

2. Introduction

This Draft Environmental Impact Report (EIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) with Butte County as the lead agency. This Draft EIR assesses the potential environmental consequences of implementing the Butte County General Plan Update (hereby referred to as the “proposed project”) and identifies mitigation measures and alternatives to the proposed project that would avoid or reduce significant impacts. This Draft EIR is intended to inform decision makers, responsible agencies, and the public about the nature of the proposed project’s environmental impacts.

2.1 PROPOSED PROJECT

Pursuant to CEQA Guidelines Section 15063, Butte County determined that the proposed project could result in potentially significant environmental impacts and that an EIR would be required. The goals of the proposed project are to support Camp Fire and North Complex Fire recovery; address current and future needs of Butte County; comply with State regulations that changed since adoption of the current General Plan; and engage community members as key decision makers for adaptation, community resilience, public safety, and environmental justice. For a more detailed analysis of the proposed project components, refer to Chapter 3, *Project Description*, of this Draft EIR and the text of the Draft General Plan available on the County’s website: <https://www.buttecounty.net/dds/generalplanupdate>.

2.2 EIR SCOPE

This DEIR fulfills the requirements for a Program EIR. Although the legally required contents of a Program EIR are the same as for a Project EIR, Program EIRs are typically more conceptual than Project EIRs, with a more general discussion of impacts, alternatives, and mitigation measures with a focus on defining subsequent actions that will be needed before projects can move forward. According to Section 15168 of the CEQA Guidelines, a Program EIR may be prepared on a series of actions that can be characterized as one large project. Use of a Program EIR gives the lead agency an opportunity to consider broad policy alternatives and program-wide mitigation measures, as well as greater flexibility to address project-specific and cumulative environmental impacts on a comprehensive scale.

Agencies prepare Program EIRs for programs or a series of related actions that are linked geographically; logical parts of a chain of contemplated events, rules, regulations, or plans that govern the conduct of a continuing program; or individual activities carried out under the same authority and having generally similar environmental effects that can be mitigated in similar ways.

Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether an additional CEQA document is necessary. However, if the Program EIR addresses the program’s effects as specifically and comprehensively as possible, many subsequent activities may be within the Program EIR’s scope, and additional environmental documents may not be required (CEQA Guidelines

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Section 15168[c]). When a lead agency relies on a Program EIR for a subsequent activity, it must incorporate feasible mitigation measures and alternatives from the Program EIR into the subsequent activities (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects outside the scope of the Program EIR, the lead agency must prepare a new Initial Study leading to a Negative Declaration, Mitigated Negative Declaration, or an EIR. Even in this case, the Program EIR still serves a valuable purpose as the first-tier environmental analysis. The CEQA Guidelines (Section 15168[h]) encourage the use of Program EIRs, citing five advantages that a Program EIR can:

- Provide a more exhaustive consideration of impacts and alternatives than would be practical in an individual EIR;
- Focus on cumulative impacts that might be slighted in a case-by-case analysis;
- Avoid continual reconsideration of recurring policy issues;
- Consider broad policy alternatives and programmatic mitigation measures at an early stage when the agency has greater flexibility to deal with them;
- Reduce paperwork by encouraging the reuse of data (through tiering).

For a complete listing of environmental topics covered in this Draft EIR, see Chapter 5, *Environmental Analysis*.

2.3 ENVIRONMENTAL REVIEW PROCESS

2.3.1 NOTICE OF PREPARATION

Butte County issued a Notice of Preparation (NOP) on October 7, 2022. A scoping meeting was held on October 26, 2022, to receive oral comments and the CEQA-mandated scoping period for this EIR was held from October 7, 2022, to November 7, 2022, during which time agencies and the public could submit comments about environmental concerns regarding the proposed project to be addressed in the EIR. During this time, Butte County received comment letters from State agencies and a member of the public (see Appendix 2-1 for all comment letters received). The comments received are summarized in Table 2-1, *NOP Comment Summary*.

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TABLE 2-1 NOP COMMENT SUMMARY

Commenting Agency/Person	Date	Comment Topic	Issue Addressed In:
Public Agencies			
Native American Heritage Commission	October 11, 2022	Outlines the procedure and requirements of AB 52 and SB 18.	Section 5.5, <i>Cultural Resources and Tribal and Cultural Resources</i>
Department of Toxic Substances Control	November 4, 2022	Includes recommendations for issues to evaluate in the Hazards and Hazardous Materials section of the EIR.	Section 5.9, <i>Hazards and Hazardous Materials</i> .
State Department of Fish and Wildlife	November 7, 2022	Offers recommendations for the assessment of biological resources.	Section 5.4, <i>Biological Resources</i> .
Public			
Jamie Kern	October 26, 2022	Emphasizes importance of fuel reduction programs	Section 5.18, <i>Wildfire</i>

2.3.2 DRAFT EIR

Pursuant to CEQA Guidelines Section 15063, Butte County decided to do a comprehensive EIR because of the public’s interest in the proposed project and potential environmental impacts. In compliance with Section 21080.4 of the California Public Resources Code, Butte County circulated the NOP for the proposed project to the Office of Planning and Research (OPR) State Clearinghouse and interested agencies and persons on October 7, 2022, for a 30-day review period. A scoping meeting for the proposed project was held on October 26, 2022. The NOP solicited comments from identified responsible and trustee agencies, as well as interested parties regarding the scope of the Draft EIR. Appendix 2-1 of this Draft EIR contains the NOP as well as the comments received by Butte County in response to the NOP and during the scoping meeting. This Draft EIR will be available for review by the public and interested parties, agencies, and organizations for a 45-day comment period from January 6, 2023 through February 21, 2023. During the Draft EIR comment period, all are invited to submit written or email comments on the Draft EIR to:

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 7 County Center Drive
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2.3.3 FINAL EIR

Upon completion of the 45-day Draft EIR review period, Butte County will review written comments received and prepare written responses to each comment. A Final EIR will then be prepared incorporating all the comments received, responses to the comments, and any changes to the Draft EIR that result from the comments received. The Final EIR will then be presented to the Butte County Planning Commission for recommendation of certification as the environmental document for the proposed project. All persons who commented on the Draft EIR will be notified of the availability of the Final EIR and the date of the public hearing before the Butte County Planning Commission.

All responses to comments submitted on the Draft EIR by agencies will be provided to those agencies at least 10 days prior to the hearing on EIR certification. The Butte County Planning Commission will make findings regarding the extent and nature of the impacts as presented in the Final EIR. The Butte County Planning Commission may find that the mitigation measures are outside the jurisdiction of the County or that there are no feasible mitigation measures for a given significant impact. In these cases, the County may nonetheless determine that the proposed project is necessary or desirable due to specific overriding considerations and may adopt a Statement of Overriding Considerations to ultimately approve the proposed project.

2.3.4 MITIGATION MONITORING

Public Resources Code Section 21081.6 requires that the lead agency adopt a mitigation monitoring and reporting program (MMRP) for any project for which it has made findings pursuant to Public Resources Code Section 21081. Such a program is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR. The MMRP for the proposed project will be completed as part of the Final EIR.