation.

- Goal G-1: Amador County will make decisions in the public interest, and will seek meaningful public input to support its decisions.**
- Policy G-1.1: Conduct open meetings where County residents have an opportunity to voice their opinions and concerns.



- Policy G-1.2: Provide public notice of meetings by a variety of methods.
- Policy G-1.3: Encourage public participation in the County’s discussions, meetings, and policy development.

## Cooperation with Other Local Agencies

Many of Amador County’s land use, economic development, agricultural, conservation, and public safety goals can be better met through cooperation with cities, special purpose agencies and districts, community organizations and by working with our neighbors. The County is committed to working with all willing partners to support and promote the interests of County residents.

**Goal G-2: Amador County will promote the interests of its residents in its dealings with other local governments and coordinate with cities and other local government agencies to ensure orderly growth and efficient service provision.**

- Policy G-2.1: Encourage participation by County residents and business owners in solutions to County and regional issues.
- Policy G-2.2: Coordinate with other agencies and jurisdictions to identify and resolve regional problems.
- Policy G-2.3: Actively participate in long-range regional land use and transportation planning efforts to ensure positive outcomes for the County.
- Policy G-2.4: Encourage collaboration among public agencies, residents, and civic organizations.
- Policy G-2.5: Cooperate with cities in order to ensure that future development occurring within Urban Reserve areas proceeds in a manner consistent with adopted city general plans.
- Policy G-2.6: Work with other local agencies, including cities, the Amador County Transportation Commission, the Amador County Recreation Agency, the Amador Fire Protection Authority, and the Amador Water Agency, to ensure that public services such as fire protection, recreation, water, and wastewater services are provided efficiently and cost-effectively.
- Policy G-2.7: Consider schools an essential part of the infrastructure required to accommodate new development and establish maintaining adequate school facilities as a community priority.
- Policy G-2.8: Ensure that potential effects on the County educational system are considered when reviewing development projects.

*The following policy recommended by the School District would be appropriate as an implementation program for policies 2.7 and 2.8:*

*Project developers shall work closely with the Amador County Unified School District to mitigate the impact of these projects to the educational system. Residential developers are strongly encouraged to coordinate with the school district to ensure that needed school facilities are available for use in a timely manner. To the extent possible, projects shall be phased or conditioned to provide that new school facilities are constructed and operating prior to the occupation of the residences which the schools are intended to serve.*

*Additional Implementation proposed by stakeholders: Consider whether regular meetings with agencies on processes and plans might be needed, perhaps every 2 years to avoid conflicts and overlaps.*

## **Cooperation with State, Federal, and Tribal Agencies**

Certain actions of State and federal agencies and tribal governments are not subject to County jurisdiction. However, Amador County will continue to work proactively to support the interests of county residents in its interactions with these bodies. A healthy economy, preservation of property rights, orderly growth, judicious use of natural resources, and stewardship of the natural environment are all important County goals. Through active participation and deliberation in intergovernmental affairs, the County will ensure that these goals are considered and respected by other levels of government.

**Goal G-4: Amador County will promote the interests of its residents in its dealings with the State and federal governments.**

Policy G-4.1: Maintain regular communication with State and federal agencies which manage public land or are involved in land use decisions in Amador County.

Policy G-4.2: Communicate the County's and residents' interests and opinions to State and federal agencies throughout their decision making processes.

Policy G-4.3: Promote the County's goals for stewardship, property rights, judicious use, and conservation of natural and agricultural resources in interactions with State and federal governments.

Policy G-4.4: Consult with Native American Tribes and Rancherias to aid in the protection of traditional tribal cultural places when reviewing future development projects.

Policy G-4.5: Evaluate future planning and development activities of Native American Tribes and Rancherias to ensure that potential traffic, noise, light, public safety, and other effects from these activities are minimized within the County's jurisdictional area.

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## Amador County General Plan Notice of Preparation (NOP)

Amador Citizens for Smart Growth is pleased to submit this commentary to the Notice of Preparation for the Amador County General Plan (GP). Overall, this is a good draft. There are some areas of significant concern, namely those policies whose wording suggest the County would support loss of resident water rights. Also, the County needs to create policies that require careful examination of lot splits, as well as tentative maps.

### Land Use Element

CEQA Section	Comments
Aesthetics	<ul style="list-style-type: none"><li>• In the same manner that architectural standards are being developed by the County for Commercial development, there should be architectural standards for large residential subdivisions. Greenhorn Creek in Angels Camp has very good architectural standards and this helps maintain property values and desirability to buyers.</li><li>• To achieve Goal LU-2 “Enhance and maintain separate and distinct community areas within the county” an additional policy is needed, such as “Preserve greenbelts around distinct communities, using agricultural land, parks, wildlife habitats, or open space”</li><li>• Policy LU-9.4 should be modified to: “The guidelines and boundaries of Town Centers located along SR 88 will be clearly established to avoid strip-style commercial development along SR 88 <b>and designed to preserve the historic character of the community.</b>”</li><li>• The EIR should identify those areas that are important for their scenic beauty and then analyze the impacts of each alternative on aesthetics on all major highways and collector roads.</li></ul>
Population & Housing	<ul style="list-style-type: none"><li>• The Environmental Impact Report (EIR) should include an analysis of the impact on population in 2030 if zoning is completely built out. The EIR should also show the impact on population based on a growth rate projected by the Department of Finance (DOF). DOF numbers should be the sole numbers used in population determination and AWA projections should NOT be used since the AWA numbers are not based on data, but are merely guesses. DOF numbers, however, take into account births, deaths, in- and out-migration and other important demographic factors. In addition, the AWA projections pertain only to the AWA service area and are irrelevant for the bulk of the county unincorporated area.</li><li>• The EIR should demonstrate how the county will meet the housing needs of low and very-low income residents.</li></ul>

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CEQA Section	Comments
Public Services & Utilities	<ul style="list-style-type: none"> <li>• Goal LU-13 should be modified to “Ensure that safe and adequate water supply, wastewater disposal, and public services are available <del>prior to</del> <del>development</del>” because this implies concern only for large-scale development. There is potential for too many lot splits that may endanger the water, wastewater, and public services capacity of the County even without larger developments and so this needs to be factored into the policy.</li> <li>• The EIR should determine if there is sufficient water in 2030 if the land zones are completely built out and also based on DOF growth projections. If there is not, then there needs to be a range of alternatives, including costs, for how the County will get water, including policies for development that is water neutral. Water needs for population and businesses (including agriculture, industry, restaurants, institutions, and commercial) need to be projected. Future water uses should be based on current state water conservation construction requirements, not historic use.</li> <li>• Goal LU-5 should be changed to: “Maintain efficient solid waste service <b><u>including Integrated Waste Management practices to reduce waste and promote the management of all discarded materials, including recyclable commodities, to their highest and best use.</u></b>”</li> <li>• Add Policies that create integrated waste management. This will be increasing important as Amador’s population grows. Examples of these are:               <ul style="list-style-type: none"> <li>○ “Encourage Extended Producer Responsibility (EPR) and prudent product stewardship policies, such as cradle-to-cradle design, by companies that manufacture, sell and profit from products that are, or will become, hazardous at the end of their useful life.”</li> <li>○ “Implement the AB 939 requirements establishing a hierarchy of integrated waste management practices: source reduction, recycling, composting and environmentally safe transformation and environmentally safe land disposal, at the discretion of the County.</li> <li>○ “Promote, implement, and maintain integrated waste management services and programs for managing waste discards and resources, including the collection, transportation, separation, processing, storage, reduction, reuse, repair, recycling, recovery, marketing and disposal of solid waste in approved landfills and transformation facilities</li> <li>○ “Increase public awareness of waste reduction, recycling and composting.”</li> <li>○ “Encourage commercial and industrial developments to incorporate on-site waste reduction, waste segregation, and/or recycling of pre- and post-consumer wastes.”</li> <li>○ “Encourage materials reuse and/or recycling during construction,</li> </ul> </li> </ul>

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	<p>renovation or demolition of buildings.”</p> <ul style="list-style-type: none"> <li>○ “Encourage the use of materials with minimal environmental impacts, such as those with recycled-content or rapidly renewable materials, for new development and redevelopment projects.”</li> <li>● The EIR should analyze new infrastructure needs for each alternative AND calculate the cost. Infrastructure includes, but is not limited to, water, wastewater, storm water runoff and treatment.</li> </ul>
Transportation & Circulation	The EIR should show the impact on traffic in 2030 if land zones are completely built out and also if population growth rate follows the DOF projections.
Air Quality	The EIR should analyze the air quality impacts of each alternative as well as greenhouse gas (GHG) potential.
Noise	The EIR should fully analyze the noise impacts that result from traffic improvements, especially expansion of major collector roads and highways and the increased traffic in these areas.
Soils & Geology	The EIR should analyze the impacts of development on areas where there was subsurface mining that may have destabilized the soils. The EIR should also include a map where subsurface mining poses a potential danger.
Hydrology & Water Quality	<ul style="list-style-type: none"> <li>● The EIR should analyze the impacts of each alternative on groundwater and surface water quality and quantity, recognizing the connections between ground and surface water as well as the impacts of storm water runoff.</li> <li>● The EIR should identify gaps in data or knowledge about the County’s groundwater resources.</li> <li>● If expansion of reservoirs is included in any alternative as a means of providing required future water supply, the hydrologic and water quality impacts of that expansion should be analyzed in the EIR.</li> </ul>
Public Safety & Hazards	<ul style="list-style-type: none"> <li>● Policy LU-12.1, levels of service for fire protection, directs attention to new development. Does this include lot splits? What if the lot split is in a remote area?</li> <li>● Policy LU-12.2 discusses new roadways and driveways for firefighting access. Who pays for this? If it is the taxpayers, then an economic analysis should be included in the EIR. If lot splits are to occur in very remote areas, is the property owner responsible for roads wide enough to carry a fire truck? If it is the County taxpayers, then there should be limits to these kinds of lot splits.</li> <li>● Zoning in high-fire areas should be restricted to larger parcels to prevent too dense a population in areas that cannot be appropriately protected.</li> <li>● The EIR should show fire, emergency, and police protection needs and costs based on full build-out and also growth rate based on DOF projections.</li> <li>● There should be a goal regarding reduction of the amount and toxicity of wastes generated by residential, commercial and industrial sectors in the County and to promote the use of best management practices.</li> <li>● There should be a Policy that describes the handling, processing and disposal of solid waste to protect public health, safety and the environment.</li> <li>● The EIR should include an analysis of where land fill sites can/should go in</li> </ul>

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CEQA Section	Comments
Biological Resources	<ul style="list-style-type: none"> <li>• The EIR should show oak woodlands of importance to Amador and describe which zones it occurs in. Does the zoning play a role in the conservation of oak woodland?</li> <li>• The EIR should address the harm to aquatic resources from new development, continued lot splits, and greater demand for diversion from rivers and streams, as well as flow impacts from increased groundwater use.</li> <li>• The EIR maps should identify areas of critical fish, wildlife, and plant habitat, including areas known to be occupied by any species of concern.</li> </ul>
Culture & Historical Resources	<ul style="list-style-type: none"> <li>• Because historical and cultural resources are such an important resource for economic development and heritage tourism, their review should be specifically called out in Policy LU-1.1: “Review proposed projects for consistency with goals, policies, and implementation programs of this general plan, and consider potential impacts on surrounding land uses, <b>historical and cultural resources</b>, and infrastructure.”</li> <li>• Goal LU-2 states: “Enhance and maintain separate and distinct community areas within the county.” An additional policy that should be added to support this goal is: “To maintain the historic character of each community, architectural design requirements shall be compatible with the community’s history.”</li> </ul>
Cumulative	<p>In the EIR, look at cumulative effect of not just large scale development, but lot splits and the potential maximum impact based on current zoning.</p>
Growth Inducing	<ul style="list-style-type: none"> <li>• Policy LU-2.1 allows leapfrog development and does not work toward achieving Goal LU-2. Policy LU-2.1 should be reworded as this: “Direct development to areas with existing urban services and infrastructure, <del>or to areas where extension of urban services is feasible given distance from developed areas and topographic, capacity, or land capability considerations.</del>”</li> <li>• Golden Vale and Camanche Village should not be granted SPA designation by name in the General Plan. By putting in specifically-named projects in the General Plan, it documents the appearance that these are approved projects that don’t need to undergo the appropriate CEQA process. Also, the location of these two areas is leap-frogging and will encourage sprawl and poor traffic patterns. It is more appropriate that these projects are applied for by the Developer at a time when he/she wishes to proceed rather than have government officials do the work for them.</li> </ul>
Alternatives	<ul style="list-style-type: none"> <li>• Appropriate alternatives would be to remove the SPA designation to the Camanche Village and Golden Vale.</li> <li>• An appropriate alternative would be to include information on conservation of land donated by PG&amp;E</li> <li>• An appropriate alternative would be to show increased Land Use in Agriculture and Industrial-zoned properties rather than conversion of</li> </ul>

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CEQA Section	Comments
Consistency with Vision Statement	<ul style="list-style-type: none"> <li>• Goal LU-1 should be modified to: “Attain a diverse, integrated, <b>and balanced</b> mix of residential, commercial, agricultural, industrial, recreational, public, and open space land uses.</li> <li>• Policy LU-1.13 should be modified to : “<b>Promote</b> the continued viability of agricultural production in the County <del>agricultural areas</del>” to better reflect the values communicated in Character and Resources.</li> <li>• To maintain the distinct small towns of Sutter Creek and Jackson, the County will need to establish some greenbelt areas that define these Cities, rather than develop every inch of land around them. This should be designated on the Land Use map. The proposed Land Use map shows that the County may fully develop around the Cities without protecting their distinctiveness as described in the Vision Statement.</li> </ul>
Misc. Comments	<ul style="list-style-type: none"> <li>• Policy LU-1.10 (Ensure that county land use decisions do not reduce military readiness) seems out of place since Amador does not have any military uses and if the military did have plans for Amador, they would comment on any proposed projects. Please explain how this policy was derived.</li> <li>• Policy LU-1.14 lumps agricultural protection in with historic, cultural, natural resources, and species protection. Since agriculture is a designated land use zone, land owners cannot modify the usage of the agricultural land without a public hearing and zone change therefore protection of agricultural lands does not conflict with landowner property rights. The policy should be modified to read: “Balance the community’s interests in protection of historic, cultural, and natural resources, and species protection, with the property rights of individual land owners.”</li> <li>• Throughout the document there is reference to protecting private property rights in some policies. It might be better to have a single policy describing protection of property rights rather than scattering it throughout the General Plan protecting private propriety rights in some policies but not others.</li> </ul>

### Circulation and Mobility Element

CEQA Section	Comments
Aesthetics	
Population & Housing	
Public Services & Utilities	

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CEQA Section	Comments
Transportation & Circulation	<ul style="list-style-type: none"> <li>• Policy CM-2.4 describes development mitigation fees on a “fair share” basis. However, “fair share” has different definitions, can be calculated in several ways, AND construction costs can vary from the time the project is approved to when the road improvement is needed. The CMX model is the most fair to Amador’s residents for the Martell area and should be implemented.</li> <li>• The EIR should fully analyze the cost of new or modified roads under each alternative.</li> </ul>
Air Quality	<ul style="list-style-type: none"> <li>• The EIR should analyze the impacts on air quality that will result from higher traffic, road expansion, and any impacts from grading and construction.</li> <li>• The EIR should analyze GHG production for each alternative and describe appropriate mitigations.</li> </ul>
Noise	
Soils & Geology	
Hydrology & Water Quality	The EIR should analyze the impact on water quality of expanding roads.
Public Safety & Hazards	Proposed developments need to have multiple egress points to ensure public safety, as well as reduce traffic. There should be a policy or ordinance (or something of that nature) that describes maximizing egress so that traffic isn’t funneled into a single feeder street. Policy CM-1.3 touches on this, but it needs to be broadened to include future developments.
Biological Resources	There should be a policy describing that widening existing roads or building new roads will avoid wildlife corridors and refuges
Culture & Historical Resources	There should be a policy describing that widening existing roads or building new roads will avoid historically and culturally sensitive resources. For example, if Highway 49 has to be widened again, it will be done so that this will not damage or destroy the South Shaft of the Kennedy Mine.
Cumulative	
Growth Inducing	In the EIR, please include analysis of how leapfrogging extension of roads into currently undeveloped property may result in growth and development in areas along the road.
Alternatives	<ul style="list-style-type: none"> <li>• Because Amador is a rural community and because there already exists old train tracks, it makes sense to create a policy that protects Amador’s future potential for train transit.</li> <li>• Policy CM-3.1 should be modified to “Identify priorities for the expansion of bicycle and pedestrian transportation <del>that respect the rights of private property</del>” because as it is written it may deter the inclusion of bicycle paths and pedestrian walkways even in new developments. Also, as written it may conflict with Policy CM-3.2. “Promote bicycle/NEV routes and pedestrian walkways” and Policy CM-3.3 “Coordinate with public agencies to connect trail facilities.” Protection of private property rights should be covered in its own policy.</li> </ul>
Consistency with	

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Vision Statement	
Misc. Comments	

## Economic Element

CEQA Section	Comments
Aesthetics	<ul style="list-style-type: none"> <li>The Commercial architectural standards currently in development by the County should be approved.</li> <li>The EIR should analyze the impact of logging and open space conversion on the scenic beauty of the landscape that draws tourists, and their money, to Amador.</li> </ul>
Population & Housing	The EIR should analyze the jobs-to-housing ratio for each alternative.
Public Services & Utilities	There should be a goal that encourages the development of markets for reusable and recyclable materials and local recycling-based businesses and manufacturers of recycled content products.
Transportation & Circulation	
Air Quality	
Noise	
Soils & Geology	
Hydrology & Water Quality	
Public Safety & Hazards	
Biological Resources	<ul style="list-style-type: none"> <li>The EIR should analyze the importance of biological resources, such as fish and game and wildlife habitat, on the County’s economy that is based on tourism and recreation.</li> <li>The EIR should include an economic analysis of the Mokelumne River as it is currently an important draw for tourists for boating, rock climbing, fishing, hunting, camping, gold panning, etc. This resource has the potential for commercial whitewater rafting which can bring in further funds.</li> </ul>
Culture & Historical Resources	<ul style="list-style-type: none"> <li>In the EIR, please list those cultural and historical resources that are potentially significant and specifically important to Amador</li> <li>Please modify Policy E-7.8 to: Identify historic and cultural resources within the county which <b>are may be</b> used by tourists.....”</li> <li>Please modify Policy C-7.3 to: “Educate landowners about alternative methods of farmland preservation, including identification of funding for conservation easements <b>and tax credits for rehabilitation of eligible historic farms.</b>”</li> <li>There needs to be a goal and/or policy that describes the County’s commitment to preserving County-owned historic structures that contribute to the heritage tourism in Amador. Repair and re-use of buildings, rather than demolition and new construction, goes far in both contributing to the historic ambiance that attracts visitors, and less expensive costs in establishing a building for use. Rehabilitation and</li> </ul>

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	<p>maintenance may be done by the County alone, or in conjunction with another jurisdiction or civic organization, such as the Amador County Historic Society.</p> <ul style="list-style-type: none"> <li>• There should be a Goal or Policy describing how the County will promote historic and cultural resources that provide the basis for Amador’s heritage tourism which serves as an important economic basis. <ul style="list-style-type: none"> <li>○ The County should establish a Historic Preservation ordinance</li> <li>○ The County should apply for Certified Local Government status.</li> <li>○ The County should apply to be designated as a Preserve America Community.</li> <li>○ The County should educate owners of historic resources of the Mills Act, tax credits, the State Historic Building Code, and grants at the State and Federal Level which will provide incentive for preserving these historic structures.</li> </ul> </li> <li>• The County should actively support and promote Amador County to the film industry by initiating, coordinating, and/or adopting programs to preserve the unique cultural and historical resources and historic landscapes sought by the film industry.</li> </ul>
Cumulative	
Growth Inducing	Under Goal E-7, an additional policy should be added: “Direct future development away from land of historical, cultural, natural, or economic significance.”
Alternatives	
Consistency with Vision Statement	Policy E-4.1 is too vague in that the term “commercial” can also imply national chain retail that takes away jobs from existing retail. The Vision Statement reflects the desire of Amador’s residents to have locally-owned businesses. The types of businesses that should be encouraged are those that have high-paying jobs and/or are owned by local residents.
Misc. Comments	From the standpoint of economic benefit to the County, not all businesses are created equal. Some businesses, particularly national chain Big Box, are not an economic benefit to the County if they replace locally-owned businesses or if they change the ambiance of the community that hurts our tourism businesses. Policy E-1.5 states “Encourage the retention and expansion of existing businesses within the County.” If a business such as Mother Lode Music, Hunt Drilling Company, Noceto Winery, or Amador Olive Oil wants to expand, this is to the benefit of Amador since all revenues remain in Amador and the local owners of these businesses spend more in Amador. However, if Wal-mart wants to become a Super Wal-Mart, then this would not benefit Amador economically and so the County should not encourage its expansion.

### Conservation Element

CEQA Section	Comments
Aesthetics	
Population & Housing	

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Public Services & Utilities	
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CEQA Section	Comments
Transportation & Circulation	
Air Quality	
Noise	
Soils & Geology	Goal E-10, which addresses the County’s mineral resources, could be repeated in the Conservation Element. It reinforces the importance of protecting the continued viability of this resource.
Hydrology & Water Quality	<ul style="list-style-type: none"> <li>• There should be something about conservation of Amador’s wetlands.</li> <li>• Implementation C1 should be modified as follows: <i>“Where available, new development should be <del>encouraged</del> <b>required</b> to participate in the extension of reclaimed water facilities (either off-site or on-site) for beneficial use.”</i></li> <li>• New Policy C1a “Encourage integrated management of ..... And groundwater resources.....” sounds like taking water rights away from Amador’s current ground water users. This policy should be eliminated.</li> <li>• New Policy C1b “Encourage conjunctive use of groundwater and surface water by water agencies....” Also sounds like taking water rights away from Amador’s well water users. This policy should be eliminated.</li> <li>• New Policy C1d “Pursue water.....plans to develop new, reliable future sources of supply, including, but not limited to, the expansion of surface water storage and conjunctive use of surface water and groundwater.....” sounds like building dams and taking water rights away from well water users. These would not be popular with Amador’s residents, and should be removed. It is also unacceptable to add these types of controversial policies in at the end of the General Plan process. These were not discussed at the GPAC or at the public meetings. In fact, most of the New Policies described in this section would likely meet great public resistance. They have been added in at the end and not properly vetted with the public.</li> <li>• The EIR should analyze the impacts of any planned water supply and diversion projects on the County’s rivers, streams, and other water resources.</li> <li>• The EIR should analyze the impact of development (both large development and lot splits) on the County’s groundwater resources, as well as how increased groundwater use will affect flows in the County’s rivers and streams. The EIR should provide any data available to show that there is adequate water to support development away from surface water supplies, and identify gaps in groundwater knowledge and data.</li> </ul>
Public Safety & Hazards	

## Amador Citizens for Smart Growth

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CEQA Section	Comments
Biological Resources	<ul style="list-style-type: none"> <li>• The Conservation Element should provide strategies to protect and conserve more than the water supply, energy resources, agriculture, air quality, and historic/cultural resources. This element should also provide a strategy for conserving (a) Amador’s Oak Woodlands, which contribute to both our tourist appeal and balance against global warming (and contributes to the health of Amador’s residents), (b) our wildlife and wildlife habitat which also draws tourists and contributes to the residents’ quality of life, and (c) Amador’s rare plants and habitat, which also draws tourists.</li> <li>• In the EIR, please describe the impact of full build-out on the acreage of oak woodland and how loss of oak woodlands will be mitigated.</li> <li>• The EIR should analyze the impacts of the various alternatives on the County’s wildlife, plant, fish, and other natural resources and habitats.</li> <li>• The EIR should analyze how increased groundwater use and detrimental effects on the County’s rivers and streams will affect aquatic life.</li> <li>• If expansion of reservoirs is included in any alternatives as a means of providing required water supply, the hydrologic and water quality impacts of that expansion should be analyzed in the EIR.</li> </ul>
Culture & Historical Resources	<ul style="list-style-type: none"> <li>• Policy C-12.1 should be modified to “<del>Balance</del> <b>Support</b> the community’s interest in historic preservation <del>with the rights of individual property owners</del>” because as it is written it may deter the preservation of historic resources even in new developments. Also, as described above, it would be better to have a single policy protecting individual property rights rather than to cherry pick.</li> <li>• If expansion of reservoirs is included in any alternatives as a means of providing required water supply, the cultural and historical resource impacts of that expansion should be analyzed in the EIR.</li> </ul>
Cumulative	
Growth Inducing	
Alternatives	
Consistency with Vision Statement	<p>The Vision statement describes natural areas as something that continues to attract visitors, however, the policies in the Conservation Element that relate to water do not address the natural condition of Amador’s rivers and streams, nor do they ensure that the natural areas will be protected into the future.</p>
Misc. Comments	<ul style="list-style-type: none"> <li>• Goals E-8, C-7, and C-9, which address the County’s agricultural resources, could be repeated in the Conservation Element. It reinforces the importance of protecting the continued viability of this resource. At the very least, Goals C-7 and C-9 should be listed in the Conservation Element since they are enumerated in the “C” category.</li> <li>• Global warming goals and policies focus on automobile travel and electrical power generation. However, there are additional, less expensive ways to address global warming. Roof color, particularly light colored materials which don’t absorb heat, can have a great impact on global warming without great cost. The County may want to encourage all new buildings</li> </ul>

## Amador Citizens for Smart Growth

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	(commercial and residential, to use light colored material in the roof or adopt green building standards for all classes of construction, consistent with the policies put forward by the General Plan Advisory Committee (GPAC).
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### Open Space Element

CEQA Section	Comments
Aesthetics	<ul style="list-style-type: none"> <li>Amador’s open spaces are a huge part of the reason why tourists come to Amador and spend their money. The EIR should analyze the impacts of potential future development on the County’s scenic beauty, including its grazing lands, oak woodlands, and mixed conifer forests.</li> <li>The EIR should analyze the impacts on the dark night sky of potential future development in rural areas for each alternative, and include mitigations to limit light pollution.</li> </ul>
Population & Housing	
Public Services & Utilities	
Transportation & Circulation	
Air Quality	
Noise	
Soils & Geology	
Hydrology & Water Quality	
Public Safety & Hazards	
Biological Resources	Policy OS-4.1 uses the word “encourage” regarding a state law. If it’s a State Law, then the word should be “require.”
Culture & Historical Resources	The Open Space Element should be used as another method to protect Amador’s significant historical and cultural resources.
Cumulative	
Growth Inducing	
Alternatives	The EIR should include at least one alternative that ensures future protection of agricultural land, forests, and open space resources.
Consistency with Vision Statement	The Calaveras County General Plan Land Use Element has a Goal: Preserve and Manage those lands identified as Natural Resource Lands for the future good of the General Public. This kind of Goal is consistent with what the public communicated at public meetings and what is described in the Vision Statement. Include this kind of Goal in the Amador General Plan.
Misc. Comments	Policies OS 3.1, OS 3.2, OS 3.3, and OS 3.4 need to be combined and reworded because they are all dancing around a single topic. A single policy might read: “Promote the development and construction of a network of recreational trails for pedestrians, hikers, equestrians, and bicyclists on public lands and rights of



## Amador Citizens for Smart Growth

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	way within the County, using existing property lines and avoiding bisecting properties.”
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### Safety Element

CEQA Section	Comments
Aesthetics	
Population & Housing	
Public Services & Utilities	The EIR should evaluate the cost of additional sheriff, fire, and emergency medical services required to serve the expanding population under each of the alternatives in the EIR. The cost should include personnel, facilities, and equipment.
Transportation & Circulation	Lot splits should only be allowed in areas where there is adequate emergency evacuation or emergency vehicle access. There should be a policy limiting lot splits in areas without adequate evacuation or emergency vehicle access routes. This is a major safety concern.
Air Quality	
Noise	
Soils & Geology	There should be a policy to limit development in sites that were formally mine tailings. The allowable level of arsenic in California is 25 mg/kg. Clean up of sites that once were the site of mines is ongoing, however, the arsenic levels in sites that were specifically used to house tailings should be limited to uses other than residential.
Hydrology & Water Quality	The EIR should analyze water quality impacts from increased wildland fires resulting from increased development in high fire risk areas.
Public Safety & Hazards	<ul style="list-style-type: none"> <li>• Under Goal S-2, there should be an additional policy that states “Direct new development away from areas with high fire risks.”</li> <li>• We need a professional , 24/7 fire department.</li> <li>• There should be a policy that Lot Splits are only allowed on county roads and never on a dead-end road, regardless of the zoning. This is important for fire protection and the costs associated with fighting fire in these areas.</li> <li>• The EIR should evaluate the likelihood of increased wildland fires with continued lot splits in the high fire risk areas, along with the costs of those fire increases.</li> </ul>
Biological Resources	The EIR should analyze the threats to aquatic and terrestrial resources from increased fire starts likely from both large development and lot splits in the high fire risk areas.
Culture & Historical Resources	
Cumulative	
Growth Inducing	
Alternatives	
Consistency with Vision Statement	
Misc. Comments	

# Amador Citizens for Smart Growth

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## Noise Element

CEQA Section	Comments
Aesthetics	
Population & Housing	
Public Services & Utilities	
Transportation & Circulation	The EIR should evaluate the noise impacts of road expansion required for each of the alternatives.
Air Quality	
Noise	Policy N-1.2 should be modified: “ <b>Encourage Require</b> the use of siting, building design, <b>and landscaping</b> techniques as a means to minimize noise impacts.” Plant material can be an effective noise muffler.
Soils & Geology	
Hydrology & Water Quality	
Public Safety & Hazards	
Biological Resources	
Culture & Historical Resources	
Cumulative	
Growth Inducing	
Alternatives	
Consistency with Vision Statement	
Misc. Comments	

## Governance Element

CEQA Section	Comments
Aesthetics	
Population & Housing	
Public Services & Utilities	
Transportation & Circulation	<ul style="list-style-type: none"> <li>• Policy G-2.3 discusses participation in long-range regional land use and transportation planning efforts. An important part of this would be for the County to agree to the CMX model along with Sutter Creek and Jackson for traffic fees in the Martell area.</li> <li>• The proposed policy for the schools could appropriate be modified to also work for roads. A good policy would be: “Project developers shall work closely with the Amador County Transportation Commission to mitigate</li> </ul>

## Amador Citizens for Smart Growth

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	<p>the impact of these projects to Amador’s roads. Residential and commercial developers are strongly encouraged to coordinate with the ACTC to ensure that needed transportation features are available for use in a timely manner. To the extent possible, projects shall be phased or conditioned to provide that new roads are constructed and operating as they are needed and that appropriate fees are paid with the assumption that State Funds will not be available.</p>
Air Quality	
Noise	
Soils & Geology	
Hydrology & Water Quality	<p>The Governance element should acknowledge the role of state and federal agencies that manage hydrologic and aquatic resources.</p>
Public Safety & Hazards	
Biological Resources	
Culture & Historical Resources	<p>The Governance Element should include a Goal or Policy describing involvement of appropriate historical societies, preservation societies, and/or Native American Tribes and groups when identifying important issues regarding historic and cultural resources.</p>
Cumulative	
Growth Inducing	
Alternatives	
Consistency with Vision Statement	
Misc. Comments	<p>Goal G-1 states: “Amador County will make decisions in the public interest, and will seek meaningful public input to support its decisions.” This sounds like the County will first make decisions and THEN go see if the public agrees with them. This is backwards. Better wording would be: “Amador County will seek meaningful public input and will then make decisions based on the broad public interest.”</p>

# ACTC

## AMADOR COUNTY TRANSPORTATION COMMISSION



August 26, 2009

Susan Grijalva, Planning Director  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

Subject: ACTC Comments Concerning Amador County General Plan Update Draft EIR  
Notice of Preparation

Dear Susan:

Thanks for providing an opportunity to meet with you and the County's consultants (EDAW and Dowling & Associates) concerning traffic and circulation analysis in the Draft EIR for the Draft Amador County General Plan Update. I appreciate that based on this meeting (August 24, 2009) it has been agreed that the County team will communicate early and often with ACTC as it develops its traffic and circulation analysis for the subject EIR. I also appreciated the opportunity to preview the ACTC's response to the EIR's Notice of Preparation (NOP) which follows. This information was reviewed and discussion with the ACTC during their meeting on August 19, 2009.

ACTC's primary concern is that the amount of land use development to be enabled by the proposed Draft Land Use Diagram (DLUD) may not be supported by the traffic and circulation system desired by the General Plan Circulation Element. This is especially true given transportation funding constraints and additional growth that is proposed within the County's five cities, as well as traffic to and from locations outside of the County.

ACTC has one specific example and one general example which may help illuminate the above listed concern. Specifically, work recently concluded by the region's Transportation Policy Advisory Task Force (TPATF) indicates that it will be either very expensive or cost prohibitive to provide an adequate level of multi-modal transportation/circulation service within the proposed Martell Regional Service Center. An example of the more general area of concern is that SR 88 is severely constrained in Jackson and Ridge Road will not be widened based on policy direction given by the Board of Supervisors in 2003. Continued development in the "upcountry" area may drive traffic in both of these regional roadway corridors beyond currently acceptable standards for safety and operations.

ACTC requests that the traffic and circulation analysis contained in the County General Plan Update EIR be based on a Traffic Impact Study (TIS) that is conducted in general conformance with the Amador County Traffic Impact Study Guidelines as well as Traffic Impact Study Guidelines maintained by ACTC and Caltrans. ACTC understands that the TIS Guidelines are designed for development projects and they are too detailed for a countywide General Plan, however, a certain level of detail must be required to know the extent to which impacts generated by implementation of the land use element and DLUD can be mitigated and if there is consistency between the land use and circulation elements.

Susan Grijalva  
August 26, 2009  
Page two

ACTC requests that the TIS and EIR should consider inclusion of traffic being generated by growth in incorporated cities as well as that which is anticipated for the unincorporated area.

ACTC requests that performance objectives or criteria be included in the EIR and its TIS that can be used to show and describe the extent to which circulation element goals can be achieved or not achieved based on traffic that will be generated by 2030 and the ultimate foreseeable build out scenario envisioned by the land use element and DLUD. Specifically, the EIR and TIS should indicate which regional roadway segments (State highways and city/County collector roadways) drop below level of service "D" in developed areas and "C" in undeveloped areas under each of these future growth horizons (2030 and ultimate foreseeable). In addition, ACTC requests that more qualitative discussion should be provided about what the effects upon travel and circulation. ACTC has been receiving increasing public requests for information about what the LOS "E" or "F" experience will actually be at locations where they will occur (examples: delay along a specific corridor increases by 85 seconds during peak hour or traffic backups at specific signal will require two or three phases to clear).

ACTC requests that the EIR and the EIR's traffic impact study clearly identify transportation improvements that will be necessary to maintain desired levels of traffic operations and safety as well as multi-modal access and mobility. The ACTC will consider it inappropriate for the EIR to leave these mitigations in vague, broad, or general terms or to be addressed by other agencies such as ACTC or Caltrans after the new General Plan is adopted.

ACTC staff requests that the EIR and the EIR's Traffic Impact Study include consideration of environmental and transportation funding constraints that may limit or eliminate many proposed transportation mitigation measures. ACTC will consider it inappropriate for the EIR or the TIS to recommend bypasses, alternative routes, roadway widenings, or other transportation facilities that have their own set of serious environmental constraints or that cannot be funded based on reasonably foreseeable funding sources.

Anticipating that the proposed land use densities, intensities, and locations in the land use element and diagram will cause the project to require transportation system improvements that exceed projected funding and/or that conflict with environmental or community quality of life concerns, ACTC requests that the EIR consider a more aggressive compact, walkable, and transit oriented communities alternative than the one envisioned by the present new proposed land use diagram.

Sincerely,

Charles F. Field  
Executive Director

CF/nc

## THE AMADOR COUNTY BUSINESS COUNCIL

### BUSINESS COUNCIL OFFICERS

Anne Platt-President  
Sutter Amador Hospital  
Jackson

Paul Molinelli, Jr.-Vice-President  
Ace Waste Services  
Pine Grove

Ray Perry-Sec/Treasurer  
Bank of Stockton  
Pine Grove

Ron Reagan  
KTR Investments, Inc.

Troy Claveran  
Gold Rush Ranch & Golf  
Resort-Sutter Creek

Rich Hoffman  
Jackson Rancheria  
Jackson

Ken/Jeanne Deaver  
Deaver Vineyards  
Plymouth

Frank Lenschinsky  
Volcano Communications Group  
Pine Grove

Robert Manassero.  
Manassero Insurance Agency.  
Jackson

Jack Mitchell  
Amador Ledger-Dispatch  
Jackson

Bob Reeder  
Reeder Sutherland Inc.  
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Ati Parts  
Sutter Creek

Ciro Toma  
Toma Engineers  
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Damian Wolin  
Wolin & Sons, Inc.  
Sutter Creek

Mike Slatter, CPA

Jim Gullett  
Vino Noceto  
Plymouth

Tim Blakenheim  
Kamps Propane  
Pioneer

Stan Lukowicz  
Trader Stan  
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Amador Association of Realtors  
Jackson

Christy Maynard/Jill Gilmore  
Umpqua Bank  
Sutter Creek

Darrell Slocum  
Golden State Cellular  
Martel

Doug Kentron  
Sutter Gold Mining Co.  
Sutter Creek

Chuck Hayes  
Far Horizon RV Resorts  
Plymouth

**To:** Chairman Ted Novelli  
Supervisor Louis Boitano  
Supervisor Richard Forster  
Supervisor Brian Oneto  
Supervisor John Plasse  
Amador County Planning Commission

**Cc:** Amador County Planning Staff

**From:** Jim Conklin

**Date:** August 7, 2009

**Subject:** Amador County General Plan Scoping Meeting/Glossary  
Of Terms Issue

**This letter is to express our concern Re: the lack of availability of the “Glossary of Terms” information relative to the upcoming “Scoping Meeting” of Thursday August 13<sup>th</sup> and The possibility that the EIR might be commenced without first releasing the final draft General Plan showing the changes made by you at the General Plan public meetings.**

As you know The Amador County Business Council recently contacted you and The Amador County Planning Department Re: the critically important “Glossary of Terms” issue relative to the in-process Amador County General Plan. In our e-mail correspondence of July 6<sup>th</sup>, as well as in direct meetings with four of the five Supervisors, in late June/early July we stressed the importance The Business Council placed on the timely availability of this “Glossary of Terms” information in order for us, and many other interested parties, to understand the meanings of the key words and phrases within the sections of the Draft General Plan.

We believe that only through a well thought-out and thoroughly reviewed process will we be able to minimize confusion and reduce possible future legal actions. For example, define the meaning of the word “protect” in legal terms. Define the words “preserve” and “support” in legal terms.

In the Notice of Preparation and Notice of Public Scoping Meeting dated July 28, 2009 the process concerning CEQA is described.

One of the basic functions of CEQA is the concept that the analysis must address the effects of the project on the physical environment. This analysis must form the basis for the approval of the project. Inherent in this is the concept that the project must be CLEARLY DEFINED. How can the project be clearly defined without the understanding of key words and phrases within the draft documents? How can the proposed Scoping Meeting meet the legal requirements: i.e. (Requires the preparation and Certification which discloses the potential adverse effects to the physical environment which could occur from such a project) without the definitions of key words both available and understandable to the participants prior to the Scoping Meeting?

We also urge the County, prior to commencing the EIR, to release the Draft General Plan showing the changes which you authorized staff to make. Clearly it is in your interest, and to public's as well, to make sure that the changes you authorized are accurately reflected in the draft which will be used as the basis for the EIR. If this is not done and sometime later you and the public discover that your changes were not correctly included in the draft, changes to the EIR will then become very expensive. This is completely unnecessary and can be avoided by releasing the draft showing the changes prior to the EIR.

The concern expressed in this letter regarding the lack of availability of the "Glossary of Terms" and the need for the final draft General Plan is presented to you in the spirit of collaboration. The Business Council questions the transparency of the August 13<sup>th</sup> meeting in light of the absence of the "Glossary of Terms" and final draft General Plan. We want to work closely with you to address and resolve these critically important issues.

In addition to presenting these concerns to you via this e-mail we will also review these frustrations to you at the August 13<sup>th</sup> Scoping Meeting.



August 31, 2009

VIA E-MAIL AND USPS

Susan Grijalva  
Planning Director  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

RE: Notice of Preparation Comment Letter  
Environmental Impact Report  
Amador County General Plan Update

Dear Ms. Grijalva:

Amador Water Agency ('AWA') appreciates the opportunity to review and comment on the Notice of Preparation ('NOP') for the Environmental Impact Report ('EIR') for the Amador County General Plan Update ('General Plan'). Below are concepts to be considered while preparing the Draft EIR for the General Plan.

1. AWA understands and appreciates its supporting relationship to the County to provide water and wastewater services as needed for land use decisions, including the Regional Service Center, Town Centers, Special Planning Areas ('SPA'), and Restricted Planning Area currently contemplated by the County. AWA commits to work cooperatively with the County to find sufficient water and wastewater supplies for these decisions. Over the next year, AWA will be working very closely with the land use agencies throughout the County to quantify water demands associated with land-use plans (both expanded City limits and spheres of influence) that will likely build-out over the next forty to fifty years. These demands are anticipated to be met via a three-pronged approach of conversation, reclamation, and additional water supplies (should this be necessary).
2. Infrastructure (storage and distribution) expansion is conducted utilizing a main-line extension process. As projects are approved, the applicant is required to obtain a Conditional Will Serve ('CWS') letter from AWA. In the CWS letter, AWA outlines infrastructure needed to serve the project. The applicant is required to



construct (or bond for) these improvements prior to obtaining service. Except on very rare instances (only as outlined in the five-year Capital Improvement Plan), AWA does not construct improvements in advance of project approval, leaving improvements to be built by the project applicant.

3. The Central Amador Water Project ('CAWP') area has existing water rights for approximately 1,150 acre-feet per year. AWA has submitted an application to the State Water Resources Control Board for an additional 1,050 acre-feet per year. Based on existing usage and commitments for service (either conditional or entitled), there is minimal capacity for additional customers in the CAWP system. AWA is hopeful this matter will be resolved with the State over the next several years, not hindering County land use planning in the CAWP area.
4. In general, significant technical and financial issues regarding expansion of water and wastewater services remain in the Lake Camanche Village area. Until these issues are resolved, there will be repercussions to land use decisions in this area. AWA is working toward a positive resolution of these issues, allowing projects in the Lake Camanche Village area which would require water and/or wastewater services to move forward.
5. The Amador Water System ('AWS') has contractual rights with Pacific Gas & Electric for 15,000 acre-feet annually. Based on land use plans for the cities and County, AWA has estimated that sufficient water supplies exist within the Amador Water System ('AWS') through 2030, consistent with AWA's 2005 Urban Water Management Plan and recent Water Supply Assessments for Gold Rush Ranch and Wicklow Way. However, when taking into account the build-out of planned growth, including the updated City Limits and Sphere of Influence for each city for each land use agency in Amador County plus land-use decisions contemplated in the Amador County NOP, which will likely occur well beyond 2030, additional water supplies will likely be necessary should reclamation and conservation not meet these planned demands.
6. In the long-term, expansion of the Tanner Water Treatment Plant ('WTP') is likely required to meet demands contemplated by the various land use agency General Plans within the Amador Water System. Should a new Tanner Regional Facility be constructed, the lone WTP would likely be decommissioned. In the short-term, AWA may consider interim improvements to both the Tanner and lone WTPs to provide additional capacity for projects. The applicant for projects served by these WTPs will be required to construct or contribute financially towards these interim improvements.
7. AWA has not yet conducted an analysis of capacity at the Buckhorn WTP. At the time additional water treatment capacity is required, applicants will be required to construct or contribute financially towards these improvements at the Buckhorn WTP.
8. AWA supports residential affordable housing planning conducted by the County and recommends that these projects be constructed in areas with existing or

nearby water and wastewater services. However, community leachfield systems are very costly to operate and maintain, with monthly rates typically near \$100 per month per dwelling unit.

9. Tables 1 and 2 appear to contradict each other. For example, on Table 2, the number of units by 2030 for SPA is greater than the number of units by 2030 presented on Table 1. AWA may submit additional questions/comments pertaining to these two tables within the next couple of weeks.

Please feel free to contact me at 257-5293 with any questions, comments, or concerns regarding the contents of this letter.

Sincerely,



John Griffin, P.E.  
Supervising Engineer

cc: Jim Abercrombie, General Manager, Amador Water Agency  
Gene Mancebo, Manager of Engineering and Planning, Amador Water Agency  
Erik Christeson, Supervising Engineer, Amador Water Agency  
File



August 31, 2009

VIA E-MAIL AND USPS

Susan Grijalva  
Planning Director  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

RE: Notice of Preparation Comment Letter  
Environmental Impact Report  
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1. AWA understands and appreciates its supporting relationship to the County to provide water and wastewater services as needed for the County's land use decisions, including the Regional Service Center, Town Centers, Special Planning Areas ('SPA'), and Restricted Planning Area currently contemplated by the County. AWA commits to work cooperatively with the County to find sufficient water and wastewater supplies for these decisions. Over the next year, AWA will be working very closely with the land use agencies throughout the County to quantify water demands associated with land-use plans (County and expanded City limits and spheres of influence) that will likely build-out over the next forty to fifty years. These demands are anticipated to be met via a three-pronged approach of conservation, reclamation, and additional water supplies (should this be necessary).
2. Infrastructure (storage and distribution) expansion is conducted utilizing a main-line extension process. After tentative map approval, the applicant is required to obtain a Conditional Will Serve ('CWS') letter from AWA. In the CWS letter, AWA outlines infrastructure needed to serve the project. The applicant is required to

- construct (or bond for) these improvements prior to obtaining service. Except for very rare instances (only as outlined in the five-year Capital Improvement Plan), AWA does not construct improvements in advance of project approval, leaving improvements to be built by the project applicant.
3. The Central Amador Water Project ('CAWP') area has existing water rights for approximately 1,150 acre-feet per year from the Mokelumne River at the Tiger Creek afterbay owned by Pacific Gas & Electric (PG&E). AWA has submitted an application to the State Water Resources Control Board for an additional 1,050 acre-feet per year. Based on existing usage and commitments for service (either conditional or entitled), there is minimal capacity for additional customers in the CAWP system. AWA is hopeful this matter will be resolved with the State over the next several years, not hindering County land use planning in the CAWP area.
  4. In general, significant technical and financial issues regarding expansion of water and wastewater services remain in the Lake Camanche Village area. Until these issues are resolved, there will be repercussions to land use decisions in this area. AWA is working toward a positive resolution of these issues, allowing projects in the Lake Camanche Village area which would require water and/or wastewater services to move forward.
  5. The Amador Water System ('AWS') has contractual rights with PG&E for 15,000 acre-feet annually (at a rate not to exceed 30 cubic feet per second) at Lake Tabeaud (also owned by PG&E), from the Mokelumne River. AWA has estimated that sufficient water supplies exist within the AWS through 2030, consistent with AWA's 2005 Urban Water Management Plan and recent Water Supply Assessments for Gold Rush Ranch and Wicklow Way. However, when taking into account the build-out of planned growth, including updated City Limits and Sphere of Influence for each city in Amador County plus land-use scenarios contemplated in the Amador County NOP, which will likely occur well beyond 2030, should reclamation and conservation not meet these planned demands additional water supplies will likely be necessary.
  6. In the long-term, expansion of the Tanner Water Treatment Plant ('WTP') is likely required to meet demands contemplated by the various land use agency General Plans within the Amador Water System. Should a new Tanner Regional Facility be constructed, the lone WTP would likely be decommissioned. In the short-term, AWA may consider interim improvements to both the Tanner and Lone WTPs to provide additional capacity for projects. The applicant for projects served by these WTPs will be required to construct or contribute financially towards these interim improvements.
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Please feel free to contact me at 257-5293 with any questions, comments, or concerns regarding the contents of this letter.

Sincerely,



John Griffin, P.E.  
Supervising Engineer

cc: Jim Abercrombie, General Manager, Amador Water Agency  
Gene Mancebo, Manager of Engineering and Planning, Amador Water Agency  
Erik Christeson, Supervising Engineer, Amador Water Agency  
File

# AMADOR



• OLIVE OIL •

RECEIVED  
Amador County

AUG 11 2009

PLANNING DEPARTMENT

August 11, 2009

Amador Co. Planning Comm.  
Amador Bd. of Supervisors

re: Scoping comments on General Plan

Dear Commissioners and Supervisors:

My comments are as follows: We need to know the impacts, physically and financially, of converting agricultural lands to residential, commercial, and industrial uses. It is known that providing services including needed roads for non-agricultural lands costs the taxpayers, where as agricultural lands actually bring in revenue. American Farmland Trust can provide statistics on this.

I would like a fiscal analysis of all the General Plan Land Use maps, A-H I believe, including the existing map.

My general concern includes all conversions form Ag to Residential. My particular concern is converting the Howard Ranch from Ag. Not one vote of the General Plan Advisory Committee supported such a conversion, and this committee was a broad ranging group of organizations and persons. This fact must be considered.

If such a change in land use is considered at the Howard Ranch lands(as well as other large proposals), the following impacts must be studied in depth:

- water availability
- needed road improvements
- fire and sheriff needs
- school needs
- air quality impacts
- revenue deficiencies, who pays for all needed improvements?
- wastewater needs
- solid waste needs
- climate change impacts
- remainder of CEQA checklist

As in the past, new proposals come in as they are proposed, and get properly reviewed, they don't get put on the Land Use Map without proper review. No new projects should be on the new Land Use Map without review.

Sincerely,

Susan Bragstad, Amador Co. resident

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

2840 Mount Danaher Road  
Camino, CA 95709  
(530) 644-2345  
Website: [www.fire.ca.gov](http://www.fire.ca.gov)

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Amador County

AUG 31 2009

PLANNING DEPARTMENT

August 24, 2009



To: Mrs. Susan Grijalva  
Amador County  
810 Court Street  
Jackson, CA 95642

Re: Amador County General Plan Update, SCH#2009072089

All areas within the project area outside of the incorporated cities are within the State Responsibility Area for wildland fire protection. These areas contain moderate, high and very high Fire Hazard Severity Zones. The project contains Very High Fire Hazard Severity Zone areas within the Local Responsibility Area (City of Ione).

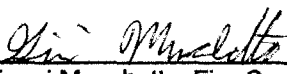
**Cal Fire recommends that the following issues be addressed adequately:**

- The general plan does not adequately address Fire Hazard Severity Zones and how they correlate with proposed Land Used designations.
- The plan does not identify/disclose the Fire Hazard Severity Zones pursuant to Government Code 51175.
- The plan does not adequately evaluate current wildland fire hazards, or assess the risks to assets, such as structures, utilities, roadways, and other infrastructure.
- The plan does not propose and prioritize mitigation actions to reduce wildland fire hazards to assets at risk.
- The plan does not adequately address or provide vegetation management measures to reduce wildland fire hazards within designated Resource and Open Space Use areas.
- Under Timber Resources Policy E-9.6 the plan states a goal of protecting timber resources from encroaching incompatible uses. This is inconsistent with the Land Use Element which designates Town Centers in the communities of Pine Grove, Buckhorn, and River Pines. This section designates 500 acres of timberland within these communities for development. The plan is inadequate because the land uses don't meet the stated goals of the plan.
- The plan does not adequately address the Rancho Arroyo Seco Restricted Planning Area. Nearly all 16,000 acres falls within the State Responsibility Area for wildland fire protection. The plan only requires the "sponsors" to engage the

County and local residents in discussions. The plan should require them to engage state and federal agencies as well. Fire protection in Amador County is a cooperation of state, federal, and local resources responding to fire incidents.

- The plan is also incorrect in its statement that there's no plan or land use proposal anticipated within the Rancho Arroyo Seco RPA. If there was no planned proposals on the Rancho Arroyo Seco property then why does the general plan designate an RPA for that area. The plan does not adequately address the planned development of the Rancho Arroyo Seco RPA and the impacts to wildland fire protection services and how they will be mitigated.
- The plan does not address fire protection services within the Golden Vale Special Planning Area or the Camanche Village Special Planning Area. These areas are both within the State Responsibility Area for wildland fire protection. The plan does not adequately address the impacts of these developments on wildland fire protection services and how they will be mitigated.
- Safety Element Policy S-3.2 encourages cooperation among fire districts but does not adequately address cooperation between state and federal fire agencies as well.
- The Fire Protection section of the Safety Element does not address the designated Fire Hazard Severity Zones within the county and the WUI building standards required in these areas.
- Goal S-3 of the Fire Protection section of the Safety Element states the goal of maintaining or improving fire response times. The plan does not adequately address how this goal will be attained.

Sincerely,

  
\_\_\_\_\_  
Gianni Muschetto, Fire Captain  
Amador- El Dorado Unit  
11600 Hwy 49  
Sutter Creek, CA 95885  
209-267-1889



**DEPARTMENT OF TRANSPORTATION**

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET

P. O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 654-4959

FAX (916) 653-9531

TTY 711

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Amador County

SEP - 1 2009

*Flex your power!  
Be energy efficient!*

PLANNING DEPARTMENT

Ms. Susan Grijalva  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

August 26, 2009

Dear Ms. Grijalva:

**Notice of Preparation of a Draft Environmental Impact Report for the Amador County General Plan Update**

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public-use and special-use airports and heliports.

The proposal is for an update to the Amador County General Plan.

Westover Field Amador County Airport is located within the County. The update should be coordinated with the airport manager to ensure its compatibility with future as well as existing airport operations.

In accordance with California Public Utilities Code (PUC) Section 21676 *et seq.*, prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the airport land use commission (ALUC), the local agency shall first refer the proposed action to the ALUC.

CEQA, Public Resources Code 21096, requires the California Airport Land Use Planning Handbook (Handbook) be used as a resource in the preparation of environmental documents for projects within airport land use compatibility plan boundaries or if such a plan has not been adopted, within two nautical miles of an airport. The Handbook provides a "General Plan Consistency Checklist" in Table 5A and a "Possible Airport Combining Zone Components" in Table 5B. The Handbook is available on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/documents/ALUPHComplete-7-02rev.pdf>.

General plans and elements must clearly demonstrate intent to adhere to ALUC policies to ensure compliance with compatibility criteria. Direct conflicts between mapped land use designations in a general plan and the ALUC criteria must be eliminated. A general plan needs to include at the very least policies committing the county to adopt compatibility criteria essential to ensuring that such conflicts will be avoided. The criteria do not necessarily need to be spelled out in the general plan. There are a number of ways for a city or county to address the airport consistency issue, including:

- Incorporating airport compatibility policies into the update.
- Adopting an airport-combining zoning ordinance.
- Adopting an "Airport Element" into the general plan.
- Adopting the airport compatibility plan as a "stand alone" document or as a specific plan.

The General Plan must acknowledge that until ALUC compatibility criteria are incorporated into the general plan, proposals within the airport influence area must be submitted to the ALUC for review. These provisions must be included in the General Plan at a minimum for it to be considered consistent with the ALUP.

On page 37, the Notice of Preparation (NOP) states that noise related to Westover Field “impacts areas of designated residential uses.” The NOP also states that the “airport noise section of the ALUP is incorporated into the General Plan. Eagles Nest is a community of pilots and aircraft enthusiasts. Noise contours for Eagle’s Nest do not currently exist, but may be needed in the future as the area grows.” The NOP identifies the following airport noise-related goal and policies:

*Goal N-4: Minimize noise conflicts between airports and surrounding land uses.*

*Policy N-4.1: Ensure that future development in the vicinity of Westover Field and Eagle’s Nest Airport is compatible with current and projected airport noise levels for each facility. Maintain buffers between the airports and incompatible land uses.*

*Policy N-4.2: Discourage future proposed airports from locating in areas near current or proposed sensitive receptors.*

While the Noise Standards (California Code of Regulations (CCR), Title 21, Section 5000 *et seq.*) set 65 decibel (dB) Community Noise Equivalent Level (CNEL) as the “standard for the acceptable level of aircraft noise for persons living in the vicinity of [noise problem] airports” (CCR Section 5012), for most airports in California, 65 dB CNEL is considered too high a noise level to be appropriate as a standard for land use compatibility planning. This is particularly the case for evaluating new development in the vicinity of an airport. The 60 dB CNEL, or even 55 dB CNEL, may be more suitable for new development around most airports. Sound insulation, buyer notification and avigation easements are typical noise mitigation measures. These measures, however, do not change exterior aircraft noise levels and are not a substitute for good land use compatibility planning for new development.

Protecting people and property on the ground from the potential consequences of near-airport aircraft accidents is a fundamental land use compatibility-planning objective. While the chance of an aircraft injuring someone on the ground is historically quite low, an aircraft accident is a high consequence event. To protect people and property on the ground from the risks of near-airport aircraft accidents, some form of restrictions on land use is essential. The two principal methods for reducing the risk of injury and property damage on the ground are to limit the number of persons in an area and to limit the area covered by occupied structures. The potential severity of an off-airport aircraft accident is highly dependent upon the nature of the land use at the accident site. The General Plan should ensure that land uses are compatible with the ALUP designated airport safety zones.

PUC Section 21659 prohibits structural hazards near airports. To protect airport airspace, particularly within the runway approach corridors, general plans must include policies restricting structural heights. Other factors such as visual hazards associated with distracting lights, glare, and sources of smoke and electronic hazards that may interfere with aircraft instruments or radio communication must also be restricted. For information on the Federal Aviation Regulation Part 77 “Objects Affecting Navigable Airspace” please refer to <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

Ms. Susan Grijalva

August 26, 2009

Page 3

Education Code Section 17215 requires a school site investigation by the Division prior to acquisition of land for a proposed school site located within two miles of an airport runway. Our recommendations are submitted to the State Department of Education for use in determining acceptability of the site. This should be a consideration prior to designating residential uses in the vicinity of an airport. Our school site evaluation criterion is available on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/regulations.html>.

Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353 address buyer notification requirements for lands around airports and are available on-line at <http://www.leginfo.ca.gov/calaw.html>. Any person who intends to offer subdivided lands, common interest developments and residential properties for sale or lease within an airport influence area is required to disclose that fact to the person buying the property.

Land use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife-aircraft collisions. The FAA recommends that landfills, wastewater treatment facilities, surface mining, wetlands and other uses that have the potential to attract wildlife, be restricted in the vicinity of an airport. Wildlife habitat management and other land use strategies on and near airports is fundamental to reducing wildlife use of airports. Safe management of stormwater runoff on and near airports should be designed so as to discourage birds from using these facilities, particularly within airport approach and departure zones. FAA Advisory Circular 150/5200-33B entitled "Hazardous Wildlife Attractants on or Near Airports" addresses these issues and is available at the FAA website <http://wildlife-mitigation.tc.faa.gov/>.

The protection of airports from incompatible land use encroachment is vital to California's economic future. Although the need for compatible and safe land uses near airports is both a local and State issue, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport. Consideration given to the issue of compatible land uses in the vicinity of an airport should help to relieve future conflicts between airports and their neighbors.

These comments reflect the areas of concern to the Division of Aeronautics with respect to airport-related noise, safety, and regional land use planning issues. We advise you to contact our District 10 office concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-5314 or by email at [sandy.hesnard@dot.ca.gov](mailto:sandy.hesnard@dot.ca.gov).

Sincerely,



SANDY HESNARD

Aviation Environmental Specialist

c: Westover Field Amador County Airport

---

**PUBLIC UTILITIES COMMISSION**505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298

August 24, 2009

Susan Grijalva  
Amador County  
810 Court Street  
Jackson, CA 95642Re: Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR)  
SCH # 2009072089/Amador County General Plan Update

Dear Ms. Grijalva:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian movement at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

The Traffic Impact Study (T.I.S) within the DEIR Traffic/Circulation section needs to specifically consider traffic safety issues to the at-grade railroad crossings located within the project boundaries. The DEIR needs to evaluate, for example, whether traffic queues would extend across the railroad tracks. Such queuing increases the possibility that a motorist would stop on the tracks and be unable to clear the tracks as a train approaches, e.g., due to congestion or a stalled vehicle.

In general, the major types of impacts to consider are collisions between trains and vehicles, and between trains and pedestrians.

General categories of measures to reduce potential adverse impacts on rail safety include:

- Installation of grade separations at crossings, i.e., physically separating roads and railroad track by constructing overpasses or underpasses
- Improvements to warning devices at existing highway-rail crossings
- Installation of additional warning signage
- Improvements to traffic signaling at intersections adjacent to crossings, e.g., traffic preemption
- Installation of median separation to prevent vehicles from driving around railroad crossing gates

Susan Grijalva  
Amador County  
General Plan Update  
SCH # 2009072089  
August 24, 2009  
Page 2 of 2

- Where soundwalls, landscaping, buildings, etc. would be installed near crossings, maintaining the visibility of warning devices and approaching trains
- Prohibition of parking within 100 feet of crossings to improve the visibility of warning devices and approaching trains
- Installation of pedestrian-specific warning devices and channelization and sidewalks
- Construction of pull-out lanes for buses and vehicles transporting hazardous materials
- Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way
- Elimination of driveways near crossings
- Increased enforcement of traffic laws at crossings
- Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings

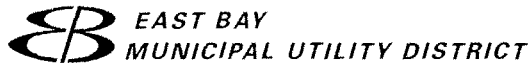
Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing.

Please forward the proposed Draft T.I.S. Scope for our review and comment before the project traffic consultant commences with the actual analysis to assure that all affected at-grade rail crossings are within the parameters of the study.

Thank you for your consideration of these comments and we look forward to working with the County on this project. If you have any questions in this matter, please call me at (415) 713-0092 or email [ms2@cpuc.ca.gov](mailto:ms2@cpuc.ca.gov).

Sincerely,

Moses Stites  
Rail corridor Safety Specialist  
Consumer Protection and Safety Division  
Rail Transit and Crossings Branch  
515 L Street, Suite 1119  
Sacramento, CA 95814



August 27, 2009

RECEIVED  
Amador County

AUG 31 2009

PLANNING DEPARTMENT

Susan Grijalva, Planning Director  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

Re: Notice of Preparation of a Draft Program Environmental Impact Report for  
the Amador County General Plan Update

Dear Ms. Grijalva:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Notice of Preparation of a Draft Program Environmental Impact Report (EIR) for the Amador County General Plan General Plan Update. EBMUD has the following comments.

#### **GENERAL**

As part of EBMUD's Water Supply Management Program (WSMP) 2040, EBMUD identified the following two potential water supply projects that are located within Amador County in the preferred portfolio of EBMUD's WSMP 2040: 1) expansion of Pardee Reservoir; and 2) raising of the Lower Bear Reservoir. If these two projects advance from the current program level to project specific stage, EBMUD may partner with local agencies (such as Amador Water Agency) to develop these projects and to share the additional water yield generated by these projects. EBMUD suggests that if the County's General Plan Update includes a review of Amador County water supply related matters and/or if the accompanying EIR considers how lands surrounding said projects could develop within the General Plan's planning horizon, that consideration be given to the above mentioned potential EBMUD projects. For additional information on EBMUD's WSMP 2040, please contact Thomas B. Francis, Senior Civil Engineer, Water Supply Improvements at (510) 287-1303.

The Draft EIR for the General Plan Update should include discussions on the following:

- Impact of increased water need by the newly proposed residential, commercial, and industrial developments that would have on the available supply through Amador Water Agency's current surface water rights.

- Impacts to water quality in neighboring water bodies (such as Pardee Reservoir and Camanche Reservoir) resulting from soil erosion and runoff generated by agricultural and development practices.

## LAND USE DESIGNATIONS

Mineral Resource Zone (MRZ) is noted in the Notice of Preparation with two different density designations: 0.1 dwellings per acre on page 10 and a maximum 0.025 dwellings per acre in the table on page 9. Ensure that density designations are consistent on both pages.

EBMUD suggests the County incorporate into its General Plan Update the Mokelumne Watershed Land Use Categories figure taken from EBMUD's 2008 Mokelumne Watershed Master Plan (Enclosure 1), which includes land use designations within EBMUD's property boundaries. Upon request, EBMUD could provide GIS files for mapping these designations.

In addition, EBMUD has the following comments on the County's Existing General Plan Land Use Classifications (Enclosure 2) and Exhibit 2, Draft Land Use diagrams (Enclosure 3). Please refer to the enclosed revised diagrams with EBMUD's comments (in pink color texts).

- The Camanche Hills Hunting Preserve includes approximately 1,600 acres of land dedicated to recreational hunting and target shooting sports. This area should be designated as "Open Recreation" on Exhibit 2.
- There is an area at the eastern end of Camanche Reservoir that had an "Open-Recreation" designation (in white color) on the 2007 Land Use Map. This area was mistakenly changed to blue (water) designation on Exhibit 2. This terrestrial portion of the Camanche watershed is not part of Camanche Reservoir and therefore should be designated as "Agricultural General" (in green color).
- Within the area designated as "Open Recreation" at the Camanche North Shore Recreation Area, two mobile home parks currently exist (see enclosed Figure 1 for locations of these mobile home parks). It should be noted that these mobile home parks exceed the proposed density threshold for Open Recreation zoning.
- On Exhibit 2, it is difficult to distinguish the brown shaded area north of Middle Bar on the Mokelumne (above text for Golden Vale SPA and below Jackson) as Mineral Resource Zone or General Forest. EBMUD suggests using different colors or more contrasting shading to better help distinguish the two land use types.

Susan Grijalva, Planning Director  
August 27, 2009  
Page 3

If you have any questions concerning this response, please contact David J. Rehnstrom,  
Senior Civil Engineer, Water Service Planning at (510) 287-1365.

Sincerely,

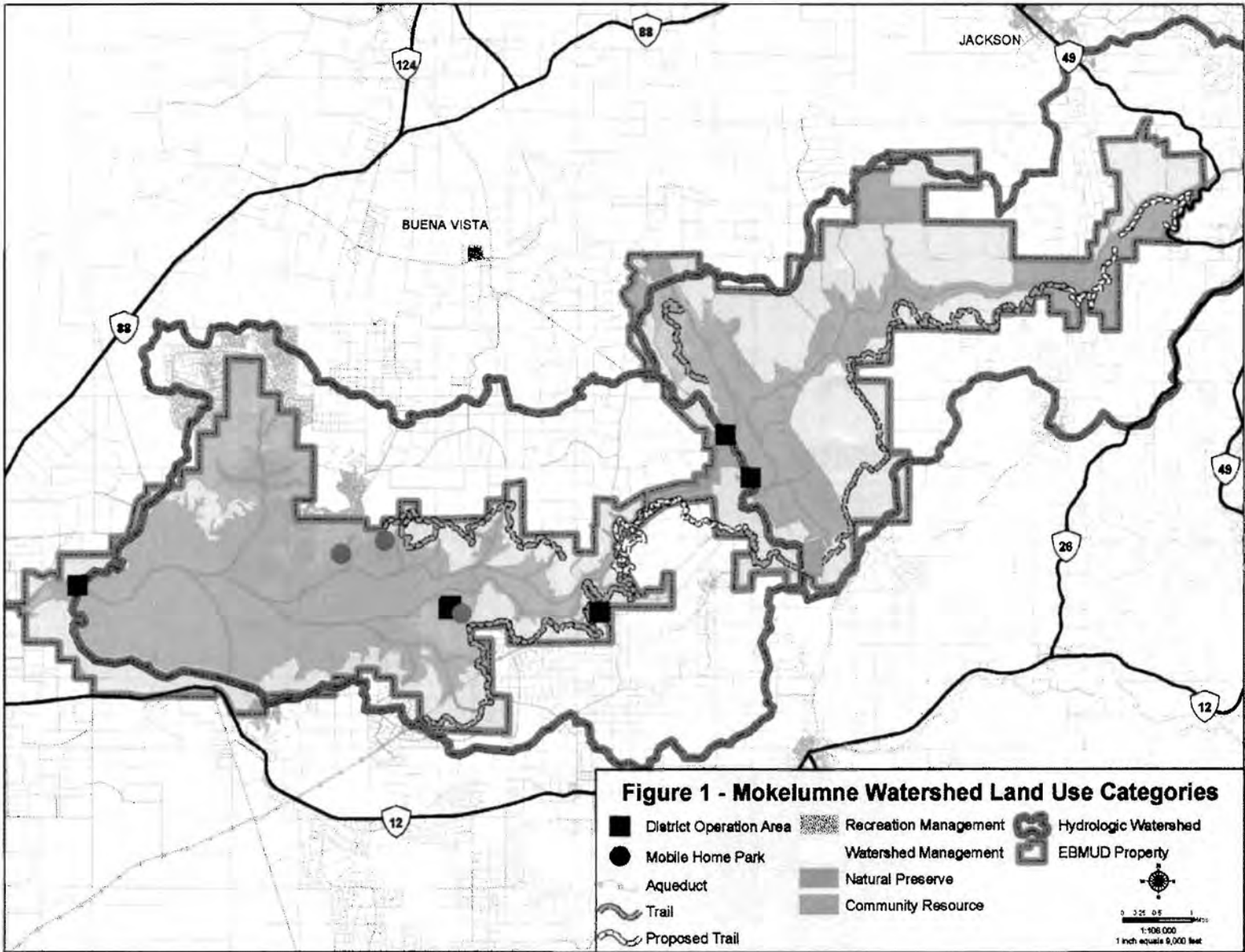


William R. Kirkpatrick  
Manager of Water Distribution Planning

WRK:AMW:sb  
sb09\_186.doc

- Enclosures:
1. EBMUD's Mokelumne Watershed Land Use Categories
  2. Amador County General Plan - Existing General Plan Land Use Classifications (with EBMUD's comments in pink color text)
  3. Amador County General Plan - Exhibit 2, Draft Land Use Diagram (with EBMUD's comments in pink color texts)





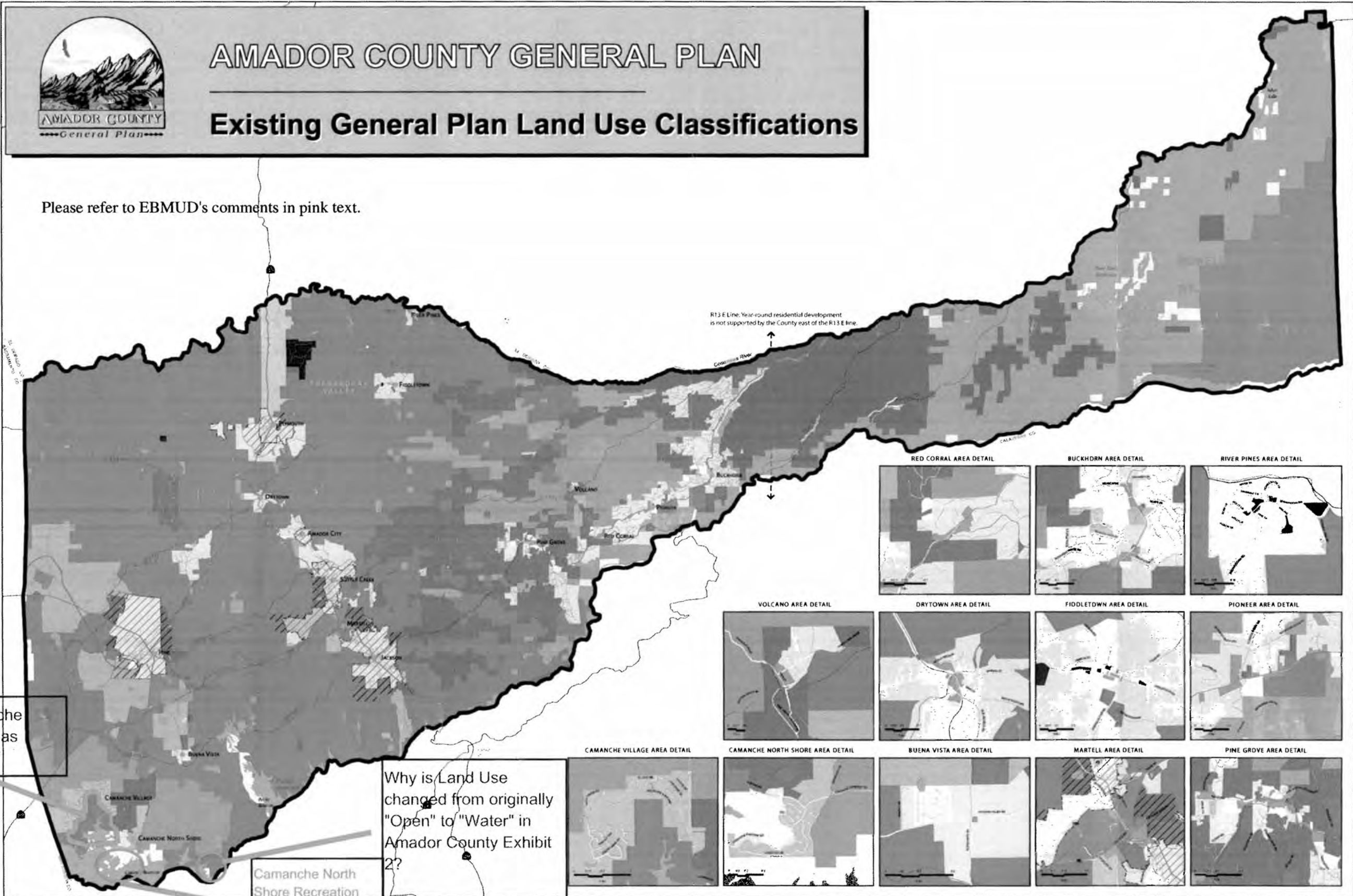




# AMADOR COUNTY GENERAL PLAN

## Existing General Plan Land Use Classifications

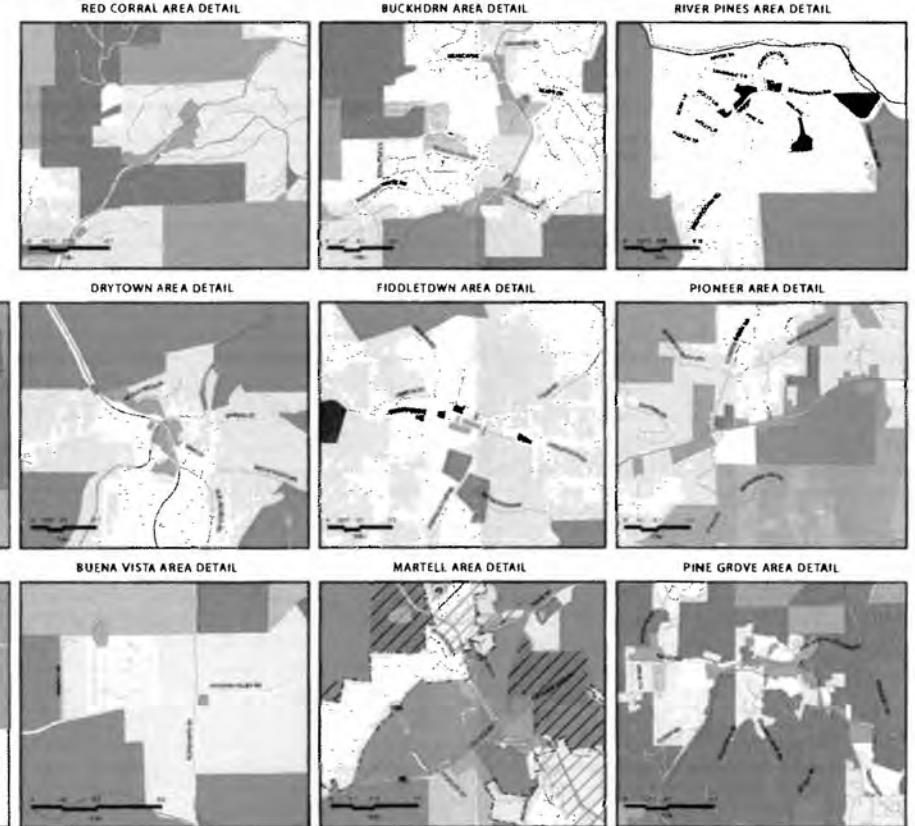
Please refer to EBMUD's comments in pink text.



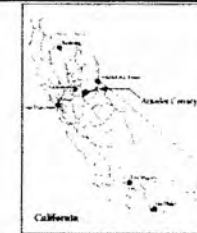
Designate Camanche Hunting Preserve as "Open Recreation"

Why is Land Use changed from originally "Open" to "Water" in Amador County Exhibit 2?

Camanche North Shore Recreation Area with Mobile Home Parks



LEGEND			



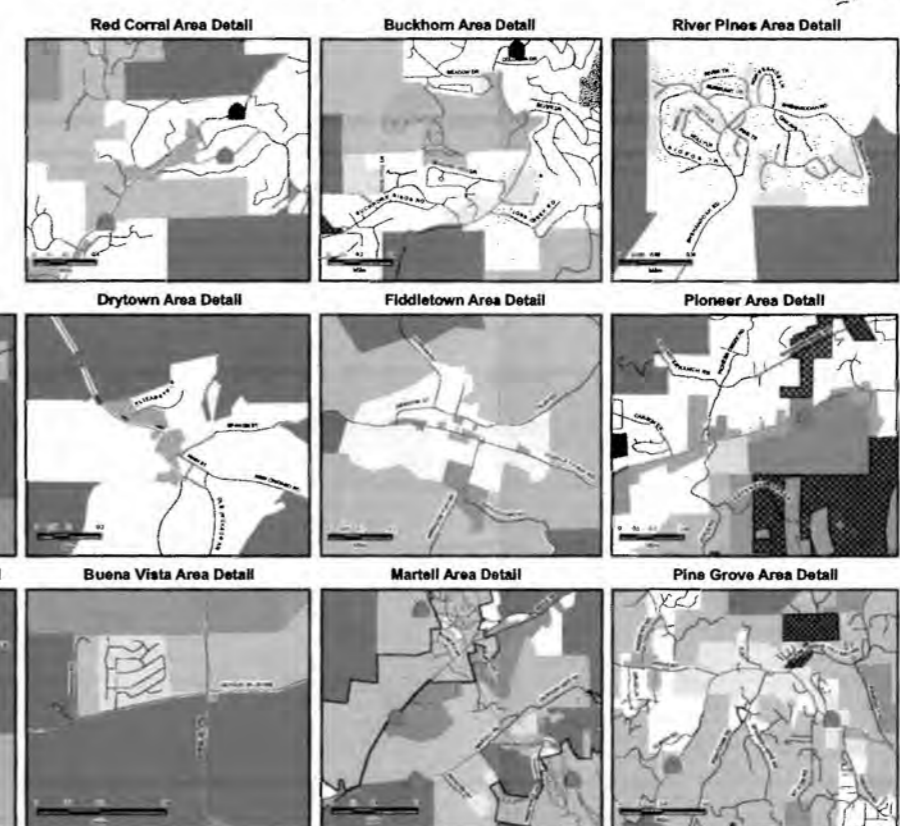
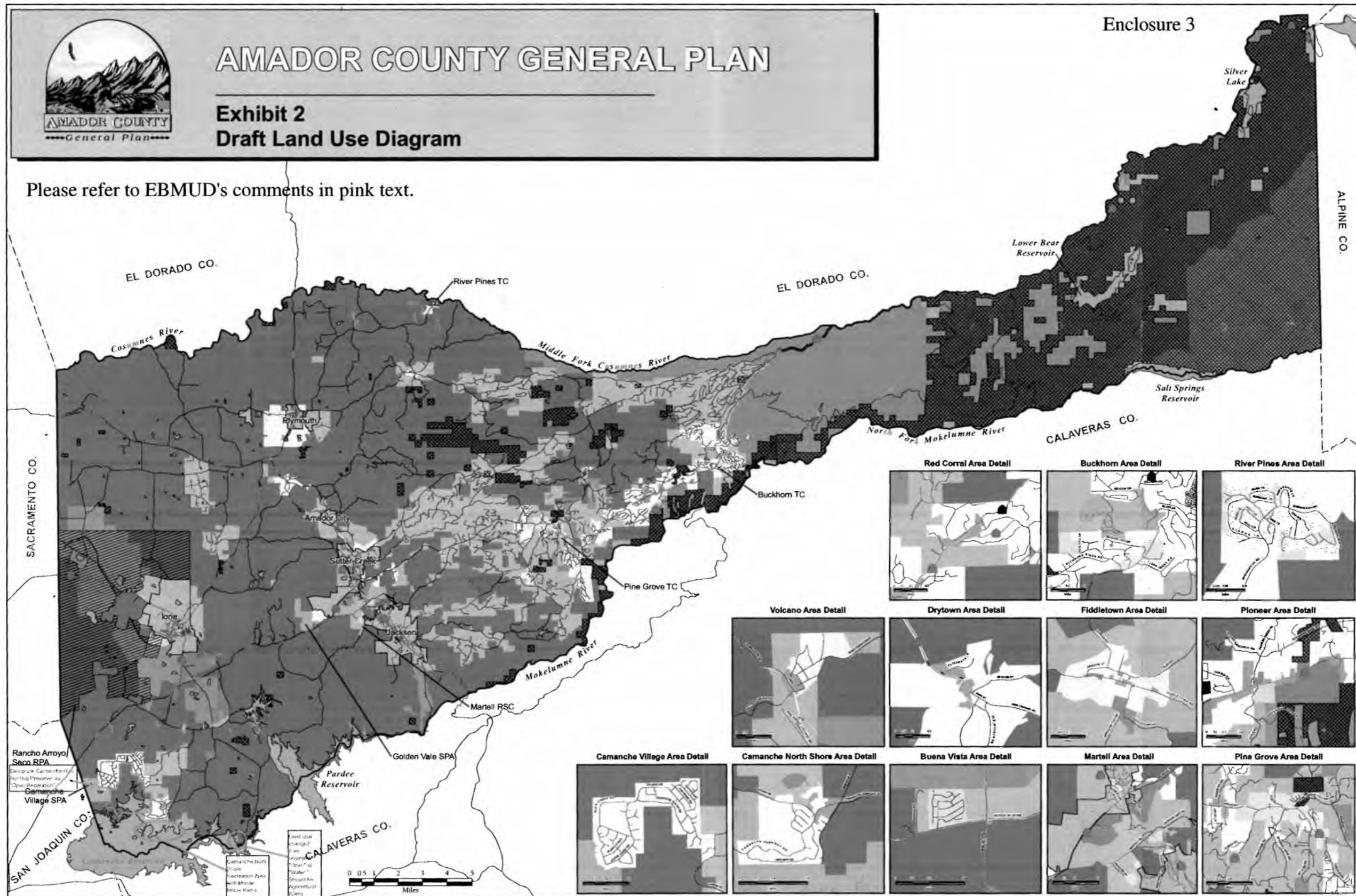


# AMADOR COUNTY GENERAL PLAN

## Exhibit 2 Draft Land Use Diagram

Enclosure 3

Please refer to EBMUD's comments in pink text.



**LEGEND**

<p><b>Agricultural Uses</b></p> <ul style="list-style-type: none"> <li> Agricultural Transition (AT)</li> <li> Agricultural General (AG)</li> </ul>	<p><b>Resource and Open Space Uses</b></p> <ul style="list-style-type: none"> <li> Open Recreation (OR)</li> <li> General Forest (GF)</li> <li> Open Forest (OF)</li> <li> Open Wilderness (OW)</li> <li> Mineral Resource Zone (MRZ)</li> </ul>	<p><b>Non-Jurisdictional Areas</b></p> <ul style="list-style-type: none"> <li> Urban Planning Area (UA)</li> <li> Tribal Trust Lands (TTL)</li> </ul>	<p><b>Residential Uses</b></p> <ul style="list-style-type: none"> <li> Rural Residential (RR)</li> <li> Residential Low Density (RL)</li> <li> Residential Medium (RM)</li> </ul>	<p><b>Industrial and Commercial Uses</b></p> <ul style="list-style-type: none"> <li> Commercial (C)</li> <li> Industrial (I)</li> </ul>	<p><b>Mixed-Use Activity Centers</b></p> <ul style="list-style-type: none"> <li> Town Center (TC)</li> <li> Regional Service Center (RSC)</li> <li> Special Planning Area (SPA)</li> </ul>	<p><b>Public Uses</b></p> <ul style="list-style-type: none"> <li> Public Service (PS)</li> </ul>	<p><b>Other Features</b></p> <ul style="list-style-type: none"> <li> Restricted Planning Area (RPA)</li> <li> Federal Land</li> <li> Water</li> <li> City Limit</li> <li> County Boundaries</li> </ul>
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California Natural Resources Agency  
**DEPARTMENT OF FISH AND GAME**  
North Central Region  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670  
(916) 358-2900  
<http://www.dfg.ca.gov>

**ARNOLD SCHWARZENEGGER**, Governor  
**DONALD KOCH**, Director



August 24, 2009

Susan Grijalva, Planning Director  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

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Amador County  
AUG 31 2009  
PLANNING DEPARTMENT

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Amador County  
AUG 31 2009  
PLANNING DEPARTMENT

Dear Ms. Grijalva:

The Department of Fish and Game (DFG) has reviewed the Notice of Preparation for a draft Environmental Impact Report (DEIR) for Amador County's General Plan Update (SCH #2009072089). The draft General Plan Update (project) consists of 9 elements that set the county's policy for the appropriate physical development and character of Amador County, and establishes its overall development capacity.

Amador County is located in the California's central Sierra. The county contains a wide variety of wildlife habitats starting with annual grasslands along its western edge transitioning to oak woodlands, chaparral, and forests that run to the crest of the Sierras. Significant natural resources include large areas of un-fragmented habitat including habitat for sensitive species. A number of streams and lakes occur within the County including, the Mokelumne River, Sutter Creek, Tiger Creek, Bear river, Pardee, Commanche, and the Bear River reservoirs to name a few.

We recommend that the DEIR discuss and provide adequate mitigation for the following concerns:

1. The project's impact upon fish and wildlife and their habitat. The DEIR should contain a map that shows the location of important wildlife habitat and should identify how the proposed project's changes in Land Use, etc. may adversely impact wildlife resources. If impacts are identified, the DEIR should provide a means of reducing the impacts below a level that is significant.
2. The project's impact upon unique habitat such as wetlands including vernal pools and riparian habitat. The project should be designed so that impacts to wetlands are avoided. Mitigation should be provided for unavoidable impacts based upon the concept of no net loss of wetland habitat values or acreage.
3. The project's impact to special status species including species which are state and federal listed as threatened and endangered. We are particularly concerned with the project's potential for impacts to species that are dependant on habitats that are limited in extent, such as vernal pools or lone formation.
4. The project's growth inducing and cumulative impacts upon fish, wildlife, water quality and vegetative resources.
5. The DEIR should provide an analysis of specific alternatives which reduce impacts to fish, wildlife, water quality and vegetative resources.

*Conserving California's Wildlife Since 1870*

6. The DEIR should contain an evaluation of the proposed projects consistency with the applicable land use plans, such as General Plans, Specific Plans, Watershed Master Plans, Habitat Conservation Plans, etc.

The DEIR should consider and analyze whether implementation of the proposed project will result in reasonably foreseeable potentially significant impacts subject to regulation by the DFG under Section 1600 et seq. of the Fish and Game Code. In general, such impacts result whenever a proposed project involves work undertaken in or near a river, stream, or lake that flows at least intermittently through a bed or channel, including ephemeral streams and water courses. Impacts triggering regulation by the DFG under these provisions of the Fish and Game Code typically result from activities that:

- Divert, obstruct, or change the natural flow or the bed, channel or bank of any river, stream, or lake;
- Use material from a streambed; or
- Result in the disposal or deposition of debris, waste, or other material where it may pass into any river stream, or lake.

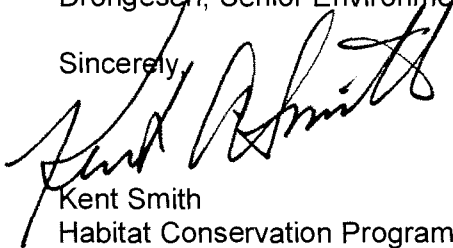
In the event implementation of the proposed project involves such activities, and those activities will result in reasonably foreseeable substantial adverse effects on fish or wildlife, a Lake or Streambed Alteration Agreement (LSAA) will be required by the DFG. Because issuance of a LSAA is subject to review under the California Environmental Quality Act (CEQA), the DEIR should analyze whether the potentially feasible mitigation measures will avoid or substantially reduce impacts requiring a LSAA from the DFG.

This project will have an impact to fish and/or wildlife habitat. Assessment of fees under Public Resources Code Section 21089 and as defined by Fish and Game Code Section 711.4 is necessary. Fees are payable by the project applicant upon filing of the Notice of Determination by the lead agency.

Pursuant to Public Resources Code Sections 21092 and 21092.2, the DFG requests written notification of proposed actions and pending decisions regarding this project. Written notifications should be directed to this office.

Thank you for the opportunity to review this project. If the DFG can be of further assistance, please contact Mr. Dan Gifford, Staff Environmental Scientist, telephone (209) 369-8851 or, Mr. Jeff Drongesen, Senior Environmental Scientist, telephone (916) 358-2919.

Sincerely,



Kent Smith  
Habitat Conservation Program Manager

cc: Jeff Drongesen  
Dan Gifford  
Department of Fish and Game  
Rancho Cordova, CA 95670

Susan Jones  
U.S. Fish and Wildlife Service  
2800 Cottage Way, Room W2605  
Sacramento, CA 92825-1888

August 27, 2009

Susan Grijalva  
Amador County Planning Director  
810 Court St.  
Jackson, CA 95642

RECEIVED  
Amador County  
AUG 31 2009  
PLANNING DEPARTMENT

Dear Ms. Grijalva:

I was not able to attend the last General Plan Scoping session due to a recent hospitalization, so I would like to share my concerns in writing.

As you are well-aware, there is an inherent conflict between the recent state law enacted on behalf of farm labor housing (specifically H&S 17021.6) for *any* agricultural lands and the current land use density limits for smaller R1-A parcels. You have publicly stated there are thousands of R1-A properties in the County ranging in size from .1 acres to over several hundred acres. A very large proportion of these residential parcels are 20 acres or less. A commercial farm labor housing project for such a residential neighborhood would represent a gross violation of the density allowances for that zone. State law also requires there be consistency between the Land Use and Housing Elements, yet this cannot be possible if H&S 17021.6 is applied to smaller R1-A parcels in its most lenient interpretation without regard to inherent safety and environmental concerns.

It is also quite predictable that unscrupulous R1-A parcel owners will claim permit privileges for farm labor housing under H&S 17021.6 and then subsequently use the facilities for general rental purposes given no County post-construction enforcement. This could spawn a mushrooming of rental housing in single-family residential areas throughout the County.

A number of EIR study topics would be applicable with respect to the potential placement of farm labor housing projects in remote, small parcel residential R1-A neighborhoods. Workers commute by car (often without carpooling) to the agricultural parts of the county up to ten or more miles away. Since public transportation is not feasible in these outlying areas, air quality would be impacted. In addition, the general practice is to require engineered septic systems in many upcountry areas due to poor soil depth and percolation. A public health concern would be the overcrowding of additional septic systems on small parcels which would lie close to drinking water wells.

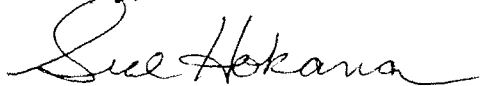
Perhaps the most hazardous risk would involve lack of adequate emergency response to wildfires on private dirt roads not engineered for modern fire-fighting equipment. A remote neighborhood evacuation with a commercial farm labor housing site could result in unnecessary fatalities and property damage under such circumstances. A recent study by Amador Fire Safe Council indicated that at least 92% of upcountry wildfires are human-caused; therefore, it would be grossly irresponsible for the County to allow high density commercial developments in small residential neighborhoods located in very high fire hazard zones.

While I am sympathetic to the Planning Department's situation of interpreting conflicting state laws with respect to farm labor housing, I must stubbornly press for *safety first* from our local public servants. One "win-win" suggestion is to add a Housing Element goal of County collaboration with incorporated cities and bonafide agricultural operations to help establish Smart Growth farm labor housing projects near work, transportation, school, shopping and emergency services. There are a number of goals in the proposed General Plan elements which compel the County to engage in collaborative efforts with outside entities, so the precedent has already been set.

In my research on farm labor housing grants, I was assured that collaborative Smart Growth plans are given a high priority ranking by grantors. Rather than passively allowing such growth to occur haphazardly in very high risk areas, this approach would demonstrate the County's commitment to responsibly address much-needed farm labor housing in an environmentally-friendly manner.

I look forward to participating in future General Plan meetings.

Cordially,



Sue Hokana  
16380 Rolling Oaks Ct.  
Fiddletown, CA 95629  
(209) 245-3806

c.c. Supervisor Brian Oneto, Amador Fire Safe Council, Foothill Conservancy, Betty Gaffney (Fiddletown), Michele Southward (Fiddletown), Dave & Susan Purse (Fiddletown)



## Amador County Public Health Department

10877 Conductor Blvd., Ste. 400  
Sutter Creek, CA 95685  
Phone (209) 223-6407  
Fax (209) 223-1562  
publichealth@co.amador.ca.us



RECEIVED  
Amador County

AUG 31 2009

PLANNING DEPARTMENT

August 31, 2009

Amador County Board of Supervisors  
Amador County Planning Commission

Subject: General Plan Update Scoping Session Comments on Public Health

Public Health throughout California is realizing the powerful impact that the built environment has on health choices and outcomes. There is a strong correlation between a well designed community and the health of that community.

Obesity is one of the leading Public Health challenges facing us today. The main causes are physical inactivity and poor diet. Obesity related diseases, such as heart disease, stroke, diabetes and some cancers cause unfathomable suffering in addition to costing California about \$22 billion per year.

Land use policy has the potential to make powerful contributions toward addressing this Public Health problem. The respected Institute of Medicine has called for the following steps:

"Local governments, private developers and community groups should expand opportunities for physical activity, including recreational facilities, parks, playgrounds, sidewalks, bike paths, routes for walking or bicycling to school or work, and safe streets and neighborhoods."

As the General Plan Update Town Center concept moves forward, we urge the Board of Supervisors and Planning Commission to incorporate sound built environment, and therefore Public Health, principles into the final document.

We are willing to participate in the process as you see fit.

Sincerely,

Handwritten signature of Robert Hartmann in black ink.

Robert Hartmann, M.D.  
Amador County Public Health Officer

Handwritten signature of Angel Lesage in black ink.

Angel Lesage, R.N., P.H.N.  
Amador County Public Health Director



**Municipal Services Agency**

**Planning and Community Development**

Robert Sherry, Director

Leighann Moffitt, Long Range Planning

Tricia Stevens, Community Planning

Cindy Storelli, Community Planning

**County of Sacramento**

Terry Schutten, County Executive  
Paul J. Hahn, Agency Administrator

RECEIVED  
Amador County

**AUG 31 2009**

**PLANNING DEPARTMENT**

August 24, 2009

Susan Grijalva  
Planning Director  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

Dear Ms Grijalva:

On July 30, 2009, Sacramento County received the Notice of Preparation (NOP) for Amador County's General Plan Update. A detailed description of the project and preliminary General Plan goals and policies were included. Sacramento County is pleased to be given an opportunity to respond to the NOP.

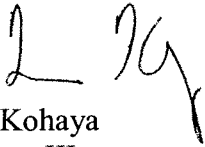
Sacramento County shares approximately half of its eastern boundary with Amador County. This area is rural in character with grazing land, vernal pools and oak woodlands. The general plan designation is General Agricultural 80 (minimum 80 acres parcel size). Because this area is outside of the County's Urban Services Boundary, it is the County's intent to encourage continued agricultural land uses. In addition, a large portion of this area has a Resource Conservation Area (RCA) combining land use designation. According to the 1993 General Plan, areas with the RCA designation are areas with special natural resource needs. The designation targets natural resources as being important on the General Plan's Land Use Diagram while recognizing the validity of the underlying land use designation. These areas are provided programs and incentives to assist land owners with resource protection and enhancement. Much of the RCA adjacent to Amador County is already protected with habitat conservation easements.

Exhibit 2, "Draft Land Use Diagram" for Amador County shows that the entire area adjacent to Sacramento County will remain agricultural. Agricultural General is the general plan designation for this area. Also, Exhibit 2 shows that the Rancho Arroyo Seco Restricted Planning Area (RPA) is adjacent to Sacramento County's RCA. An RPA is an overlay designation for areas that "require carefully prepared and closely supervised planning and controls by the County due to their unique physical characteristics, resources, environmental, or other factors". Certain criteria must be met by any specific plan prepared for the Rancho Arroyo Seco RPA. One criterion is the encouragement of continued agricultural land use. Another criterion is the preservation of sensitive habitat types, wildlife corridors and open spaces. This is consistent with Sacramento County's intentions for its area adjacent to Amador County.

Sacramento County supports Amador County's intent to preserve the rural character of the area along its shared boundary with Sacramento County. Sacramento County also supports Amador County's plans to have an RPA. These will ensure that there will be no detrimental impacts to Sacramento County's agriculture and natural resources.

If you have any questions regarding this response letter, please call me at (916) 874-5982.

Sincerely,

A handwritten signature in black ink, appearing to read 'TK' with a stylized flourish.

Tim Kohaya  
Planner III  
Sacramento County Planning and Community Development Department

**Thought about quality of life:** The Vision statement for the general plan is pretty much a definition of high quality of life. So any quality of life statement could include this, “as defined in the Vision statement of the general plan.”

## Policies

### Tourism policies

Support continued recreation access to and uses of public land, including public land along the Mokelumne and Cosumnes Rivers.

Support continued recreation use of the Mokelumne River and nearby public lands for fishing, kayaking, gold panning, hiking, rock climbing, hunting, hiking and backpacking.

Protect the county’s rural and small-town character, scenic beauty, historical resources, air quality, water quality, rivers and creeks, and Scenic Highway 88 as economic assets.

- *Implementation:* Develop and implement design standards for commercial buildings.
- *Implementation:* Map key viewsheds and resources and develop programs to preserve them while benefiting landowners.

Support development of tourist-serving transit options.

Oppose clearcut logging plans visible from Scenic Highway 88.

### Ag or tourism policies

Develop and support tools to compensate landowners for the scenic and noncommodity resource value of their land such as conservation easements, scenic easements, mitigation banks, long-term scenic leases, carbon sequestration, and transfers of development rights.

Adopt land use policies that avoid conversion of agricultural, forest and mineral lands to other uses.

See good ag policies in Calaveras draft ag element.

**Sustainability goal:** Improve energy and water efficiency of local buildings as an economic development tool, and reduce greenhouse gas emissions related to travel to and from work.

## Policies

Require energy and water efficiency construction and fixtures in all new commercial, industrial and residential buildings.

Promote retrofitting of existing buildings for energy and water efficiency to reduce occupants’ expenditures on energy and water.

- *Implementation:* Use the county’s bonding ability to set up an energy retrofitting program for building owners that allows them to pay for the retrofit over time through their property tax.

Require mixed-use development in the general plan town centers to ensure housing accompanies commercial expansion.

Support development of innovative transit options to reduce vehicle miles traveled and congestion.

### **Intergenerational transfer of ag land**

Support efforts to educate landowners about proper estate planning.

Support programs and policies that match aspiring farmers and ranchers to available agricultural land.

Develop and support tools to compensate landowners for the scenic and noncommodity resource value of their land such as conservation easements, scenic easements, mitigation banks, long-term scenic leases, carbon sequestration, and transfers of development rights.

### **Other policies**

#### **Goal 5 -- targeting**

Develop and attract locally owned businesses that provide family-wage jobs, stop retail leaks, create a diverse and resilient economic base, provide goods and services for local residents and export, create value-added products from local inputs, and provide sufficient government revenue.

Support and partner with nongovernmental organizations that bring foundation and government funds into the county, provide jobs, and buy local goods and services while providing services to local residents.

## **Rural development standard, Amador County general plan**

We continue to be concerned that the county's draft general plan does not adequately focus growth into towns; protect wildlife habit, plant habitat, agriculture, open space, rivers and streams, forests and oak woodlands, water quality, groundwater quantity, and the county's scenic beauty; or adequately address climate change impacts. The impacts to each under each alternative must be measured and quantified in the general plan EIR.

In addition, the county is relying on future mitigation to avoid the destruction of property, forests, and the loss of lives from the continued development in the county's wildland-urban interface and intermix. There is no doubt that continued parcelization and exurban development in the WUI zones will lead to increased wildland fires and higher fire prevention and suppression costs, while increasing the risk of catastrophic, stand-replacing fires in industrial timberlands and the county's critical watersheds. It could also lead to loss of lives.

We urge the county to include a "rural development standards" option in one of the EIR alternatives:

"To protect the public health and safety and water quality, minimize greenhouse gas emissions, and ensure adequate drinking water supplies, no new parcel smaller than 40 acres in size shall be created until the following are available:

- Paid, FT 24/7 fire and EMS department other than CalFire
- Roads that are adequate for emergency vehicle access and simultaneous resident evacuation during a wildland fire
- Public water service from a surface water source
- Public wastewater service
- Schools, jobs and shopping within three miles"

## **Suggested General Plan Water Goals, Policies and Implementation Programs**

From Draft Calaveras County Water Element January 2009,  
incorporating suggested changes from Foothill Conservancy

**DRAFT GOAL 1: Water Resource Protection and Reliability. To ensure a sustainable, reliable water supply sufficient to meet the existing and future needs of the county.**

### **DRAFT Policies for Goal 1**

#### **Water Availability and Reliability**

**1.1. Water Supply Development.** The County shall support the development of new reliable future sources of supply sufficient to meet the projected demand in the Amador County and cities' general plans, including, but not limited to, implementation of conservation and efficiency requirements and programs, wastewater recycling and reuse, conjunctive use of surface water and groundwater, and offstream surface storage.

**1.2. Water Supply Development Priorities:** The County shall support water supply projects that have the least environmental and recreational impacts and lowest costs before supporting projects with higher environmental and recreational impacts and costs.

**1.3. Integrated Management.** The County shall support the integrated management of surface and groundwater, wastewater, stormwater treatment and use, and the development of reclaimed water.

**1.4. Groundwater Management.** The County shall support the development of groundwater management plans by water resource agencies, water users, and other affected parties to ensure a sustainable, adequate, safe, ecologically sound, and economically viable groundwater supply for existing and future uses within the county. Any such plans will detail the hydrological connections between groundwater and surface streams.

**1.5. Groundwater Demand Reduction.** To reduce demand on the county groundwater resources, the County shall encourage the use of alternate sources of water supply (e.g., surface water, and recycled water) to the maximum extent feasible.

**1.6. Sufficient Water Supply for New Residential Development.** The County shall not allow residential development to exceed the capacity of available water supplies. . To do this, the County shall enforce Government Code Section 66473.7. Where this code is not applicable, the County shall impose conditions similar to Government Code Section 66473 or develop provisions for water-neutral development, working with the Amador Water Agency.

**1.7. Sufficient Water Supply for New Non-Residential Development.** The County shall not allow nonresidential development to exceed the capacity of available water supplies.. To do this, the County shall enforce conditions similar to Government Code

section 66473.7 or develop provisions for water-neutral development, working with the Amador Water Agency.

**1.8. Water Rights Protection.** The County shall support public agencies and private entities within Amador County in their efforts to protect their water rights and water supply contracts.

**1.9. Agricultural Water Supply.** The County shall encourage water/wastewater agencies to explore opportunities for supplying agriculture with raw surface water and/or recycled water.

### **Infrastructure**

**1.10. Adequate Facilities and Services.** The County shall ensure through the development review process that public water facilities and services will be adequate and operational to serve new development and meet capacity needs. Such needs shall include capacities necessary to comply with public safety such as fire protection as provided in Policy 1.9.

**1.11. Fire Protection Standards for New Development.** Prior to the approval of any new development projects, the County, in coordination with the local water service agency, the wildfire protection agency(ies), and the local structural fire protection agencies, shall ensure availability of adequate fire flows and compliance with fire protection standards, with the protection of human life and property as the primary objectives.

**1.12. Funding for Public Facilities.** The County shall support water/wastewater agencies use of all appropriate and equitable financing methods (e.g., grant funding, assessment districts, and development fees) to finance public facility design, construction, operation, and maintenance.

**1.13. Development Impacts to Existing Infrastructure and Its Users.** The County shall ensure that any new development projects do not create significant adverse impacts on existing water and wastewater infrastructure or the services that infrastructure provides to existing users.

**1.14. Level of Service.** The County shall encourage water/wastewater agencies to preserve, improve, and replace infrastructure as necessary to maintain adequate levels of water/wastewater service.

**1.15. New Community Water Systems.** The County shall require any new community water system serving residential, industrial, or commercial development to be owned and operated by a public or private entity that can demonstrate to the County adequate financial, managerial, and operational resources.

### **Interagency Coordination**

**1.16. Interagency Coordination.** The County shall direct its departments to cooperate with and provide regular communication, data and technical assistance to public and private water suppliers and nonprofit organizations in order to help address existing and future water needs for the county.



**1.17. Joint Water Projects.** The County shall promote development of mutually beneficial joint water projects and other efforts to expand water supply within the county to the level required to serve the development anticipated in this general plan and the general plans of the county's five cities.

## **DRAFT Implementation Programs for Goal 1**

The County shall work with water agencies, groundwater basin managers, and landowners to conduct a comprehensive mapping study of the county's fractured rock aquifers using the latest technology, including computerized tomography and isotope studies. The studies will be designed to map the extent, location, and interconnections of fractures in the rock and the age and flow of water in the fractured rock aquifers.

Other participants: California State University, Fresno or similar experts

**Implementation Program #1:** The County shall work with water agencies, groundwater basin managers, and willing landowners to improve groundwater monitoring including quality, yields, and groundwater elevations. Actions will include identifying monitoring sites, installing monitoring wells, identifying gaps in the monitoring network, establishing monitoring protocols, or developing a groundwater budget.

**Implements What Policy:** 1.3

**What County Department is Responsible?** Planning Department

**Other Participants:** Water agencies, landowners

**Timeframe:** 2010-2015, ongoing

**Implementation Program #2:** The County shall work with the Amador Water Agency to prepare an update to the most recent Urban Water Management Plan. This update will use the latest available science and data and include a water supply availability analysis (i.e., an identification and analysis of water rights, water availability, water reliability, water usability, water supplies from reclamation and recycling, and water conveyance systems, including what water may have already been contracted out of the county) and a water demand analysis (i.e., identifying existing users, undeveloped lots, projected residential, commercial, industrial, agricultural, and environmental uses; and demand management through conservation).

**Implements What Policy:** 1.2, 1.15, 8.1, 8.2, 8.4

**What County Department is Responsible?** Planning Department

**Other Participants:** Water and wastewater agencies, agricultural interests

**Timeframe:** 2010-2015, ongoing

**Implementation Program #3:** The County shall develop and provide to water/wastewater agencies lists of pending proposed development projects.

**Implements What Policy:** 1.15, 5.6, 8.1, 8.5

**What County Department is Responsible?** Planning Department

**Other Participants:** Water and wastewater agencies

**Timeframe:** Ongoing

**Implementation Program #4:** The County shall work with water agencies and fire protection authorities to conduct a county-wide study of fire-flow requirements as they relate to compliance with fire protection standards.

**Implements What Policy:** 1.10, 1.9

**What County Department is Responsible?** Building Department, Fire Departments, Office of Emergency Services

**Other Participants:** Water agencies, fire protection districts and other local agencies

**Timeframe:** Ongoing

**Implementation Program #5:** The County, in coordination with water agencies, will develop a method to demonstrate a sufficient water supply for all new development projects not subject to Government Code Section 66473.7.

**Implements What Policy:** 1.5, 1.6, 1.9, 5.1, 8.1

**What County Department is Responsible?** Planning Department

**Other Participants:** Water agencies

**Timeframe:** 2010-2015

**Implementation Program #6:** The County shall work with water/wastewater agencies and the agricultural community to conduct a county-wide study of the feasibility of supplying agriculture with raw surface water and/or recycled water.

**Implements What Policy:** 1.8, 1.1, 2.2

**What County Department is Responsible?** Planning Department

**Other Participants:** Water and wastewater agencies, agricultural interests

**Timeframe:** 2015-2020

**Golf course irrigation.** The County will work with water/wastewater agencies and golf course owners to develop programs to ensure that all existing and new golf courses are irrigated only with recycled or reclaimed water.

**Implementation Program #7:** When setting timeframes for the completion of conditions of approval for discretionary developments, the County shall consider adopting an ordinance to set the time for payment of any fees imposed for water or wastewater infrastructure and capacity, as early as feasible, so that these fees can be promptly received and spent by the relevant jurisdictions, and the capacity and infrastructure can be in place when it is needed by the development.

**Implements What Policy:** 1.11, 8.3

**What County Department is Responsible?** Planning Department, Board of Supervisors

**Other Participants:** Water and wastewater agencies

**Timeframe:** 2010-2015, ongoing

Support efforts to designate 37 miles of the North Fork and main Mokelumne River a National Wild and Scenic River.

**DRAFT GOAL 2: Water Use Efficiency. To maximize the efficient use and reuse of water supplies through water conservation programs, water recycling programs and other means to ensure reliable, sustainable, and affordable water supplies.**

**DRAFT Policies for Goal 2**

**2.1. Water Conservation.** The County, in coordination with water agencies, shall require the use of water conservation measures appropriate for existing and future needs that comply with state and federal law and the adopted recommendations of the California Urban Water Conservation Council.

**2.2. Recycled Water Use.** The County shall require new development, redevelopment, golf course, and landscape and agricultural irrigators to use recycled water wherever practical and available; this includes striving for the highest possible quality of wastewater treatment to increase the potential use of recycled water for existing and future needs of the county.

**2.3. Conjunctive Use.** The County shall support conjunctive use of groundwater and surface water by water agencies to improve water supply reliability.

**2.4. Drought Planning and Emergency Services Planning.** The County shall encourage all public and private water agencies to develop and maintain drought contingency and emergency services plans, mutual aid agreements and related measures to ensure adequate water services during prolonged drought.

**2.5. Educational Programs.** The County shall support the development of educational programs by water agencies and public agencies to increase public awareness of efficiently using and managing water resources, including but not limited to, conservation and reuse practices.

**2.6. Compact Development.** The County shall support and encourage compact forms of development to reduce water demands, reduce landscaped areas per capita, and reduce the costs of water and wastewater infrastructure.

**2.7. Water Neutral Development.** The County shall collaborate on the development of water-neutral development provisions for residential, commercial and industrial projects to optimize use the county's existing water supplies.

**2.8. Sustainable Water Practices.** The County shall encourage the use of sustainable, affordable water management practices that meet state and local standards, such as grey water reuse, rain water capture/harvest, watershed management, and stormwater infiltration to reduce demands on potable supply.

**2.9. Sustainable Landscaping:** The County shall require commercial and industrial development and subdivisions requiring a subdivision map to employ xeriscaping and native plant landscaping to minimize water use.

## **DRAFT Implementation Programs for Goal 2**

**Implementation Program #8:** The County shall work with water agencies to conduct a county-wide water conservation study to develop a county-wide water conservation and efficiency program for new and existing development.

**What County Department is Responsible?** Planning Department

**Other Participants:** Water and wastewater agencies, NGOs, developers, public interests

**Timeframe:** 2015-2020

**DRAFT GOAL 3: Climate Change Adaptation and Mitigation. To ensure that the County proactively develops policies and programs, and makes decisions that address the future challenges posed by climate change including prolonged drought, flooding, and water quality/aquatic resources impacts.**

### **DRAFT Policies for Goal 3**

**3.1. Climate Change.** The County shall adopt policies and programs, and support efforts by local agencies to mitigate greenhouse gas emissions resulting from energy consumption related to water use to comply with state and federal law.

**3.2. Climate Change Adaptation.** The County shall support efforts by local, regional, state, and federal agencies and others to develop policies and manage programs that allow the County to adapt to climate change effects such as prolonged drought, flooding, wildfires, and other events.

**3.3. Revenue Generation.** The County shall encourage water and wastewater agencies to investigate opportunities for revenue generation from green technologies, greenhouse gas mitigation strategies, run-of-stream small-scale hydroelectric plants that do not require impoundments, and other climate change mitigation strategies.

**3.4. Working landscape management.** The County shall encourage forest, woodland and grassland management practices that maximize carbon sequestration and minimize greenhouse gas emissions from soil, equipment, and harvest techniques.

### **DRAFT Implementation Programs for Goal 3**

**Implementation Program #9:** The County shall work with water agencies to conduct a county-wide study to determine the feasibility to generate clean energy through small-scale, run-of-stream hydroelectric plants that do not require impoundments.

**Implements What Policy:** 3.3

**What County Department is Responsible?** Planning Department

**Other Participants:** Water agencies and NGOs

**Timeframe:** 2015-2020

**DRAFT GOAL 4: Water Quality. To protect and enhance the quality of surface water and groundwater to meet the needs of all existing and future beneficial uses.**

**DRAFT Policies for Goal 4**

**4.1. Water Quality Treatment Technology.** The County shall encourage the use of up-to-date water management strategies, biological remediation, and best available technology to address naturally occurring water quality problems.

**4.2. Regulatory Standards.** The County shall support water and wastewater agencies' efforts to meet applicable safe drinking water standards in accordance with regulatory agencies.

**4.3. Best Management Practices.** The County shall require the use of best management practices (BMPs) to protect surface water and groundwater from the adverse effects of logging, construction activities, post-construction runoff, and industrial practices, including stormwater runoff.

**4.4. Wildfire Risk Reduction.** The County shall, in cooperation with wildfire management agencies (e.g., Cal Fire and the United States Forest Service) develop a variety of land use planning, site design, and vegetation management techniques to reduce the risk of wildfires. This risk reduction shall also include post-fire erosion, sedimentation, and water quality conditions.

**4.5. Wildfire Risk Reduction, Land Use.** The County shall not allow the development of rural watershed lands in high and very high-fire risk areas.

**4.6. Wildfire Risk Reduction, Forest Management.** The County shall discourage the conversion of diverse forest ecosystems to highly flammable conifer plantations.

**4.7. Interagency Cooperation.** The County shall encourage cooperation among water and wastewater agencies and NGOs in protecting surface water and groundwater resources for the long-term benefit of existing and future water needs of the county and its ecosystems.

**4.8. Public Education for Irrigation Practices.** The County shall work with local agencies and non-governmental organizations to provide educational and technical assistance programs to encourage practices that minimize water pollution and improve water quality.

**4.9. Mine Water Pollution Reduction.** The County shall work with state, federal, and local resource managers and regulators to reduce environmental impacts, particularly related to water pollution and groundwater quality, from abandoned and active mines and mineral extraction areas of all types.

## **DRAFT Implementation Programs for Goal 4**

**Implementation Program #10:** The County shall conduct a workshop among state, local agencies, landowners, non-governmental organizations, and developers to identify methods that minimize impacts to water quality and natural environment.

**Implements What Policy:** 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 5.7, 9.1

**What County Department is Responsible?** Planning Department

**Other Participants:** Water and wastewater agencies, other local agencies, environmental interests, NGOs, landowners, developers

**Timeframe:** 2010-2015

**Implementation Program #11:** The County shall complete development of its Local Agency Ground Water Protection Program that will identify known or potential groundwater impacts from on-site septic systems.

**Implements What Policy:** 4.5, 1.3, 5.4, 8.5

**What County Department is Responsible?** Environmental Health Department, Geographic Information Systems (Technology Services Department)

**Other Participants:** Water and wastewater agencies

**Timeframe:** Ongoing

Develop program to seek changes to the state's Forest Practices Act to ban clearcutting and conversion of large areas of uneven-age forests to conifer plantations.

Fully implement and apply the WARMF model developed for the Mokelumne watershed and expand the modeling and application to the remaining watersheds in Amador County.

Fractured rock aquifer study. See groundwater in previous section.



**DRAFT GOAL 5: Wastewater Management Goal. To ensure infrastructure is available and able to sustainably collect, treat, store, reuse, and safely dispose of wastewater for existing and future needs of the county.**

### **DRAFT Policies for Goal 5**

- 5.1. Adequate Facilities and Services.** The County shall ensure through the development review process that wastewater facilities and services will be adequate and operational to serve new development and meet capacity needs.
- 5.2. Sewer Service Approval.** The County shall not approve any new subdivision with more than 5 residential units or equivalent commercial/industrial development without an approved sewer system.
- 5.3. Alternative Wastewater System Approval.** The County shall not approve new subdivisions of more than 5 residential units or equivalent commercial/industrial development unless it can be demonstrated to the County that adequate service will be provided from a fully-funded alternative wastewater system operated by a state-licensed operator, or an approved sewer system.
- 5.4. Individual On-Site Wastewater Treatment System Permitting.** The County may permit adequately designed individual on-site wastewater treatment systems (OWTS) for new single-family residential units or 4-way splits (or less), where an approved alternative wastewater system or sewer system is not available.
- 5.5. Responsible Use and Disposal of Water.** The County shall encourage the development of waste disposal systems that minimize water and ground pollution.
- 5.6. Interagency Coordination.** The County shall direct appropriate County departments to cooperate with and provide regular communication and technical assistance to wastewater agencies in order to meet existing and future needs within the county.
- 5.7. Educational Programs.** The County shall encourage development of educational programs by wastewater agencies and public agencies to increase public awareness of wastewater collection, treatment, and disposal.
- 5.8. Septic System Failures.** The County shall encourage the installation of public wastewater treatment facilities in existing communities that are experiencing significant septic system failures and/or are posing a potential threat to county water resources or the public.
- 5.9. Wastewater Reuse and Recycling.** The County shall require reuse of treated wastewater wherever feasible in commercial, industrial, recreational, and residential development.

### **DRAFT Implementation Programs for Goal 5**

**Implementation Program #12:** The County shall conduct a study to evaluate alternatives for rural wastewater systems. Alternatives that could be evaluated include

elevated leach fields, sand filtration systems, evapotranspiration beds, osmosis units and holding tanks. For larger generators or groups of users, alternative systems could include communal septic tank/leach field systems, package treatment plants, lagoon systems, and land treatment.

**Implements What Policy:** 5.2, 5.3, 5.4, 5.8, 5.10

**What County Department is Responsible?** Planning Department

**Other Participants:** Wastewater agencies, landowners

**Timeframe:** 2010-2015

**Implementation Program #13:** The County shall conduct a study to investigate the feasibility of adding infrastructure to wastewater treatment plants for septage receiving and treatment.

**Implements What Policy:** 5.3, 5.4, 5.5, 5.8

**What County Department is Responsible?** Environmental Health Department

**Other Participants:** Wastewater agencies

**Timeframe:** 2010-2015

**Need wastewater reuse and recycling program or cross-reference to conservation program.**

**DRAFT GOAL 6: Watershed Management. To enhance and protect watersheds, including, but not limited to forests, grasslands, oak woodlands, open spaces, soils, water bodies, recreation areas, habitat, vegetation, groundwater recharge areas, and developed areas, through responsible water and land use management.**

#### **DRAFT Policies for Goal 6**

- 6.1. Public Education.** The County, in cooperation with local agencies, non-governmental organizations, and landowners, shall support efforts to educate the public on the importance of watershed management.
- 6.2. Interagency Cooperation and Coordination.** The County shall cooperate and coordinate with other local watershed management programs.
- 6.3. Funding.** The County shall support efforts to obtain grant funding for locally sponsored watershed programs, planning efforts, and projects that enhance and protect the watersheds of the county.
- 6.4. Groundwater Recharge Area Protection.** The County shall require new development projects to adequately protect groundwater recharge areas.
- 6.5. Watershed Protection.** The County shall require new development projects to minimize impacts on wetlands, lakes, reservoirs, and streams, recreation areas, agriculture, and wildlife habitat areas.
- 6.6. Water Recreation Area Protection.** Wherever feasible, the County shall work with landowners, agencies, and resource managers to maintain and/or improve public access for recreational uses along waterways.
- 6.7. Instream Flow Management.** The County shall actively support instream flow standards that comply with the Public Trust Doctrine by protecting aquatic habitat and fisheries and providing recreation opportunities while balancing water supply needs and protecting water rights within the county.
- 6.8. Road Construction Erosion Management.** The County shall require new development projects to use landform and contour grading and related techniques to minimize erosion and sedimentation potential and reduce water quality impacts when planning, designing, grading and constructing County roads and roads that will serve the development.
- 6.9. Building Setback Lines.** The County shall establish and enforce minimum building setback lines from (perennial) streams and (significant) wetlands that are adequate to protect resource values through environmental review and application of comprehensive development standards.

#### **DRAFT Implementation Programs for Goal 6**

**Implementation Program #14:** The County shall identify, inventory, and map natural groundwater recharge areas to help land use planners locate development.

**Implements What Policy:** 6.4, 1.3

**What County Department is Responsible?** Planning Department, Geographic Information System

**Other Participants:** Water agencies, other local agencies, landowners

**Timeframe:** 2010-2015, ongoing

**Implementation Program #15:** The County shall study and adopt standards for the protection of groundwater recharge areas, such as placing limitations on the amount of impervious surfaces, or other planning and zoning techniques.

**Implements What Policy:** 6.4

**What County Department is Responsible?** Planning Department, Board of Supervisors

**Other Participants:** Water agencies, landowners

**Timeframe:** 2015-2020

**Implementation Program #16:** The County shall review and revise/update its grading and erosion control ordinance and its rural road standards to implement the water quality, stormwater, and watershed policies.

**Implements What Policy:** 6.5, 6.8

**What County Department is Responsible?** Building Department, Public Works Department, Board of Supervisors

**Other Participants:** Local agencies

**Timeframe:** 2015-2020

**DRAFT GOAL 7: Stormwater and Flood Management. To manage stormwater from existing and future development in a cost-effective manner through methods that maintain natural water quality, enhance percolation for groundwater recharge, reduce potential flooding, support natural wetlands and provide opportunities for reuse.**

**DRAFT Policies for Goal 7**

**7.1. Public Education.** The County shall develop educational material and programs on the importance of stormwater and flood management.

**7.2. Interagency Cooperation and Collaboration.** The County shall work with the Central Valley Regional Water Quality Control Board and local, state, and federal flood control and water resources management agencies to adopt effective stormwater management measures.

**7.3. Best Management Practices.** The County shall require best management practices (e.g., low impact development) in new development and redevelopment to reduce pollutants from entering natural water bodies while allowing stormwater reuse.

**7.4. Maintenance of Stormwater Runoff Systems.** The County shall maintain its existing stormwater runoff systems, to assure that these systems do not fall into a state of disrepair such that they are causing water quality degradation inconsistent with their original design function.

**7.5. Runoff Quality.** The County shall require all drainage systems in new development and redevelopment to comply with applicable state and federal non-point source pollutant discharge requirements.

**7.6. Natural Drainage Systems.** The County shall require the use of natural stormwater drainage systems to preserve and enhance the environment.

**7.7. Agricultural Runoff.** The County shall work with local partners to provide educational and technical assistance to farmers to reduce sedimentation, provide on-site retention of irrigation water and flow attenuation, as well as detention of stormwater flows.

**7.8. Flood Zone Compliance.** The County shall not approve new non-agricultural parcel maps or subdivision maps within 100-year flood zones as mapped by Federal Emergency Management Agency (FEMA) s.

## **DRAFT Implementation Programs for Goal 7**

**Implementation Program #17:** The County shall review and, if necessary, revise grading and stormwater and flood management ordinances to fully protect downstream waters.

**Implements What Policy:** 7.3, 7.4, 7.5, 7.6, 7.8

**What County Department is Responsible?** Planning Department, Board of Supervisors

**Other Participants:** Central Valley Regional Water Quality Control Board, local/state/federal flood control and water resources management agencies

**Timeframe:** 2010-2015

**Implementation Program #18:** The County shall develop and adopt revised and updated standards and best management practices for new development projects as part of its Non-Point Discharge Elimination System (NPDES) general construction permit (assuming that is right for the County?), that encourage alternative storm water management systems, natural drainage systems and low impact development approaches to managing stormwater that improve water quality

**Implements What Policy:** 7.3, 7.4, 7.5, 4.3

**What County Department is Responsible?** Planning Department, Board of Supervisors

**Other Participants:** Central Valley Regional Water Quality Control Board, local/state/federal flood control and water resources management agencies

**Timeframe:** 2010-2015

**DRAFT GOAL 8: Interagency Communication and Cooperation. To promote interagency communication and cooperation between land use and water and wastewater entities and other interested parties so that they may optimize utilization of their resources and provide the highest level of dependable, yet affordable, service, while protecting the natural environment, providing recreation opportunities, and respecting individual entities' water rights and interests.**

### **DRAFT Policies for Goal 8**

**8.1. Water and Wastewater Infrastructure.** The County shall work with water and wastewater agencies in the planning, development, and construction of water and wastewater facilities needed to transmit, treat, store, and distribute potable water supplies, and to collect, convey, treat and dispose of wastewater pursuant to adopted General Plan policies, urban water management plans, water supply agreements, and master facilities plans.

**8.2. Cooperation.** The County shall support cooperative interregional planning efforts that have as a high priority the protection of existing water rights of local Amador County agencies, the protection of water quality, and the protection and restoration of watersheds, meadows, streams, rivers and lakes.

**8.3. Funding Sources.** The County shall work with local agencies to identify and pursue alternative funding sources that can be used for projects that improve the water resources management opportunities in Amador County.

**8.4. Water Supply Reliability.** The County shall encourage water agencies to develop plans for responding to droughts and the effects of predicted global climate change, including contingency plans and the sharing of water resources to improve overall water supply reliability for the existing and future needs of the county.

**8.5. Data Sharing.** The County shall share relevant data with water and wastewater agencies and NGOs to assist them in their planning activities.

**8.6. Communication.** The County shall freely communicate and cooperate with all parties interested in water and water-related issues to ensure free exchange of ideas and data and full airing of issues.

### **DRAFT Implementation Programs for Goal 8**

**Implementation Program #19:** The County shall direct appropriate departments to participate, to the extent possible, in the Mokelumne-Amador-Calaveras Integrated Regional Water Management Plan (IRWMP).

**Implements What Policy:** 8.2, 1.2

**What County Department is Responsible?** Planning Department, Board of Supervisors

**Other Participants:** Water and wastewater agencies, environmental interests, agricultural interests

**Timeframe:** 2010-2015, on-going

**Implementation Program #20:** The County shall direct appropriate departments to participate, to the extent possible, in regional water, wastewater, and watershed planning groups designed to discuss and solve water supply, water quality, watershed, and other water/wastewater-related issues within the county, and to identify and pursue alternative funding sources for future projects.

**Implements What Policy:** 8.2, 6.2, 5.6, 4.5, 1.15

**What County Department is Responsible?** Planning Department, Board of Supervisors

**Other Participants:** Water and wastewater agencies, other local agencies

**Timeframe:** 2010-2015, ongoing

**Implementation Program #21:** The County shall work with local agencies and NGOs to develop an interagency cooperative program to serve as a clearing house for data related to land use and water planning. These data may include hydrology, water quality, geology, hydrogeology, geography, facility locations, land use, and other water and wastewater related information.

**Implements What Policy:** 8.5, 8.2, 6.2, 5.6, 4.5, 1.15

**What County Department is Responsible?** Geographic Information Systems

**Other Participants:** Water and wastewater agencies, NGOs, and other local agencies

**Timeframe:** 2010-2015

**Implementation Program #22:** The County Building Department shall work with water and wastewater agencies to develop consistent construction and inspection standards.

**Implements What Policy:** 8.1

**What County Department is Responsible?** Building Department, Board of Supervisors

**Other Participants:** Water and wastewater agencies

**Timeframe:** 2010-2015



**DRAFT GOAL 9: Public Education and Awareness. To increase public awareness of water resources and wastewater planning, water quality, and water conservation and efficiency through education and outreach.**

**DRAFT Policies for Goal 9**

**9.1. Public Education Material.** The County shall encourage water purveyors, wastewater treatment providers, and other local organizations or individuals to develop and distribute educational material regarding water conservation and water quality protection measures and programs.

**9.2. Water Resources and Wastewater Planning.** The County shall encourage water and wastewater agencies to involve the public in their water resource and wastewater planning activities, and shall not support any project that is not developed and implemented with full and meaningful public participation

**DRAFT Implementation Programs for Goal 9**

**Implementation Program #23:** The County will seek funds to support efforts to develop and distribute educational material for the public regarding water conservation, water quality, irrigation practices, and other water and wastewater related topics.

**Implements What Policy:** 9.1, 9.2, 2.5, 4.6, 5.7, 6.1, 7.1

**What County Department is Responsible?** Planning Department

**Other Participants:** Water and wastewater agencies, other local agencies, NGOs, landowners

**Timeframe:** Ongoing

**Implementation Program #24:** The County shall work with water and wastewater agencies to establish a schedule for briefings to the Board of Supervisors regarding water and wastewater related activities.

**Implements What Policy:** 9.2, 1.15, 4.5, 5.6

**What County Department is Responsible?** Planning Department

**Other Participants:** Water and wastewater agencies

**Timeframe:** 2010-2015, ongoing

**DRAFT GOAL 10. Ensure the continued recreational use of Amador County's rivers, streams, lakes and reservoirs and the related revenue from that use.**

**10.1 Public Access to Rivers and Streams.** The County shall promote direct and trail access to the county's streams consistent with the Public Trust Doctrine, but not violating any individual landowner's property rights.

**10.2 Public Access in New Development.** The County shall promote public access to rivers, streams, lakes and reservoirs in new developments and in regulatory proceedings related to existing water projects

**10.2 Protecting Continued Use of Recreation Resources.** The County shall not support water supply or wastewater supply projects that diminish existing recreational use or enjoyment of the county's rivers, lakes, streams and reservoirs, including swimming, gold panning, fishing, boating, water play, and family picnics.

**10.3 Wild and Scenic River Designations.** The County shall support National Wild and Scenic River designation for the Mokelumne River as proposed by NGOs and federal agencies to ensure protection of its high water quality, scenic beauty, cultural and historical resources, recreational uses and related local revenue, and to protect riverside landowners from eminent domain proceedings initiated by out-of-county water agencies.

### **Implementation programs**

**The Amador County Recreation Agency will develop a recreation plan** for the county's rivers, streams and lakes in cooperation with whitewater and lake boaters, NGOs, recreation businesses and business organizations.

**The County will develop standards for lake and river access for new development.**

**The County will support federal legislation proposed to protect the Mokelumne River**

## Above Dew Drop Policy

Due to the extreme winter weather conditions, lack of adequate infrastructure and services to support residential or resort development, the fire risk of development in the wildland-urban interface, the need to preserve productive industrial timberlands, and the need to protect sensitive watersheds and wildlife habitat, the county will not allow further land divisions east of CalFire's DewDrop station except for those areas within the Kirkwood Specific Plan.



# PRELIMINARY GENERAL PLAN GOALS AND POLICIES

GPAC Workbook  
August 2007

## Purpose

The purpose of upcoming General Plan Advisory Committee (GPAC) meetings is to provide recommendations regarding goals and policies addressing the major planning issues identified in previous GPAC meetings and community workshops.

**GPAC Members should review this material and make notes in the spaces provided prior to upcoming GPAC meetings on September 13 and 27, 2007. Please come to the meetings prepared to offer your comments and suggestions.**

## Workbook Content

This workbook provides an overview of the proposed structure and organization of the General Plan, reviews the community vision developed by the GPAC, and presents preliminary draft goals and policies separated into the various general plan elements, or chapters. The workbook provides spaces for comments from members of the GPAC that clarify, refine, add to or delete draft goals and policies. All comments received will be considered during preparation of the preliminary draft general plan.

Definitions of important concepts, such as *issues*, *goals* and *policies* that will be used in the general plan are provided below to assist in understanding the relationship of these concepts. A description of the proposed organization of the general plan itself is also provided.

## Definitions and Examples

The following definitions and examples are provided for important concepts to assist in understanding the relationship of these concepts within the general plan.

### Community Vision

A *community vision* has been drafted based on input received from the community and the GPAC at previous meetings. The community vision is the foundation of the general plan and an expression of what the county wants to be in the future.

## Issues

*Issues* have been developed through analysis of the content of the current general plan, background reports prepared for the general plan update, community workshops, previous GPAC meetings, and resident correspondence. Issues are general statements describing a planning need, concern, opportunity, or desire that should be addressed by the general plan.

## Goals

*Goals* are broad statements of community desires contained within the general plan elements. Goals are related to the community vision, and represent desired outcomes the County seeks to achieve through the implementation of general plan policies.

## Policies

*Policies* are statements that support the achievement of goals. Policies serve as guides to the Board of Supervisors, Planning Commission, other appointed County commissions and boards, and County staff in reviewing development proposals and making other decisions that affect future growth and development. Policies are written as action statements that illustrate the community's desired means to achieve goals.

## Implementation Programs

*Implementation programs* are specific actions that put policies into practice. Implementation programs are designed to collectively achieve established general plan goals. Programs are written in a variety of formats best suited to the topic at hand.

Implementation programs are the most specific type of policy statements contained in the plan. Often, these programs identify funding sources, responsible agencies, and time frames for completion. GPAC members are encouraged to offer ideas concerning potential implementation programs throughout our discussion of goals and policies. The programs will be developed and finalized with County staff as the individual General Plan elements are prepared.

## Proposed General Plan Organization

The following is a description of the proposed organization for the updated Amador County General Plan. At this time, the proposed organization corresponds to the following seven elements required by the State of California.

- ✓ Land Use
- ✓ Circulation and Mobility
- ✓ Conservation
- ✓ Open Space
- ✓ Safety
- ✓ Noise
- ✓ Housing

The Housing Element was recently adopted in 2005 and is not being updated as part of this effort.

The Board of Supervisors may direct staff and consultants to pursue one or more optional elements addressing topics such as agriculture, economic development, air quality, or climate change. All of these topics are addressed within the proposed structure as part of one or more of the required elements. GPAC comments on these topics would be carried over into the optional element(s) if requested by the Board.

The General Plan document will be comprised of an introduction, community vision and the elements listed above. Each element may stand alone, but is also an integral part of the plan. The elements will be organized according to the following format: 1) introduction; 2) goals and policies; 3) plan; and 4) implementation programs. The general plan will be accompanied by a glossary (as an appendix).

The *introduction* of each element will describe the focus and the purpose of the element. The introduction will also identify other plans and programs outside of the general plan that may be used to achieve general plan goals. The relationship of the element to other general plan elements will also be specified in the introduction.

The *goals and policies* section of each element will contain a description of identified planning issues, goals and policies related to the element topic. The issues, goals and policies will be based on input received from the community, the GPAC, members of the Planning Commission and Board of Supervisors, and County staff.

Each element will also contain a *plan* section. The plan section will offer an overview of the desired course of action to implement the identified goals and policies. For example, the land use element contains a "land use plan" indicating the types and intensities of land use permitted throughout the county. The circulation element contains a "circulation plan" identifying and describing the circulation system required to meet future needs. Wherever possible, the plan section contains maps, illustrative diagrams and tables to illustrate policies.

The final section of each element will be the *implementation programs*. This section identifies specific actions to achieve the goals, policies and plans identified in each element.

The *glossary* will be an appendix to the general plan, providing definitions for technical terms used throughout the plan.

## Draft Community Vision

At previous GPAC meetings, committee members have provided input regarding the shared values, strengths, weaknesses, and issues that characterize Amador County. Based on that input, the following community vision was developed by the GPAC. Please refer back to this vision as you review and comment upon the materials located throughout the remainder of this workbook. Our objective is to ensure that subsequent goals, policies, and programs are responsive to the vision.

### *Vision 2030*

We, the citizens of Amador County, envision the county in the year 2030 as a place known for its high quality of life, historic resources, healthy natural environment, sustainable local economy, scenic resources and vistas, and services that meet our people's needs.

#### Community

Amador County continues to be a place of small, distinct towns where neighbors know and can depend on one another, and where low crime rates foster a feeling of security and the residents are enabled to participate in the decision-making process. We have a sustainable economy – one that provides jobs with enough income to allow residents a reasonable quality of life, and encourages and supports business, especially locally-owned, unique businesses and our historic business districts. We have created a livable community – one with a supply of housing affordable to those who live and/or work in our community. And we have created a healthy community, where residents are protected from natural disasters and health hazards.



#### Character

We protect and enhance our County's unique character – its history, natural beauty, and rural lifestyle. Due to our successful efforts, our historic and cultural heritage; scenic vistas, agriculture, rivers, streams, and other natural areas; and historic buildings and towns continue to attract visitors and serve local residents. Because we have planned well, we can see the Milky Way from our dark night skies and enjoy the quiet at night.



## Resources

We judiciously use and protect the County's wealth of natural resources – mineral, agricultural, timber, water, soil, air, open space, and wildlife – conserving and enhancing our resources for present and future generations. We preserve our resources while also protecting our property and personal rights.



## Services

We strive to serve current and future generations by providing utilities and services that are available, affordable, well-maintained, and well-planned while maintaining our rural character. We provide transportation choices through upkeep of our roadways, safe bicycle and pedestrian paths, and transit opportunities that respond to our needs. We have access to health services, professional, well-trained emergency service providers, quality child-care and senior services, and expanded opportunities for recreation and lifelong learning. Working with our local schools, we have created an excellent learning environment where both children and adults can obtain high-quality education and skills to achieve personal and economic success.



## Preliminary Draft Issues, Goals and Policies

The community vision is carried through the general plan by the issues, goals and policies in each element, and implementation actions that put the goals and policies into action. The following pages list draft issues, goals and policies for each element of the proposed general plan update. Please use the spaces provided to comment on the material and be prepared to discuss your comments with others at upcoming GPAC meetings.

Please note that agreement was not reached on all issues. In many cases, a range of goal and policy options, indicated by *italic type* and boxes, have been prepared to identify the variety of opinions expressed and convey various policy options, along with meeting records, reactions and comments from the GPAC to the Planning Commission and Board of Supervisors.

## Land Use Element

The Land Use Element describes desired patterns and distribution of land use, including agricultural, open space, residential, commercial, and industrial areas, in Amador County. Land Use policies affect goals and policies throughout the General Plan. The priorities identified in this element include maintaining diverse land uses within the county, providing public facilities and community services, and supporting economic development efforts to maintain a healthy tax base.

*Note: The following land use policies originate largely from GPAC discussions on topics other than land use. Additional land use issues, goals, and policies will be developed following GPAC discussion of land use alternatives.*



## Diverse Land Uses

The diversity of land uses within Amador County affects an important balance between the generation of public revenues and the provision of public services and facilities. Achieving and maintaining a diverse and desirable balance of land uses can help ensure the county's fiscal viability and promote a desirable community in which people can work, shop, live, visit, and recreate.

Compatibility between adjacent land uses is essential to maintaining safe, efficient, and well-organized communities. Issues which impact the compatibility of proposed projects include traffic generation, access locations, noise impacts, public service demands, site design and visual appearance, and public safety. Residents desire adequate buffering from light, noise, and traffic associated with non-residential uses. In turn, farmers and ranchers desire that surrounding residents understand and accept the noise, dust, and other effects of agriculture and ranching.

By providing for a diverse mix of land uses, Amador County can achieve a suitable inventory of housing for a range of income groups, a viable commercial and employment base for residents, productive agricultural lands, ample open space and recreational opportunities, and adequate public facilities and services.

**Goal LU-1:** ~~Maintain~~**Attain** a diverse ~~and integrated~~ mix of residential, commercial, agricultural, industrial, recreational, public, and open space land uses.

Policy LU-1.1: ~~Review~~**Require that** proposed projects ~~for be consistent~~ **consistency** with community goals, ~~and the~~ policies, and implementation programs of this general plan, and ~~that they do not adversely affect~~**consider potential impacts on** surrounding land uses, ~~natural resources, scenic beauty, and or~~ infrastructure.

Policy LU-1.2: Promote development of light industrial, clean manufacturing, and other commercial businesses to diversify the county's economic base.

Policy LU-1.3: Encourage future development of educational and health care facilities to serve county residents.

Policy LU-1.4: Protect existing land uses and public facilities from encroachment by incompatible land uses.

Policy LU-1.5: ~~Designate~~**Ensure that there is** residential areas of varying densities to ~~encourage provision of affordable~~ housing **affordable** for ~~people of~~ all income levels.

Policy LU-1.6: ~~Encourage~~**Require** smart growth development patterns ~~which that~~ support water quality objectives; ~~preserve agricultural lands and natural resources;~~ enable viable transit, bicycle and pedestrian transportation; and contribute to reductions in greenhouse gas emissions.

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Policy LU-1.7: Consider affordable and senior housing needs in the siting and design of residential projects.

Policy LU-1.8: ~~Promote~~ Require land use patterns ~~which~~ that promote public health and wellness.

Policy LU-1.9: Support the continued viability of timber extraction from designated areas.

Policy LU-1.10: ~~Ensure that county land use decisions do not reduce~~ Consider the effect of county land use decisions on military readiness.

**Goal LU-2: Enhance and maintain separate and distinct communities within the county.**

Policy LU-2.1: Direct development to areas with existing urban services and infrastructure; ~~or to areas and adjacent areas, while maintaining separation between communities, where extension of urban services is feasible given distance from developed areas and topographic, capacity, or land capability considerations.~~

Policy LU-2.2: Establish target areas for future commercial, industrial, and residential growth. [Note: This policy will be updated to include desired locations following GPAC consideration of land use alternatives.]

Policy LU-2.3: Direct higher density or intensity development to infill areas; or to areas adjacent to existing communities ~~or activity centers.~~

Policy LU-2.4: Do not extend infrastructure into areas that are used for agriculture or resource extraction, or that include important cultural, natural, watershed, or scenic resources.

Policy LU-2.5 Maintain working landscapes, parks, and greenbelts between existing communities.

**GPAC Comments**

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**Economic Development**

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A healthy, vibrant economy provides jobs for county residents, and also aids in the continuing fiscal viability of county services.

Economic development goals and policies include efforts to raise the jobs-to-housing ratio for the county and to increase the proportion of non-residential development to support the county's fiscal health. Efforts to provide employment and education opportunities that retain young people in Amador County are also important.

**Goal LU-3: Develop and maintain a favorable? Means? business environment in the county.**

Policy LU-3.1: Encourage an efficient and consistent regulatory environment, including a predictable development process.

Policy LU-3.2: Support and collaborate with local economic development organizations to bring new businesses and industry to the county and support the development and expansion of local small business.

Policy LU-3.3: Collaborate with local agencies and organizations to offer technical assistance to businesses seeking economic development grants, loans, and other funds from state, federal, and private sources.

Policy LU-3.4: Encourage the retention and expansion of existing businesses within the county.

Policy LU-3.5: ~~Support improvement of water and wastewater infrastructure in areas designated for future commercial or industrial development.~~ Ensure that land use decisions do not threaten the viability of historic business districts.

Policy LU-3.6: Promote the availability of early care and education facilities at locations ~~which~~ that permit the parents of small children to work. This is the wrong place for this, but a good policy...

**Goal LU-4: Develop educational and training options for county residents.**

Policy LU-4.1: Facilitate the establishment of higher education facilities in the county, including a community college and technical education or trade school facilities.

Policy LU-4.2: Work with existing and new businesses located in the county to match training opportunities with existing and planned job requirements.

**Goal LU-5: Improve the jobs-housing balance and maintain the fiscal health of the county.**

Policy LU-5.1: Encourage the development of new commercial and clean industrial businesses in the county.

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Policy LU-5.2: Promote a ratio of new commercial and industrial development to new residential development ~~which that~~ maintains the fiscal health of the County. [Note: General Plan text will describe the current ratio and projected future ratio under the preferred land use alternative. Policy may be updated to incorporate desired future ratio.]

Avoid approving residential projects before jobs exist for those who will reside in them.

**Policy Options: Fiscal impact analysis**

*Policy LU-5.3a: Require businesses/national chains seeking to locate in Amador County to conduct that fiscal-fiscal and local business impact analyses be completed by large businesses/national chains seeking to locate in Amador County. [Note: General Plan text will identify which project types would be required to prepare fiscal impact analyses. Policy may be updated to incorporate threshold.]*

*Policy LU-5.3b: ~~No policy~~Require residential developments over X units to conduct fiscal impact analyses.*

Policy LU-5.4: Focus job development activities on higher-family-wage and “basic” jobs in ~~order~~ to maximize potential benefits.

**Goal LU-6: Promote ~~cultural and economic~~ development of the county’s unincorporated towns and communities: Buckhorn-Pioneer, Fiddletown, Pine Grove, River Pines, and Volcano. ~~rural communities throughout the county.~~**

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Policy LU-6.1: Preserve existing programs and facilities ~~which that~~ contribute to the cohesion and prosperity of rural communities, including local schools and ~~shops~~retail businesses.

Policy LU-6.2: Work to expand services and opportunities available in the county’s ~~rural existing towns and communities-~~ (list here) including retail businesses, health care, ~~continuing~~ education, ~~agricultural education~~professional sevices, and job opportunities.

**Goal LU-7: Focus and improve economic development success.**

Policy LU-7.1: Establish benchmarks to measure the success of local economic development activities ~~by the Amador Economic Development Commission and the County.~~ [Note: General Plan text and implementation measures would establish benchmarks and a way to track progress annually.] Good, but who would do?

Policy LU-7.2: Target key industries ~~which that~~ are important to the future of the county, such as health care, for economic development. Who decides which are important? How change over time?

**Goal LU-8: Promote the availability of advanced communications services to businesses and residents.**

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Policy LU-8.1: Coordinate with utilities and private service providers to encourage the provision of high-speed communications infrastructure and service throughout the county to encourage business development and expansion and home-based work.

Goal LU-9: Maintain the county’s scenic beauty, cultural resources, and natural resources as draws for tourism and recreation.

Need policies here for this...

**GPAC Comments**

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**Public Facilities**

Public facilities encompass a variety of uses, including public safety and fire facilities, corporation and service yards, and wastewater treatment plants. Public utilities, including water delivery and sewer facilities, are also included in this section. The goals and policies presented in this section will provide a guideline for the levels of service the county intends to support and provide.

**Goal LU-9: Ensure the provision of effective law enforcement, fire, and emergency medical services throughout the county.**

Policy LU-9.1: Ensure that adequate public safety facilities, staffing, and equipment are ~~provided available to maintain~~ provide adequate service levels as the county’s ~~population and development~~ needs change.

Policy LU-9.2: Coordinate with fire districts to ~~maintain~~ ensure adequate fire and emergency medical service levels in the county.

Policy LU-9.3: Increase community awareness regarding public safety, fire, and emergency response issues-

Need development pattern policy here. It is too expensive and inefficient to deliver services to people spread out all over the county.

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**Goal LU-10:** ~~Increase wastewater treatment capacity to serve the county's population~~Ensure adequate wastewater treatment capacity exists to meet the county's needs.

Policy LU-10.1: ~~Work with Amador Water Agency to identify a desired location for a regional wastewater treatment plant, and restrict the development of nearby incompatible uses in the vicinity of the site.~~Ensure that potential locations for wastewater facilities are protected from

Policy LU-10.2: ~~Consider~~Ensure that adequate wastewater capacity exists before approving developments that add to wastewater treatment demand. infrastructure availability in the development review process to avoid exceeding wastewater conveyance or treatment capacity.

Policy LU-10.3: ~~Encourage~~Require the use of reclaimed water for irrigation and industrial uses wherever possible in order to reduce the loading of the wastewater system.

Require the use of reclaimed water for golf course irrigation.

Require new construction to incorporate water conservation and efficiency measures.

Policy LU-10.4: Educate the public regarding ways to reduce water use and the volume of water requiring wastewater treatment and disposal.

**Goal LU-11: Maintain efficient solid waste service.**

Policy LU-11.1: Educate the public regarding waste disposal requirements, such as universal and hazardous waste disposal practices.

Policy LU-11.2: ~~Increase~~Adopt programs to promotepublic awareness of recycling, composting, and other waste reduction options.

Policy LU-11.3: Ensure the continued availability of waste disposal sites for the county's solid waste.

Policy LU-11.4: Continue to make solid waste transfer stations available and accessible to county residents.

**GPAC Comments**

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## Community Services

Community services, including health care, education, social support and senior services contribute to the superior quality of life found in Amador County. The County faces sizeable ongoing challenges in providing community services based on the relatively small and decentralized population.

Health care is a major community concern, based on the current and ever increasing age of the population. Education, including community schools and providing options for higher education, is another important issue. In addition, schools and libraries provide valuable locations for the community to gather.

**Goal LU-12: Ensure the provision of health care services accessible to the population.**

Policy LU-12.1: Support efforts to provide health care services ~~in-in the county's existing~~ rural communities ~~and activity centers located throughout the county~~ as the population expands.

Policy LU-12.2: Support and promote transportation options ~~which-that~~ permit seniors and residents with reduced mobility to receive adequate health care.

Policy LU-12.3: Support education options, including community college programs, which provide training for health care workers.

Policy LU-12.4: Promote the development of health care and early care and education services ~~directed toward-for~~ young children.

**Goal LU-13: Maintain high quality schools and libraries.**

Policy LU-13.1: Work with the Amador County Unified School District (ACUSD) to maintain local schools as community gathering and recreation locations. Work toward joint use of school facilities for recreation and lifelong learning ~~wherever feasible and desirable.~~

Policy LU-13.2: Work with ACUSD to ensure that new school facilities can be planned, financed, and constructed as necessary to serve current population and future development.

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Policy LU-13.3: Provide for County library facilities and services consistent with community needs.

Ensure that adequate school facilities exist before approving development that adds to the student population.

**Goal LU-14: Ensure that land is available for future cemetery use.**

Policy LU-14.1: Identify and designate areas suitable for future cemeteries.

**GPAC Comments**

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**Circulation and Mobility Element**

The Circulation Element addresses Amador County’s systems for moving people and goods. This element describes the general location and extent of existing and proposed major thoroughfares, roadway and non-roadway transportation routes, railroads and airports.

*[Note: Additional and/or revised policies may be developed following GPAC discussion of non-roadway transportation on August 23, 2007.]*

**Roadway Circulation**

The local and regional roadway system serves the community’s primary needs for mobility and access, and consists of a hierarchy of streets to meet those needs, ranging from rural roads to State highways.

**Goal CM-1: Maintain adequate regional and local transportation facilities.**

Policy CM-1.1: Work with Caltrans, regional and local transportation agencies to address regional issues and opportunities related to growth, transportation financing and infrastructure, and other planning issues.



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Policy CM-1.2: Each year, Pplan for future maintenance and expansion of roadway, trail, and other circulation infrastructure ~~on an annual basis~~, factoring for changes in funding and project priority or feasibility.

Policy CM-1.3: Encourage greater connectivity on local roads and work to improve the connections between the County's communities. ~~Ensure multiple routes are available between communities wherever possible.~~

**Goal CM-2: Maintain a safe, efficient, and comprehensive traffic circulation system.**

Policy CM-2.1: Plan, build, and maintain a multi-modal and **hierarchical** transportation system. Meaning?

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Policy CM-2.2: Identify key roads and intersections with historical or projected traffic congestion or safety problems and apply **creative management measures** to improve circulation. Meaning?

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Policy CM-2.3: Work with Caltrans, Amador County Transportation Commission (ACTC), cities and surrounding jurisdictions to improve regional roadways.

Policy CM-2.4: Maintain a regularly updated Traffic Impact Fee program to ~~encourage~~ require that new transportation needs generated by new development are paid for by the development. Increased roadway capacity should be funded primarily through developer fees, with less than half of funding coming from State Transportation Improvement Program (STIP) and other local tax revenue sources.

Deny any project that would worsen an identified deficiency in local or state roads or highways or create a new deficiency if funds are not available to correct the problem, or require the applicant to fully fund the necessary improvement or transportation alternatives that would remedy the problem.

**Goal: Ensure that road and highway development does not disrupt wildlife corridors or increase road-related wildlife deaths.**

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Design roadway construction, improvements, and maintenance to mitigate all impacts on wildlife corridors, to provide for the continued movement of wildlife, and to minimize road-related wildlife deaths.

**GPAC Comments**

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### **Alternative Transportation**

The majority of future trips in Amador County are expected to be completed in automobiles. However, increasing alternative transportation offerings, including public transit, pedestrian, and bicycle routes, can reduce the growth in automobile use and traffic congestion associated with future residential and commercial development within the county. Future development patterns and forms should be planned with an eye toward encouraging and maintaining a variety of transportation options.

Public transit offerings are primarily provided by the Amador Regional Transit System (ARTS). The rural development character of the county limits the scope of the public transit available. The County will consider the mobility needs of Amador County's residents and the availability of public transit in development decisions.

Pedestrian and bicycle transportation options are currently limited. Safety concerns related to the necessity of walking or riding on roadways which serve busy automobile traffic keep many residents in their cars. Amador County will consider the needs of pedestrians and bicyclists in future development plans. In addition, development patterns which place dwellings within a short distance of essential services and activity areas offer increased opportunities for alternative transportation, including pedestrian and bicycle transportation.

**Goal CM-3: Provide transportation alternatives to the automobile.**

Policy CM-3.1: Identify priorities for the expansion of bicycle and pedestrian transportation,

**Policy Options: Trails on public v. private property**

*Policy CM-3.2.a: Establish bicycle routes and pedestrian walkways in public rights of way and on public lands. These routes should connect residents to communities and activity centers and offer an alternative to automobile transportation.*

*Policy CM-3.2.b: Establish bicycle routes and pedestrian walkways and work with private property owners where needed to obtain easements to promote connectivity of the bicycle and walking trail system. These routes should connect residents and activity centers and offer an alternative to automobile transportation.*

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- Policy CM-3.3: Coordinate with ~~federal~~ agencies, including the East Bay Municipal Utility District, Bureau of Land Management (BLM) and U.S. Forest Service to connect trail facilities.
- Policy CM-3.4: Promote pedestrian and bicycle safety by communicating safety practices to the public, and maintaining consistent, recognizable facilities for pedestrians and bicyclists.
- Policy CM-3.5: ~~Consider~~ Require new development proposals to meet transportation needs ~~in the context of new development proposals~~. ~~Promote~~ Require smart growth land use patterns ~~which~~ that place residents near activity centers and essential services to reduce the need for frequent automobile travel.
- Policy CM-3.6: Coordinate with ARTS and other agencies to improve the availability of public transit connecting residents to services.
- Policy CM-3.7: Continue to provide public transportation from Amador County to regional job and activity centers located outside the county.
- Policy CM-3.8: Encourage development of facilities ~~which~~ that support carpooling and public transportation within the county.
- Policy CM-3.9: Encourage provision of bicycle and pedestrian facilities in new development projects.

**GPAC Comments**

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**Scenic ~~Highways~~ Vistas**

The scenic vistas from the county's highways and roads are an important part of the county's character, valued by local residents and tourists alike. Several of Amador County's highways, including SR-49, SR-16, and portions of SR-88, are eligible for designation as Scenic Highways by the State of California. In addition, the State of California has designated a portion of SR-88 as a Scenic Highway, and the U.S. Forest Service has designated a portion of SR-88 as a National Forest Scenic Byway. ~~Together, Amador County's eligible and designated scenic highways and byways~~

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~~are referred to as scenic corridors.~~ Protecting the visual character of these scenic corridors is a key consideration in future planning.

**Goal CM-4:** Maintain and enhance the visual quality and scenic views along ~~both designated and eligible scenic corridors.~~county roads and highways

Policy CM-4.1: Ensure that new and relocated utilities along designated and eligible scenic ~~corridors.~~highways are placed underground in compliance with Public Utilities Commission regulations for scenic highways. All other utility features should be placed and screened to minimize visibility.

Policy CM-4.2: ~~Review.~~Ensure that development projects and timber harvest plans that are visible from the county's roads and highways do not detract from the county's scenic beauty.~~include areas within 1,000 feet of designated scenic highways for their visual effects on the scenic corridors.~~

Policy CM-4.3: Review signs and advertising along ~~scenic corridors.~~roads and highways to minimize their effects on the scenic corridor.

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Protect the county's scenic vistas and rural character by concentrating development in existing towns and communities and maintaining separation between them.

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Promote protection of scenic vistas by establishing funding mechanisms to enable the county and qualified nonprofit land trusts to purchase scenic easements along roads and highways.

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Do not allow clearcut logging within the viewsheds of designated and eligible scenic highways.

## Conservation Element

The goals and policies of the Conservation Element present strategies to protect and conserve water supply and water quality, energy resources, agriculture and agricultural lands, air quality, historic resources, and cultural resources.

### Water Supply and Water Quality

Adequate water supply for the county, including water for residential, agricultural, and commercial use, is of primary importance. Maintaining the water supply includes providing water for both current and planned future development and ensuring water quality.

The primary source of water for Amador County is surface water from the Mokelumne River, derived from both precipitation and snowmelt. Water from the Mokelumne River is transported to the areas of the county characterized by higher population and more water use.

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Because surface water is the primary water supply source, preventing pollution from point- and non-point sources is important to the future well-being of the county. Providing adequate sewage treatment capacity is important for maintaining and improving water quality. In addition, residential development generates increased urban runoff to streams, which is a source of pollution. Agricultural practices can also generate pollutants such as eroded material from stream banks and fields, and pesticide, herbicide, and fertilizer runoff. The county's mining heritage and current mining activities also represent potential sources of pollution to streams and rivers, including heavy metals and eroded soil.

**Goal C-1:**        **Ensure that ~~all future development permitted in the county~~ is permitted only when adequate water supply exists to serve it. ~~can be provided adequate amounts of water.~~**

Policy C-1.1:     Coordinate with the Amador Water Agency (AWA) and other organizations to ensure that water is available to ~~serve~~meet ~~both current and planned future~~ residential, commercial, industrial, and agricultural needs.

Policy C-1.2:     Guide future development to areas of the county where adequate water supplies can be ensured.

Policy C-1.3:     ~~Limit~~ Prohibit reliance on private groundwater wells as sources for new community water systems.

Policy C-1.4:     ~~Encourage~~ Require new development projects to include water conservation measures, ~~including such as the~~ use of graywater for landscaping, water-conserving plumbing fixtures, and low-water landscapes.

Policy C-1.5:     Develop and implement best management practices (BMPs) for water conservation and water quality preservation in the county.

Policy C-1.6:     ~~Encourage~~ Require regional and interagency coordination to ensure future adequate water supply. ~~Include upland areas in future water management plans.~~

Policy C-1.7:     Coordinate with the Amador Water Agency (AWA) and other organizations to develop water-use standards and regulations to limit demands during water supply emergencies and droughts.

Policy C-1.8:     Coordinate with the Amador Water Agency (AWA) and other organizations to plan for coordinated response to future water supply emergencies and droughts.

**Goal C-2:**        **~~Minimize~~ Protect water quality from pollution due to negative effects of sewage treatment on water quality and wastewater disposal.**

Policy C-2.1:     Guide future development to areas of the county with adequate wastewater service and treatment capacity.

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Policy C-2.2: ~~Encourage~~ **Require** recycling and water-saving features in new development, ~~including such as~~ graywater irrigation ~~and water-saving appliances and fixtures~~; to limit the water flows to septic systems and leach fields.

**Goal C-3: Minimize negative effects of point and non-point pollution sources on water quality.**

Policy C-3.1: ~~Encourage~~ **Require** site plan ~~elements~~ **measures** in proposed development ~~that limit runoff and increase infiltration and groundwater recharge, such as reduced pavement/cover and permeable pavement, as well as drainage features which limit runoff and increase infiltration and groundwater recharge.~~ Measures may include reduced pavement or site coverage, permeable pavement, ~~and use of natural water-filtering features and/or drainage features.~~

Policy C-3.2: ~~Limit~~ **Protect** ground and surface water quality from degradation by ~~the effects of current, future~~ and former mining and mineral extraction activities ~~on groundwater and surface water.~~

Policy C-3.3: Promote agricultural, timber harvest and development practices ~~which that~~ limit soil erosion and runoff.

Policy C-3.4: ~~Promote~~ **Require** use of buffers or protective measures to ~~limit~~ **prevent** surface and groundwater pollution by ~~the effects of~~ industrial or hazardous materials sites ~~on surface water resources and groundwater recharge zones.~~

Policy C-3.5: Develop and implement a comprehensive, effective stormwater management program to limit the quantity and increase the water quality of runoff flowing to the county's streams and rivers.

Policy C-3.6: Maintain and improve existing drainage and stormwater infrastructure, and develop new drainage and stormwater infrastructure as needed. ~~Consolidation of this function to a single County department or responsible agency is desirable.~~

**GPAC Comments**

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## Mining and Aggregate Resources

Amador County's mining history extends to the Gold Rush of 1849. Currently, mining in the county includes clay, gold, lignite, and aggregate materials. The continued viability of mineral and aggregate resources in the county should be a factor in the consideration of future development within the county.

**Goal C-4: Maintain the viability of mineral and aggregate resources in the county.**

Policy C-4.1: Ensure that extraction of mineral resources and aggregate deposits present in the County may continue.

Policy C-4.2: ~~Guide-Ensure that new~~ development ~~away does not intrude on from~~ areas where mineral and aggregate extraction is currently occurring ~~and or~~ where resources are known to exist, ~~or conflict with existing mining operations-~~ ~~Consider the location of known resources in approving new development.~~

Policy C-4.3: Develop standards for exploration, development, and reclamation activities associated with mineral extraction projects.

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## Energy Resources

Increasing energy efficiency and making better use of current and local energy resources is an important mechanism for reducing direct and hidden energy costs in the future, as energy costs rise and sources of energy become more difficult to obtain. Improving energy efficiency and increasing the amount of local, micro-scale energy generation will help reduce energy costs and the effects of our energy use on the environment.

**Goal C-5: Reduce energy use and promote renewable and locally available sources of energy.**

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- Policy C-5.1: ~~Encourage~~ Require new development to be pedestrian friendly, and located ~~near-in or adjacent to~~ existing ~~activity centers~~community centers, to limit automobile transportation energy use.
- Policy C-5.2: Encourage energy-efficient businesses and manufacturers of green products to locate in Amador County.
- Policy C-5.3: Promote increased energy efficiency and green building practices through the County's use of these practices.
- Policy C-5.4: Encourage development of alternative and distributed energy generation options.
- Policy C-5.5: Support use of renewable and locally available sources of energy where feasible.
- Policy C-5.6: Coordinate with other organizations and agencies to promote public education regarding energy efficient practices and technologies which can be used by individuals to reduce their energy use.

Promote energy efficiency and conservation by establishing green building standards for new development.

**Policy Options: Hydroelectric power generation**

***Goal C-6.a: Maintain the viability of hydroelectric (dam) power generation in the County.***

*Policy C-6.1.a: Reduce erosion and sediment loads ~~which~~that might limit the lifespan of existing facilities.*

*Policy C-6.2.a: Promote development patterns and practices ~~which~~that permit the continued use ~~and future development~~ of water power generation facilities on the County's streams and rivers.*

*Policy C-6.3.a: Guide future development to preserve possible future locations for off-stream water storage or low-impact hydroelectric generation facilities.*

***Goal C-6.b: Maintain the viability of existing hydroelectric (dam) power generation in the County. County has no control***

*Policy C-6.1.b: Reduce erosion and sediment loads ~~which~~that might limit the lifespan of existing facilities.*

*Policy C-6.2.b: Promote development patterns and practices ~~which~~that permit the continued use of existing water power generation facilities on the County's streams and rivers.*



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Policy C-6.3.b: ~~Prohibit~~ Oppose further onstream dam construction and stream impoundment, whether for water supply or power generation use. (Not within county's ability to prohibit.) Any expanded hydroelectric generation should occur on pipelines or channels, or through hydrokinetic improvement to existing facilities, rather than natural streams.

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**Conserving and Protecting Agricultural Lands**

Agriculture remains a crucial industry for Amador County, both in terms of its economic importance and because farming and ranching lie at the core of the community's identity and culture. Amador County faces the challenge of ensuring the continued viability of agricultural practices and businesses in the face of increasing development pressure, while respecting the rights of individual landowners.

The County will encourage the continued economic viability of farming and ranching. Agriculture-related businesses and agri-tourism can offer important supplementary sources of income for farmers and ranchers. The County will support continued use of agriculture-related businesses, including wine tasting and roadside stands. Provision of adequate water for farming is also a critical need for farmers.

Farming and ranching activities can create noise and dust, and lead to the need for aerial spraying. Future residential development ~~which that~~ would detract from the ability of farmers and ranchers to maintain their businesses on nearby properties will be restricted. Farming and ranching do have the potential to degrade water quality. Promoting sustainable farming and ranching practices can help protect the quality of surface water resources.

**Goal C-7:** ~~Maintain~~ Prevent conversion of agricultural land to other uses. important farmlands in agricultural use.

Policy C-7.1: Maintain a balance between the County's efforts to preserve farmland and the rights of individual landowners. Meaning what? Who decides what balance is?

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Policy C-7.2: Encourage use of Williamson Act contracts to maintain farm and ranch lands in agricultural use.

**Policy Options: Conservation easements, agricultural mitigation, transfers of development rights**

*Policy C-7.3.a: Study alternative methods of farmland preservation, including conservation easements and transfer of development rights.*

*Policy C-7.3.b: ~~Encourage~~ Develop and implement the use of alternative methods of farmland agricultural land preservation, including mitigation measures for farmland agricultural land conversion, the identification of funding for purchase of conservation easements, and establishment of a program for the transfer of development rights.*

Policy C-7.4: Direct future development toward “infill” areas, areas contiguous to cities, and areas with existing infrastructure and services in order to maintain the viability of existing agricultural land.

Policy C-7.5: Require that future development be compatible with existing adjacent and nearby agricultural uses.

Policy C-7.6: Direct future development away from farmlands ~~of local or statewide importance~~, rangelands, and timberlands.

Policy C-7.7: Discourage the extension of city spheres of influence or provision of urban services such as water or sewer into areas of important farmland.

Policy C-7.8: ~~Encourage~~ Require the provision of farm family and farm worker housing in a manner that conserves important ~~farmlands~~ agricultural lands.

Policy C-7.9 ~~Encourage~~ Require the use of site planning techniques such as buffers, building envelopes and setbacks on lands adjacent to agricultural uses ~~in order~~ to protect agriculture from encroachment by incompatible land uses.

**Goal C-8: Maintain long term economic viability of agricultural land uses.**

Policy C-8.1: Ensure that any future agri-tourism uses are appropriately located and scaled to fit in with the county’s rural and agricultural context.

Policy C-8.2: Encourage agri-tourism and limited agriculture-related businesses ~~which that~~ provide an additional source of income to farmers and ranchers.

Policy C-8.3: Promote development of support businesses associated with agri-tourism where adequate infrastructure and services are available to serve them; Encourage tourism-related services to be offered in cities and rural communities near ~~tourist-agricultural areas~~ sites.

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**Goal C-9:** Ensure that new development does not reduce the amount of water currently available for agriculture. Encourage alternative means of providing water to agricultural users.

Policy 9.1: Promote use of reclaimed water in compatible farming and ranching settings.

Policy 9.2: Support the continued availability of water supplies to agricultural users. Reject new residential, commercial, or industrial projects that would reduce the amount of ground or surface water available for agriculture in general or particular agricultural operations.

**Goal C-10:** Reduce the environmental effects of farming, logging, and ranching activities.

Policy C-10.1: Promote ~~Require~~ the use of environmentally, socially and financially sustainable farming, logging, and ranching practices.

Policy C-10.2: Promote education and incentives to support expansion of sustainable practices.

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**Historical Resources**

Amador County has a rich history, and is characterized by historical structures, districts, and mines dating back to the Gold Rush of 1849. These historical resources offer an important tool for education, help to provide a distinctive “sense of place” to the county, and are a significant resource in promoting tourism. The County will support the preservation of historical resources through both property owner incentives, development standards, and educational and interpretive opportunities.

Use of building envelopes or cluster development will be explored as a method to allow development of properties while preserving cultural or historical resources located on the property. Cluster development is a development pattern where the total improvements (roads and residences) permitted for a property are “clustered” on a small portion of the original or proposed parcels, instead of being scattered evenly over the available space. The balance of the parcel is then

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dedicated to either open space or agricultural use. In addition to preserving land for agricultural or conservation uses, cluster development allows cheaper and more efficient provision of infrastructure such as roads, water, and sewer service.

**Goal C-11: Preserve the County’s historical resources.**

Policy C-11.1: Balance the community’s interest in historic preservation with the rights of individual property owners. ~~Not necessary. Legal rights are guaranteed by law.~~

Policy C-11.2: ~~Use Provide~~ incentives ~~where possible as a means of protecting to protect~~ and ~~preserving preserve~~ historical structures and districts. Consider using Mills Act contracts as a way of providing such incentives.

Policy C-11.3: ~~Promote Require the~~ use of building envelopes or cluster development ~~as a means of protecting to protect~~ historical resources when land is developed.

**Policy Options: Property owner and County-based historic preservation tools**

*Policy C-11.4.a: Support the preservation of historic structures, including rehabilitation and adaptive reuse of structures. Encourage property owners to preserve and maintain historic structures.*

*Policy C-11.4.b: Establish a County Historic Preservation ordinance, including regulations for development, demolition, and construction affecting historic structures or districts. Consider participating in the Certified Local Government program.*

Policy C-11.5: ~~Promote Require~~ the preservation of historically significant Gold Rush sites, mining sites and other identified sites.

Policy C-11.6: Collaborate with ~~other~~ interested groups to develop interpretive materials for historically important sites.

Policy C-11.7: Promote historic preservation as an engine for Amador County’s tourist economy.

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## Cultural Resources

Amador County is rich in cultural resources, with a high number and quality of sites that document the history and culture of indigenous people for thousands of years. Cultural resources are important reminders and remnants of the rich history of the area. These resources offer physical evidence of the prehistoric and historic occupation and exploitation the county. Cultural resources sites include both prehistoric and mining related sites. Amador County will work with interested groups, including Native American communities, to preserve and protect cultural resources. Incentives and cluster development are two tools which may be used. In addition, an inventory of cultural resource locations maintained by the County can help landowners become aware of the presence of cultural or archaeological resources on their properties, potentially affecting future development. Protection of cultural resources is mandated by the State of California through the CEQA environmental review process and the SB18 consultation process.

**Goal C-12: Preserve the County's cultural resources.**

- Policy C-12.1: Balance the community's interest in the protection of cultural resources with the rights of individual property owners. No need – rights are guaranteed by law.
- Policy C-12.2: Use Provide incentives ~~where possible as a means of protecting and preserving to protect and preserve~~ cultural and archaeological sites.
- Policy C-12.3: Promote clustering of development ~~as a means of protecting to protect~~ cultural and archaeological resources when land is developed.
- Policy C-12.4: Educate local realtors and developers regarding the need to protect and preserve cultural resources, with the objective of increasing cultural resource awareness among existing and new property owners.
- Policy C-12.5: ~~Utilize~~ Use the County's inventory of identified cultural resources to help educate property owners and developers, and alert them to potential cultural resources issues associated with new development.

**Policy Options: Resource sensitivity zones**

*Policy C-12.6a: ~~Utilize~~ Develop and implement a resource sensitivity zone map to ~~review direct~~ proposed development projects ~~in~~ away from areas with archaeological sensitivity.*

*Policy C-12.6b: No policy.*

Policy C-12.7: Support the preservation and protection of Native American cultural and archaeological sites.

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Policy C-12.8: Collaborate with ~~other interested groups~~all interested parties to develop interpretive materials for culturally and archaeologically important sites.

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**Air Quality**

Air quality is an issue throughout California. Automobile emissions are a major contributor to air quality problems, and efforts to improve air quality are increasingly directed at the relationship between growth, land use activities, and air quality. Land use patterns directly influence transportation demand which, in turn, affects air quality. Amador County can help to maintain its good air quality ~~misleading we don't have good air quality now~~ by modifying development patterns and offering alternative transportation options, as well as encouraging energy conservation and efficiency.

**Goal C-13: Maintain and improve air quality.**

Policy C-13.1: Encourage development of job-creating commercial or industrial businesses ~~near existing towns which provide jobs for county residents in order to~~ reduce vehicle miles traveled ~~for residents who must drive elsewhere for employment.~~

Policy C-13.2: ~~Encourage~~Promote infill development, and development near existing activity centers ~~towns and commercial centers in order to~~ encourage walking or bicycle use in running local errands.

Policy C-13.3: ~~Promote~~Require the separation of emission sources from sensitive receptors such as schools, day care centers, and health care facilities.

Policy C-13.4: ~~Encourage~~Require energy conservation and energy efficient design in new development projects.

Policy C-13.5: ~~Promote~~Require recycling of waste materials and promote the use of recycled materials.

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Policy C-13.6: Maintain viable public transportation options in Amador County, and provide transit connections such as park-and-ride services to job centers in nearby counties.

Limit development in rural areas where residents must drive for work, school, shopping, and other errands.

## Global Climate Change

The California Global Warming Solutions Act (AB 32) was passed in September 2006. AB 32 requires that statewide Greenhouse Gas (GHG) emissions must be reduced to 1990 levels by 2020, which represents about a 25% reduction relative to current levels. Future planning efforts that do not encourage reductions in GHG emissions would conflict with AB 32, impeding California's ability to comply with the policy. Binding and enforceable General Plan goals and policies which reduce GHG emissions are one outcome of AB 32.

In California, more than 40% of GHG emissions are associated with transportation. Reduction of GHG emissions will thus primarily require a reduction of motor vehicle fuel consumed and vehicle miles traveled (VMT). Other means of addressing global climate change include use of alternative low- or no-emission energy sources at the local and micro scale (i.e. solar cells), since electric power generation also accounts for nearly a quarter of GHG emissions. Conservation efforts which reduce energy use are also effective in reducing GHG emissions associated with electric power generation.

### Goal C-14: Reduce GHG emissions from automobile travel.

Policy C-14.1: Guide new development to areas ~~where with~~ pedestrian and bicycle access to existing ~~activity center towns and shopping are possible, in order~~ to reduce the need for automobile travel and VMT. Require new development projects to provide bicycle and pedestrian facilities to increase the safety and feasibility of non-automobile travel.

Policy C-14.2: On an annual basis, set goals and assess progress on the priorities identified by the Pedestrian and Bicycle Master Plan in order to improve pedestrian and bicycle circulation options in the county.

Policy C-14.3: Work with service providers to ensure that transit offerings in the county are stable or expanding, and that transit is tailored to meet residents' needs.

Reduce vehicle miles traveled by limiting growth in rural areas where residents must drive to work, shopping, etc.

### Goal C-15: Reduce GHG emissions from electrical power generation.

Policy C-15.1: Require new development projects to incorporate building placement and design features to increase energy efficiency in new structures.

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Policy C-15.2: Identify a desired Leadership in Energy and Environmental Design (LEED) certification level for new commercial, industrial, public and multi-family residential buildings. Enforce this standard as a way to increase the energy efficiency of new structures. Promote increased energy efficiency and green building practices through the County’s use of these practices. *[Note: General Plan text will identify the desired LEED certification level, and policy will be revised to reflect the standard.]*

Policy C-15.3: Require that new residential building permits for more than 6 units provide solar power generation on 50% of units. This may include participation in the California Energy Commission’s New Solar Homes Partnership rebate program.

Policy C-15.4: Promote parcel-scale energy generation, including addition of solar panels for residential structures and cogeneration for larger commercial or industrial uses.

Policy C-15.5: Expand recycling and waste minimization efforts, including recycling of construction and demolition materials.

Policy C-15.6: Require that new residences use Energy Star-rated appliances and the most energy-efficient water heaters and air conditioning systems feasible.

Require wastewater treatment systems to incorporate the latest in energy-saving technologies.

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**Open Space Element**

Open space includes undeveloped land used for the preservation of natural resources, for the managed production of resources, for outdoor recreation, for public health and safety, and to maintain the rural lifestyle residents enjoy.



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## Tourism

Tourism is an important contributor to Amador County’s economy. Tourist draws include agriculture and viticulture, scenery and natural resources, recreation, and historic sites, including Gold Rush and mining sites. The County will protect and promote resources which have importance in generating and maintaining tourism. Tourism policies intended to support agri-tourism operations are closely related to policies in the Conservation and Land Use Elements which seek to maintain land in agricultural use by providing supplementary economic opportunities for farmers and ranchers. Agri-tourism operations may include winery tours, wine tasting, roadside stands, and similar operations.

**Goal OS-1: Protect resources important to tourism and maintain the rural lifestyle valued by county residents.**

Policy OS-1.1: Identify scenic resources and viewsheds within the county. Ensure that new development maintains the quality of scenic resources through creative site planning, including use of clustering where appropriate.

Policy OS-1.2: Provide for agri-tourism activities designed to provide a supplementary source of farming income while maintaining the land for viable agricultural production. Encourage coordination among tourist industries and businesses in local areas.

Policy OS-1.3: Identify historic and cultural resources within the county which are used by tourists. Protect and promote the preservation of these resources, including interpretive and educational activities centered on these resources.

Policy OS-1.4: ~~Preserve~~Protect the county’s ~~rivers and creeks~~waterways and promote ~~water~~river and stream-based tourism ~~and recreation activities such as fishing, whitewater boating, and water play.~~uses

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## Recreation

Recreational opportunities, including parks, trails, and water recreation areas, are important to residents and visitors alike. The Amador County Recreation Agency (ACRA) is responsible for meeting the recreation facility needs for the county as a whole, including both unincorporated areas and cities. ACRA's Recreation Master Plan establishes a blueprint for expansion of recreation facilities and program offerings in the county.

**Goal OS-2: Ensure provision of park and recreational facilities serving residents and visitors.**

Policy OS-2.1: Supports efforts by ACRA to maintain and enhance existing parks at levels ~~which~~ that provide maximum recreational benefit.

Policy OS-2.2: Support efforts by ACRA to provide a range of recreational facilities and programming to serve ~~all~~-county residents and visitors, including facilities and programs geared toward youth and seniors.

Policy OS-2.3: Promote joint recreational use of open space lands and facilities owned by school districts and cities.

Policy OS-2.4: Use the Recreation Master Plan as ~~a~~-one guide to provide adequate park facilities to serve the current and projected population.

Policy OS-2.5: Identify potential revenue sources to develop and maintain existing facilities, as well as to provide and expand recreational facilities as needed.

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Ensure that new developments provide adequate recreation resources for their residents and do not overburden existing recreational facilities, trails, and sites.

**Goal OS-3: Provide a network of recreational trails for pedestrians, hikers, equestrians, and bicyclists.**

**Policy Options: Recreational trails on public v. private lands**

*Policy OS-3.1.a: Promote construction of bicycle, pedestrian, hiking, and equestrian trails on public lands and rights of way within the county. Where possible, facilitate both recreational and transportation use of trails.*

*Policy OS-3.1.b: Promote construction of trail facilities within the county. Work with property owners to obtain easements for critical trail connections. Where possible, facilitate both recreational and transportation use of trails.*

**Policy Options: Trail connections**

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*Policy OS-3.2.a: Coordinate with surrounding counties and communities, as well as the State, to connect county trails to regional and statewide systems.*

*Policy OS-3.2.b: No policy.*

Identify quiet recreation uses of local lands and ensure those uses are not curtailed by future development or other recreation uses

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**Natural Resource and Species Protection**

Conservation and stewardship of the natural environment, including wildlife habitat, is important to the future of the county and its residents. The County will work to guide development and use of the land in ways ~~which that protect the natural environment for current and future generations~~. limit degradation of the natural environment, always seeking to maintain a balance between the community's interests in preservation and the rights of individual property owners.

**Goal OS-4:** ~~Protect wildlife habitat~~ Ensure the continued viability of native plant and animal populations. s, including sensitive environments and aquatic habitats.

**Policy OS-4.1:** Balance the community's interests in natural resource and species protection with the rights of individual landowners. Rights are guaranteed by law. How serves goal?

**Policy Options: Oak woodland preservation and management**

*Policy OS-4.2.a: ~~Encourage~~ Require preservation of oak woodlands in accordance with Public Resources Code Section 21083.4. Require assessment of impact to oak woodlands for new development, and mitigation per Public Resources Code Section 21083.4. This says "comply with the law"?*

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Policy OS-4.2.b: ~~Encourage preservation of oak woodlands and savannah, in accordance with Public Resources Code Section 21083.4.~~ Prepare a countywide Oak Woodlands Management Plan to promote the protection of oak woodlands, ensure consistent land use regulation associated with oak woodlands, and become eligible for state funding for restoration and conservation activities.

Policy OS-4.3: ~~Encourage~~ ~~Maintain the conservation of~~ corridors for wildlife movement, particularly in oak woodland areas and along rivers and streams. Use development tools, such as clustering, to maintain corridors ~~where possible~~.

Policy OS-4.4: Support voluntary conservation easements to protect wildlife habitat, including oak woodlands.

**Policy Options: Site planning techniques for resource conservation**

Policy OS-4.5a: ~~Encourage~~ ~~Require~~ the use of site planning techniques such as buffers, setbacks, and clustering of development to protect sensitive environments, including viewsheds, wetlands, riparian corridors, vernal pools, and sensitive species.

Policy OS-4.5b: ~~Encourage~~ ~~Require~~ the protection of sensitive environments, including viewsheds, wetlands, riparian corridors, vernal pools, and sensitive species.

Policy OS-4.6: Protect aquatic habitats from effects of erosion, siltation, and alteration.

Conserve native plant and animal populations for future generations by directing new development into or adjacent to community centers.

Design roadway construction, improvements, and maintenance to avoid wildlife corridors, provide for the continued movement of wildlife, and minimize road-related wildlife deaths.

Require fence setbacks along county roads to provide for the safe movement of wildlife and minimize road-related wildlife deaths.

Establish development and grading standards that minimize damage to plant and animal habitat.

**Goal OS-5: Protect special status species, including sensitive, threatened and endangered species, and species of concern.**

Policy OS-5.1: Ensure that new development complies with State and federal laws concerning special status species preservation. Follow the law?

Policy OS-5.2: Explore regional habitat conservation planning as a potential mechanism to protect habitat while providing opportunities for development.

Promote safe-harbor agreements that protect special status species and provide landowners with predictability and assurances.

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**Rural character**

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**Goal: Preserve the county's dark night skies for future generations.**

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Establish standards for exterior lighting to ensure light sources do not contribute to light pollution. Exempt agricultural practices that occur after dark and temporary, portable lighting sources.

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**Goal Maintain the scenic beauty of the county's natural hillsides.**

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Limit hilltop development or grading that changes the character of scenic viewsheds.

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**Safety Element**

The purpose of the Safety Element is to identify and address physical and environmental characteristics in Amador County which represent potential hazards to community residents, structures, community facilities, and infrastructure. This element identifies actions needed to manage crisis situations such as earthquakes, fires, and floods. Specific policies and guidance to regulate development in hazard-prone areas (such as floodplains, seismic risk areas, or high fire-danger areas) are included.

**Flood Hazards**

Amador County encompasses multiple rivers, streams, creeks, and associated watersheds. The county is situated in a region that dramatically drops in elevation from the Sierra Nevada Mountains in the east to the central and western portions, where excess rain or snow melt can contribute to downstream flooding.

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Flood risk is generally focused on low lying areas located near streams and rivers, including Dry Creek, Sutter Creek, and Jackson Creek. Flood risk associated with dam failure is also a factor near rivers and streams. Developed uses are already present within the 100-year floodplain, particularly within incorporated areas of the county. Amador County will work to direct future development, including both the location and characteristics of development, to minimize the danger to life and property from flooding.

**Goal S-1: Prevent loss of life or property from flooding.**

Policy S-1.1: ~~Guide-Prevent~~ future development ~~to areas outside~~in the floodway portion of the 100-year floodplain.

Policy S-1.2: Limit development in other areas prone to flooding, including the floodway fringe, other portions of floodplains and inundation areas associated with dams and impoundments. Require development in these areas to incorporate floodproofing measures for all new structures, including elevation above the 100-year floodplain profile.

Policy S-1.3: Reduce urban runoff and maintain the carrying capacity of floodplains or channels. Require provision of on-site retention and detention basins in new development to reduce downstream flooding hazards.

Policy S-1.4: Designate agriculture, passive parks, open space, and other low-intensity uses within floodplain areas.

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**Fire Protection**

Amador County is at very high risk to experience catastrophic wildfires. Because of the extensive distribution and quantities of wildland vegetation and developed properties, most of the county is considered to be in a wildland urban interface (WUI) zone. Wildfires that occur in the WUI zone pose severe risks to life, property, and infrastructure and are one of the most dangerous and complicated fire situations that firefighters encounter.

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Fuel loading problems have substantially increased due to rapid population growth and residential construction in WUI zone areas. High levels of fuel loading combined with natural weather conditions such as drought, high temperatures, low relative humidity, and high winds can create prime conditions for frequent and catastrophic fires.

The County has identified goals and policies intended to improve fire prevention and fire defense capacities. Issues addressed include water supplies, structures built in fire-defensible spaces (building setback areas which are kept clear of brush and fuel), and building code provisions to protect new and renovated structures from fire danger. Goals and policies guide development towards areas with better fire suppression infrastructure and/or lower fire risk.

**Goal S-2: ~~Reduce fire risks to current and future structures~~Protect people, property, and wildlife from the hazards of wildland interface fire-**

Policy S-2.1: ~~Require new buildings to be constructed to provide fire defensible spaces, separated from property lines and other buildings on the same or adjacent properties by adequate building setbacks clear of brush and fuel. Require new buildings to be constructed using building materials and designs that increase fire resistance. Already in 4291. State law.~~

Policy S-2.2: ~~Guide~~Allow new development ~~to only in areas which allow with~~ adequate ~~provision~~levels of fire protection, including adequate fire personnel, equipment, and water supply.

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~~Allow new development only in areas where roads are adequate to provide for simultaneous fire response and evacuation, and ensure provision of roads and water service adequate to permit fire response.~~

Policy S-2.3: ~~Limit land subdivision in~~ Incorporate fire safety site planning techniques within new development proposals in high- or very-high fire risk areas. ~~Encourage building envelope or cluster development techniques to increase defensible areas.~~

Policy S-2.4: Work with fire districts or other agencies and property owners to coordinate efforts to prevent wildfires and grassfires including consolidation of fuel buildup abatement efforts, fire fighting equipment access, and water service provision.

Policy S-2.5: Work with fire districts and other agencies to educate the public regarding fire risks and periods of elevated or extreme risk due to drought or other factors.

Direct development to areas in or adjacent to community centers to avoid expanding the wildland-urban interface, reduce the likelihood of human-caused fire, facilitate safe evacuation, and allow effective and efficient wildland firefighting.

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Identify specific local areas of higher fire danger and restrict building in those areas.

Provide large buffers adjacent to industrial and public timberland to ensure that timberland managers can use a full range of fuel reduction and forest management methods, including prescribed fire.

**Goal S-3: Maintain or improve fire response times.**

Policy S-3.1: Support efforts by fire districts to obtain adequate funding to provide fire protection at desired levels. ~~Consider~~ Establish additional impact fees for new developments if needed to provide adequate fire service. Can impact fees be used for personnel?

Policy S-3.2: Encourage cooperation and regional agreements among fire districts to maximize fire protection capabilities across the county.

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**Geological and Seismic Hazards**

Seismic hazard levels in Amador County are considered to be relatively low compared to other areas of California. No Alquist-Priolo Earthquake Fault Zones are located in the county, and areas subject to liquefaction, ground failure, or surface rupture have not been identified in the county. Ground shaking has been felt in Amador County from earthquakes with epicenters elsewhere.

Subsidence occurs when earth material sinks due to the underlying presence of natural or artificial voids. Past mining activities have also caused subsidence in some areas, and as future development occurs within the county, the incidence of subsidence above abandoned mines is likely to increase. Subsidence can result in serious structural damage to buildings, roads, underground utilities, irrigation ditches, and pipelines.

Landslides refer to a wide variety of processes that result in the perceptible downward and outward movement of soil, rock, and vegetation under gravitational influence. Although landslides are primarily associated with steep slopes (i.e., greater than 15 percent), landslides can also occur



in areas of generally low relief and occur as cut-and-fill failures, river bluff failures, lateral spreading landslides, collapse of mine-waste piles, failures associated with quarries, and open-pit mines. Landslides may be triggered by both natural- and human-induced changes in the environment resulting in slope instability.

Avalanches occur when loading of new snow increases stress at a rate faster than the strength of the snowpack develops, causing the slope to fail. Critical stresses develop more quickly on steeper slopes and where deposition of wind-transported snow is common. The majority of avalanches occur during and shortly after storms. Avalanche hazards are present in eastern Amador County. Historically, avalanches occur within the county mostly between January and March, following snowstorms. Avalanche-prone areas include SR-88 in the Devil's Gate area and the Kirkwood area.

General Plan goals and policies aim to reduce damage caused by seismic hazards, and to reduce landslides and avalanches by avoiding development practices which steepen slopes or place structures in the path of these phenomena.

**Goal S-4: Protect people and property from seismic hazards.**

Policy S-4.1: Enforce the standards for Seismic Zone 3 per the California Building Code (CBC) governing seismic safety and structural design to minimize earthquake damage. Legally required

Policy S-4.2: Require minimum setbacks for habitable construction along streams between the stream bank and structure, based upon the susceptibility of the bank to seismic shaking-induced lurching. [Note: *General Plan text would include an implementation measure to develop the setback standard.*]

Policy S-4.3: Make information about soils with a high shrink-swell potential readily available. Require proper foundation designs in these areas.

Policy S-4.4: Discourage new development projects in or near a seismic risk area or geologic hazard area unless these projects meet design standards to minimize or eliminate seismic risk.

Policy S-4.5: Site public facilities to avoid known seismic dangers, and construct these facilities to meet seismic safety requirements of the CBC.

**Goal S-5: Protect people and property from landslides, mudslides, and avalanches.**

Policy S-5.1: Establish development regulations ~~which that~~ lessen the potential for erosion and landslides. Restrict site grading ~~which that~~ steepens unstable slopes.

Policy S-5.2: Limit development in areas with high landslide, mudslide, or avalanche susceptibility.

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### **Mining and Hazardous Materials Sites**

Amador County is home to more than 300 known mine locations, in addition to hundreds of hazardous materials storage and release sites. Mines are a significant source of contamination of surface water in the county. Abandoned mine sites also have the potential to cause subsidence at the ground surface.

Hazardous materials storage and release sites have the potential to impact public health and safety if human contact with these materials is not minimized or avoided.

**Goal S-6: Protect people and resources from hazards posed by mining facilities and hazardous materials sites.**

Policy S-6.1: Coordinate with state and federal agencies to limit hazardous materials risks through the land use planning process.

Policy S-6.2: Locate hazardous materials facilities to limit the distance and routes traveled for local deliveries.

Policy S-6.3: Encourage the use of programs and products to reduce and replace the use of hazardous materials where feasible.

Policy S-6.4: Develop a map and inventory of former mine locations to alert property owners to areas with potential subsidence issues.

Policy S-6.5: Work with other agencies to limit and remediate the effects of former mining activities on the natural environment and water quality.

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## Public Safety and Emergency Preparedness

No amount of planning or preparation can avoid all emergency situations. Amador County bears a risk of being affected by a variety of natural and human-caused disasters. Citizens and first responders must be prepared to react to such an emergency.

**Goal S-7: Respond appropriately and efficiently to natural or human-caused emergencies.**

Policy S-7.1: Maintain a disaster response plan to coordinate response actions.

Policy S-7.2: Educate and prepare citizens to react effectively in an emergency situation.

Policy S-7.3: Continue to coordinate with other local public safety and law enforcement agencies to ensure effective emergency response.

Policy S-7.4: Work with other agencies to designate evacuation routes for various natural or human-caused emergencies.

Allow development only in areas where roads are adequate for simultaneous emergency response and evacuation.

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## Noise Element

The purpose of the Noise Element is to reduce noise through a combination of land use planning, site criteria, and enforcement strategies. The policies and programs described in this element focus

on protecting the quality of life found within rural communities, residential areas, schools, and other noise-sensitive uses from the persistent hazards of excessive noise.

## Noise and Land Use Planning

Current community noise levels in Amador County are consistent with the population density and activities located around them. The General Plan ensures the enforcement of low community noise standards and encourages residents to take an active part in keeping the county noise levels low.

Noise issues should be considered during the planning process so that needed measures are incorporated into design and location of new development. In addition, the costs of noise attenuation measures can then be incurred by the property developer, and not by current or future landowners who may not anticipate additional noise.

**Goal N-1: Minimize noise levels throughout the county through land use planning and development review.**

Policy N-1.1: Develop and enforce standards that will maintain acceptable noise limits.  
[Note: *General Plan text will present recommended exterior and interior noise standards.*]

Policy N-1.2: ~~Encourage~~ Require the use of siting and building design techniques ~~as a means~~ to minimize noise impacts.

Policy N-1.3: Evaluate potential noise conflicts for individual sites and projects, and require mitigation of all significant noise impacts (including construction and short-term noise impacts) as a condition of project approval.

Policy N-1.4: Protect existing areas with acceptable noise environments and also those locations deemed “noise sensitive.”

Policy N-1.5: Promote the use of ‘smart design’ including berms, landscaping, setbacks, and architectural design features for noise abatement as an alternative to sound walls to enhance community aesthetics and minimize barriers to pedestrians. ~~Sound walls should only be used when other methods have been exhausted.~~ No sound walls

Policy N-1.6: Develop noise standards limiting loud activities during nighttime quiet hours.  
[Note: *Implementation for this policy may include preparing and adopting a County Noise Ordinance.*]

## Roadways and Railroads

As the main arteries of the county continue to carry more traffic the surrounding land use areas will need to be carefully regulated to prevent land use incompatibilities. Noise impacts from main

arteries are expected to expand as traffic increases. Currently railroad traffic is not a major contributor to noise in the county but with future growth and change, encroachment on railroad corridors may be inevitable. The following goal and policies ensure that appropriate land uses are encouraged within areas surrounding roadways and railroads.

**Goal N-2: Minimize noise from transportation sources.**

Policy N-2.1: Minimize noise conflicts between current and proposed land uses and the circulation network by ~~encouraging~~ allowing only compatible land uses around critical roadway segments with higher noise potential.

Policy N-2.2: ~~Minimize~~ Avoid noise conflicts between current and proposed land uses and railroad corridors by protecting railroad corridors from encroachment by incompatible land uses.

### Stationary Noise Generators

Several industrial operations are located in unincorporated areas of the county. Currently industrial noise does not generally affect noise sensitive land uses, but new development may increase the possibility of encroachment. The following goal and policies have been developed to ensure through land use planning that conflicts do not occur with stationary sources that could affect sensitive receptors.

**Goal N-3: Minimize noise conflicts with stationary noise generators.**

Policy N-3.1: Protect the continued viability of economically valuable noise sources such as farm operations, mining activities, commercial and industrial facilities, and airports.

Policy N-3.2: Restrict the location of sensitive land uses near major noise sources.

Policy N-3.3: Prevent conflicts between future stationary noise sources and sensitive receptors.

Policy N-3.4: Prevent the encroachment of noise sensitive land uses into areas designated for use by existing or future noise generators.

### Aircraft Noise

Westover Field's noise impacts areas of designated residential uses. The airport noise section of the ALUP is incorporated into the General Plan. Eagle's Nest is a community of pilots and aircraft enthusiasts. Noise contours for Eagle's Nest do not currently exist, but may be needed in the future as the area grows.

**Goal N-4: Minimize noise conflicts between airports and surrounding land uses.**

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Policy N-4.1: Ensure that future development in the vicinity of Westover Field and Eagles Nest Airport is compatible with current and projected airport noise levels for each facility. Maintain buffers between the airports and incompatible land uses.

Policy N-4.2: ~~Discourage~~ Allow future ~~proposed~~ airports only in ~~from locating in~~ areas where there are no ~~near~~ current or proposed sensitive receptors.

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Pine Grove, CA 95665  
[tomi@volcano.net](mailto:tomi@volcano.net)  
(209) 295-8866

12/17/08

Amador County Planning Commission  
810 Court Street  
Jackson, CA 95642

RE: Comments on General Plan Optional Elements, Town Centers, & Urban Reserve

Dear Commissioners:

My name is Tom Infusino and I am writing on behalf of the Foothill Conservancy. Our comments on the General Plan items on your agenda are as follows:

**I. With Regard to the Economic Element we have the following Suggestions:**

**A) Under the Heading of “Related Plans and Programs”:**

In this section please outline not merely local plans and programs, but also state and federal plans and programs that the County may participate in during the life of the General Plan to assist in economic development.

**B) Under the Heading of “Economic Conditions and Trends”:**

- Our Quality of life and beautiful natural environment should be called out as economic assets.

- It is important to recognize and call out the amenities we do offer that are different from urban ones: clean air, free-flowing rivers, wildlife, beautiful scenic vistas and expansive open space, small town social experiences, historic sites, low crime rate, ample opportunity for community involvement.

- We should acknowledge the expanding arts community in the county as economic asset – theater companies, activities at Sutter Creek Theatre, etc. Businesses are taking advantage of interest in arts and arts facilities to expand local operations.

**C) Under the Heading of “Economic Development Strategies”:**

- Under the education section, we hope that the element will acknowledge the role that a local community college could play in training our local workforce for the jobs of the 21<sup>st</sup> century, and in easing workers’ transitions to new jobs as economic conditions change.
- Under the infrastructure section, we encourage you to incorporate the Foothill Conservancy Infrastructure Principles. (See Attachment 1.)
- We hope that the element will acknowledge the economic benefits of Green building to conserve water and energy, and to increase the disposable income of local residents.
- We encourage you to evaluate and incorporate the appropriate economic development strategies outlined in the Sierra Business Council Publication, Investing For Prosperity. (See Table of Contents in Attachment 2.)

**D) Under the Heading of “Agricultural Strategies”:**

- We hope that the list of strategies will include transfer of development rights, density clustering with planned developments, and carbon credits trading.

**E) Under the Heading of “Goals” for the Economic Development Element:**

- Promote sustainable economic development that provides good-paying jobs for local residents while providing revenue for local government
- Promote commercial and industrial development that does not harm our natural environment and is consistent with our community values
- Ensure that new commercial and industrial development is compatible with existing or planned land uses
- Protect and enhance our natural environment and quality of life, recognizing their importance as economic assets
- Ensure that local residents and businesses have adequate services and infrastructure
- Promote economic development policies that will further diversify and strengthen our local economy
- Maintain, enhance, and support existing businesses and cultural institution



- Promote cooperation among local jurisdictions on issues of importance to all local residents, including land use, infrastructure, revenue, finance, and services

**F) Under the Heading of “Policies” for the Economic Element:**

- Policies promoting recreation should also be included. Rivers should specifically be named as an economic asset.
- A policy should support locating near job centers residences affordable to the workforce. At the same time, this policy needs to be balanced with a policy that avoids the land use conflicts that can arise by putting residential development too close to incompatible land uses.
- A policy should support implementation of the new design review guidelines for commercial development.
- A policy directing the County to work with the Cities to complete a revenue sharing agreement within two years of General Plan adoption.

**II. With Regard to the Governance Element We Have the Following Suggestions:**

- Please add to the list of government agencies the National Marine Fisheries Service that has jurisdiction over our steelhead fishery.
- We are unsure of why the Bureau of Reclamation is on the list of government agencies, since we could not recall any Bureau of Reclamation project in the County.
- We hope that the goals and policies will not only promote County collaboration with other government agencies, but also with the many non-government organizations that are active in the community including the Child Care Council, Farm Bureau, Cattlemen’s Association, Grape Growers Association, Chamber of Commerce, etc.
- The Sierra Business Council’s publication, Planning for Prosperity, includes some good principles you should consider for involving business and the public in planning decisions. They are:
  - Invest public resources and direct private investment to maintain and expand each community’s social, natural and financial capital.
  - Integrate land use planning with other planning for community development (water, sales tax, etc).
  - Create efficient and meaningful ways to engage the public in shaping local land use plans.
  - Ensure that general plans and plan implementation documents are thorough, current and consistent.

--- Build customer satisfaction through efficient and predictable plan implementation.

--- Reach across jurisdictions and plan cooperatively for the future.

### **III. With Regard to the Urban Reserve Definition:**

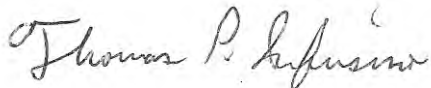
We can live with the staff definition. Our one concern is that, since we are apparently going to encourage residential growth in the existing cities and the designated town centers, we want the General Plan EIR to evaluate impacts of this development in the cities. It would be inappropriate to evaluate the impacts of the Urban Reserve Land Use Designation as if all that land will all remain 40 acre lots throughout the life of the General Plan, and at build out.

### **IV. With Regard to Town Center Boundaries and Areas for Affordable Housing.**

We encourage the County to define Town Center boundaries to facilitate their walkability by both adults and children. We hope that the County will encourage in the Town Centers the types of land uses that a small town needs: a grocery store, a bank, a church, a park, restaurants, professional services, workforce housing, etc.

Thank you for your time and attention to these matters. If you intend to have a renewed GPAC, a stakeholder group, or some other committee to help work on the optional elements, we hope you will invite a representative from the Foothill Conservancy to participate.

Merry Christmas to you and yours,



Thomas P. Infusino

## Attachment 1

### Foothill Conservancy Infrastructure Planning and Development Principles

- The user should pay: The cost of infrastructure expansion or improvements should be borne by those who will benefit from and use the infrastructure.
- The cost of infrastructure expansions that are needed solely to accommodate new development should not be borne by existing ratepayers and taxpayers.
- Infrastructure planning should be done in open, inclusive processes that actively involve all affected stakeholders and the public, using methods that will ensure broad participation.
- Infrastructure planning should be based on adopted county and city general plans, not on speculative development that is inconsistent with adopted plans.
- The location, scale, and timing of infrastructure development should be done in a way that does not drive growth beyond what is already planned in local land use plans.
- Infrastructure such as roads, water, and wastewater facilities should not be extended into undeveloped areas unless those areas are contiguous to existing communities and approved for dense development in an adopted county or city general plan.
- When infrastructure facilities are extended across lands not planned for development in order to reach existing communities, connections to those facilities outside of developed communities should be limited. Infrastructure agencies should employ demand-side management techniques, including conservation and efficiency, before taking on expensive expansion projects.
- When resources are limited or finite, infrastructure providers should develop and follow smart-growth, demand-side management, and efficiency policies in order to allocate resources based on specified criteria rather than serve all applicants on a first-come, first-serve basis.
- Infrastructure should be developed in a way that works with natural systems and minimizes damage to the natural and built environment.

## Attachment 2

### Investing for Prosperity Advisory Committee

**Janice Forbes**  
 Publisher  
 Sierra Heritage Magazine  
 Auburn, CA

**Jaque Hickman**  
 Owner  
 Boulder Creek RV Resort  
 Lone Pine, CA

**Steve Kautz**  
 President  
 Kautz Ironstone Vineyards  
 Murphys, CA

**Steve Nightingale**  
 President  
 Regulus International  
 Reno, NV

**Richard Randlett**  
 Director  
 Sipex Corporation  
 Milpitas, CA

**Steve Teshara**  
 Executive Director  
 North Lake Tahoe Resort Association  
 Tahoe City, CA

**Barry Vesser**  
 Executive Director  
 North Fork Community Dev. Council  
 North Fork, CA

**Sam Walker**  
 President  
 Mammoth Brewing Company  
 Mammoth Lakes, CA

**Dana Ware, M.D.**  
 Physician Office  
 Chester, CA

**Larry Welch**  
 Vice President  
 Hewlett-Packard  
 Roseville, CA

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We submitted comments to the planning commission last December – have you all seen those?

Also sent the Planning Dept a copy of Petaluma's general plan economic section – includes a lot of good information

The focus should be on creating a sustainable local economy: one that creates local prosperity now without sacrificing things people need for prosperity in the future. We need to preserve and build on our financial, social and environmental capital, not use them up.

The county also needs to recognize the importance of its own fiscal health to the county's economic well being: if the county can't provide services or infrastructure, business and residents can't flourish. Need to include fiscal impact analysis for new development to ensure it fiscally benefits the county and provides sufficient revenue.

### **First – about quality of life, nature, scenic beauty and the economy**

- Page E-2 says "location" is prime attractant – but it's really not *location*, it's the quality of life here
- Scenic beauty and natural places are part of that quality of life. They need to be called out specifically as economic assets and attractants. People come here to visit and live because it's a beautiful place, and to recreate in our forests, rivers, creek, back roads, mountains and lakes. There is no mention of the economic benefits of the public lands in the document.
- Recreation should be described separately from tourism. Too often, people think tourism means simply going to towns, historic sites and vineyards.
- Natural places and scenic beauty attracts people here for camping, fishing, hunting, kayaking, backpacking, birding, swimming, gold panning, rock climbing, caving, hiking, and cycling.
- Should protect the natural places that attract people here – including the free-flowing sections of our rivers. The Mokelumne Electra run is one of the most popular places for people to learn to kayak in central California

- Should protect the county's scenic beauty as an economic asset and find ways to compensate landowners for keeping their land open – scenic easements, scenic leases, transfer of development rights programs, promotion of carbon credit trading, mitigation banking, etc. (see Calaveras Ag/Forestry element)
- Need to protect our Highway 88 scenic corridor. The current general plan bars clearcutting within sight of the highway, even though the county has never enforced that. The update proposes to ban clearcutting within a certain distance. Need to stick with and enforce the existing rule.
- There's also job potential in environmental restoration – rivers and forests need work, communities and homes need thinning for fire prevention. There's hundreds of thousands of dollars coming into Sierra communities now for this sort of thing. Should be acknowledged in the economic element.
- Need to protect historic resources as part of an economic development strategy.

### **Need to look at the changing economy and plan for the future**

- Energy and water conservation and efficiency should be recognized as economic development measures – they lower people's monthly expenses and free up money that can be used for other goods and services.
- There's lots of potential for green jobs here – retrofitting homes and businesses for energy efficiency, solar, water conservation.
- State law allows the county to use its bonding authority to help property owners add solar power and energy efficiency measures to their homes and businesses so property owners can repay over time in their property taxes – should be an implementation measure. (give article)
- Another big trend is the push to buying food locally – econ element should acknowledge and work with that
- Energy costs are going to rise again. Need to plan so that housing is close to jobs – need to require mixed use in the town centers.

- Water is going to become more precious as time goes by and the state and county grow. Need to require conservation and efficiency measures in all new construction to ensure there's adequate water for all users.

### **Need to focus more on building local businesses here, not just importing them**

- Having more small businesses is better than a few large ones – less damage to community if business leaves or goes under
- Need to help people learn how to start and run a business, not just expand them – county could help fund training for entrepreneurs. PG&E used to have a program and there's probably other grant money available.
- Follow example of Littleton, Colorado's Economic Gardening program – provides free assistance to local businesses
- Need to focus on bringing in businesses we need, not chains that will compete with existing small businesses. County could help fund surveys, leakage studies, etc, to see where money is being spent now and what people want and need.

### **Need to recognize the importance of the nonprofit sector in the local economy and supporting it**

- NGOs bring in hundreds of thousands of dollars in foundation and government money, create jobs, buy local goods and services: Hospice, Fire Safe Council, other organizations

Need to have sales tax revenue sharing plan with the cities to improve land use planning

### **Agriculture**

Calaveras Ag/Forestry element much more detailed and addresses many of the issues that need to be addressed, especially avoiding the conversion of large areas of agricultural land to residential uses and real mitigation for ag land conversion



Current draft general plan land use element will not prevent the conversion of grazing and timberland to residential uses – so if this is important, it needs to be spelled out here and addressed in the land use element

Need to expand the role of the Ag Advisory Committee as proposed in Calaveras, to comment on development projects that may threaten ag operations

Sonoma County has an excellent ag element that ties certain businesses to available levels of infrastructure and services – ensuring that you don't end up with too much retail in places the roads and services can't handle it

Sonoma's open space and agricultural district has a program that matches young people who want to go into agriculture with available land – could do that here, too. More young people are interested in growing food and there's more interest in buying food locally.

### **Timber resources**

- Timber resources are important for environmental reasons as well as for timber harvesting: provide clean water, which is the county's most valuable natural resource
- Need to avoid conversion of TPZ land to residential uses
- Timber harvesting needs to be socially sustainable, too – protect cultural resources, including plants, and provide jobs
- Need to work to develop more value-added mfg in the county that can use small diameter timber products

### **Specific comments on the document**

“Location” is not the prime attractant – it's quality of life – small, historic towns; natural environment; scenic beauty; community character, access to public lands.

**Employment sectors:** Need to have per-worker income ranges for the various economic sectors – we need to aim for a higher percentage of people in family wage jobs

Need to use the term “family wage jobs” – meaning enough money to support a family.

Employment sector data is pre-recession and pre-building bust. EDD has newer data for the region as well as predictions.

Page E-5 includes speculative comments on why the labor force is slowing. It could be slowing for other reasons as well, including larger changes in the state and national economy. The decline in population of residents btwn 18 and 24 could be due to high housing costs as much as lack of suitable jobs.

**Education section:** We need to increase the education level of local residents in the workforce, not the population of educated and skilled people.

Good to recognize importance of vocational education.

**Opportunity sites for jobs:** Page E-7 need to include forests, rivers and mountains among the resources listed.

Agency list needs to include Amador Council of Tourism and Amador Vintners.

### **Issues, goals and policies**

See information we submitted previously

Need to promote smaller businesses over big box stores, locally owned over external ownership

**Jobs-housing balance:** Need to match the rate of housing development to available jobs, not the commercial/residential development to the housing. Playing catch-up is really difficult –

Policy E-4.2: Need to add child care facilities

Need to support development of transit to help people get to/from work

County should develop a small business guide publication or website that helps business owners navigate the necessary licenses, tax rules, etc – other counties have these

**Suggested benchmarks for success** (some of these are from Sierra Business Council)

- Earned income levels increasing

- Percent of employees in family-wage jobs increasing
- Percent of new businesses surviving more than two years increasing
- Taxable sales increasing in categories other than auto sales and general merchandise (big box) stores
- HS dropout rate decreasing
- Percentage of commuters in work force decreasing
- Travel times to work decreasing
- Housing prices are more in line with wages
- Percentage of children living in poverty declining
- Business diversity increasing
- Unemployment decreasing
- Job growth exceeds population growth
- Value of nonresidential construction increasing
- Adult literacy and education levels increasing
- Acres in Williamson Act increasing
- Acres in TPZ stable or increasing
- Percentage of scenic land protected by leases, easements or other measures increasing

## **Governance Element comments**

Need to mention ad hoc committees in the county government section

Add special purpose agencies

Upper Mokelumne River Watershed Authority

Calaveras-Amador Mokelumne River Authority

Amador Resource Conservation District

List of small independent water, fire, etc districts

State agencies – add

Sierra Nevada Conservancy (providing lots of local funding now)

State Office of Historic Preservation

Correction: DWR is not “directing” the I-RCUP project. They are providing grant funds for facilitation of the Mokelumne River Forum, which is discussing the I-RCUP. It’s not yet a developed project.

Federal agencies:

Add: Bureau of Indian Affairs, National Marine Fisheries Service, Natural Resource Conservation Service

Delete: Bureau of Reclamation (no presence in Amador)

State laws in planning section:

Add: Z’berg-Nejedly Forest Practices Act and Porter-Cologne Act and Federal Endangered Species Act

### **Public involvement**

Need to ensure that anyone affected by an issue is actively involved in informing the process.

Need to hold meetings at times and in locations that allow the broadest possible public participation. Weekday meetings exclude average working people.

Need to ensure that county committees are broadly inclusive to expand the range of knowledge and experience brought to the decisions-making process

Need to treat the public like customers, with respect and courtesy at all times.

Need to involve the public in more meaningful, productive ways – more workshops, fewer public hearings.

Need to take advantage of technology improvements to reach and involve the public: web streaming of board meetings, online surveys, keypad voting, etc.

Make land use decisions based on clear general plan goals and policies and a predictable planning process instead of on an ad hoc, case-by-case basis.

### **Cooperation with other agencies**

Need to ensure that county land use decisions do not adversely affect the cities and their residents

Encourage and welcome participation by nonprofit organizations as well as individuals and businesses. Those of here for groups represent hundreds of local residents and we're here so they don't have to be.

Interaction with state and federal agencies (and special districts like East Bay MUD) should include recognition that the public lands provide important recreation benefits to local residents and visitors as well as traditional commodity uses (in Goal G-4).

Policy could be: Ensure that the recreational interests of local residents and visitors are considered by state and federal agencies in their land use planning decisions.

And: Promote continued recreational access to public lands held by state agencies, federal agencies and special districts.

## **Other governance principles**

From *Planning for Prosperity*

- Invest public resources and direct private investment to maintain and expand each community's social, natural and financial capital.
- Integrate land use planning with other planning for community development (water, sales tax, etc).
- Create efficient and meaningful ways to engage the public in shaping local land use plans.
- Ensure that general plans and plan implementation documents are thorough, current and consistent.
- Build customer satisfaction through efficient and predictable plan implementation.

Reach across jurisdictions and plan cooperatively for the future



ARNOLD SCHWARZENEGGER  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH



CYNTHIA BRYANT  
DIRECTOR

April 13, 2009

Honorable Mike Chrisman  
California Secretary for Natural Resources  
Natural Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

Re: Transmittal of the Governor's Office of Planning and Research's Proposed SB97  
CEQA Guidelines Amendments to the Natural Resources Agency.

Dear Secretary Chrisman:

This packet contains the Governor's Office of Planning and Research's (OPR) proposed amendments to the CEQA Guidelines (Proposed Amendments) to address analysis and mitigation of the potential effects of greenhouse gas emissions. OPR developed the Proposed Amendments pursuant to Public Resources Code section 21083.05, which states in part:

On or before July 1, 2009, the Office of Planning and Research shall prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption.

In developing the Proposed Amendments, OPR actively sought the input, advice, and assistance of numerous interested parties and stakeholder groups. Over the past year and a half, OPR has met with representatives of numerous agencies and organizations to discuss the perspectives of the business community, the environmental community, local governments, non-governmental organizations, state agencies, public health officials, CEQA practitioners and legal experts. In addition, OPR took advantage of numerous regional and statewide conferences to raise awareness about CEQA and Greenhouse Gas Emissions among diverse audiences and to seek their input.

After publishing a preliminary draft on January 8, 2009, OPR continued to conduct extensive public outreach, including two public workshops, to receive input on the proposed amendments. Both public workshops were well attended, drawing over two hundred participants representing various California business interests, environmental

organizations, local governments, attorneys and consultants. In addition to oral comments at its workshops, OPR also received over eighty written comment letters.

Some comments suggested additional amendments to the CEQA Guidelines. Other comments sought clarification on the proposed language in the amendments. OPR has incorporated those suggestions and clarifications to the extent possible. Some suggestions were not appropriate for inclusion, however, due to conflict with existing statutory authority and case law. The Proposed Amendments reflect OPR's effort to consider all viewpoints in a manner consistent with CEQA.

### **Summary of OPR's Proposed Amendments**

Analysis of greenhouse gas emissions in a CEQA document presents unique challenges to lead agencies. Such analysis must be consistent with existing CEQA principles, however. Therefore, the Proposed Amendments suggest relatively modest changes to various portions of the existing CEQA Guidelines. Modifications address those issues where analysis of greenhouse gas emissions may differ in some respects from more traditional CEQA analysis. Other modifications are suggested to clarify existing law that may apply both to analysis of greenhouse gas emissions as well as more traditional CEQA analyses. Except where expressly stated to the contrary, OPR intends the Proposed Amendments to incorporate existing law. The incremental approach in the Proposed Amendments reflects Public Resources Code section 21083(f), which directs OPR to regularly review the Guidelines and propose amendments as necessary.

The Proposed Amendments recommend changes to or additions of fourteen sections of the existing Guidelines, as well as updates to Appendices F (Energy Conservation) and G (Environmental Checklist Form). A summary of the Proposed Amendments is below.

#### Determining Significance

A new section is proposed to assist lead agencies in determining the significance of the impacts of greenhouse gas emissions. (See section 15064.4.) Consistent with developing practice, this section urges lead agencies to quantify the greenhouse gas emissions of proposed projects where possible. In addition to quantification, this section recommends consideration of several other qualitative factors that may be used in the determination of significance.

This section evolved as a result of OPR's public outreach process. For example, a sentence has been added to the beginning of section 15064.4 to incorporate the standards of determining significance in section 15064, and to reiterate that the determination of significance calls for the lead agency to exercise its judgment. Further, the phrase "associated with" in the preliminary draft was replaced by "resulting from" to conform to existing CEQA law that requires analysis only of impacts caused by the project. The change is also necessary to avoid an implication that a "life-cycle" analysis is required.



Descriptions of emissions were drafted to be more general to capture all relevant emissions resulting from a project and to avoid any suggestion that lead agencies should only consider emissions related to traffic and energy use, for example. Similarly, lead agencies are encouraged to consider the full range of project features that may increase or decrease greenhouse gas emissions as compared to the existing setting.

Regarding the use of thresholds, section 15064.4 confirms that if it chooses to rely on a threshold developed by some other entity, the lead agency must determine that an existing threshold is appropriate for the project.

Finally, some comments suggested that the California Air Resources Board's Scoping Plan, by itself, provides sufficient CEQA analysis of greenhouse gas emissions, and that projects that are consistent with the Scoping Plan should not require further analysis. While specific regulations that will be developed to achieve the targets and goals set in the Scoping Plan might be used, consistent with the standards in existing section 15064(h)(3), in a cumulative impacts analysis, the Scoping Plan itself is not a regulatory instrument. Therefore, the Proposed Amendments have been revised to clarify that consistency with the Scoping Plan, by itself, is not a sufficient basis to determine that a project's emissions of greenhouse gases is not cumulatively considerable.

#### Thresholds of Significance

A new subdivision to section 15064.7 is proposed to clarify that in developing thresholds of significance, a lead agency may appropriately look to thresholds developed by other public agencies, including the California Air Resources Board's recommended CEQA Thresholds, or suggested by other experts, such as the California Air Pollution Control Officers Association, so long as any threshold chosen is supported by substantial evidence. (See section 15064.7(c).)

#### Statement of Overriding Considerations

A new subdivision was added to clarify that the benefits of a project that may be considered in a statement of overriding considerations may include not just local benefits, but also regional or statewide benefits. (See section 15093(d).) OPR does not intend the addition to section 15093 to encourage local versus regional considerations or to imply that regional considerations are more important than local considerations. Rather, a lead agency remains free to consider a broad range of factors in determining whether a project's benefits override its adverse impacts.

#### Mitigation

A new subdivision was added to assist lead agencies in determining methods to mitigate the effects of greenhouse gas emissions. (See section 15126.4(c).) This section emphasizes that the general standards for mitigation in subdivision (a) of section 15126.4 apply to mitigation of greenhouse gas emissions. Language in this

subdivision intentionally refers to emissions generally to avoid any suggestion that a lead agency need only mitigate for particular emissions, from energy and fossil fuel consumption for example. The subdivision does direct lead agencies to Appendix F, however, for mitigation measures that may reduce a project's energy use.

Additionally, this new subdivision emphasizes compliance with a plan among the list of potential mitigation measures to emphasize the advantages of programmatic planning. However, to qualify as mitigation, specific measures from an existing plan must be identified and incorporated into the project; general compliance with a plan, by itself, is not mitigation. Finally, this subdivision reiterates that mitigation for planning level decisions may include the development of specific measures to be implemented on a project-by-project basis.

### Cumulative Impacts

A new subdivision is proposed to emphasize that the effects of greenhouse gas emissions are cumulative, and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis. (See section 15130(f).) The new subdivision has been revised from its preliminary draft in response to comments and to focus on a project's incremental contribution to an overall cumulative effect. The revision also clarifies that a summary of projections approach may be used in an analysis of greenhouse gas emissions.

### Plans, Incorporation by Reference and Tiering

Given that impacts resulting from greenhouse gas emissions are cumulative in nature, significant advantages may result from analyzing such impacts on a programmatic level. If analyzed properly, later projects may then tier, incorporate by reference, or otherwise rely on that programmatic analysis. Thus, several amendments were proposed to identify plans that may provide some level of analysis of greenhouse gas emissions, and to suggest how those plans may be used in later CEQA analyses. Changes to that effect were recommended in sections 15064(h)(3) (determining the significance of cumulative impacts), 15125 (environmental setting), 15130(b)(1)(B) (using a summary of projections in a cumulative impacts analysis), 15130(d) (plans that may be used in a cumulative impacts analysis), 15150 (incorporation by reference), 15152 (tiering), and 15183 (projects consistent with a community plan or zoning).

In response to public comments, the Proposed Amendments clarify which plans are appropriate for specific uses throughout the Guidelines. For example, while regional blueprint plans are appropriately discussed as part of the Environmental Baseline in section 15125, such plans would not be appropriately considered in section 15064(h)(3), which permits a lead agency to determine that cumulative impacts are less than significant due to compliance with certain plans.

Further, a new proposed section, 15183.5, will provide additional guidance on tiering of greenhouse gas emissions analyses where environmental impact reports for plans

addressing greenhouse gas emissions have been prepared. That section will also describe the characteristics of greenhouse gas emissions reduction plans that may be used in a tiering context.

### Definition

A definition of “greenhouse gas” was added in section 15364.5.

### Energy Analysis

Appendix F was revised to clarify that EIRs must specifically consider a project's energy use and efficiency potential. During its outreach efforts on the Proposed Amendments, OPR received some comments referring to the phrase “life-cycle analysis.” OPR finds, however, that the term is capable of different interpretations, and its usage in the Guidelines may potentially create confusion. Therefore, references to a “life-cycle analysis” in the existing Appendix F have been revised or eliminated for clarity.

### Environmental Checklist

Questions relating to the effects of greenhouse gas emissions were added to the Appendix G Environmental Checklist. Other questions were revised to encourage consideration of forestry impacts and to clarify the proper focus of a traffic impacts analysis. OPR originally proposed deletion of level of service (LOS) references in the Checklist questions related to traffic and transportation. After considering public input, OPR recommends inclusion of revised questions in the Environmental Checklist that recognize the following: (a) the necessity of assessing traffic impacts on intersections, streets, highways and freeways, (b) a lead agency's discretion to choose methodology, including LOS, to assess traffic impacts, (c) existing requirements in Congestion Management Programs, General Plans, ordinances, and elsewhere, and (d) traffic impacts include impacts to pedestrian, non-vehicular and mass-transit circulation.

### Miscellaneous

Finally, several minor corrections and clarifications were added in sections 15065, 15086, and 15126.2.

### **Next Steps**

This submittal to the Natural Resources Agency will be posted on the OPR website. The Natural Resources Agency will then begin a formal rulemaking process to certify and adopt the amendments as part of the state regulations implementing CEQA, in accordance with the requirements of the Administrative Procedures Act (APA).

The Natural Resources Agency's rulemaking process will include additional opportunities for public involvement, including comment periods and public hearings.

Secretary Chrisman  
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As required by the APA, the Resources Agency will respond to all public comments in writing before certifying and adopting the amendments.

The rulemaking process will be completed by January 1, 2010, as required by Public Resources Code section 21083.05(b). Names of interested parties on OPR's contact list for the SB 97 CEQA Guidelines process will automatically be placed on the Natural Resources Agency's contact list and will receive notices from the Natural Resources Agency regarding the 2009 CEQA rulemaking.

Please do not hesitate to contact me if I can provide further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Cynthia Bryant". The signature is written in a cursive, flowing style.

Cynthia Bryant  
Director



**The California Environmental Quality Act**  
**Addressing Global Warming Impacts at the Local Agency Level**

Under the California Environmental Quality Act (CEQA), local agencies have a very important role to play in California’s fight against global warming – one of the most serious environmental effects facing the State today. Where local agencies undertake projects directly, they can and should design sustainable projects from the start, incorporating global warming related considerations into their projects at the earliest feasible time. Further, local agencies can encourage well-designed, sustainable private projects by analyzing and disclosing to the public the environmental benefits of such projects in any required environmental documents. And where projects as proposed will have significant global warming related effects, local agencies can require feasible changes or alternatives, and impose enforceable, verifiable, feasible mitigation measures to substantially lessen those effects. By the sum of their decisions, local agencies will help to move the State away from “business as usual” and toward a low-carbon future.

This document provides information that may be helpful to local agencies in carrying out their duties under CEQA as they relate to global warming. Included in this document are various measures that may reduce the global warming related impacts of a project. As appropriate, the measures can be included as design features of a project, required as changes to the project, or imposed as mitigation (whether undertaken directly by the project proponent or funded by mitigation fees). The measures set forth in this package are examples; the list is not intended to be exhaustive. Moreover, the measures cited may not be appropriate for every project. The decision of whether to approve a project – as proposed or with required changes or mitigation – is for the local agency, exercising its informed judgment in compliance with the law and balancing a variety of public objectives.

The first section of this document lists examples of measures that could be applied to a diverse range of projects where the lead agency determines that the project under consideration will have significant global warming related effects. In general, a given measure should not be considered in isolation, but as part of a larger set of measures that, working together, will reduce greenhouse gas emissions and the effects of global warming.

The second section of this document lists examples of potential greenhouse gas reduction measures in the general plan context. This section is included both to suggest how the measures set forth in the first section could be incorporated into a general plan, as well as to identify measures that are general plan specific. The measures in the second section may also be appropriate for inclusion in larger scale plans, including regional plans (*e.g.*, blueprint plans) and in specific plans. Including these types of measures at the larger planning level, as appropriate, will help to ensure more sustainable project-specific development.

The third section provides links to sources of information on global warming impacts and emission reduction measures. The list is not complete, but may be a helpful start for local agencies seeking more information to carry out their CEQA obligations as they relate to global warming.

The endnotes set forth just some of the many examples of exemplary emission reduction measures already being implemented by local governments and agencies, utilities, private industry, and others. As these examples evidence, California at every level of government is taking up the challenge, devising new and innovative solutions, and leading the charge in the fight against global warming.

## **(1) Generally Applicable Measures**

### **Energy Efficiency<sup>1</sup>**

- Design buildings to be energy efficient. Site buildings to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use.<sup>2</sup>
- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
- Install light colored “cool” roofs, cool pavements, and strategically placed shade trees.<sup>3</sup>
- Provide information on energy management services for large energy users.<sup>4</sup>
- Install energy efficient heating and cooling systems, appliances and equipment, and control systems.<sup>5</sup>
- Install light emitting diodes (LEDs) for traffic, street and other outdoor lighting.<sup>6</sup>
- Limit the hours of operation of outdoor lighting.
- Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.<sup>7</sup>
- Provide education on energy efficiency.<sup>8</sup>

### **Renewable Energy**

- Install solar and wind power systems, solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.<sup>9</sup>
- Install solar panels on carports and over parking areas.<sup>10</sup>
- Use combined heat and power in appropriate applications.<sup>11</sup>

### **Water Conservation and Efficiency<sup>12</sup>**

- Create water-efficient landscapes.<sup>13</sup>
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Use reclaimed water for landscape irrigation in new developments and on public property. Install the infrastructure to deliver and use reclaimed water.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances.
- Use graywater. (Graywater is untreated household waste water from bathtubs, showers, bathroom wash basins, and water from clothes washing machines.) For example, install dual plumbing in all new development allowing graywater to be used for landscape irrigation.<sup>14</sup>
- Restrict watering methods (*e.g.*, prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment. (Retaining storm water runoff on-

site can drastically reduce the need for energy-intensive imported water at the site.)<sup>15</sup>

- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.<sup>16</sup>

### **Solid Waste Measures**

- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Recover by-product methane to generate electricity.<sup>17</sup>
- Provide education and publicity about reducing waste and available recycling services.<sup>18</sup>

### **Land Use Measures**

- Include mixed-use, infill, and higher density in development projects to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and promote efficient delivery of services and goods.<sup>19</sup>
- Educate the public about the benefits of well-designed, higher density development.<sup>20</sup>
- Incorporate public transit into project design.
- Preserve and create open space and parks. Preserve existing trees, and plant replacement trees at a set ratio.
- Develop “brownfields” and other underused or defunct properties near existing public transportation and jobs.
- Include pedestrian and bicycle-only streets and plazas within developments. Create travel routes that ensure that destinations may be reached conveniently by public transportation, bicycling or walking.<sup>21</sup>

### **Transportation and Motor Vehicles**

- Limit idling time for commercial vehicles, including delivery and construction vehicles.
- Use low or zero-emission vehicles, including construction vehicles.
- Promote ride sharing programs *e.g.*, by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.
- Create car sharing programs. Accommodations for such programs include providing parking spaces for the car share vehicles at convenient locations accessible by public transportation.<sup>22</sup>
- Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.<sup>23</sup>
- Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (*e.g.*, electric vehicle charging facilities and conveniently located alternative fueling

stations).

- Increase the cost of driving and parking private vehicles by, *e.g.*, imposing tolls and parking fees.
- Build or fund a transportation center where various public transportation modes intersect.
- Provide shuttle service to public transit.
- Provide public transit incentives such as free or low-cost monthly transit passes.
- Incorporate bicycle lanes and routes into street systems, new subdivisions, and large developments.
- Incorporate bicycle-friendly intersections into street design.
- For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including, *e.g.*, locked bicycle storage or covered or indoor bicycle parking.
- Create bicycle lanes and walking paths directed to the location of schools, parks and other destination points.<sup>24</sup>
- Work with the school district to restore or expand school bus services.
- Institute a telecommute work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.
- Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.

## **Carbon Offsets**

If, after analyzing and requiring all reasonable and feasible on-site mitigation measures for avoiding or reducing greenhouse gas-related impacts, the lead agency determines that additional mitigation is required, the agency may consider additional off-site mitigation. The project proponent could, for example, fund off-site mitigation projects (*e.g.*, alternative energy projects, or energy or water audits for existing projects) that will reduce carbon emissions, conduct an audit of its other existing operations and agree to retrofit, or purchase carbon “credits” from another entity that will undertake mitigation.

The topic of offsets can be complicated, and a full discussion is outside the scope of this summary document. Issues that the lead agency should consider include:

- The location of the off-site mitigation. (If the off-site mitigation is far from the project, any additional, non-climate related benefits of the mitigation will be lost to the local community.)
- Whether the emissions reductions from off-site mitigation can be quantified and verified.
- Whether the mitigation ratio should be greater than 1:1 to reflect any uncertainty about the effectiveness of the offset.



## (2) **General Plan Measures**<sup>25</sup>

Global warming measures may be reflected in a general plan as goals, policies, or programs; in land use designations; or as additional mitigation measures identified during the CEQA review process. Many of the measures listed above may be appropriate for inclusion in a general plan. In addition, a non-exhaustive list of measures specific to the general plan context follows. The examples are listed under required general plan elements. A given example may, however, be appropriate for inclusion in more than one element, or in a different element than listed. Global warming measures may, alternatively, be included in an optional Climate Change or Energy element.

### **Conservation Element**<sup>26</sup>

- **Climate Action Plan or Policy**: Include a comprehensive climate change action plan that requires a baseline inventory of greenhouse gas emissions from all sources by a date certain; greenhouse gas emissions reduction targets and deadlines; and enforceable greenhouse gas emissions reduction measures.<sup>27</sup> (Note: If the Climate Action Plan complies with the requirements of Section 15064(h)(3) of the CEQA Guidelines, it may allow for the streamlining of individual projects that comply with the plan's requirements.)
- **Climate Action Plan Implementation Program**: Include mechanisms to ensure regular review of progress toward the emission reduction targets established by the Climate Action Plan, report progress to the public and responsible officials, and revise the plan as appropriate, using principles of adaptive management. Allocate funding to implement the plan. Fund staff to oversee implementation of the plan.
- Strengthen local building codes for new construction and renovation to require a higher level of energy efficiency.<sup>28</sup>
- Require that all new government buildings, and all major renovations and additions, meet identified green building standards.<sup>29</sup>
- Adopt a "Green Building Program" to require or encourage green building practices and materials.<sup>30</sup> The program could be implemented through, *e.g.*, a set of green building ordinances.
- Require orientation of buildings to maximize passive solar heating during cool seasons, avoid solar heat gain during hot periods, enhance natural ventilation, and promote effective use of daylight. Orientation should optimize opportunities for on-site solar generation.
- Provide permitting-related and other incentives for energy efficient building projects, *e.g.*, by giving green projects priority in plan review, processing and field inspection services.<sup>31</sup>
- Conduct energy efficiency audits of existing buildings by checking, repairing, and readjusting heating, ventilation, air conditioning, lighting, water heating equipment, insulation and weatherization.<sup>32</sup> Offer financial incentives for adoption of identified efficiency measures.<sup>33</sup>
- Partner with community services agencies to fund energy efficiency projects, including heating, ventilation, air conditioning, lighting, water heating equipment, insulation and weatherization, for low income residents.
- Target local funds, including redevelopment and Community Development Block Grant resources, to assist affordable housing developers in incorporating energy efficient designs and features.

- Provide innovative, low-interest financing for energy efficiency and alternative energy projects. For example, allow property owners to pay for energy efficiency improvements and solar system installation through long-term assessments on individual property tax bills.<sup>34</sup>
- Fund incentives to encourage the use of energy efficient vehicles, equipment and lighting.<sup>35</sup> Provide financial incentives for adoption of identified efficiency measures.
- Require environmentally responsible government purchasing.<sup>36</sup> Require or give preference to products that reduce or eliminate indirect greenhouse gas emissions, *e.g.*, by giving preference to recycled products over those made from virgin materials.<sup>37</sup>
- Require that government contractors take action to minimize greenhouse gas emissions, *e.g.*, by using low or zero-emission vehicles and equipment.
- Adopt a “heat island” mitigation plan that requires cool roofs, cool pavements, and strategically placed shade trees.<sup>38</sup> (Darker colored roofs, pavement, and lack of trees may cause temperatures in urban environments to increase by as much as 6-8 degrees Fahrenheit as compared to surrounding areas.<sup>39</sup>) Adopt a program of building permit enforcement for re-roofing to ensure compliance with existing state building requirements for cool roofs on non-residential buildings.
- Adopt a comprehensive water conservation strategy. The strategy may include, but not be limited to, imposing restrictions on the time of watering, requiring water-efficient irrigation equipment, and requiring new construction to offset demand so that there is no net increase in water use.<sup>40</sup>
- Adopt water conservation pricing, *e.g.*, tiered rate structures, to encourage efficient water use.<sup>41</sup>
- Adopt water-efficient landscape ordinances.<sup>42</sup>
- Strengthen local building codes for new construction and implement a program to renovate existing buildings to require a higher level of water efficiency.
- Adopt energy and water efficiency retrofit ordinances that require upgrades as a condition of issuing permits for renovations or additions, and on the sale of residences and buildings.<sup>43</sup>
- Provide individualized water audits to identify conservation opportunities.<sup>44</sup> Provide financial incentives for adopting identified efficiency measures.
- Provide water audits for large landscape accounts. Provide financial incentives for efficient irrigation controls and other efficiency measures.
- Require water efficiency training and certification for irrigation designers and installers, and property managers.<sup>45</sup>
- Implement or expand city or county-wide recycling and composting programs for residents and businesses. Require commercial and industrial recycling.
- Extend the types of recycling services offered (*e.g.*, to include food and green waste recycling).
- Establish methane recovery in local landfills and wastewater treatment plants to generate electricity.<sup>46</sup>
- Implement Community Choice Aggregation (CCA) for renewable electricity generation. (CCA allows cities and counties, or groups of them, to aggregate the electric loads of customers within

their jurisdictions for purposes of procuring electrical services. CCA allows the community to choose what resources will serve their loads and can significantly increase renewable energy.)<sup>47</sup>

- Preserve existing conservation areas (*e.g.*, forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) that provide carbon sequestration benefits.
- Establish a mitigation program for development of conservation areas. Impose mitigation fees on development of such lands and use funds generated to protect existing, or create replacement, conservation areas.
- Provide public education and information about options for reducing greenhouse gas emissions through responsible purchasing, conservation, and recycling.

#### **Land Use Element<sup>48</sup>**

- Adopt land use designations to carry out policies designed to reduce greenhouse gas emissions, *e.g.*, policies to minimize or reduce vehicle miles traveled, encourage development near existing public transportation corridors, encourage alternative modes of transportation, and promote infill, mixed use, and higher density development.
- Identify and facilitate the development of land uses not already present in local districts – such as supermarkets, parks and recreation fields, and schools in neighborhoods; or residential uses in business districts – to reduce vehicle miles traveled and allow bicycling and walking to these destinations.
- Create neighborhood commercial districts.
- Require bike lanes and bicycle/pedestrian paths.
- Prohibit projects that impede bicycle and walking access, *e.g.*, large parking areas that cannot be crossed by non-motorized vehicles, and new residential communities that block through access on existing or potential bicycle and pedestrian routes.
- Site schools to increase the potential for students to walk and bike to school.
- Enact policies to limit or discourage low density development that segregates employment, services, and residential areas.<sup>49</sup>
- Where there are growth boundaries, adopt policies providing certainty for infill development.<sup>50</sup>
- Require best management practices in agriculture and animal operations to reduce emissions, conserve energy and water, and utilize alternative energy sources, including biogas, wind and solar.

#### **Circulation Element<sup>51</sup>**

- In conjunction with measures that encourage public transit, ride sharing, bicycling and walking, implement circulation improvements that reduce vehicle idling. For example, coordinate controlled intersections so that traffic passes more efficiently through congested areas.<sup>52</sup>
- Create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking. Before funding transportation improvements that increase vehicle miles

traveled, consider alternatives such as increasing public transit or improving bicycle or pedestrian travel routes.

- Give funding preference to investment in public transit over investment in infrastructure for private automobile traffic.<sup>53</sup>
- Include safe and convenient bicycle and pedestrian access in all transportation improvement projects. Ensure that non-motorized transportation systems are connected and not interrupted by impassable barriers, such as freeways<sup>54</sup> and include amenities such as secure bicycle parking.
- Provide adequate and affordable public transportation choices including expanded bus routes and service and other transit choices such as shuttles, light rail, and rail where feasible.
- Assess transportation impact fees on new development in order to maintain and increase public transit service.<sup>55</sup>
- Provide public transit incentives, including free and reduced fare areas.<sup>56</sup>
- Adopt a comprehensive parking policy that discourages private vehicle use and encourages the use of alternative transportation.<sup>57</sup> For example, reduce parking for private vehicles while increasing options for alternative transportation; eliminate minimum parking requirements for new buildings; “unbundle” parking (require that parking is paid for separately and is not included in rent for residential or commercial space); and set appropriate pricing for parking.
- Develop school transit plans to substantially reduce automobile trips to, and congestion surrounding, schools. (According to some estimates, parents driving their children to school account for 20-25% of the morning commute.) Plans may address, *e.g.*, necessary infrastructure improvements and potential funding sources; replacing older diesel buses with low or zero-emission vehicles; mitigation fees to expand school bus service; and Safe Routes to School programs<sup>58</sup> and other formal efforts to increase walking and biking by students.
- Create financing programs for the purchase or lease of vehicles used in employer ride sharing programs.
- Enter into partnerships to create and expand polluting vehicle buy-back programs to include vehicles with high greenhouse gas emissions.
- Provide public education and information about options for reducing motor vehicle-related greenhouse gas emissions. Include information on trip reduction; trip linking; public transit; biking and walking; vehicle performance and efficiency (*e.g.*, keeping tires inflated); low or zero-emission vehicles; and car and ride sharing.

### **Housing Element<sup>59</sup>**

- Improve the jobs-housing balance and promote a range of affordable housing choices near jobs, services and transit.
- Concentrate mixed use, and medium to higher density residential development in areas near jobs, transit routes, schools, shopping areas and recreation.
- Increase density in single family residential areas located near transit routes or commercial areas. For example, promote duplexes in residential areas and increased height limits of multi-unit buildings on main arterial streets, under specified conditions.

- Encourage transit-oriented developments.<sup>60</sup>
- Impose minimum residential densities in areas designated for transit-oriented, mixed use development to ensure higher density in these areas.
- Designate mixed use areas where housing is one of the required uses.
- In areas designated for mixed use, adopt incentives for the concurrent development of different land uses (*e.g.*, retail with residential).
- Promote infill, mixed use, and higher density development by, for example, reducing developer fees;<sup>61</sup> providing fast-track permit processing; reducing processing fees; funding infrastructure loans; and giving preference for infrastructure improvements in these areas.

### **Open Space Element<sup>62</sup>**

- Preserve forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, groundwater recharge areas and other open space that provide carbon sequestration benefits.
- Establish a mitigation program for development of those types of open space that provide carbon sequestration benefits. Require like-kind replacement for, or impose mitigation fees on development of such lands. Use funds generated to protect existing, or create replacement, open space.
- Allow alternative energy projects in areas zoned for open space where consistent with other uses and values.
- Protect existing trees and encourage the planting of new trees. Adopt a tree protection and replacement ordinance, *e.g.*, requiring that trees larger than a specified diameter that are removed to accommodate development must be replaced at a set ratio.
- Connect parks and publicly accessible open space through shared pedestrian/bike paths and trails to encourage walking and bicycling.

### **Safety Element<sup>63</sup>**

- Address expected effects of climate change that may impact public safety, including increased risk of wildfires, flooding and sea level rise, salt water intrusion; and health effects of increased heat and ozone, through appropriate policies and programs.
- Adopt programs for the purchase, transfer or extinguishment of development rights in high risk areas.
- Monitor the impacts of climate change. Use adaptive management to develop new strategies, and modify existing strategies, to respond to the impacts of climate change.

### **Energy Element**

Many of the goals, policies, or programs set forth above may be contained in an optional energy element. The resources set forth below may be useful to local agencies in developing an energy element or an energy conservation plan.

- The Local Government Commission produced a detailed report in 2002 entitled General Plan Policy Options for Energy Efficiency in New and Existing Development. The document sets forth energy saving policies suitable for inclusion in general plans. Policies range from

exceeding State minimum building efficiency standards, to retrofit buildings to reduce energy consumption, to implementing energy conservation strategies for roofs, pavement and landscaping. The report also contains suggested general plan language. The report is available here: [http://www.redwoodenergy.org/uploads/Energy\\_Element\\_Report.pdf](http://www.redwoodenergy.org/uploads/Energy_Element_Report.pdf).

- The California Energy Commission summarizes the energy-related efforts of Humboldt County, City of Pleasanton, City of Pasadena, City and County of San Francisco, the Los Angeles area, City of Chula Vista, the San Diego region, City of San Diego, City and County of San Luis Obispo, and City of Santa Monica, in the 2006 Integrated Energy Policy Report at pp. 82-87, available here: <http://www.energy.ca.gov/2006publications/CEC-100-2006-001/CEC-100-2006-001-CMF.PDF>.
- In 2006, the Association of Monterey Bay Area Governments published a regional energy plan, available here: [http://www.ambag.org/EnergyWatch/regional\\_plan.html](http://www.ambag.org/EnergyWatch/regional_plan.html). Part 1 describes the plan's goals and course of action. Part 2 describes actions that local agencies already have taken and identifies the most cost-effective measures in each sector. The appendices list existing energy programs that may provide support and funding for energy efficiency projects, suggest language for energy-related provisions to be included in general plans, and list and give brief explanations of more than one hundred energy-saving measures.
- The California Local Energy Efficiency Program (CALeep) has available on its website, <http://www.caleep.com/default.htm>, various resources and documents, including an energy "Workbook." The Workbook lays out a process for instituting local energy efficiency programs based in part on information developed in six California pilot projects (Inland Empire Utilities Agency, City of Oakland, San Joaquin Valley, Sonoma County, South Bay Cities Council of Governments, and Ventura County Regional Energy Alliance). The Workbook is designed to be used by local officials to initiate, plan, organize, implement, and assess energy efficiency activities at the local and regional level.

### **(3) Resources About Global Warming and Local Action**

The following web sites and organizations provide general information about mitigating global warming impacts at the local level. These sites represent only a small fraction of the available resources. Local agencies are encouraged to conduct their own research in order to obtain the most current and relevant materials.

- The U.S. Conference of Mayors' Climate Protection Agreement contains valuable information for the many local agencies that are joining the fight against global warming. The Agreement is available here: [http://www.coolcities.us/resources/bestPracticeGuides/USM\\_ClimateActionHB.pdf](http://www.coolcities.us/resources/bestPracticeGuides/USM_ClimateActionHB.pdf). Over one hundred and twenty California cities have joined the "Cool Cities" campaign, which means they have signed the U.S. Mayor's Climate Protection Agreement and are taking concrete steps toward addressing global warming. These steps include preparing a city-wide greenhouse gas emissions inventory and creating and implementing a local Climate Action Plan. Additional resources, including various cities' Climate Action Plans, are located at the Cool Cities website: <http://www.coolcities.us/resources.php>.
- In July 2007, Alameda County became one of twelve charter members of the "Cool Counties" initiative. Participating counties sign a Climate Stabilization Declaration, which is available at the website for King County (Washington State): <http://www.metrokc.gov/exec/news/2007/0716dec.aspx>. Participating counties agree to work with local, state, and federal governments and other leaders to reduce county geographical greenhouse gas emissions to 80% below current levels by 2050 by developing a greenhouse gas emissions inventory and regional reduction plan. Current member counties

are recruiting new members and are committed to sharing information. Cool Counties contact information is available at: <http://www.kingcounty.gov/exec/coolcounties/Joinus.aspx>.

- Local Governments for Sustainability, a program of International Cities for Local Environmental Initiatives (ICLEI), has initiated a campaign called Cities for Climate Protection (CCP). The membership program is designed to empower local governments worldwide to take action on climate change. Many California cities have joined ICLEI. More information is available at the organization's website: <http://www.iclei.org/>.
- The Institute for Local Government (ILG), an affiliate of the California State Association of Counties and the League of California Cities, has instituted a program called the California Climate Action Network (CaliforniaCAN!). The program provides information about the latest climate action resources and case studies. More information is available at the CaliforniaCAN! website: <http://www.cacities.org/index.jsp?displaytype=&section=climate&zone=ilsg>.

ILG's detailed list of climate change "best practices" for local agencies is available at [http://www.cacities.org/index.jsp?displaytype=&section=climate&zone=ilsg&sub\\_sec=climate\\_local](http://www.cacities.org/index.jsp?displaytype=&section=climate&zone=ilsg&sub_sec=climate_local).

ILG maintains a list of local agencies that have Climate Action Plans. The list is available here: <http://www.cacities.org/index.jsp?zone=ilsg&previewStory=27035>. According to ILG, the list includes Marin County and the cities of Arcata, Berkeley, Los Angeles, Palo Alto, San Diego, and San Francisco. Many additional local governments are in the process of conducting greenhouse gas inventories.

- The non-profit group Natural Capitalism Solutions (NCS) has developed an on-line Climate Protection Manual for Cities. NCS states that its mission is "to educate senior decision-makers in business, government and civil society about the principles of sustainability." The manual is available at <http://www.climatemanual.org/Cities/index.htm>.
- The Local Government Commission provides many planning-related resources for local agencies at its website: <http://www.lgc.org/>.

In cooperation with U.S. EPA, LGC has produced a booklet discussing the benefits of density and providing case studies of well-designed, higher density projects throughout the nation. *Creating Great Neighborhoods: Density in Your Community* (2003) is available here: [http://www.lgc.org/freepub/PDF/Land\\_Use/reports/density\\_manual.pdf](http://www.lgc.org/freepub/PDF/Land_Use/reports/density_manual.pdf).

- The Pew Center on Global Climate Change was established in 1998 as a non-profit, non-partisan and independent organization. The Center's mission is to provide credible information, straight answers, and innovative solutions in the effort to address global climate change. See <http://www.pewclimate.org>. The Pew Center has published a series of reports called Climate Change 101. These reports provide a reliable and understandable introduction to climate change. They cover climate science and impacts, technological solutions, business solutions, international action, recent action in the U.S. states, and action taken by local governments. The Climate Change 101 reports are available at [http://www.pewclimate.org/global-warming-basics/climate\\_change\\_101](http://www.pewclimate.org/global-warming-basics/climate_change_101).
- The Climate Group, [www.theclimategroup.org](http://www.theclimategroup.org), is a non-profit organization founded by a group of companies, governments and activists to "accelerate international action on global warming with a new, strong focus on practical solutions." Its website contains a searchable database of about fifty case studies of actions that private companies, local and state governments, and the United Kingdom, have taken to reduce GHG emissions. Case studies include examples from California. The database, which can be searched by topic, is available at

[http://theclimategroup.org/index.php/reducing\\_emissions/case\\_studies](http://theclimategroup.org/index.php/reducing_emissions/case_studies).

- U.S. EPA maintains a list of examples of codes that support “smart growth” development, available here: <http://www.epa.gov/piedpage/codeexamples.htm>. Examples include transit-oriented development in Pleasant Hill and Palo Alto, rowhouse design guidelines from Mountain View, and street design standards from San Diego.
- The Urban Land Institute (ULI) is a nonprofit research and education organization providing leadership in responsible land use and sustainability. In 2007, ULI produced a report entitled, “Growing Cooler: The Evidence on Urban Development and Climate Change,” which reviews existing research on the relationship between urban development, travel, and greenhouse gases emitted by motor vehicles. It further discusses the emissions reductions that can be expected from compact development and how to make compact development happen. “Growing Cooler” is available at <http://www.uli.org/growingcooler>.
- The California Department of Housing and Community Development, <http://www.hcd.ca.gov/>, has many useful resources on its website related to housing policy and housing elements and specific recommendations for creating higher density and affordable communities. See <http://www.hcd.ca.gov/hpd/hrc/plan/he/>.
- The California Transportation Commission (CTC) recently made recommendations for changes to regional transportation guidelines to address climate change issues. Among other things, the CTC recommends various policies, strategies and performance standards that a regional transportation agency should consider including in a greenhouse reduction plan. These or analogous measures could be included in other types of planning documents or local climate action plans. The recommendation document, and Attachment A, entitled Smart Growth/Land Use Regional Transportation Plan Guidelines Amendments, are located at [http://www.dot.ca.gov/hq/transprog/ctcbooks/2008/0108/12\\_4.4.pdf](http://www.dot.ca.gov/hq/transprog/ctcbooks/2008/0108/12_4.4.pdf).
- The California Energy Commission’s Public Interest Energy Research (PIER) Program supports energy research, development and demonstration projects designed to bring environmentally safe, affordable and reliable energy services and products to the marketplace. On its website, <http://www.energy.ca.gov/pier/>, PIER makes available a number of reports and papers related to energy efficiency, alternative energy, and climate change.
- The Governor’s Office of Planning and Research (OPR) provides valuable resources for lead agencies related to CEQA and global warming at <http://opr.ca.gov/index.php?a=ceqa/index.html>. Among the materials available are a list of environmental documents addressing climate change and greenhouse gas emissions and a list of local plans and policies addressing climate change. In addition, OPR’s The California Planners’ Book of Lists 2008, which includes the results of surveys of local agencies on matters related to global warming, is available at <http://www.opr.ca.gov/index.php?a=planning/publications.html#pubs-C>.
- The California Air Pollution Control Officers Association has prepared a white paper entitled “CEQA and Climate Change” (January 2008). The document includes a list of mitigation measures and information about their relative efficacy and cost. The document is available at <http://www.capcoa.org/ceqa/?docID=ceqa>.
- The Attorney General’s global warming website includes a section on CEQA. See <http://ag.ca.gov/globalwarming/ceqa.php>. The site includes all of the Attorney General’s public comment letters that address CEQA and global warming.



(4) **Endnotes**

1. Energy efficiency leads the mitigation list because it promises significant greenhouse gas reductions through measures that are cost-effective for the individual residential and commercial energy consumer.
2. Leadership in Energy and Environmental Design (LEED) administers a Green Building Ratings program that provides benchmarks for the design, construction, and operation of high-performance green buildings. More information about the LEED ratings system is available at <http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>. Build it Green is a non-profit, membership organization that promotes green building practices in California. The organization offers a point-based, green building rating system for various types of projects. See <http://www.builditgreen.org/guidelines-rating-systems>. Lawrence Berkeley National Laboratories' Building Technologies Department is working to develop coherent and innovative building construction and design techniques. Information and publications on energy efficient buildings are available at the Department's website at <http://btech.lbl.gov>. The California Department of Housing and Community Development has created an extensive Green Building & Sustainability Resources handbook with links to green building resources, available at [http://www.hcd.ca.gov/hpd/green\\_build.pdf](http://www.hcd.ca.gov/hpd/green_build.pdf).
3. For more information, see Lawrence Berkeley National Laboratories, Heat Island Group at <http://eetd.lbl.gov/HeatIsland/>.
4. See California Energy Commission, "How to Hire an Energy Services Company" (2000) at [http://www.energy.ca.gov/reports/efficiency\\_handbooks/400-00-001D.PDF](http://www.energy.ca.gov/reports/efficiency_handbooks/400-00-001D.PDF).
5. Energy Star is a joint program of the U.S. Environmental Protection Agency and the U.S. Department of Energy that certifies energy efficient products and provides guidelines for energy efficient practices for homes and businesses. More information about Energy Star-certified products is available at <http://www.energystar.gov/>. The Electronic Product Environmental Assessment Tool (EPEAT) is a system that ranks computer products based on their conformance to a set of environmental criteria, including energy efficiency. More information about EPEAT is available at <http://www.epeat.net/AboutEPEAT.aspx>.
6. LED lighting is substantially more energy efficient than conventional lighting and can save money. See [http://www.energy.ca.gov/efficiency/partnership/case\\_studies/TechAsstCity.pdf](http://www.energy.ca.gov/efficiency/partnership/case_studies/TechAsstCity.pdf) (noting that installing LED traffic signals saved the City of Westlake about \$34,000 per year). As of 2005, only about a quarter of California's cities and counties were using 100% LEDs in traffic signals. See California Energy Commission (CEC), Light Emitting Diode Traffic Signal Survey (2005) at p. 15, available at <http://www.energy.ca.gov/2005publications/CEC-400-2005-003/CEC-400-2005-003.PDF>. The CEC's Energy Partnership Program can help local governments take advantage of energy saving technology, including, but not limited to, LED traffic signals. See <http://www.energy.ca.gov/efficiency/partnership/>.
7. See Palm Desert Energy Partnership at <http://www.sce.com/rebatesandsavings/palmdesert>. The City, in partnership with Southern California Edison, provides incentives and rebates for efficient equipment. See Southern California Edison, Pool Pump and Motor Replacement Rebate Program at <http://www.sce.com/RebatesandSavings/Residential/Pool/PoolPumpandMotor/>.

8. Many cities and counties provide energy efficiency education. See, for example, the City of Stockton's Energy Efficiency website at <http://www.stocktongov.com/energysaving/index.cfm>. See also "Green County San Bernardino," <http://www.greencountysb.com/> at pp. 4-6. Private projects may also provide education. For example, a homeowners' association could provide information and energy audits to its members on a regular basis.
9. See <http://www.gosolarcalifornia.ca.gov/documents/CEC-300-2007-008-CMF.PDF>. At the direction of Governor Schwarzenegger, the California Public Utilities Commission (CPUC) approved the California Solar Initiative on January 12, 2006. The initiative creates a \$3.3 billion, ten-year program to install solar panels on one million roofs in the State. See <http://www.gosolarcalifornia.ca.gov/nshp/index.html>.
10. For example, Alameda County has installed two solar tracking carports, each generating 250 kilowatts. By 2005, the County had installed eight photovoltaic systems totaling over 2.3 megawatts. The County is able to meet 6 percent of its electricity needs through solar power. See <http://www.acgov.org/gsa/Alameda%20County%20-%20Solar%20Case%20Study.pdf>.
11. Many commercial, industrial, and campus-type facilities (such as hospitals, universities and prisons) use fuel to produce steam and heat for their own operations and processes. Unless captured, much of this heat is wasted. Combined heat and power (CHP) captures waste heat and re-uses it, *e.g.*, for residential or commercial space heating or to generate electricity. See U.S. EPA, Catalog of CHP Technologies at [http://www.epa.gov/chp/documents/catalog\\_of\\_%20chp\\_tech\\_entire.pdf](http://www.epa.gov/chp/documents/catalog_of_%20chp_tech_entire.pdf). The average efficiency of fossil-fueled power plants in the United States is 33 percent. By using waste heat recovery technology, CHP systems typically achieve total system efficiencies of 60 to 80 percent. CHP can also substantially reduce emissions of carbon dioxide. <http://www.epa.gov/chp/basic/efficiency.html>. Currently, CHP in California has a capacity of over 9 million kilowatts. See list of California CHP facilities at <http://www.eea-inc.com/chpdata/States/CA.html>.
12. The California Energy Commission has found that the State's water-related energy use – which includes the conveyance, storage, treatment, distribution, wastewater collection, treatment, and discharge – consumes about 19 percent of the State's electricity, 30 percent of its natural gas, and 88 billion gallons of diesel fuel every year. See <http://www.energy.ca.gov/2007publications/CEC-999-2007-008/CEC-999-2007-008.PDF>. Accordingly, reducing water use and improving water efficiency can help reduce energy use and associated greenhouse gas emissions.
13. The Water Conservation in Landscaping Act of 2006 (AB 1881) requires the Department of Water Resources (DWR), not later than January 1, 2009, to update the Model Water Efficient Landscape Ordinance. The draft of the entire updated Model Water Efficient Landscape Ordinance will be made available to the public. See <http://www.owue.water.ca.gov/landscape/ord/updatedOrd.cfm>.
14. See Graywater Guide, Department of Water Resources, Office of Water Use Efficiency and Transfers at [http://www.owue.water.ca.gov/docs/graywater\\_guide\\_book.pdf](http://www.owue.water.ca.gov/docs/graywater_guide_book.pdf). See also The Ahwahnee Water Principles, Principle 6, at [http://www.lgc.org/ahwahnee/h2o\\_principles.html](http://www.lgc.org/ahwahnee/h2o_principles.html). The Ahwahnee Water Principles have been adopted by City of Willits, Town of Windsor, Menlo Park, Morgan Hill, Palo Alto, Petaluma, Port Hueneme, Richmond, Rohnert Park, Rolling Hills Estates, San Luis Obispo, Santa Paula, Santa Rosa, City of Sunnyvale, City of Ukiah, Ventura, Marin County, Marin Municipal Water District, and Ventura County.

15. See Office of Environmental Health Hazard Assessment and the California Water and Land Use Partnership, Low Impact Development, at <http://www.coastal.ca.gov/nps/lid-factsheet.pdf>.
16. See, for example, the City of Santa Cruz, Water Conservation Office at <http://www.ci.santa-cruz.ca.us/wt/wtcon/index.html>; Santa Clara Valley Water District, Water Conservation at <http://www.valleywater.org/conservation/index.shtm>; and Metropolitan Water District and the Family of Southern California Water Agencies, Be Water Wise at <http://www.bewaterwise.com>. Private projects may provide or fund similar education.
17. See Public Interest Energy Research Program, Dairy Power Production Program, Dairy Methane Digester System, 90-Day Evaluation Report, Eden Vale Dairy (Dec. 2006) at <http://www.energy.ca.gov/2006publications/CEC-500-2006-083/CEC-500-2006-083.PDF>. See also discussion in the general plan section, below, relating to wastewater treatment plants and landfills.
18. Many cities and counties provide information on waste reduction and recycling. See, for example, the Butte County Guide to Recycling at <http://www.recyclebutte.net>. The California Integrated Waste Management Board's website contains numerous publications on recycling and waste reduction that may be helpful in devising an education project. See <http://www.ciwmb.ca.gov/Publications/default.asp?cat=13>. Private projects may also provide education directly, or fund education.
19. See U.S. EPA, Our Built and Natural Environments, A Technical Review of the Interactions between Land Use, Transportation, and Environmental Quality (Jan. 2001) at pp. 46-48 <http://www.epa.gov/dced/pdf/built.pdf>.
20. See California Department of Housing and Community Development, Myths and Facts About Affordable and High Density Housing (2002), available at <http://www.hcd.ca.gov/hpd/mythsnfacts.pdf>.
21. Palo Alto's Green Ribbon Task Force Report on Climate Protection recommends pedestrian and bicycle-only streets under its proposed actions. See <http://www.city.palo-alto.ca.us/civica/filebank/blobdload.asp?BlobID=7478>.
22. There are a number of car sharing programs operating in California, including City CarShare <http://www.citycarshare.org/>, Zip Car <http://www.zipcar.com/> and Flexcar <http://www.flexcar.com/>.
23. The City of Lincoln has a NEV program. See <http://www.lincolnev.com/index.html>.
24. See, for example, Marin County's Safe Routes to Schools program at <http://www.saferoutestoschools.org/>.
25. For information on the general plan process, see Governor's Office of Planning and Research, General Plan Guidelines (1998), available at <http://ceres.ca.gov/planning/genplan/gpg.pdf>.
26. The Conservation Element addresses the conservation, development, and use of natural resources including water, forests, soils, rivers, and mineral deposits. Measures proposed for the Conservation Element may alternatively be appropriate for other elements. In practice, there may be substantial overlap in the global warming mitigation measures appropriate for the Conservation and Open Space Elements.

27. See the Attorney General's settlement agreement with the County of San Bernardino, available at [http://ag.ca.gov/cms\\_pdfs/press/2007-08-21\\_San\\_Bernardino\\_settlement\\_agreement.pdf](http://ag.ca.gov/cms_pdfs/press/2007-08-21_San_Bernardino_settlement_agreement.pdf). See also Marin County Greenhouse Gas Reduction Plan (Oct. 2006) at [http://www.co.marin.ca.us/depts/CD/main/pdf/final\\_ghg\\_red\\_plan.pdf](http://www.co.marin.ca.us/depts/CD/main/pdf/final_ghg_red_plan.pdf); Marin Countywide Plan (Nov. 6, 2007) at [http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP\\_CD2.pdf](http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP_CD2.pdf); Draft Conservation Element, General Plan, City of San Diego at <http://www.sandiego.gov/planning/genplan/pdf/generalplan/ce070918.pdf>.
28. Public Resources Code Section 25402.1(h)2 and Section 10-106 of the Building Energy Efficiency Standards establish a process that allows local adoption of energy standards that are more stringent than the statewide Standards. More information is available at the California Energy Commission's website. See [http://www.energy.ca.gov/title24/2005standards/ordinances\\_exceeding\\_2005\\_building\\_standards.html](http://www.energy.ca.gov/title24/2005standards/ordinances_exceeding_2005_building_standards.html).
29. See, e.g., LEED at <http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>; see also Build it Green at <http://www.builditgreen.org/guidelines-rating-systems>.
30. The City of Santa Monica, for example, has instituted a Green Building Program. See <http://www.greenbuildings.santa-monica.org/>. The City of Pasadena also has a green building ordinance that applies to public and private buildings. See <http://www.ci.pasadena.ca.us/permitcenter/greencity/building/gbprogram.asp> and [http://ordlink.com/codes/pasadena/index.htm?Search\\_Code=Begin+Searching+Municipal+Code](http://ordlink.com/codes/pasadena/index.htm?Search_Code=Begin+Searching+Municipal+Code) at Title 14. The City of San Francisco is considering adopting green building performance requirements that would apply to public and private buildings. See <http://www.sfenvironment.org/downloads/library/gbtfrrreleasev1.3.pdf>.
31. See, e.g., "Green County San Bernardino," <http://www.greencountysb.com/>. As part of its program, the County is waiving permit fees for alternative energy systems and efficient heating and air conditioning systems. See <http://www.greencountysb.com/> at p. 3. For a representative list of incentives for green building offered in California and throughout the nation, see U.S. Green Building Council, Summary of Government LEED Incentives (updated quarterly) at <https://www.usgbc.org/ShowFile.aspx?DocumentID=2021>.
32. For example, Riverside Public Utilities offers free comprehensive energy audits to its business customers. See <http://www.riversideca.gov/utilities/busi-technicalassistance.asp>.
33. Under Southern California Gas Company's Energy Efficiency Program for Commercial/Industrial Large Business Customers, participants are eligible to receive an incentive based on 50% of the equipment cost, or \$0.50 per therm saved, whichever is lower, up to a maximum amount of \$1,000,000 per customer, per year. Eligible projects require an energy savings of at least 200,000 therms per year. See <http://www.socalgas.com/business/efficiency/grants/>.
34. The City of Berkeley is in the process of instituting a "Sustainable Energy Financing District." According to the City, "The financing mechanism is loosely based on existing 'underground utility districts' where the City serves as the financing agent for a neighborhood when they move utility poles and wires underground. In this case, individual property owners would contract directly with qualified private solar installers and contractors for energy efficiency and solar projects on their building. The

City provides the funding for the project from a bond or loan fund that it repays through assessments on participating property owners' tax bills for 20 years." See <http://www.cityofberkeley.info/Mayor/PR/pressrelease2007-1023.htm>.

The California Energy Commission's Public Interest Energy Research Program estimates that the technical potential for rooftop applications of photovoltaic systems in the State is about 40 gigawatts in 2006, rising to 68 gigawatts in 2016. See Public Interest Energy Research Program, California Rooftop Photovoltaic (PV) Resource Assessment and Growth Potential by County (2007), available at <http://www.energy.ca.gov/publications/displayOneReport.php?pubNum=CEC-500-2007-048>.

35. As described in its Climate Action Plan, the City of San Francisco uses a combination of incentives and technical assistance to reduce lighting energy use in small businesses such as grocery stores, small retail outlets, and restaurants. The program offers free energy audits and coordinated lighting retrofit installation. In addition, the City offers residents the opportunity to turn in their incandescent lamps for coupons to buy fluorescent units. See San Francisco's Climate Action Plan, available at <http://www.sfenvironment.org/downloads/library/climateactionplan.pdf>.
36. Among other strategies for reducing its greenhouse gas emissions, Yolo County has adopted purchasing policies for computers and electrical equipment. <http://www.yolocounty.org/docs/press/GreenhouseGas.htm>.
37. See, for example, Los Angeles County Green Purchasing Policy, June 2007 at <http://www.responsiblepurchasing.org/UserFiles/File/General/Los%20Angeles%20County,%20Green%20Purchasing%20Policy,%20June%202007.pdf>. The policy requires County agencies to purchase products that minimize environmental impacts, including greenhouse gas emissions.
38. Some local agencies have implemented a cool surfaces programs in conjunction with measures to address storm water runoff and water quality. See, for example, The City of Irvine's Sustainable Travelways/Green Streets program at [http://www.cityofirvine.org/depts/redevelopment/sustainable\\_travelways.asp](http://www.cityofirvine.org/depts/redevelopment/sustainable_travelways.asp); The City of Los Angeles's Green Streets LA program at [http://water.lgc.org/water-workshops/la-workshop/Green Streets Daniels.pdf/view](http://water.lgc.org/water-workshops/la-workshop/Green%20Streets%20Daniels.pdf/view); see also The Chicago Green Alley Handbook at [http://egov.cityofchicago.org/webportal/COCWebPortal/COC\\_EDITORIAL/GreenAlleyHandbook\\_Jan.pdf](http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/GreenAlleyHandbook_Jan.pdf).
39. See the website for Lawrence Berkeley National Laboratory's Urban Heat Island Group at <http://eetd.lbl.gov/HeatIsland/LEARN/> and U.S. EPA's Heat Island website at [www.epa.gov/heatisland/](http://www.epa.gov/heatisland/). To learn about the effectiveness of various heat island mitigation strategies, see the Mitigation Impact Screening Tool, available at <http://www.epa.gov/heatisld/resources/tools.html>.
40. For example, the City of Lompoc has a policy to "require new development to offset new water demand with savings from existing water users, as long as savings are available." See <http://www.ci.lompoc.ca.us/departments/comdev/pdf07/RESRCMGMT.pdf>.
41. The Irvine Ranch Water District in Southern California, for example, uses a five-tiered rate structure that rewards conservation. The water district has a baseline charge for necessary water use. Water use

that exceeds the baseline amount costs incrementally more money. While “low volume” water use costs \$.082 per hundred cubic feet (ccf), “wasteful” water use costs \$7.84 per ccf. See [http://www.irwd.com/AboutIRWD/rates\\_residential.php](http://www.irwd.com/AboutIRWD/rates_residential.php). Marin County has included tiered billing rates as part of its general plan program to conserve water. See Marin County Countywide Plan, page 3-204, PFS-2.q, available at [http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP\\_CD2.pdf](http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP_CD2.pdf).

42. See the City of Fresno’s Watering Regulations and Ordinances at <http://www.fresno.gov/Government/DepartmentDirectory/PublicUtilities/Watermanagement/Conservation/WaterRegulation/WateringRegulationsandRestrictions.htm>.
43. See, e.g., the City of San Diego’s plumbing retrofit ordinance at <http://www.sandiego.gov/water/conservation/selling.shtml>.
44. The City of Roseville offers free water conservation audits through house calls and on-line surveys. See [http://www.roseville.ca.us/eu/water\\_utility/water\\_conservation\\_for\\_home/programs\\_n\\_rebates.asp](http://www.roseville.ca.us/eu/water_utility/water_conservation_for_home/programs_n_rebates.asp).
45. See Landscape Performance Certification Program, Municipal Water District of Orange County at [http://waterprograms.com/wb/30\\_Landscapers/LC\\_01.htm](http://waterprograms.com/wb/30_Landscapers/LC_01.htm).
46. For example, San Diego’s Metropolitan Wastewater Department (SDMWD) installed eight digesters at one of its wastewater treatment plants. Digesters use heat and bacteria to break down the organic solids removed from the wastewater to create methane, which can be captured and used for energy. The methane generated by SDMWD’s digesters runs two engines that supply enough energy for all of the plant’s needs, and the plant sells the extra energy to the local grid. See <http://www.sandiego.gov/mwwd/facilities/ptloma.shtml>. In addition, the California Air Resources Board approved the Landfill Methane Capture Strategy as an early action measure. <http://www.arb.ca.gov/cc/ceca/landfills/landfills.htm>. Numerous landfills in California, such as the Puente Hills Landfill in Los Angeles County ([http://www.lacsd.org/about/solid\\_waste\\_facilities/puente\\_hills/clean\\_fuels\\_program.asp](http://www.lacsd.org/about/solid_waste_facilities/puente_hills/clean_fuels_program.asp)), the Scholl Canyon Landfill in the City of Glendale (<http://www.glendalewaterandpower.com/Renewable%20Energy%20Development.asp>), and the Yolo Landfill in Yolo County, are using captured methane to generate power and reduce the need for other more carbon-intensive energy sources.
47. On April 30, 2007, the Public Utilities Commission authorized a CCA application by the Kings River Conservation District on behalf of San Joaquin Valley Power Authority (SJVPA). SJVPA’s Implementation Plan and general CCA program information are available at [www.communitychoice.info](http://www.communitychoice.info). See also <http://www.co.marin.ca.us/depts/CD/main/comdev/advance/Sustainability/Energy/cca/CCA.cfm>. (County of Marin); and [http://sfwater.org/mto\\_main.cfm/MC\\_ID/12/MSC\\_ID/138/MTO\\_ID/237](http://sfwater.org/mto_main.cfm/MC_ID/12/MSC_ID/138/MTO_ID/237) (San Francisco Public Utilities Commission). See also Public Interest Energy Research, Community Choice Aggregation (fact sheet) (2007), available at <http://www.energy.ca.gov/publications/displayOneReport.php?pubNum=CEC-500-2006-082>.
48. The Land Use Element designates the type, intensity, and general distribution of uses of land for housing, business, industry, open-space, education, public buildings and grounds, waste disposal facilities, and other categories of public and private uses.

49. Samples of local legislation to reduce sprawl are set forth in the U.S. Conference of Mayors' Climate Action Handbook. See [http://www.iclei.org/documents/USA/documents/CCP/Climate\\_Action\\_Handbook-0906.pdf](http://www.iclei.org/documents/USA/documents/CCP/Climate_Action_Handbook-0906.pdf).
50. For a list and maps related to urban growth boundaries in California, see Urban Growth Boundaries and Urban Line Limits, Association of Bay Area Governments (2006) at <http://www.abag.ca.gov/jointpolicy/Urban%20Growth%20Boundaries%20and%20Urban%20Limit%20Lines.pdf>.
51. The Circulation Element works with the Land Use element and identifies the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities.
52. See Orange County Transportation Authority, Signal Synchronization at <http://www.octa.net/signals.aspx>. Measures such as signal synchronization that improve traffic flow must be paired with other measures that encourage public transit, bicycling and walking so that improved flow does not merely encourage additional use of private vehicles.
53. San Francisco's "Transit First" Policy is listed in its Climate Action Plan, available at <http://www.sfenvironment.org/downloads/library/climateactionplan.pdf>. The City's policy gives priority to public transit investments and provides public transit street capacity and discourages increases in automobile traffic. This policy has resulted in increased transit service to meet the needs generated by new development.
54. The City of La Mesa has a Sidewalk Master Plan and an associated map that the City uses to prioritize funding. As the City states, "The most important concept for sidewalks is connectivity. For people to want to use a sidewalk, it must conveniently connect them to their intended destination." See <http://www.ci.la-mesa.ca.us/index.asp?NID=699>.
55. San Francisco assesses a Downtown Transportation Impact Fee on new office construction and commercial office space renovation within a designated district. The fee is discussed in the City's Climate Action plan, available at <http://www.sfenvironment.org/downloads/library/climateactionplan.pdf>.
56. For example, Seattle, Washington maintains a public transportation "ride free" zone in its downtown from 6:00 a.m. to 7:00 p.m. daily. See [http://transit.metrokc.gov/tops/accessible/paccessible\\_map.html#fare](http://transit.metrokc.gov/tops/accessible/paccessible_map.html#fare).
57. See, e.g., Reforming Parking Policies to Support Smart Growth, Metropolitan Transportation Commission (June 2007) at [http://www.mtc.ca.gov/planning/smart\\_growth/parking\\_seminar/Toolbox-Handbook.pdf](http://www.mtc.ca.gov/planning/smart_growth/parking_seminar/Toolbox-Handbook.pdf); see also the City of Ventura's Downtown Parking and Mobility Plan, available at [http://www.cityofventura.net/depts/comm\\_dev/resources/mobility\\_parking\\_plan.pdf](http://www.cityofventura.net/depts/comm_dev/resources/mobility_parking_plan.pdf), and its Downtown Parking Management Program, available at [http://www.cityofventura.net/depts/comm\\_dev/downtownplan/chapters/5\\_programs\\_implementation.pdf](http://www.cityofventura.net/depts/comm_dev/downtownplan/chapters/5_programs_implementation.pdf).

58. See Safe Routes to School Toolkit, National Highway Traffic Safety Administration (2002) at [www.nhtsa.dot.gov/people/injury/pedbimot/bike/Safe-Routes-2002](http://www.nhtsa.dot.gov/people/injury/pedbimot/bike/Safe-Routes-2002); see also [www.saferoutestoschools.org](http://www.saferoutestoschools.org) (Marin County).
59. The Housing Element assesses current and projected housing needs. In addition, it sets policies for providing adequate housing and includes action programs for that purpose.
60. The U.S. Conference of Mayors cites Sacramento's Transit Village Redevelopment as a model of transit-oriented development. More information about this project is available at <http://www.cityofsacramento.org/planning/projects/65th-street-village/>. The Metropolitan Transportation Commission (MTC) has developed policies and funding programs to foster transit-oriented development. More information is available at MTC's website: [http://www.mtc.ca.gov/planning/smart\\_growth/#tod](http://www.mtc.ca.gov/planning/smart_growth/#tod). The California Department of Transportation maintains a searchable database of 21 transit-oriented developments at <http://transitorienteddevelopment.dot.ca.gov/miscellaneous/NewHome.jsp>.
61. The City of Berkeley has endorsed the strategy of reducing developer fees or granting property tax credits for mixed-use developments in its Resource Conservation and Global Warming Abatement Plan. City of Berkeley's Resource Conservation and Global Warming Abatement Plan p. 25 at <http://www.baaqmd.gov/pln/GlobalWarming/BerkeleyClimateActionPlan.pdf>.
62. The Open Space Element details plans and measures for preserving open space for natural resources, the managed production of resources, outdoor recreation, public health and safety, and the identification of agricultural land. As discussed previously in these Endnotes, there may be substantial overlap in the measures appropriate for the Conservation and Open Space Elements.
63. The Safety Element establishes policies and programs to protect the community from risks associated with seismic, geologic, flood, and wildfire hazards.



- Goal:**      **Enhance native habitat and biological diversity.**
- Policy      Protect wetlands, habitat for special-status species, sensitive natural communities, and important wildlife nursery areas and movement corridors
- Policy      Develop and implement programs to encourage landowners to protect and enhance wildlife habitat.
- Policy      Cooperate with state and federal agencies to protect wildlife corridors and habitats.
- Policy      Protect oak woodlands and savannahs by developing voluntary oak woodland conservation guidelines and following state law.
- Policy      Support wildlife and vegetation disease management programs.
- Policy      Control spread of invasive exotic plants and animals.
- Policy      Promote use of native plants in landscaping.
- Policy      Remove invasive exotic plants.
- Policy      Encourage the use of integrated pest management over chemical control of



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# INCLUDING CHILD CARE IN LOCAL PLANNING

*(updated September 14, 2006)*

If communities are to succeed in increasing child care capacity, they must undertake long-range child care planning as part of their overall planning process. Convincing the local jurisdiction to include child care in planning decisions involves several strategic steps. First, advocates must learn how the local planning process operates and how, if at all, the local jurisdiction handles child care in planning decisions. Second, the advocate should document the community's particular child care needs. This is especially important when educating local planning and elected officials about why child care is a critical component of quality community development and when proposing specific language to key politicians and planners. Finally, advocates should begin to develop recommendations for amending general plans or local ordinances to meet the community's need for child care.

### **Understanding the Local Planning Process**

Before developing specific proposals, advocates should review local law to see how and whether the jurisdiction views child care as part of its overall planning strategy. In some cases, this may require a survey of local ordinances, with a careful review of zoning codes to identify the types of child care facilities permitted in each zone as well as the permits and fees required. Several child care planning councils and other organizations have developed reports, surveys and matrixes of this kind of review that could serve as helpful models. This initial survey should also include a review of the local general plan for its' treatment of child care. General plans can be quite bulky with many parts not particularly relevant to child care, but they are the "blueprint" for local land use and planning decisions so they are discussed in detail below.

### **Assessing Local Child Care Needs**

Documenting the local need for child care helps educate local planners, business leaders, and officials about the importance of encouraging, and planning for, the creation of child care slots. There is the added benefit that an evaluation will help local child care providers decide whether expansion of their programs – or opening new programs – makes good business sense.

Frequently, facilities development advocates will find that the local child care planning council has already evaluated the community's child care infrastructure. Many communities have conducted Economic Impact Reports that show that the licensed child care industry is a major contributor to community economic well-being and growth.

Even if more research and analysis is necessary, both the local planning council and the resource and referral agency will have information vital to a thorough evaluation. Rather than duplicating work already done, advocates should coordinate with these agencies to determine what, if any, considerations need to be researched. If local advocates lack the resources to conduct an adequate evaluation, one option, discussed below, might be to require the local government itself to assess child care needs.

After gaining a basic understanding of planning and the local laws affecting child care, and documenting the need, advocates can focus on designing policy proposals that remove planning barriers and meet local needs. The most common types of policy options are discussed briefly below.

## **Options for Implementing Child Care Policies**

### **A. Require Planners to Consider Child Care in Reports, Surveys, and Studies**

Some advocates have stressed the importance of requiring local planners to gather data on child care demand as part of adequate city planning. Some jurisdictions have responded by making reporting on child care needs a continuing priority. Before passing its first general plan in 1990, the City of West Sacramento produced a report on child care needs and resources. The report started with an overview of the child care industry, including the types of care available, the role of subsidies, land use policies affecting child care development, and quality issues. The authors also reviewed the availability of, demand for, and cost of care in West Sacramento specifically, and summarized the results of a parent survey concerning needs and current child care usage. The report included an estimate of future child care demand, which was expected to increase over the coming years. Due in part to this documentation, the City Council ultimately approved a general plan that included a child care element.

### **B. Require that Local Land Use Ordinances and Planning Codes Reduce Barriers to Child Care**

One of the most efficient ways to promote child care is to ensure that land use policies do not serve as barriers to child care facilities development. Local jurisdictions can change their zoning code or use general plan provisions to reduce zoning barriers for child care centers. The City of South San Francisco included a provision in its general plan stating that efforts to promote the development of child care facilities “should include . . . [p]ermitting childcare centers in all districts.” The City of West Sacramento wrote a similar, but slightly more restrictive provision stating that “[c]hild care facilities shall not be precluded in any land use designation except the Open Space and Heavy Industrial designations.”

Even without changing allowed uses in any particular zone, local ordinances or general plans can be amended to simplify local procedures for obtaining a child care permit. Permit applications can be technical and difficult for child care providers who typically are unfamiliar

with land use terminology or zoning processes. This approach was adopted by the City of West Sacramento, which required city officials to “streamline processing and permit regulations to promote the development of child care facilities.” San Diego County agreed to “[c]ooperate with ... the region’s cities to draft a model ordinance or procedure for the processing of permits for child care facilities” and to “[w]ork with the region’s cities to develop uniform zoning policies regarding location, parking and other requirements.” The City of Los Angeles has recently streamlined its permitting process and a planning guide for child care facilities.

**C. Require Mitigation or Incentive Measures to Encourage Developers to Plan for Child Care Facilities**

To address a lack of child care slots, some cities and counties require developers to mitigate the specific impact of their projects on the local child care supply, and/or have offered incentives to a range of developers to help develop the child care infrastructure.

Requiring mitigation calls for specific data that documents the need for child care and links the type of project to its effects on child care supply. A jurisdiction that provides clear instructions on mitigation will have a stronger legal basis for defending an exaction requirement than one that determines exactions on an informal, case-by-case basis. This need for a precise approach explains why some local plans, such as San Diego County’s, require planners to “[d]evelop a formula for use in assessing the child care needs created by new development.”

Incentives and mitigations – also called exactions – differ in terms of the immediate outcome. Exactions may require developers to create on-site facilities or choose an alternative such as “in lieu” fees paid by developers to the city or county. The local government, in turn, pools these fees to support the development of child care slots in the area. An incentive system, on the other hand, might take longer to produce positive effects as developers weigh the costs and benefits of taking part in the program. Results depend on developers choosing to take advantage of incentives to increase child care availability, rather than being *required* to mitigate effects on child care.

**D. Provide for Governmental Assistance (Informational and Financial) in Child Care Development**

Local planning department staff, as well as personnel from other government agencies, can serve as powerful resources to local child care providers. For example, the planning department could be required to develop a written “start-up guide” for child care centers and family child care homes within the jurisdiction. In addition to locating the relevant planning, building, fire, and business license requirements in a single and convenient document for providers, this type of guide may have the additional benefit of requiring that all the relevant departments coordinate with each other with respect to child care.

Local government also can assist child care development efforts by making resources available. Placing child care centers in public lands or buildings can lower significantly the financial burden of creating a center, and public dollars can be used as grants or low-interest loans for child care development, particularly for those child care facility types of greatest need. Communities may have funds or other resources available for a variety of projects; advocates may wish to survey the types of programs and projects available to see if child care can gain access to those resources.

#### **E. Support the Inclusion of Child Care Facilities at Transportation Hubs**

From a planning perspective, placing child care facilities near key transportation corridors or centers is sensible. This can reduce the number and distance of trips families must make during the work day, saving time for parents and reducing vehicle emissions and traffic congestion in the region as a whole. Furthermore, because many families will use transportation hubs, child care providers located in these areas will have a strong market for their services. To promote the development of child care facilities at transportation hubs, advocates can take several approaches. The most concrete would be a general plan mandate that transportation centers include child care facilities nearby.

#### **F. Coordinate with Local School Districts, Parks and Recreation Facilities to Maximize Child Care Opportunities**

As populations increase and decrease, the need for certain community facilities changes as well. These community facilities, often suitable for child care, may go unused for quite some time—until the next “baby boom.” Public schools are perhaps the best known example of facilities whose usage tracks population growth and decline. Even during baby booms, schools, which are designed specifically for children’s use, often are left empty after the school day ends. By coordinating with the local school district, cities and counties may be able to uncover new child care development opportunities.

Other types of community facilities, such as parks and recreation buildings, may be used during “off-times” as well. Finally, military base closures provide opportunities for child care providers to occupy space that may be suitable for children. Advocates should work with communities to determine whether these types of locations may be available for use as child care centers.

### **Including Child Care in the General Plan**

#### **A. What is a General Plan?**

Local counties, as well as child care advocates, have attempted to connect community and child care planning by advocating for inclusion of child care in communities’ general plans. As the

general plan is the foundation for development upon which all land use decisions are based, including child care in the general plan compels planners to determine their child care objectives at the outset, and places child care into the long-range growth strategy of the community. Involvement in the development of the general plan and its constituent elements presents the opportunity to:

- Make child care as important as other considerations when long range planning occurs;
- Develop a legal basis for requesting that child care needs be considered before building permits, site permits, subdivision and other land use approvals are given;
- Develop a legal basis for zoning ordinances that would be favorable to the establishment of child care; and
- Educate decisionmakers and the public about the need for and importance of planning affirmatively for child care.

California law requires each county or city planning department to prepare, for adoption by the local legislative body, a “comprehensive, long-term general plan for the physical development” of the jurisdiction. The general plan serves as a “constitution” for future community development, and all land use approvals must be consistent with it. Every general plan must include a statement of development policies, as well as diagrams and text setting forth objectives, principles, standards, and plan proposals.

State law requires that a general plan address seven specific issues, called “elements”:

- Land Use: As the central framework for the entire plan, the Land Use element identifies the proposed general distribution of land for uses such as housing, business, industry, open space, natural resources, public facilities, and waste disposal sites. This element must include population and building density standards for all territory covered by the plan.
- Circulation: This element discusses the location and extent of, among others, present and future thoroughfares, transportation routes, terminals, and public utilities and facilities.
- Housing: The state legislature has given special priority to this element, requiring much more detail in what it must cover than is required for other elements. The housing element must analyze existing and projected housing needs, identify possible housing sites, and address the housing needs “of all economic segments of the community.” More specifically, this element must include “quantified objectives and policies relative to the maintenance, preservation, improvement, and development of housing,” as well as a schedule of actions the local jurisdiction will take to achieve the goals and objectives of the housing element. The housing element must be revised at least once every five years; other mandatory elements of the general plan need only be reviewed periodically and revised when warranted by changed circumstances.
- Conservation: This element addresses the use, development, and conservation of natural resources.

- Open-space: Local jurisdictions use this element to govern the preservation and conservation of open land.
- Noise: After identifying and appraising specific noise problems in the community, planners must develop land use patterns that will minimize residents' exposure to excessive noise.
- Safety: The safety element establishes policies and programs to protect the community from seismic, geologic, flood, and fire hazards.

Counties or cities may include additional elements that relate to the physical development of the community. All elements, whether mandatory or optional, carry equal legal status; by statute, all elements of any general plan must be “integrated, internally consistent and compatible.”

Child care can be, and in some localities is, one of these added elements. Once included, it carries weight equal to all other plan elements, compelling city planners to articulate their child care objectives at the outset and incorporate child care into the community's long-term growth strategy. For the city, it reflects a legally binding commitment to child care in all planning decisions. Because all subordinate land use actions must be consistent with the general plan, including a child care element ensures that the need for child care is reflected in each stage of the development process, including, for example, the granting of building and site permits and the approval of subdivisions plans. Furthermore, it provides a legal basis for zoning ordinances that favor the establishment of child care.

## **B. Adopting and Amending the General Plan**

State law requires that the general plan be adopted or amended by resolution of a local legislative body, typically a County Board of Supervisors or a City Council. Several steps precede this action, however. The local planning commission will make recommendations concerning the plan after the plan and its proposed elements have gone through several levels of assessment and review.

Community involvement is especially important to the development and review process. The planning agency in charge of this process must provide “opportunities for the involvement of citizens, public agencies ... civic, education, and other community groups ....” A child care planning council or resource and referral agency can be considered such a community group, given the responsibility of these organizations to help plan for adequate and affordable child care. In addition, before a local planning commission recommends amendment or adoption of a general plan, it must hold at least one public hearing. Similarly, before voting on final adoption or amendment, the local legislative body must hold a public hearing. The planning entity that recommends approval of amendments to the general plan must establish means by which “any interested party [can] file a written request for a hearing by the legislative body . . . after the planning agency acts on the proposed amendment.”

Though state law does impose some limitations, a local jurisdiction has considerable discretion to decide how and whether to amend the general plan. To understand better how general plan

modification works in your community, contact the local planning department or legislative body.

### **C. Examining the General Plan for Child Care**

As with any attempt to improve local policies regarding child care, advocates should review the general plan to see how child care is addressed. If a child care advocate – or any other member of the general public – wishes to obtain a copy of the local general plan, the city or county must make a copy available. General plans can be quite bulky, and certain elements – such as the conservation element – are not particularly relevant to child care. Identifying plan elements that specifically refer to child care and elements in which child care concerns might be best addressed can help advocates understand what child care considerations are absent from the plan and how to structure specific recommendations to address identified deficiencies.

Local jurisdictions take different approaches to organizing their general plans. Please keep in mind when reading examples of child care references in local general plans that they are not meant to be “model” plans, as each community will have different needs that need to be addressed in different ways. Instead, these plans are illustrative of how various communities have incorporated child care into their general plans.

For example, the Santa Cruz County general plan addresses each required element through a series of broadly worded objectives. It then explains each objective through several policy statements and program ideas for implementing the objective. Hence, when drafting a general plan amendment to address child care concerns in Santa Cruz County, advocates would want to clarify the intent of a broad child care objective through policy and program statements and through explanations of how the objective would be pursued within the jurisdiction.

In contrast to Santa Cruz, other jurisdictions have multiple objectives for each issue and consequently, the objectives are more specific. For example, in the San Diego County General Plan, there are three objectives listed under the child care section. For each objective, various policies and corresponding implementation measures are listed. Thus, an advocate in San Diego County would want to make sure that proposed objectives are narrow and that they are linked with effective policy goals and implementation measures. Finally, other jurisdictions, such as Orange County, provide a brief overview to the targeted problem or area of focus before providing goals, policies, and implementing programs.

### **D. Developing Recommendations for the Local General Plan**

After garnering some support for the concept of child care development locally, learning how planning decisions are made, and evaluating local child care infrastructure needs, advocates must turn to the task of convincing the local legislative body to include child care considerations in the general plan. Many have found that proactively offering specific language for particular locations within the general plan reduces potential resistance to plan amendment. Other advocates have formed committees – comprised of representatives of provider associations, resource & referral agencies, Head Start programs, planning



departments, school districts, and labor groups– to help develop this type of specific language. This strategy has the added benefit of creating a group of individuals who understand both the general plan process and child care needs. As a result, they are able to give persuasive public testimony on the importance of including child care in the general plan.

1. Including Child Care in a General Plan

As mentioned above, any general plan must include each of the seven mandatory elements and may add others at the discretion of the local government. Child care can be included either as a subsection of an existing element or as a separate element. Due to the internal consistency requirement, as long as child care is placed somewhere in the general plan, all other elements must be compatible with the child care provisions. Having child care as a separate element suggests that it stands on an equal footing with other elements. On the other hand, including child care in existing elements explicitly demonstrates the connections between child care and other planning issues and increases the likelihood that staff assigned to implement policies within a particular element will embrace child care issues as well. Deciding where to include child care in the general plan will also depend on how the particular city or county’s general plan is structured, how each element is used, and a determination on the advocate’s part of which location is most logical. On balance, the location of the proposal is probably less important than the substance.

2. Drafting Language Pertaining to Child Care

When drafting language for the general plan, advocates should keep several guidelines in mind. For each provision, the proposal should identify, with as much specificity as possible, the particular action to be completed and the party responsible. Mandatory language such as “shall” is much better than discretionary language such as “may” or “might” for ensuring that planning items are actually carried out. Where possible, the general plan language should mandate completion of actions implementing its provisions by a particular date. When dealing with facility development specifically, recommended language should cover the standards, permit processes, approval body, and other relevant considerations. Depending on the jurisdiction, the above mentioned details may not be included within the general plan itself. Some cities develop a separate implementation plan with actions, timelines, and staff responsibilities to accompany a broadly-worded general plan provision.

## **E. Policy Options for Child Care in General Plans**

California advocates have successfully included all of the policy options described above in local general plans. The specific requirements, language describing the policy and its position in the general plan will vary widely since the plans vary from city to city. What follows are examples of general plans that include child care priorities.

1. Require Planners to Consider Child Care in Reports, Surveys, and Studies

If an assessment of child care needs and resources does not exist or cannot be undertaken by advocates, a general plan provision that requires a local government agency to assess child care needs may be appropriate. For example, in general plan segments concerning land use, the local government might pass an amendment that states:

The planning department shall, by \_\_\_\_\_(date)\_\_\_\_\_, conduct an assessment of child care needs and resources in this jurisdiction. Such assessment shall cover, but need not be limited to, the supply of licensed child care by neighborhood, current demand for child care (including preferences for various types of care) by residents and persons employed in this jurisdiction, availability and utilization of license-exempt child care programs, projected demand for child care in the coming years, current zoning limitations upon child care facilities development, any license fees or local business taxes upon child care providers, local employer support for child care, and resource needs of the child care community. Such assessment shall be coordinated with the local child care resource and referral agency and use available data from that agency. Planning department staff shall present the results of this assessment, along with staff’s recommendations for addressing any needs found to exist within the community, within 3 months after the assessment report is issued.

Some jurisdictions have made reporting on child care needs a continuing priority through their general plans. The City of West Sacramento general plan requires the city to “monitor child care supply and demand in West Sacramento on an ongoing basis and implement programs to address shortfalls as necessary.” The City of San Clemente developed an excellent general plan proposal for a child care needs study that provides:

Conduct a comprehensive study of the needs for child care, identifying public and private day care services and facilities that are currently operating and needed within the City, and ... propose the implementation of those policies and programs which are deemed to be appropriate and feasible.

- Responsibility:* City of San Clemente Beaches, Parks and Recreation Department and the Community Development Department
- Funding Source:* City of San Clemente General Fund and/or other available funds approved by the City.
- Schedule:* Within five (5) years of General Plan adoption or as funding permits.

Considering child care supply and demand in planning reports and surveys ensures that this important issue remains in the forefront of local policymakers’ minds, and that it will not be overlooked when major planning decisions are made.

2. Require that Local Land Use Ordinances and Planning Codes Reduce Barriers to Child Care

Local jurisdictions can also use general plan provisions to reduce zoning barriers for child care centers. The City of South San Francisco – located in San Mateo County, California – included a provision in its Land Use Element stating that efforts to promote the development of child care facilities “should include . . . [p]ermitting childcare centers in all districts.” The City of West Sacramento wrote a similar, but slightly more restrictive provision stating that “[c]hild care facilities shall not be precluded in any land use designation except the Open Space and Heavy Industrial designations.”

The City of West Sacramento general plan also requires city officials to “streamline processing and permit regulations to promote the development of child care facilities.” San Diego County agreed to “[c]ooperate with . . . the region’s cities to draft a model ordinance or procedure for the processing of permits for child care facilities” and to “[w]ork with the region’s cities to develop uniform zoning policies regarding location, parking and other requirements.”

3. Require Mitigation or Incentive Measures to Encourage Developers to Plan for Child Care Facilities

Cities throughout California have used both mitigations and incentives, or even a combination of the two, in their general plans. One example of a mitigation approach is in the City of Marina (Monterey County) General Plan. The plan lists specific local developments that were required to provide an adequate number of child care facilities. Under the Land Use Element, the Marina General Plan has a provision concerning “Childcare Facilities” that reads:

Provisions shall be made for childcare facilities with the development of major job centers in the MBEST Center and Marina Airport Business Park, the commercial and industrial center of Armstrong Ranch, the West University Village, and all other large-scale mixed-use projects. . . . [T]he facilities shall be adequate to serve the projected employee based of the respective areas.

Other jurisdictions, rather than requiring mitigation only in particular areas, have required it for a broad range of projects, providing they affect the child care supply. For example, Alameda County’s East County Area Plan states that the County “shall require mitigation if a significant impact [upon child care] is identified” through the environmental review process. It then identified a variety of actions a developer might take to mitigate the child care impact of a planned project. These included “providing on-site or off-site facilities; in-lieu fees to provide facilities and/or supplement child care provider training, salaries, or information and referral services; or other measures to address supply, affordability or quality of child care.”

The City of South San Francisco uses the incentive approach in its general plan. The plan requires that child care promotion efforts include development of “criteria for incentives for childcare facilities” as part of the bonus program for the jurisdiction’s Transportation Demand Management program. Depending on the local program, such incentives could mean that developers who plan to improve child care capacity are allowed to build more square footage, higher buildings, or provide fewer parking spaces.

San Diego County explored incorporating both approaches by adopting the following language in its general plan:

Implementation Measure 3.1.2: Investigate the feasibility of requiring applicants for projects for major residential, commercial, and industrial developments to use the developed formula to assess the demand for child care facilities created by the development, and to mitigate these needs.

Implementation Measure 3.1.3: Investigate a program to grant a bonus in density or intensity of use for commercial, industrial, and residential projects that provide child care facilities.

As developers build new spaces in the community, provisions in the general plan can help to encourage them to plan for and build new child care facilities. Whether the general plan provides measures that reward developers who proactively build suitable space or measures that require developers to mitigate adverse impacts on the child care supply, by involving developers in child care planning, more sites will likely be available in the future.

4. Provide for Governmental Assistance (Informational and Financial) in Child Care Development

The City of West Sacramento created an obligation to participate proactively in child care planning and development through several provisions in the general plan, including providing information about navigating the process, preparing a “start-up” guide and provide funding if available.

In its general plan, San Diego County pledged to “where feasible, make underutilized County properties or low-cost loans available to child care providers, particularly for those child care facility types of greatest need.”

5. Support the Inclusion of Child Care Facilities at Transportation Hubs

To promote the development of child care facilities at transportation hubs, general plan advocates can take several approaches. The most concrete would be a general plan mandate that transportation centers include child care facilities nearby. The South San Francisco General Plan requires that a key 8-acre transportation corridor, which encompasses a major street as well as a Bay Area Rapid Transit (“BART”) station, include certain development characteristics, one of which is child care facilities. Clearly identifying a particular area and specifically requiring that child care facilities be included there gives advocates an unmistakable policy to rely on when approaching development in that area.

Taking a less definitive approach, San Diego County simply directed staff to “[s]upport research on the feasibility of locating child care centers at ‘Park and Ride’ sites, transit centers or other locations accessible to public transportation.” This type of general plan provision may

be useful to jurisdictions that have less experience with developing child care facilities or that are concerned that local transit centers may be near toxic waste sites or have toxic emissions.

6. Coordinate with Local School Districts, Parks and Recreation Facilities to Maximize Child Care Opportunities

Recognizing such opportunities, the South San Francisco General Plan requires that local planners “[w]ork with the SSFUSD on appropriate land uses for school sites no longer needed for educational facilities [including to] [a]cquire closed school sites for . . . childcare purposes where appropriate.” Similarly, the County of San Diego’s General Plan directs county officials to “[c]oordinate the planning and siting of schools, recreational facilities, [and] child care centers . . . .” Moreover, the County requires that its officials “advocate [for] the inclusion of child care facilities in both the planning of new school facilities, and plans for the expansion or improvements of existing school facilities.”

## **Conclusion**

As the above demonstrates, incorporating child care issues into a community’s long-term planning strategy will be a lengthy process. In addition, an advocate who successfully negotiates inclusion of child care issues in the general plan has much work yet to do. Advocates must monitor the implementation of general plan provisions to ensure that promises are carried out and implemented effectively. Fortunately, in the course of general plan advocacy, LINCC participants have discovered that local planners and other officials who adopt such policies often become invested in the issue of community support for child care. Hence, LINCC participants have created new advocates for child care – advocates who are eager to monitor the impacts of their general plan policies.

AUG 31 2009

PLANNING DEPARTMENT

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8/31/09

Susan Grijalva, Director  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

RE: Response to NOP for General Plan Update DEIR.

Dear Ms. Grijalva:

My name is Tom Infusino, and I am providing these scoping comments on behalf of the Foothill Conservancy.

As you know, the Foothill Conservancy is a 20-year old membership nonprofit organization that seeks to restore, protect, and sustain the natural and human environment in and around Amador and Calaveras Counties. The organization represents a real constituency in your county: most of its members live in Amador County or own land here. The Foothill Conservancy believes that by working together we can bring communities to prosperity without needless destruction of that which is unique and special about the area. That is why we have been trying to constructively participate in the General Plan Update process by reviewing potential planning consultants, participating on the GPAC, and taking part in subsequent General Plan Update workshops. The Foothill Conservancy's vision for this area includes protected scenic quality, conserved forest lands, restored natural diversity of native plants and animals, and balanced economic development that is ecologically and socially sustainable. The Foothill Conservancy is headquartered along Highway 88 in Pioneer.

The General Plan Update will set the County on a course that will affect many of the aspects of Amador County that residents value most, including our scenic beauty, natural places, cultural and historical resources, ability to travel freely and safely, rural quality of life, rivers and creeks, dark night skies, small towns, agriculture, schools, and much more. As a locally-based organization largely made up of local residents and taxpayers, the Foothill Conservancy has and will continue to make a good-faith effort to put forward solutions to maintain these and other aspects of local life, and to craft a good, legally defensible general plan. The EIR for the general plan is the first real, fact-based analysis of the impacts of the plan update on our community and environment. It's critical for the County to get it right. Our scoping comments are intended to help the county do just that.

Much to our dismay, many of our recommendations have not survived the General Plan Update process, and in some ways the County has gone in the exact opposite direction. Of most concern to us at this time is the County's desire to develop a general plan that is primarily grounded in vague goal and policy platitudes rather than clear directions toward a diversified economy, a caring society, and a sustainable environment. We do not feel that there should be such equivocation in a document referred to as the County's Land Use "Constitution." We can't help but wonder if the freedoms that we so dearly treasure in these United States of America would have survived centuries of turbulent history, if our revered Constitution had read, "Consider the freedom of speech and assembly," or "Consider the right to bear arms."

We live in challenging times. Never in recent history has there been a more critical time for our local leadership to inspire its people to band together and work for a better future. The County needs to lead, or to join, and it needs do so collaboratively—not by ignoring or worse, running roughshod over the concerns of many county residents and taxpayers who want our county to have a truly sustainable future built on modern realities as well as our county's rich history and culture. Through its actions on the general plan, the county can deepen the divisions that have emerged in the process to date, or work to heal them for the benefit of our community. We strongly urge you to do the latter.

Immediately following this cover letter are a detailed set of general recommendations to follow in preparation of the General Plan Update EIR. These recommendations are based upon the CEQA Guidelines, CEQA case law, and our extensive experience reviewing EIRs over the last 20 years. We strongly encourage you to follow these recommendations, and to avoid the pitfalls they identify. It is in the county's best interest to develop a strong, clear, valid, legally defensible EIR.

Following the general recommendations, there are specific recommendations regarding your evaluation and mitigation of the impacts of the general plan on the loss of agricultural land. We strongly encourage the County to embrace programs to protect agricultural land from needless conversion, and to strengthen economic viability of ongoing agricultural operations.

As you prepare the General Plan Update DEIR, we anticipate that the significant impacts may trigger the need for mitigation measures. In fact, you may need to reconsider policy suggestions that were unceremoniously jettisoned in earlier phases of the general plan update process. To facilitate this reconsideration we have included, on the disk that accompanies these comments, a copy of the Foothill Conservancy's markups of the previously proposed policies. In addition, on the disk that accompanies these comments, we have provided numerous sources of practical mitigation measures on the subjects of agricultural land protection, air quality, biological resources, child care, conservation and open space, fire hazards, global climate change, governance and economic development, historic preservation, public services, and water. Please use these sources as you develop mitigation measures, as well as objectives, implementation programs, and standards.

To help reverse this disturbing trend toward meaningless "politician speak" in the general plan, we have included a copy of the OPR 2003 General Plan Guidelines on the disk that accompanies these comments. Please follow the general plan structure suggested in those guidelines, complete with quantified objectives, implementation programs, and specific standards. Note the need for a comprehensive general plan that covers all important County issues. Note the requirement for general plan elements to be consistent with each other. For example, do not again approve a land use map with so much development potential that the County is \$278 million short of the funds needed to build the accompanying roadways. Also, please follow OPR's recommendation to use mandatory language in policies. The OPR General Plan Guidelines are more than just an excellent cookbook for developing a general plan, they are the State's official guidance in interpreting general plan law, and thus provide somewhat of a safe harbor for County's unsure of their general plan responsibilities. We urge you to follow the OPR General Plan Guidelines and not to cut corners.

At the General Plan scoping meeting held on August 13, the Board of Supervisors asked that the Planning Department and Consultants prepare a glossary for the new general plan. On the disk that accompanies these comments, we have included a copy of the general plan glossary from El Dorado County, which you may find useful in defining some terms here in Amador County.

Finally, as we discussed with the County last year during our appeal of the Mokelumne Bluffs subdivision, we feel that the County should make more effective use of the CEQA requirement to develop and evaluate alternatives. We want the County to acknowledge that there are divergent points of view on the general plan, and to separately engage these interests in crafting separate general plan alternatives, that would be comparatively and quantitatively evaluated in the EIR, along with the general plan project description. This would best meet the purposes of CEQA to foster informed public participation and informed decisionmaking. We would be glad to work with you in the crafting of such an alternative.

We offer your fine staff our best wishes for their successful execution of the challenging tasks ahead. We hope that our County will lead the region by developing a general plan that makes ours a more healthy, prosperous, and sustainable county. Since an outstanding general plan EIR is an essential step toward achieving those goals, our hopes are entrusted to your capable hands.

Sincerely,



Thomas P. Infusino

P.S. Please maintain a copy of these written comments, and the accompanying disk, for the administrative record.



## CHAPTER 1

### CEQA REQUIREMENTS FOR A GENERAL PLAN EIR

The goal of scoping is to solve “many potential problems that would arise in more serious forms later in the review process.” (CEQA Guidelines, sec. 15083.) To ensure that everyone is clear on the County’s CEQA responsibilities, this document will review the basic requirements of a program EIR on a General Plan. It will also make suggestions for constructive ways to integrate the CEQA process and the General Plan Update to utilize and inform public participation.

We strongly encourage the board of supervisors, county counsel, planning staff, and EIR consultants to review this information. We strongly encourage the County to strictly follow the CEQA Guidelines and case law referenced in this letter in order to promote the purpose of CEQA: to provide the greatest feasible protection of the environment. Developing a good and legally sufficient EIR will help the county avoid a successful challenge of its general plan EIR by any party, saving the taxpayers significant cost. We strongly encourage you to ignore consultants who tell you the information we provide here is incorrect without providing some accurate citation to contrary legal authority. Remember, most of the EIRs found lacking by the courts have been written by such consultants.

Solving problems takes work on all sides. We have done our part to date by frequently stating our concerns regarding potential problems with the general plan and by participating in the general plan update process from its inception, including serving on the General Plan Advisory Committee. If you take issue with some of the guidance in this letter, which is intended to ensure full compliance with CEQA, we respectfully ask that you respond to us in writing and/or set up a meeting so that the issues can be resolved.

We strongly believe that an adequate EIR is essential to informed public participation and decisionmaking. Unfortunately, we have seen other cities and counties try to circumvent the CEQA process during general plan updates, to avoid taking a serious look at alternatives and mitigation measures to protect the human and natural environment. We urge you not to follow that path.

#### A. FORMAT AND SUBSTANCE OF AN EIR

##### 1) GENERAL STANDARDS

“[T]he ‘foremost principle’ in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.” (Communities for a Better Environment v. California Resources Agency (2002) 103 Cal.App.4<sup>th</sup> 98, 110; citing Laurel Heights Improvement Association v. Regents of University of California (1988) 47 Cal.3d 376,

390.) When trying to determine if staff, or consultants, or the Board of Supervisors are proceeding properly with the EIR, the public must ask: Is what they are doing affording the fullest possible protection to the environment? If the answer is no, the County should do something else.

An EIR should employ “an inter-disciplinary approach that will ensure the integrated use of the natural and social sciences and the consideration of qualitative as well as quantitative factors.” (CEQA Guidelines, sec. 15142.) EIRs should be “analytic rather than encyclopedic.” (CEQA Guidelines, sec. 15006, subd. (o).) “The courts have favored specificity and use of detail in EIRs.” (Whitman v. Board of Supervisors (2d Dist. 1979) 88 Cal.App.3d 397, 411 [151 Cal.Rptr. 866].) In Whitman, the Court found that the discussion of cumulative impacts lacked “even a minimal degree of specificity or detail” and was “utterly devoid of any reasoned analysis.” The document relied on unquantified and undefined terms such as “increased traffic” and “minor increase in air emissions.”

That means you may have to hire outside help to do technical traffic and air quality studies. That means you need to quantify impacts when impacts can be quantified. You can use qualitative analysis as well, but not as a substitute for otherwise available quantitative analysis. You can't just say traffic will get worse; you have to do the math and show how a conclusion was reached.

EIRs must be “organized and written in a manner that will be meaningful and useful to decisionmakers and to the public.” (Pub. Resources Code, sec. 21003, sub. (b).) EIRs should “emphasize feasible mitigation measures and alternatives to projects.” (Pub. Resources Code, sec. 21003, subd. (c).) At the end of the day, the EIR should have enough detailed information to allow the board of supervisors and the public to understand the choices among general plan alternatives, and logically advocate for the one they think best. In the case of a General Plan EIR, we strongly recommend that the alternatives be sufficiently defined, and the analysis be sufficiently detailed, to allow the board to select any of the alternatives, without further environmental review or project description. We also encourage the County to be prepared to take the best components of each alternative, and to combine them into a General Plan, even if supplemental environmental review would be required. We hope that you will not lose sight of the goal to produce the best plan, and to afford the fullest protection to the environment. Anything less is not in the interest of the county's taxpayers.

“The EIR shall cite all documents used in its preparation including, where possible, the page and section number.” (CEQA Guidelines, sec. 15148.) “A conclusory statement 'unsupported by empirical or experimental data, scientific authorities, or explanatory information of any kind' not only fails to crystallize issues [citation] but 'affords no basis for a comparison of the problems involved with the proposed project and the difficulties involved in the alternatives.'” (People v. County of Kern (5th Dist 1974) 39 Cal.App.3d 830, 841-842 [115 Cal.Rptr. 67], quoting Silva v. Lynn (1st Cir. 1973) 482 F.2d 1282, 1285.) “Argument, speculation, unsubstantiated opinion, or narrative

evidence which is clearly erroneous or inaccurate ... does not constitute substantial evidence." (CEQA Guidelines, sec. 15384.)

Proper citation is an often and needlessly neglected requirement that is of critical importance in an EIR. Without proper citation, an EIR is legally vulnerable and it will be nearly impossible for the County to formulate findings of fact.

Ultimately, the board will be required adopt findings of fact supported by substantial evidence in the record. The EIR is the summary of the record. The findings of facts rationally explain the board's findings based upon information in the EIR. When citations to the record back up factual statements in the EIR, which in turn back up the County's well-reasoned ultimate findings of fact, then the record forms tidy chains of facts and reason that support the County's findings. When that chain is broken by unsupported or uncited statements in the EIR, the chains of facts and reason fall apart, and the findings of fact fail to conform to the law.

The background papers prepared for the GPAC frequently included uncited "facts" and gross errors. For example, the biological resources paper said anadromous fish such as salmon and steelhead were found in the North Fork of the Mokelumne River, from which they have been blocked since 1929. The County should make sure to correct these problems in the EIR rather than carry them forward.

## 2) WHAT CONSTITUTES AN ADEQUATE EIR?

As noted above, the EIR should provide a sufficient degree of analysis to allow decisionmakers to make an intelligent judgment. In addition, it must reflect a good faith effort at full disclosure. (CEQA Guidelines, sec. 15151.) "A prejudicial abuse of discretion occurs if the failure to include relevant information precludes informed decisionmaking and informed public participation, thereby thwarting the statutory goals of the EIR process." (Kings County Farm Bureau et al. v. City of Hanford (5th Dist. 1990) 221 Cal.App.3d 692, 712 [270 Cal.Rptr. 650].)

That means that the EIR must admit the full truth about the proposed general plan, warts and all. If you are wondering whether the EIR is being done right, ask yourself, "Are we holding back any information that may reflect badly on the project or one of the alternatives when it comes to adverse impacts or infeasible mitigation? If the answer is yes, then disclose the additional information. CEQA requires full disclosure regardless of how any staff member, consultant, or decisionmaker may feel about the information.

### B. CONTENTS OF A DRAFT EIR

#### 1. BRIEF SUMMARY

An EIR must contain a brief summary that identifies the significant effects of the project, the proposed mitigation measures and alternatives, the areas of controversy, and the issues to be resolved. (CEQA Guidelines, sec. 15123.) The most common EIR flaws

in this section are the failure to admit the numerous areas of controversy, and the failure to comprehensively list the issues to be resolved. Since an EIR is used and commented upon by distant state and federal agencies, and by property owners who reside outside the county, there is an obligation to let these people know the controversies that have arisen, even if they may appear obvious to those who live in the area. Also, these requirements are directly connected to the standard that the EIR reflect a good faith effort at full disclosure. There is no room for spin or denial in an EIR.

## 2. PROJECT DESCRIPTION

The project description shall contain the precise location of the project on a detailed map, the objectives of the project, a description of the project's technical, economic, and environmental characteristics, and a statement of the intended uses of the EIR. (CEQA Guidelines, sec. 15124.)

General Plan EIRs usually have no problems identifying the location of the project and providing a map. They often do *not* provide a sufficient project description to allow for proper quantitative analyses of impacts.

General Plan EIRs sometimes neglect to include a comprehensive list of the intended uses of the EIR. This list is needed to reassure the public that the County has properly consulted, during the EIR process, with the many agencies who will use the EIR in the future. It also helps to reassure the public that the County will continue to properly consult with these agencies as they implement their shared jurisdiction over county resources including land, water, power, wildlife, wetlands, air quality, highways, and emergency response.

"An accurate, stable, and finite project description is the sine qua non of an informative and legally sufficient EIR." (County of Inyo v. City of Los Angeles (3d Dist. 1977) 71 Cal.App.3d 185, 193, [139 Cal.Rptr. 396].) "A curtailed or distorted project description may stultify the objectives of the reporting process." (Id. at pp. 192-193.) A "curtailed, enigmatic or unstable project description draws a red herring across the path of public input." (Id. at pp. 197-198.) A project description should account for reasonably foreseeable future phases of proposed projects if they may change the scope of the initial project or its environmental impacts. (Laurel Heights Improvement Association of San Francisco v. Regents of the University of California (1988) 47 Cal.3d 376, 393-399 [253 Cal.Rptr. 426].)

The County's current approach with regard to Rancho Arroyo Seco (RAS) is an example of the kind of "curtailed or distorted project description" that CEQA prohibits. Development of RAS is such a foreseeable future phase that the County is including a General Plan overlay to try to place some qualitative limits on the future development. Development of 25 square miles (about half the size of the City of San Francisco) of agricultural and mineral lands, laden with oak woodlands and federally listed threatened and endangered plants and wildlife, will certainly change the scope of the general plan's

environmental impacts. Yet the County is refusing to evaluate these impacts in the EIR. That is exactly the type of project description that CEQA precludes.

The County justifies the failure to evaluate the impacts because a general plan amendment will be required prior to RAS development, and the impact will be analyzed then. A classic and antiquated environmental review dodge is to break up the project into smaller parts, so that the impacts do not seem so large. It is called segmentation or piecemealing. To evaluate the impacts of foreseeable future development in the County under a general plan, but to exclude 25 square miles of that development, is a most egregious case of piecemealing. The fact that the County would require a separate general plan amendment and environmental review for future development of the RAS site does not excuse the CEQA violation—it *defines* the violation.

The tragedy of starting with the wrong project description is that the project description is the foundation from which the rest of the EIR is constructed. When a project description is wrong, the impact analyses are wrong, the alternatives are wrong, the mitigation measures are wrong, and the findings of fact are wrong. There is no recovery from a flawed project description. We strongly recommend that you fix the General Plan Project description now, before the remainder of the time, money, and work going into the EIR is wasted.

### 3. DESCRIPTION OF THE PROJECT'S ENVIRONMENTAL SETTING

“An EIR must contain an accurate description of the project's environmental setting. An EIR ”must include a description of the physical environmental conditions in the vicinity of the project ... from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” (Guidelines, § 15125, subd. (a).) There is good reason for this requirement: “Knowledge of the regional setting is critical to the assessment of environmental impacts.... The EIR must demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed and it must permit the significant effects of the project to be considered in the full environmental context.” (Guidelines, § 15125, subd. (c).) We interpret this Guideline broadly in order to “afford the fullest possible protection to the environment.” (*Kings County Farm Bureau, supra*, 221 Cal.App.3d 692, 720.) In so doing, we ensure that the EIR's analysis of significant effects, which is generated from this description of the environmental context, is as accurate as possible.” (*Friends of the Eel River v. Sonoma County Water Agency* (2003) 108 Cal.App.4<sup>th</sup> 859, 874.)

Information on the setting may come from a variety of sources. This is why coordination with outside agencies is so important. Air quality data is available from the State Air Resources Board, wildlife habitat data and fire risk maps are available from the state's CERES web site and state agencies, water supply information can be gleaned from utility district data.

Setting information in the form of both maps and numerical data is especially useful in a General Plan EIR, because of the large geographic scope of the project. It helps to know not only what the impact is, but where it will be felt. For example, it is not enough to say that 10 intersections will go to level of service F, it is also important to know where they are.

Among the most relevant aspects of the environmental setting that must be disclosed in an EIR, is that the agency must divulge harm to the environment caused by current and past mismanagement, and any efforts being made to remedy that harm that might affect the proposed project. (Friends of the Eel River v. Sonoma County Water Agency (2003) 108 Cal.App.4<sup>th</sup> 859, 874.) So often in the past, EIRs would list the regulatory setting, and then say that the impact will be mitigated by all these outside agencies, so the project impact will be insignificant. Too often however, these outside agencies had track records of failing to effectively mitigate significant impacts, and so should not have been relied upon for impact mitigation. In other instances, the outside agency plans specifically called for active efforts at the local level to mitigate the impact, and so when a local agency did not do so, but merely passed the buck back up to the outside agency, it resulted in a mitigation shell game without any effective on the ground fix. To avoid this in the future, the courts have gotten very strict about both identifying conflicts with other agency plans (as noted above), and about identifying regulatory failures. So for example, a lead agency cannot not simply rely on the existing wastewater treatment plant to mitigate future water pollution impacts, if that plant has numerous past permit violations. Also, the past permit violations must be disclosed in the EIR as part of the environmental setting. An EIR cannot rely on current levels and techniques of law enforcement to mitigate the impacts of crime, if there is a decade long history of increasing per capita levels of criminal activity.

Another important use of the environmental setting is in helping the County establish the proper thresholds of significance for impacts. “[T]he significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area.” (CEQA Guidelines, sec. 15064, subd. (b).) An EIR can be ruled inadequate when it uses an inappropriate noise threshold for an area or adjacent use. (Los Angeles Unified School Dist. v. City of Los Angeles (1997) 58 Cal.App.4<sup>th</sup> 1019, 1026.)

When the proposed project involves changing land use designations or zoning, the potential impacts should be compared not only to what would occur under the existing plan, but also to the existing physical conditions. (Environmental Planning and Information Counsel v. County of El Dorado (3d Dist. 1982) 131 Cal.App.3d 350, 354 [182 Cal.Rptr. 317].) This is a key consideration in evaluating the impacts of a General Plan. The project description’s impacts must be compared to the current environmental baseline at the time the NOP was issued. That is the current snapshot in time. In addition (not instead), the project description’s impacts must be compared to the impacts of continued development under the existing general plan, during the time horizon of the new plan, and at plan buildout.

The setting section of the DEIR must discuss any inconsistencies between the proposed project and existing general plans and regional plans. (CEQA Guidelines, sec. 15125.) This requirement is especially critical in a General Plan EIR. The General Plan Guidelines encourage cities and counties to review the plans of other neighboring areas, and of other agencies with jurisdiction; and to tailor general plans to conform, so that all the government agencies are pulling in the same direction, toward the same goals, as citizens and taxpayers prefer. For example, it is ridiculous to try to reduce out-commute traffic congestion with a four lane highway in this county, only to have it revert into a two lane highway at the county line. By identifying conflicts among plans in the DEIR, the County can work on ways to eliminate these conflicts in the final general plan.

"The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data." (CEQA Guidelines, sec. 15064, subd. (b).)

#### 4. SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT

The environmental effects that must be considered in an EIR include, direct and indirect effects, short and long-term effects, physical changes in an area, potential health and safety problems, changes in ecological systems, changes in population distribution and concentration, changes in land use, effects on public services, and effects on natural resources including water, scenic beauty, etc. (CEQA Guidelines, sec. 15126.2, subd. (a).) There is a good list of impact topics in the County's NOP.

A common mistake in General Plan EIRs is the failure to consider short-term significant effects. For example, if the County commits to full impact mitigation, but then only commits to developing that mitigation between years 5-10 of plan implementation, then the EIR must disclose that the impacts will remain significant in the short term, from 5 to 10 years, until the mitigation program is developed.

Another common mistake is trying to use the term Program EIR and tiering as an excuse to dodge analyzing critical environmental impact analysis at this time, as the East Bay Municipal Utility District has done with the proposed New Pardee Dam. "Calling it a 'program' does not relieve the County from having to address the significant environmental effects of that project. Respondents are therefore incorrect in asserting that the County may (1) deem the environmental effects of adopting the specific plan, whatever those effects may be, to be significant, then (2) approve the specific plan, and then (3) at some later time determine what the significant environmental effects are of the specific plan that has already been approved." (Stanislaus Natural Heritage Project v. County of Stanislaus (1996) 48 Cal.App.4th 182, 202-203.) "[A] decision to 'tier' environmental review does not excuse a governmental entity from complying with CEQA's mandate to prepare, or cause to be prepared, an environmental impact report on any project that may have a significant effect on the environment, with that report to include a detailed statement setting forth '[a]ll significant effects on the environment of the proposed project.' (Pub. Resources Code, § 21100.)" (Stanislaus Natural Heritage

Project v. County of Stanislaus (1996) 48 Cal.App.4th 182, 197.) "[T]iering' is not a device for deferring the identification of significant environmental impacts that the adoption of a specific plan can be expected to cause." (Stanislaus Natural Heritage Project v. County of Stanislaus (1996) 48 Cal.App.4th 182, 199.)

An agency must produce rigorous analysis and concrete substantial evidence to support a determination that the project's impacts are insignificant. (Kings County Farm Bureau et al. v. City of Hanford (5th Dist. 1990) 221 Cal.App.3d 692 [270 Cal.Rptr. 650].) The appropriate impact analysis process is as follows. The potential impact of the project is compared to a threshold of significance. If the impact is below the threshold, the conclusion is that the impact will be less than significant. If the impact exceeds the threshold, then mitigation measures are identified, and their contribution to reducing the impact is estimated. If there are feasible mitigation measures that can reduce the impact below the threshold of significance, the lead agency **is required to adopt them**, and the conclusion is that the impact is less than significant. If, even after adoption of all the feasible mitigation measures the impact still exceeds the threshold, then the conclusion is that the impact is significant and unavoidable.

The common mistake is to skip logical steps in the above analytical process. Often an impact is deemed significant, an agency adopts a short list of mitigation measures, and then jumps to the conclusion that the impact is mitigated. There needs to be an evaluation of the *degree to which* the mitigation measures will reduce the impacts, and a determination of whether the residual impact remains significant. A good example of this process can be found in the CEQA guides to air quality impact analysis produced by El Dorado County, and by the Bay Area Air Quality Management District.

Another common mistake occurs with school impacts, because mitigation fees are capped by the state, and deemed sufficient to reduce impacts to insignificance by law. As a result, many DEIRs skip the step associated with actually measuring the impacts. This is not permitted. An EIR is an impact disclosure document. Just because the mitigation is capped, does not exempt the lead agency from analyzing the impact. The residual impacts still need to be disclosed so that the public and the decisionmakers can make an informed decision. These "insignificant" impacts can easily run into the tens of millions of dollars, and can affect decisionmaking.

## 5. MITIGATION MEASURES PROPOSED TO MINIMIZE SIGNIFICANT EFFECTS

CEQA requires agencies to adopt feasible mitigation measures in order to substantially lessen or avoid otherwise significant environmental effects. (Pub. Resources Code, secs. 21002, 21081, subd. (CEQA Guidelines, secs. 15002, subd. (a)(3), 15021, subd. (a)(2), 15091, subd. (a)(1).) A mitigation measure is something that avoids an impact, minimizes an impact, reduces the impact over time, restores the impacted environment, or compensates for an impact by providing substitute resources or environments. (CEQA Guidelines, sec. 15370.) The EIR must distinguish between mitigation measures proposed by a project proponent for inclusion in a project and those



that, if included as conditions of approval, could reasonably be expected to reduce the level of impacts. (CEQA Guidelines, sec. 15126.4, subd. (a)(1)(A).)

The biggest mistake made in General Plan EIRs is the random rejection of mitigation measures without a rational reason. A mitigation measure is not infeasible simply because a member of the board of supervisors does not like it, is prejudiced against environmental protection, or doesn't believe in global climate change (for example). Whether a mitigation measure is proposed by staff, commenting agencies, or members of the public, it cannot be rejected without a reasoned analysis based upon facts in the record. (See CEQA Guidelines, sec. 15088(c).) We discourage the County from wasting valuable staff time trying to justify the rejection of mitigation measures that have proven effective in other communities. We encourage the County to embrace sound solutions to ongoing problems. When seeking mitigation measures, we encourage the County to review our proposed changes to the goals and policy framework, as well as other information provided in our appendix to these comments in the folder labeled "Mitigation Measures & Alternatives."

When approving projects that are general in nature (e.g. general plan amendment), agencies must develop and approve whatever general mitigation measures are feasible, and cannot merely defer the obligation to develop mitigation measures until a specific project is proposed. (Citizens for Quality Growth v. City of Mount Shasta (3 Dist. 1988) 198 Cal.App.3d 433, 442 [243 Cal.Rptr. 727]).

a. STANDARDS FOR THE ADEQUACY OF MITIGATION MEASURES

The administrative record must contain substantial evidence supporting the agency's view that the measures will mitigate the impacts. "A clearly inadequate or unsupported study is entitled to no judicial deference." (Laurel Heights Improvement Association of San Francisco v. Regents of the University of California (1988) 47 Cal.3d 376, 422 & 409 fn. 12 [253 Cal.Rptr. 426.]).

A common problem in a General Plan EIR is the philosophical collision between a County's desire to keep General Plan policies noncommittal, and CEQA's requirement that there be substantial evidence of a commitment to mitigation. On the one hand, counties are often poorly advised or lobbied to keep General Plan policies noncommittal so that the County cannot be held accountable for policy failures. The County, besieged by numerous significant impacts associated with its laissez faire general plan, then seeks to rely on these noncommittal policies as part of their impact mitigation program. However, CEQA requires that mitigation measures be enforceable commitments.

One way to resolve these conflicting requirements is the adoption of quantified Objectives or Standards in the General Plan, to complement a series of optional policies. For example, a General Plan program to protect agricultural lands could list a number of optional programs. The County can commit to investigating and trying some of these

programs, and, for example, to not converting more than 6,000 acres of agricultural land to urban uses over the next 25 years.

"Because an EIR cannot be meaningfully considered in a vacuum devoid of reality, a project proponent's prior environmental record is properly a subject of close consideration in determining the sufficiency of the proponent's promises in an EIR." "In balancing a proponent's prior shortcomings and its promises for future action, a court should consider relevant factors including: the length, number, and severity of prior environmental errors and the harm caused; whether errors were intentional, negligent, or unavoidable; whether the proponent's environmental record has improved or declined; whether he has attempted in good faith to correct prior problems; and whether the proposed activity will be regulated and monitored by a public entity." (Laurel Heights Improvement Association of San Francisco v. Regents of the University of California (1988) 47 Cal.3d 376, 420 [253 Cal.Rptr. 426].)

Another common mistake is the unfounded assumption that a mitigation program will fully mitigate an impact. As discussed above, if an agency or a program has a poor track record of mitigating impacts, then its future action cannot be relied upon for impact mitigation. For example, since the Regional Transportation Plan has a \$278 million funding shortfall, it would be wrong to rely on the Regional Transportation Plan to mitigate future traffic congestion impacts. As the courts have noted, "[E]ven where a developer's contribution to roadway improvements is reasonable, a fee program is insufficient mitigation where, even with that contribution, a county will not have sufficient funds to mitigate effects on traffic." (Endangered Habitats League v. County of Orange (2005) 131 Cal.App.4<sup>th</sup> 777.) We strongly recommend that mitigation measures be evaluated for their economic feasibility. Many consultants will say that this is not required, or that it is outside the scope of an EIR. But CEQA Guidelines, section 15131(c) requires economic analysis of mitigation measure feasibility.

#### b. DEFERRAL OF THE FORMULATION OF SPECIFIC MITIGATION STRATEGIES UNTIL AFTER PROJECT APPROVAL

Generally, an agency cannot rely on mitigating a significant impact by developing a mitigation plan *after* project approval. "The CEQA process demands that mitigation measures timely be set forth, that environmental information be complete and relevant, and that environmental decisions be made in an accountable arena." (Oro Fino Gold Mining Corporation v. County of El Dorado (3d Dist. 1990) 225 Cal.App.3d 872, 884-885 [274 Cal.Rptr. 720].) However, this may be permissible if the agency displays a commitment to mitigating the impacts by identifying performance criteria that the measures must satisfy. (Sacramento Old City Association v. City Council of Sacramento (3d Dist. 1991) 229 Cal.App.3d 1011, 1028-1029 [280 Cal.Rptr. 478].)

A common mistake in General Plan EIR is the improper deferral of impact mitigation. Often a jurisdiction is poorly advised to make no commitments in the general plan that it can be held accountable for in the future. A recent public meeting discussion among the Amador County Supervisors indicated that they too have been similarly

misadvised by neighboring El Dorado County Supervisor Jack Sweeney. In addition, many of the draft general plan policies were earlier revised to remove specific commitments to action or results

This advice is contrary to that in the State's General Plan Guidelines and can result in the County's attempting to remain noncommittal in the policies it also wants to count as impact mitigation. That kind of deferral is not allowed by CEQA unless the County commits to achieving specific performance criteria through program implementation.

For example, the county could not rely on a policy like this for mitigation: "Consider adopting a mitigation fee program for the open space impacts of new development." There is no commitment, and no performance criteria. On the other hand, the County could rely for mitigation on a policy that said, for example, "Within four years of plan adoption, the County will develop an open space mitigation program, to protect 80% of the existing agricultural land in the County from conversion to other uses. The program components will be selected from among the following list of feasible protection measures." (Followed by a list of feasible options.) The latter policy establishes a time-specific commitment, a mitigation standard, and a list of possible actions, just as the court approved in Sacramento Old City Association. In this fashion, the County can provide for flexibility in program development, while still providing clear standards for achievement.

Again, it's critical to note that while CEQA allows flexibility in this fashion, it does *not* allow the County to avoid making specific commitments to mitigate impacts simply because someone may one day hold it accountable.

#### c. MITIGATION MONITORING AND REPORTING

Prior to project approval, the lead agency must adopt a reporting and monitoring program that is designed to ensure compliance during project implementation. (Pub. Resources Code, sec. 21081.6.) "The purpose of these requirements is to ensure that feasible mitigation measures will actually be implemented as a condition of development, and not merely adopted and then neglected or disregarded." (Federation of Hillside & Canyon Associations v. City of Los Angeles (2000) 83 Cal.App.4th 1252, 1260 – 1261)

A common mistake is the notion that no mitigation monitoring plan is required at the time of General Plan approval, because General Plan law allows a County one year to develop an implementation plan. Actually, the Government Code provision that allows a County one year to develop an implementation plan predates the CEQA requirement and asks for a more advanced set of work products. The CEQA requirement in the Public Resources Code still applies to General Plan EIRs.

Another common myth is that some General Plan policies are self-implementing, and therefore their role as mitigation measures need not appear in the monitoring plan. There is no such thing as self-implementing policies or mitigation measures. This term is generally erroneously applied to policies that actually add additional burdens within existing work assignments. For example, they add new staff responsibilities during project review or new enforcement burdens during inspections. These policies that serve as mitigation measures still need to be in the monitoring and reporting plan and their implementation needs to be assigned to a specific staff, as does the monitoring and reporting on their implementation.

For example, a new “self-implementing” policy/mitigation may call for project proponents to select a list of greenhouse gas mitigation measures to incorporate into their project, to achieve a 30% reduction in greenhouse gas emission. To monitor the policy implementation staff during project review may need to keep a running tab of the selected greenhouse gas mitigation measures adopted by projects. Monitoring policy effectiveness may entail appointing building inspectors to see that the mitigation measures selected are actually installed. The inspector may have to report back to planning to whether the condition of approval was complied with, and a final map can be issued. These mitigation monitoring responsibilities need to be spelled out in the monitoring and reporting plan.

## 6. ALTERNATIVES TO THE PROPOSED ACTION

### a. GENERAL PRINCIPLES

An EIR must evaluate a range of reasonable alternatives to the project capable of eliminating any significant adverse environmental effects of the project, or reducing them to a level of insignificance, even though the alternatives may somewhat impede attainment of project objectives, or may be more costly. (Pub. Resources Code, sec. 21002; CEQA Guidelines, sec. 15126, subd. (d); Citizens for Quality Growth v. City of Mount Shasta (3d Dist. 1988) 198 Cal.App.3d 433, 443-445 [243 Cal.Rptr. 727].)

“An EIR is required to “ensure that all reasonable alternatives to proposed projects are thoroughly assessed by the responsible official.” (*Wildlife Alive v. Chickering* (1976) 18 Cal.3d 190, 197 [132 Cal.Rptr. 377, 553 P.2d 537].) Therefore, “[a]n EIR must ‘[d]escribe a range of reasonable alternatives to the project or to the location of the project, which could feasibly attain the basic objectives of the project and evaluate the comparative merits of the alternatives.’ (Guidelines, § 15126, subd. (d).) The discussion must ‘focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.’ (Guidelines, § 15126, subd. (d)(3).)” (*Kings County Farm Bureau, supra*, 221 Cal.App.3d at p. 733.) This discussion of alternatives must be “meaningful” and must “contain analysis sufficient to allow informed decision making.” (*Laurel Heights, supra*, 47 Cal.3d 376, 403-404.)” (Friends of the Eel River v. Sonoma County Water Agency (2003) 108 Cal.App.4<sup>th</sup> 859, 872-873.)

The lead agency, not the project opponents, has the burden of formulating alternatives for inclusion in an EIR. (Laurel Heights Improvement Association of San Francisco v. Regents of the University of California (1988) 47 Cal.3d 376, 406 [253 Cal.Rptr. 426].) "The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decisionmaking." (CEQA Guidelines, sec. 15126.6 subd. (f).)

The number of alternatives considered is limited by what is reasonably feasible. Throughout the development of the range of alternatives, keep asking yourself, "Are we fostering meaningful public participation and informed decisionmaking?" "Are we being unreasonable in eliminating an alternative from consideration?"

The law gives the County the right to define alternatives to the project description general plan. However, since the Board of Supervisors already supports the general plan project description, this can lead to problems.

One problem that crops up are alternatives insufficiently defined to allow for detailed comparison with the project description. We hope that the County will provide maps and text for the general plan alternatives, so that they can be fairly compared with the project description.

Another problem that comes up is the insertion of a poison pill into the alternatives that is not present in the project description. For example, the DEIR might come out with a project description that includes no proposed tax or fee increases, but the alternatives do. We hope that the County's EIR will be part of a General Plan Update process characterized by a fair competition of ideas so that the public can have faith in the result.

#### b. ALTERNATIVES DEEMED INFEASIBLE

An EIR must explain in detail why various alternatives are deemed infeasible. "Without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process. We do not impugn the integrity of the Regents, but neither can we countenance a result that would require blind trust by the public, especially in light of CEQA's fundamental goal that the public be fully informed as to the environmental consequences of action by their public officials." (Laurel Heights Improvement Association of San Francisco v. Regents of the University of California (1988) 47 Cal.3d 376, 404 [253 Cal.Rptr. 426].)

When an alternative is found financially infeasible, some analysis of revenue and cost figures will be needed to support the finding. A finding of financial infeasibility will not survive scrutiny if, "There is no estimate of income or expenditures, and thus no evidence that reduction of the motel from 80 to 64 units, or relocation of some units, would make the project unprofitable." (Burger v. County of Mendocino (1975) 45 Cal.App.3d 322, 327.)

c. QUANTITATIVE AND COMPARATIVE ANALYSES

CEQA requires a “quantitative, comparative analysis” of the relative environmental impacts and feasibility of project alternatives. (Kings County Farm Bureau et al. v. City of Hanford (5th Dist. 1990) 221 Cal.App.3d 692, 730-737 [270 Cal.Rptr. 650].) As we stated during the scoping meeting on August 13 and at earlier public meetings, we encourage the County to prepare an EIR that will include quantitative and comparative analyses of the general plan project description and alternatives. That includes running the traffic models, the air quality model, measuring agricultural land loss, estimating greenhouse gas impacts, calculating water supply impacts, running the Uplan model, and measuring noise impacts for the general plan project description *and all alternatives*. While a matrix of quantified impacts may be a useful way to provide a comparison, the mere ranking of alternatives by presumed but unsubstantiated impacts is not acceptable. This is especially critical when doing a program EIR. A program EIR is supposed to, “Provide an occasion for a *more exhaustive consideration of effects and alternatives* than would be practical in an EIR on an individual action,” and to “Allow a Lead Agency to consider *broad policy alternatives* and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts.” (CEQA Guidelines, sec. 15168.)

d. THE IMPORTANCE OF ARTICULATING PROPER PROJECT OBJECTIVES IN FORMULATING A RANGE OF REASONABLE ALTERNATIVES

In the past, lead agencies have attempted to narrow the range of reasonable alternatives by defining the objectives so narrowly that there are no feasible alternatives to the project that meet its objectives. The courts have not allowed this. (Rural Land Owners Association v. Lodi City Council (3d Dist. 1983) 143 Cal.App.3d 1013, 1025-1026 [192 Cal.Rptr. 325].)

At the scoping meeting on August 13, the County’s consultants suggested that the current project description narrowly limited consideration of general plan alternatives. We disagree.

The general plan project description claims to focus growth in the existing cities and rural centers, to reduce rural sprawl and protect working landscapes. However, the map allows for plenty of sprawling ranchette development through the “Ag. Transition” designation and the conversion of agricultural land by not establishing lower minimum densities for grazing land. Also, the very un-directive and noncommittal policy framework does not preclude such sprawl. If we were to characterize the project description, we might call it *laissez faire smart growth*: it gives lip service to town-centered development, but it does not make much of a commitment to delivering that result. Thus, the alternative retains the prospect of causing the impacts of sprawl. Also, while we endorse many smart growth concepts, we do not turn a blind eye to their potentially significant impacts when carelessly applied. Such careless application may pose additional traffic congestion impacts on some existing cities and rural centers. It

may affect housing affordability by limiting development opportunities and constraining supply. It also may locate commuters to Sacramento and Stockton many miles up Highway 88. Thus, even if the project description delivers on some smart growth concepts, it may still result in potentially significant impacts. The program EIR must evaluate alternatives to mitigate the impacts of the project description.

The development of a “new town” at RAS could provide a more efficient bedroom community for Sacramento and Stockton, reducing miles traveled, air pollution, and traffic congestion in other rural centers. An RAS alternative also may provide more opportunities for locating new affordable housing near new services than would trying to use infill development to shoehorn affordable housing into existing communities. Thus, we feel that including a RAS alternative in the general plan program EIR is justified. Of course, RAS development could result in the great loss of acres of working landscape and valuable plant and wildlife habitat, and as county staff and consultants have stated, there is no water supply for it (unless other areas are not developed). Thus, the EIR needs to take a hard look at the real impact trade-offs associated with such an alternative.

Finally, we feel the EIR should include a Success Through Accountability alternative. This alternative would balance the noncommittal goal and policy language with quantified objectives the County would strive to achieve, specific standards the County would enforce, identified programs the County would try to implement, designated funding sources the County would seek, and mitigation implementation and effectiveness monitoring the County would employ to track its progress, all grounded in the consensus general plan vision statement developed by the GPAC. This alternative would include a map that better ensures the focusing of growth in existing communities. This alternative would include an Agricultural Element. The land use map would more closely reflect the amount of growth that can be accommodated with transportation, water supply, wastewater disposal, and other infrastructure within the time frame of the plan.

That alternative could, for example:

- Set public safety goals and thresholds for rural development by creating a public safety overlay that would not allow the creation of new parcels of less than 40 acres in areas classified as high or very high fire risk until those areas have adequate fire evacuation routes and 24/7 paid fire and EMS response year-round (not counting CalFire).
- Set real, measurable standards to ensure continued preservation of agricultural lands, forest lands, open space, wildlife habitat, scenic beauty, and historic and cultural resources.
- Set circulation standards that address not only Level of Service, but also noise, protection of habitat, cultural and historical resources, and scenic beauty.

- Establish standards for protecting natural, cultural and historical resources critical for local tourism and recreation income, including mines, prehistoric sites, rivers, lakes, and scenic beauty.
- Establish standards that ensure the construction of workforce housing and child care facilities.
- Establish standards for green residential, commercial, and industrial construction as supported by the entire GPAC.
- Establish standards for greenhouse gas reduction that would apply to all projects requiring a tentative map.
- Include performance measures and benchmarks to be met at years 5, 10, and 15 of the general plan, along with options to be implemented if the standards are not being met.

A program EIR is supposed to, "Allow a Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts." (CEQA Guidelines, sec. 15168.) We feel that the above described alternatives would provide the opportunity for the County and its citizens to consider a broad range of policy alternatives.

As we explained during the August 13 scoping meeting, it seems obvious from public comment during and since the GPAC meetings that some local residents want a more conservation-oriented general plan while others want a general plan with a much less restrictive approach to land development. Since each of these approaches can include provisions that mitigate impacts of the project description, they can both be the bases for valid alternatives. We hope that County staff will again gather local groups and individuals together to help develop these alternatives, before time and money is spent on EIR technical analyses of straw-man alternatives having nobody's support. Such a set of straw-man alternatives would fail to "foster meaningful public participation and informed decisionmaking." (CEQA Guidelines, sec. 15126.6 subd. (f).)

e. THE "NO PROJECT ALTERNATIVE"

As suggested above in the environmental setting section, there can be some confusion when it comes to evaluating the "no project" alternative. An EIR must include an analysis of the "no project" alternative. (CEQA Guidelines, sec. 15126.6.) "When a project is the revision of an existing land use plan ... the 'no project' alternative will be the continuation of the existing plan." (CEQA Guidelines, sec. 15126.6, subd. (e).) As noted above, the project description and the alternatives must also be compared to the existing baseline environment at the time the NOP was issued.



## 7. UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL EFFECTS

An EIR must describe any significant impacts that cannot be reduced to a level of insignificance. (CEQA Guidelines, sec. 15126.2, subd. (b).) It is critically important for the EIR to try to express these impacts in quantitative and monetary terms whenever possible. This is because, at the end of the EIR process, the County is going to have to make a finding, based upon substantial evidence in the record, that the benefits of the proposed General Plan outweigh its environmental harm. It is essential that the magnitude of residual impacts be well defined for the County to make a supportable finding. In addition, an easy way to compare otherwise unlike impacts and benefits is to estimate their economic costs and benefits whenever possible.

For example, if one alternative will result in getting a \$5 million sewage treatment plant for free, that is a \$5 million benefit. On the other hand, if the alternative results in roadway impacts costing \$10 million to fix, that is a \$10 million cost. Thus, rather than struggling to try to balance sewage treatment benefits with traffic congestion impacts, it becomes a simple math exercise to compare the sewage treatment value to the roadway costs. (See, CEQA Guidelines 15141.)

## 8. SIGNIFICANT IRREVERSIBLE CHANGES

CEQA requires that an EIR identify the significant irreversible environmental changes caused by the project. (CEQA Guidelines, sec. 15126.2 (c).) For a General Plan EIR, the primary impacts are likely to include the conversion of agriculture, forest, and mineral lands to other developed uses like residential development. The secondary impacts are likely to include the extension of road and utility infrastructure to previously inaccessible areas. The evaluation in the EIR is used to determine if such current consumption of the resources is justified, or if the resources should be conserved for future use. Please evaluate these impacts in the General Plan Update EIR.

## 9. GROWTH INDUCING IMPACTS

The EIR must "Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." (CEQA Guidelines, sec. 15126.2, subd. (d).)

Growth inducing impacts can result from a General Plan that sets out land use designations and public works projects that will remove barriers to growth.

For example, "Construction of the road way and utilities cannot be considered in isolation from the development it presages." (City of Antioch v. City Council of Pittsburgh (1st Dist. 1986) 187 Cal.App.3d 1325 [232 Cal.Rptr. 507].) "It is obvious that constructing a large interchange on a major interstate highway in an agricultural area where no connecting road currently exists will have substantial impact on a number of

environmental factors." (City of Davis v. Coleman (9th Cir. 1975) 521 F.2d 661, 674-675.)

“It also is settled that the EIR must discuss growth-inducing impacts even though those impacts are not themselves a part of the project under consideration, and even though the extent of the growth is difficult to calculate. The case law supports this distinction. The court in City of Antioch v. City Council (1986) 187 Cal.App.3d 1325 [232 Cal.Rptr. 507] found that a project required an EIR notwithstanding that the project itself involved only the construction of a road and sewer project which did not in and of themselves have a significant effect on the environment. The court recognized that the sole reason for the construction was to provide a catalyst for further development in the immediate area. It held that because construction of the project could not easily be undone, and because achievement of its purpose would almost certainly have significant environmental impacts, the project should not go forward until such impacts were evaluated in the manner prescribed by CEQA. (*Id.* at pp. 1337-1338.)” (Napa Citizens for Honest Government v. Napa County Board of Supervisors (2001) 91 Cal.App.4<sup>th</sup> 368.)

Growth inducing impacts can result from a General Plan that does not provide for a jobs - housing balance. For example, if the land use designations facilitate the creation of many low-paying jobs, but insufficient affordable housing for the workers, that affordable housing will need to be produced elsewhere. Thus the jobs-housing imbalance is growth inducing. Sometimes EIR preparers try to avoid the requirement to evaluate such growth inducing impacts using the excuse that such future growth is too speculative to evaluate. This excuse has not and will not work. “In Stanislaus Audubon Society, Inc. v. County of Stanislaus (1995) 33 Cal.App.4th 144 [39 Cal.Rptr.2d 54], the court considered a proposed construction of a country club and golf course and attendant facilities. It was contended there that an EIR was not required because the growth-inducing impacts of the proposed project were too remote or speculative, and EIRs would be prepared in connection with any application for a housing development. The court responded, “The fact that the exact extent and location of such growth cannot now be determined does not excuse the County from preparation of an EIR.... [R]eview of the likely environmental effects of the proposed country club cannot be postponed until such effects have already manifested themselves through requests for amendment of the general plan and applications for approval of housing developments.” (*Id.* at pp. 158-159, fn. omitted.)” (Napa Citizens for Honest Government v. Napa County Board of Supervisors (2001) 91 Cal.App.4<sup>th</sup> 368-369.)

## 10. CUMULATIVE IMPACTS

“Cumulative impacts’ refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” (CEQA Guidelines, sec. 15355.) In some cases, a cumulative impact “results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects.” (CEQA Guidelines, sec. 15355.) An EIR must discuss significant cumulative impacts, and/or

explain why the cumulative impacts are not significant. (CEQA Guidelines, sec. 15130; Citizens to Preserve Ojai v. County of Ventura (2d Dist. 1985) 176 Cal.App.3d 421, 432 [222 Cal.Rptr. 247].)

a. THRESHHOLDS OF SIGNIFICANCE

Problems often arise in evaluating the significance of cumulative impacts.

In many cases, the existing environmental conditions (e.g. air quality, traffic congestion, etc.) may already be cumulatively significantly impacted, even without the additional development in a general plan. At times, consultants have argued that in such situations, additional cumulative impacts should not be considered significant. The courts have disagreed. In fact, the courts have concluded the opposite. Namely, the more severe the existing environmental problems are, the lower the threshold for treating the project's cumulative impacts as significant. (Kings County Farm Bureau et al. v. City of Hanford (5th Dist. 1990) 221 Cal.App.3d 692, 718-721 [270 Cal.Rptr. 650].)

Another suspect approach is choosing thresholds that are so ridiculously large that the project's cumulative impacts are incorrectly judged insignificant. For example, too often EIRs of late have identified tons of project related greenhouse gas emission, and then said that the impact is insignificant because the threshold is the entire state's production of GHGs. For the reasons noted above, this logic is flawed and the analysis is not compliant with CEQA. The County should avoid trying to minimize significant impacts by using ridiculously large thresholds.

b. SCOPE

The lead agency must justify its choice of scope for each cumulative impact analysis. (CEQA Guidelines, sec. 15130(b)(3).) The scope will be different for different impacts, because different cumulative impacts affect different geographic areas. For example, the cumulative air quality impact analyses of major projects should consider the cumulative impacts over the entire air basin. (Kings County Farm Bureau et al. v. City of Hanford (5th Dist. 1990) 221 Cal.App.3d 692, 721-724 [270 Cal.Rptr. 650].) Similarly, cumulative traffic congestion impacts on inter-county highways will be felt across the county line, and the analysis should not stop at the county border. Cumulative impacts on localized wildlife populations may only come from local projects, while cumulative impacts on migratory wildlife may accrue from throughout their migratory range. Water removed from the Mokelumne River may not only impact local fish populations in Amador County, but also salmon and steelhead populations in the Delta and as noted in the recent National Marine Fisheries Service biological opinion, even killer whale populations in the Pacific Ocean.

## c. DETAILED ANALYSIS

Quantitative data is often needed in cumulative impact analyses. "Absent some data indicating the volume of ground water used by all such projects, it is impossible to evaluate whether the impacts associated with their use of ground water are significant and whether such impacts will indeed be mitigated by the water conservation efforts upon which the EIR relies." (Kings County Farm Bureau et al. v. City of Hanford (5th Dist. 1990) 221 Cal.App.3d 692, 728-729 [270 Cal.Rptr. 650].) Where a "sophisticated technical analysis" is "not feasible" the lead agency is still bound to conduct "some reasonable, albeit less exacting, analysis." Citizens to Preserve Ojai v. County of Ventura (2d Dist. 1985) 176 Cal.App.3d 421, 432 [222 Cal.Rptr. 247]

## d. TREATMENT OF RAS

One of our current concerns comes from the indication in the scoping notice that the impacts of RAS development will be limited to the "four existing parcels and land use designations." (NOP, p. 12.) The cumulative impacts of development from both the General Plan Update and the RAS general plan amendment must be evaluated in the General Plan Update EIR.

"An agency may not ... [treat] a project as an isolated 'single shot' venture in the face of persuasive evidence that it is but one of several substantially similar operations .... To ignore the prospective cumulative harm under such circumstances could be to risk ecological disaster." (Whitman v. Board of Supervisors (2d Dist 1979) 88 Cal.App.3d 397, 408 [151 Cal.Rptr. 866, quoting Natural Resources Defense Council v. Callaway (2d. Cir. 1975) 524 F.3d 79, 88.) "Consideration of the effects of a project or projects as if no others existed would encourage the piecemeal approval of several projects that, taken together, could overwhelm the natural environment and disastrously overburden the man-made infrastructure and vital community services. This would effectively defeat CEQA's mandate to review the actual effect of the projects upon the environment." (Las Virgines Homeowners Federation, Inc. v. County of Los Angeles (2d Dist. 1986) 177 Cal.App.3d 300, 306 [223 Cal.Rptr. 18].)

"It is vitally important that an EIR avoid minimizing the cumulative impacts. Rather it must reflect a conscientious effort to provide public agencies and the general public with adequate and relevant detailed information about them.' [Citation.] A cumulative impact analysis which understates information concerning the severity and significance of cumulative impacts impedes meaningful public discussion and skews the decisionmaker's perspective concerning the environmental consequences of a project, the necessity for mitigation measures, and the appropriateness of project approval. [Citation.] An inadequate cumulative impact analysis does not demonstrate to an apprehensive citizenry that the governmental decisionmaker has in fact fully analyzed and considered the environmental consequences of its action." Citizens to Preserve Ojai v. County of Ventura (2d Dist. 1985) 176 Cal.App.3d 421, 431 [222 Cal.Rptr. 247], quoting San Franciscans for Reasonable Growth v. City and County of San Francisco (1st

Dist. 1984) 151 Cal.App.3d 61, 79 [198 Cal.Rptr. 634].) "Without a mechanism for addressing the cumulative effects of individual projects, there could never be any awareness of or control over the speed and manner of downtown development. Without such control, piecemeal development would inevitably cause havoc in virtually every aspect of the urban environment." San Franciscans for Reasonable Growth v. City and County of San Francisco (1st Dist. 1984) 151 Cal.App.3d 61, 76-77 [198 Cal.Rptr. 634].) "In Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 723 [270 Cal.Rptr. 650] (Kings County Farm Bureau), the court held that, in considering whether an EIR must include related projects, "[t]he primary determination is whether it was reasonable and practical to include the projects and whether, without their inclusion, the severity and significance of the cumulative impacts were reflected adequately." Friends of the Eel River v. Sonoma County Water Agency (2003) 108 Cal.App.4<sup>th</sup> 859, 868-869.)

There is no real question about the foreseeability of the RAS development. On July 3, 2008, the developer made a property owner request for an SPA designation that would allow for "One or more Specific Plans" to guide development of the 16,100 acre area. The staff's October 2008 analysis of the proposal states, "As part of the "alternatives" process planning staff has acknowledged the existence of the new owners, and their desire to eventually develop the property in some capacity." (See, General Plan Workshop, 10-14-08, Agenda Packet, Landowner Request 36.) Finally, when the revised definition of the SPA was approved by the BOS in April of 2009, in reference to RAS, Supervisor Forster stated, "... there will be some development. There's no lying to people there. Everybody knows it. You don't spend \$95 million on a piece of property and not want to develop some of it." Something that "everybody knows" is reasonably foreseeable.

There is also no real question that about whether it is reasonable or practical to include RAS development in the impact analysis. During staff's "alternatives" process, they constructed Tables 3c and 3d that demonstrated the effect of including 11,300 acres of RAS development in General Plan Alternative C. In addition, on page 39 of the June 2008, "Updated Classification System and Alternatives Workbook," Table 3b indicated that development of RAS would double the expected number of residences in the County at buildout (38,929) relative to general plan conceptual alternative A. Thus there is no real question that a cumulative impact analysis that left out RAS development would not adequately reflect the severity of the cumulative impacts.

Failure to evaluate the cumulative impacts of the General Plan Update and the RAS general plan amendment would violate the principles at the very heart of CEQA's cumulative impact analysis requirement.

#### e. MITIGATING THE IMPACTS OF INCREMENTAL DEVELOPMENT

"Assessment of a project's cumulative impact on the environment is a critical aspect of the EIR. [3] " 'One of the most important environmental lessons evident from past experience is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant, assuming threatening dimensions

only when considered in light of the other sources with which they interact.' " (Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 720 [270 Cal.Rptr. 650], quoting Selmi, The Judicial Development of the California Environmental Quality Act (1984) 18 U.C. Davis L.Rev. 197, 244, fn. omitted.)" (Los Angeles Unified School Dist. v. City of Los Angeles (1997) 58 Cal.App.4th 1019, 1025 – 1026.) This statement refers to the phenomenon sometimes referred to as “death by 1,000 cuts.”

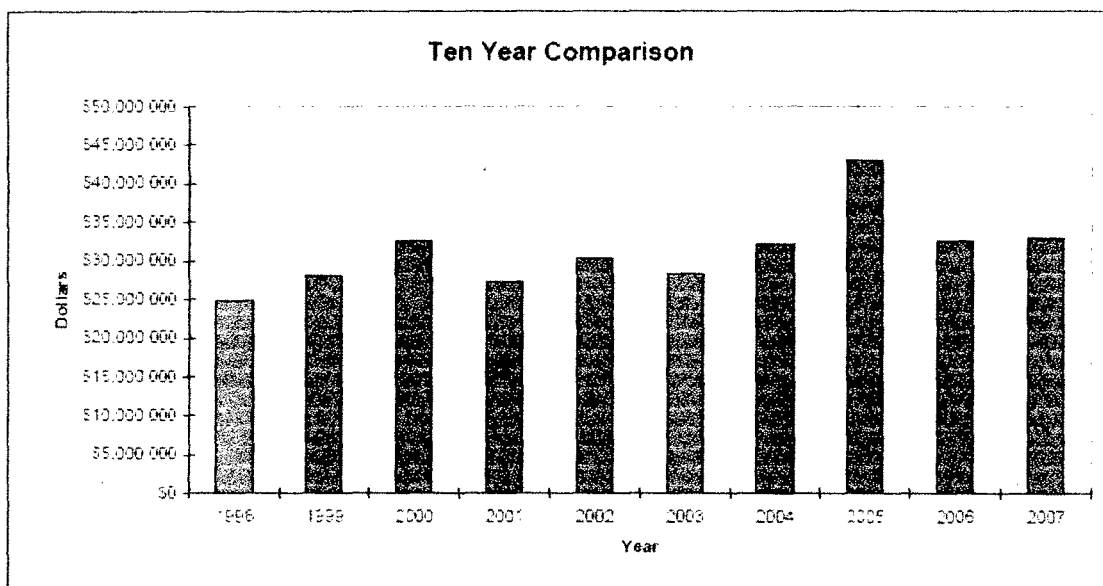
When evaluating cumulative impacts and their mitigation, it is important to ensure that the mitigation applies to the projects causing the impacts, even if they are smaller projects of 10 to 50 units. Also, large development projects (250 units or more) are often preferred by public officials over smaller projects (10 – 50 units), because the large projects offer more impact mitigation and other community benefits, while smaller projects are often exempted from impact mitigation. This inequity need not be the case. As the County develops impact mitigation programs, it would be better to include smaller projects as well, so that they are not put at a competitive disadvantage in the competition for project approvals. In addition, mitigation programs with broader application will have a better chance at achieving mitigation objectives.

## Chapter 2

### Scoping Comments on Agriculture

#### Dollar Value of Amador County Ag. Products:

**Over \$30 million annually, led by wine grapes, livestock, & timber.**



(From: Amador County, 2007 Crop Report.)

## 1) BACKGROUND

Amador County is blessed with over 195,000 acres of agricultural land. As seen on the map above, this includes vast grass lands in the lower elevations, forested lands in the higher elevations, and a bit of prime agricultural land in the north and southwest sectors of the County. It is no surprise that over the last decade these lands have consistently produced approximately \$30 million in sales annually, primarily from livestock, timber, and wine grapes.

While we commonly refer to these lands as agricultural lands, they actually provide a great variety of benefits to our community, in addition to their annual production of agricultural products.

## Chapter 2, Scoping Comments on Agriculture

### Other Values Provided by Ag. Land:

Ag. lands are a net fiscal benefit to local governments. Numerous studies show Ag. lands are a net fiscal benefit relative to developed uses, that tend to consume more government revenues than they produce.

Ag. lands help us meet our responsibility to be good stewards of many natural resources through groundwater recharge, storm water filtration and retention, providing fish and game habitat, maintaining endangered species habitat, preserving oak woodlands, carbon sequestration, soil conservation, air pollution reduction, establishing fire breaks, and sharing scenic beauty.

Our Ag. lands help us to carry on the areas rich history and traditions. Many local families want to carry on the agricultural tradition of their ancestors, some of whom date back to the days of the gold rush.

Our Ag. lands provide an important reserve of food and fiber production that supports our national security. So long as an army “marches on its stomach,” wears leather, and builds things out of wood, the food and fiber produced in the Ag. lands of Amador County will be one of our major local contributions to National Security.

Maintaining our Ag. lands preserves land use options for the future. As we pave over farmland, we take the option of farming it away from the next generation, who may value that farmland more. Their interests are not represented in the current economic competition for the land.

Our Ag. lands are an important component of the character development of our youth. Ag. land not only produces good food and fiber, the families who work it produce good people. We owe it to future generation to ensure that they will be as blessed as we are, by the fine community leaders and public servants that are raised on Ag. lands.

Because Ag. lands are such a large and valuable component of the County land base, and because they are threatened by conversion to other developed uses, an adequate general plan would include proven methods to protect agricultural lands so that those lands will continue to produce a stream of both economic and non-pecuniary benefits long into the future. Unfortunately, to date Amador County has been converting farmland to developed uses at an alarming and increasing rate.

In response to the conversion of Ag. land to developed uses, a number of concerned citizens drafted an Agricultural Element for the General Plan Update. After reviewing the draft element, members of the community raised a number of concerns. Although the proposed self-contained Agriculture Element was rejected by the GPAC, a few Ag. related provisions did make it into the draft General Plan Update goals and policies. In addition, the Foothill Conservancy later provided the county with a copy of Calaveras County’s draft general plan Agriculture Element, which takes a more comprehensive approach to protecting Ag. land.



Many Acres of Farmland are Converted to Development Every Year:

The Net Loss of Farmland was 285 acres/year from 1984-2004.



AGRICULTURE  
Background Working Paper

Table AC-  
Farmland Conversion in Amador County 1984-2004

Land Use Category	Acreage by Category <sup>1</sup>										1984-2004 Net Acreage Change	Average Annual Acreage Change	
	1984	1986	1988	1990	1992	1994	1996	1998	2000	2002 <sup>2</sup>			2004
Prime farmland	2,600	2,520	2,410	2,264	2,064	1,829	1,575	1,365	1,110	828	580	-202	-10
Farmland of statewide importance	1,509	1,529	1,530	1,420	1,340	1,210	1,010	739	449	214	80	-34	-17
Unique farmland	2,097	2,066	2,010	1,738	1,729	1,698	1,750	1,770	1,864	1,899	1,798	488	70
Farmland of local importance	3,954	3,954	3,997	3,827	3,827	3,728	3,738	3,957	3,789	3,251	266	-1,695	-125
Important farmland resources	1,282	1,380	11,549	1,766	1,766	1,575	11,578	1,254	1,584	11,082	10,692	-692	-36
Grading and	193,228	193,112	192,618	191,808	191,774	191,445	191,371	191,370	190,792	191,039	188,218	-8,017	-231
Agricultural and substrate	204,619	204,454	204,468	202,378	202,480	202,520	202,549	202,604	202,897	202,211	198,910	-8,707	-285
Urban and built-up land	6,068	6,092	6,190	6,466	6,624	7,141	7,202	7,310	7,564	7,768	7,924	86	90
Other land	84,318	84,613	84,796	85,112	85,038	84,992	85,000	85,126	85,330	85,562	85,018	-297	-85
Water area	6,170	6,170	6,221	6,221	6,221	6,221	6,221	6,322	6,322	6,322	6,322	0	0
Total area monitored	300,075	300,075	300,075	300,075	300,075	300,075	300,075	300,075	300,075	300,075	300,075	0	0

<sup>1</sup> Figures are generated from the most current version of the GIS data. Fields dating from 1984 through 1992 were reprocessed with a standardized county line in the albers equal area projection and other boundary improvements.

<sup>2</sup> Due to the incorporation of digital cell survey data (source) in 2002, acreages for farmland, grading and other land categories may differ from those published in the 2000-2002 farmland conversion report.

Percentage of county monitored: 77 percent.

Source: California Department of Conservation, Farmland Mapping and Monitoring Program (2004).

(From: Amador County, *Agriculture GPU Working Paper*, Dec. 2006.)

As the general plan update progressed in 2008, staff developed conceptual alternatives for review and consideration, prior to the Board of Supervisor’s designation of a project description General Plan. Each of these alternatives reflected continued conversion of Ag. land to more developed uses. Alternative C, which included development of the Rancho Arroyo Seco project, would re-designate 9,000 acres out of the Ag. General designation. After 20 years of development, 6,250 homes would be added to the County’s 11,528 homes. Alternative D would allocate about 5,200 dwelling on Ag. land. Alternative A (the existing plan) would allocate 8,600 dwelling on Ag. land. (From: *Updated Classification System and Alternatives Workbook*, June 2008) These numbers justified continued concern for the loss of Ag. land through future development.

## Chapter 2, Scoping Comments on Agriculture

Also in 2008, individual landowners sent in requests to have their land given a designation different than that on the proposed land use designation map. A number of these requests were for Ag. land properties over 100 acres in size. While a total of over 21,000 acres in new designations were proposed, not all were approved for inclusion into the general plan project description. Many of those rejected were invited to return with general plan amendments in the future. The Rancho Arroyo Seco proposal was modified into an overlay that precludes development of the parcel without a future general plan amendment, but sets the stage for that development.

### 2008 Landowner Requests on Ag. Land over 100 Acres

Request #	Acreage	LUD Now	Min Parcel Now	LUD Wanted	Min Parcel/Max Density
• 1(Kinne)	240	AG	40	SPA	18 U/AC
• 3(Villegas)	320	AG	40	AT	5 Acre Min.
• 6(Thomas)	375.7	AG	40	RR/SPA	18 U/AC
• 7(Cooper)	118	AG	40	AT	5 Acre Min.
• 9(Pizer)	600	RS/AG	1/40	RR/AT	1/5 Acre. Min.
• 11(Zucco)	103	AG	40	AT	5 Acre. Min.
• 21(Mondani)	140	AG	40	AT	5 Acre Min.
• 22(Walsh)	119	AG	40	AT	5 Acre Min.
• 25(Plasse)	217	AG	40	AT	5 Acre Min.
• 28 (G'n Vale)	330	AG	40	SPA	18 U/AC
• 30(P'mint)	480	AG	40	AT	5 Acre Min.
• 31(Miller)	204	AG	40	AT	5 Acre Min.
• 33(Yochheim)	136	AG	40	AT	5 Acre Min.
• 35(Howard)	1850	AG	40	C/ITC	7 U/AC
• 36(RAS)	16,100	AG	40	SPA	18 U/AC

21,332.7 acres

- (NOTE: The ultimate parcels may be larger than the minimum allowed.)

## Chapter 2, Scoping Comments on Agriculture

In September of 2008, the County took a survey of public opinions regarding many general plan issues. The survey results indicate that people identified a “rural lifestyle” as farming and ranching, living near farms and ranches, and having views of agriculture and forest land. 91% of those surveyed favored expanding Agri-tourism in Ag. areas. 75% of those surveyed favored buffers between Ag. land and developed lands.

As noted below, the community concerns regarding the potential adverse effects of the proposed Ag. Element can and must be addressed so that the County can move forward with a feasible and effective set of Ag. land conservation strategies. Such feasible mitigation approaches cannot be rejected based upon bias and misinformation.

- 1) One concern was the loss of property value if the Ag. land cannot be developed. One adversely effect of this loss in value is that it limits the ability of the owner to get loans from the bank to invest in continued agriculture on the property. This objection can be addressed by employing Ag. land conservation strategies that maintain the value of the agricultural land. For example, an Ag. land easement and/or County policy could allow an owner to cluster available development density onto a small percentage of the Ag. land, while maintaining the remainder permanently in agriculture. Thus, the owner retains the potential for valuable development that the banks look for when evaluating loans. Another approach is to encourage and seek funding for long-term conservation leases that could protect the agricultural, scenic and natural values of the land for 50 years while providing a reliable revenue stream to landowners for managing their land just as they do today.
- 2) A second concern is that Ag. land mitigation requirements would lower the value of Ag. land for conversion to developed uses, since the mitigation is costly. This depends on the type of mitigation proposed. In the example provided above, there is no need to reduce the value of the land to mitigate the conversion impacts.

Of course, there are other mitigation strategies that require a developer to purchase conservation easements on other Ag. lands before developing his own. While it is true that such a strategy would lower the value of the land to be developed, it also has the affect of *improving* the economic viability of the remaining Ag. lands. Thus, there is no net loss, merely a transfer in value and the creation of a mitigation market that can be highly profitable to those who wish to stay in agriculture. As noted above, Ag. lands provide a great deal of the scenic beauty and rural setting that is a key attractant of people to this area, and a key component of the area’s real estate value. This benefit is currently not being compensated in the market. Thus, this mitigation is merely providing a market mechanism to cure a market flaw, and improve its efficiency.

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- 3) The third concern was that Ag. land conservation strategies could result in a loss of property rights. At this time, there are no rights to intensively develop agriculturally designated land on the County's land use map. Such intense development requires changes in the general plan and zoning that are at the discretion of the Board of Supervisors. Any process that requires such action by the county is not a fundamental property right. Similarly, recent CEQA cases have limited the Board's discretion, by confirming that they must employ feasible mitigation measures to mitigate significant impacts to Ag. lands. In addition, physical constraints and infrastructure limitations in the County preclude intense development of all the County's agricultural lands. Thus, for many of these lands, the "property right" to develop to intense uses is illusory at this time.

Furthermore, the intent of Ag. land conservation is not to preclude the development of all agricultural lands. There is acknowledgement that Ag. lands will develop. The strategies try to limit the adverse impacts of that development by limiting its footprint, and/or by securing conservation easements on other lands. They also try to enhance the economic viability of Ag. lands to provide more attractive options to conversion. Finally, they aim to help Ag. land owners to successfully negotiate financial management, estate planning, and land sales challenges in a way that conserves the agricultural lands.

- 4) A fourth concern was that Ag. landowners want equal treatment with others who can change their land use designations and zoning. All land owners who seek to change their land use designations and zoning are treated equally in that they all must feasibly mitigate the significant impacts of their development proposal. All land owners who seek to change their land use designation and zoning will have their proposals evaluated for compatibility with surrounding uses. (Of course, we do not condone special treatment being given to one land owner, as is the case with RAS.) While some Ag. elements do include special standards that must be met before Ag. land is converted to intensely developed uses (e.g. buffers, fences, compatibility with neighboring uses, etc.) these standards generally deal with the burdens of impact mitigation and nuisance avoidance applied to all general plan amendments and rezones. However, since all new development benefits from the scenic value and rural settings provided by Ag. land, some mitigation fee would be appropriate when even non-Ag. land is developed.
- 5) Another concern was that impact mitigation should not be the same for all Ag. lands, because some developments have more impact than others. For example, this commenter would probably oppose a flat per-acreage fee for mitigation of all Ag. land. It might be more equitable to have different mitigation requirements for development of prime Ag. land, forest land, and grazing land. In addition, such a fee would provide a tighter nexus to the impact. It is also worthy to note that pursuant to CEQA, other impact mitigation for developments on Ag. land will differ, because the impacts are different. For example, some Ag. lands include

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endangered tiger salamander habitat, and others do not. Those that do not will provide no tiger salamander habitat impact mitigation.

- 6) Some Ag. land owners expressed a desire to be able to develop some of their land, and to keep other parts in agricultural uses. As noted above, that is a very viable Ag. land conservation strategy that could be employed in Amador County.
  
- 7) Some Ag. land owners expressed a desire to have the right to totally convert their land to non-Ag. use. As noted above, changing one's land use designation and zoning currently requires a discretionary approval from the Board of Supervisor. As noted above, the General Plan Update expects that some property owners will want to convert their land to intensely developed non-Ag. uses. As also noted above, CEQA requires mitigation of significant impacts associated with Ag. land loss. One purpose of Ag. conservation policies is for the County to publicly craft the most appropriate means for consistently meeting the CEQA obligation, when a property is totally converted from Ag. to another use.
  
- 8) Some commenters were concerned that Ag. land conservation could interfere with the orderly growth of existing cities, by preserving Ag. lands to close the cities, and triggering later leap-frog growth. An Ag. Element map can place a higher priority on preserving some Ag. lands, and a lower priority for preserving other Ag. lands. The City of Plymouth recently adopted a land use map and General Plan that does this. The County can cooperate with the cities in preparing the Ag. Element to ensure that these priorities are agreed upon by the cities and the County. In addition, identifying suitable spheres of influence, or urban limit lines, can help to provide space for orderly growth of existing cities and town centers while ensuring the distinct, separate towns called for in the general plan visions statement.
  
- 9) Some commenters noted the need for financial compensation for Ag. land preservation. Of course that is needed. Programs for Ag. easements, conservation easements, open space districts, mitigation banking are all available options to meet this need. We believe the public at large would strongly support contributing to Ag. land preservation.

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- 10) One commenter opposed buffers for developments adjacent to Ag. lands, on the ground that they are uncompensated takings. For a buffer to be a taking, the buffer mitigation would have to be insufficiently connected to an impact of the development (e.g. no nexus), or disproportional to the impact of the development (e.g. not roughly proportional). The Ag. buffers and fences are usually provided to protect future residents from noise, odors, pesticides, and trespass by livestock; and to protect Ag. neighbors from nuisance law suits, trash, noise, and trespass by dogs and minors. The requirements for buffers and fences can easily be shown to have a nexus to the impacts of the proposed development. The County will have to design the buffer and fencing requirements so that the buffers are roughly proportional in size to that needed to mitigate the harm. For example, the size of the buffer should not be much larger than needed to mitigate the noise impacts and pesticide spraying impacts. In these ways, the County can avoid buffer requirements becoming an unconstitutional taking.
  
- 11) Another comment in opposition to Ag. buffers is that their non-development puts pressure on other Ag. lands to develop. In one sense this is correct, in that it takes more land to develop the same number of homes when there are buffers. Thus buffers create pressure to develop more land. However, there are other factors that may reduce this pressure. Because buffers increase the cost of developing Ag. land, they make development of infill lands more competitive, thus decreasing the development pressure on Ag. land. Finally, because buffers limit threats to viable agricultural operations on neighboring land, they provide land owners with economic options to development, and thereby reduce the pressure to convert Ag. lands.
  
- 12) Another comment opposed requirements for Ag. land preservation as mitigation for Ag. land development. The County does not control the CEQA obligation to mitigate significant impacts to Ag. land conversion. CEQA is state law. The County can devise the most appropriate means of consistently complying with the law. That is what an Ag. Element in a General Plan Update can do, along with its implementing programs.
  
- 13) One concern about an Ag. Element was that it included land use policies that belong in the Land Use Element. In counties with agriculture sections in their general plan, the Ag. section often cross-references policies in other elements (Land Use, Conservation, Open Space, etc.) that are relevant. Amador County could do the same.

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- 14) One opponent of the Ag. Element wanted the County to focus only on maintaining the economic viability of Ag. enterprises. Many policies in proposed Economic Element do so. More can be added.

By addressing these concerns as noted above, the County can move forward with an Agricultural Element that enhances the protection of agricultural lands. This would be a feasible means of mitigating the otherwise significant impacts of agricultural land conversion associated with future development consistent with the General Plan Update map.

### 2) Regulatory Framework

Ag. land conservation currently can involve a number of players.

In government, the State level, the Department of Conservation monitors the conversion of Ag. land to non-Ag. uses, but it does not regulate the loss in any way. Other state agencies, including the Sierra Nevada Conservancy, have programs to fund the acquisition of easements on Ag. land to protect oak woodlands and endangered species. While these may improve the economics of Ag. land uses, they do not keep the land in Ag. production per se. By contrast, the Williamson Act provides tax reduction incentives to Ag. land owners who agree to keep their land in agricultural production. However, since the Williamson Act subventions have been de-funded by the State, there is an even greater need for local Ag. land conservation efforts.

At the regional level, the County LAFCO can evaluate an annexation to a City for the potential impacts to Ag. land loss. However, unless the development of County Ag. lands requires annexation to a special district over which LAFCO has responsibilities, the issue of Ag. land loss does not reach LAFCO.

At the local level, the cities and the County have the responsibility under CEQA to mitigate significant impacts associated with Ag. land conversion, but they do not have uniform or stable thresholds of significance, so Ag. land loss is often found insignificant. In addition, since they lack programs to mitigate the loss of Ag. land, they may consider the impact significant and unavoidable. Since CEQA has not been enforced by the State in Amador County, questionable government findings that allow for the unmitigated conversion of Ag. lands largely go unchallenged.

In the private and nonprofit sector, there are Ag. land owners and non-profit conservancies that can voluntarily enter into agreements to conserve Ag. lands for Ag. production or other conservation objectives. However, these private efforts are underfunded and understaffed.

Also, the real estate market is unregulated when it comes to paying for the amenities that Ag. land provides to home purchasers. Those amenities (open space, scenic vistas, bucolic splendor, etc.) are the cornerstone of the rural atmosphere that attracts people to live in this area. The value of those amenities is capitalized into the purchase price of the homes people buy. However, none of that money goes to compensate the Ag. land owners who provide the amenities. This market flaw results in the retention of too little open space. To correct this market flaw, some communities have created property transfer fees dedicated to the acquisition of open space easements.

### 3) Impact Analysis

An impact analysis begins with thresholds of significance.

The General Plan Update project description or alternatives would result in significant adverse impacts on Ag. lands if they would:

- 1) Convert a substantial amount of Ag. land and/or Ag. operations to non-agricultural uses,
- 2) Extend urban services and infrastructure to or through Ag. lands,
- 3) Create conflicts by expanding the interface between urban development and Ag. lands,
- 4) Reduce the availability of water to agriculture,
- 5) Conflict with or result in cancellation of Williamson Act contracts, or
- 6) Otherwise interfere with the economic viability of agriculture.

The General Plan project description or alternatives would result in significant adverse impacts on forest lands if they would:

- 1) Convert forest land to non-forest use,
- 2) Extend urban services and infrastructure into forest lands,
- 3) Create conflicts by expanding the interface between urban development and forest land,
- 4) Conflict with or result in removal of lands from the TPZ,
- 5) Increase the threat of stand-replacing wildfire in forested areas,
- 6) Result in unsustainable levels of harvesting of forest products,
- 7) Interfere with USFS or BLM land uses or management, or conflict with their local plans, regional guides, or national directives.

An impact analysis proceeds by identifying useful tools for evaluating the impacts. Where possible, in addition to describing the impacts in the text qualitatively, it will be helpful to provide maps that provide geographic perspectives on the impacts, and tables that provide quantitative data. The maps and quantitative data are necessary to allow the public and decisionmakers to objectively compare the impacts of the project description and the alternatives. This information will also be essential to allow the decisionmakers to determine if the benefits of any option outweigh the unmitigated



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significant impacts. The County's failure to provide this information would not reflect a good faith effort at full disclosure.

Many aerial photos of Amador County, useful in identifying Ag. lands and forest lands, are readily available on the internet. By overlaying the proposed land use designation boundaries from the project description and the alternatives onto these photos, the DEIR would help provide a geographic perspective on the lands proposed for conversion to urban uses.

Similarly, the County Ag. lands map from the background report can be reproduced with an overlay of the proposed land use designations of the project description and the alternatives. This will provide a qualitative and geographic perspective on the lands proposed for conversion to urban uses.

A map of the Williamson Act Contract lands and their proposed land use designations under the project description and the alternatives would geographically depict the areas where the conflicts with the contract will occur.

A map of the current TPZ lands and the proposed land use designations under the project description and the alternatives would geographically depict the areas where conversion pressure will be heightened.

Another useful overlay would show the existing utilities, and the planned extensions of roads, water, sewer, and power utilities into the forests and Ag. lands for the project description and the alternatives. This would geographically depict lands where conversion pressure will be heightened.

These maps can then be used to calculate the miles of interface between urban uses and Ag. /forest land uses for the project description and the alternatives.

The County has been preparing to use the U-plan model. Please employ U-plan to depict likely development patterns under the project description and all of the alternatives, at both the plan horizon year and at plan build-out.

In table format, please identify the acres of Ag. lands and forest lands subject to Medium or High conversion potential by the project description and the alternatives, similar to the table EDAW produced for the 2004 El Dorado County General Plan EIR, seen below.

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<b>Table 5.2-5 Agricultural Land Subject to Medium or High Conversion Potential<sup>1</sup></b>			
<b>Agricultural Land Category</b>	<b>No Project/1996 General Plan Alternatives<sup>2</sup> (acres)</b>	<b>Roadway Constrained 6- Lane "Plus" Alternative (acres)</b>	<b>Environmentally Constrained Alternative (acres)</b>
Important Farmland			
Prime	78	30	70
Statewide Importance	57	27	27
Unique	737	604	652
Local Importance	21,082	11,990	13,984
Subtotal	21,954	12,671	16,715
Crazing Land	40,788	28,713	21,689
Choice Soils	56,658	30,788	24,665
Agricultural District Agricultural Land	172	287	0
Williamson Act Contract	4,382	216	242
<b>Total</b>	<b>104,149</b>	<b>72,677</b>	<b>63,307</b>
<p><sup>1</sup> For the purposes of this analysis, land with medium or high conversion potential is designated to be land defined in the General Plan for nonagricultural land uses: High-Density Residential, Medium-Density Residential, Low-Density Residential, Multifamily Residential, Commercial, Tourist Recreational, Research and Development, Adopted Plan, and Public Facility.</p> <p><sup>2</sup> Although the No Project and 1996 General Plan alternatives have the same land use designations, development intensity would differ. Under the No Project Alternative, development would be restricted to one dwelling unit per parcel regardless of size. Subdivision would be allowed under the 1996 General Plan Alternative.</p> <p>Sources: El Dorado County Planning Department 2002, 2003; EDAW 2005</p>			

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Also, in tabular form, please identify acres of each land use designations placed on Williamson Act Contract lands for the project description and the alternatives, similar to similar to the table EDAW produced for the 2004 El Dorado County General Plan EIR, seen below.

General Plan Designation	No Project/1996 General Plan (acres)	Roadway Constrained 6-Lane "Plus" (acres)	Environmentally Constrained (acres)
Agricultural Land <sup>1</sup>	N A	N A	52,768
Adopted Plan	N A	0	0
Low-Density Residential	4,168	107	133
Medium-Density Residential	309	3	0
Natural Resources	3,480	34,331	7,438
Open Space	87	87	867
Rural Residential Rural Lands <sup>2</sup>	31,704	6,999	1,297
Tourist Recreational <sup>3</sup>	105	105	105
<b>Total</b>	<b>41,853</b>	<b>41,853</b>	<b>41,853</b>

<sup>1</sup> The Agricultural Lands designation is used only in the Environmentally Constrained Alternative.

<sup>2</sup> The Rural Lands designation is used in the Roadway Constrained 6-Lane "Plus" and Environmentally Constrained alternatives; the Rural Residential designation is used in the No Project and 1996 General Plan alternatives.

<sup>3</sup> The Bacchi Ranch, which is under Williamson Act contract, includes a 98-acre portion that is separated from the bulk of the property by SR 49 and, in addition to being used as grazing land during winter, is used by river rafting companies under special use permits. For this reason, this portion of the property and the adjoining portion of SR 49 are designated Tourist Recreational.

Notes: Numbers may not total due to rounding. N.A = This designation is not used with this alternative.

Source: EDAW 2005

### 4) Mitigation Measures

As noted above, although the proposed self-contained Agriculture Element was rejected by the GPAC, some Ag. related provisions did make it into the draft General Plan Update goals and policies. As you can see, most of the provisions are phrased in optional and promotional language rather than in mandatory and enforceable language. As yet, there are no quantified objectives, implementation programs, or standards, in the General Plan Update to protect agricultural lands. As a result, most of these provisions cannot be relied upon for mitigation. To make these general goals and vague policies effective, it is essential for the General Plan Update to set quantified Ag. Land conservation objectives, and to select feasible implementation programs to achieve those objectives, and to mitigate Ag. land loss. Three to one mitigation for Ag. land conversion (results in loss of 25 percent of Ag. land over time), or 200-foot setbacks for conflicting uses from Ag. lands, are good examples of quantified implementation measures.

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The Land Use Element includes provisions that:

- Protection against encroachment by incompatible land uses (1.4)
- Encourage development patterns that protect Ag. lands (1.6)
- Encourage viability of production on Ag. and timber lands (1.9, 1.13)
- Direct development to existing urban service area (2.1, 2.2, 2.3)
- Encourage the use of reclaimed water for irrigation (10.3)

The Conservation Element includes provisions that:

- Encourage alternative energy development (5.4)
- Right to Farm (7.1)
- Encourage Williamson Act contracts (7.2)
- Educate landowners about conservation easements (7.3)
- Direct development to existing urban areas. (7.4)
- Review development for compatibility with Ag. (7.5)
- Direct development away from important farm land (7.6 & 7.7)
- Provide for farm family and farm worker housing. (7.8)
- Encourage Ag. Tourism (8.1 – 8.4)
- Provide for Ag. water. (9.1- 9.3)
- Sustainable Ag. and forest management. (10.1, 10.2, XX.4.)

The Open Space, Safety & Noise Elements include provisions that:

- Provide for Ag. tourism (OS 1.2)
- Encourage oak woodland preservation (OS 4.2)
- Support conservation easements for wildlife & oaks (OS 4.4)
- Allow Ag. uses in floodplain areas (Safety 1.4)
- Protect viability of noise generating Ag. land uses (N 3.1)

The Draft Economic Development Element includes provisions that:

- Preserve Ag. Land and its productivity, maintain viability of Ag. uses (Goal E-7)
- Support value-added Ag. Activities. (Policy E-7)
- Promote sustainable forest management (E9.1 -9.3)
- Encourage Ag. Tourism (E11.3)

With regard to the Ag. land conservation policies in the general plan project description; we again encourage you to strengthen the policy language to give county government, Ag. land owners, nonprofit conservancies, real estate speculators, and land developers clear direction regarding their roles, rights and responsibilities. Our suggested language modifications are in the revised version of the goals and policies in our electronic appendix.

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In addition to the above modifications to the project description draft general plan policies, we again encourage the County to adopt our additional policy recommendations to further mitigate the impact of Ag. land loss.

### **Ag preservation principles for Amador County**

**(Drafted January 1, 2007)**

- Preserve agricultural lands for their economic, social, scenic, wildlife, watershed, and other values.
- Promote policies and programs that help keep land in agricultural use, both now and in the future.
- Avoid land use planning policies and practices that encourage or facilitate conversion of agricultural lands to other uses.
- Avoid infrastructure extensions or improvements that encourage or facilitate conversion of agricultural lands to other uses.
- Adopt mitigation policies for conversion of agricultural land to other uses to ensure no net loss of agricultural land.
- Ensure that increased commercial uses allowed on agricultural lands serve the preservation of agriculture rather than allowing or encouraging the conversion of agricultural lands or areas to other uses.
- Ensure that increased commercial uses allowed on agricultural lands do not require urban levels of service and infrastructure.

As seen below, many of the proposed General Plan Update policy strategies are well known and commonly used in other communities. However, their effectiveness depends on the implementation tools selected to give effect to the policies. The General Plan Update needs to select the type of implementation tools the County will employ to make the policies effective, and to mitigate Ag. land loss.

#### **Policy Strategies:**

- Direct Growth to Urban Centers
- Restrict Residential Development in rural areas
- Economic Incentives
- Boosting Local Farm Economies
- Agriculture Element in General Plan
- Reducing Conflicts at Farm-Urban Edge
- Higher Density and Infill development
- New Towns not on Ag. Land

### **Implementation Tools:**

- Agricultural Zoning
- Williamson Act Contracts
- Right to Farm Ordinances
- Mitigation for Farmland Loss
- LESA – Land Evaluation & Site Assessment
- Ag. Buffers
- Conservation Easements
- Monitoring Farmland Conversion
- Resource Incentives to Landowners
- Urban Limit Lines
- LAFCO Annexation Reviews
- City & County Tax Revenue Sharing
- City & County Development Project Standards  
& Review Cooperation

(From: UC Extension, *Optional Policies and Tools for Farmland and Open Space Protection in California*, 2004.)

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Case studies indicate that communities that include more than one strategy for Ag. land conservation are more likely to be successful.

Case Study	Stabilize agricultural land use & values	Direct growth away from best farmland	Promote more efficient development	Increase permanent farmland protection	Promote agricultural economic viability
<b>Main</b> Agricultural Land Trust & County Zoning	X	X		X	X
<b>Monterey</b> County Agricultural & Historical Land Conservancy	X	X	X	X	
<b>Ventura</b> "Save Our Agricultural Resources" Initiative	X	X	X		
<b>Napa</b> County Agricultural Land Preservation Initiative	X	X	X		
<b>Tulare</b> County Rural Valley Lands Plan	X	X	X		
<b>Yuba City</b> Sphere of Influence Adjustment	X	X	X		
<b>South Livermore</b> Agricultural Mitigation Plan		X		X	X
<b>Yolo-Davis</b> Development Control & Tax Sharing	X	X			
<b>Visalia</b> Concentric Growth Boundaries	X		X		
<b>Gilroy-Santa Clara</b> Joint Growth Boundary Agreement	X				X
<b>Sonoma</b> Agricultural & Open Space District		X		X	
<b>San Diego County</b> Plan for the Future of Agriculture		X			X
<b>Fresno</b> Landscape of Choice			X		
<b>Sutter</b> County Ranchette Zoning			X		
<b>Davis</b> Farmland Mitigation Ordinance					X
<b>Fairfield</b> Melo-Ross Community Facilities Districts					X
<b>Martis Valley</b> Real Estate Conveyance Fees					X
Farmland Mitigation in <b>San Joaquin County</b>					X

***(Case Studies in Ag. Land Protection, From American Farmland Trust)***

There are a number of keys to a successful program Ag. land conservation program:

- The program must be adopted by the County and/or City.  
(No adoption = No program)
- The program needs to inspire participation.  
(No participants = No program)

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- The program needs an Ag. anchor.  
(Protecting land for trails, and habitat, and value added stores may not be enough to keep the land in Ag. production.)
- Multiple financing methods are best.  
(I.e. Private conservation easements, and mitigation fees, and public grants.)
- For mitigation: actual easements are better than in lieu fees.  
(You can't raise cattle in a bank account.)
- Your program needs management.  
(No staff = No program. There is no such thing as a "self-implementing" program.)

We encourage the County staff and consultants to gather both the proponents and opponents of the draft Ag. Element, along with representatives of the Planning Commission and the Board of Supervisors, to try to work out Ag. goals, policies, and implementation programs that all can support. This may involve both deleting policies or programs that the County has reconsidered, and adding other policies or programs that may work better in Amador County. Good ideas can be gleaned from the surrounding counties that have included or proposed Ag. land conservation policies in their general plans. This process may also involve locating some Ag. land conservation policies and programs to more suitable elements of the General Plan Update (e.g. Land Use, Housing, Conservation, Open Space, Safety, Noise, Economic Development) and cross referencing them in the Ag. Element. We believe this would be a fruitful process to achieve effective Ag. land conservation in Amador County.



### III. Sustainable Water and Watershed Management

#### *Overview*

While our population is growing rapidly, our water supplies are limited, and there is no way to make “new water” to meet increasing demand. Communities need to look to under-utilized local resources to fill future needs. They also need to develop a portfolio of water supplies, rather than relying on a single conventional source. Conservation, reclamation, and the reuse of greywater and recycled water are all potentially viable “supply” options available to local communities.

The conventional water supply systems – dams, aqueducts and pumping stations that move water around the state – are also dependent upon an aging infrastructure. As the financial costs of maintaining and updating the extensive infrastructure required by these systems, and the environmental costs they create, become increasingly apparent, damming rivers and building aqueducts to move water wherever it is needed will no longer be viable strategies.

Global warming may also play into this scenario. California depends on the Sierra snowpack as a massive natural storage system. Global warming experts warn that snow levels will rise and winters become shorter, effectively shrinking California’s largest water storage system.

Water affects many aspects of community planning and development, therefore, references to water quality, supply and management are usually dispersed throughout a city or county *General Plan*. In response to the growing influence of water on local planning and community vitality, some counties, such as Lake and Sonoma, have created a separate optional *Water Element* to include with the State-required *General Plan Elements*. Within a *Water Element*, communities can focus attention on specific water issues that may not be addressed in other *General Plan* sections, such as:

- water supply planning,
- water use efficiency,
- groundwater supplies and monitoring,
- recycling and reuse of water supplies,
- stormwater management, and
- policies and programs to support implementation.

Water management, quality and supply are also affected by local stormwater ordinances, development regulations, zoning, and land planning decisions.

Major challenges for local governments and local water agencies include securing water supplies to accommodate growth and provide reliable water service. One option is increasing surface water storage and securing additional water rights. However, these projects require heavy investment from the community and water utilities, and may take years to accomplish. Communities are finding a way around this “water supply” roadblock by identifying ways to reduce demand. This section will cover strategies local

governments and water agencies can use to stretch current water supplies by reducing demand such as:

Strategy 1: Promote water conservation and efficiency

Strategy 2: Reuse greywater

Strategy 3: Recycle wastewater

Strategy 4: Collaborate with other government agencies and water utilities

### *Strategy 1: Promote Water Conservation and Efficiency*

A gallon of water conserved is as good as a gallon of water supplied. In fact, it can be better. Conserving that gallon not only makes it available for other uses, but it also means less wastewater is generated. The Pacific Institute's 2005 report entitled *Waste Not Want Not* highlights the potential for increasing water supplies by decreasing demand. Conservation, the report found, was the cheapest and most readily available means for increasing the reliability of water supplies in California. More than half of urban water conservation strategies can be achieved at \$200 per acre-foot or less.

**Comment [PS1]:** Laura is this from the PI report? We should credit this in a footnote.

Of all water uses, reduction in residential water demand provides the greatest opportunity for cost-effective water savings through conservation. The report estimated that urban water conservation could contribute 2.0 to 2.3 million-acre feet a year to our water supplies – enough to supply the current demands of more than two million households.

**Comment [LP2]:** This was pulled from Ahwahnee Water Guide but I think its kinda confusing

Water-conserving activities are key to sustainable development because they help protect water as a natural resource, minimize the use of chemicals needed to treat water and wastewater, and reduce energy use and pollution associated with pumping and transporting water. Water conservation has the potential to significantly reduce local government energy costs because it reduces the need to pump water and to treat wastewater. Approximately 33% of the energy budget of city governments in California is used for pumping water and 23% is used for treating wastewater.<sup>1</sup>

Water conservation reduces demand, which in turn reduces the need to expand water storage projects, and allows more water to remain in local rivers and streams for recreation, fisheries and natural habitat.

### *General Policy Approaches*

Local governments and water agencies are faced with a finite supply of water for a growing population. Conservation can help stretch the water supply, requires a broader acknowledgement that our water supply is finite, and therefore requires a change in how water is used. Local governments and water agencies can help make these changes by supporting a comprehensive water conservation program, combining outreach, appropriate incentives, and policy measures to incorporate water efficiency into landscapes, home use, and everyday life.

**Comment [LP3]:** I don't mention State regulations but we can include later?

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<sup>1</sup> California Energy Commission. 1993. "Energy Aware Planning Guide" Local Government Commission.

### *Conserving Water in the Landscape*

Californians use about 977 billion gallons of water for landscape irrigation each year. On average, more than half the water consumed in residential development goes to landscape irrigation. This is particularly true in the Sierra where dry summers require significant water to keep lawns and gardens green. Landscaping affects both water quantity, in terms of the supplies needed for irrigation, and water quality, due to impacts of chemical fertilizers and pesticides that end up in runoff.

Gardens and landscapes are important to quality of life, but if not tailored to local conditions, they can have negative impacts on water quality and quantity. One of the most ubiquitous examples of a common front yard in California is a conventional “turf” lawn. Lawns may be the largest “crop” in California, a standard feature of typical suburban development. Turf lawns are not indigenous to the state or the Sierra Nevada region. To survive in this highly variable climate, lawns require an enormous amount of water as well as chemical fertilizers and pesticides.

Changing the common “lawn culture” involves not just asking residents to plan for a different kind of landscape, but helping them envision it by designing homes to accommodate alternative landscaping options. Water-wise landscaping makes use of plants, soils, planting materials, irrigation technologies and other practices to increase water efficiency while providing a beautiful landscape. According to the California Urban Water Conservation Council, water-wise landscaping can reduce outdoor demand by up to 75%. Drought tolerant and native plants that are accustomed to local conditions are lawn alternatives that tend to require fewer or no pesticides and fertilizers (significant contributors to water contamination), and require little or no irrigation or mowing.

Comment [LP4]: (footnote?)

Another water saving tip for landscaping is to group plants based on water needs, or hydrozoning. Plants with similar water needs should be placed on their own irrigation system and schedule, allowing more control over the amount and frequency of irrigation, and reducing over- or under-watering. This type of layout can also take advantage of shading and windbreaks to reduce evaporation and retain soil moisture.

For a guide to plant selection and irrigation in consideration of water needs:  
[www.owue.water.ca.gov/landscape/faq/faq.cfm](http://www.owue.water.ca.gov/landscape/faq/faq.cfm)

#### BOX: “Turf Buy Back Program” in South Lake Tahoe

Lawns are the thirstiest option for residential landscaping. From an environmental perspective, lawns tend to be over-watered and over-fertilized. Nonfunctional lawns – lawns that are rarely used – waste water and represent an ongoing cost in time and resources for the home or business owner.

As a rule of thumb, if you only walk on your lawn when you mow it, it’s nonfunctional.

The South Tahoe Public Utility District's "Turf Buy Back Program" offers residential customers a cash rebate for reducing the amount of lawn area in their yards. The District has been awarded two State of California water conservation grants that allow for voluntary lawn buy-backs at \$2 per square foot for customers who wish to replace their lawns with attractive, but less water-intensive, landscaping options. The incentive for lawns over 1,500 square feet is \$1.50 per square foot. Pre-conversion eligibility requires a minimum of 400 square feet of irrigated, maintained lawn to be removed. Landscape requirements for the converted area include water-efficient irrigation systems, surface treatments (mulch), a 50% living plant cover at maturity, and native/adapted plant selection.

For more information: [www.stpud.us/water\\_conservation.html](http://www.stpud.us/water_conservation.html)

Irrigation systems can play a significant role in how much water is used for outdoor watering needs. Irrigation can also affect water quality because runoff from over-watered lawns often carries high concentrations of fertilizers and pesticides. Several factors determine whether a sprinkler system increases or reduces the problem of over-watering:

- Schedule – Watering should only occur when needed and should take place at a time of day that minimizes evaporative loss (i.e., not in the hot afternoon).
- Quantity – To avoid over-watering, irrigation should apply only the amount of water needed to satisfy the needs of the plants.
- Plant Type – Different plants have different needs. In a well-planned garden, plants can be arranged in a manner that allows watering to reflect those differences (hydrozoning).
- Precision and Leaks – Too many sprinklers literally miss the mark. Ensuring that the system is getting water to where it is needed (instead of on the sidewalk) is essential.
- Weather – Recent weather can affect how much water is needed. Irrigation is not needed when it is raining.

Though many people are familiar with sprinkler conservation concepts, many traditional sprinkler systems make compliance with these principles a job that requires time and effort. Fortunately, new automatic irrigation technologies do much of the "thinking" for us. Unlike conventional systems that apply water arbitrarily, these systems are designed to provide water based on current conditions and the actual needs of the plants. Using sensors that can evaluate soil moisture, temperature and weather, and even "evapotranspiration" rates, the systems irrigate based on how much water plants actually need. Smart irrigation technology solves the water quantity and quality problems of overwatering, and makes landscape maintenance easier for residents.

### *Conserving Water Inside Buildings*

California's Water Code Section 375 allows any public entity that supplies water to adopt and enforce a water conservation program that requires installation of water-saving devices. Existing conservation technologies include low-flow toilets and showerheads,

efficient clothes washers, weather-based irrigation controllers, and more efficient commercial and industrial cooling equipment.

Converting to water-efficient toilets, showers and clothes washers results in household water savings of about 30% compared to conventional fixtures. High efficiency toilets alone reduce indoor water use in a household by an average of 16%. This translates into a savings of 15,000 to 20,000 gallons of water per year for a family of four.

Comment [LP5]: (footnote?)

More efficient plumbing products also result in lower wastewater flow and increase the available capacity of sewage treatment plants and on-site wastewater disposal systems. To encourage implementation of such water-efficient plumbing, cities and counties can work with water agencies to incorporate water-saving devices into new and existing development. Local governments can also work with water suppliers to develop incentives, rebates and outreach programs to help residents, property managers and developers incorporate more efficient technologies into their homes and projects. Some cities and water agencies offer free home water audits, evaluating the efficiency of outdoor irrigation and indoor plumbing as well as detecting leaks in these systems.

**Santa Monica uses outreach, loans in its conservation program**

Groundwater contamination and rapid growth created a dual threat to the City of Santa Monica’s water supplies. The City was forced to increase water purchases and decided to take a multi-faceted approach. It developed a conservation program that includes education and outreach, water-use surveys, landscaping measures, toilet retrofits and a loan program. The result was a 14% reduction in water use, a 21% reduction wastewater flow and a net savings of \$9.5 million between 1990 and 1995.

*For more information:*

*City of Santa Monica Environmental Programs Division, [www.santa-monica.org/epd](http://www.santa-monica.org/epd) or (310) 458-2213*

Comment [LP6]: (can we update this 13 year old study?)

Another option is to mandate conservation through local codes that require new development to include efficient toilets, shower and faucet heads, washing machines and other technologies. For existing development, simple upgrades can be required so that homes are retrofitted with more efficient appliances and plumbing at the time of sale.

Comment [PS7]: Almost all of these boxed examples seem wrong for Amador/Calaveras, the communities are too large.

*Water Rate Structuring*

The rates charged for water service can have a big impact on water usage and development patterns. Water rates can be a sensitive subject – all utilities are under pressure to keep rates low and affordable for their customers. Rates that do not reflect the true costs of different consumer choices can promote inefficient water use and development practices, and penalize certain customers for less-efficient choices and practices of others.

Rate structures can be designed to account for variability in costs and consumption that

result from different development locations and consumer conservation practices. Customers typically pay for water in two ways – through hookup or connection fees, and through use charges. Uniform or “flat” connection fees and use charges do not recognize the influence that development location and density have on service costs. Users in compact, centrally-located development subsidize the costs of extending service to customers in suburban development on the community fringe. Ultimately, this creates a subsidy for more dispersed development patterns and a surcharge on more efficient development. When everyone pays the same rate, there is no incentive to locate in an area that is easier or less expensive to serve. One way to solve this is to structure connection fees to reflect variables such as the distance of the connection from the treatment station, lot size, etc., which more accurately reflect costs for providing service to different development types.

**Comment [LP8]:** What about second homeowners? Can hook up rates reflect that? If your primary residency is out of town then you pay more?

**Conservation Pricing:** Volume water rates can be configured to encourage less water consumption, and more accurately reflect the value of water and the costs of securing, treating and delivering it to customers. Uniform use rates charge the same amount regardless of the level of consumption, meaning that a customer using water-wise landscaping and efficient indoor appliances, and practicing conservation (e.g., turns water off while shaving) will be charged the same monthly fee as a customer who does none of those things and uses far more water.

Alternatively, “block pricing” applies variable rates depending on the amount of water used. Tiered block rates charge incrementally higher rates as consumption increases. The lowest rate or “base rate” covers an initial volume of water deemed reasonable for basic household needs. The base rate increases with surcharges on additional “blocks” (e.g., at 2,500 gallon increments) of water used. Block rates can be a highly effective way to encourage conservation while covering costs of providing service. Block rate structures can also increase revenue for water agencies as they reflect costs more accurately – those who cost more to serve pay more for service.

*Box: Conservation Pricing*

**East Bay Municipal Utility District Reacts to Drought with New Conservation Rates**

Drought conditions in 2008 prompted EBMUD to adopt new conservation rates to encourage customers to reduce water use. EBMUD increased volume charges by 10% and added a drought surcharge for high water use. The rate change is expected to reduce overall water use by 10% and generate \$21 million. The rate increase will help fund EBMUD’s drought management program and offset revenue loss from reduced water sales. Customers who use less than 100 gallons a day will be exempt from the rate increase and surcharge.

**New fee structure has rewards for Irvine Ranch Water District**

When rapid population growth led to dwindling supplies and increased wholesale water charges, the Irvine Ranch Water District implemented a new fee structure that rewards

water efficiency and identifies waste when it occurs. The long-term goal was to develop a water-wise conservation ethic within the community while maintaining stable utility revenues. Within a year, water use declined by 19%. Over the next six years, the district saved an estimated \$33 million in water purchases.

*For more information: Irvine Water*

*District Conservation Office, (949) 453-5325 or [www.irwd.com/Conservation](http://www.irwd.com/Conservation)*

**Zone Pricing:** Another way to account for true costs and assess fair rates for water service is to base rates on the actual costs to provide it. While uniform rate structures spread costs evenly without regard for differences in delivery costs related to development location, zone pricing sets rates based on variables such as distance, pressure zones or lot size. A zone structure can be relatively simple; it can be based on costs and lengths of transmission lines and energy needed for delivery so that further out development pays incrementally more than development that is centrally located in existing communities. Zones can also reflect *General Plan* land use designations to account for cost variability related to density. Lower density areas cost more to serve and consume more water per capita than higher density areas. Thus, pricing can be linked to zoning districts.

#### **Tucson “Beat the Peak”**

Faced with the need to secure additional water supplies, Tucson’s Water Department instead decided to decrease demand by creating a highly visible “Beat the Peak” campaign. The campaign encourages residents to do outdoor watering at off-peak periods. The agency increased water rates across the board and created a new-tiered rate structure that increases the cost of water as consumption increases.

Started in 1977, the campaign has proven to be highly effective. According to a 2006 report by Western Resource Advocates, the average person in a single-family residence in Tucson uses 114 gallons of water per day, one of the lowest usage rates in the Southwest.<sup>2</sup> Even by the 1980s, residents had noticeably changed their “water” habits to reflect the fact that they live in a desert environment. As an added bonus, outdoor conservation has even led to indoor water conservation.

Comment [LP9]: Need to find source

Although many conservation efforts are local in scope, their effects are regional because the supplies that communities depend on are shared at the regional, state and inter-state levels. Since the supply of housing is also a regional issue, improving regionally-based sources of water will give communities greater self-sufficiency and more control over how they develop. There is enormous potential for cities, counties, water districts, state and regional agencies, and developers to work together under the current regulatory context.

#### **Metropolitan Water District offers free conservation workshops**

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<sup>2</sup> ???

The Metropolitan Water District of Southern California – a consortium of 26 cities and water districts that provides drinking water to nearly 17 million people – works with local communities to provide free water conservation workshops to community members and landscaping firms. The workshops cover topics including how to detect wastewater, maintain sprinkler systems properly, and develop landscape designs appropriate to the climate.

*For more information: [www.bewaterwise.com/pda.html](http://www.bewaterwise.com/pda.html) or Diane Harrelson, (213) 217-6167 or [dharrelson@mwdh2o.com](mailto:dharrelson@mwdh2o.com)*

### **Santa Barbara County water suppliers launch media campaign**

Cities and counties can be involved in educating the community on water conservation practices. The water suppliers of Santa Barbara County joined forces to launch the Santa Barbara County Be Water Wise Media Campaign. Campaign sponsors included the Santa Barbara County Water Agency, the Cities of Buellton, Santa Barbara, Santa Maria and Solvang, the Carpinteria Valley, Goleta and Montecito water districts, and the Cuyama Los Alamos and Vandenberg Village community services districts. The campaign used materials developed and shared by the Metropolitan Water District of Southern California to run ads in local media outlets.

*To view ads and materials from the campaign: [sbwater.org/Programs.htm#Media](http://sbwater.org/Programs.htm#Media). For more information: Helena Wiley, Santa Barbara County Water Agency, (805) 568-3451 or [hwiley@cosbpw.net](mailto:hwiley@cosbpw.net)*

### *Local Policy Approach in Amador and Calaveras Counties*

#### Amador County

As part of the *General Plan* update, Amador County released a *General Plan Advisory Committee Workbook* which included some draft policies addressing water conservation. The County aims to encourage water conservation measures in new developments and develop BMPs for water conservation in the County. The County also suggests specific water conservation efforts, including the reuse of grey water, water-conserving plumbing fixtures, and low-water use landscapes. The County also outlines the need to coordinate with the Amador Water Agency (AWA) and other organizations to develop water-use standards and regulations to curb demand during water supply emergencies and drought.

AWA has contributed to conservation efforts through updating water infrastructure, public outreach, and regional collaboration. Recently AWA completed the 8-mile Amador Transmission Pipeline running from Lake Tabeaud to Tanner Reservoir. The pipeline replaced a 23-mile ditch, which used to serve as the AWA's main supply line. As a result of the pipeline, AWA is able to be more efficient with the county's water supply by reducing water loss from leakage and evaporation. As an added bonus, drinking water

**Comment [LP10]:** These are all regulatory approaches to conservation and do not mention education or outreach or incentive programs. Should that be brought up? Again, the analysis part is “swimming in the deep end with no floaties” for me.



coming into the Ione treatment plant is significantly cleaner and requires 50,000 gallons a day less water to backflush the system. The agency has accrued further savings based on reduced water flow into the wastewater system, which will reduce the strain and thus maintenance on filters and overall system.

AWA has encouraged conservation for its residential customers by offering educational material, planting a demonstration drought tolerant garden at its main office, and providing water conservation tips and resources on its website. Upon request, customers can receive a free water-saving kit. The kit includes free showerhead replacements and a device for reducing toilet flush water for regular toilets. The number of kits distributed annually is not recorded by the Agency.

AWA works with local governments, organizations, and other water agencies in the region to promote water conservation. Upon request from County or City Planning and Building Departments, AWA will review landscape plans for larger development projects and offer recommendations to incorporate more drought tolerant landscapes. The demonstration drought tolerant garden at the Sutter Creek office is open to the public and was constructed in partnership with Mule Creek State Prison inmates and faculty and the Amador County Cooperative Extension Master Gardeners.

**GRAPHIC: AWA demo garden**

AWA is also part of the Upper Mokelumne River Watershed Association (UMRWSA) and working with Calaveras County Water District and EBMUD, on a conservation plan for the Mokelumne River. The plan will be implemented in 2009.

Calaveras County

As part of the *General Plan* update, community meetings were held to receive input from residents on what should be guiding principles for the County. The community identified the need for increased water efficiency and balance of water demand across watershed boundaries. More specifically, the community believed the County should develop water conservation regulations, enforce greywater reuse for irrigation in all new development, and promote efficient patterns of development that require less water.

The inclusion of water conservation policies in the Calaveras *General Plan* would help reinforce conservation efforts of local water utilities. Stemming from growing concerns over water reliability and supply statewide, DWR had the California Urban Water Conservation Council (CUWCC) create the Memorandum of Understanding Regarding Urban Water Conservation in California (MOU), which outlines 14 BMPs to reduce consumption of California's water resources. These BMPs are considered the standard for water conservation practices. There are currently 384 water agencies and environmental groups that have signed the MOU confirming their commitment to implement the 14 BMPs, with CCWD being one of the signatories.

In its 2005 *Urban Water Management Plan Update*, CCWD emphasized water conservation as a main component of its commitment to responsible management of water resources, offering such programs as water surveys for single and multi-family homes, commercial and industrial facilities; residential plumbing retrofits; leak detection and repair; large landscape conservation programs and incentives; high-efficiency washing machine rebates; public and school outreach; and wholesale agency assistance. To reflect the true cost of water, CCWD uses commodity rates for all new connections and retrofits, and recently implemented a three-tier rate structure. CCWD also enforces the responsible use of water, and if it notices negligent or wasteful use of water, it holds the right to discontinue service if conditions are not corrected within five days of written notice to the customer. CCWD has hired a conservation coordinator to oversee and implement its many water conservation programs.

#### *Model Policies*

The following policy language is taken from city and county General Plans.

#### *City of Truckee General Plan*

“Coordinate with the Truckee Donner Public Utility District (TDPUD) to develop a list of feasible water conservation programs and incentives that might be offered to the District’s customers, and develop related strategies for how the Town might support the District’s efforts in implementing these programs.”

#### *Mariposa County General Plan*

“Implement standards for water conservation that are consistent with State guidelines, including requirements for the installation and use of low-flow plumbing fixtures in all new construction, and for the use of drip irrigation systems and drought-tolerant or low water using landscaping (including retention of existing native plant material) in all multi-family, commercial, resort, industrial and public developments.”

#### *City of San Diego General Plan*

- “Maximize the implementation of water conservation measures as a cost-effective way to manage water demands and reduce the dependence on imported water.
- a. Implement conservation incentive programs that increase water-use efficiency and reduce urban runoff.
  - b. Develop a response plan to assist citizens in reducing water use during periods of water shortages and emergencies.
  - c. Encourage local water agencies to use state-mandated powers to enforce conservation measures that eliminate or penalize wasteful uses of water.
  - d. Explore alternative conservation measures and technology as they become available.
  - e. Develop and expand water-efficient landscaping to include urban forestry,

urban vegetation, and demonstration projects.”

*Sonoma County Draft General Plan*

“Require low flow fixtures, leak repair, and drought tolerant landscaping (native species if possible), plus emerging water conservation techniques, such as reclamation, as they become available.

Use water effectively and reduce water demand by:

- (1) Requiring water conserving design and equipment in new construction.
- (2) Encouraging water conserving landscaping and other conservation measures.
- (3) Encouraging retrofitting with water conserving devices.
- (4) Designing wastewater systems to minimize inflow and infiltration to the extent economically feasible.
- (5) Limiting impervious surfaces to minimize runoff.”

*Ventura County General Plan*

“Demonstrate low water use techniques at community gardens and city-owned facilities.”

*City of Livermore General Plan*

“Projects deemed appropriate for the use of recycled water shall be required to use recycled water, when available, for uses outlined in the State Water Code.

The City shall adopt a series of Best Management Practices for water conservation measures that will be mandatory in new development and strongly encouraged in existing developments.

Require compliance with the State and City’s mandatory water efficient landscape ordinance.

Develop and provide incentives for existing and future customers to reduce water consumption.

Develop and institute a City-sponsored program of mandatory water conservation measures for new development. Develop a program for existing developments that is based on a voluntary participation with incentives to achieve specific targets for water conservation. Examples include:

- (a) Ultra-low flush toilets
- (b) Plumbing retrofits
- (c) Leak detection
- (d) Efficiency standards for water-using appliances and irrigation devices, and industrial and commercial processes
- (e) Greywater use

- (f) Swimming pool and spa conservation measures such as covers to reduce evaporation
- (g) Xeriscape landscape design standards.”

*City of Palm Desert General Plan*

“Water management for existing landscapes—Exemptions.

If a project’s water bills indicate that the landscaped areas are using less than or equal to the maximum water allowance for those landscaped areas of one or more acres, an audit shall not be required by the water purveyor. “

*City of Santa Cruz General Plan*

“Efficient water use:

A. Landscaping:

- 1) Choose plants that are suitable for the climate and their intended function, with an emphasis on native and drought-tolerant plants.
- 2) Prepare soils for water penetration and retention.
- 3) Design and operate suitable and efficient irrigation systems.
- 4) The City will encourage drought-tolerant landscaping, vegetable gardens and fruit trees in lieu of large expanses of lawn or other more water-demanding plantings.

B. Landscape maintenance: Landscaped areas will be properly designed for efficient water use, and shall be properly installed and maintained, including the upkeep and replacement of low-flow irrigation fixtures and equipment.”

*Strategy 2: Greywater Reuse*

Any water that has been used in the home – except water from toilets – is called “grey water.” Shower, sink and laundry water comprise 50% to 80% of residential “waste” water, which may be reused for other purposes, especially landscape irrigation.<sup>3</sup> Using greywater instead of drinking quality water for landscape irrigation can keep lawns and gardens green – even in times of drought – and alleviate water demand in areas prone to water shortages. Wastewater treatment facilities will also have less volume to treat, and can delay expansion of those facilities.

**Comment [LP11]:** Are there combine sewers in A/C?

Greywater can also be better for a garden than using treated drinking water. Soap and other products in wastewater are rich in compounds that can pollute waterways, wear out septic systems, and overburden wastewater facilities. However, these same materials – phosphorous, nitrogen, potassium and proteins – are sources of nutrients for fruit trees, landscaping and gardens.<sup>4</sup>

<sup>3</sup> Department of Water Resources. 1995. “Graywater Guide: Using Graywater in Your Home Landscape.”

<sup>4</sup> Department of Water Resources. 1995. “Graywater Guide: Using Graywater in Your Home Landscape.”

Greywater systems can be affordable to install if done at the time of construction. A workable, code-compliant, greywater irrigation system sends water from showers, sinks and other greywater sources away from blackwater before they mix and go to a sewage system. Individual customers can save money on their metered water bills when water is used more than once.

**Comment [LP12]:** Add description about dual drains...how do they separate?

Reusing water may allow communities to leave fresh water in rivers and streams to protect fish and wildlife. This can be critical during times of drought when river and stream flows can become low and warm, leading to fish-kills.

*General Policy Approaches*

Greywater reuse is not common practice in most areas. Implementing and promoting the use of greywater systems requires support from local government. Cities and counties can require that dual drains be installed in new construction for the purpose of reusing water. As an incentive, the water saved can be counted as a source of water to meet the requirements of new state “show me the water” laws that require developers to prove that enough water is available to serve proposed new housing.

Cities and counties can develop a greywater ordinance, which regulates permitted uses and system requirements. Permit requirements for greywater systems can be further divided based on project size and flow. For instance, a simple residential greywater system handling a flow of less than 400 gallons per day may be granted a permit without inspection or fees but a larger multi-home project may need technical and environmental review before a permit is awarded. Therefore, local governments can develop different greywater permit levels or tiers tailored for project size and greywater flow.

*Local Policy Approach in Amador and Calaveras Counties*

Amador County

Greywater reuse is encouraged in the Amador County *Preliminary General Plan Goals and Policies, GPAC Workbook*. A proposed policy looks to "encourage recycling and water-saving features in new development, including greywater irrigation, to limit the water flows to septic systems and leach fields."

Calaveras County

The reuse of greywater is also supported by the Calaveras community and was brought up at community workshops as a strategy for balancing water supply and demand. The community voiced support for requiring greywater reuse as irrigation for new housing developments.

*Model Policy Language*

The following policy language is taken from local government General Plans and municipal programs.

*City of Malibu General Plan*

“New development shall include a separate greywater treatment system where feasible.

Malibu also developed a “Greywater Handbook” to complement the City’s policy. The handbook provides guidelines, resources and techniques to help homeowners and developers integrate greywatersystems into their projects.”

*The handbook is available at [www.ci.malibu.ca.us](http://www.ci.malibu.ca.us). For more information about Malibu’s greywater law and permit process: Deputy Building Official Craig George, (310) 456-2489 x229*

*Sonoma County General Plan*

“Encourage greywater systems, roof catchment of rainwater and other methods of reusing water and minimizing the need to use groundwater.”

*City of Santa Monica*

The City of Santa Monica has an incentive-based program to encourage greywater projects. The City provides discounts on sewage bills for installing greywater systems and has implemented a grant program to provide partial funding for innovative landscaping projects that incorporate greywater systems and other innovative water-saving features. The City also provides fact sheets about greywater regulations and additional resources about constructing greywater systems, requesting rebates or receiving general assistance.

*For more information: Kim O’Cain or Bob Galbreath, Santa Monica Water Resources Management Office, (310) 458-5408*

*Los Angeles County*

The Los Angeles County Recycled Water Advisory Committee has developed an extensive 48-page “Recycled Water Manual” that provides information on goals, general provisions, design and construction, operations and maintenance, marking and equipment, agency contacts and resources for users and site providers.

[www.watereuse.org/ca](http://www.watereuse.org/ca)

*Los Angeles Air Force Base*

The Los Angeles Air Force Base in El Segundo uses greywater in toilets and urinals in seven buildings and irrigates its five-acre landscape with grey water. The Los Angeles Air Force Base is serving as a template for bases throughout the world through its innovative use of recycled water. For more information: Office of Public Affairs, (310) 653-1132.

### *Strategy 3: Wastewater Recycling*

Recycled water is the fastest-growing water supply in California.<sup>5</sup> California has more than 300 water recycling plants in operation. Currently 500,000 acre-feet of recycled water are being used around the state. An acre-foot is roughly enough to cover a football field with one foot of water or the amount needed by one family for one year. According to the California Recycled Water Task Force, California has the potential to recycle up to 1.5 million acre-feet per year, saving potable water to satisfy the needs of 1.5 million homes annually.<sup>6</sup>

Water recycling is an umbrella term that encompasses the treatment, storage, distribution and reuse of municipal and/or industrial wastewater. Recycling wastewater provides communities the opportunity to develop and diversify their water portfolios with a reliable source of water to meet a range of needs.

The safety of recycled water is well established; it has been used by California communities since 1929 without any reported health problems. California's regulations governing the production, distribution and use of recycled water are some of the most stringent in the world. The California State Department of Health Services sanctions the use of recycled water for a variety of uses. These include, but are not limited to, landscape irrigation, agricultural irrigation, construction water, water for industrial purposes, fountains, and indoor toilet and urinal flushing. Recycled water may also be used in cooling systems for buildings.

Recycled water, although highly treated, is considered non-potable. A dual-plumbing system is used, with the recycled water carried in purple-colored pipes to prevent the unintentional misuse of recycled water or cross-connection with the potable water system. Recycled water systems also require regular preventative maintenance, including inspections, making certain that pipe markings remain level, monitoring of spray patterns and runoff from irrigation, and accurate recordkeeping of maintenance.

While the economics of recycled water depend upon place and use, it can be less expensive than purchasing new supplies. Matching water quality to end-use saves money for both the buyer and water agency. For example, the quality needed for landscaping is not as high as that needed for drinking water. Already large quantities of recycled water are used in California for agricultural purposes. The required quality of that water varies based on the degree to which the water may come in contact with food crops or dairy

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<sup>5</sup> California Recycled Water Task Force. 2003. "Water Recycling 2030 Recommendations of California's Recycled Water Task Force."

<sup>6</sup> Ibid.

cows.

Recycled water supplies can also be used as a part of groundwater storage projects, where treated wastewater is stored in aquifers. Recycled water can be used to enhance or restore wetlands that provide wildlife habitat, flood protection, improved water quality and recreational amenities. It can also reduce the volume of potable water that must be withdrawn from rivers, lakes and groundwater to maintain the natural ecology of those bodies of water.

### *General Policy Approaches*

State law indirectly requires the use of recycled water. California Water Code Section 13550-13556 states that if recycled water is available, then the use of potable domestic water for non-potable uses, including cemeteries, golf courses, parks, industrial and residential irrigation uses, and toilet flushing, is an unreasonable use of water.

California regulates the use of recycled water under Title 22 in the California Code of Regulations. Each use of recycled water must have a permit from the local authority administering the recycled water program, which has the responsibility of enforcing the rules and regulations. The local authority is usually the retailer of recycled water to the site. Permit requirements typically include construction, inspection, cross-connection certification, site-supervisor training, and a schedule of the hours that recycled water can be used. These local authorities can specify what sites and/or uses of recycled water are to be used in their service area, as long as they comply with state requirements.

The Regional Water Quality Control Boards require that recycled water customers conduct an inspection at least once a year while the recycled water system is in use. The results of this inspection must be documented and submitted in a written report. According to Department of Health Services regulations, at dual-plumbed use sites the customer is responsible for conducting a periodic cross-connection test every four years, unless visual inspections reveal a requirement for more frequent testing. The agency operating the recycled water program also promulgates rules and regulations determining the way recycled water systems are implemented and operated, and how records are to be kept.

Local governments and water agencies are the key players in the recycled water arena, water agencies provide the commodity, and local governments provide the political will and regulatory framework. Both entities depend on each other's support to implement a successful program. They need to work closely to ensure the inclusion of recycled water in each of their planning documents, and consider sharing resources for a joint public-private venture, which may include the development of necessary reclamation and treatment facilities. On the local government end, building codes can be amended to require the installation of dual-purpose pipes (purple pipes) in new construction and remodels. Where recycled water is available, this step will implement state law. Where it is not, communities will be building the infrastructure for the future when recycled water is available.



Cities and counties can also adopt a water recycling ordinance. The California section of the WaterReuse Association web site provides a model water recycling ordinance ([www.watereuse.org/ca/modelwword.htm](http://www.watereuse.org/ca/modelwword.htm)). The ordinance's intent is to maximize resource conservation and streamline implementation of water recycling projects in conformance with state law. The ordinance can also be tailored to conform with local rules and regulations.

Local governments can also work with developers to create incentives or otherwise streamline the deployment of dual-plumbing systems and initiate public discussion through outreach and education. Creating forums to share the benefits of using recycled water and address public concerns and questions will help build public understanding and support a recycled water program.

#### *Local Policy Approach in Amador and Calaveras Counties*

##### Amador County

The stage is set for Amador County to begin using and distributing recycled wastewater. Both Amador County and the Amador Water Agency (AWA) have shown commitment to create a regional facility, and have outlined specific goals for the development of a recycled wastewater program in their planning documents. The *General Plan Advisory Committee Workbook* for the Amador County *General Plan* update includes draft policies in direct support of recycled wastewater, such as:

- Increase wastewater treatment capacity to serve the county's population.
- Work with Amador Water Agency to identify a desired location for a regional wastewater treatment plant, and restrict the development of incompatible uses in the vicinity of the site.
- Encourage the use of reclaimed water for irrigation wherever possible in order to reduce the loading of the wastewater system.

AWA announced its Purple Pipe Plan in September 2008. The plan outlines how the agency will move forward in creating a water system that will convey recycled water. By including recycled wastewater in its water portfolio, AWA can potentially claim additional water rights if it is able to prove that recycled water is replacing significant quantities of treated water. The goal for the program is to produce approximately 3 million gallons per day of recycled water, which in turn will conserve 3,000 acre-feet of untreated water. AWA's goal for the county is to have recycled water be 20% of its water supply by 2020.

Although there is support from both the County and AWA, there is still much to do before recycle water is a reality in Amador County. Deciding on a central location for a regional facility and generating buy-in from elected officials, the general public, and other water agencies for the \$20-\$40 million dollar facility are current challenges. Coupled with the hefty price tag are underlying misconceptions and questions

surrounding the quality of treated wastewater. In order to surmount community doubt, education and outreach will be integral in implementing a recycled wastewater program in Amador County.

### Calaveras County

Localized problems with water quality and supply are a current challenge identified in the *Issues and Opportunities Report* for the Calaveras County *General Plan* update. The report lists several guiding principles to ensure protection of water quality, recycling water is one of them. Developing wastewater recycling will help areas within the county balance water portfolios. Groundwater overdraft has been a recurring problem in some areas and the State has encouraged water purveyors who rely solely on groundwater sources to explore additional options.

Interest in developing a system for recycling water has been expressed by local water agencies. A portion of the Calaveras County Water District's (CCWD) updated Urban Water Management Plan explores recycled wastewater capacities and future projections. CCWD is working closely with Calaveras County, Calaveras County Farm Bureau Federation, UC Cooperative Extension, and Calaveras Grown to coordinate efforts, identify potential demand, and conduct public outreach. Currently, golf course irrigation is the main user of recycled water in the county, but CCWD is looking to expanding service to agriculture customers and for other landscape purposes.

A challenge to expanding recycled wastewater service in the area stems from the size of current wastewater treatment facilities. Many of the District's facilities are too small to reasonably and economically develop recycled water systems. CCWD will continue to evaluate the potential for recycled wastewater, and believes there is an opportunity to work with the County to incorporate recycled water use in parks and public landscaping. Currently, CCWD uses recycled water for landscape irrigation at its largest facility.

### *Model Policies and Programs*

The following policy language is taken from city and county General Plans.

#### *City of Chino General Plan*

“It is the policy of the City that recycled water be used for any purposes approved for recycled water use, when it is economically, technically and institutionally feasible. Recycled water shall be the primary source of supply for commercial and industrial uses, whenever available and/or feasible. Use of potable water for commercial and industrial uses shall be contrary to city policy; shall not be considered the most beneficial use of a natural resource; and shall be avoided to the maximum extent possible.”

#### *City of Santa Clara General Plan*

“Maximize the use of reclaimed water for construction, maintenance and irrigation, and encourage its use elsewhere, as appropriate.”

*City of Livermore General Plan*

“Require all new industrial, commercial and office development within pressure Zone 1 to use reclaimed water for landscape irrigation, where available.”

*City of Palm Desert General Plan*

“Coordinate with the Coachella Valley Water District on the continued use and future expansion of tertiary-treated wastewater treatment and distribution facilities to serve existing and new development projects in the city.”

*County of Los Angeles General Plan*

“Encourage the production and use of reclaimed water and stormwater runoff to provide water for irrigation, groundwater recharge, saltwater intrusion barriers or other beneficial uses.”

*City of San Luis Obispo General Plan*

“Facilitate use of tertiary-treated water and seek to legalize use of greywater for non-potable household purposes.”

## **IV. Collaborative Water Resource Planning**

### *Background*

Successful integration of water resource planning into land use planning is achieved through a watershed-wide perspective. A single community within a watershed can enact measures to protect water quality or prevent flooding but they won't be as effective as when neighboring communities enact similar measures. Coordination is needed because watersheds do not tend to follow jurisdictional boundaries. Mayors, city council members and county supervisors are in an excellent position to bring together key players within a watershed to focus on its preservation.

### *General Approaches*

More and more state funding will be attached to water projects and programs that demonstrate regional collaboration. There are numerous venues for city and county elected officials to affect planning on a watershed level.

*LAFCOs* – A 1995 law added section 10910 to the California Water Code that permits LAFCOs to require cities, when applying to expand their sphere of influence, to provide information for determining whether existing and planned water supplies are sufficient to meet current and new demands. LAFCOs cannot demand conditions for their approval of a project, however, LAFCO boardmembers can base their decisions on the impact of the proposed expansion on the watershed.

*COGs* – A Council of Government (COG) has responsibility for producing transportation plans within its region. COGs representing 80% of California residents have adopted a growth strategy that includes preservation of existing open space and a vision for compact, walkable, mixed-use communities. Water is not currently included in the visioning process, but these processes offer an ideal opportunity to apply a regional approach to managing water resources.

*Metropolitan Planning Organizations* – Metropolitan Planning Organizations (MPOs) are the entities that administer federal transportation dollars. COGs often serve as the regional MPO. The Sacramento Area Council of Governments (which serves as the region's MPO) provides financial incentives to cities and counties in its region for concentrating growth around transit and for planning and building compact, mixed-use development. These same strategies are found in the first Ahwahnee Water Principle.

*Resource Conservation Districts* – Resource conservation districts are formed as independent local liaisons between local, state and federal government and landowners. Resource conservation districts can facilitate cooperation between local government and farmers, ranchers and other landowners. They have an expanding role in linking land use planning and water management. Several are extending their focus on agricultural issues in primarily rural areas to address a growing slate of concerns related to urban areas. Many watershed coordinators are housed in local resource conservation districts, which

make them a valuable resource for getting stakeholders to the table in planning and management processes.

*Watershed Partnerships* – Watershed partnerships are formed when local watershed stakeholders come together to protect their watershed. These groups are engaged in a wide range of efforts to protect and restore the state’s water resources and the watersheds that sustain them. These include local restoration efforts, data collection and monitoring, local education and outreach efforts, and providing a conduit between local government, landowners and residents interested in protecting the watershed. Many are also involved in long-range planning and assessment projects to provide information that can affect policy and management decisions.

*Intregrated Regional Water Management Plan (IRWMP)*- An IRWMP is a comprehensive planning document that provides the venue for multiple agencies and stakeholder groups to work together to identify and prioritize regional water resource projects and programs. The IRWMP tackles issues such as water supply, flood management, water quality, environmental restoration, envrionmental justice, stakeholder involvment, and community and stateside water issues. The California Department of Water Resources has initiated funding incentives for “Integrated Regional Water Management” (IRWM) planning and projects. This program is funded though voter-approved bonds (Propositions 50 and 84) to provide grants for local projects if they are part of a collaborative regional planning effort.

Coordination of planning efforts between water utilities and city and county planning departments are key to effective decision making. A common challenge in regional planning is creating consistency between multiple planning documents, and ensuring that overlapping regulatory agencies (i.e., water agencies, city planning departments, county planning departments) are kept informed of each others' actions, planning efforts, and relevant data. Planners can align land use and water use by incorporating water supply and demand analysis into general plans and specific plans. Water supply and quality data can be found in Urban Water Management Plans, Water Master Plans or other water planning documents created by local water agencies. Integrating water planning data into land use planning documents can streamline procedures for complying with the state’s “show me the water” laws.

On the same note, water agencies can incorporate land use data into their water planning documents. The implication for water demand varies by land use and development type. One of the best methods of forecasting future water demand is to a use land use-based analysis, which is more accurate and defensible than simply relying on population-based projections or socioeconomic modeling because it recognizes the association between water usage and various patterns and forms of development. Moreover, using a land use-based method for projecting future water demands enables simpler integration with land use planning documents.

*Institutional Issues*

Small, segregated agencies - No economies of scale

Comment [LP13]: Need to fill in

*Local Policy Approach in Amador and Calaveras Counties*

Both Amador and Calaveras County have worked together with other water agencies and stakeholder groups in regional water planning efforts. Examples include:

- M/A/C IRWMP- (include a brief description here)
- Mokelumne River Forum – The Mokelumne River Forum was established to create a partnership among water agencies and stakeholders who rely on the Mokelumne River and are concerned about regional water supply issues. Planning decisions concerning water supply volume, infrastructure needs, consumptive uses, environmental issues, and recreational needs are made through a collaborative process that strives to develop mutually beneficial and regionally focused solutions. The Mokelumne River Forum provides a venue to discuss and develop solutions that resolve conflicts and balance the needs of all users.
- Mokelumne Inter-Regional Conjunctive Use Project - IRCUP is a conceptual project linking the counties of Amador, Calaveras and San Joaquin with EBMUD in an expandable water storage and exchange program that could provide water supply sustainability and reliability benefits to all participants
- Upper Mokelumne River Watershed Authority - (discussed more in depth in Chapter 2, page \_\_\_)

Amador County

The need for coordination is brought up in the *General Plan* Advisory Committee workbook. Draft policies included in the workbook encourage coordination between AWA and other organizations to plan for future water supply needs in emergencies and droughts as well as promote regional and interagency coordination.

**Comment [LP14]:** Contact Nate Lishman about how County Planning Dept. works with water agencies or other city planning staff?

Calaveras County

The Calaveras County Water District (CCWD) has been an active participant in many regional water planning efforts, such as the M/A/C IRWMP, the Upper Mokelumne River Watershed Authority, and the Mokelumne River Form. The District was part of other regional watershed based planning efforts, as well. In 1999 and 2002, the District worked with Stockton East Water District (SEWD), a technical advisory committee, and a group of public stakeholders to begin the process of developing a Calaveras River Watershed Management Plan (CRWMP). Phase I of the project was accepted by the SWRCB and included a field assessment, stakeholder/technical advisory group formation and completion of the plan. Phase II of the plan, reported on Baseline Water Quality Monitoring on the upper and lower Calaveras River and was completed in June 2005. Throughout the process, CCWD engaged the public and participated with other agencies and non-government organizations at informational meetings over the last six years. CCWD hopes to secure additional funds for continued water quality monitoring.

In its 2003 Strategic Plan, the CCWD recognized the need for water and land use

planning to align. Specific objectives include becoming more cognizant of population growth and land use trends by educating staff and board members on current land use and population growth trends, as well as inviting County Planning Director to present current planning information at CCWD meetings. With current land use planning data, CCWD aims to incorporate this understanding more fully into CCWD planning and decision making.

CCWD emphasizes the need to build a relationship with the County Planning Department and with other local water agencies. One particular objective is initiating a Project Evaluation and Review Committee to bring together County staff and “coordinate CCWD planning with County initiatives.

Currently, there is county-wide interest among water agencies and local governments to create a *Water Element* to be included in the *General Plan* update. CCWD is spearheading the process and is coordinating meetings for stakeholders to discuss content for the document. A *Water Element* is not required but can provide the framework and vision for future water needs and management goals. Benefits of having a *Water Element* include providing the necessary linkage between land use planning, water supply and wastewater treatment planning, which will help align growth and development with the planning, financing and construction of water and wastewater infrastructure. A separate *Water Element* also makes water resource information accessible to the general public, policy makers, and interested parties through a single high-level document. Data and information on local hydrologic cycles and processes as well as descriptions of wet and dry conditions can also be included in a *Water Element*.

#### *Model Policies*

The following policy language is taken from city and county General Plans.

#### *City of Woodland General Plan*

“The City shall cooperate with other jurisdictions in jointly studying the potential for using surface water sources to balance the groundwater supply so as to protect against aquifer overdrafts and water quality degradation.”

#### *Inyo County General Plan*

“To ensure planning decisions are done in a collaborative environment and to provide opportunities of early and consistent input by Inyo County and its citizens into the planning processes of other agencies, districts, and utilities.”

#### *City of Livermore General Plan*

“Require coordination between land use planning and water facilities and service to ensure that adequate water supplies are available for proposed development.”

*City of Truckee General Plan*

“Initiate a process with Nevada County and Placer County, either in conjunction with development of the Open Space Plan or as separate effort, to develop a coordinated open space protection strategy for the entire Planning Area.

Work with the Truckee River Watershed Council, TDRPD and other agencies to develop comprehensive, long term management plans for the Truckee River corridor [..]. The plans should treat the Truckee River and Donner Lake and their associated riparian, wetland and meadow habitats as holistic systems, and should address the complete range of issues associated with the Truckee River and Donner Lake, including scenic and habitat values, opportunities for riparian restoration and enhancement, flood protection, water quality, and access and recreation opportunities.

Form a citizens advisory committee that will serve as an advisory body during the preparation of the stormwater and/or water quality management plan. Upon adoption of the plan, consider other roles the committee may assume.

Work with the Truckee Donner PUD to study ways in which the development review process can be strengthened to define more stringent requirements for documentation of a project’s projected water needs and the availability of local water supplies to serve it.”

*City of Sonora General Plan*

“Work in coordination with the Tuolumne County Resource Conservation District to assist in preparing, implementing and funding voluntary, stewardship-based, resource management programs, especially those which maintain and enhance water quality and quantity.

Consider facilitating an annual city/county staff meeting, luncheon or similar activity to facilitate coordinated land use planning between city and county staff members. Senior staff from the various city and county staffs should, at a minimum, be present at the coordination event.”

**Comment [PS15]:** None of these examples are for small rural communities. Can you find any that are, or is this just an urban problem?

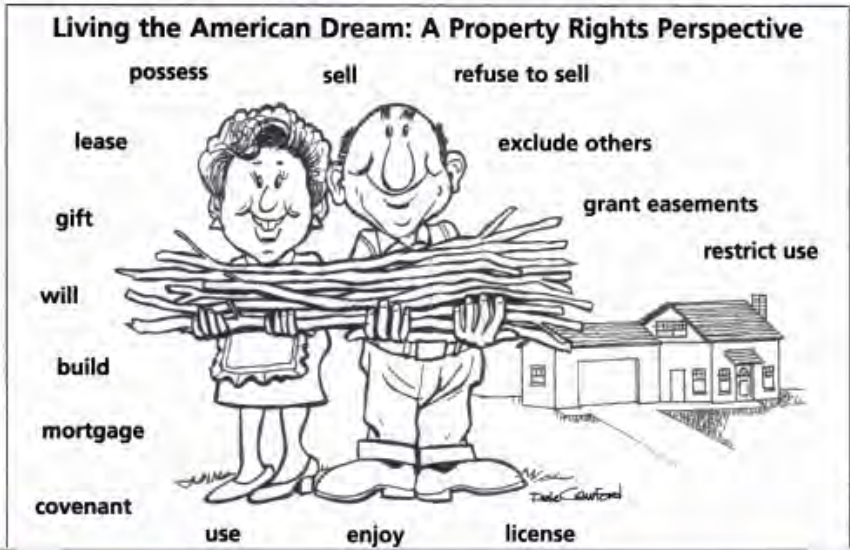


## V. ~~Water Quality Monitoring Plan at Watershed Seale~~

Comment [LP16]: (Clark to write)

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## **DRAFT**

### **Property rights policy for Amador County General Plan**

The County of Amador does not intend to deprive any landowner of the economic use of his or her property or of any legally vested right to develop property. This General Plan shall be interpreted so as to be consistent with all federal and state laws, rules, regulations and court decisions governing the use of real property.

Any landowner who believes that the application of a provision of this General Plan has resulted in an unconstitutional taking of his or her private property may file a claim with the Clerk of the Amador County Board of Supervisors, specifying the basis for the claim. Based on that claim, the Board of Supervisors may amend the provision to avoid any unconstitutional taking of private property.

The Board shall act only pursuant to a finding, based on substantial evidence in the administrative record, that the provision that is the subject of the claim does in fact constitute an unconstitutional taking of the claimant's property. An unconstitutional taking shall be defined as a clear violation of a specific state or federal statute, rule or regulation, or an action inconsistent with a specific, precedential court decision. The finding, which shall be written by the Amador County Counsel, shall specifically explain how the provision violates the applicable statute, regulation, rule or court decision. No such finding shall be made when there is no substantial evidence that the provision constitutes an unconstitutional taking, as defined in this policy, or when there is substantial evidence that it does not constitute a taking.

Any amendment to any provision within the General Plan made pursuant to this policy shall be made only to the minimum extent necessary to avoid such an unconstitutional taking.

By including this policy in the General Plan, the Amador County Board of Supervisors wishes to assure property owners that their private property rights will be protected, and to assure the public that the Board of Supervisors will enact what it believes are the best available land use policies to govern the future growth and development of Amador County.

Comments received on the NOP included the following publicly-available documents which are not reproduced as part of the appendices to the EIR:

- Sacramento Metropolitan Air Quality Management District. 2004 (July). *Guide to Air Quality Assessment in Sacramento County*.
- California Air Resources Board. 2005 (April). *Air Quality and Land Use Handbook: A Community Health Prospective*.
- Amador Local Agency Formation Commission. 2008 (August). *Municipal Services Review Findings – Final*.
- Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit. 2007 (August 1). *Memorandum RE: Addressing Naturally Occurring Asbestos in CEQA Documents*.
- Bay Area Air Quality Management District. 1999 (December). *BAAQMD CEQA Guidelines: Assessing the Air Quality Impacts of Projects and Plans*.
- UC Davis Wildlife Health Center. 2007. *California Wildlife Conservation Challenges: California’s Wildlife Action Plan*. Prepared for the California Department of Fish and Game.
- California Air Pollution Control Officers Association. 2008 (January). *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Project Subject to the California Environmental Quality Act*.
- El Dorado County. 2004 (July). *El Dorado County General Plan Glossary*.
- Governor’s Office of Planning and Research. 2003 (November). *Fire Hazard Planning: General Plan Technical Advice Series*.
- Governor’s Office of Planning and Research. 2003 (October). *State of California General Plan Guidelines 2003*.
- Governor’s Office of Planning and Research. 2009 (April). *CEQA Guidelines Sections Proposed to be Added or Amended*.
- California Air Resources Board. 2008 (October). *Climate Change Proposed Scoping Plan*.
- California Department of Parks and Recreation. 2005 (June). *Drafting Effective Historic Preservation Ordinances – Technical Assistance Bulletin 14*.
- Sierra Business Council. 2003. *Investing for Prosperity: Building Successful Communities and Economies in the Sierra Nevada*.
- Mono County. 1993. *Conservation/Open Space Element*.
- Foothill Conservancy. 2002 (February). *Tools for Preserving Open Space in Amador County, California*.
- Tuolumne County. 1987. *Wildlife Handbook, Tuolumne County Wildlife Inventory and Evaluation Project*. Prepared by Stephen L. Granholm, Ph.D.
- Sierra Nevada Alliance. 2008 (August). *Planning for Water-Wise Development in the Sierra: A Water and Land Use Policy Guide*.
- Governor’s Office of Planning and Research. 2003 (October 8). *White Paper: California’s Workforce Development System: How to Prepare the System for Sustainable Development to Meet the Needs of California’s Evolving Economy*.



Charles Field, Executive Director  
Amador County Transportation Commission  
by e-mail attachment to actc@cdepot.net

March 31, 2004

Re: RTP update

Dear Charles and Members of the Commission:

Thank you for this opportunity to comment on the update of the Amador County Regional Transportation Plan. We also appreciate the presentation Charles gave our group in January.

We are glad to see this plan takes a more realistic look at the cost of transportation improvements needed in our county. But we have the following concerns, in summary:

- The draft RTP needs mandatory policies to help ensure new development projects do not cause further deterioration in our transportation system. It seems to us that the county supervisors, with their recent emphasis on making casinos pay for their impacts on county infrastructure and services, are sending a message that new development should pay for its full impacts.
- The impact fees for new development do not appear to be based on an assessment of the actual impacts of that development or even a realistic assessment of the fee compared to the cost of new housing in the county. They seem quite low relative to the overall RTP funding deficit and to current home values.
- The RTP proposes spending huge, but still inadequate, amounts of money for relatively few improvements in LOS. There should be more emphasis on transportation alternatives, with cost comparisons to road improvements.
- There are no environmental goals and policies.
- There should be “smart growth” policies in the plan to encourage development close to jobs, schools, and shopping so that vehicle trips are shortened and transportation alternatives made more viable.
- The air quality goal should be based on actually having cleaner air, not on avoiding a designation that accurately describes the state of the air we breathe — even if our pollution is in part Valley-based.

More information on some of these points is provided below.

### **Land use policies**

The RTP should include land use policies that ensure new development does not cause our transportation system to deteriorate further. The policies proposed by consultant Matt Henry at the ACTC/Amador County Planning Commission hearing on March 23 were a good start in that direction. But they are not adequate and some seem contradictory (for example, 1 B(20) and 1 B(23)). The decision table was most helpful and should be part of the plan – perhaps in greater detail it could actually *be* the policies and replace the lengthy text).

If a project that requires a general plan change would create or contribute to the need for an unfunded Tier II improvement or an improvement not identified in the RTP, the project should be required to make the improvement (or otherwise remedy the problem) or it should be denied. To do otherwise is to shift the cost of new development (in dollars or worsened traffic conditions) to the public. A “fair share payment” is not fair to the public if necessary traffic improvements are delayed or never built.

Attached are some objectives and policies from Nevada County’s general plan for your additional consideration. We also suggest the following policies:

Local jurisdictions shall require new development projects to fully mitigate their impacts on local and regional roads.

If a general plan amendment would worsen an identified deficiency in local or state roads or highways or create a new deficiency, and funds are not available to correct the problem, the city or county shall either deny the general plan amendment or require the applicant to fully fund the necessary improvement or transportation alternatives that would remedy the problem.

### **Impact fees**

Doubling the current impact fee and removing the commercial discount is a good start, but probably not enough to adequately mitigate the cost of new development. We understand that the methodology used to calculate the impact fees was based on the wishes of the board of supervisors rather than the costs of transportation improvements required to serve new development. This seems a backwards approach for a planning document. To determine the fee needed, the ACTC should calculate the cost of the improvements attributable to new development and divide that by the number of anticipated dwelling unit equivalents over the life of the RTP (see attachment from Placer RTP). The methodology should be clearly explained in the RTP so that the public and decision-makers can see why ACTC is recommending fees at a certain level. But as the RTP is written, there’s no way the public or decision-makers can make that determination.

### **Transportation alternatives**

We believe the RTP needs to place more emphasis on transportation alternatives, especially since it is clear we do not have enough money to build ourselves out of our transportation problem. In addition, many communities have found that building bigger roads is only a temporary fix: bigger roads end up producing more traffic. The RTP should include analysis of alternatives including park and ride lots with shuttles, dial-a-ride services in towns, jitney buses, and so forth,

especially along Highways 49 and 88 or to/from tourist destinations and other centers of activity. The costs of these alternatives should be shown in comparison to road construction costs. New development should be required to analyze transportation alternatives options and use them if any are feasible. We have attached some information from the Nevada County general plan for your reference.

### **Environmental goals and policies**

Amador County residents value the county's scenic beauty, wildlife, and water quality. The RTP should include environmental goals and policies to ensure that transportation planning, improvements, and maintenance do not harm our natural environment. We suggest that you consider the attached policies from Nevada County as well as this policy:

Design roadway construction, improvements, and maintenance to mitigate all impacts on wildlife corridors, to provide for the continued movement of wildlife, and to minimize road-related wildlife deaths.

### **Smart growth**

The RTP should include at least one policy related to smart growth principles to encourage development in existing communities. Building in existing communities will make transportation alternatives much more viable now and in the future.

### **Miscellaneous comments**

- **Optional vs. mandatory policies.** Too many of the land use-related policies are "should" (optional) policies. If the objective is important, the policies should be mandatory "shall" policies.
- **Policy 1(B)9** says that land use development projects anticipated in the RTP do not have to do traffic studies. This does not make sense. If development projects not included in RTP calculations have come along before a project is proposed, the assumptions in the RTP would no longer be true. This needs to be accounted for in the policy.
- **Objective 1C3: tri-county MOU.** Alpine's projects in the current Tri-County MOU (passing lanes on Hwy 88) are good for Alpine but arguably against the interest of Amador County residents who don't want Highway 88 turned into a high-speed route to Alpine but instead appreciate its scenic character. The RTP should include a policy that requires projects in such an MOU to be in the interests of residents of all three counties.
- **Policy 4B2:** re pedestrian circulation -- should be a "shall" policy.

### **Summary**

We appreciate the efforts of ACTC staff and consultants in creating an RTP that more realistically reflects the realities of transportation funding for our county. But we do strongly believe that there needs to be a stronger link between land use and transportation policies, and more creative approaches to transportation alternatives. Thank you for this opportunity to comment.

Sincerely,

s/Katherine K. Evatt

Katherine K. Evatt  
President

## **Transportation Goals and Policies from Nevada County General Plan Circulation Element**

### **Land-Use Related**

**Objective:** Maintained desired level of service by balancing development of the circulation system with land use and development in the county.

**Policy 4.4:** The land use pattern in the Nevada County General Plan Land Use Map is correlated with the future ability of the transportation system, including the major roadway network, to adequately serve said land uses based upon the service criteria and levels of service identified in Policy 4.1, Policy 4.3, Policy 3.1 and Policy 3.10. (FC note: *All having to do with LOS*). All General Plan amendments shall be required to show that the proposed development is also correlated with the future provision of transportation facilities and levels of service according to the same criteria.

**Policy 4.8:** Where it is determined by the County that a County road or road segment or intersection no longer provides the desired acceptable level of service as defined in Policy 4.1 and Policy 4.3, the County shall take action to ensure compatibility between future growth and the road system.

Solutions to local road system problems may include funding of transportation-related facilities, transportation management techniques, or development limitations or restrictions.

**Policy 4.10:** In the absence of an approved plan and funding program to provide needed roadway improvements, and where the County has determined that there is no feasible project mitigation, the County may deny those amendments to the General Plan that exacerbate an identified deficiency in local or State roads or highways.

**Policy 4.20:** In the review of all discretionary permits, the County shall consider the effect of the proposed development on the area-wide transportation network and the effect of the proposed development on the road network and other transportation facilities in the immediate vicinity of the project site.

**Objective 4.14:** Provide a land use pattern which minimizes the need for new roadways and encourages the use of alternative transportation modes.

### **Transportation alternatives**

**Goal 4.3** Reduce dependence on the automobile.

**Policy 4.26:** Require consideration of the feasibility of providing transit alternatives to automobile transportation in all discretionary project review. As part of the development review process, require consideration of ways to reduce dependence on the auto in all discretionary and



ministerial non-residential projects. For projects generating 50 or more employees, an analysis shall be prepared by the applicant documenting means to reduce auto dependence. Wherever feasible, measures documented in that analysis shall be incorporated into the project. This project shall be coordinated with the applicable Transportation Management Association (TMA) or successor agencies.

**Objective 4.14:** Provide a land use pattern which minimizes the need for new roadways and encourages the use of alternative transportation modes.

### **Policies related to historic and environmental resources**

**Goal 4.4:** Minimize adverse impacts of the circulation system on the historic and natural environment.

**Objective 4.16:** Protect the natural environment in the development and maintenance of the transportation system.

**Policy 4.37:** Nevada County shall continue to require environmentally sound practices for transportation facility construction and maintenance. New roads or improvements to the existing road system and all trails and pathways shall be located, constructed, and maintained in a manner compatible with the environment.

**Policy 4.38:** Encourage Caltrans' efforts to reduce impacts to vegetation, wildlife, and water quality through the use of salt substitutes, or other environmentally compatible materials for road de-icing.

**Policy 4.39:** Recognize and protect, to the extent feasible, existing historical districts and other historical features during the development of a roadway system.

# PLANNING FOR **Child Care** IN *California*

**Planning for Child Care in California** presents basic child care information and guidelines for municipal, county, and school district planners, and for child care professionals and their advocates.

The book provides resource material that defines child care, discusses how cities and counties regulate child care in its various forms through the General Plan and zoning, and features strategies for ensuring that child care needs are met locally.

Guidelines for incorporating child care goals into the public planning process are covered, with specific attention to the location, planning, and design of housing, centers of employment, and transit-based facilities.

Numerous examples of real child care projects, designs, and partnerships are included, along with sources of funding and other implementation strategies.



**Kristen M. Anderson** is Child Care Coordinator for the City of Redwood City, California, with responsibility for developing child care resources in both the public and private sectors, providing technical assistance to center-based and family child care home providers, promoting public awareness of child care issues, acting as public/private sector liaison, and preparing grant proposals for funding.

She received her Ph.D. in Early Education and Child Development from Stanford University in 1981.



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## General Plans as a Policy Basis for Facilities and Services

### Why Include Child Care in the General Plan?

It is important that the child care needs of communities be considered and addressed in the city or county general plan. As the blueprint for future development of a geographic area, the general plan provides not only the vision for what the community will look like but goals and objectives, and action plans or strategies for accomplishing that which is desired. It must be consistent among its elements and with zoning codes and other implementation policies. In addition, it provides a legal basis for future zoning ordinance changes and other policies and actions, including those that require financial commitments by the city. For example, the preparation of an Environmental Impact Report for a proposed large project includes checking for consistency with the general plan. (Of course, having specific language in the general plan, requiring that the impact on child care resources be assessed as part of an environmental impact study, is helpful.)

The inclusion of child care policies and goals in the General Plan provides direction to staff in their community development work, and can result in significant programs and projects that address the community's child care needs.

The City of South San Francisco provides a good example of how general plan policies can drive expansion of child care. Since revising its general plan in 1999, when child care policies were added, activities have included:

- Expansion of the city's child care center in a public park, by the addition of a modular building
- Expansion of the city's after-school care services at two public schools
- Development of a child care "start-up guide"

*It is important that the child care needs of communities be considered and addressed in the city or county general plan.*

*The inclusion of child care policies and goals in the General Plan provides direction to staff in their community development work.*

- Adoption of a Child Care Facilities Fee ordinance for new development (see Appendix F, South San Francisco—Impact Fee Ordinance)
- Construction of a 100-space infant/toddler/preschool-age center, using redevelopment and other funds, on land donated by an office park developer
- Plans for a child care center near the South San Francisco BART station

In the words of city staff who worked on the child care policies: “Many of the steps our city is taking would not have happened if not for the child care policies in the General Plan. Staff has taken direction from that plan to implement the goals and objectives, tying child care to economic development priorities and transit projects for example.”<sup>1</sup>

Child care is not only a social issue but also a land use one, with connections to housing, employment, and transportation, both for the families who must access it twice daily, usually five days per week, and because of its impact on neighborhoods and communities.

Those connections should be recognized in the general plan to ensure that increased child care demand is considered as communities grow and mature. Proactive planning can prevent higher development costs and minimize the neighborhood resistance that results when facilities are later shoehorned into inadequate or undesirable sites.

It is important that general plan policies regarding child care address land use and permitting barriers as well as the recommendations for proactive planning in the American Planning Association’s *Policy Guide on the Provision of Child Care* (Appendix H). Treating it as a *social* problem—that is, in a Social Services, Social Environment, Public Services, or Recreation element or section—may not address existing barriers to child care supply-building (zoning or permitting, for example) or make the necessary links between child care and housing, employment centers, and transportation systems. However, there are good examples of such elements that have included child care facility siting, permitting, and development-related policies.

### Relationship to Other Plans

During the development of a general plan, California law (Govt. Code § 65352(a)(4)) and the *General Plan Guidelines* from the state Office of Planning and Research recommend that the relationship with other types of plans be considered; the *Guidelines* list the plans of local child care planning and development councils as a source of information.<sup>2</sup> It is also

1. Heather Quinn, City Manager’s Office, South San Francisco, personal communication, March 19, 2002.

2. Governor’s Office of Planning and Research. *General Plan Guidelines*. Sacramento: OPR, 2003, page 106.

*Child care is not only a social issue but also a land use one, with connections to housing, employment, and transportation.*

*Proactive planning can prevent higher development costs and minimize the neighborhood resistance that results when facilities are later shoehorned into inadequate or undesirable sites.*

recommended that the draft general plan be made available for comment by other planning entities. This suggests a role for the state-mandated and state-funded Local Child Care Planning Councils in each county—providing input into general plan policies that affect their mandates. Many of the child care strategic plans developed by California counties have goals regarding reduction of barriers to child care capacity-building in local land use policies and permitting processes.

*Many of the child care strategic plans developed by California counties have goals regarding reduction of barriers to child care capacity-building in local land use policies and permitting processes.*

### **How Can Child Care Be Addressed in the General Plan?**

The process of developing child care language for a general plan involves the same steps with which planners are already familiar:

- Gathering information to describe existing resources and unmet needs
- Projecting future needs based on what the community is envisioned to become (*e.g.*, locations and types of development)
- Developing goals and programs to meet both current and future needs.

Child care experts can be enlisted to provide child care information and assist in developing policies and program objectives that will support child care development and meet the community's needs. Information available for planning was described in chapter 5.

### **Background Information—Existing Conditions**

A first step in the development or revision of any city or county general plan is the compilation of background information including demographic data, current uses, existing conditions and needs, projected trends, planning issues, proposed areas, and types of future development, etc. Sometimes this information goes into a separate report; in other cases, it is provided in the introduction of each element. It is important that data about local child care resources and needs be included at this stage, since this background provides the foundation for development of general policies as well as implementation strategies, priorities for funding, and implementation responsibilities within the jurisdiction. The *General Plan Guidelines* from OPR lists local child care planning councils (described on pages 28–29) as a source of needs assessment data and plans.<sup>3</sup>

How child care is addressed in a particular city or county will depend partly on this information. The child care need in some sparsely populated rural counties is obviously less than that of certain neighborhoods in cities like Los Angeles or San Jose, and where facilities should be located will



*This four-year-old gains strength and coordination as he maneuvers around the climbing structure.*

*The General Plan Guidelines from OPR lists local child care planning councils as a source of needs assessment data and plans.*

3. OPR, 2003, pages 37, 106.

differ. Also, the barriers or challenges to development of child care facilities will be different, as will the strategies and programs.

Child care need estimates are based on demographics (child and family characteristics) and other information, including:

- Child population, birth to 12 years
- Parental workforce participation rates
- Single parent households
- Family income distribution
- CalWORKs participants

It is important to provide estimates of child care needs by age group (infant/toddler, preschool-age, and school-age) and for those eligible for publicly subsidized programs. For large geographic areas and communities with very diverse neighborhoods, analysis by zip code, census tract, or other targeted method may be necessary.

Community child care resources information should include:

- Number of licensed family child care homes ("small" and "large")
- Number of child care centers and licensed capacity, by age group (infant, preschool-age, and school-age) and number of subsidized spaces
- Full-day versus part-day programs
- License-exempt after-school care programs
- Facility location (convenience to residential areas, employment sites, public transit, major commute routes)

Available child care data and tools for planning are discussed in chapter 5. Based on child care needs and available resources in a community, citywide or specific area goals can be set for development of new or expanded child care facilities. Target neighborhoods, potential sites, funding sources, and partners can also be identified. Future child care demand projected for new residential neighborhoods or employment centers can then be considered along with other infrastructure needs.

### **Separate Element or Incorporated in Other Elements?**

Child care policies can be, and have been, included in city and county general plans in different ways—as policies embedded in mandatory or optional elements, as a subsection of another element, or as a separate child care element. The pros and cons of the approaches are presented below, with examples of language from the general plans of various California cities.

#### **Child Care Elements**

Several California cities and counties are reported to have separate child care elements in their general plans, according to the state Office of Planning

*important to provide estimates of child care needs by age group (infant/toddler, preschool-age, and school-age) and for those eligible for publicly subsidized programs.*

*Child care policies can be, and have been, included in city and county general plans in different ways.*

and Research.<sup>4</sup> The cities of Chula Vista and West Sacramento provide two examples of child care elements (see Appendix I, West Sacramento—General Plan Element).<sup>5</sup> Both have extensive background sections documenting the existing conditions of child care in the community. Chula Vista's is part of the Child Care Element while West Sacramento's is part of a background report for the entire General Plan.

These elements often cover policies related to three general areas of support for child care:

- **Accessibility**—increasing the *number* of child care facilities (centers and homes), looking at child care “slots” available for each age group compared to demand; geographic *locations* of facilities relative to residential areas, public transit, and major transportation routes, schools (for after-school care), or parents’ worksites; and parents’ ability to locate appropriate available care (*i.e.*, connecting with existing resources) through various information and referral methods
- **Quality**—increasing the quality of early care and education provided to children and the level of family support through staff training, program quality improvement or accreditation support, facilities and equipment improvements, etc.
- **Affordability**—increasing financial “accessibility” to child care programs by accessing public and private sources of funding to assist families who cannot afford the high cost of services

The goal of Chula Vista’s Child Care Element is stated as: “Encourage safe and affordable good quality child care that is available and accessible to all economic segments of the community.” Four major objectives are listed, followed by extensive policies and implementation actions:

- Encourage the provision of adequate child care facilities and services to meet the existing and future needs of the community.
- Locate child care facilities near homes, schools, work places, and major transit facilities and routes.
- Encourage the provision of quality child care for all families who need it, regardless of income.
- Promote the safety and welfare of children in all child care facilities.

Policies and implementation strategies may relate to local governments’ varying roles in supporting child care, described in chapter 6. For example,

4. The *California Planners’ 2003 Book of Lists* (Land Use Planning Information Network, [www.lupin.ca.gov](http://www.lupin.ca.gov)) lists 20 jurisdictions with child care elements. However, upon further research it was discovered that some of these were policies in another element and others had no child care policies in the general plan.

5. West Sacramento’s General Plan and the G.P. Background Report with data and analysis of existing conditions is available on the city’s website ([www.ci.west-sacramento.ca.us](http://www.ci.west-sacramento.ca.us)).



Child-sized furniture, toilets, and sinks help children to be independent and use self-care skills.

a policy objective to support new child care facility development might include a strategy of providing the actual space in a city building, or providing funding to an agency wanting to open a child care site.

The difficulty with ensuring implementation of a Child Care Element is that there must be appropriate strategies as well as personnel assigned the responsibility to carry them out. Since very few cities and counties in California have Child Care Coordinators or other staff assigned to child care planning, development and support, these policies, objectives and implementing strategies may be added to the responsibilities of existing staff in Community Services, Recreation, or other "social service" areas. As a result, the important connections between community development and planning issues and staff may not occur, leaving the child care activities out of development plans for the broader community.

Just as planning professionals are not prepared to take on many of the child care support and development strategies outlined above, recreation/community services professionals are usually not prepared to assume the land use planning role (and links with housing, transportation, economic development, etc.). Many city and county child care coordinators, whether housed in community development departments or recreation/community services, have been able to bridge the gap by working both sets of strategies, and helping both groups of professionals see their related roles. If a city or county has no child care planner/coordinator on staff, experts at the county's child care resource and referral agency or Local Planning Council may be able to assist planners.

#### Inclusion of Child Care in Mandatory and/or Optional Elements

When child care is addressed in city and county general plans without a separate Child Care Element, policies and strategies have been included in many different elements, including land use (most common), housing, transportation/circulation, public facilities, parks and open space, community services, and economic development. For example, San Clemente, Orange County and San Diego County have subsections within their Public Facilities (and/or Services) Elements.

Seven elements that are *mandated* by California law to be included in a city or county general plan are Land Use, Circulation, Housing, Open Space, Noise, Conservation, and Safety. These may be named differently or combined with other topics (*e.g.*, Parks and Open Space) as long as the subject is addressed. Inclusion of child care policies in these elements is useful—because the elements must be reviewed and

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updated regularly, there are opportunities to add child care policies. Also, since these are aspects of the physical environment that are essential to the “blueprint” for future development, child care policies can address the connections with other community development activities.

Additionally, jurisdictions can develop any *optional elements* that the community feels are appropriate to guide its development. These are often elements such as Public Facilities, Parks, Economic Development, Community Services, or Urban Design. Some of these are appropriate locations for child care policies.

The advantage of including child care policies, objectives, and strategies in other than a separate child care element is that child care can be linked to plans for the entire community’s infrastructure development. The connections of child care to housing, to economic development in the city or county, and to commute patterns and options for working families, etc. are thus highlighted and more visible. Planners (and public officials) are more likely to ask what the impact of new development will be on the community’s child care resources.

Policies and strategies may or may not be specific to a geographic area, type of development (*e.g.*, office parks), or a future project such as a new transit center or transit-oriented development. This is illustrated in the examples below.<sup>6</sup>

## Examples of Child Care Policies in General Plan Elements

### Land Use Element

#### South San Francisco

- Policy 2-G-9—facilitate development of child care centers and homes in all areas and encourage inclusion of child care centers in nonresidential developments
- Policy 2-I-12—undertake comprehensive efforts to promote development of child care facilities, with efforts that include:
  - Permitting child care centers in all districts
  - Developing criteria for incentives for child care facilities, as part of bonuses for specified TDM programs (Policy 2-I-5)
  - Exploring the feasibility of assisting child care providers and developers to identify and develop potential sites
  - Preparing a child care start-up guide<sup>7</sup>

TDM = Transportation Demand Management

6. The Child Care Law Center’s *Child Care Advocacy Guide to Land Use Principles* (2003) provides a comprehensive discussion of incorporating child care in general plans.

7. South San Francisco, Calif. General Plan, Land Use Element (1999).

### Union City

- Policy LU-A.1.10—the City shall develop a formula for granting a bonus in density or intensity of use for commercial, industrial, and residential projects (of specific sizes) that provide child care facilities
- Policy LU-A.1.11—the City shall encourage the siting of child care, disabled, mentally disabled and elderly facilities compatible with needs, land use and character, and encourage such facilities to be located near employment centers, homes, schools, community centers, recreation facilities, and transit hubs<sup>8</sup>

Note. Additional land use-type policies are included in the Youth and Families section of the Youth, Family, Seniors, and Health Element. See below.

### City of Los Angeles

- Goals, Objectives and Policies Regarding Neighborhood Districts
- Goal 3D—pedestrian-oriented districts that provide local identity, commercial activity, and support Los Angeles' neighborhoods
- Objective 3.8—reinforce existing and establish new neighborhood districts which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood activity, are compatible with adjacent neighborhoods, and are developed as desirable places to work and visit
- Policy 3.8.2—encourage retention of existing and development of new commercial uses that primarily are oriented to the residents of adjacent neighborhoods and promote the inclusion of community services (*e.g.*, childcare and community meeting rooms)
- Policy 3.8.3—encourage owners of existing commercial shopping centers that contain grocery and drug stores to include additional uses, such as restaurants, entertainment, childcare facilities, public meeting rooms, recreation, cultural facilities, and public open spaces, which enhance neighborhood activity<sup>9</sup>

### Circulation/Transportation Element

#### South San Francisco

- Under Planning Sub-Areas Element—BART<sup>10</sup> Station Area
- Policy 3.4-I-5—establish transit-supportive development requirements for the approximately eight-acre station area that include:
  - Designation of the area as a transit-overlay zone

8. Union City, Calif. General Plan Land Use Element (2002).

9. Los Angeles, Calif. General Plan Land Use Chapter of Citywide Framework Element (2001).

10. Bay Area Rapid Transit.

- Transit-oriented design and development standards that address pedestrian scale
- Inclusion of child care facilities<sup>11</sup>

## Housing Element

### San Mateo County

- Included under Goals and Objectives
  - Policy 14.3—provide Housing Near Employment, Transportation, and Community Services
  - Strive to provide housing in balanced residential environments that combine access to employment opportunities, transportation, child care and other community services
- Included Under “Housing Individuals with Special Needs”
  - Encourage the Development of Child Care Services
  - Encourage and support the development of child care services in the county by: (a) requiring that environmental impact reports for projects of ten or more dwelling units analyze the project’s impact on the need for child care facilities and refer reports to the Child Care Coordinating Council for comment; (b) providing incentives for developers to provide child care facilities or services as part of new residential, commercial, and industrial developments, including but not limited to, density bonuses, increases in floor area ratios, and modifications to zoning regulations; and (c) allowing child care facilities to serve as traffic mitigation measures<sup>12</sup>

### Redwood City

- Program C.9—assess the demand for child care in new housing developments and encourage the inclusion of space for child care, particularly in affordable housing developments<sup>13</sup>

### Sausalito

- The City of Sausalito’s Housing Element established a Housing Committee whose role is to support implementation of the housing policies, with one of the suggested items for its workplan to work with county agencies to examine child care and other support service needs that could be implemented for family and single parent housing<sup>14</sup>

<sup>11</sup> South San Francisco, Calif. General Plan Transportation Element (1999).

<sup>12</sup> San Mateo County, Calif. General Plan Housing Element (2003).

<sup>13</sup> Redwood City, Calif. General Plan Housing Element (2003).

<sup>14</sup> Sausalito, Calif. General Plan Housing Element (1995).

## Conservation/Open Space/ Environmental Resources Element

### Port Hueneme

- Goal 6—develop a comprehensive child care delivery system in Port Hueneme
  - Policies—create a joint public/private child care master plan and Child Care Trust Fund
  - Policy 6.1—create a community-wide child care task force (or council) to study the development of child care programs, to fill service gaps, increase program effectiveness, improve service accessibility, and maximize all available resources in the community
  - Policy 6.2—create a joint public/private child care master plan that will coordinate a range of services for children and their families, in conjunction with local agencies and groups
  - Policy 6.3—assist Child Development Resources (CDR) of Ventura County, Inc. in networking, referral, and coordination of services to Port Hueneme
  - Policy 6.4—review unused public and private facilities in the city for potential renovation as child care sites.
  - Policy 6.5—establish a Child Care Trust Fund under the direction of the Child Care Task Force with an emphasis on fund raising for capital projects and development of seed money for new programs
  - Policy 6.6—assist businesses in the development of child care benefit programs and postpartum parent leave benefits
  - Policy 6.7—encourage existing partners to open their programs to special needs enrollees and develop options for special needs training<sup>15</sup>

## Economic Development Element

### Union City

- Policy ED-A.1.17—the city shall support the establishment of child care centers near high density commercial and light industrial districts in order to enhance Union City's attractiveness as a business destination<sup>16</sup>

### City of Los Angeles

- Goal 7D—a City able to attract and maintain new land uses and businesses
- Objective 7.6—maintain a viable retail base in the City to address changing resident and business shopping needs

15. Port Hueneme, Calif. General Plan Conservation/Open Space/Environmental Resources Element (1998).

16. Union City, Calif. General Plan Economic Development Element (2002).

- Policy 7.6.1—encourage the inclusion of community-serving uses (post offices, senior community centers, daycare providers, personal services, etc.) at the community and regional centers, in transit stations, and along the mixed-use corridors<sup>17</sup>

## Public Facilities Element

### San Joaquin County

- The County shall encourage the use of public facilities, schools, churches, community centers, and spaces within other facilities for child and adult care services
- The County shall encourage the development of child care facilities within commercial and industrial land use designations as well as in residential areas<sup>18</sup>

### South San Francisco—Parks, Public Facilities, and Services Element

- Policy 5.2-I-1—work with the SSF Unified School District on appropriate land uses for school sites no longer needed for educational facilities, acquiring closed school sites for recreation facilities and child care purposes where appropriate<sup>19</sup>

### Orange County—Public Services and Facilities Element

- Child Care Improvement Program
- Goal—to encourage and facilitate provision of child care facilities to address the growing County demand
- Objective—to achieve facilitation of child care services consistent with the Orange County General Plan
- Policy B.2
  - Land Use Compatibility—to ensure that child care facility proposals are compatible with surrounding land uses and to review planned land uses adjacent to facilities for their compatibility with facility operations
  - Interagency Cooperation—to encourage and support a cooperative effort among all agencies towards the implementation of necessary child care facilities through normal County review procedures
- Policy C.1—Implementation Program, Child Care Improvement Program
  - Action—new developments will participate in the Child Care Improvement program through conditions placed on projects in the

17. Los Angeles, Calif. General Plan Economic Development Chapter of Citywide Framework Element (2001).

18. San Joaquin County, Calif. General Plan Public Facilities Element (1992).

19. South San Francisco, Calif. General Plan Parks, Public Facilities, and Services Element (1999).

unincorporated South County area, with appropriate coordination be encouraged between the County, school districts, community programs, and developers, and an assessment of the supply and demand for child care facilities monitored through the Annual Monitoring Report process<sup>20</sup>

San Diego County—

Public Facility Element

● Section 14. Child Care

Goal—affordable, accessible, and available child care facilities

Objective 1—child care facilities appropriately located near the workplace, home and schools

Policy 1.1—the County will encourage the siting of child care facilities compatible with community needs, land use and character, and encourage such facilities to be available, accessible, and affordable for all economic levels

– Implementation measure 1.1.1—support research on the feasibility of locating child care centers at “Park and Ride” sites, transit centers or other locations accessible to public transportation

– Implementation measure 1.1.2—advocate the inclusion of child care facilities in both the planning of new school facilities, and plans for the expansion or improvements of existing school facilities

– Implementation measure 1.1.3—investigate the feasibility of siting before- and after-school programs in parks located near schools

● Objective 2—acceptance by state, county and city agencies of the need for child care facilities

Policy 2.1—the County will actively encourage the provision of child care facilities

– Implementation measure 2.1.1—where feasible, make underutilized County properties or low-cost loans available to child care providers, particularly for those child care facility types of greatest need

– Implementation measure 2.1.2—review the zoning ordinance to simplify the procedures for land use permits for child care centers

● Policy 2.2—The County will work with other jurisdictions within the region to simplify the zoning and planning process in relation to child care facilities, in particular Family Day Care Homes.

– Implementation measure 2.2.1—cooperate with the San Diego Association of Governments and the region’s cities to draft a model ordinance or procedure for the processing of permits for child care facilities

20. Orange County, Calif. General Plan Public Services and Facilities Element, chapter 10: Community Facilities Component, Part VII (1985).

- Implementation measure 2.2.2—work with the region’s cities to develop uniform zoning policies regarding location, parking and other requirements
- Policy 2.3—the County will encourage the State and Federal government to stimulate the provision of child care facilities
  - Implementation measure 2.3.1—support legislation that would assist in the provision of quality child care facilities<sup>21</sup>

**City of San Clemente—**

**Public Facilities and Services**

- Objective 7.18—contribute (along with the private sector residential and business community and existing service providers) to the future development, implementation and management of a successful child care network within the community
- Policies
  - 7.18.1—determine the need for child care facilities within the community while identifying condition of existing facilities and services
  - 7.18.2—pursue programs, mechanisms, and liaison activities that will increase the provision of modern child care services in the community, in accordance with local and state building/zoning, and health and safety code requirements
  - 7.18.3—coordinate with CUSD to utilize existing educational facilities for expansion of day care opportunities within the community
  - 7.18.4—monitor and analyze the overall needs of child day care-eligible population, in order to better meet the needs of this segment of the community
  - 7.18.5—require that new large commercial developments and business parks include child care facilities<sup>22</sup>

**Recreational, Educational and  
Community Services Element**

**Woodland**

- Goal 5.G—ensure that an adequate and diverse supply of quality child care facilities and services is available in Woodland.
- Policies
  - 5.G.1—the City shall encourage the development of a range of child care facilities and arrangements, including family day care homes, quasi-public, and private child care centers, before- and after-school programs, and recreational activities, in order to provide alternatives to fulfill the needs of Woodland residents and employees

21. San Diego County, Calif. General Plan Public Facility Element, ch. XII, Section 14 (1993).

22. San Clemente, Calif. General Plan Public Facilities and Services Element (1992).

- 5.G.2—the City shall encourage the development of child care facilities in multi-family housing developments, near major transportation corridors, and at employment sites
- 5.G.3—the City shall ensure that a child care referral system is available to the citizens and businesses of Woodland
- 5.G.4—the City shall pursue available funding sources for the development of child care facilities and programs operated by nonprofit agencies and for-profit businesses
- 5.G.5—the City shall encourage Woodland College to continue to provide child development classes and related child care courses
- 5.G.6—the City shall ensure that low-cost or no cost training for local child care providers is provided on an annual basis
- 5.G.7—the City shall promote the development of a Child Care Director’s Network to provide opportunities for the directors to
  - 1) advocate child care issues locally and at the state level, and
  - 2) share information pertinent to the child development field
- 5.G.8—the City shall provide a City-sponsored voucher system for low-income families, funded solely through grants or outside funding sources, to enable lower-income families to choose among available options
- Implementation Programs
  - 5.5—the City shall review and revise as necessary Zoning Ordinance provisions affecting child care facilities to ensure that they do not pose unnecessary hindrances to the development of child care facilities and to allow onsite child care at commercial and industrial locations when the location is safe for children<sup>23</sup>

Note. A second goal addresses the availability of referral services to assist families in finding appropriate child care. Other chapters of the plan include policies related to child care as well.

## Youth and Families Element

### Santa Rosa

- Goal YF-A—create an environment where children can grow and develop in secure and supportive families and neighborhoods
- Policies
  - YF-A-1—work with project applicants to identify sites (in areas slated for new development or reuse) that would be suitable for child care or youth-oriented facilities, promoting this type of development in areas where such facilities are lacking

23. Woodland, Calif. General Plan Recreational, Educational and Community Services Element (2002).



- YF-A-3—promote development of multi-use buildings/ community centers that can be utilized for youth and teen activities and child care
- Goal YF-B—expand child care services to meet the existing and future needs of Santa Rosa
- Policies
  - YF-B-1—endorse the development of new child care facilities in all areas of the City, including residential neighborhoods, employment centers, and school sites, promoting development of new child care facilities during review of development projects at sites designated Community Commons on the Land Use Diagram
  - YF-B-2—allow utilization of a portion of City parkland for a child care center to be developed and maintained by outside resources
  - YF-B-3—continue the City’s permitting fee deferral and rebate program for provision of child care facilities
  - YF-B-4—encourage the school districts to continue and expand the provision of before- and after-school care on or near school sites
  - YF-B-5—foster partnerships between the business community and the child care community to provide information to employees about child care options<sup>24</sup>



*Areas with individual cribs for babies increase space needed in infant centers.*

### Youth, Families, Seniors, and Health Element

#### Union City

- Goal YFSH-B.1—to meet the quality of life needs of Union City’s youth and families through recreational, educational, housing, health care, and child care opportunities.
- Policies
  - YFSH-B.1.4—the City shall promote new youth projects and programs such as tutoring for grades 6–12, youth occupational training, youth mentoring, and school readiness for preschool-age children
  - YFSH-B.1.10—the City should work with the NHUSD and private educational facilities to provide extended hours of childcare
  - YFSH-B.1.11—the City shall continue to provide after school and extended daycare programs year-round

24. Santa Rosa, Calif. General Plan Youth and Families Element (2002).

through before and after school care and day camps in the summer and during holidays and vacations

- YFSH-B.1.12—the City shall consider the impact of residential and commercial development projects (exceeding specific size thresholds) on the supply of child care; mitigation may take the form of providing onsite or offsite facilities, in-lieu fees to provide facilities and/or supplement child care provider training, or other measures to address supply, affordability or quality child care
- YFSH-B.1.13—when reviewing applications for land use designation changes (*i.e.*, zone changes, General Plan Amendment, specific plan amendment), the City shall thoroughly analyze the impacts of the proposed changes on the licensed child care system<sup>25</sup>

### Summary

Similar themes emerge from the many general plan examples presented above.

Similar *themes* emerge from the many examples presented above that are consistent with the policy recommendations listed in the *APA Policy Guide on the Provision of Child Care* including:

- Amending zoning ordinances to remove obstacles to the provision of child care in all zoning districts, in safe and appropriate locations
- Minimizing permitting requirements to facilitate the start-up of new child care programs
- Encouraging inclusion of child care in all types of development projects by negotiating with developers and offering incentives, and
- Locating child care convenient to neighborhoods, in public facilities and housing projects

Other commonly mentioned strategies include: working in partnership with school districts and other groups, assessing community child care needs, advocating for state and federal legislation in support of increased child care subsidies and quality improvements, and dedicating public land or buildings for child care use.

Local government planners and consultants can—and it is reasonable to expect them to—work with local child care experts to analyze child care needs and develop appropriate objectives and implementation strategies tailored to the community and its neighborhoods.

25. Union City, Calif. General Plan Youth, Family, Seniors, and Health Element (2002).

# AMADOR

RECEIVED  
Amador County

EDAW



AUG 11 2009

PLANNING DEPARTMENT

August 11, 2009

OLIVE OIL

Amador Co. Planning Comm.  
Amador Bd. of Supervisors

re: Scoping comments on General Plan

Dear Commissioners and Supervisors:

My comments are as follows: We need to know the impacts, physically and financially, of converting agricultural lands to residential, commercial, and industrial uses. It is known that providing services including needed roads for non-agricultural lands costs the taxpayers, where as agricultural lands actually bring in revenue. American Farmland Trust can provide statistics on this.

I would like a fiscal analysis of all the General Plan Land Use maps, A-H I believe, including the existing map.

My general concern includes all conversions from Ag to Residential. My particular concern is converting the Howard Ranch from Ag. Not one vote of the General Plan Advisory Committee supported such a conversion, and this committee was a broad ranging group of organizations and persons. This fact must be considered.

If such a change in land use is considered at the Howard Ranch lands (as well as other large proposals), the following impacts must be studied in depth:

- water availability
- needed road improvements
- fire and sheriff needs
- school needs
- air quality impacts
- revenue deficiencies, who pays for all needed improvements?
- wastewater needs
- solid waste needs
- climate change impacts
- remainder of CEQA checklist

As in the past, new proposals come in as they are proposed, and get properly reviewed, they don't get put on the Land Use Map without proper review. No new projects should be on the new Land Use Map without review.

Sincerely,

Susan Bragstad, Amador Co. resident

**Planning Dept. - Amador County Business Council Letter " Glossary of Terms"/Scoping Mting/ EIR**

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**From:** <Jconklinmktg@aol.com>  
**To:** <tnovelli@co.amador.ca.us>, <planning@co.amador.ca.us>, <sgrijalva@co.amador.ca.us>  
**Date:** 8/11/2009 9:09 AM  
**Subject:** Amador County Business Council Letter " Glossary of Terms"/Scoping Mting/ EIR  
**Attachments:** Glossary of Terms 1st Draft 8-9.doc

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Please find attached The Amador County Business Council Letter to The Board of Supervisors, The Amador County Planning Commission and The Amador County Planning Staff re: the August 13th Scoping Meeting and the Business Council concerns regarding both the " Glossary of Terms " and the EIR issues. We look forward to discussing these issues with you in greater detail.

---

From: Quispeplace  
To: Jconklinmktg  
Sent: 8/11/2009 8:50:29 A.M. Pacific Daylight Time  
Subj: Amador Scoping Meeting 8-11

RECEIVED  
Amador County

**AUG 11 2009**

**PLANNING DEPARTMENT**

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# THE AMADOR COUNTY BUSINESS COUNCIL

## BUSINESS COUNCIL OFFICERS

Anne Platt-President  
Sutter Amador Hospital  
Jackson

Paul Molinelli, Jr.-Vice-President  
Ace Waste Services  
Pine Grove

Ray Perry-Sec/Treasurer  
Bank of Stockton  
Pine Grove

Ron Reagen  
KTR Investments, Inc.

Troy Claveran  
Gold Rush Ranch & Golf  
Resort-Sutter Creek

Rich Hoffman  
Jackson Rancheria  
Jackson

Ken/Jeanne Deaver  
Deaver Vineyards  
Plymouth

Frank Lenschinsky  
Volcano Communications Group  
Pine Grove

Robert Manassero.  
Manassero Insurance Agency.  
Jackson

Jack Mitchell  
Amador Ledger-Dispatch  
Jackson

Bob Reeder  
Reeder Sutherland Inc.  
Ione

Ed Swift  
Ati Parts  
Sutter Creek

Ciro Toma  
Toma Engineers  
Jackson

Damian Wolin  
Wolin & Sons, Inc.  
Sutter Creek

Mike Slatter, CPA

Jim Gullett  
Vino Noceto  
Plymouth

Tim Blakenheim  
Kamps Propane  
Pioneer

Stan Lukowicz  
Tredler Stan  
Jackson

Al Bozza/Joel Lesch  
Amador Association of Realtors  
Jackson

Christy Maynard/Jill Gilmore  
Umpqua Bank  
Sutter Creek

Darrell Slocum  
Golden State Cellular  
Martel

Doug Kentron  
Sutter Gold Mining Co.  
Sutter Creek

Chuck Hayes  
Far Horizon RV Resorts  
Plymouth

**To:** Chairman Ted Novelli  
Supervisor Louis Boitano  
Supervisor Richard Forster  
Supervisor Brian Oneto  
Supervisor John Plasse  
Amador County Planning Commission

**Cc:** Amador County Planning Staff

**From:** Jim Conklin

**Date:** August 7, 2009

**Subject:** Amador County General Plan Scoping Meeting/Glossary  
Of Terms Issue

**This letter is to express our concern Re: the lack of availability of the "Glossary of Terms" information relative to the upcoming "Scoping Meeting" of Thursday August 13<sup>th</sup> and The possibility that the EIR might be commenced without first releasing the final draft General Plan showing the changes made by you at the General Plan public meetings.**

As you know The Amador County Business Council recently contacted you and The Amador County Planning Department Re: the critically important "Glossary of Terms" issue relative to the in-process Amador County General Plan. In our e-mail correspondence of July 6<sup>th</sup>, as well as in direct meetings with four of the five Supervisors, in late June/early July we stressed the importance The Business Council placed on the timely availability of this "Glossary of Terms" information in order for us, and many other interested parties, to understand the meanings of the key words and phrases within the sections of the Draft General Plan.

We believe that only through a well thought-out and thoroughly reviewed process will we be able to minimize confusion and reduce possible future legal actions. For example, define the meaning of the word "protect" in legal terms. Define the words "preserve" and "support" in legal terms.

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Amador County

AUG 11 2009

PLANNING DEPARTMENT

In the Notice of Preparation and Notice of Public Scoping Meeting dated July 28, 2009 the process concerning CEQA is described.

One of the basic functions of CEQA is the concept that the analysis must address the effects of the project on the physical environment. This analysis must form the basis for the approval of the project. Inherent in this is the concept that the project must be CLEARLY DEFINED. How can the project be clearly defined without the understanding of key words and phrases within the draft documents? How can the proposed Scoping Meeting meet the legal requirements: i.e. (Requires the preparation and Certification which discloses the potential adverse effects to the physical environment which could occur from such a project) without the definitions of key words both available and understandable to the participants prior to the Scoping Meeting?

We also urge the County, prior to commencing the EIR, to release the Draft General Plan showing the changes which you authorized staff to make. Clearly it is in your interest, and to public's as well, to make sure that the changes you authorized are accurately reflected in the draft which will be used as the basis for the EIR. If this is not done and sometime later you and the public discover that your changes were not correctly included in the draft, changes to the EIR will then become very expensive. This is completely unnecessary and can be avoided by releasing the draft showing the changes prior to the EIR.

The concern expressed in this letter regarding the lack of availability of the "Glossary of Terms" and the need for the final draft General Plan is presented to you in the spirit of collaboration. The Business Council questions the transparency of the August 13<sup>th</sup> meeting in light of the absence of the "Glossary of Terms" and final draft General Plan. We want to work closely with you to address and resolve these critically important issues.

In addition to presenting these concerns to you via this e-mail we will also review these frustrations to you at the August 13<sup>th</sup> Scoping Meeting.

## Planning Dept. - Amador County Business Council " Glossary of Terms " Letter / REQUEST

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**From:** <Jconklinmktg@aol.com>  
**To:** <tnovelli@co.amador.ca.us>, <planning@co.amador.ca.us>, <sgrijalva@co.amador.ca.us>, <platta@sutterhealth.org>  
**Date:** 7/29/2009 8:20 AM  
**Subject:** Amador County Business Council " Glossary of Terms " Letter / REQUEST  
**Attachments:** Amador C Glossary of terms 6-30.doc

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Amador County

JUL 29 2009

### PLANNING DEPARTMENT

Could you give the Amador County Business Council an update report on our request of July 6th ( E-MAIL REQUEST ATTACHED ) re: General Plan " Glossary of Terms " issue. Is the glossary available at this time ? If not currently available can you give us information as to when it will be available for review ? Thanks for your help on this important matter.

---

**From:** Jconklinmktg  
**To:** tnovelli@co.amador.ca.us, planning@co.amador.ca.us, sgrijalva@co.amador.ca.us  
**Sent:** 7/6/2009 1:53:49 P.M. Pacific Daylight Time  
**Subj:** Amador County Business Council " Glossary of Terms " Letter

As we believe you are aware The Amador County Business Council is concerned about the definition of words/ legal meanings in both the ECONOMIC DEVELOPMENT ELEMENT as well as all the other components of the in-process Amador County General Plan. We have raised this issue both in person at public hearings as well as in writing via our " Glossary of Terms " references in our previous written correspondence to The Board of Supervisors , Planning Commission and County Planning Staff.

We believe this " Glossary of Terms " issue so important to the success of The General Plan that we wish to convey this importance again via the attached Amador County Business Council letter. We request that you respond to us re: this issue and provide us a timeline as to when this " Glossary of Terms " will be available for review. We thank you again for all your work and look forward to working with you on this critically important endeavor.

---

**From:** Quispeplace  
**To:** Jconklinmktg  
**Sent:** 6/30/2009 7:18:04 P.M. Pacific Daylight Time  
**Subj:** A C Glossary of Terms 6-30 # 2

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**An Excellent Credit Score is 750. See Yours in Just 2 Easy Steps!**

# THE AMADOR COUNTY BUSINESS COUNCIL

## BUSINESS COUNCIL OFFICERS

Anne Platt-President  
Sutter Amador Hospital  
Jackson

Paul Molinelli, Jr.-Vice-President  
Ace Waste Services  
Pine Grove

Ray Perry-Sec/Treasurer  
Bank of Stockton  
Pine Grove

Ron Reagan  
RTR Investments, Inc.

Troy Claveran  
Gold Rush Ranch & Golf  
Resort-Sutter Creek

Rich Hoffman  
Jackson Rancheria  
Jackson

Ken/Jeanne Deaver  
Deaver Vineyards  
Plymouth

Frank Leschinsky  
Volcano Communications Group  
Pine Grove

Robert Manassero.  
Manassero Insurance Agency.  
Jackson

Jack Mitchell  
Amador Ledger-Dispatch  
Jackson

Bob Reeder  
Reeder Sutherland Inc.  
Ione

Ed Swift  
Ari Parts  
Sutter Creek

Ciro Toma  
Toma Engineers  
Jackson

Damian Wolin  
Wolin & Sons, Inc.  
Sutter Creek

Stan Lukowicz  
Trader Stan

Mike Slatter, CPA

Jim Gullett  
Vino Noceto  
Plymouth

Tim Blakenheim  
Kamps Propane  
Pioneer

Al Bozzo/Joel Lesch  
Amador Association of Realtors

Christy Maynard/Jill Gilmore  
Umpqua Bank  
Sutter Creek

Darrell Stocum  
Golden State Cellular  
Martel

Doug Ketron  
Sutter Gold Mining Co.  
Sutter Creek

Chuck Hays  
Far Horizon RV Resorts  
Plymouth

To: Amador County Board of Supervisors  
Amador County Planning Commission  
Amador County Planning Department

From: Jim Conklin  
Executive Director  
Amador County Business Council

Date: June 29, 2009.

Subject: Amador County General Plan "Glossary of Terms"

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Amador County

JUL 29 2009

PLANNING DEPARTMENT

As you know, The Amador County Business Council and other key community groups have been collaborating on the production of what we consider to be a "Business Friendly" series of recommendations within the Draft Economic Development Element. You recently received a copy of that Draft.

A critical aspect of the "Business Friendly" document as well as the entire General Plan Document is the creation of a glossary of terms section that clearly defines the meaning of key words and concepts within the Economic Development Element as well as throughout the remainder of the General Plan. We urge this glossary of terms section be created as soon as possible in order to address the clarity of meaning of key definitions and words in order to minimize confusion and reduce possible future legal actions; for example, define the word "protect" in legal terms within the Economic Development Element. Define the term "preserve and support".

In reviewing other elements of the General Plan we constantly encounter key words that, if let up to interpretation, can convene a number of different meanings. Without a precise set of definitions via this "glossary of terms" addition we fear confusion and possible legal action awaits all of us involved in this General Plan Process.

Can you advise us in writing when this glossary of terms be available for us and other interested parties, to review and comment on? We believe this issue is critical important for the timely completion of a quality General Plan document.

In addition, and already stated in our June 2, 2009 e-mail letter to the Board of Supervisors Planning Commission and County Planning Staff, we strongly recommend that the Economic Development Element be the General Plan "Driver Element" and that other General Plan Elements compliment rather than conflict with the Economic Development Element. We believe that the Open Space Element and Conservation Elements are not "drivers" within the General Plan. We also believe that the Land Use Element must encourage land uses that stimulate revenue production rather than restrict it.



# AGENCY

## ACTC

- WILL SUBMIT WRITTEN COMMENTS

- ~~AESTHETICS~~

## AGRICULTURE

- SUPPORT FOR CONTINUED USE OF WILL, ACT

- FOCUS ON ECON. VIABILITY

✓ GLOSSARY - WHAT ARE IMPACTS OF POLICIES?

- SUPPORT AGRICULTURAL BUSINESSES

# AIR QUALITY / CLIMATE

- CONSIDER ECON EFFECTS

# BIOLOGICAL RESOURCES

# CULTURAL / HISTORIC RESOURCES

## GEO/SOILS/MINERALS

## HAZARDS/HAZ. MAT'L S

- POSSIBILITY OF AIRCRAFT INCIDENT ON GROUND IS SMALL
- PROPER LAND USE PLANNING AROUND AIRPORTS

## HYDROLOGY/WATER QUALITY

- LOOK AT POTENTIAL CHANGES TO CWA.  
AT FEDERAL LEVEL - NEPA/CEQA REV.
- ✓ - CONSIDER POTENTIAL EFFECTS OF WQS  
DESIGNATION ON MOKE RIVER, INCLUDING  
FUTURE WATER SUPPLY, FIRE SUPPRESSION

# ALTERNATIVES

- QUANTITATIVE + COMPARATIVE ALTS. ANALYSIS TO ALLOW MIXING + MATCHING OF COMPONENTS
- PLAN DOES NOT REFLECT FULL RANGE OF OPINION
- DEVELOP ALTERNATIVES TO INCLUDE RANGE OF PUBLIC OPINIONS - CONSERVATION ALT AND R.A.S. AND REQUEST ALTERNATIVE
- NEED TO HYPOTHESIZE WHAT COULD OCCUR IN R.A.S.

## OTHER

- HOME RULE POLICY IMPLICATIONS OF WATER SUPPLY
- IDENTIFY POTENTIAL SPECIAL CONDITIONS IN AMADOR NOT COVERED BY FEDERAL REGS.
- WATER SUPPLY IS #1 LONG TERM ISSUE  
WHAT ARE LONG-TERM POLICY IMPLICATIONS OF WATER SUPPLY.
- REASON TO LOOK AT R.A.S. IN AT LEAST CURSORY WAY.

LAND USE, POP., HOUSING

NOISE

## PUBLIC SERVICES

- MEDICAL FACILITIES - INCLUDING PROXIMITY FOR EMERGENCY CARE
- CHILD CARE
- SENIOR SVCS.
- LIBRARIES
- MENTAL HEALTH SVCS.
- CONCENTRATION OF NEW HOUSING UNITS ON WATER + SEWER WILL BE HIGHER THAN IN PAST ANALYSIS NEEDS TO ASSUME THIS.
- DON'T GET BACKED INTO CORNER WHERE PLAN IS INFEASIBLE FOR LACK OF WATER SUPPLY.
- INCORPORATE CHILD CARE + DEVELOPMENT AS ITS OWN GOAL IN GP, NOT LUMPED INTO HEALTHCARE.
- PARK MAINTENANCE ISSUES - FUNDING FOR FUTURE MAINTENANCE

## TRAFFIC / TRANSPORTATION

- CONSIDER AFFORDABILITY OF IMPROVEMENTS
- INTERNAL + EXTERNAL CIRCULATION NEEDS, SIDEWALKS
- NEED FOR MIXED USE TO REDUCE TRAFFIC IMPACTS.

# UTILITIES & SERVICES

- NATURAL GAS + ELECTRIC CAPACITY
- LAND DISPOSAL OF EFFLUENT - ISSUES
- LOCATION OF WASTEWATER NEEDS
- WATER SUPPLY SOURCE + EFFECTS
- STORMWATER IMPACTS OF DENSER DEVELOPMENT



## CUMULATIVE - GROWTH INDUCEMENT - ALTERNATIVES

- JOBS/HOUSING BALANCE
- ALTERNATIVE WITHOUT SPAS
- SHOULD BE ALTERNATIVES THAT MIGHT INCREASE IMPACTS OR ALLOW MORE GROWTH
- PRESERVE FLEXIBILITY WITH POLICY LANGUAGE  
GLOSSARY SHOULD CLARIFY INTENT RATHER THAN RESTRICT.
- ENCOURAGING GREEN INDUSTRIES IN INDUSTRIAL AREAS.

