
1. INTRODUCTION AND LIST OF COMMENTERS

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1.1 INTRODUCTION

This Final Environmental Impact Report (EIR) contains agency, group, and public comments received during the public review period of the Winery and Farm Brewery Zoning Text Amendment Project (proposed project) Draft EIR. This document has been prepared by Placer County, as Lead Agency, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Section 15132. The Introduction and List of Commenters chapter of the Final EIR discusses the background of the Draft EIR and purpose of the Final EIR, identifies the comment letters received on the Draft EIR, and provides an overview of the Final EIR's organization.

1.2 BACKGROUND

The Draft EIR identified the proposed project's potential environmental impacts and the mitigation measures that would be required to be implemented. The following environmental analysis chapters are contained in the Draft EIR:

- Agricultural Resources;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Land Use and Planning;
- Noise;
- Transportation and Circulation;
- Utilities and Service Systems;
- Cumulative Impacts and Other CEQA Sections; and
- Alternatives.

In accordance with CEQA, a Notice of Availability (NOA) of the Draft EIR was published on the Placer County Community Development Resource Agency website, and the Draft EIR was sent to the State Clearinghouse (SCH#: 2015072019) for distribution to State agencies on April 19, 2019 for a 52-day public review period, ending on June 10, 2019. The Draft EIR was also posted on the Placer County website, and printed copies of the document were made available for review at the following locations: the Auburn Library, located at 350 Nevada Street, Auburn, CA; the City of Lincoln Public Library, located at 485 Twelve Bridges Drive, Lincoln CA; the Placer County Community Development Resource Agency offices in Auburn, located at 3091 County Center Drive, Auburn, CA; and the County Clerk's Office, located at 2954 Richardson Drive, Auburn, CA. In addition, a public hearing was held on May 23, 2019 to solicit public comments regarding the Draft EIR.

1.3 PURPOSE OF THE FINAL EIR

Under CEQA Guidelines Section 15132, the Final EIR shall consist of:

1. The Draft EIR or a revision of the Draft.
2. Comments and recommendations received on the Draft EIR.
3. A list of persons, organizations, and public agencies commenting on the Draft EIR.
4. The responses to significant environmental points raised in the review process.
5. Any other information added by the Lead Agency.

As required by CEQA Guidelines, Section 15090(a)(1)-(3), a Lead Agency must make the following three determinations in certifying a Final EIR:

1. The Final EIR has been completed in compliance with CEQA.
2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
3. The Final EIR reflects the Lead Agency's independent judgment and analysis.

Under CEQA Guidelines Section 15091, a public agency shall not approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings (Findings of Fact) for each of those significant effects. Findings of Fact must be accompanied by a brief explanation of the rationale for each finding supported by substantial evidence in the record. The Findings of Fact are included in a separate document that will be considered for adoption by the County's decision-makers.

Pursuant to CEQA Guidelines, Section 15093(b), when a Lead Agency approves a project that would result in significant and unavoidable impacts, the agency must state in writing the reasons supporting the action (Statement of Overriding Considerations). The Statement of Overriding Considerations shall be supported by substantial evidence. Here, the proposed project would result in cumulative transportation and circulation impacts, specifically related to the SR 49/Cramer Road Intersection, that would be significant and unavoidable under Cumulative Plus Project Conditions; thus, a Statement of Overriding Considerations must be adopted if the project is approved. The Statement of Overriding Considerations is included in a separate document that will be considered for adoption by the County's decision-makers.

1.4 LIST OF COMMENTERS

Placer County received 14 comment letters during the public comment period on the Draft EIR for the proposed project. The comment letters, presented in the order in which they were received, were authored by the following agencies, groups, and members of the public:

Agencies

- Letter 1.....Scott Armstrong, Central Valley Regional Water Quality Control Board
- Letter 2.....Jordan Hensley, Central Valley Regional Water Quality Control Board
- Letter 3..... Ann Hobbs, Placer County Air Pollution Control District
- Letter 4.....Kevin Yount, Department of Transportation (CalTrans)

Groups

- Letter 5.....Marilyn Jasper, Public Interest Coalition
- Letter 6.....Shute Mihaly & Weinberger, Representing Sierra Club

Members of the Public

- Letter 7..... Cheryl Berkema
- Letter 8..... Larissa Berry
- Letter 9..... Justin Black
- Letter 10..... Diana Boswell
- Letter 11..... Mary Ann King
- Letter 12..... Lorrie Lewis
- Letter 13..... Carol Prince
- Letter 14..... Carol Rubin

In addition, verbal comments were provided during the May 23, 2019 public meeting to accept comments on the Draft EIR. The comments from the Draft EIR comment meeting are included as Letter 15.

- Letter 15.....Verbal Comments: Draft EIR Public Meeting (May 23, 2019)

1.5 RECENT CASE LAW

Since the release of the Draft EIR, the Third Appellate District court published an opinion (December 18, 2019) regarding *Citizens for Positive Growth & Preservation v. City of Sacramento* (2019). Among other points, Citizens challenged the City of Sacramento’s adoption of its General Plan based on its use of the level of service (LOS) metric instead of the vehicle miles traveled (VMT) metric in the transportation impacts section. In response to this case, the County has made amplifications to the Transportation and Circulation section of the Draft EIR, within Chapter 3 of this Final EIR, to include discussion of VMT, even though VMT criteria only apply prospectively (Statewide beginning on July 1, 2020, per Section 15064.3). Please refer to Chapter 3 of this Final EIR for a more detailed discussion of this court case and the associated amplifications to the EIR. As demonstrated in Chapter 3, the amplifications to the Transportation and Circulation section of the Draft EIR do not warrant recirculation under Section 15088.5(a) given that criteria for recirculation are not met.

1.6 ORGANIZATION OF THE FINAL EIR

The Final EIR is organized into the following chapters:

1. Introduction and List of Commenters

Chapter 1 provides an introduction and overview of the document, describing the background and organization of the Final EIR. Chapter 1 also provides a list of commenters who submitted letters in response to the Draft EIR.

2. Responses to Comments

Chapter 2 presents the comment letters received and responses to each comment. Each comment letter received has been numbered at the top and bracketed to indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. For example, the first comment in Letter 1 would have the following format: 1-1. The response to each comment will reference the comment number.

3. Revisions to the Draft EIR Text

Chapter 3 summarizes minor changes made to the Draft EIR text since its release.

4. Mitigation Monitoring and Reporting Program

CEQA Guidelines, Section 15097, requires lead agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The intent of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure implementation of the mitigation measures identified within the EIR.