



COUNTY OF PLACER
Community Development Resource Agency

John Marin, Agency Director

**ENVIRONMENTAL
COORDINATION
SERVICES**

Gina Langford, Coordinator

MEMORANDUM

TO: Honorable Board of Supervisors
FROM: Gina Langford^{HL} Environmental Coordinator
DATE: June 12, 2007
SUBJECT: Amendment to Chapter 18 (Environmental Review) of the Placer County Code

ACTION REQUESTED:

The Placer County Community Development Resource Agency Environmental Coordination Services respectfully requests that the Board of Supervisors approve an ordinance amending Chapter 18 (Environmental Review) of the Placer County Code to remove Appendix A: *Impacts Which are Normally Considered Significant*, to be consistent with the California Environmental Quality Act (CEQA) Guidelines.

BACKGROUND:

Chapter 18 (Environmental Review) of the Placer County Code contains Appendix A: *Impacts Which Are Normally Considered Significant*, based on information that was once included in the CEQA Guidelines (Exhibit A). The purpose of this Appendix was to help staff determine when an impact on the environment was significant, but in practice the Appendix is vague and does not provide staff with meaningful direction.

In 2004, the State of California eliminated this Appendix from the CEQA Guidelines. However, Chapter 18 of the County Code was not modified to reflect this action which has resulted in confusion over the years.

County Counsel supports removing Appendix A from the Environmental Review Ordinance to assure consistency between the State CEQA Guidelines and the County Code. Placer County Code Chapter 18.04.020 (Incorporation of CEQA and State CEQA Guidelines) states: "The full text of CEQA and the State CEQA Guidelines, as they may be amended from time to time, are incorporated by reference into this Chapter as if fully set out, and shall supersede any inconsistent provision of this chapter." Deletion of Appendix A will bring consistency to the County Code and State law.

On March 22, 2007, The Planning Commission voted unanimously to recommend the Board of Supervisors approve an ordinance to amend Chapter 18 of the Placer County Code to remove Appendix A.

FISCAL IMPACT: None

FINDINGS:

I. This action is exempt from the California Environmental Quality Act Guidelines pursuant to Section 15061 (b) (3) (Review for Exemption) because it is known with certainty that there is no potential that the deletion of Appendix A will have a significant effect on the physical environment.

II.

The amendment to Chapter 18 (Environmental Review) to remove Appendix A (Impacts Which are Normally Considered Significant) is consistent with the State of California Environmental Quality Act and Guidelines.

EXHIBIT:

A - Chapter 18 – Appendix A “Impacts Which Are Normally Considered Significant”

B - Draft Ordinance

APPENDIX A

Impacts Which Are Normally Considered Significant

An impact is normally considered significant (See Environmental Review Ordinance Section entitled "Significant Effect") if it will:

Land Use

Conflict with adopted environmental plans and goals of the community where it is located.

Disrupt or divide the physical arrangement of an established community.

Conflict with established recreational, educational, religious, or scientific uses of the area.

Convert prime agricultural land to nonagricultural use, or impair the agricultural productivity of prime agricultural land.

Convert unique agricultural land of statewide or local importance to nonagricultural use, or impair the productivity of unique agricultural land of statewide or local importance.

Require a rezoning or general plan amendment in a community which has recently updated its community plan.

Result in a "major" project in the community.

Aesthetics

Have a substantial, demonstrable negative aesthetic effect.

Population, Housing and Employment

Induce substantial growth or concentration of population.

Displace a large number of people.

Public Services

Breach published national, state, or local standards relating to solid waste or litter control.

Extend a sewer trunk line with capacity or serve new development.

Require a "will serve" letter from a public agency and the agency identifies serious deficiencies in providing service.

Generate additional students, and adequate facilities are not available or cannot be made available in a timely fashion.

Traffic

Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system.

Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative).

Cause or exacerbate a potential traffic hazard.

Generate a type of traffic for which affected routes have not been designed or are otherwise not suitable.

Generate traffic that would cause a violation of adopted standards in adjacent jurisdictions (project plus development from existing land use plans).

Air

Violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations.

Emit more than 250 pounds per day of a criteria pollutant (nitrogen oxide, sulfur dioxide, carbon monoxide, or particulate matter [PM10]).

Noise

Increase substantially the ambient noise levels for adjoining areas.

Result in increased traffic-related noise that would exceed community standards as adopted in the Placer County General Plan Noise Element.

Result in onsite noise that could produce noise complaints or exceed noise standards as adopted in the Placer County general Plan Noise Element at the property lines.

Geology

Expose people or structures to major geological hazards.

Hydrology

Substantially degrade water quality.

Substantially degrade or deplete groundwater resources.

Contaminate a public water supply.

Interfere substantially with groundwater recharge.

Cause substantial flooding, erosion, or siltation.

Require significant grading in riparian areas.

Biological Resources

Substantially affect a rare or endangered species.

Interfere substantially with the movement of any resident or migratory fish or wildlife species.

Substantially diminish habitat for fish, wildlife or plants.

Substantially affect a threatened species.

Result in any significant activity in riparian areas or wetlands.

Remove more than 50 percent of the existing vegetation.

Result in any significant construction in a deer migration route.

Cultural Resources

Disrupt or adversely affect a prehistoric or historic archeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study.

Substantially disturb any area of possible cultural or historical significance.

Remove any structure determined to have historical significance.

Energy

Encourage activities which result in the use of large amounts of fuel, water, or energy.

Use fuel, water, or energy in a wasteful manner.

Hazards

Create a potential public health hazard or involve the use, production, or disposal of materials which pose a hazard to people or animal or plant population in the area affected.

Interfere with emergency response plans or emergency evacuation plans.

**Before the Board of Supervisors
County of Placer, State of California**

In the matter of:

**AN ORDINANCE AMENDING SECTION
18.12.050 OF ARTICLE 18.12 OF
CHAPTER 18 OF THE PLACER COUNTY CODE
DELETING APPENDIX A**

Ord. No.: _____

First Reading: _____

The following ORDINANCE was duly passed by the Board of Supervisors of the County of Placer at a duly noticed regular meeting held _____, by the following vote:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:

Clerk of said Board

Ann Holman

The Board of Supervisors of the County of Placer, State of California, does hereby ordain as follows:

Section 1: Section 18.12.050 of Article 18.12 of Chapter 18 of the Placer County Code is hereby amended to read as follows:

18.12.050 Significant effect.

A. Mandatory Findings of Significance. A project may be found to have a significant effect on the environment if any of the following findings are made by the ERC (see CEQA Guidelines Code Section 15065):

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1. The project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

2. The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

3. The project has possible environmental effects which are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects, as defined in CEQA Guidelines, Section 15130.

4. The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

~~B. Effects That are Normally Significant. In addition to the above, the county has established a list of impacts which will normally have a significant environmental effect. This list is attached as Appendix A.~~

~~C. Environmental Thresholds. The county may establish additional quantitative or qualitative thresholds for determining impact significance.~~

~~D.C. Baseline for Threshold Decision. In assessing whether the effects of changes in land use designations (e.g., general plan amendments or rezonings) are significant, impacts shall be determined by comparing the proposed land uses to existing preproject environmental conditions. Future environmental conditions under the existing (adopted) land use designations shall not be used as a baseline. (Ord. 5119-B (part), 2001)~~

Section 2: The current Appendix A, Impacts Which Are Normally Considered Significant, a part of Chapter 18 of the Placer County Code, shall be deleted in its entirety.

Section 3: The foregoing specified ordinance amendments shall become effective thirty (30) days after the date of passage of this ordinance.

