

Staff Report

TO: Chair and Board Members
Yolo County Habitat JPA

FROM: Maria Wong
Executive Director

DATE: November 21, 2011

SUBJECT: **A public hearing to accept comments on the scope of the Yolo Natural Heritage Program HCP/NCCP Environmental Impact Statement/Environmental Impact Report (EIS/EIR)**

Requested Action:

1. Allow presentation of the staff report,
 2. Open the public hearing and accept comments on scope of the EIS/EIR,
 3. Close public hearing; provide direction to staff.
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REASON FOR REQUESTED ACTION:

The JPA and USFWS (joint lead agencies on the EIS/EIR) seek public comments on the scope and content of the environmental document prior to close of the comment period on December 5, 2011.

BACKGROUND

When a project is subject to review under both NEPA and CEQA, state and local agencies are encouraged to cooperate with federal agencies in the environmental review process and to prepare a joint environmental document.

The JPA, acting as the lead agency under CEQA, and the FWS, acting as the lead agency under NEPA, have determined that a joint EIS/EIR should be prepared for the NHP. The California Department of Fish and Game (CDFG) is a Responsible Agency and a Trustee Agency for purposes of CEQA. The EIS/EIR will be prepared pursuant to CEQA and NEPA. The JPA released a Notice of Preparation (NOP) and Notice of Public Scoping Meetings on October 21, 2011 in accordance to CEQA. Similarly, a Notice of Intent (NOI) was published in the Federal Register on the same date by the Service in accordance with NEPA. The NOP and NOI are provided as attachments to this report.

Applicable statutes

California Environmental Quality Act: CEQA requires state and local agencies to estimate and evaluate the environmental implications of their actions and aims to prevent adverse environmental impacts of those actions by requiring those agencies, when feasible, to avoid or reduce significant environmental impacts. The State CEQA Guidelines are the primary source of rules and interpretation of CEQA.

National Environmental Policy Act: NEPA provides an interdisciplinary framework for federal agencies to prevent environmental damage and contains action-forcing procedures to ensure that federal agency decision makers take environmental factors into account for all alternatives. NEPA applies to all federal agencies and to most of the activities they manage, regulate, or fund that affect the human environment. It requires all agencies to consider and to publicly disclose the environmental implications of their proposed actions through the preparation of appropriate documents. CEQA has adopted regulations and other guidance that provides detailed procedures that federal agencies must follow to implement NEPA.

Scoping Process

Scoping is a public process under NEPA and CEQA to assist the lead agencies in the development of the EIS/EIR and to:

- Inform public about the project
- Identify interested parties
- Identify environmental factors to be considered
- Identify significant issues
- Identify potential alternatives

The range of environmental factors that might be considered in the EIS/EIR include:

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| ▪ Aesthetics | ▪ Land Use/Planning |
| ▪ Agriculture/Forestry | ▪ Noise |
| ▪ Air Quality | ▪ Population/Housing |
| ▪ Biological Resources | ▪ Public Services/Recreation |
| ▪ Cultural Resources | ▪ Utilities/Service Systems |
| ▪ Geology/Soils/Mineral Resources | ▪ Transportation/Traffic |
| ▪ Greenhouse Gas Emissions | ▪ Growth Inducement |
| ▪ Hazards/Hazardous Materials | ▪ Cumulative Effects |
| ▪ Hydrology/Water Quality | ▪ Soci-Economics |
| | ▪ Environmental Justice |

The EIS/EIR will analyze at least two alternatives: the Project Alternative (implementation of the Yolo HCP/NCCP over a 50-year permit term) and a No-Project Alternative (the NHP is not adopted and endangered species issues continue to be addressed on a project-by-project basis). Below are examples of other alternatives that could be analyzed:

- Reduction in Scope of Permits (Reduced Impacts)
- Variations in Conservation Strategy
- Reduction in Permit Duration
- Variations in Covered Species
- Variations in Covered Activities
- Reduction in Permit Area
- Some combination of these elements

Comments received during the scoping period from the public and agencies will help determine the scope of the EIS/EIR and identify significant issues related to the Yolo HCP/NCCP. Two identical public scoping sessions were conducted November 7 in West Sacramento. Additional outreach to formal community groups is scheduled during the 45-day comment period.

A traveling information kiosk is available to the public throughout the 45-day comment period. The kiosk includes a computer station where maps and related information can be viewed. A schedule showing locations, dates, and times to view the kiosk, can be viewed at <http://www.yoloconservationplan.org/kiosk>.

Submitting Comments

Please send comments on or before December 5, 2011. Written comments regarding the scope of the EIS/EIR are invited from interested parties to ensure that the full range of environmental issues related to the proposed Plan is identified and evaluated. All comments received, including names and addresses of commenters, will become part of the official administrative record and will be made available to the public. Information, written comments, or questions related to the preparation of the EIS/EIR must be received on or before 5:00 p.m. December 5, 2011. Comments may be submitted as follows:

Comment Cards -- Available at public outreach meetings

Faxed Comments -- (916) 414-6713 [USFWS] or (530) 668-1801 [YNHP]

Emailed Comments -- yolonhp@yolocounty.org

Written Comments – Yolo County JPA, 120 West Main Street, Suite C, Woodland, CA 95695

Attachments:

1. Notice of Preparation (NOP)
2. Notice of Intent (NOI)