

APPENDIX A

**NOTICE OF PREPARATION (NOP) AND
COMMENT LETTERS**



County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

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NOTICE OF PREPARATION (NOP) AND NOTICE OF SCOPING MEETING FOR THE DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE YOLO COUNTY 2030 COUNTYWIDE GENERAL PLAN

I. INTRODUCTION:

Yolo County is the Lead Agency for the preparation and review of the Program Environmental Impact Report (EIR) for the Draft 2030 Countywide General Plan for Yolo County (Draft General Plan). Pursuant to Section 15082 of the California Environmental Quality Act (CEQA) Guidelines, the County is soliciting the views of interested persons and agencies on the scope and content of the environmental information to be included in the EIR. Agencies should comment on the scope and content of the environmental information that is relevant to the agencies' statutory responsibilities, as required by Section 15082(b) of the California Environmental Quality Act (CEQA) Guidelines. The County will also accept written comments concerning the scope and content of the EIR from interested persons and organizations concerned with the project, in accordance with State CEQA Guidelines Section 15083. A summary of the project description and probable environmental effects are contained in the attached materials. The Draft General Plan, including all maps and diagrams are available for public review at the Yolo County Planning and Public Works Department (see address below), at all County public library locations, and online at www.yolocountygeneralplan.org.

PROJECT TITLE:	Yolo County 2030 Countywide General Plan
PROJECT LOCATION:	The project encompasses the entire unincorporated territory of Yolo County
PROJECT DESCRIPTION:	The project consists of the adoption of the Yolo County 2030 Countywide General Plan
LEAD AGENCY:	Yolo County

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A. Comment Period: Comments can be sent anytime during the NOP review period. **The NOP review and comment period begins October 8, 2008 and ends November 20, 2008 at 4 p.m.** All comments should be directed to the Yolo County Planning and Public Works Department, Attention: David Morrison, Assistant Director – Development Services, 292 W. Beamer Street, Woodland, CA 95695. Comments may also be emailed to david.morrison@yolocounty.org. Please include the name of a contact person for your agency, if applicable.

B. Scoping Meeting: Oral comments may be provided at the **Scoping Meeting to be held Wednesday, October 29, 2008 at 6:00 p.m.** at the Planning Department Conference Room (292 W. Beamer Street, Woodland, CA 95695).

II. DESCRIPTION OF THE PROPOSED PROJECT:

A. Project Background: The last comprehensive General Plan update was completed in 1983 and was based on the original 1958 County General Plan. In the spring of 2003, Yolo County initiated the current General Plan update process and has since held over 30 workshops and hearings, published five background studies, and considered a dozen different land use alternatives. On September 18, 2007 the Board of Supervisors adopted the Preferred Land Use Alternative for the Draft General Plan. On January 29, 2008, the Board of Supervisors directed staff to proceed with preparation and release of the Draft General Plan, based on the Preferred Land Use Alternative. The Draft General Plan was released September 10, 2008.

B. Land Use and Policy Direction: The General Plan guides virtually all land use decisions in the County and serves as the “constitution” for future development of the County. The General Plan covers the unincorporated areas of Yolo County including, but not limited to, the following communities: Binning Farms, Capay, Clarksburg, Dunnigan, El Macero, Esparto, Guinda, Knights Landing, Madison, Monument Hills, North Davis Meadows, Patwin Road, Rumsey, West Plainfield, Willow Bank, Willow Oak, Yolo, and Zamora. The four incorporated cities in the County as well as the various special districts, State and federal agencies, the Rumsey Band of Wintun Indians, and UC Davis have independent land use decision-making authority and are not under the jurisdiction of County’s General Plan. Figure 1 shows the County location and regional vicinity.

There are two fundamental aspects to the General Plan: 1) the maps and diagrams, including the Land Use Diagram that identifies future planned land uses; and, 2) the goals, policies, and actions that guide all decision-making. The policies of the Draft General Plan focus on the following primary themes:

- The continuing primacy of agriculture and related endeavors throughout the County, by allowing for more economic innovation and aggressively protecting the water and soil resources upon which farming depends.
- Modest managed growth within existing towns, where accompanied by improvements to infrastructure and services to ensure community sustainability.
- Expanded protection of a network of connected open space and recreational areas, integrated with the Yolo Natural Heritage Program.
- Opportunities for revenue-producing and job-producing agricultural, industrial, and commercial growth in designated locations and along key transportation corridors.

- Manage the existing road network to make the most of existing capacity, while accommodating a diversity of users and alternative modes of transportation.
- Service levels that allow for the effective and efficient provision of services, consistent with rural values and expectations.
- A comprehensive approach to both reduce greenhouse gas emissions and plan for the potential impacts of global climate change.
- New emphasis on community and neighborhood requirements that reflect "smart growth" and "healthy design" principles, which complement the unique character of existing developed areas.

C. Population and Economic Growth: Yolo County is 653,549 acres in size, of which approximately 5 percent (32,325 acres) lies within the four incorporated cities. Yolo County currently has approximately 23,265 people, 7,263 homes, and 430 acres of job-producing commercial and industrial land in the unincorporated area. Under the existing 1983 General Plan, an additional 11,240 people, 4,014 homes, and 1,440 acres of commercial and industrial land could be added. The Draft General Plan would allow for additional growth beyond the build-out of the 1983 General Plan, of approximately 24,700 people, up to 9,380 homes, and 900 acres of economic development. Table 1 summarizes these growth projections.

Table 1: Existing and Anticipated Development

Development Scenario	Population	Dwelling Units	Commercial and Industrial Acres ^a
Existing and 1983 General Plan Development			
Existing Development	23,265	7,263	431
New Growth Under the 1983 General Plan	13,852	4,014	1,440
Total Build-out Under the 1983 General Plan^b	37,117	11,277	1,870
Draft 2030 General Plan Development			
Dunnigan	19,729	7,500	430
Madison	3,438	1,305	116
Elkhorn	0	0	320
Spreckels	0	0	69
Other	1,545	575	-34
Total New Growth Under the 2030 General Plan	24,712	9,380	901
Total Buildout Under the 2030 General Plan^c	61,829	20,657	2,771

Four proposed land use changes account for the majority of these increases: 1) community expansion in Dunnigan; 2) community expansion in Madison; 3) new commercial and industrial development in Elkhorn; and 4) expansion of industrial uses at the Spreckels site.

D. Draft General Plan Overview: The Draft General Plan has nine chapters, including the introductory chapter, a vision statement and seven separate "elements" that establish goals, policies and actions for each given topic. Six of these elements cover the seven topics required by Government Code Section 65302. (The Noise Element is included within the Health and Safety Element.) The Agriculture and Economic Development Element is an optional element prepared by the County to meet local needs and concerns. The Draft General Plan includes an update to the Housing Element.

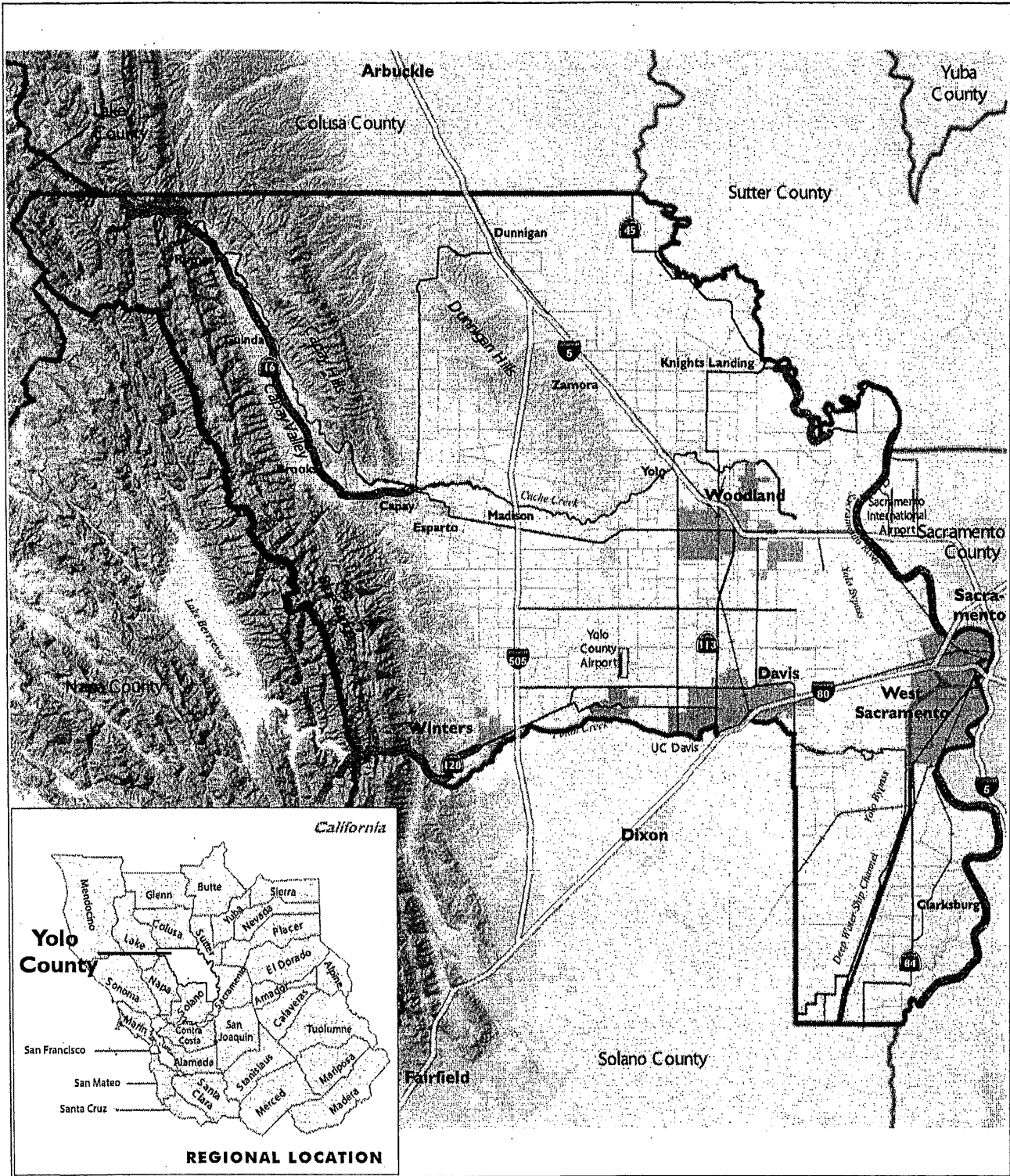
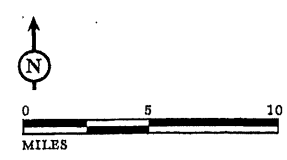


FIGURE 1

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Yolo County 2030 General Plan NOP
 County and Regional Location Map

SOURCE: YOLO COUNTY GIS, 2007; DESIGN COMMUNITY & ENVIRONMENT, 2008.
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The Draft General Plan includes the following elements: Land Use and Community Character, Circulation, Public Facilities and Services, Agriculture and Economic Development, Conservation and Open Space, Health and Safety, and Housing. Each element has a policy framework consisting of goals, policies, and an implementation program, which contains various actions that carry out the goals and policies of the element.

The General Plan rescinds several older County plans but retains the following area and community plans: Cache Creek, Capay, Clarksburg, Dunnigan, Esparto, Knights Landing, Madison, and Monument Hills. These and other identified countywide plans will be subsequently updated following adoption of the 2030 Countywide General Plan.

III. DESCRIPTION OF THE PROPOSED PROJECT ALTERNATIVES:

Pursuant to State CEQA Guidelines Section 15126(f) and 15126.6, the environmental review process will include an analysis of a reasonable range of alternatives, as well as the "no project" alternative. Alternatives to the project that are expected to be analyzed in the EIR include:

A. No Project Alternative: This alternative will analyze the effects of taking no action. Under this alternative, development in the County would occur as currently allowed under the 1983 General Plan. Therefore, the analysis of this alternative is based on build-out of the existing General Plan (see Table 2).

B. Rural Sustainability Alternative: This alternative anticipates spreading a moderate amount of growth among several unincorporated communities, increasing the level of economic development and restricting housing in the rural agricultural areas. This alternative could result in approximately 30 percent fewer units and 9 percent less industrial and commercial development than could occur under the Draft General Plan.

C. Market Demand Alternative: This alternative would eliminate the County's historic constraints on growth and examine the effects of meeting residential market demand within the County. This alternative could result in an approximately 15 percent increase in both dwelling units, and industrial and commercial development, compared to growth that could occur under the Draft General Plan.

Table 2 provides a summary of the assumed build-out associated with each alternative.

Table 2: CEQA Alternatives Summary Table

Scenario	Population	Dwelling Units	Included from Prior Scenario	Ind/Comm Acreage	Included from Prior Scenario
Setting – Existing Conditions	23,265	7,263	0	431	0
No Project – 1983 GP Build-out	37,117	11,277	36%	1,870	77%
Rural Sustainability Alternative	44,926	14,241	21%	2,531	26%
The Project – Draft General Plan	61,829	20,657	31%	2,771	9%
Market Demand Alternative	71,165	24,200	15%	3,246	15%

IV. AREAS OF POTENTIAL IMPACT:

The County has determined that an EIR is clearly required for this project. Therefore, as allowed under Section 15060 of the CEQA Guidelines, the County has not prepared an Initial Study and will instead begin work directly on the EIR process described in Article 9, commencing with Section 15080. As required, the EIR will focus on the significant effects of the project and will document the reasons for concluding that other effects will be less-than-significant or potentially significant.

The Draft General Plan EIR will analyze a broad range of potential environmental impacts associated with implementation of the General Plan. Due to the programmatic nature of the Draft General Plan, the level of analysis in the EIR will be proportionate for the level of detail of the Plan. Where potentially significant environmental impacts are identified, the EIR will also discuss mitigation measures (in the form of modified or new policies and actions) that may make it possible to avoid or reduce significant impacts, as appropriate. The EIR will analyze the following areas:

A. Land Use and Planning: The EIR will examine the potential impacts of the Draft General Plan implementation on land uses and planning in Yolo County. The EIR will compile, identify, and present existing land uses in the County and will describe land use trends and relevant policies and regulations. This section will evaluate the land use compatibility of the growth under the Draft General Plan with existing and planned uses. This section will also determine the Draft General Plan's consistency with applicable planning documents, including the Delta Protection Commission's Land Use and Resource Management Plan, and will assess potential secondary land use impacts.

B. Agriculture: The EIR will describe the existing agricultural resources and regulatory setting pertaining to agriculture within the County. This section will evaluate the potential conversion of agricultural lands to non-agricultural uses. General Plan compatibility with applicable policies governing agricultural land use and preservation will be evaluated. The EIR will identify potential land use incompatibilities that could affect existing agricultural operations and will assess potential secondary impacts to agriculture, such as at the agriculture/urban interface and traffic impacts on farm equipment movement.

C. Population, Employment, and Housing: The EIR will describe existing population, housing, and employment conditions and will evaluate the potential impacts of the Draft General Plan on population growth and job generation. This section will address the potential impact of economic development on the demand for housing and jobs/housing balance. Several other sections of the EIR will also take into account population and housing forecasts, including the assessment of potential demand for public services and potential traffic impacts. The identification of potential impacts will be based on the projected location and extent of new development, as derived from the forecasts.

D. Transportation and Circulation: The EIR will describe the existing transportation system and will analyze the effects of proposed land uses on the County's transportation system. This section will focus on a comparison of potential impacts associated with the proposed project to existing baseline conditions and to future "no project" conditions for the roadway, transit, bicycle, pedestrian, parking, aviation, rail, and goods movement components of the transportation system.

E. Air Quality: The EIR will examine the potential impacts of the Draft General Plan on air quality. This section will describe the current baseline air quality, including Federal/State

attainment status for air pollutants. Air quality analysis will be conducted using available project specific information. Construction emissions, regional emissions, odors, local carbon monoxide emissions, and the proximity of sensitive receptors to these sources will all be analyzed in order to determine the potential air quality impacts that could arise from the Draft General Plan.

F. Climate Change: The EIR will examine the potential impacts of the Draft General Plan on global climate change as well as the potential impacts of global climate change on the county, such as sea level rise and temperature change. This section will describe the physical setting, scientific background and effects related to global climate change and greenhouse gas emissions, as well as the existing regulatory framework, including State legislation, Executive Orders, and other relevant guidance documents and advisories. Available national, State, and local greenhouse gas emission inventories will be described. This section will quantify significant emissions sources, including motor vehicles, energy and agriculture.

G. Noise: The EIR will describe the existing ambient noise environment in the County including noise levels from stationary sources, such as gravel mining, agricultural practices, railroad ground vibration and noise, industrial operations, and aircraft noise. The noise analysis in the EIR will review the Draft General Plan policies for consistency with the most recent State guidelines for general plans. As part of the analysis, potential construction and operation-period noise impacts will be evaluated at a programmatic level and used to determine the compatibility of proposed land uses with noise levels.

H. Public Services: The EIR will determine if forecasted General Plan development will result in new demand for additional public services and the extent that new facilities would need to be constructed (leading to potential environmental impacts). Public services to be analyzed include fire protection and emergency services, law enforcement, schools, parks and recreation, libraries and County social services, including childcare and government services. Potential impacts related to these public services will be evaluated and the need for expansion of existing public services will be assessed.

I. Utilities and Energy: The EIR will evaluate the potential impacts on the following utilities: 1) water supply, treatment, and delivery; 2) wastewater collection and treatment (capacity and quality); 3) storm drainage collection and treatment; 4) landfill and recycling operations; and 5) energy production and supply. The analysis of utilities and service systems will examine key utility systems and plans for providing such services to areas of need. The EIR will identify whether sufficient utility-related capacity is available or is being planned to serve projected growth. Plans for capacity increases will be reviewed to determine the status of planned expansion and potential environmental impacts of capacity upgrades and/or expansions.

J. Cultural Resources: The EIR will summarize and describe the known and expected archeological, historic, and paleontological resources in Yolo County. The cultural resources summary will include a locality search and literature review to identify recorded resource sites, as well as to characterize the county's sensitivity for cultural resources including human remains. The analysis will describe the affected environment and the potential environmental impacts from implementation of the Draft General Plan.

K. Biological Resources: The EIR will analyze the potential impacts of the Draft General Plan on biological resources. This section will describe the existing regulatory setting and known and expected biological resources in the county, including unique and

special biological resources, such as Cache Creek and Putah Creek. Threatened, endangered, or other special-status plant and animal species and the location of their habitat will be described. Fish, wildlife and botanical values of described habitats will be assessed and described. The analysis of the potential impacts of the Draft General Plan implementation will include an examination of the habitat loss of special-status species; degradation of water quality; loss of wetlands; and potential impacts to native grasslands, natural woodlands, heritage trees, and other valuable biological resources. Consistency with ongoing efforts to establish an HCP/NCCP will be analyzed,

L. Hydrology and Water Quality: The EIR will analyze water resources including groundwater and surface water quality and compliance with regulatory requirements. This section will also examine flooding issues and the current and planned levee system and improvements within Yolo County. In addition, this section will evaluate the impacts of the Draft General Plan on groundwater capacity and overdraft. Existing and proposed development, related storm water systems, and their effect on water quality will be analyzed.

M. Geology, Soils, and Mineral Resources: The EIR will assess the potential geology and soils impacts of the Draft General Plan. This section of the EIR will describe existing geology and soils conditions within the county including: geotechnical hazards, seismic hazards, landslides, the potential for liquefaction and subsidence, erosion, expansive soils, levee and dike failure, and the suitability of soils for waste disposal systems. In addition, this section will describe the availability and location of known mineral resources of value to the region or State and the effects of implementing the Draft General Plan on such resources.

N. Hazards and Hazardous Materials: The EIR will analyze existing environmental hazards and the risk of hazardous materials upset. Hazardous materials and wastes are used, stored, and disposed of within the County and historic agricultural and industrial land uses may have potentially left residues of hazardous materials in soils and groundwater, all of which may pose a threat to sensitive receptors and/or general human health. Impacts associated with fire hazard and hazards associated with airports will also be examined. In addition, this section will evaluate the impacts of the Draft General Plan on emergency response plans and evacuation routes. The analysis will describe these conditions, the existing regulatory framework, and assess the potential impacts of the Draft General Plan relative to these issues.

O. Visual and Scenic Resources: The EIR will analyze the potential impact of the Draft General Plan land uses on visual and scenic resources. This section will evaluate potential adverse impacts on scenic vistas, scenic roads, possible damage to scenic resources, or the degradation to existing visual character including impacts of light and glare. The proposed design policies and development standards contained in the Draft General Plan will be reviewed and potential impacts related to their implementation will be discussed.

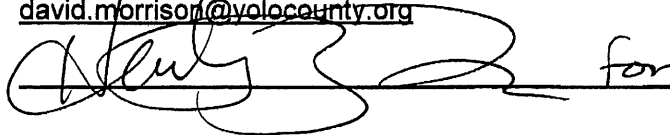
P. Cumulative Impacts: The cumulative impact analysis will be based on plans for incorporated cities in the County (Davis, West Sacramento, Winters and Woodland) as well as surrounding counties (Colusa, Lake, Napa, Sacramento, Sutter, and Solano). Project and growth projections for other entities within the vicinity, including known plans of the Rumsey Band of Wintun Indians and UC Davis, will be included in the analysis. These plans will be briefly summarized and an overall cumulative environmental context will be established.

Q. Other CEQA-Required Assessment Conclusions: The potential for implementation of the Draft General Plan to induce growth will be addressed. An assessment of potential unavoidable significant environmental impacts and significant irreversible changes to the environment that would result from adoption of the Draft General Plan will be considered. In addition, this section will discuss the relationship between local short-term uses of the environment and long-term productivity, as well as any effects found not to be significant.

R. Alternatives Analysis: As described above, the alternatives to the Draft General Plan include the No Project Alternative, the Rural Sustainability Alternative and the Market Demand Alternative. For each of these alternatives, the EIR will comparatively analyze the environmental topics listed above. The alternatives analysis will provide a quantitative analysis for the following four environmental topics: traffic/circulation, air quality, climate change and noise.

Date: October 8, 2008
Name and Title: David Morrison, Assistant Director
Yolo County Planning and Public Works Department
Contact: (530) 666-8041
david.morrison@yolocounty.org

Signature:

 for



YOLO COUNTY 2030 COUNTYWIDE GENERAL PLAN ATTACHMENT – PROJECT DESCRIPTION

This section provides a summary of each of the nine chapters in the Draft General Plan; see the main body of the NOP for a brief project description of the General Plan. The Draft General Plan and the Draft Land Use maps are available for public review at the Yolo County Planning and Public Works Department, at all County public library locations, and online at www.yolocountygeneralplan.org.

1. Introduction and Administration

The Introduction and Administration chapter provides introductory and administrative information about the Draft General Plan. It provides a demographic overview of the County, including the four cities and the unincorporated communities. This section defines what areas of the County are subject to the General Plan and clarifies that the cities, various special districts, State and federal agencies, the Rumsey Band of Wintun Indians, and UC Davis have independent land use decision-making authority and are not bound by the General Plan. This chapter identifies the prior organization of the 1983 General Plan and how that document, including all its component parts, will be superseded by the new General Plan.

The Introduction and Administration chapter provides several tools for the administration of the General Plan and includes a new formal process for making and tracking interpretations of the General Plan. This chapter also describes the Implementation Plan, which assigns responsibility and timeframes to actions in the General Plan. The annual report, required by State law, tracks the progress of General Plan implementation. Procedures for administering the General Plan through the horizon year 2030 are also provided in this chapter.

The policies and actions in this element address General Plan Administration (Goal IN-1).

2. Vision and Principles

The Draft General Plan is based on the Vision Statement for the County adopted by the Board of Supervisors. This vision is for the County to remain an area of active and productive farmland and open space with both traditional and innovative agricultural practices continuing to flourish in the countryside, while accommodating the recreational and tourism needs of residents and visitors. Communities will be kept separated and individual through the use of green spaces, while remaining connected by a network of riparian hiking trails, bike paths and transit. While more families will call the cities and towns home, they will live in compact neighborhoods that are friendly to pedestrians and bicyclists and are located within easy access to stores and work. Some limited new growth will be allowed and infill and more dense development within older developed areas will be encouraged, bringing improved infrastructure (e.g. roads, sewer, water, drainage) to rural small communities where service does not presently exist or is inadequate. Yolo County will continue to be a statewide leader in developing innovative solutions that provide comprehensive and balanced land use management.

The Draft General Plan contains the following eight principles that support achievement of the County's vision: successful agriculture; strategic open space and natural areas; distinct communities; safe and healthy communities; varied transportation alternatives; enhanced information and communication technology; strong and sustainable economy; and abundant and clean water supply.

3. Land Use Element

The Land Use Element seeks to preserve and foster the rural character of the County and contains the strategies related to land use and community character:

- Modest managed growth within specified existing unincorporated communities, where accompanied by improvements to existing as well as new infrastructure and services;
- Opportunities for revenue-producing and job-producing agricultural, industrial and commercial growth in limited locations and along key transportation corridors;
- Thresholds that allow for effective and efficient provision of services, consistent with rural values and expectations; and
- New emphasis on community and neighborhood design requirements that reflect "smart growth" principles and complement the character of existing developed areas.

The Land Use Element provides recommendations to address the County's challenge of achieving sustainable communities. Each community was examined to determine the appropriate balance between retaining the rural character of the area and supporting a sufficient population to sustain an adequate level of infrastructure and community services, a balance of housing and jobs, and a balance of quality of life and economic vitality. The Draft General Plan provides the following recommendations to achieve sustainable communities:

- New investment in basic infrastructure and amenities to serve existing populations and revitalize existing commercial areas in the small unincorporated towns;
- Economic diversification beyond agriculture to provide a more stable job market and increase government revenues;
- Improved cost-effectiveness of service delivery from County and special districts; and
- Adoption of development standards and designs that account for and help to reduce future climate change.

This element emphasizes agricultural preservation and green buffers between communities to discourage sprawl and establishes growth boundaries for every community and each of the four cities. This element also establishes goals for regional collaboration and equity, green building standards, sustainable community design, and net community benefits from new growth.

The Land Use map depicts the Preferred Land Use Alternative and associated land use designations intended to achieve the land use goals. Policies are included in the Land Use Element to define the land use designations shown on the Land Use map. The following land use designations are provided in the General Plan: Open Space (OS); Agriculture (AG); Parks and Recreation (PR); Residential Rural (RR); Residential Low (RL); Residential

Medium (RM); Residential High (RH); Commercial General (CG); Commercial Local (CL); Industrial (IN); Public and Quasi-Public (PQ); Specific Plan (SP); Specific Plan Overlay (SPO); Delta Protection Overlay (DPO); Natural Heritage Overlay (NHO); Agricultural District Overlay (ADO); Mineral Resource Overlay (MRO); and Tribal Trust Overlay (TTO). Draft

This element addresses the following topics: the range and balance of land uses (Goal LU-1); agricultural preservation (Goal LU-2); growth management (Goal LU-3); delta land use and resource management (Goal LU-4); equitable land use decisions (Goal LU-5); intra-County coordination (Goal LU-6); regional coordination (Goal LU-7); preservation of rural character (Goal CC-1); community planning (Goal CC-2); planned growth (Goal CC-3); and project design (Goal CC-4).

4. Circulation Element

The Circulation Element provides the framework for Yolo County decisions concerning the countywide transportation system, which consists of various transportation modes, including roads, transit, bike, pedestrian, rail, aviation and ports. It also provides for coordination with the incorporated cities within the County, the Yolo County Transportation District (YCTD), the Sacramento Area Council of Governments (SACOG) and State and federal agencies that fund and manage the County's transportation facilities. This element reflects the urban and rural diversity of the unincorporated areas of Yolo County and establishes standards that guide development of the transportation system.

This element contains a new Level of Service (LOS) policy that differentiates between the rural and urban areas and also includes: traffic calming design standards; designation of primary routes for farm-to-market trips, other industrial and commercial trucking, and intra- and inter-county travel; and emergency evacuations routes. This element also contains the official General Plan Circulation map.

The following future roadway network improvements will be required:

- County Road 6: Widen to a four-lane arterial between County Road 99W and the Tehama Colusa Canal;
- County Road 21A: Upgrade to a major two-lane county road standard between County Road 85B and State Route 16;
- County Road 85B: Upgrade to a major two-lane county road standard between State Route 16 and County Road 21A;
- County Road 99W: Widen to a four-lane arterial between County Road 2 and County Road 8;
- Interstate 5: Widen to provide freeway auxiliary lanes in both directions between County Road 6 and Interstate 505; and
- State Route 16: Widen to a four-lane arterial between County Road 21A and Interstate 505.

Additionally, the following roadways are identified as needing improvements for portions of the identified segments including but not limited to, intersection control and lane configuration improvements, passing lanes, and/or wider travel lanes and shoulders:

- County Road 89 between State Route 16 and County Road 29A;
- County Road 102 between County Road 13 and Woodland city limit;
- County Road 102 between Woodland city limit and Davis city limit;
- State Route 16 between County Road 78 and County Road 85B; and
- State Route 16 between Interstate 505 and County Road 98.

The element addresses the following topics: comprehensive and coordinated transportation systems (Goal CI-1); mode and user equity (Goal CI-2); service thresholds (Goal CI-3); environmental impacts (Goal CI-4); system integration (Goal CI-5); accessible transit (Goal CI-6); truck and rail operations (Goal CI-7); Port of Sacramento (Goal CI-8); air transport (Goal CI-9); and transportation within the Delta (Goal CI-10).

5. Public Facilities and Services Element

The Public Facilities and Services Element addresses the changing public services and infrastructure needs of the County and provides for their extension to support new development. This element seeks to establish County service standards that improve existing conditions but are lower by design than in more urban areas. The goals and policies in this element emphasize financial responsibility for facilities and maintenance of facilities at the community level. Multiple-use facilities are envisioned to efficiently serve a variety of needs and centralized satellite government centers are recommended to serve outlying areas. The element also includes new sections on child care and communication technology that were not addressed in the 1983 General Plan.

This element covers the following topics: sewer and septic systems (Goal PF-1); storm water and drainage (Goal PF-2); community parks (Goal PF-3); law enforcement (Goal PF-4); fire and emergency medical service (Goal PF-5); schools (Goal PF-6); library services (Goal PF-7); child care (Goal PF-8); solid waste and recycling (Goal PF-9); sources of energy (Goal PF-10); utilities and communication technology (Goal PF-11); and general government services (Goal PF-12).

6. Agriculture and Economic Development Element

The Agriculture and Economic Development Element acknowledges the importance of agriculture as the primary industry in the County and the element seeks to strengthen the County's economic base. This element envisions supporting agriculture through value-added processing, tourism, direct marketing, local food programs, and biotechnology. In addition, local food preference, direct-marketing opportunities, and increased tourism are envisioned to play an important role in redefining the future of agriculture. This element also supports the diversification of the local economy and contains policies to encourage coordination with other local and regional agencies to improve the business climate and increase the retention, expansion, and recruitment of new companies.

Key policies that support the County's agricultural uses are summarized below:

- Continued prohibition of farmland division for non-agricultural purposes;
- Mitigation for the loss of farmland through agricultural conservation easements and/or land dedication;

- A new Agricultural District program to promote value-added agricultural endeavors in certain key emerging areas; and
- A program to transfer farm dwelling rights to other farmers for agriculturally-related purposes.

The Agriculture and Economic Development Element also recognizes that agricultural land provides important biological habitat, and serves as passive open space or "working landscapes"; therefore, the Draft General Plan recommends wildlife friendly farming and practices that conserve natural resources.

This element addresses the following agricultural issues: preservation of agriculture (Goal AG-1); natural resources for agriculture (Goal AG-2); healthy farm economy (Goal AG-3); education and awareness (Goal AG-4); local preference (Goal AG-5); and delta agriculture (Goal AG-6).

This element addresses the following economic development issues: economic diversity (Goal ED-1); business climate and business assistance (Goal ED-2); community revitalization (Goal ED-3); expansion of tourism (Goal ED-4); and economic sustainability (Goal ED-5).

7. Conservation and Open Space Element

The Conservation and Open Space Element focuses on the management of the County's multiple natural and cultural resources, with an emphasis on its water resources. The goals and policies also support a connected and accessible open space system of communities separated by green spaces and linked by a network of trails. This element anticipates full integration of the Yolo Natural Heritage Program for multi-species protection and establishes criteria to allow for the mitigation of development outside of Yolo County. New policies for the protection of tribal and local historic resources are provided. Future expansion of mineral resource extraction programs via the Cache Creek Area Plan and development of the future Cache Creek Parkway are addressed.

This element contains a section on climate change that identifies local actions to reduce greenhouse gases and promote alternative energy sources. Additionally, throughout the Draft General Plan, there are a total of 325 policies and actions that address climate change.

This element addresses the following issues: natural open space (Goal CO-1); biological resources (Goal CO-2); mineral resources (Goal CO-3); cultural resources (Goal CO-4); water resources (Goal CO-5); air quality (Goal CO-6); energy conservation (Goal CO-7); climate change (Goal CO-8); and delta region (Goal CO-9).

8. Health and Safety Element

The Health and Safety Element is divided into three sections addressing Safety, Noise, and Health Care. Related to safety, this element provides information about the potential risks in Yolo County associated with natural and human-made hazards and contains goals, policies, and actions that seek to reduce their potential impacts and minimize their negative effects.

This element addresses general emergency preparedness and specifically addresses flood and fire protection. The Draft General Plan describes flood protection and levee stability for communities at risk of flooding, including Clarksburg, Knights Landing, and Madison, and incorporates recent legislation for these hazards. Additionally, this element describes the regulation of development in fire hazard severity zones and incorporates recent regulations related to fire protection.

The noise section of this element addresses noise controls, specifically with respect to agricultural and industrial uses, which are among the significant noise sources in the County. The health care section of this element includes policies addressing the link between community design and individual health, as well as policies in support of accessible health care, especially for vulnerable populations.

This element addresses the following issues: geologic and seismic hazards (Goal HS-1); flood hazards (Goal HS-2); wildland fires (Goal HS-3); hazardous materials (Goal HS-4); airport operations (Goal HS-5); emergency preparedness (Goal HS-6); noise compatibility (Goal NO-1); and health care (Goal HC-1).

9. Housing Element

The Housing Element establishes the County's housing development policies and is intended to support the development of an adequate housing supply to meet the needs of existing and future residents. This element addresses the statewide housing goal of "attaining decent housing and a suitable living environment for every California family," as well as Yolo County's commitment to facilitate housing opportunities for all of the County's residents. Implementation of the element's action program is intended to support a variety and mix of diverse housing types through June 2013. The Draft General Plan shows that Yolo County can accommodate approximately 2,840 additional dwelling units for all income groups, which exceeds the 1,402 dwelling units identified as Yolo County's 2008-2013 Regional Housing Needs Analysis (RHNA) allocation.

The primary housing issue identified in the Draft General Plan is the provision of affordable housing for low- and moderate-income households. This element continues the policies of the County's 2004 Inclusionary Housing Ordinance, which requires 20 percent of the residential units be made affordable to low- and moderate-income families. Other issues identified include improving and conserving the existing supply of housing, providing adequate infrastructure necessary to support new development, ensuring that new development is well integrated into existing communities, and responding to the needs of "special needs" populations, such as farmworkers and persons with disabilities.

This element addresses the following issues: housing mix (Goal HO-1); housing funding (Goal HO-2); reduced housing constraints (Goal HO-3); special needs housing (Goal HO-4); strengthened neighborhoods (Goal HO-5); sustainable housing (Goal HO-6); and housing in the Delta (Goal HO-7).

NOP

DEPARTMENT OF TRANSPORTATION

DISTRICT 3 -- Sacramento Area Office
VENTURE OAKS, MS 15
P. O. BOX 942874
SACRAMENTO, CA 94274-0001
PHONE (916) 274-0635
FAX (916) 274-0648
TTY (530) 741-4501



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Be energy efficient!*

November 20, 2008

08YOL0038
03-YOL- Various
Yolo County 2030 Countywide General Plan
Notice of Preparation for the Draft Environmental Impact Report
SCH # 2008102034

Mr. David Morrison
Yolo County Planning & Public Works
292 West Beamer Street
Woodland, CA 95695

Dear Mr. Morrison,

Thank you for the opportunity to review and comment on the Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) for the comprehensive update of all elements of the Yolo County 2030 Countywide General Plan. Our comments are as follows:

This update to all elements of the Yolo County 2030 Countywide General Plan could impact the State Highway System (SHS) in Yolo County.

- Please use Caltrans' "Guide for the Preparation of Traffic Impact Studies" (TIS Guidelines) when impacts are identified and mitigations are proposed to the SHS. The guide can be found on Caltrans' website at:

http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tis_guide.pdf

The TIS should include I-5, I-505, I-80, State Route (SR) 16, SR 45, SR 84, SR 113, and SR 128. The TIS should use a Select Zone Analysis to identify trip distribution of the proposed project on the SHS. Caltrans requests the opportunity to review the scope of the traffic analysis prior to the start of the study.

- Caltrans requests a meeting with the County to discuss the anticipated

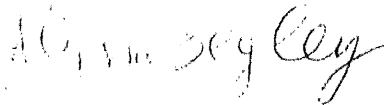
"Caltrans improves mobility across California"

development, such as the Dunnigan, Madison, Elkhorn and Spreckles areas, and the potential impacts to the SHS. Of particular interest is the residential dwelling growth in Madison and Dunnigan, and the jobs-housing balance within the growth areas.

- Mitigation measures should be identified where the project results in a significant impact. Caltrans considers the following to be significant impacts:
 - Project impacts that cause a highway or intersection LOS to deteriorate beyond LOS E.
 - If LOS is already E or F, then a quantitative measure of increased queue lengths and delay should be used to determine appropriate mitigation measures.
- Feasible mitigation measures are available if significant impacts to the SHS are identified. Potential mitigation measures could include fair-share funding for interchange reconstruction, auxiliary lanes, bus-carpool lanes, mainline improvements, transit improvements, or other off-highway projects that reduce the impact to less than significant.
- Many jurisdictions within the region are developing sub-regional fee programs to help fund transit, highway, and local road improvements to improve mobility within particular transportation corridors. We would like to work with Yolo County to determine if a fee program is appropriate for the growth areas.

We look forward to the opportunity to work with Yolo County to maintain mobility within Yolo County. Please provide our office with copies of any further actions regarding the General Plan update. If you have any questions regarding these comments, please contact La Nae Van Valen at (916) 274-0637.

Sincerely,



ALYSSA BEGLEY, Chief
Office of Transportation Planning – South

cc: State Clearinghouse

Municipal Services Agency

Planning and Community
Development Department

Robert Sherry, Director



Terry Schutten, County Executive

Paul Hahn, Agency Administrator

County of Sacramento

November 19, 2008

David Morrison, Assistant Director
Development Services, Planning and Public Works Department
Yolo County
292 W. Beamer Street
Woodland, CA 95695

Mr. Morrison,

Thank you for the opportunity to comment on the Notice of Preparation of the EIR to prepared for the Yolo County General Plan. While we were unable to attend the scoping meeting held in late October, we'd like to take this opportunity to comment on the scope and content of the NOP.

The County of Sacramento is pleased to see that Yolo County has taken many measures to curtail low-density residential development that often occurs at the urban edge while protecting productive farmlands. In particular, proposed General Plan policies LU 2.1, 3.1 and action measure CC-A28 go a long way towards preserving the viability of agricultural lands and limiting the expansion of urban encroachment.

The County would like the EIR to include an assessment of the air quality impacts of farming and transportation in Yolo County to the larger Sacramento region. Additionally, the NOP should address the impacts to fish and biological resources of the Sacramento River if future efforts to obtain municipal water supply from the Sacramento River are successful.

Thank you again for the opportunity to comment on the scope of the NOP under preparation for the Yolo County General Plan.

Sincerely,

for Robert Sherry,
Director

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052



FEMA

November 5, 2008

David Morrison, Assistant Director
Development Services
292 West Beamer Street
Woodland, California 95695

Dear Mr. Morrison:

This is in response to your request for comments on the Notice of Preparation (NOP) and Notice of Scoping Meeting for the Draft Program Environmental Impact Report for the Yolo County 2030 Countywide General Plan.

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the County of Yolo (Community Number 060423), Map revised December 20, 2002. Please note that the County of Yolo, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any *development* must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

David Morrison
Page 2
November 5, 2008


- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Yolo County floodplain manager can be reached by calling Lonell Butler, Building Official, at (530) 666-8803.

If you have any questions or concerns, please do not hesitate to call Marshall Marik of the Mitigation staff at (510) 627-7057.

Sincerely,



Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:

Lonell Butler, Building Official, Yolo County
Ray Lee, State of California, Department of Water Resources, Central District
Marshall Marik, Floodplanner, CFM, DHS/FEMA Region IX
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

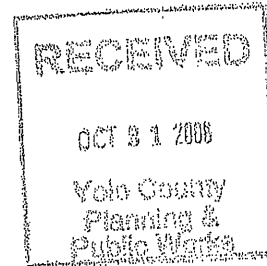


GOVERNOR'S OFFICE OF EMERGENCY SERVICES
DISASTER ASSISTANCE PROGRAMS BRANCH
3650 SCHRIEVER AVENUE
MATHER, CALIFORNIA 95655
PHONE: (916) 845-8101 FAX: (916) 845-8881



October 29, 2008

David Morrison
Yolo County Planning & Public Works
292 West Beamer Street
Woodland, CA 95695



RE: Notice of Preparation for a Draft Environmental Impact Report for the Yolo County 2030 Countywide General Plan, SCH# 2008102034

Dear Mr. Morrison:

Thank you for the opportunity to comment on your Notice of Preparation for a Draft Environmental Impact Report (DEIR) for the county's general plan update. In preparing the general plan and accompanying DEIR, the county should examine the sections of state planning law that involve potential hazards the county may face. For your information, I have underlined specific sections of state planning law where identification and analysis of hazards are discussed (see Attachment A).

Prior to the release of the draft general plan or within the DEIR, county staff or your consultants should examine each of the requirements in state planning law and determine if there are hazard issues within the unincorporated communities which the general plan should address. A table in the DEIR (or general plan) which identifies these specific issues and where they are addressed in the general plan would be helpful in demonstrating the county has complied with these requirements. If the DEIR determines that state planning law requirements have not been met, it should recommend that these issues be addressed in the general plan as a mitigation measure.

We note that state planning law includes a requirement for consultations with state agencies in regard to information related to hazards. OES would be happy to share all available information at our disposal to facilitate the county's ability to comply with state planning and environmental laws.

If you have any questions about these comments, please contact Andrew Rush at (916) 845-8269 or andrew.rush@OES.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads "Dennis Castrillo".

Dennis Castrillo
Environmental Officer

cc: Office of Planning and Research

Attachment A
Hazards and State Planning Law Requirements

General Plan Consistency

65300.5. In construing the provisions of this article, the Legislature intends that the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.

Seven Mandated Elements

65302. The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements:

(a) A land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The location and designation of the extent of the uses of the land for public and private uses shall consider the identification of land and natural resources pursuant to paragraph (3) of subdivision (d). The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify and annually review those areas covered by the plan that are subject to flooding identified by flood plain mapping prepared by the Federal Emergency Management Agency (FEMA) or the Department of Water Resources. The land use element shall also do both of the following:

(1) Designate in a land use category that provides for timber production those parcels of real property zoned for timberland production pursuant to the California Timberland Productivity Act of 1982, Chapter 6.7 (commencing with Section 51100) of Part 1 of Division 1 of Title 5.

(2) Consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing zoning ordinances or designating land uses covered by the general plan for land, or other territory adjacent to military facilities, or underlying designated military aviation routes and airspace.

(A) In determining the impact of new growth on military readiness activities, information provided by military facilities shall be considered. Cities and counties shall address military impacts based on information from the military and other sources.

(B) The following definitions govern this paragraph:

(i) "Military readiness activities" mean all of the following:

(I) Training, support, and operations that prepare the men and women of the military for combat.

(II) Operation, maintenance, and security of any military installation.

(III) Testing of military equipment, vehicles, weapons, and sensors for proper operation or suitability for combat use.

(ii) "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the United States Department of Defense as defined in paragraph (1) of subsection (e) of Section 2687 of Title 10 of the United States Code.

(b) A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan.

(c) A housing element as provided in Article 10.6 (commencing with Section 65580).

(d) (1) A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. The conservation element shall consider the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies, including flood management, water conservation, or groundwater agencies that have developed, served, controlled, managed, or conserved water of any type for any purpose in the county or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or county.

(2) The conservation element may also cover all of the following:

(A) The reclamation of land and waters.

(B) Prevention and control of the pollution of streams and other waters.

(C) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.

(D) Prevention, control, and correction of the erosion of soils, beaches, and shores.

(E) Protection of watersheds.

(F) The location, quantity and quality of the rock, sand and gravel resources.

(3) Upon the next revision of the housing element on or after January 1, 2009, the conservation element shall identify rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management.

(e) An open-space element as provided in Article 10.5 (commencing with Section 65560).

(f) (1) A noise element which shall identify and appraise noise problems in the community. The noise element shall recognize the guidelines established by the Office of Noise Control in the State Department of Health Care Services and shall analyze and quantify, to the extent practicable, as determined by the legislative body, current and projected noise levels for all of the following sources:

(A) Highways and freeways.

(B) Primary arterials and major local streets.

(C) Passenger and freight on-line railroad operations and ground rapid transit systems.

(D) Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation.

(E) Local industrial plants, including, but not limited to, railroad classification yards.

(F) Other ground stationary noise sources, including, but not limited to, military installations, identified by local agencies as contributing to the community noise environment.

(2) Noise contours shall be shown for all of these sources and stated in terms of community noise equivalent level (CNEL) or day-night average level (Ldn). The noise contours shall be prepared on the basis of noise monitoring or following generally accepted noise modeling techniques for the various sources identified in paragraphs (1) to (6), inclusive.

(3) The noise contours shall be used as a guide for establishing a pattern of land uses in the land use element that minimizes the exposure of community residents to excessive noise.

(4) The noise element shall include implementation measures and possible solutions that address existing and foreseeable noise problems, if any. The adopted noise element shall serve as a guideline for compliance with the state's noise insulation standards.

(g) (1) A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction, and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of Division 2 of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wild land and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, military installations, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards.

(2) The safety element, upon the next revision of the housing element on or after January 1, 2009, shall also do the following:

(A) Identify information regarding flood hazards, including, but not limited to, the following:

(i) Flood hazard zones. As used in this subdivision, "flood hazard zone" means an area subject to flooding that is delineated as either a special hazard area or an area of moderate or minimal hazard on an official flood insurance rate map issued by the Federal Emergency Management Agency. The identification of a flood hazard zone does not imply that areas outside the flood hazard zones or uses permitted within flood hazard zones will be free from flooding or flood damage.

(ii) National Flood Insurance Program maps published by FEMA.

(iii) Information about flood hazards that is available from the United States Army Corps of Engineers.

(iv) Designated floodway maps that are available from the Central Valley Flood Protection Board.

(v) Dam failure inundation maps prepared pursuant to Section 8589.5 that are available from the Office of Emergency Services.

(vi) Awareness Floodplain Mapping Program maps and 200-year flood plain maps that are or may be available from, or accepted by, the Department of Water Resources.

(vii) Maps of levee protection zones.

(viii) Areas subject to inundation in the event of the failure of project or nonproject levees or floodwalls.

(ix) Historical data on flooding, including locally prepared maps of areas that are subject to flooding, areas that are vulnerable to flooding after wildfires, and sites that have been repeatedly damaged by flooding.

(x) Existing and planned development in flood hazard zones, including structures, roads, utilities, and essential public facilities.

(xi) Local, state, and federal agencies with responsibility for flood protection, including special districts and local offices of emergency services.

(B) Establish a set of comprehensive goals, policies, and objectives based on the information identified pursuant to subparagraph (A), for the protection of the community from the unreasonable risks of flooding, including, but not limited to:

- (i) Avoiding or minimizing the risks of flooding to new development.
 - (ii) Evaluating whether new development should be located in flood hazard zones, and identifying construction methods or other methods to minimize damage if new development is located in flood hazard zones.
 - (iii) Maintaining the structural and operational integrity of essential public facilities during flooding.
 - (iv) Locating, when feasible, new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities or identifying construction methods or other methods to minimize damage if these facilities are located in flood hazard zones.
 - (v) Establishing cooperative working relationships among public agencies with responsibility for flood protection.
- (C) Establish a set of feasible implementation measures designed to carry out the goals, policies, and objectives established pursuant to subparagraph (B).
- (3) After the initial revision of the safety element pursuant to paragraph (2), upon each revision of the housing element, the planning agency shall review and, if necessary, revise the safety element to identify new information that was not available during the previous revision of the safety element.
- (4) Cities and counties that have flood plain management ordinances that have been approved by FEMA that substantially comply with this section, or have substantially equivalent provisions to this subdivision in their general plans, may use that information in the safety element to comply with this subdivision, and shall summarize and incorporate by reference into the safety element the other general plan provisions or the flood plain ordinance, specifically showing how each requirement of this subdivision has been met.
- (5) Prior to the periodic review of its general plan and prior to preparing or revising its safety element, each city and county shall consult the California Geological Survey of the Department of Conservation, the Central Valley Flood Protection Board, if the city or county is located within the boundaries of the Sacramento and San Joaquin Drainage District, as set forth in Section 8501 of the Water Code, and the Office of Emergency Services for the purpose of including information known by and available to the department, the office, and the board required by this subdivision.
- (6) To the extent that a county's safety element is sufficiently detailed and contains appropriate policies and programs for adoption by a city, a city may adopt that portion of the county's safety element that pertains to the city's planning area in satisfaction of the requirement imposed by this subdivision.

Consistency with Airport Land Use Plans

65302.3. (a) The general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the plan adopted or amended pursuant to Section 21675 of the Public Utilities Code.

Review of Safety Element

65302.5. (a) At least 45 days prior to adoption or amendment of the safety element, each county and city shall submit to the Division of Mines and Geology of the Department of Conservation

one copy of a draft of the safety element or amendment and any technical studies used for developing the safety element. The division may review drafts submitted to it to determine whether they incorporate known seismic and other geologic hazard information, and report its findings to the planning agency within 30 days of receipt of the draft of the safety element or amendment pursuant to this subdivision. The legislative body shall consider the division's findings prior to final adoption of the safety element or amendment unless the division's findings are not available within the above prescribed time limits or unless the division has indicated to the city or county that the division will not review the safety element. If the division's findings are not available within those prescribed time limits, the legislative body may take the division's findings into consideration at the time it considers future amendments to the safety element. Each county and city shall provide the division with a copy of its adopted safety element or amendments. The division may review adopted safety elements or amendments and report its findings. All findings made by the division shall be advisory to the planning agency and legislative body.

(1) The draft element or draft amendment to the safety element of a county or a city's general plan shall be submitted to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county at least 90 days prior to either of the following:

(A) The adoption or amendment to the safety element of its general plan for each county that contains state responsibility areas.

(B) The adoption or amendment to the safety element of its general plan for each city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177.

(2) A county that contains state responsibility areas and a city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177, shall submit for review the safety element of its general plan to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county in accordance with the following dates as specified, unless the local government submitted the element within five years prior to that date:

(A) Local governments within the regional jurisdiction of the San Diego Association of Governments: December 31, 2010.

(B) Local governments within the regional jurisdiction of the Southern California Association of Governments: December 31, 2011.

(C) Local governments within the regional jurisdiction of the Association of Bay Area Governments: December 31, 2012.

(D) Local governments within the regional jurisdiction of the Council of Fresno County Governments, the Kern County Council of Governments, and the Sacramento Area Council of Governments: June 30, 2013.

(E) Local governments within the regional jurisdiction of the Association of Monterey Bay Area Governments: December 31, 2014.

(F) All other local governments: December 31, 2015.

(3) The State Board of Forestry and Fire Protection shall, and a local agency may, review the draft or an existing safety element and report its written recommendations to the planning agency within 60 days of its receipt of the draft or existing safety element. The State Board of Forestry and Fire Protection and local agency shall review the draft or existing safety element and may

offer written recommendations for changes to the draft or existing safety element regarding both of the following:

(A) Uses of land and policies in state responsibility areas and very high fire hazard severity zones that will protect life, property, and natural resources from unreasonable risks associated with wildland fires.

(B) Methods and strategies for wildland fire risk reduction and prevention within state responsibility areas and very high hazard severity zones.

(b) Prior to the adoption of its draft element or draft amendment, the board of supervisors of the county or the city council of a city shall consider the recommendations made by the State Board of Forestry and Fire Protection and any local agency that provides fire protection to territory in the city or county. If the board of supervisors or city council determines not to accept all or some of the recommendations, if any, made by the State Board of Forestry and Fire Protection or local agency, the board of supervisors or city council shall communicate in writing to the State Board of Forestry and Fire Protection or to the local agency, its reasons for not accepting the recommendations.

Open Space Plans

65560. (a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional or state open-space plan as any of the following:

(1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

(4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

October 9, 2008

To: Reviewing Agencies
Re: Yolo County 2030 Countywide General Plan
SCH# 2008102034

Attached for your review and comment is the Notice of Preparation (NOP) for the Yolo County 2030 Countywide General Plan draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

David Morrison
Yolo County Planning & Public Works
292 W. Beamer Street
Woodland, CA 95695

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Assistant Deputy Director & Senior Planner, State Clearinghouse

Attachments
cc: Lead Agency

STATE OF CALIFORNIA

ARNOLD SCHWARZENEGGER, Governor



GOVERNOR'S OFFICE OF EMERGENCY SERVICES
DISASTER ASSISTANCE PROGRAMS BRANCH
3650 SCHRIEVER AVENUE
MATHER, CALIFORNIA 95655
PHONE: (916) 845-8101 FAX: (916) 845-8881



October 29, 2008

David Morrison
Yolo County Planning & Public Works
292 West Beamer Street
Woodland, CA 95695

RECEIVED
OCT 31 2008
STATE CLEARING HOUSE

Not Clear
11-20-08
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RE: Notice of Preparation for a Draft Environmental Impact Report for the Yolo County 2030 Countywide General Plan, SCH# 20081020

Dear Mr. Morrison:

Thank you for the opportunity to comment on your Notice of Preparation for a Draft Environmental Impact Report (DEIR) for the county's general plan update. In preparing the general plan and accompanying DEIR, the county should examine the sections of state planning law that involve potential hazards the county may face. For your information, I have underlined specific sections of state planning law where identification and analysis of hazards are discussed (see Attachment A).

Prior to the release of the draft general plan or within the DEIR, county staff or your consultants should examine each of the requirements in state planning law and determine if there are hazard issues within the unincorporated communities which the general plan should address. A table in the DEIR (or general plan) which identifies these specific issues and where they are addressed in the general plan would be helpful in demonstrating the county has complied with these requirements. If the DEIR determines that state planning law requirements have not been met, it should recommend that these issues be addressed in the general plan as a mitigation measure.

We note that state planning law includes a requirement for consultations with state agencies in regard to information related to hazards. OES would be happy to share all available information at our disposal to facilitate the county's ability to comply with state planning and environmental laws.

If you have any questions about these comments, please contact Andrew Rush at (916) 845-8269 or andrew.rush@OES.ca.gov.

Sincerely,

Dennis Castrillo
Environmental Officer

cc: Office of Planning and Research

Attachment A
Hazards and State Planning Law Requirements

General Plan Consistency

65300.5. In construing the provisions of this article, the Legislature intends that the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.

Seven Mandated Elements

65302. The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements:

(a) A land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The location and designation of the extent of the uses of the land for public and private uses shall consider the identification of land and natural resources pursuant to paragraph (3) of subdivision (d). The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify and annually review those areas covered by the plan that are subject to flooding identified by flood plain mapping prepared by the Federal Emergency Management Agency (FEMA) or the Department of Water Resources. The land use element shall also do both of the following:

(1) Designate in a land use category that provides for timber production those parcels of real property zoned for timberland production pursuant to the California Timberland Productivity Act of 1982, Chapter 6.7 (commencing with Section 51100) of Part 1 of Division 1 of Title 5.

(2) Consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing zoning ordinances or designating land uses covered by the general plan for land, or other territory adjacent to military facilities, or underlying designated military aviation routes and airspace.

(A) In determining the impact of new growth on military readiness activities, information provided by military facilities shall be considered. Cities and counties shall address military impacts based on information from the military and other sources.

(B) The following definitions govern this paragraph:

(i) "Military readiness activities" mean all of the following:

(I) Training, support, and operations that prepare the men and women of the military for combat.

(II) Operation, maintenance, and security of any military installation.

(III) Testing of military equipment, vehicles, weapons, and sensors for proper operation or suitability for combat use.

(ii) "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the United States Department of Defense as defined in paragraph (1) of subsection (e) of Section 2687 of Title 10 of the United States Code.

(b) A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan.

(c) A housing element as provided in Article 10.6 (commencing with Section 65580).

(d) (1) A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. The conservation element shall consider the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies, including flood management, water conservation, or groundwater agencies that have developed, served, controlled, managed, or conserved water of any type for any purpose in the county or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or county.

(2) The conservation element may also cover all of the following:

(A) The reclamation of land and waters.

(B) Prevention and control of the pollution of streams and other waters.

(C) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.

(D) Prevention, control, and correction of the erosion of soils, beaches, and shores.

(E) Protection of watersheds.

(F) The location, quantity and quality of the rock, sand and gravel resources.

(3) Upon the next revision of the housing element on or after January 1, 2009, the conservation element shall identify rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management.

(e) An open-space element as provided in Article 10.5 (commencing with Section 65560).

(f) (1) A noise element which shall identify and appraise noise problems in the community. The noise element shall recognize the guidelines established by the Office of Noise Control in the State Department of Health Care Services and shall analyze and quantify, to the extent practicable, as determined by the legislative body, current and projected noise levels for all of the following sources:

(A) Highways and freeways.

(B) Primary arterials and major local streets.

(C) Passenger and freight on-line railroad operations and ground rapid transit systems.

(D) Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation.

(E) Local industrial plants, including, but not limited to, railroad classification yards.

(F) Other ground stationary noise sources, including, but not limited to, military installations, identified by local agencies as contributing to the community noise environment.

(2) Noise contours shall be shown for all of these sources and stated in terms of community noise equivalent level (CNEL) or day-night average level (Ldn). The noise contours shall be prepared on the basis of noise monitoring or following generally accepted noise modeling techniques for the various sources identified in paragraphs (1) to (6), inclusive.

(3) The noise contours shall be used as a guide for establishing a pattern of land uses in the land use element that minimizes the exposure of community residents to excessive noise.

(4) The noise element shall include implementation measures and possible solutions that address existing and foreseeable noise problems, if any. The adopted noise element shall serve as a guideline for compliance with the state's noise insulation standards.

(g) (1) A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction, and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of Division 2 of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wild land and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, military installations, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards.

(2) The safety element, upon the next revision of the housing element on or after January 1, 2009, shall also do the following:

(A) Identify information regarding flood hazards, including, but not limited to, the following:

(i) Flood hazard zones. As used in this subdivision, "flood hazard zone" means an area subject to flooding that is delineated as either a special hazard area or an area of moderate or minimal hazard on an official flood insurance rate map issued by the Federal Emergency Management Agency. The identification of a flood hazard zone does not imply that areas outside the flood hazard zones or uses permitted within flood hazard zones will be free from flooding or flood damage.

(ii) National Flood Insurance Program maps published by FEMA.

(iii) Information about flood hazards that is available from the United States Army Corps of Engineers.

(iv) Designated floodway maps that are available from the Central Valley Flood Protection Board.

(v) Dam failure inundation maps prepared pursuant to Section 8589.5 that are available from the Office of Emergency Services.

(vi) Awareness Floodplain Mapping Program maps and 200-year flood plain maps that are or may be available from, or accepted by, the Department of Water Resources.

(vii) Maps of levee protection zones.

(viii) Areas subject to inundation in the event of the failure of project or nonproject levees or floodwalls.

(ix) Historical data on flooding, including locally prepared maps of areas that are subject to flooding, areas that are vulnerable to flooding after wildfires, and sites that have been repeatedly damaged by flooding.

(x) Existing and planned development in flood hazard zones, including structures, roads, utilities, and essential public facilities.

(xi) Local, state, and federal agencies with responsibility for flood protection, including special districts and local offices of emergency services.

(B) Establish a set of comprehensive goals, policies, and objectives based on the information identified pursuant to subparagraph (A), for the protection of the community from the unreasonable risks of flooding, including, but not limited to:

- (i) Avoiding or minimizing the risks of flooding to new development.
- (ii) Evaluating whether new development should be located in flood hazard zones, and identifying construction methods or other methods to minimize damage if new development is located in flood hazard zones.
- (iii) Maintaining the structural and operational integrity of essential public facilities during flooding.
- (iv) Locating, when feasible, new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities or identifying construction methods or other methods to minimize damage if these facilities are located in flood hazard zones.
- (v) Establishing cooperative working relationships among public agencies with responsibility for flood protection.

(C) Establish a set of feasible implementation measures designed to carry out the goals, policies, and objectives established pursuant to subparagraph (B).

(3) After the initial revision of the safety element pursuant to paragraph (2), upon each revision of the housing element, the planning agency shall review and, if necessary, revise the safety element to identify new information that was not available during the previous revision of the safety element.

(4) Cities and counties that have flood plain management ordinances that have been approved by FEMA that substantially comply with this section, or have substantially equivalent provisions to this subdivision in their general plans, may use that information in the safety element to comply with this subdivision, and shall summarize and incorporate by reference into the safety element the other general plan provisions or the flood plain ordinance, specifically showing how each requirement of this subdivision has been met.

(5) Prior to the periodic review of its general plan and prior to preparing or revising its safety element, each city and county shall consult the California Geological Survey of the Department of Conservation, the Central Valley Flood Protection Board, if the city or county is located within the boundaries of the Sacramento and San Joaquin Drainage District, as set forth in Section 8501 of the Water Code, and the Office of Emergency Services for the purpose of including information known by and available to the department, the office, and the board required by this subdivision.

(6) To the extent that a county's safety element is sufficiently detailed and contains appropriate policies and programs for adoption by a city, a city may adopt that portion of the county's safety element that pertains to the city's planning area in satisfaction of the requirement imposed by this subdivision.

Consistency with Airport Land Use Plans

65302.3. (a) The general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the plan adopted or amended pursuant to Section 21675 of the Public Utilities Code.

Review of Safety Element

65302.5. (a) At least 45 days prior to adoption or amendment of the safety element, each county and city shall submit to the Division of Mines and Geology of the Department of Conservation

one copy of a draft of the safety element or amendment and any technical studies used for developing the safety element. The division may review drafts submitted to it to determine whether they incorporate known seismic and other geologic hazard information, and report its findings to the planning agency within 30 days of receipt of the draft of the safety element or amendment pursuant to this subdivision. The legislative body shall consider the division's findings prior to final adoption of the safety element or amendment unless the division's findings are not available within the above prescribed time limits or unless the division has indicated to the city or county that the division will not review the safety element. If the division's findings are not available within those prescribed time limits, the legislative body may take the division's findings into consideration at the time it considers future amendments to the safety element. Each county and city shall provide the division with a copy of its adopted safety element or amendments. The division may review adopted safety elements or amendments and report its findings. All findings made by the division shall be advisory to the planning agency and legislative body.

(1) The draft element of or draft amendment to the safety element of a county or a city's general plan shall be submitted to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county at least 90 days prior to either of the following:

(A) The adoption or amendment to the safety element of its general plan for each county that contains state responsibility areas.

(B) The adoption or amendment to the safety element of its general plan for each city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177.

(2) A county that contains state responsibility areas and a city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177, shall submit for review the safety element of its general plan to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county in accordance with the following dates as specified, unless the local government submitted the element within five years prior to that date:

(A) Local governments within the regional jurisdiction of the San Diego Association of Governments: December 31, 2010.

(B) Local governments within the regional jurisdiction of the Southern California Association of Governments: December 31, 2011.

(C) Local governments within the regional jurisdiction of the Association of Bay Area Governments: December 31, 2012.

(D) Local governments within the regional jurisdiction of the Council of Fresno County Governments, the Kern County Council of Governments, and the Sacramento Area Council of Governments: June 30, 2013.

(E) Local governments within the regional jurisdiction of the Association of Monterey Bay Area Governments: December 31, 2014.

(F) All other local governments: December 31, 2015.

(3) The State Board of Forestry and Fire Protection shall, and a local agency may, review the draft or an existing safety element and report its written recommendations to the planning agency within 60 days of its receipt of the draft or existing safety element. The State Board of Forestry and Fire Protection and local agency shall review the draft or existing safety element and may

offer written recommendations for changes to the draft or existing safety element regarding both of the following:

(A) Uses of land and policies in state responsibility areas and very high fire hazard severity zones that will protect life, property, and natural resources from unreasonable risks associated with wildland fires.

(B) Methods and strategies for wildland fire risk reduction and prevention within state responsibility areas and very high hazard severity zones.

(b) Prior to the adoption of its draft element or draft amendment, the board of supervisors of the county or the city council of a city shall consider the recommendations made by the State Board of Forestry and Fire Protection and any local agency that provides fire protection to territory in the city or county. If the board of supervisors or city council determines not to accept all or some of the recommendations, if any, made by the State Board of Forestry and Fire Protection or local agency, the board of supervisors or city council shall communicate in writing to the State Board of Forestry and Fire Protection or to the local agency, its reasons for not accepting the recommendations.

Open Space Plans

65560. (a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional or state open-space plan as any of the following:

(1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors."

(4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

Tulevome

DEEP HOME PLACE

We Dream. We Act. We Get Things Done.

*Protecting the wild and agricultural heritage
of the Putah and Cache Creek Watersheds
for existing and future generations.*

November 20, 2008

David Morrison
Assistant Director- Development Services
Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695-2598
David.morrison@yolocounty.org

Re: Draft General Plan Comments – CEQA Documentation

Dear Mr. Morrison:

Tulevome has reviewed the County of Yolo Draft 2030 Countywide General Plan and makes the following comments. We have grouped them as to general and specific comments. Please review these comments to determine whether any comments raise issues that need to be addressed in the CEQA document for the General Plan Update; please address those topics in the CEQA document. We also note that we may have additional comments through the general plan review process.

General Comments:

1. Tulevome feels that it is inadvisable to combine the Agriculture and Economic Development sections in the general plan. Certainly agriculture is a predominant economic generator in the county and we very much support the counties efforts to protect and promote agriculture. However, combining these elements deemphasizes other opportunities for economic growth such as eco-tourism and cooperation with new city related economic initiatives.

As an example, Tulevome has proposed the establishment of the Berryessa Snow Mountain National Conservation Area on the regions public lands. Attached is the executive summary of our report entitled *The Berryessa Snow Mountain Region- The Undiscovered Landscape: A Status Review and Management Recommendations for a National Conservation Area*. The full report will be available on our web site at www.tulevome.org.

This proposal has significant economic development opportunities for both agriculture through cause-related-branding and for gateway communities such as Winters, Esparto, and Guinda.

Attached are the executive summaries of reports entitled *Economic Potential for Gateway Communities* and *Economic Potential for Branding Near the NCA* which outline these opportunities. The full reports will also be on our web page.

These potential economic opportunities revolve around the protection and promotion of public lands. Another good example is the development of the Pacific Flyway Center at the Yolo Basin Wildlife Area near the intersection of I-80 and the Pacific Flyway. Birding tourism is a \$10 billion dollar industry and Yolo County should work hard to capture some of these dollars.

2. Climate Change and increasing energy costs will significantly change the way we live and do business. Despite the short term decline in cost relating to a world wide recession and decrease in demand, energy costs will increase significantly over the life of the General Plan. Yolo County is to be complemented for their recent work on this issue and for emphasizing the measures that are present in this Draft General Plan. However, a thorough analysis of climate change issues will require a reevaluation of the proposed land use element. In particular this relates to rural community development such as proposed at Dunnigan. The EIR for the general plan must evaluate the impact of increased housing at Dunnigan where most workers will have an extra 17 mile (one-way) trip added to their daily work commute with little opportunity for alternative transit against the location of those housing units in and around existing cities such as Davis, Woodland and West Sacramento where real transit opportunities exist. The same analysis must be done for proposed growth in Madison. The City of Stockton recently settled a lawsuit with Edmund G. Brown., Attorney General of California and others over the adequacy of CEQA review with respect to climate change and the need to reduce greenhouse gas that related directly to how and where development occurs. We are attaching that Memorandum of Agreement.
3. Increasing energy costs will have a large impact on agriculture as costs for tractor and airplane operation and fertilizer increase. The non-profit Roots of Change organization (www.rocfund.org) has begun to address this and other needs for a changing agricultural system with respect to increasing fuel costs, food system sustainability, environment, and healthy communities and people. They have developed a Declaration for Healthy Food and Agriculture which is attached to this letter. The reasons for this declaration are as follows:

The movement to create a healthier food and agriculture policy in the US has been slowly and steadily gaining ground for well over a decade. Those all around the nation who began the work are encouraged by the progress and simultaneously concerned by the pace of change given the disproportionate impact of food and agriculture on personal and planetary health.

The public's increasing interest and the media's deepening coverage of climate change, energy, agriculture, rural poverty, labor issues, food costs, food quality and obesity may finally illuminate the interrelationship of these crises and provide a context for urgently needed changes, which are clearly possible.

The Declaration is meant to provide:

1. A clear statement of what kind of policy is needed now, endorsed by a broad base of organizations and individuals with a long-established commitment to a healthier food and agriculture.
2. An invitation to all Americans to join in the improvement effort by taking action in their own lives and communities and by offering them a way to call on policymakers to support comprehensive change.
3. A set of principles from which policy makers can craft policy that will lead to a healthier system.

Tuleyome strongly encourages Yolo County to adopt the attached Declaration and to incorporate its principles into this General Plan.

4. Much has been learned about conservation biology since the last Yolo County General Plan. In particular, biologists recognize the general need for large, little-disturbed habitat areas with connecting migratory corridors. The General Plan needs to include this in its conservation element, based on a possibility that the Yolo Natural Heritage Program plan (HCP/NCCP) is not adopted. That is, what would be the policy framework in the conservation portion of the General Plan if the HCP/NCCP is not available to satisfy the County's need for a large-scale conservation plan? What elements would the General Plan include? As an example, the proposed Berryessa Snow Mountain National Conservation Area contains important core areas, including BLM-managed public lands at the Berryessa Peak, Blue Ridge and Cache Creek units. These lands represent an important south-north migratory corridor that intersects with the east-west migratory corridors along the riparian habitat of Putah and Cache Creeks. The general plan needs to recognize the importance of protecting these core areas and the necessity for safe passage along the intervening corridors.

Migratory corridors are not just a thin strip along these creeks but must be considered as a mosaic in association with agriculture practices. In many respects the farmers of Yolo County have recognized this through the establishment of tail ponds, hedge rows and other native plantings and the recognition that some crops such as alfalfa are of particular importance as foraging habitat for Swainson's hawk. We support the general plan policies that support and encourage this conservation work by Yolo County farmers.

Specific Comments:

Vision

VI-4. 2.5. This list should include camping.

Land Use

LU-15. Policy LU-2.3. We support the intent of this policy.

LU-15. Policy LU-2.4. We support the intent of this policy.

LU-19. Policy LU-3.8. This policy will help to avoid many significant mistakes.

- LU-22. Policy LU-6.11c. We support this policy. If this area is to be developed based upon prior entitlements, the development should be denser in the range of 8 to 12 units per acre. Clusters and smaller homes should be encouraged.
- LU-26. Goal CC-2. Community Planning, Goal CC-3 Planned Development, and Goal CC-4 Project Design. These are generally good sections defining “smart growth.” Of particular importance is Policy cc-3.3 that requires that jobs are created concurrent with housing.
- LU-30. Policy CC-3.5B. We are concerned about building in the hills as these “poorer” soils often contain important plants and animals. The policy should be changed to discourage building in the hills.
- LU-49. Action CC-A26. We support this policy although it should be changed to read prohibit the location of new homes in the hills to the extent feasible.
- LU-50. Add CC-A32. Investigate and implement designation of I-505 as a national scenic highway.

Agriculture

- AG-7c. Agriculture Water Supply. New developments and housing can create problems for irrigation delivery systems. The county should consult closely with the YCFCWCD on all development and zoning applications to ensure they do not impinge on the existing delivery system.
- AG-20. Policy AG-1.5. This policy must be modified so as not to discourage or limit restoration to habitat.
- AG-20. Policy AG-1.7. This is an important policy to protect farmland in Yolo County and we support it.
- AG-21. Policy AG-1.14. This is an important policy to protect farmland in Yolo County and we support it.
- AG-21. AG-1.21. Affordable farming. We support efforts to develop and encourage incubator farms.
- AG-22. Policy AG-2.8. We support this policy.
- AG-22. Policy AG-2.9. We support this policy.
- AG-22. Policy AG-2.10. We oppose this policy as written. While we are sympathetic to this issue, each habitat area must be treated on an individual basis. This policy should not become a constraint on appropriate restoration work.
- AG-22. Policy AG-2.12. Flood management within the Yolo Bypass must be the primary use. Agriculture, recreation and habitat should be balance with the one proviso that the need for shallow water fish nurseries may be the major secondary use in the southern portion of the Bypass.
- AG-23. Policy AG-2.13. While recognizing that the farming community generally does not waste their resources with excessive application of expensive pesticide, herbicide and fertilizers, this should be county policy.
- AG-24. Policy AG-3.1. Dunnigan Hills. This district if it is to be established must recognize the need to protect sensitive species habitat.
- AG-27. Action AG-A1. Agricultural Mitigation. We are opposed to this Action and the related policies that direct this action. A discussion of this issue was held at the County Ag Working Group meetings. While the current ordinance emphasizes

adjacency, there was a lot of discussion as to whether this was the best criteria for protecting agriculture. Is it better to mitigate in an area with prime soils that is further from growth boundaries, and in area where larger contiguous parcels can be protected or should the adjacency be the major criteria. This item needs more discussion and planning.

AG-31. Action AG-A21. We support this action.

AG-32. Action AG-A22. We support this action. As noted in our general comments there are economic opportunities associated with cause related branding associated with the proposed Berryessa Snow Mountain National Conservation Area.

Conservation and Open Space Element

Needed Addition. One area we would like to see addressed in the policies for open space is the abandonment of roads. Road rights-of-way are important to access public lands, as well as current and potential future connectors for trails and access to lands that may be acquired in the future. We would like to see a policy that does not allow for future road abandonments, but instead retains the public right-of-way while either ending maintenance of the road or closing it to motor vehicles other than those needed to serve parcels behind the closed area. If a road were to be abandoned, a right-of-way for future use as a public hiking trail should be retained. Both ideas are supported by the California Streets and Highways Code.

CO-6. Top of page. The Conservation Partnership is actually called the Blue Ridge Berryessa Natural Areas Conservation Partnership

Figure CO-1. This Figure is inaccurate in that it combines BLM managed public lands with private land conservation easement. They need to be separated in the legend and in color. This figure also shows the Blue Ridge trail, which we support, although the location north of the BLM Berryessa Peak unit is inaccurate. The trail actually leaves the crest and moves to the Napa County side of the range before returning to the crest at the BLM Blue Ridge unit. With sensitivity for landowner concerns it is possible to draw the trail south of the Berryessa unit to the BLM trail easement as a dotted line.

CO-8. The proper name is the Berryessa Snow Mountain National Conservation Area. This proposal involves **only** public lands. The region extends 100 miles from south of Putah Creek to Snow Mountain in the Mendocino National forest and ranges in elevation from under 3000 feet in the Blue Ridge to over 7000 feet at Snow Mountain. It consists of about 470,000 acres. Serpentine soils with rare and endemic plants, chaparral, blue oak woodland, riparian habitat, and sub-alpine habitat make this region an important part of the California Floristic Province which is one of the biological hotspots on the planet. Its south-north orientation and the increase in elevation northward makes this region ideally suited for climate change mitigation where plants and animals must migrate north and/or upslope. Additional information on this proposal including a map of public lands can be found at www.tuleyome.org.

Because policy CO-8 would address climate change a “climate icon” should be added to this policy.

CO-11. The Cache Creek State Wild and Scenic River should be mentioned in this section and noted on Figure CO-3.

Goal CO-1. Policies CO1.1 through CO1.17: Tuleyome is very supportive of efforts to preserve the open spaces of Yolo County, and to provide compatible recreation opportunities. In particular, Policies which support integrated networks of open space, as well as trail networks, are particularly favorable.

Tuleyome was an active participant in development of the County Parks Plan, Open Space and Recreation Element of the General Plan, as well as the Oak Woodlands Management Plan. We have previously supported and encouraged development of trail networks and preservation of resource areas. For these reasons, we strongly support policies CO-1.1 through CO-1.17.

CO-13. Policy CO-1-18. Out-of-county mitigation easement. We generally support out-of-county mitigation. However, this is a complex issue that has not yet had extensive discussion in the county. It is also directly related to the recent discussion at the Board of Supervisors concerning habitat use permits that directed that a discussion and meeting of stakeholders occur. It may be premature to include this at this time.

CO-14. Policy CO-1.19. The correctly listed entities that are working on this trail include the Napa County Regional Parks and Open Space District, Berryessa Trails and Conservation, Bureau of Land Management, California Department of Fish and Game, and Tuleyome.

Tuleyome has long worked, both collectively and through our individual members, in support of the Blue Ridge Trail. Successes to date include maintenance of the existing trail segment with BLM; Tuleyome’s acquisition of the 640-acre Ireland Ranch, which connects with the BLM’s Berryessa Peak Unit to allow extension of the trail; and the voluntary donation of a trail easement through private land on the Napa side of the Ridge, which will allow connection of the existing Blue Ridge Trail from Cache Creek to the Ireland Ranch, 30-miles down the ridge. At Monticello Dam, the BLM acquired, in the late 1980s, from willing sellers, about 2 miles of trail coming up to the ridge from the dam.

This concept is nearing completion, and it is important that Yolo County recognize and support this ‘big vision’ of providing a ridge trail for Yolo County residents and tourists. Supporting the trail puts Yolo County in the position of being able to plan wisely for connections to the trail, alignment issues, as well as necessary signage. Opponents of the trail incorrectly state the trail will go through the private property of unwilling owners. This is not the case. The vast majority of the 38-mile trail

(approximately 35 miles) is on existing public land. The remaining right-of-way will only be acquired through willing participants who may grant an easement or sell land to a public entity for completion of the trail.

CO-14. Policy CO-1.20. Tuleyome strongly supports creation of a new State Park in Yolo County.

CO-14. Policy CO-1.22. Tuleyome encourages the County to increase enforcement against illegal OHV use in other areas of Yolo County and that appropriate environmental mitigation and review are applied to any chosen site. Without increased enforcement against illegal OHV use, an increase of OHV use in the County through creation of a dedicated park could increase illegal riding as well.

CO-15. Action CO-A4. Again, the proposal name is the Berryessa Snow Mountain National Conservation Area.

CO-16. Action CO-A12. We strongly support this Action item. But, we might recommend that a bond measure also address farmers' water needs and habitat.

CO-18. Biological Resources. This background section is generally inadequate in its description of conservation biology. While various habitat types are described the necessary biological processes to ensure the ecological integrity of these habitats and the populations of plants and animals associated with them is lacking. There is no mention of core areas or connectivity corridors and the need to maintain them. An action item to adopt and implement the Yolo Natural Heritage Program is inadequate for this general plan. The YNHP has not been adopted and may never be, and a general plan that relies on the presence of a future plan that is not adopted or an action that never takes place is legally inadequate; until the YNHP is in statute the General Plan must include a self-standing conservation element that meets all General Plan law and CEQA guidelines.

CO- 22. Policies CO-2.1 through CO-2.16: Tuleyome supports policies that encourage protection or restoration of native habitats. These policies will further those goals.

CO- 23. Policies CO-2.17 through CO-2.18: Clustering of developments would be preferable over lack of clustering. However, directing development to existing communities, in addition to clustering, would be preferable.

CO-24. Policy CO-2.29: Tuleyome supports setbacks that protect sensitive habitat and provide for compatible recreation. However, we believe the minimum should be increased. A 100-foot "buffer" allows uses to still be quite close to creek banks and could still impact habitat and animals within the sensitive zones. A larger minimum setback would be preferable and may be necessary in some cases.

CO-27. Action CO-A28. Additional wording or another action item should be added to specifically include a countywide program to reintroduce fall-run anadromous salmonids to Cache Creek. This would include passage or elimination of fish barriers and improvements in habitat. Similarly, another action item or additional wording should be added to include enhancement of shallow-water fish habitat in the Yolo Bypass. The Cache Slough area has perhaps the highest potential to increase fish breeding and survival in the delta region.

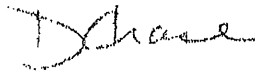
CO-40. Policy CQ-4.13: Native American archaeological and cultural resources are difficult to be mitigated once disturbed. Emphasis should be on avoidance.

CO-54. Policy 5.11. There has been no recent economic analysis or environmental review on completion of Tehama-Colusa Canal. The General Plan should not facilitate or encourage the completion of the canal as a specific project until this review is completed.

Conclusion:

Thank you for the opportunity to comment on the County of Yolo Draft 2030 Countywide General Plan. We look forward to working with you on the EIR review and final General Plan review.

Sincerely,



Debra Chase
Executive Director

Attachments:

- Berryessa Snow Mountain National Conservation Area Executive Summary
- Gateway Economic Report Executive Summary
- Agriculture Cause Related Branding Economic Report Executive Summary
- Declaration for Healthy Food
- Stockton Memorandum of Agreement

Attachment 1: Berryessa Snow Mountain National Conservation Area

Executive Summary

“What really needs protection is the lowlands, which is where extraordinary numbers of species exist, and which do face pressure. The proposed Berryessa Snow Mountain National Conservation Area is exactly the kind of place that needs protection.”

Dr. Glen Holstein,

California Native Plant Society, Sacramento

The public lands of the Berryessa Snow Mountain region stretch from the lowlands of Putah Creek below Lake Berryessa across remote stretches of Cache Creek and up to the peaks of Goat Mountain and Snow Mountain. This vast expanse—nearly 500,000 acres in the wild heart of California’s inner Coast Ranges—provides habitat and critical long-term movement corridors for many species of wildlife; the area also registers a level of plant biodiversity so high as to make it an unusually rich part of the California Floristic Province, which is a biological hotspot on the planet.

Situated north of San Francisco and west of Sacramento, the region includes substantial portions of Lake and Napa counties, as well as portions of Yolo, Colusa, Glenn, and Solano counties. It is managed by a mix of federal, state, and local governmental agencies and encompasses wilderness, recreation lands, wildlife areas, and undeveloped watersheds.

The region’s diversity begins with its geology, a mixture of ancient sea floor and young volcanic rocks that exhibit plate tectonics at work. Putah Creek, Cache Creek, Eel River, and Stony Creek—the principal water sources—provide life to this diverse place. Along with their tributaries, these waterways are the threads of riparian habitat that harbor river otters, native fish, and sensitive amphibians such as the yellow-legged frog. Oak woodlands provide food and shelter to mule deer, black bear, mountain lion, and a vast number of birds. Chaparral clothes the region’s more arid slopes and harbors native pollinators. Remnants of California’s once extensive grasslands, which are being restored here, feed herds of tule elk. Old-growth forests support spotted owl, marten, and fisher. Rare and endemic plants on serpentine soils provide a laboratory of evolution. Over the landscape fly bald and golden eagles, peregrine falcons, and goshawks.

This region is situated close to the University of California, Davis (UC Davis), and has therefore been heavily studied. This research has contributed tremendously to our understanding of nature. The ecological interactions among soil, vegetation, wildlife, and water support the region’s fertile working landscape, which includes ranchlands, vineyards, orchards, managed forests, and (until recently) mines. The water that nourishes the natural environment also supports nearby urban populations and agricultural operations in other areas.

The Berryessa Snow Mountain region is threatened by encroaching development. The Sacramento and San Francisco metropolitan areas are expected to gain millions of new residents within the next ten years, which will fuel the existing development engine to

even higher speeds. As population spreads into the Berryessa Snow Mountain area, roads and development threaten to fragment this grand, unbroken expanse and limit wildlife movement.

With greater population comes increased need for recreation. Already the time and resources of local land managers are stretched thin as they attempt to manage current recreational demands on the region. Expanding need for water puts still more pressure on riparian areas that are already much altered.

At the same time invasive species that accompany human migration are increasingly displacing the rare plants unique to this area and reducing or degrading wildlife habitats. Further compounding the effects of human encroachment are the effects of climate change, to which plants and animals must adjust. For many of them the Berryessa Snow Mountain region is in future likely to be the only available source of refuge and migration routes.

All of the threats create tremendous management challenges. Yet the land is managed by many different entities, ranging from large federal agencies to relatively small nongovernmental organizations. This leads to widely differing goals, practices, and resources. Adequate protection of this unique landscape requires landscape-level management, and this can only happen with cooperation among the land managers.

A National Conservation Area (NCA) designation by the U.S. Congress for the public lands of the Berryessa Snow Mountain region (BSM) will represent acknowledgement of the region's value to the nation. The NCA designation will provide a framework for better coordination in the management of the public lands within the BSM, making it easier for farmers and ranchers to work with adjacent public landowners. National recognition as an NCA will also assist in the development of public and private conservation funding for the protection of the regional landscape, whether publicly or privately owned. Studies have shown that communities near the proposed NCA stand to benefit because the NCA designation provides greater visibility for an area. As a result communities can become more desirable as tourist destinations, attract a more diverse workforce, broaden their economic base, and gain new opportunities for marketing local products, especially agricultural ones, and funding conservation projects.

Private lands are not included in the NCA boundary and are not affected in any way by a nearby NCA designation. Water rights are also not affected. Local and state governments and agencies will retain their decision-making authority.

Lacking any formal recognition or framework, the Berryessa Snow Mountain region has not had the visibility that would allow it to compete with areas like the Santa Rosa and San Jacinto Mountains National Monument, the Santa Monica Mountains, or Lake Tahoe for state and federal resources. The consequences of a National Conservation Area designation include the following:

- A formal name will be given to the specific geographic area in question.
- Congress will acknowledge the local and national importance of the region.
- A Public Advisory Committee will be formed to provide official citizen input.

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□ A coordinated multiagency management plan for the public lands within the region will be developed, allowing for protection of ecological resources on a landscape level and a region-wide management of public recreation use.

Such formal recognition will make it easier to obtain state and federal funds for conservation and environmental stewardship, support ongoing restoration and enhancement projects, and develop a recreation program for the entire region that provides access on public lands while ensuring protection of the area's environmental resources.

Attachment 2: Berryessa Snow Mountain Economic Benefits Report

Executive Summary

The proposed Berryessa Snow Mountain National Conservation Area (BSM NCA) stretches 90 miles along the Inner Coast Range in northern California encompassing 500,000 acres of publicly managed land.

This report looked at the potential economic opportunities that a proposed NCA could offer two adjacent gateway communities—Winters in Yolo County and Clearlake in Lake County. A review of the literature indicates that the most successful gateway communities will have both a current favorable economic foundation on which to build and a strong political will and community support for becoming a gateway community.

The Sonoran Institute has documented the diverse range of economic benefits from an NCA. The report examines some of the economic benefits that previous designations have brought to their gateway communities and evaluates possibilities to the communities near the proposed BSM NCA. Some of the most commonly cited economic benefits associated with tourism and increased in-migration are: economic diversification, property enhancement, lower public services costs (i.e. taxes), and recreation.

Using publically available data from the U.S. Department of Commerce, in addition to personal interviews with key stakeholders, economic trends in both communities were examined. The report looks at the economic indicators of population, educational attainment, income and employment in each community. It also examined changes in tourism shown by changes in Transient Occupancy Tax (TOT) and other tourism-related industries. Finally the report looks to the regional asset indicators of workforce and innovation, lifestyle, and financial capacity to help quantify regional development and growth providing a more complete picture of the economic potential of the regions.

Both counties were found to have the ability to benefit economically from the designation of the proposed BSM NCA through increased off-season tourism, and in-migration of wealthy retirees. While both cities would gain benefits, they probably would not benefit equally.

Winters was found to be poised for prosperity; it has the economic foundation that the NCA can immediately build upon. It has a highly skilled workforce, high levels of education, population growth (but not exponential population growth), high levels of natural and human amenities, and growing levels of tourism-related industries. Although Clearlake a weaker economic foundation, as is apparent in the trends and indicators, it has improved since 1969. The city still has a lot of room for improvement and is not as well set up economically to immediately take advantage of the NCA. However, there is strong political will and the community support to make it happen. Clearlake has more to gain economically, and therefore, is more welcoming to embracing the NCA and potential economic benefits.

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The designation of the proposed NCA would be the first step towards economic prosperity and development in these regions.

Attachment 3: Berryessa Snow Mountain Agriculture Cause Related Branding Economic Benefit Report

Executive Summary

Opportunities for successful marketing of agricultural products will increase for local farmers and ranchers if the Berryessa Snow Mountain region becomes a National Conservation Area (NCA). This paper focuses on agricultural branding opportunities in Yolo and Lake Counties, since the gateway communities of Winters and Clearlake reside within their borders. In order to find out whether the creation of a NCA could create value for regional agriculture, individuals were surveyed at farmers markets in San Francisco, as well as the counties of Yolo and Lake. The average survey participant indicated they would pay a 17% premium for a NCA rib eye steak (see appendix). The data collected in this survey comes as no surprise when viewed in light of the research described below and throughout the paper.

Cause related marketing spending by corporations has been growing in the US an average of 12.5% per year for the past four years (“Cone Millennial,” 2008). The NCA would both draw attention to the geographical region and make a powerful sustainability statement, namely the protection of 500,000 acres of public lands. Agricultural products, if associated with the NCA, would benefit from the increasingly popularity of “local” and “sustainable” labeling in the food industry.

In *Regional Agricultural Marketing: A Review of Programs in California*, published by the University of California in 2006, members of agricultural marketing programs in Northern California are interviewed. Based on these interviews, the study concludes that “point of origin” and “certified sustainability” are the most effective branding concepts for regional agricultural marketing programs (Feenstra, 2006).

There is an increasing focus in Yolo and Lake counties on local food products. The Yolo county Agricultural department’s \$300,000 funding of the project “A Taste of Yolo”, which promotes local foods, has resulted in many citizens feeling that buying regional foods is essential (Evans, interview, July 23, 2008). In Lake County, vineyard acreage has increased an average of 8% for the past 7 years and the chamber of commerce has created wine tour maps to showcase the vineyards.

The organic sector showed the second highest gross value of production of Yolo County’s 8 major commodities in 2007. The organic sector’s success is most likely due to direct marketing as neither unit price increase nor acreage increase accounts for the impressive gross value of production in this sector. It is estimated that 75% of Yolo County direct marketing sales comes from the organic sector (Hardesty, 2005). Direct marketing’s regional success bodes well for NCA branding since it would be most wisely used in conjunction with direct marketing.

In this report three case studies are presented to show how the NCA could potentially benefit agriculturalists: Country Natural Beef, based in Oregon, Yampa Valley Beef, with headquarters in Colorado, and Five Dot Ranch, based closer to the potential NCA region in Standish California.

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These companies demonstrate how sustainability, locale, and land conservation can increase market share and profitability. A Berryessa Snow Mountain National Conservation Area could be used as a marketing tool by agriculturalists in the region to bolster local and sustainability labeling claims.

Attachment 4: Declaration for Healthy Food

We, the undersigned, believe that a healthy food system is necessary to meet the urgent challenges of our time. Behind us stands a half-century of industrial food production, underwritten by cheap fossil fuels, abundant land and water resources, and a drive to maximize the global harvest of cheap calories. Ahead lie rising energy and food costs, a changing climate, declining water supplies, a growing population, and the paradox of widespread hunger and obesity.

These realities call for a radically different approach to food and agriculture. We believe that the food system must be reorganized on a foundation of health: for our communities, for people, for animals, and for the natural world. The quality of food, and not just its quantity, ought to guide our agriculture. The ways we grow, distribute, and prepare food should celebrate our various cultures and our shared humanity, providing not only sustenance, but justice, beauty and pleasure.

Governments have a duty to protect people from malnutrition, unsafe food, and exploitation, and to protect the land and water on which we depend from degradation. Individuals, producers, and organizations have a duty to create regional systems that can provide healthy food for their communities. We all have a duty to respect and honor the laborers of the land without whom we could not survive. The changes we call for here have begun, but the time has come to accelerate the transformation of our food and agriculture and make its benefits available to all.

We believe that the following twelve principles should frame food and agriculture policy, to ensure that it will contribute to the health and wealth of the nation and the world. A healthy food and agriculture policy:

1. Forms the foundation of secure and prosperous societies, healthy communities, and healthy people.
2. Provides access to affordable, nutritious food to everyone.
3. Prevents the exploitation of farmers, workers, and natural resources; the domination of genomes and markets; and the cruel treatment of animals, by any nation, corporation or individual.
4. Upholds the dignity, safety, and quality of life for all who work to feed us.
5. Commits resources to teach children the skills and knowledge essential to food production, preparation, nutrition, and enjoyment.
6. Protects the finite resources of productive soils, fresh water, and biological diversity.
7. Strives to remove fossil fuel from every link in the food chain and replace it with renewable resources and energy.
8. Originates from a biological rather than an industrial framework.

9. Fosters diversity in all its relevant forms: diversity of domestic and wild species; diversity of foods, flavors and traditions; diversity of ownership.
10. Requires a national dialog concerning technologies used in production, and allows regions to adopt their own respective guidelines on such matters.
11. Enforces transparency so that citizens know how their food is produced, where it comes from, and what it contains.
12. Promotes economic structures and supports programs to nurture the development of just and sustainable regional farm and food networks.

Our pursuit of healthy food and agriculture unites us as people and as communities, across geographic boundaries, and social and economic lines. We pledge our votes, our purchases, our creativity, and our energies to this urgent cause.

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Attachment 5: Stockton Memorandum of Agreement



Stockton
Memorandum of Agree

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("Agreement") is entered into by and between the City of Stockton ("City"), Edmund G. Brown Jr., Attorney General of California, on behalf of the People of the State of California ("Attorney General"), and the Sierra Club, and it is dated and effective as of the date that the last Party signs ("Effective Date"). The City, the Attorney General, and the Sierra Club are referred to as the "Parties."

RECITALS

On December 11, 2007, the City approved the 2035 General Plan, Infrastructure Studies Project, Bicycle Master Plan, Final Environmental Impact Report ("EIR"), and Statement of Overriding Considerations. The General Plan provides direction to the City when making land use and public service decisions. All specific plans, subdivisions, public works projects, and zoning decisions must be consistent with the City's General Plan. As adopted in final form, the General Plan includes Policy HS-4.20, which requires the City to "adopt new policies, in the form of a new ordinance, resolution, or other type of policy document, that will require new development to reduce its greenhouse gas emissions to the extent feasible in a manner consistent with state legislative policy as set forth in Assembly Bill (AB) 32 (Health & Saf. Code, § 38500 et seq.) and with specific mitigation strategies developed by the California Air Resources Board (CARB) pursuant to AB 32[.]" The policy lists the following "potential mitigation strategies," among others, for the City to consider:

- (a) Increased density or intensity of land use, as a means of reducing per capita vehicle miles traveled by increasing pedestrian activities, bicycle usage, and public or private transit usage; and
- (b) Increased energy conservation through means such as those described in Appendix F of the State Guidelines for the California Environmental Quality Act.

The 2035 General Plan also includes other Policies and goals calling for infill development, increased transit, smart growth, affordable housing, and downtown revitalization.

In December 2006, in accordance with the requirements of the California Environmental Quality Act ("CEQA"), the City prepared and circulated a Draft EIR. Comments were received on the EIR; the City prepared responses to these comments and certified the EIR in December 2007.

On January 10, 2008, the Sierra Club filed a Petition for Writ of Mandate in San Joaquin County Superior Court (Case No. CV 034405, hereinafter "Sierra Club Action"), alleging that the City had violated CEQA in its approval of the 2035 General Plan. In this case, the Sierra Club asked the Court, among other things, to issue a writ directing the City to vacate its approval of the 2035 General Plan and its certification of the EIR, and to award petitioners' attorney's fees and costs.

The Attorney General also raised concerns about the adequacy of the EIR under CEQA, including but not limited to the EIR's failure to incorporate enforceable measures to mitigate the greenhouse gas ("GHG") emission impacts that would result from the General Plan.

The City contends that the General Plan and EIR adequately address the need for local governments to reduce greenhouse gas ("GHG") emissions in accordance with Assembly Bill 32, and associated issues of climate change.

Because the outcome of the Parties' dispute is uncertain, and to allow the Stockton General Plan to go forward while still addressing the concerns of the Attorney General and the Sierra Club, the Parties have agreed to resolve their dispute by agreement, without the need for judicial resolution.

The parties want to ensure that the General Plan and the City's implementing actions address GHG reduction in a meaningful and constructive manner. The parties recognize that development on the urban fringe of the City must be carefully balanced with accompanying infill development to be consistent with the state mandate of reducing GHG emissions, since unbalanced development will cause increased driving and increased motor vehicle GHG emissions. Therefore, the parties want to promote balanced development, including adequate infill development, downtown vitalization, affordable housing, and public transportation. In addition, the parties want to ensure that development on the urban fringe is as revenue-neutral to the City as to infrastructure development and the provision of services as possible.

In light of all the above considerations, the Parties agree as follows, recognizing that any legislative actions contemplated by the Agreement require public input and, in some instances, environmental review prior to City Council actions, which shall reflect such input and environmental information, pursuant to State law:

AGREEMENT

Climate Action Plan

1. Within 24 months of the signing of this Agreement, and in furtherance of General Plan Policy HS-4.20 and other General Plan policies and goals, the City agrees that its staff shall prepare and submit for City Council adoption, a Climate Action Plan, either as a separate element of the General Plan or as a component of an existing General Plan element. The Climate Action Plan, whose adoption will be subject to normal requirements for compliance with CEQA and other controlling state law, shall include, at least, the measures set forth in paragraphs 3 through 8, below.

2. The City shall establish a volunteer Climate Action Plan advisory committee to assist the staff in its preparation and implementation of the Plan and other policies or documents to be adopted pursuant to this Agreement. This committee shall monitor the City's compliance with this Agreement, help identify funding sources to implement this Agreement, review in a timely manner all draft plans and policy statements developed in accordance with this Agreement (including studies prepared pursuant to Paragraph 9, below), and make recommendations to the Planning Commission and City Council regarding its review. The committee shall be comprised of one representative from each of the following interests: (1) environmental, (2) non-profit community organization, (3) labor, (4) business, and (5) developer. The committee members shall be selected by the City Council within 120 days of the Effective Date, and shall serve a one-year term, with no term limits. Vacancies shall be filled in accordance with applicable City policies. The City shall use its best efforts to facilitate the committee's work using available staff resources.

3. The Climate Action Plan shall include the following measures relating to GHG inventories and GHG reduction strategies:

a. Inventories from all public and private sources in the City:

- (1) Inventory of current GHG emissions as of the Effective Date;
- (2) Estimated inventory of 1990 GHG emissions;
- (3) Estimated inventory of 2020 GHG emissions.

The parties recognize that techniques for estimating the 1990 and 2020 inventories are imperfect; the City agrees to use its best efforts, consistent with methodologies developed by ICLEI and the California Air Resources

Board, to produce the most accurate and reliable inventories it can without disproportionate or unreasonable staff commitments or expenditures.

- b. Specific targets for reductions of the current and projected 2020 GHG emissions inventory from those sources of emissions reasonably attributable to the City's discretionary land use decisions and the City's internal government operations. Targets shall be set in accordance with reduction targets in AB 32, other state laws, or applicable local or regional enactments addressing GHG emissions, and with Air Resources Board regulations and strategies adopted to carry out AB 32, if any, including any local or regional targets for GHG reductions adopted pursuant to AB 32 or other state laws. The City may establish goals beyond 2020, consistent with the laws referenced in this paragraph and based on current science.
 - c. A goal to reduce per capita vehicle miles traveled ("VMT") attributable to activities in Stockton (i.e., not solely due to through trips that neither originate nor end in Stockton) such that the rate of growth of VMT during the General Plan's time frame does not exceed the rate of population growth during that time frame. In addition, the City shall adopt and carry out a method for monitoring VMT growth, and shall report that information to the City Council at least annually. Policies regarding VMT control and monitoring that the City shall consider for adoption in the General Plan are attached to this Agreement in Exhibit A.
 - d. Specific and general tools and strategies to reduce the current and projected 2020 GHG inventories and to meet the Plan's targets for GHG reductions by 2020, including but not limited to the measures set out in paragraphs 4 through 8, below.
4. The City agrees to take the following actions with respect to a green building program:
- a. Within 12 months of the Effective Date, the City staff shall submit for City Council adoption ordinance(s) that require:

(1) All new housing units to obtain Build It Green certification, based on then-current Build It Green standards, or to comply with a green building program that the City after consultation with the Attorney General, determines is of comparable effectiveness;

(2) All new non-residential buildings that exceed 5000 square feet and all new municipal buildings that exceed 5000 square feet to be certified to LEED Silver standards at a minimum, based on the then-current LEED standards, or to comply with a green building program that the City, after consultation with the Attorney General, determines is of comparable effectiveness;

(3) If housing units or non-residential buildings certify to standards other than, but of comparable effectiveness to, Build It Green or LEED Silver, respectively, such housing units or buildings shall demonstrate, using an outside inspector or verifier certified under the California Energy Commission Home Energy Rating System (HERS), or a comparably certified verifier, that they comply with the applicable standards.

(4) The ordinances proposed for adoption pursuant to paragraphs (1) through (3) above may include an appropriate implementation schedule, which, among other things, may provide that LEED Silver requirements (or standards of comparable effectiveness) for non-residential buildings will be implemented first for buildings that exceed 20,000 square feet, and later for non-residential buildings that are less than 20,000 and more than 5,000 square feet.

(5) Nothing in this section shall affect the City's obligation to comply with applicable provisions of state law, including the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations), which, at section 101.7, provides, among other things, that "local government entities retain their discretion to exceed the standards established by [the California Green Building Standards Code]."

- b. Within 18 months of the Effective Date, the City staff shall submit for City Council adoption ordinance(s) that will require the reduction of the GHG emissions of existing housing units on any occasion when a permit to make substantial modifications to an existing housing unit is issued by the City.
- c. The City shall explore the possibility of creating a local assessment district or other financing mechanism to fund voluntary actions by owners of

commercial and residential buildings to undertake energy efficiency measures, install solar rooftop panels, install "cool" (highly reflective) roofs, and take other measures to reduce GHG emissions.

- d. The City shall also explore the possibility of requiring GHG-reducing retrofits on existing sources of GHG emissions as potential mitigation measures in CEQA processes.
- e. From time to time, but at least every five years, the City shall review its green building requirements for residential, municipal and commercial buildings, and update them to ensure that they achieve performance objectives consistent with those achieved by the top (best-performing) 25% of city green building measures in the state.

5. Within 12 months of the Effective Date, the City staff shall submit for City Council adoption a transit program, based upon a transit gap study. The transit gap study shall include measures to support transit services and operations, including any ordinances or general plan amendments needed to implement the transit program. These measures shall include, but not be limited to, the measures set forth in paragraphs 5.b. through 5.d. In addition, the City shall consider for adoption as part of the transit program the policy and implementation measures regarding the development of Bus Rapid Transit ("BRT") that are attached to this Agreement in Exhibit B.

- a. The transit gap study, which may be coordinated with studies conducted by local and regional transportation agencies, shall analyze, among other things, strategies for increasing transit usage in the City, and shall identify funding sources for BRT and other transit, in order to reduce per capita VMT throughout the City. The study shall be commenced within 120 days of the Effective Date.
- b. Any housing or other development projects that are (1) subject to a specific plan or master development plan, as those terms are defined in §§ 16-540 and 16-560 of the Stockton Municipal Code as of the Effective Date (hereafter "SP" or "MDP"), or (2) projects of statewide, regional, or areawide significance, as defined by the CEQA Guidelines (hereafter "projects of significance"), shall be configured, and shall include necessary street design standards, to allow the entire development to be internally accessible by vehicles, transit, bicycles, and pedestrians, and to allow access to adjacent neighborhoods and developments by all such modes of transportation.

- c. Any housing or other development projects that are (1) subject to an SP or MDP, or (2) projects of significance, shall provide financial and/or other support for transit use. The imposition of fees shall be sufficient to cover the development's fair share of the transit system and to fairly contribute to the achievement of the overall VMT goals of the Climate Action Plan, in accordance with the transit gap study and the Mitigation Fee Act (Government Code section 66000, *et seq.*), and taking into account the location and type of development. Additional measures to support transit use may include dedication of land for transit corridors, dedication of land for transit stops, or fees to support commute service to distant employment centers the development is expected to serve, such as the East Bay. Nothing in this Agreement precludes the City and a landowner/applicant from entering in an agreement for additional funding for BRT.
- d. Any housing or other development projects that are (1) subject to an SP or MDP or (2) projects of significance, must be of sufficient density overall to support the feasible operation of transit, such density to be determined by the City in consultation with San Joaquin Regional Transit District officials.

6. To ensure that the City's development does not undermine the policies that support infill and downtown development, within 12 months of the Effective Date, the City staff shall submit for City Council adoption policies or programs in its General Plan that:

- a. Require at least 4400 units of Stockton's new housing growth to be located in Greater Downtown Stockton (defined as land generally bordered by Harding Way, Charter Way (MLK), Pershing Avenue, and Wilson Way), with the goal of approving 3,000 of these units by 2020.
- b. Require at least an additional 14,000 of Stockton's new housing units to be located within the City limits as they exist on the Effective Date ("existing City limits").
- c. Provide incentives to promote infill development in Greater Downtown Stockton, including but not limited to the following for proposed infill developments: reduced impact fees, including any fees referenced in paragraph 7 below; lower permit fees; less restrictive height limits; less restrictive setback requirements; less restrictive parking requirements; subsidies; and a streamlined permitting process.

- d. Provide incentives for infill development within the existing City limits but outside Greater Downtown Stockton and excluding projects of significance. These incentives may be less aggressive than those referenced in paragraph 6.c., above.

7. Within 12 months of the Effective Date, the City staff shall submit for City Council adoption amendments to the General Plan to ensure that development at the City's outskirts, particularly residential, village or mixed use development, does not grow in a manner that is out of balance with development of infill. These proposed amendments shall include, but not be limited to, measures limiting the granting of entitlements for development projects outside the existing City limits and which are (1) subject to an SP or MDP, or (2) projects of significance, until certain criteria are met. These criteria shall include, at a minimum:

- a. Minimum levels of transportation efficiency, transit availability (including BRT) and Level of Service, as defined by the San Joaquin Council of Government regulations, City service capacity, water availability, and other urban services performance measures;
- b. Firm, effective milestones that will assure that specified levels of infill development, jobs-housing balance goals, and GHG and VMT reduction goals, once established, are met before new entitlements can be granted;
- c. Impact fees on new development, or alternative financing mechanisms identified in a project's Fiscal Impact Analysis and/or Public Facilities Financing Plan, that will ensure that the levels and milestones referenced in paragraphs 7.a. and 7.b., above, are met. Any such fees:
 - (1) shall be structured, in accordance with controlling law, to ensure that all development outside the infill areas within existing City limits is revenue-neutral to the City (which may necessitate higher fees for development outside this area, depending upon the costs of extending infrastructure);
 - (2) may be in addition to mitigation measures required under CEQA;
 - (3) shall be based upon a Fiscal Impact Analysis and a Public Facilities Financing Plan.
- d. The City shall explore the feasibility of enhancing the financial viability of infill development in Greater Downtown Stockton, through the use of such mechanisms as an infill mitigation bank.

8. The City shall regularly monitor the above strategies and measures to ensure that they are effectively reducing GHG emissions. In addition to the City staff reporting on VMT annually, as provided in paragraph 3.c., the City staff or the advisory committee shall report annually to the City Council on the City's progress in implementing the strategies and measures of this Agreement. If it appears that the strategies and measures will not result in the City meeting its GHG reduction targets, the City shall, in consultation with the Attorney General and Sierra Club, make appropriate modifications and, if necessary, adopt additional measures to meet its targets.

Early Climate Protection Actions

9. To more fully carry out those provisions of the General Plan, including the policy commitments embodied in those General Plan Policies, such as General Plan Policy HS-4.20, intended to reduce greenhouse gas emissions through reducing commuting distances, supporting transit, increasing the use of alternative vehicle fuels, increasing efficient use of energy, and minimizing air pollution, and to avoid compromising the effectiveness of the measures in Paragraphs 4 through 8, above, until such time as the City formally adopts the Climate Action Plan, before granting approvals for development projects (1) subject to an SP or MDP, or (2) considered projects of significance, and any corresponding development agreements, the City shall take the steps set forth in subsections (a) through (d) below:

(a) City staff shall:

- (1) formulate proposed measures necessary for the project to meet any applicable GHG reduction targets;
- (2) assess the project's VMT and formulate proposed measures that would reduce the project's VMT;
- (3) assess the transit, especially BRT, needs of the project and identify the project's proposed fair share of the cost of meeting such needs;
- (4) assess whether project densities support transit, and, if not, identify proposed increases in project density that would support transit service, including BRT service;

- (5) assess the project's estimated energy consumption, and identify proposed measures to ensure that the project conserves energy and uses energy efficiently;
- (6) formulate proposed measures to ensure that the project is consistent with a balance of growth between land within Greater Downtown Stockton and existing City limits, and land outside the existing City limits;
- (7) formulate proposed measures to ensure that City services and infrastructure are in place or will be in place prior to the issuance of new entitlements for the project or will be available at the time of development; and
- (8) formulate proposed measures to ensure that the project is configured to allow the entire development to be internally accessible by all modes of transportation.
- (b) The City Council shall review and consider the studies and recommendations of City staff required by paragraph 9(a) and conduct at least one public hearing thereon prior to approval of the proposed project (though this hearing may be folded into the hearing on the merits of the project itself).
- (c) The City Council shall consider the feasibility of imposing conditions of approval, including mitigation measures pursuant to CEQA, based on the studies and recommendations of City staff prepared pursuant to paragraph 9(a) for each covered development project.
- (d) The City Council shall consider including in any development approvals, or development agreements, that the City grants or enters into during the time the City is developing the Climate Action Plan, a requirement that all such approvals and development agreements shall be subject to ordinances and enactments adopted after the effective date of any approvals of such projects or corresponding development agreements, where such ordinances and enactments are part of the Climate Action Plan.
- (e) The City shall complete the process described in paragraphs (a) through (d) (hereinafter, "Climate Impact Study Process") prior to the first discretionary approval for a development project. Notwithstanding the foregoing, however, for projects for which a draft environmental impact report has circulated as of the Effective Date, the applicant may request that the City

either (i) conduct the Climate Impact Study Process or (ii) complete its consideration of the Climate Action Plan prior to the adoption of the final discretionary approval leading to the project's first phase of construction. In such cases, the applicant making the request shall agree that nothing in the discretionary approvals issued prior to the final discretionary approval (i) precludes the City from imposing on the project conditions of approvals or other measures that may result from the Climate Impact Study Process, or (ii) insulates the project from a decision, if any, by the City to apply any ordinances and/ or enactments that may comprise the Climate Action Plan ultimately adopted by the City.

Attorney General Commitments

10. The Attorney General enters into this Agreement in his independent capacity and not on behalf of any other state agency, commission, or board. In return for the above commitments made by the City, the Attorney General agrees:

- a. To refrain from initiating, joining, or filing any brief in any legal challenge to the General Plan adopted on December 11, 2007;
- b. To consult with the City and attempt in good faith to reach an agreement as to any future development project whose CEQA compliance the Attorney General considers inadequate. In making this commitment, the Attorney General does not surrender his right and duties under the California Constitution and the Government Code to enforce CEQA as to any proposed development project, nor his duty to represent any state agency as to any project;
- c. To make a good faith effort to assist the City in obtaining funding for the development of the Climate Action Plan.

Sierra Club Commitments

11. The Sierra Club agrees to dismiss the Sierra Club Action with prejudice within ten (10) days of the Effective Date. Notwithstanding the foregoing agreement to dismiss the Sierra Club Action, the City and Sierra Club agree that, in the event the City should use the EIR for the 2035 General Plan in connection with any other project approval, the Sierra Club has not waived its right (a) to comment upon the adequacy of that EIR, or (b)

to file any action challenging the City's approval of any other project based on its use and/or certification of the EIR.

General Terms and Conditions

12. This Agreement represents the entire agreement of the Parties, and supercedes any prior written or oral representations or agreements of the Parties relating to the subject matter of this Agreement.

13. No modification of this Agreement will be effective unless it is set forth in writing and signed by an authorized representative of each Party.

14. Each Party warrants that it has the authority to execute this Agreement. Each Party warrants that it has given all necessary notices and has obtained all necessary consents to permit it to enter into and execute this Agreement.

15. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

16. This Agreement may be executed in counterparts, each of which shall be deemed an original. This Agreement will be binding upon the receipt of original, facsimile, or electronically communicated signatures.

17. This Agreement has been jointly drafted, and the general rule that it be construed against the drafting party is not applicable.

18. If a court should find any term, covenant, or condition of this Agreement to be invalid or unenforceable, the remainder of the Agreement shall remain in full force and effect.

19. The City agrees to indemnify and defend the Sierra Club, its officers and agents (collectively, "Club") from any claim, action or proceeding ("Proceeding") brought against the Club, whether as defendant/respondent, real party in interest, or in any other capacity, to challenge or set aside this Agreement. This indemnification shall include (a) any damages, fees, or costs awarded against the Club, and (b) any costs of suit, attorneys' fees or expenses incurred in connection with the Proceeding, whether incurred by the Club, the City or the parties bringing such Proceeding. If the Proceeding is brought against both the Club and the City, the Club agrees that it may be defended by counsel for the City, provided that the City selects counsel that is acceptable to the Club; the Club may not unreasonably withhold its approval of such mutual defense counsel.

20. The City shall pay Sierra Club's attorney's fees and costs in the amount of \$157,000 to the law firm of Shute, Mihaly & Weinberger LLP as follows: \$50,000 within 15 days of dismissal of the Sierra Club Action, and (b) the balance on or before January 30, 2009.

21. Any notice given under this Agreement shall be in writing and shall be delivered as follows with notice deemed given as indicated: (a) by personal delivery when delivered personally; (b) by overnight courier upon written verification of receipt; or (c) by certified or registered mail, return receipt requested, upon verification of receipt. Notice shall be sent as set forth below, or as either party may specify in writing:

City of Stockton:
Richard E. Nosky, City Attorney
425 N. El Dorado Street, 2nd Floor
Stockton, CA 95202

Attorney General's Office
Lisa Trankley
Susan Durbin
Deputy Attorneys General
1300 I Street, P.O. Box 944255
Sacramento, CA 94255-2550

Sierra Club:
Aaron Isherwood
Environmental Law Program
85 Second Street, 2nd Floor
San Francisco, CA 94105

Rachel Hooper
Amy Bricker
Shute, Mihaly & Weinberger
396 Hayes Street
San Francisco, CA 94102

22. Nothing in this Agreement shall be construed as requiring the City to relinquish or delegate its land use authority or police power.

(SIGNATURES ON FOLLOWING PAGE)

In witness whereof, this Agreement is executed by the following:

PEOPLE OF THE STATE OF CALIFORNIA
BY AND THROUGH ATTORNEY GENERAL
EDMUND G. BROWN JR.

Lisa Frankley

DATED: 10/14/08

ATTEST:

[Signature]
KATHERINE GONG MEISNER
City Clerk of the City of Stockton



CITY OF STOCKTON,
a municipal corporation

[Signature]
J. GORDON PALMER, JR.
City Manager

APPROVED AS TO FORM:

[Signature]
RICHARD E. NOSKY, JR.
City Attorney

DATED 9/25/08

DATED 9-9-08

THE SIERRA CLUB

BARBARA WILLIAMS, CHAIR
MOTHER LODE CHAPTER

DATED _____

In witness whereof, this Agreement is executed by the following:

PEOPLE OF THE STATE OF CALIFORNIA
BY AND THROUGH ATTORNEY GENERAL
EDMUND G. BROWN JR.

DATED: _____

ATTEST:

CITY OF STOCKTON,
a municipal corporation

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton

J. GORDON PALMER, JR.
City Manager

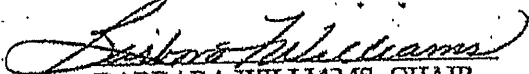
APPROVED AS TO FORM:

DATED _____

RICHARD E. NOSKY, JR.
City Attorney

DATED _____

THE SIERRA CLUB


BARBARA WILLIAMS, CHAIR
MOTHER LODGE CHAPTER

DATED 10/11/08

EXHIBIT A

Policy Re: VMT Monitoring Program

The City's policy is to monitor key City-maintained roadways to estimate Vehicle Miles Traveled (VMT) by single-occupant automobile per capita on an annual basis, to be submitted as an annual report to the City Council. The estimate of citywide VMT should be developed in cooperation with the San Joaquin Council of Governments ("SJCOG"), by augmenting local City data with VMT estimates from SJCOG and Caltrans for the regional Congestion Management Plan network. The estimated change in annual VMT should be used to measure the effectiveness of jobs/housing balance, greenhouse gas emission reduction, and transit plans and programs.

Implementation Program

In order to develop an annual estimate of citywide VMT, the City should augment local City data with VMT estimates from SJCOG and Caltrans for regional facilities, or adopt other methodologies to estimate citywide VMT that are approved in concept by the two agencies. For purposes of calculating annual changes in VMT, the annual estimate of VMT should subtract out the estimates of regional truck and other through traffic on the major freeways (I-5, SR 4, SR 99).

Policy Re: Reduce Growth in VMT

The City's policy is to achieve the following fundamental goals to regulate vehicle emissions and reduce greenhouse gas emissions, improve jobs/housing balance, and increase transit usage over the duration of this General Plan: Reduce the projected increase in VMT by single-occupant automobile per capita to an annual rate over the planning period that is equal to or less than the population increase (this goal is also required for the City to receive funding through the Measure K/Congestion Management Plan program).

Implementation Program

In order to keep annual increases in VMT to a rate equal to or less than population increases, the following trip reduction programs should be considered by the City: increased transit service (Bus Rapid Transit) funded through new development fees; planning all future housing development to be in the closest possible proximity to existing and planned employment centers; provision of affordable housing; creation of higher density, mixed use and walkable communities and development of bicycle and pedestrian trails; and other proven programs.

Implementation Program

If the City goal of reducing the projected increase in VMT to an amount equal to or less than the population increase, and increase transit usage, is not met for two or more years during each five-year cycle of VMT monitoring, the City should consider adoption of the following programs, among others:

Adopt more vigorous economic development programs with funding for staff; and
Slow the rate of approvals of building permits for housing developments.

EXHIBIT B

Policy Re: Bus Rapid Transit

The City's policy is to vigorously support efforts to develop Bus Rapid Transit (BRT) within and beyond Stockton as a major priority of its General Plan, in order to increase overall transit usage over time. Based on an updated transit study, the City should plan for and provide BRT service running along key north-south routes as a first priority: Pacific Avenue; El Dorado Street; West Lane/Airport Way; Pershing Avenue. BRT service along key east-west corridors should also be provided. Transit use goals should be approved and monitored by the City over the planning period.

Implementation Program

In order to fund the initial capital and operating costs for BRT along major north-south arterials, the City should consider adoption of a comprehensive new development BRT fee program that requires new growth to significantly fund BRT, following a study consistent with the requirements of State law. The new development BRT fee program should ensure that "greenfield" projects approved at the fringe of the City pay a fee that represents the full cost of providing BRT service to the new housing; infill development may be granted a reduced BRT fee based on the reduced distance of service provided to the inner city areas.

Implementation Program

In order to augment the new development funding of the initial capital and operating costs for BRT, the City should strongly advocate for Measure K funding and should seriously consider placing an initiative on the ballot to receive voter approval for additional funding from existing residents and businesses.

Implementation Program

The City should establish transit use goals that set specific targets (e.g., transit mode split percentage of total trips and bus headways) that represent an increase in public transportation ridership and level of service over current levels by 2012 and then another increase by 2018.

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CITY OF STOCKTON

OFFICE OF THE CITY MANAGER

City Hall • 425 N. El Dorado Street • Stockton, CA 95202-1997 • 209/937-8212 • Fax 209/937-7149
www.stocktongov.com

October 7, 2008

Alliance for Responsible Planning
6507 Pacific Avenue
Box 339
Stockton, CA 95207

SETTLEMENT AGREEMENT WITH ATTORNEY GENERAL AND SIERRA CLUB

As you are aware, on September 9, 2008, the City of Stockton approved a Memorandum of Agreement with the Sierra Club and the California Attorney General's Office resolving litigation over the City's 2035 General Plan. The Alliance for Responsible Planning and other interested parties have raised questions about the parties' interpretation of the Agreement and the public process that the City plans to follow in carrying out the Agreement. To help answer these questions, below we clarify our interpretation of the Agreement and also elaborate on the public process that the City will follow in implementing the provisions of the Agreement. We understand that the other parties to the Agreement concur in these views. Note that many of the statements below reiterate points that were made in the City's Resolution adopted in connection with its approval of the Agreement and in statements made by the parties during the August 26, 2008, and September 9, 2008, City Council hearings about the Agreement:

1. The parties understand and acknowledge the importance of public involvement in the process of developing the General Plan, and encourage the continued significant involvement of the public in the development of greenhouse gas reduction policies. The City intends to provide for public involvement in the development of the programs, policies, General Plan amendments and ordinances proposed by the Agreement. The City also will provide reasonable notification to the public of all Advisory Committee, Planning Commission and City Council meetings involving consideration of the issues provided for by the Agreement. It is the City's expectation to expand the composition of the Climate Action Advisory Committee to include a total of two representatives from each of the following interests: (1) environmental, (2) non-profit community organization, (3) labor, (4) business, and (5)

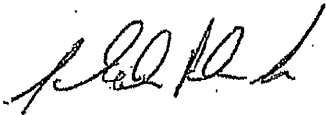


developer. The City will fully comply with CEQA in connection with the development of the programs, policies, General Plan amendments and ordinances proposed by the Agreement.

2. The parties understand and acknowledge that the public review process and compliance with CEQA may require additional time beyond designated time periods to ensure the full involvement of the public in the consideration of the Climate Action Plan, green building program and transit study and to ensure full compliance with CEQA.
3. The parties understand and acknowledge that the adoption of the programs, policies, General Plan amendments and ordinances proposed by the Agreement are discretionary legislative acts and the City is not required by the terms of the Agreement to adopt any particular program, policy, General Plan amendment or ordinance. In addition, nothing in the Agreement shall limit or restrict the right of the City to modify, alter, or rescind any particular program, policy, General Plan amendment or ordinance following the adoption of such program, policy, General Plan amendment or ordinance. Although the Agreement requires City staff to present to the City Council certain programs, policies, General Plan Amendments and ordinances for its consideration, nothing in the Agreement limits or restricts City staff from providing to the City Council additional, alternative recommendations for such programs, policies, General Plan amendments and ordinances based on staff professional judgment, public input and CEQA review.
4. The parties understand and acknowledge that if there is an instance in which the terms of the written Agreement are unclear, the Resolution adopted by the City Council on September 9, 2008, and the statements made by the Attorney General's office, the Sierra Club and our City Attorney and the City's outside counsel at the August 26 and September 9, 2008, City Council hearings provide a legislative history pursuant to which the Agreement should be interpreted.
5. The parties understand and acknowledge that:
 - (i) upon consideration of a Climate Action Plan (CAP) by the Council, the City's obligations under Agreement paragraphs 3 through 7 will be discharged,
 - (ii) upon adoption of a CAP, the City's obligations under Agreement paragraph 9 will be discharged, and
 - (iii) upon inclusion of a program in the CAP to regularly monitor and, if appropriate, modify the City's strategies and measures to meet the Greenhouse Gas reduction targets that may be adopted in the

Alliance for Responsible Planning
October 7, 2008
Page 3 of 3

CAP, the City's obligations under paragraph 8 will be discharged. Nothing in this paragraph 5 is intended to contradict our clarification in paragraph 3, above, that the City retains full legislative discretion with respect to any policies, programs and ordinance it may adopt as part of a CAP.



J. GORDON PALMER, JR.
CITY MANAGER

JGP:REN:cn

cc: Edward J. Chavez
Richard E. Nosky, Jr.
George Mihisten (Via e-mail)
Cliff Rechtschaffen (Via e-mail)
Rachel Hooper (Via e-mail)

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 CLAY STREET
P.O. BOX 70550
OAKLAND, CA 94612-0550
Public: 510-622-2260
Telephone: 510-622-2260
Facsimile: 510-622-2270
E-Mail: Cliff.Rechtschaffen@doj.ca.gov

October 7, 2008

Alliance for Responsible Planning
6507 Pacific Avenue
Box 339
Stockton, CA 95207

RE: Stockton General Plan Settlement
Clarification Letters

Dear Alliance Members:

The Attorney General's Office has read the letter from Stockton City Manager Gordon Palmer to the Alliance for Responsible Planning (copy attached). We concur in the City's interpretation and understanding of the Memorandum of Agreement as set forth in the letter.

If you have questions, please contact the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "Cliff Rechtschaffen".

CLIFF RECHTSCHAFFEN
Special Assistant Attorney General

For EDMUND G. BROWN JR.
Attorney General

SHUTE, MIHALY & WEINBERGER LLP
ATTORNEYS AT LAW

E. CLEMENT SHUTE, JR.*
MARK I. WEINBERGER (1948-2008)
FRAN M. LAYTON
RACHEL B. HOOPER
ELLEN J. GARBER
TAMARA S. GALANTER
ANDREW W. SCHWARTZ
ELLISON FOLK
RICHARD S. TAYLOR
WILLIAM J. WHITE
ROBERT S. PERLMUTTER
OSBA L. WOLFF
MATTHEW D. ZINN
CATHERINE C. ENGBERG
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AMANDA R. GARCIA
JEANNETTE M. MACMILLAN
ISAAC N. BOWERS
HEATHER M. MINNER
ERIN B. CHALMERS

LAUREL L. IMPETT, AICP
CARMEN J. BORG, AICP
URBAN PLANNERS

October 7, 2008

Via U.S. Mail

Alliance for Responsible Planning
6507 Pacific Avenue
Box 339
Stockton, CA 95207

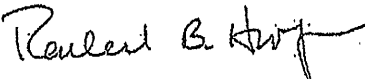
Re: Stockton General Plan Settlement
Clarification Letters

Dear Alliance:

On behalf of the Sierra Club, we have read the letter from Stockton City Manager Gordon Palmer to the Alliance for Responsible Planning (copy attached). The Sierra Club concurs in the City's interpretation and understanding of the Memorandum of Agreement as set forth in the letter.

SHUTE, MIHALY, & WEINBERGER LLP

Yours very truly,


Rachel B. Hooper

Enclosure
\\Smw\vol1_data\SIERRA\GPLIT\Sierra Club letter of concurrence.doc

Alliance for Responsible Planning

8507 Pacific Avenue
Box 338
Stockton, CA 95207

October 7, 2008

Honorable Mayor Ed Chavez and City Councilmembers
425 N. El Dorado St, 2nd Floor
Stockton, CA 95202

Honorable Mayor and Councilmembers:

We are pleased to receive a copy of a letter from Gordon Palmer, City Manager, outlining a series of clarifications regarding the Memorandum of Agreement entered into by the City with the Attorney General and the Sierra Club. The letter from Mr. Palmer sets forth important clarifications to the Agreement which have been concurred in by the Attorney General and the Sierra Club.

These clarifications provide clear assurances to the Alliance and the public as to a number of critical issues that have been of concern to the Alliance. In particular, the letter makes very clear the importance of significant public involvement in the consideration of a Climate Action Plan. We strongly support the possible expansion of the number of members of the proposed Advisory Committee and look forward to participating in that process.

In addition, the Alliance agrees that alternative recommendations can be presented to the City Council based on public input and the California Environmental Quality Act. This helps to ensure the credibility of the public process. Lastly, the letter underscores the clear understanding of the parties to the Agreement that the adoption of a Climate Action Plan is in the legislative discretion of the City.

In light of the discussions undertaken in good faith among the parties and the Alliance, the statements made in Mr. Palmer's letter, and the concurrence of the Attorney General and the Sierra Club to the letter from the City Manager, we have decided to withdraw our effort to seek a referendum of the Agreement pursuant to the authorization contained in Section 9604 of the Elections Code. These statements by the City and the other parties address the core issues we have heard from the community. In accordance with section 9604, we will provide written notice to the City Clerk of the withdrawal of the referendum. In addition, we will not be pursuing a legal challenge to the adoption of the Agreement by the City nor will we promote or fund any individuals or entities challenging the adoption of the Agreement or promoting a referendum of the Agreement. We, of course, reserve our rights to challenge the implementation of the Agreement.

We are proud of the 25,000 Stocktonians who participated in this process. We thank the City Manager, the City Attorney, the Attorney General and the Sierra Club for providing these clarifications. It is sincerely appreciated...

We look forward to working with the City and the community in undertaking development of a Climate Action Plan. In addition, the Alliance looks forward to continuing to work with the community and the City on other issues affecting the City's future.

Sincerely,



Gary Podesta



A.G. Spanos Companies

October 7, 2008

Honorable Mayor Ed Chavez and Councilmembers
425 N. El Dorado St., 2nd Floor
Stockton, CA 95202

Honorable Mayor and Councilmembers:

We have had a chance to review the letter from the City Manager dated October 7, 2008 and letters from the Attorney General and the Sierra Club. These letters provide a number of critical clarifications with respect to the Memorandum of Agreement approved by the City on September 9, 2008.

In particular:

- o All parties have recognized the need for significant community involvement in the consideration of a Climate Action Plan. The A.G. Spanos Companies strongly supports the City's stated expectation to expand the number of members of the proposed Advisory Committee, and we look forward to participating in that process.
- o Second, all parties have it clear that alternative recommendations can be presented to the City Council based on public input and the California Environmental Quality Act. This helps to ensure the credibility of the public process.
- o Finally, all parties to the Agreement acknowledge that the adoption of a Climate Action Plan is in the legislative discretion of the City.

In light of these statements by Mr. Palmer and the concurrence of the other parties regarding a significant public process and assurances regarding the independent discretion of the City in developing and considering a Climate Action Plan, we will not be pursuing a legal challenge to the adoption of the Agreement by the City and will not fund or support any efforts by any other individuals or entities to file a legal challenge to the adoption of the Agreement or to seek a referendum with regard to the adoption of the Agreement. We, of course, reserve our rights to challenge the implementation of the Agreement.

We look forward to working with the community and the City in developing a Climate Action Plan. We are prepared to work with the City and the Alliance to develop a comprehensive public outreach program to ensure the community's significant involvement in the process.

Sincerely,

David Nelson
A.G. Spanos Companies

Law Offices of
GEORGE E. PHILLIPS

2306 Garfield Avenue
Carmichael, California 95608
Telephone (916) 979-4800
Telefax (916) 979-4801

November 20, 2008

Via Fax and U.S. Mail

David Morrison, Assistant Director
Yolo County Planning and Public Works Department
292 W. Beamer Street
Woodland, CA 95695

Re: Notice of Preparation - Draft Yolo County General Plan

Dear Mr. Morrison

On behalf of Conaway Ranch, we offer the comments set forth below on the Notice of Preparation (NOP) for the draft Yolo County General Plan.

Objectives 8.5

Prior to calling for a countywide water authority to address water conservation, flood control, water conveyance and water exports, the draft EIR should analyze the existing agencies, service providers, stakeholders and collaborative efforts that are actively involved in addressing the issues identified in this objective and the ability of these agencies, groups and efforts in effectively protecting the interests of the County relative to these issues. The draft General Plan and the draft EIR and its proposed mitigation measures should be evaluated in light of the existing policies of other local public agencies and avoid unnecessary duplication of effort and authority.

Land Use

Policy LU-2.3: The Conaway Ranch, likely similar to other farms in the County, have existing or evidence of past structures that have been used for residential purposes and may be located on parcels of less than 20 acres. The draft EIR should evaluate the potential environmental effects resulting from any prohibition against updating and utilizing such structures for residential purposes and the increase in pressures to allow new subdivision of agricultural lands for residential purposes. The extent to which underutilized or antiquated housing stock can be improved to provide housing for farming families and employees, it should be encouraged by the General Plan as a beneficial effect to the provision of housing in the County and an efficient use of the County's existing assets.

Solid Waste and Recycling

Action PF-A62: The draft EIR should analyze impacts to existing farming operations and agricultural production resulting from attempts of the landfill to control agricultural crops grown lands surrounding the County's landfill. The responsibility of insuring land use compatibility between the landfill and its surrounding landowners is the responsibility of the landfill. The draft EIR should analyze the status and effectiveness of implementation by the landfill of its existing mitigation obligations prior to imposing restrictions on adjacent land uses. To the extent that there are existing mitigation measures that inadequately protect surrounding landowners from impacts of the landfill, this fact should be disclosed. Additionally, proposed General Plan policies should require the landfill to take whatever corrective are necessary to operate so as not to limit the agriculture or agricultural related uses on surrounding properties. To do otherwise, is inconsistent with General Plan Objective 7.7 and the protection of agriculture in the County.

Agricultural and Economic Development

Action AG-A11: Greater detail should be provided on what exactly a "special area plan to govern land use management" in the Yolo Bypass would entail. With a more detailed description of the plan, the draft EIR should analyze the consistency of such a plan with other federal, state, regional and local regulatory structures controlling land use in the bypass.

Conservation and Open Space

Action CO-A92: The draft EIR should disclose existing ongoing efforts within the County by other agencies, organizations and stakeholders to address water conservation, flood control, water conveyance and water exports. The document should evaluate the consistency of the stated General Plan policy with those ongoing efforts.

Health and Safety

Action HS-A14: The draft EIR should analyze the technical justification for prohibiting any new water wells within 500 feet of the toe of any flood control levee. Such a prohibition may have a significant impact on effective farming irrigation practices.

Action HS-A35: Similar to comment on Action CO-A92 above, the draft EIR should disclose existing ongoing efforts within the County by other agencies, organizations and stakeholders to address flood control and protection. The document should evaluate the consistency of the stated General Plan policy with those ongoing efforts.

David Morrison, Assistant Director
November 20, 2008
Page -3-

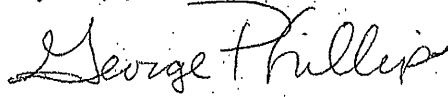
The County, in concert with other such agencies, organizations and stakeholders, should together take an aggressive stance toward flood protection in the County and how such protection is affected by other State and/or regional agencies, e.g., the Sacramento Area Flood Control Agency (SAFCA). Specifically, the draft EIR should analyze the impact of SAFCA's Natomas Levee Improvement Plan (NLIP) and its impacts on and consistency with the draft General Plan. Policies addressing the establishment of flood standards equivalent to acceptable levels of service should be incorporated into the General Plan to provide guidance to the County and other Yolo County agencies, organizations and stakeholders in evaluating the potential environmental impacts to Yolo County residents of flood control projects proposed by others.

Please provide notice of all future matters relating to the County's General Plan, including but not limited to the availability of related documents and of upcoming hearings, to the undersigned and those individuals listed below.

Conaway Preservation Group
45332 County Road 25
Woodland, CA 95776
Attn: Tovey Giezentanner, President
Regina Cherovsky, Operations Manager

Thank you for the opportunity to comment.

Very truly yours,



George E. Phillips (JB)

cc: Tovey Giezentanner
Regina Cherovsky

**CEQA Notice of Preparation Scoping Meeting (October 29, 2008)
Summary Minutes**

Attendees: Tribal representative; Property owner (I-505 and CR 14); Caltrans representative.

Summary: Welcome and introductions. Overview, schedule, process, key dates. Purpose of meeting. Overview of CEQA process. Summary of planned scope of EIR.

No one in attendance wished to make comments. The Caltrans representative indicated that their agency will submit written comments. They want the General Plan EIR to analyze the re-entry facility.

There was a discussion of the market demand alternative and how market demand was determined. Staff referenced the Bay Area Economics analysis provided on-line. The approach involved analyzing the average growth rate for both the constrained and unconstrained scenarios.

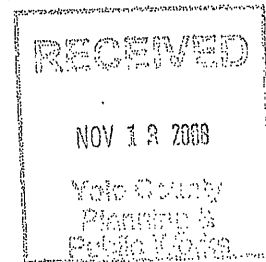
Is the General Plan consistent with Blueprint? Yes, it is consistent with the Blueprint principles and SACOG staff has indicated they concur.

Caltrans will comment that the County should implement a regional traffic development impact fee to fund freeway improvements.



November 10, 2008

David Morrison
Assistant Director
Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695



Subject: Notice of Preparation for the Draft Environmental Impact Report for the Yolo County 2030 Countywide General Plan

Dear Mr. Morrison,

The Yolo Solano Air Quality Management District (District) has received the Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) for the Yolo County 2030 Countywide General Plan. The District has several comments regarding this NOP.

1. When preparing the air quality analysis for the future environmental document, the Lead Agency should refer to the District's California Environmental Quality Act (CEQA) Handbook, entitled *Handbook for Assessing and Mitigating Air Quality Impacts*, which can be found on the District's website (<http://www.vsagmd.org>). This Handbook provides detailed instructions concerning the preparation of air quality analyses in environmental documents. Referring to this Handbook will result in an analysis that adequately addresses most of the District's areas of concern.
2. According to the State's CEQA Guidelines, Section 15125, a proposed project must be consistent with regional plans, including regional air quality attainment plans. The DEIR for the Yolo County General Plan should discuss whether the General Plan is consistent with the goals of the most recent regional air quality attainment plan (AQAP). Because the attainment plan incorporates motor vehicle emission budgets based on projected growth from cities and counties, the DEIR should examine whether the General Plan will result in growth that will cause motor vehicle emissions budgets to be exceeded. Since the AQAP will project motor vehicle emissions budgets under the assumption that future growth will be in accordance with the Metropolitan Transportation Plan ("Blueprint") developed by the Sacramento Area Council of Governments (SACOG), the General Plan should encourage the incorporation of Blueprint concepts into future growth and development.
3. The DEIR for the County's General Plan can set guidelines for future projects that will be built as a result of the General Plan. With this in mind, the District requests that the General Plan recommend that all Best Management Practices be implemented during construction of future projects in the County, and that future projects abide by all applicable air district rules and regulations.
4. Recently, the State Attorney General has provided comments on several environmental documents prepared for projects in California that question the lack of discussion pertaining to climate change. With the passage of Assembly Bill 32 (AB32), an increasing amount of attention is being paid to the climate change issue. As described in the NOP, the District encourages including a discussion in the future environmental document of the proposed General Plan's impact on the ability of the State to achieve the goals of AB32. It may be helpful to point out any components of the General Plan that are consistent with the recently adopted SACOG Blueprint.

Mr. Morrison
October 21, 2008

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In conclusion, YSAQMD appreciates receiving the NOP for the General Plan update and the opportunity to discuss the recommendations presented in this letter. If you require additional information, please contact Tiffany Lathrop at (530) 757-3677.

Sincerely,



Matt Jones
Senior Air Quality Planner