

This section summarizes the purpose of the Environmental Impact Report (EIR) for the Sierra Pacific Industries (SPI) Cogeneration Power Project (project). The following discussion addresses the environmental procedures that are to be followed according to State law, the intended uses of the EIR, the project's relationship to the County's General Plan, the EIR scope and organization, and a summary of the agency and public comments received during the public review period for the Initial Study/Notice of Preparation (IS/NOP).

## 1.1 PURPOSE AND INTENDED USES OF THE EIR

The County of Shasta, as lead agency, determined that the proposed SPI Cogeneration Power Project is a "project" within the definition of CEQA. CEQA requires the preparation of an environmental impact report prior to approving any project, which may have a significant impact on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]).

An EIR must disclose the expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize the environmental impacts of proposed development, and to balance a variety of public objectives, including economic, environmental, and social factors.

The County of Shasta, as the lead agency, has prepared this Draft EIR to provide the public and responsible and trustee agencies with an objective analysis of the potential environmental impacts resulting from construction and operation of the SPI Cogeneration Power Project. The environmental review process enables interested parties to evaluate the proposed project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead agency must balance adverse environmental effects against other public objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

This EIR will be used by the County to determine whether to approve, modify, or deny the SPI Cogeneration Power Project and associated approvals in light of the project's environmental effects.

## 1.2 TYPE OF EIR

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR is a Project EIR as defined in CEQA Guidelines Section 15161. This type of analysis focuses primarily on the changes in the environment that would occur as a result of implementing the proposed project and examines all phases of the project (i.e., construction and operation). The project applicant is currently requesting approval of a Use Permit (see Section 2.0,

Project Description for a full description of the project and requested actions). The project-level analysis in this report addresses impacts associated with the development and operation of the SPI Cogeneration Power project, including provision of infrastructure and services for the project.

### 1.3 KNOWN RESPONSIBLE AND TRUSTEE AGENCIES

The term “Responsible Agency” includes all public agencies other than the Lead Agency that have discretionary approval power over the project or an aspect of the project (CEQA Guidelines Section 15381). For the purpose of CEQA, a “Trustee” agency has jurisdiction by law over natural resources that are held in trust for the people of the State of California (CEQA Guidelines Section 15386).

The following agencies are considered trustee agencies for this project, and may be required to issue permits or approve certain aspects of the proposed project:

- Central Valley Regional Water Quality Control Board (CVRWQCB) - Storm Water Pollution Prevention Plan (SWPPP) approval prior to construction activities.
- Shasta County Air Quality Management District (SCAQMD) - Approval of construction and operational air quality permits.
- California Department of Fish and Game (DFG).

### 1.4 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR involves the following general procedural steps:

#### NOTICE OF PREPARATION AND INITIAL STUDY

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The County circulated a Notice of Preparation (NOP) of an EIR for the proposed project and an Initial Study on July 3, 2009 to trustee and responsible agencies, the State Clearinghouse, and the public. A public scoping meeting was held on July 21, 2009. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP, Initial Study (IS), and responses to the NOP by interested parties are presented in **Appendix A**. A summary of the comment letters received on the NOP/IS is presented below.

#### DRAFT EIR

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This document constitutes the Draft EIR. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. This Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in this EIR. Upon completion of the Draft EIR, the County will file the Notice of Completion (NOC) with the State Clearinghouse of the Governor’s Office of Planning and Research to begin the public review period.

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## PUBLIC NOTICE/PUBLIC REVIEW

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Concurrent with the NOC, the County will provide a public notice of availability for the Draft EIR, and invite comment from the general public, agencies, organizations, and other interested parties. Consistent with CEQA, the review period for this Draft EIR is forty-five (45) days. County Planning staff will be available to answer questions from the public regarding the Draft EIR. Public comment on the Draft EIR will be accepted in written form. All comments or questions regarding the Draft EIR should be addressed to:

Lio Salazar, Associate Planner  
Shasta County Department of Resource Management, Planning Division  
1855 Placer Street, Suite 103  
Redding, CA 96001  
(530) 225-5532

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## RESPONSE TO COMMENTS/FINAL EIR

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Following the public review period, a Final EIR will be prepared. The Final EIR will respond to written comments received during the public review period and to oral comments received at a public hearing during such review period.

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## CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

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The County will review and consider the Final EIR. If the County finds that the Final EIR is "adequate and complete", the Board of Supervisors may certify the Final EIR in accordance with CEQA. The rule of adequacy generally holds that an EIR can be certified if:

- 1) The EIR shows a good faith effort at full disclosure of environmental information; and
- 2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

Following review and consideration of the Final EIR, the County may take action to approve, modify, or reject the project. A Mitigation Monitoring Program, as described below, would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. This Mitigation Monitoring Program will be designed to ensure that these measures are carried out during project implementation, in a manner that is consistent with the EIR.

## 1.5 ORGANIZATION AND SCOPE

Sections 15122 through 15132 of the State CEQA Guidelines identify the content requirements for Draft and Final EIRs. A Draft EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Discussion of the environmental issues addressed in the Draft EIR was established through review of environmental

and planning documentation developed for the project, environmental and planning documentation prepared for recent projects located within Shasta County, and responses to the Notice of Preparation (NOP).

This Draft EIR is organized in the following manner:

## EXECUTIVE SUMMARY

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This Executive Summary summarizes the characteristics of the proposed project, known areas of controversy and issues to be resolved, and provides a concise summary matrix of the project's environmental impacts and possible mitigation measures. This chapter identifies alternatives that reduce or avoid at least one significant environmental effect of the proposed project.

## CHAPTER 1.0 – INTRODUCTION

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Chapter 1.0 briefly describes the purpose of the environmental evaluation, identifies the lead, trustee, and responsible agencies, summarizes the process associated with preparation and certification of an EIR, identifies the scope and organization of the Draft EIR, and summarizes comments received on the NOP.

## CHAPTER 2.0 – PROJECT DESCRIPTION

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Chapter 2 provides a detailed description of the proposed project, including the location, intended objectives, background information, the physical and technical characteristics, including the decisions subject to CEQA, subsequent projects and activities, and a list of related agency action requirements.

## CHAPTER 3.0 - ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

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Chapter 3.0 contains an analysis of environmental topic areas as identified below. Each subchapter addressing a topical area is organized as follows:

**Environmental Setting.** A description of the existing environment as it pertains to the topical area.

**Regulatory Setting.** A description of the regulatory environment that may be applicable to the project.

**Impacts and Mitigation Measures.** Identification of the thresholds of significance by which impacts are determined, a description of project-related impacts associated with the environmental topic, identification of appropriate mitigation measures, and a conclusion as to the significance of each impact.

The following environmental topics are addressed in this section:

- Aesthetics
- Air Quality and Climate Change

- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Public Services, Utilities and Recreation
- Transportation and Circulation

The Initial Study determined that there would be no impact or a less-than-significant impact to the following environmental issue areas: agricultural resources, land use/planning, mineral resources, and population and housing. These issues are not discussed in Chapter 3; the basis for the no impact or less than significant determination for each of these topics is described in the Initial Study (**Appendix A**).

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## CHAPTER 4.0 – OTHER CEQA-REQUIRED TOPICS

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Chapter 4.0 evaluates and describes the following CEQA required topics: impacts considered less-than-significant, significant and irreversible impacts, growth-inducing effects, cumulative, and significant and unavoidable environmental effects.

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## CHAPTER 5.0 - ALTERNATIVES TO THE PROJECT

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State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and avoid and/or lessen any significant environmental effects of the project. Chapter 5 provides a comparative analysis between the merits of the project and the selected alternatives.

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## CHAPTER 6 - REPORT PREPARERS

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This section lists all authors and agencies that assisted in the preparation of the EIR, by name, title, and company or agency affiliation.

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## APPENDICES

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This section includes all notices and other procedural documents pertinent to the EIR, as well as technical material prepared to support the analysis.

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## 1.6 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The County received eight comment letters on the NOP for the SPI Cogeneration Power Project Draft EIR. A copy of each letter is provided in **Appendix A** of this Draft EIR and the comments are summarized below. The County also held a public scoping meeting on July 21, 2009. The summary notes from this meeting are provided in **Appendix A**.

**Kirk Sanders, Resident.** In a letter to Shasta County, dated July 31, 2009, Mr. Sanders raised a number of issues and concerns with the proposed project. These issues and concerns include: air

quality and pollution, impacts to adjacent residences, water quality impacts, impacts to biological resources, noise impacts, and visual impacts.

**Ashley Wayman, Tim Wedan and Barbara Wedan, Residents.** In an undated letter received by Shasta County on August 3, 2009, these residents raised a number of issues and concerns with the proposed project. These issues and concerns include: impacts to adjacent neighborhoods, impacts to the local economy and job base, impacts to home values, concerns regarding the preparation of previous technical studies related to the proposed project, questions requesting clarification of the materials to be burned in the proposed boiler, questions regarding the disposal of ash, impacts to local groundwater resources, impacts to visual resources, impacts to water quality, air quality and pollution impacts, impacts to biological resources, impacts to cultural resources, noise related impacts, and impacts to recreation.

**California Integrated Waste Management Board (CIWMB).** The CIWMB indicated that the proposed project would not require issuance of a Compostable Materials Handling Facility Permit (CMHFP).

**California Department of Transportation (Caltrans).** Caltrans indicated that the proposed project would not result in impacts to Caltrans facilities.

**Center for Biological Diversity.** In a letter to Shasta County, dated July 30, 2009, the Center for Biological Diversity requested that the following issues be addressed in the Draft EIR: source and amount of wood material to be burned, impacts to air quality, impacts to biological resources, and greenhouse gas (GHG) emissions.

**Shasta County Sheriff's Department.** The Shasta County Sheriff's Department indicated that the proposed project would not result in impacts to police protection.

**California Regional Water Quality Control Board (RWQCB), Central Valley Region.** The CVRWQCB indicated that the proposed project may be required to obtain the following permits: Construction Storm Water Permit (which requires preparation of a Stormwater Pollution Prevention Plan [SWPPP]), a 404 Permit from the Army Corps of Engineers, and a 401 Permit from the Central Valley Water Board.

**California Public Utilities Commission (CPUC).** The CPUC indicated that the project site is located in the vicinity of a rail crossing, and that the traffic analysis should address safety issues associated with vehicle queuing near rail crossings.