

1 INTRODUCTION

1.1 BACKGROUND OF DRAFT AND FINAL ENVIRONMENTAL IMPACT REPORT

The County of Sutter (County) as lead agency, has prepared this document to be part of the final environmental impact report (FEIR) for the proposed Sutter Pointe Specific Plan (proposed project). This document responds to comments received during the public review period on the contents of the draft environmental impact report (DEIR). It contains a list of persons, organizations, and public agencies that submitted comments; the comments received on the DEIR; and responses to significant environmental points raised in those comments, as required by the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (Title 14, California Code of Regulations, Section 15000 et seq.). In accordance with Section 15132 of the State CEQA Guidelines, this document and the DEIR together constitute the FEIR.

The project site is located in the southernmost portion of Sutter County immediately north of the Sacramento/Sutter County line. The project site is bordered by Natomas Road on the east and Powerline Road on the west, and State Route 99/70 extends through the center of the project site. The Sutter Pointe Specific Plan includes a combination of employment-generating uses, retail and supporting services, recreational uses, and a broad range of associated infrastructure and roads on an approximately 7,528-acre site, which is part of the 9,500-acre Sutter County Industrial/Commercial Reserve as designated in the County's general plan.

The Sutter Pointe Specific Plan was prepared pursuant to California Government Code, Title 7, Article 8, Section 65450 et seq., which grants local planning agencies the authority to prepare and/or adopt a specific plan for an area covered by a general plan for the purpose of establishing systematic methods for implementing the general plan. The Sutter Pointe Specific Plan provides the direction for the future development of the Sutter Pointe master-planned community. It sets forth a comprehensive set of land use plans, development regulations, design guidelines, infrastructure master planning, and implementation programs designed to produce a project consistent with the goals, objectives, and policies of the County's general plan, as proposed for amendment. Specific plans are generally designed to:

- ▶ provide a greater level of detail than the traditional zoning ordinance and serve as a tool to tailor development policies and regulations to a specific site;
- ▶ provide more specific site development standards to create appropriate land use designations and design criteria that address project-specific issues;
- ▶ provide decision makers with the opportunity to comprehensively review a master-planned community in its entirety at the outset and establish a development framework—considerate of land use, circulation, resource protection, infrastructure, and other issues important to local government; and
- ▶ provide innovative yet proven backbone infrastructure master planning to ensure optimal implementation of public services and facilities.

The County circulated an initial study and notice of preparation for a DEIR for the Sutter Pointe Specific Plan on March 29, 2007, for a 30-day review period. On December 19, 2008, the County distributed the DEIR to public agencies and the general public and submitted the document to the State Clearinghouse for state agency review. The public comment period on the DEIR closed February 6, 2009. The comment period was initially noticed to close February 3, 2009, 45 days after circulation of the DEIR. The review period was extended to February 6 to allow one commenter, the Sutter Coalition for Responsible Development, additional time to review EIR references.

The FEIR consists of:

- ▶ the Draft Environmental Impact Report for the Sutter Pointe Specific Plan (including Appendices A through K), dated December 19, 2008;
- ▶ comments and responses to comments on the DEIR, and
- ▶ revisions to the reports contained in the DEIR.

Copies of this document are available for review by the public during normal business hours at the Sutter County Community Services Department, 1130 Civic Center Boulevard, Yuba City, California 95993.

1.2 ORGANIZATION OF THIS DOCUMENT

This document contains six chapters, as described below.

Chapter 1, “Introduction,” discusses the background of the environmental review of the proposed project and a description of the contents of this document.

Chapter 2, “List of Commenters,” lists of all written comments received on the DEIR.

Chapter 3, “Comments and Responses to Comments on the DEIR,” presents both the verbatim comments and appropriate responses to significant environmental points, in accordance with Sections 15088(a) and (c) and 15132 of the State CEQA Guidelines. Some of the issues raised in comments on the DEIR address the merits of the project or raise topics that are not environmental. Because CEQA specifies that the responses must address comments raised on the environmental impacts of the project, the comments on non-environmental issues are noted but do not require detailed responses. All comment letters and comments by speakers at public meetings are labeled to correspond with the table in Chapter 2 that lists the comments (Table 2-1). Each individual comment is assigned a number (e.g., 1-1) that corresponds with the response following the comment.

Chapter 4, “Revisions to the DEIR,” presents corrections, clarifications, and other revisions to the DEIR text, based on issues raised by the comments on the DEIR or on other information made available to the lead agency. Changes in the text are indicated by strikeouts (~~strikeout~~) where text is removed and by underlining (underline) where text is added.

Chapter 5, “References,” identifies the reference documents used in the preparation of responses to comments.

Chapter 6, “Report Preparation,” identifies the preparers of this document.

1.3 PROJECT DECISION-MAKING PROCESS

This document is being made available to the public agencies and members of the public that commented on the DEIR and published on the County’s Web site upon completion. As required by Section 15088(b) of the State CEQA Guidelines, the County is providing public agencies that commented on the DEIR at least 10 days to review proposed responses prior to considering the FEIR for certification.

At a scheduled public hearing following this 10-day review period, the County Planning Commission will consider the adequacy of the FEIR, the requested land use entitlements (e.g., Sutter County General Plan amendment, rezone actions, and development agreement), and the merits of the project. The County Planning Commission will forward its recommendations to the Sutter County Board of Supervisors, which will render decisions regarding FEIR certification and project approval. If the County Board of Supervisors certifies the FEIR, it will make findings that (1) the FEIR has been completed in compliance with CEQA, (2) the County

Board of Supervisors has reviewed and considered the information in the FEIR, and (3) the FEIR reflects the County's independent judgment and analysis. After certification, the County Board of Supervisors may consider whether to approve the proposed project, approve it with conditions, or deny the project, in accordance with Section 15092 of the State CEQA Guidelines.

If the County approves the project, it will be required to make findings regarding the disposition of each significant environmental impact, including whether feasible mitigation measures or alternatives are available to substantially reduce or avoid these effects (CEQA Guidelines Section 15091). Because the project would also result in unavoidable significant impacts, the County would also be required to adopt a statement of overriding considerations, specifying its rationale for approving the project in light of the unavoidable impacts (CEQA Guidelines Section 15093).

The County would, upon taking an approval action, then file a notice of determination with the County Clerk and the California Governor's Office of Planning and Research, as directed by Section 15094 of the State CEQA Guidelines.

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