

APPENDIX A

Notice of Preparation and NOP Comment Letters

NOTICE OF PREPARATION CITY OF LIVE OAK GENERAL PLAN UPDATE DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT

Date: September 10, 2008

To: Organizations and Interested Persons

Lead Agency: City of Live Oak Planning Department
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SUMMARY

The City of Live Oak (“the City”) will serve as Lead Agency in the preparation of an environmental impact report (EIR) addressing the 2030 Live Oak General Plan update. The City requests your agency’s assistance in identifying the scope and content of the EIR for topics relevant to your agency’s statutory responsibilities.

A preliminary project description, project location, and a summary of potential environmental effects are contained in the attached materials. An Initial Study will not be prepared. Instead, this Notice of Preparation (NOP) of an EIR has been prepared to provide important information about the project and its possible environmental impacts.

SUBMITTING COMMENTS

Responses to this NOP are required within 30 days. The City will receive such comments until 5:00 p.m., October 16, 2008. Please send your response via U.S. Mail, FAX, or e-mail to Mr. Denis Cook, using the contact information displayed above. We will need the name for a contact person in your agency, should the City require clarification of the comments provided.

SCOPING MEETING

The City will conduct a meeting to receive public input on the scope of the 2030 General Plan environmental impact report (EIR). At this meeting, individuals, agencies, and organizations are encouraged to provide the City with their input on the topics and analysis for the EIR. The date, time, and place of the meeting are to be determined. Please contact Denis Cook (see contact information provided above) for details.

OVERVIEW OF PLANNING AND ENVIRONMENTAL REVIEW PROCESSES

The 2030 General Plan update as a CEQA Project

The City of Live Oak (the City), as the Lead Agency under the California Environmental Quality Act (CEQA) will prepare a Program Environmental Impact Report (EIR) for the 2030 General Plan update. The City's 2030 General Plan update will be comprehensive in scope and will revise all required elements, as well as optional elements. The EIR will be prepared in accordance with CEQA, implementing guidelines (Guidelines), relevant case law, and City procedures. The California Environmental Quality Act (CEQA) recognizes the authority of the local general planning process in several areas. As a "project", the general plan is subject to CEQA review. As a policy document, the general plan provides guidance and sets standards for several areas of mandatory environmental review for later "projects" that would be undertaken by local governments and the private sector.

General Plan Outreach and Input

The City initiated the General Plan update process in 2005. The City has solicited input from citizens, public agencies, and decision makers in this long-range planning process. This input has helped to identify important issues, propose solutions, and ultimately create a vision for the future of the City. Many of the issues identified during this outreach process relate to environmental topics that will be addressed in the Program EIR.

Vision and Guiding Principles

After the first phase of outreach, City staff and consultants summarized the consensus viewpoints in a General Plan Vision and Guiding Principles document, which was adopted by the City's General Plan Steering Committee.

Land Use and Circulation Alternatives

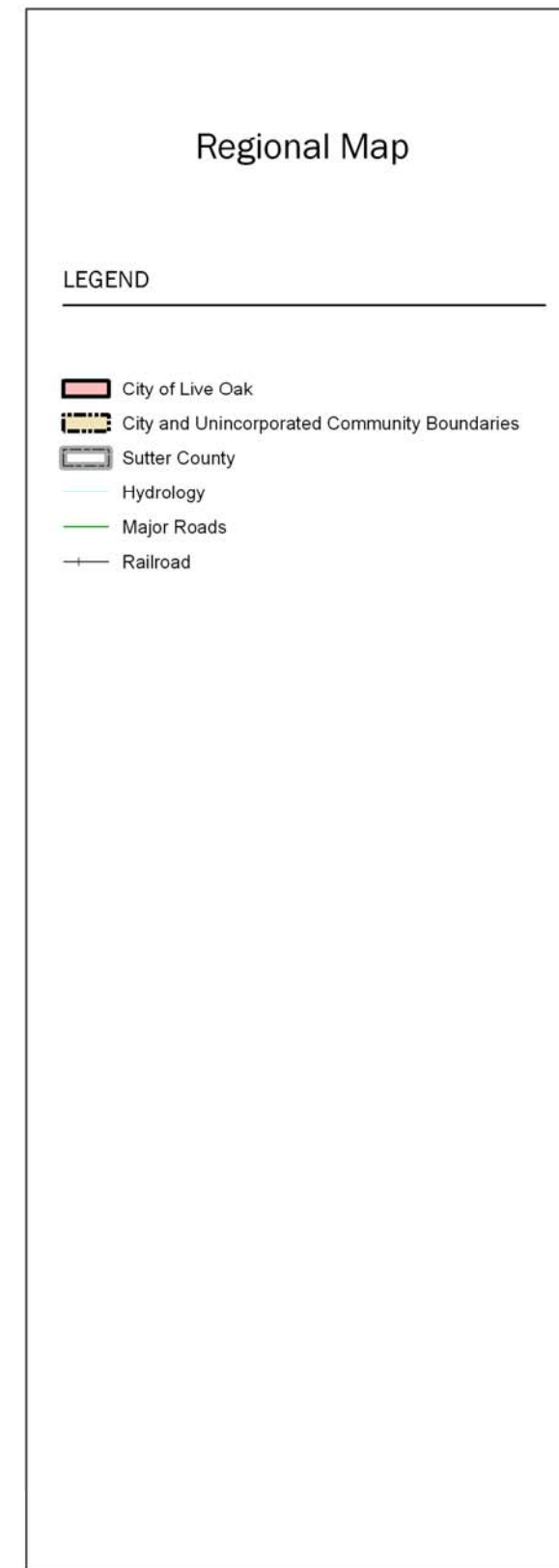
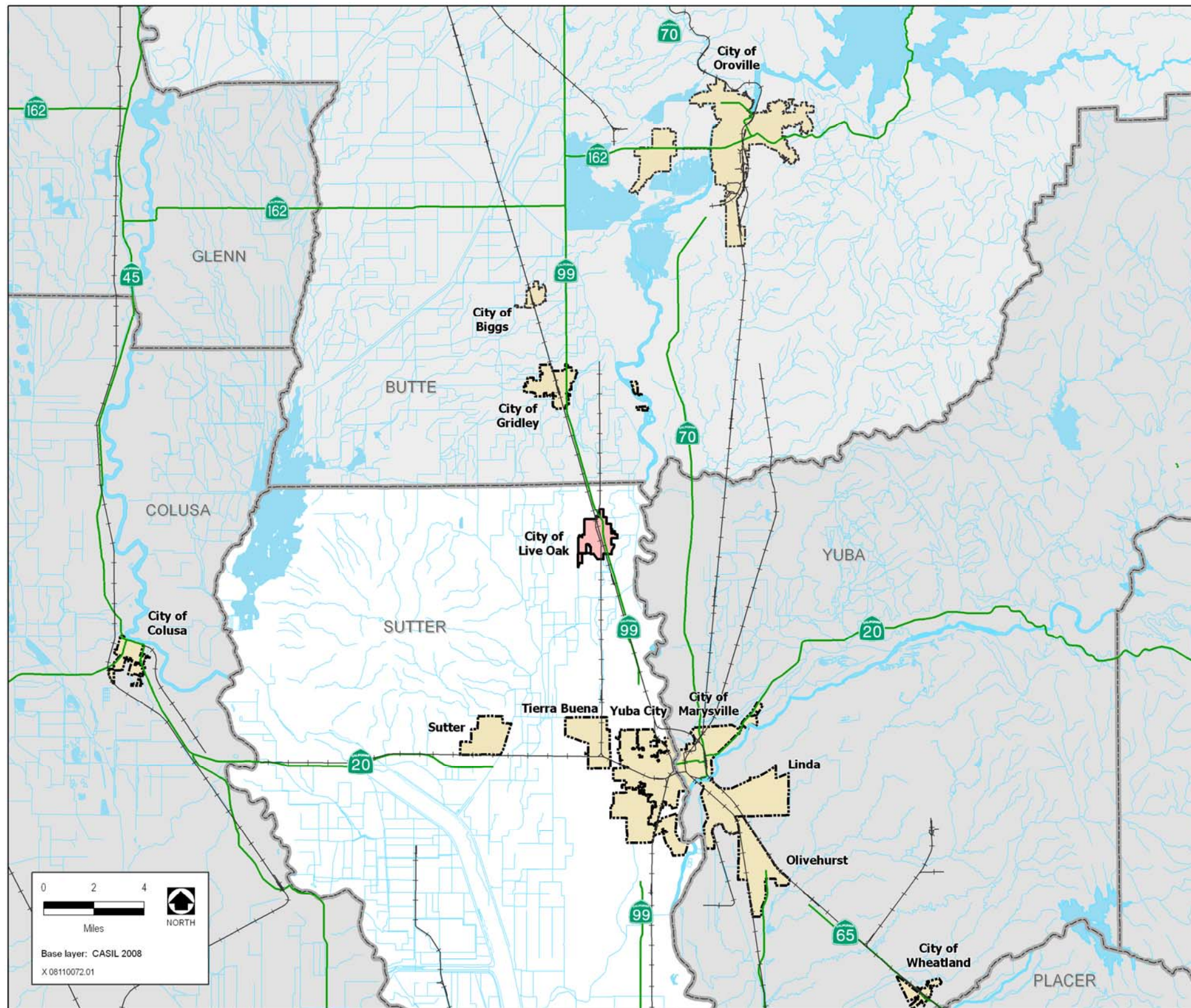
The Vision and Guiding Principles document was used to draft conceptual land use and circulation alternatives, which represent different paths to achieving the community's Vision. The land use and circulation alternatives also reflect environmental opportunities and constraints, the land economic context, public infrastructure and service analyses, and other pertinent information.

The alternatives were reviewed by the public, City Council, and Planning Commission, with the preferred alternative unanimously approved by the City Council, Planning Commission, and General Plan Steering Committee in March of 2006. The preferred land use alternative was re-affirmed by the City Council and Planning Commission in April of 2008.

Drafting of the General Plan and EIR

The City is now in the process of writing the 2030 General Plan policy document, while at the same time scoping and beginning preparation of a program EIR to analyze the impacts of the updated 2030 General Plan. The 2030 General Plan update will include elements addressing Land Use, Circulation, Community Character and Design, Noise, Safety, Public Facilities and Services, Parks and Recreation, Economic Development, Housing, and Conservation and Open Space.

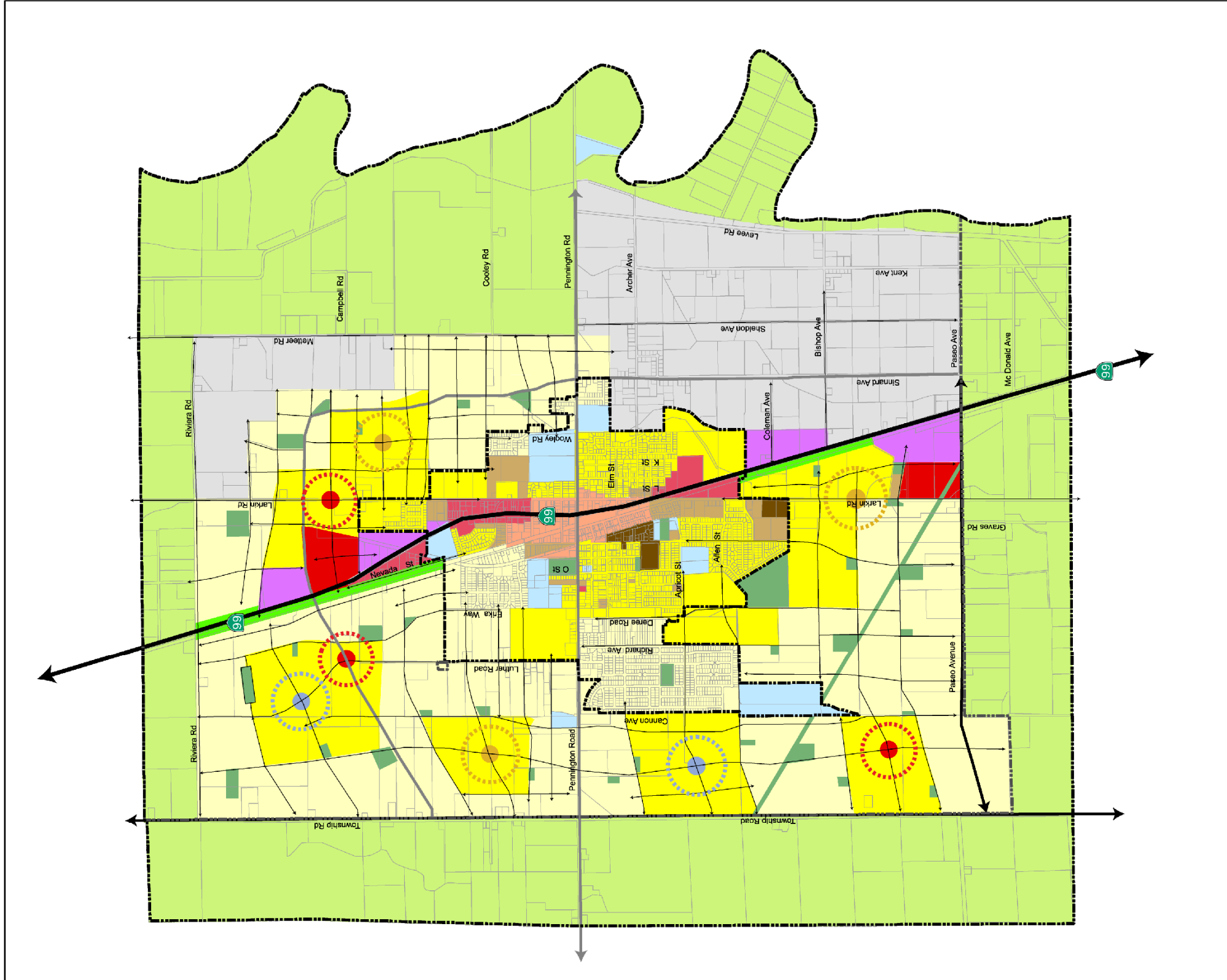
The EIR will analyze potentially significant impacts in and around the Planning Area (**see Exhibit 2**). The geographic scope of each impact analysis will depend on the environmental topic addressed. For example, air quality impacts would be analyzed at a local and regional level, whereas impacts related to soils constraints would be more localized. The project area for the purposes of this EIR will be the proposed extent of planned land uses within and surrounding the City limits (**see Exhibit 1**). The General Plan will include a Land Use and Circulation Diagram, which will illustrate the type and character of land uses, as well as the supportive transportation system. A preliminary draft Land Use and Circulation Diagram, based on the City's preferred alternative, is included as a part of this NOP to provide the public and agencies with the best available information (**see Exhibit 2**). The diagram will be refined as a part of the draft and final General Plan and EIR.



Source: CASIL, 2008

Local and Regional Vicinity

Exhibit 1



LAND USE DIAGRAM

<p>LEGEND</p> <p>BOUNDARIES</p> <ul style="list-style-type: none"> City Boundary Sphere of Influence Planning Area Parcels <p>ROADWAYS</p> <ul style="list-style-type: none"> Arterial/ Hwy 99 Major Collector Minor Collector 	<p>LAND USE DESIGNATIONS</p> <ul style="list-style-type: none"> Single Family Residential (2-6 units per acre) Single Family Residential (4-10 units per acre) Medium-Density Residential Higher-Density Residential Commercial - Mixed Use Downtown - Mixed Use Community Commercial 	<p>CENTERS</p> <ul style="list-style-type: none"> Neighborhood Center Civic Center Civic / Neighborhood Center 	<p>Employment</p> <ul style="list-style-type: none"> Civic Park Preserve Reserve Buffers
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Source: Sutter County Assessor's Office, Live Oak GIS. Adapted by EDAW 2008

EDAW | AECOM

Source: Sutter County GIS 2006, City of Live Oak 2008, and EDAW 2008.

Land Use and Circulation Diagram

Exhibit 2

Pursuant to section 15063, subdivision (a), of the CEQA Guidelines, no Initial Study will be prepared for the proposed project. Instead, the EIR will evaluate the full range of environmental issues contemplated under CEQA and the CEQA Guidelines, organized in the following manner:

- ▶ Aesthetics
- ▶ Agriculture
- ▶ Air Quality
- ▶ Biological Resources
- ▶ Climate Change
- ▶ Cultural Resources
- ▶ Energy Conservation
- ▶ Geology, Soils, and Mineral Resources
- ▶ Hazards and Hazardous Materials
- ▶ Hydrology and Water Quality
- ▶ Land Use/Planning
- ▶ Noise
- ▶ Population and Housing
- ▶ Public Services, including Recreation
- ▶ Transportation/Traffic
- ▶ Utilities

PROJECT LOCATION AND SETTING

The Live Oak Planning Area includes all areas within the City's current jurisdictional limits, areas within the City's current Sphere of Influence (SOI), and areas surrounding the SOI that would affect, or be affected by, land use changes in the City (see **Exhibit 1**).

Live Oak is located in the northern Sutter County, west of the Feather River and just south of the Sutter-Butte County line. Live Oak is in the Sacramento Valley, which centers geographically on the Sacramento River. Approximately 15 miles to the east of Live Oak are the Sierra Nevada foothills, and beyond that, the Sierra Nevada mountains. The Sutter Buttes, a small, isolated mountain range, is located five miles to the southeast.

Downtown Live Oak is approximately 10 miles north-northwest of Yuba City and Marysville, and approximately 6 miles south-southeast of downtown Gridley. Other nearby cities include Biggs, Oroville, and Colusa. Live Oak's city limits do not adjoin any other city's jurisdiction. Live Oak's Sphere of Influence also does not adjoin any other city's jurisdiction.

The two major vehicular transportation corridors in the Sacramento Valley are Interstate 5 (I-5) and State Route 99 (SR 99), both of which run north and south through the length of the valley. I-5 is located approximately 25 miles west of Live Oak. SR 99 runs through the center of Live Oak in a north-to-south orientation. SR 70 also runs north-south on the eastern side of the Feather River, connecting Oroville and Marysville. There are many smaller east-west highways in the Sacramento Valley, including SR 20 and SR 162, both of which pass near the vicinity of Live Oak.

The Union Pacific Railroad (UPRR) runs north to south through the center of the City. Downtown Live Oak is bisected by both the UPRR tracks and Highway 99. Pre-World War II residential neighborhoods with gridded street patterns are located directly east and west of downtown. New residential projects have been constructed along the outskirts of the current City to the south, north, and west of Downtown and closer-in neighborhoods.

Commercial development is primarily focused along Highway 99. There is little industrial development in the City presently, but what exists is focused along the railroad. Parks, schools, and other public and institutional uses are distributed throughout Live Oak. Outside the city limits, predominant land uses include orchards and rural-scale residences. A limited amount of farmland and rural residences remains within the City today.

Live Oak contains a number of important public facilities that serve the community. The Live Oak Unified School District consists of six facilities including the Encinal Elementary School, Luther Elementary School, Live Oak Middle School, Live Oak High School, Valley Oak Continuation High School, and the Live Oak Alternative School. Live Oak City Hall, the Barber Branch of the Sutter County Library, the Live Oak Fire Station, and the Live Oak Sheriff's substation are all important public facilities located in the City.

Multiple parks serve residents' recreational needs, including Live Oak Memorial Park, which features a variety of recreational facilities and a community pool. Two smaller parks, Oak Tree and Date Street parks, are located in central Live Oak. Water, sewer, drainage, electric, natural gas, and communication lines crisscross the City and connect local residents and businesses with these services.

Recently, Live Oak has been among the fastest-growing cities in the area. It had a population of 4,320 in 1990, 6,229 in 2000, and 8,539 in 2008. Between 1990 and 2000 the City experienced an annual growth rate of just over 3.7%. Between 2000 and 2008 period the annual growth rate increased to approximately 4%. There are approximately 2,028 single-family dwelling units (including attached units), 242 multi-family units, and 142 mobile homes in the City as of January 1, 2008, according to estimates from the California Department of Finance.

The 2030 General Plan Update focuses on both a large new growth area and reinvigoration of the existing Downtown core. New growth areas are adjacent to the present city limits and entirely within the City's existing Sphere of Influence (see **Exhibit 2**). The Reserve area will be set aside for future comprehensive planning efforts. This area does not necessarily imply future urban development, but could represent priority conservation areas, pending future City planning efforts. The Preserve area, on the other hand, represents an area where the City will not allow development indefinitely (see **Exhibit 2**).

PROJECT DESCRIPTION

The project to be analyzed in this EIR is the updated Live Oak General Plan. The General Plan contains the goals and policies upon which the City Council and Planning Commission will base their decisions. The planning horizon of the General Plan update is the year 2030. The General Plan will identify the types of land use change that will be allowed, the spatial relationships among land uses, and the general pattern of future development during this time horizon.

State law requires that the General Plan address seven topics: land use, circulation, housing, conservation, open-space, noise, and safety (Government Code Sections 65300 et seq.). These topics can be addressed in individual elements (chapters), or organized and addressed in a different way at the discretion of the jurisdiction. Jurisdictions are also free to adopt additional elements covering subjects of particular interest to that jurisdiction. Live Oak's 2030 General Plan will cover these mandatory topics, as well as additional topics deemed important to the community (including Parks and Recreation, Public Facilities and Services, and Economic Development).

The 2030 General Plan update will contain written text discussing the community's goals, policies, and programs. The General Plan will also include policy diagrams illustrating the location of future land uses, circulation systems, parks, green infrastructure, and other features.

The General Plan update is being prepared as of the writing of this document. To provide the best available information for public agencies and all other interested parties, this NOP includes the preliminary draft Land Use and Circulation Diagram (see **Exhibit 2**). This exhibit depicts the proposed land uses and circulation system for both the proposed new growth area and the existing City. This diagram is conceptual – the precise location of different land uses and circulation features is being refined as the General Plan is developed. However, the General Plan and EIR will reflect the general amounts and spatial relationships between land uses as shown on **Exhibit 2**.

Refinements that are made to the land use and circulation diagrams and the text of the General Plan will implement the City's Vision Statement and Guiding Principles, as provided below:

Live Oak General Plan Update Vision and Guiding Principles

The Vision and Guiding Principles for the 2006-2030 Live Oak General Plan update, is an expression of the public's broad, long-range view of the community's desired future. The Vision Statement represents the public's hopes, dreams, and expectations for themselves and future generations, with a focus on key issues that enjoy consensus in the community. The Guiding Principles present shared community values. These values guide policy development in the General Plan.

Live Oak Vision Statement

Live Oak in 2030 has a unique, small-town character that continues to be the primary reason for its citizens' choice of residence. Live Oak has attractive and charming neighborhoods that each add to the whole community. There are pedestrian-friendly, neighborhood-scale shops and activity centers blended into both the City's older and newer neighborhoods. Live Oak is not the bedroom community it once was in danger of becoming. The City has encouraged economic development, including industrial, agricultural related, service sector, and professional offices. Now, instead of having to drive to another city for work, shopping, and entertainment, we can live, work, and play locally. Downtown Live Oak has been remade at the City's historic center, adding a variety of shopping, dining, and entertainment options. Downtown is the social and cultural heart of the community. The City's infrastructure, and public services and administration provide all of our citizens with safe and healthy neighborhoods, participation in local government decisions, and a high-quality living experience. Live Oak's historic core and new neighborhoods are safe and convenient for pedestrians and bicyclists, as well as drivers. Those who choose not to drive can easily walk, bicycle, or even use public transit to get to work, school, shopping, or a local park. Our streets are not merely corridors along which cars and trucks pass, but also pleasant public spaces that are landscaped, tree-lined, human-scaled places to be enjoyed by everyone.

To obtain more information about the direction of the General Plan Update, please refer to the City's web site: www.liveoakgeneralplan.net/index.html.

Live Oak General Plan Update Guiding Principles

The Guiding Principles are shared community values that are to be used in achieving the City's Vision. If the Vision is the "ends," the Guiding Principles are the "means." The Vision, considered together with these Guiding Principles will be used to guide City staff in putting together draft General Plan elements.

Small-Town Character

- ▶ Public spaces where people can meet and interact with friends and neighbors are essential.
- ▶ Small, locally-owned businesses are important to the City's unique character and a healthy and resilient local economy.
- ▶ Commercial corridors should be attractive, distinct, and pedestrian-friendly.
- ▶ Live Oak can grow without being overcome by traffic or other effects that would sacrifice the small-town character.
- ▶ Our City can grow in a way that promotes social interaction and self-policing.
- ▶ Our citizens can and should be actively involved in the community through public service organizations, neighborhood organizations, neighborhood watch programs, and in public meetings.

Unique and High-Quality Design, Sense of Place

- ▶ The entire community benefits from high-quality, unique neighborhoods with tree-lined, pedestrian-friendly streets and a strong sense of place.
- ▶ Compact, functional, neighborhood-scale shops can be compatibly integrated into primarily residential neighborhoods to provide a range of goods and services within walking distance.
- ▶ High-quality, unique design that creates livable communities with a strong sense of place will make Live Oak more competitive economically as jobs and capital become more mobile.
- ▶ The Sutter Buttes are a globally unique natural feature, views of which should be provided and protected as the City grows.
- ▶ Maintaining and improving our urban tree canopy is important to our air quality, climate, aesthetic enjoyment, and overall quality of life.

Live, Work, and Play Locally

- ▶ Our community will not merely provide bedrooms for people that work in Sacramento, Chico, Yuba City, or anywhere else.
- ▶ Commercial, civic, recreational, and cultural opportunities will be available along with new residences.
- ▶ The City and community should support local social and cultural activities, facilities, and programs, encouraging universal respect for a diversity of beliefs and lifestyles.
- ▶ Our families have different sizes, ages, and incomes, and our existing and future residents should have a variety of local housing choices to best meet their needs and preferences.
- ▶ Our community should provide the opportunity for children to grow, for people to raise families, and for seniors to stay in the community as they age.

Downtown

- ▶ Downtown should be remade as the social, civic, cultural, and economic heart of our community.
- ▶ Downtown must not be left behind as the City grows.
- ▶ Commercial land uses in other parts of the City should be carefully planned so as to not duplicate the role of Downtown.
- ▶ Downtown should be safe and convenient for walking and biking, including east-west travel.
- ▶ The entire community will benefit from a vibrant, pedestrian-scaled downtown commercial center that reflects our community's unique identity and small-town character.

Employment Opportunity

- ▶ Workers should be able to find jobs in Live Oak that pay a living wage.
- ▶ Local employment that is in balance with the local population is essential to a functioning and fiscally healthy community.

- ▶ “Balance” means residents who desire to work locally can find jobs that match their education, skills, and career objectives and employers who desire to hire local residents can find workers who meet their needs.
- ▶ City government should play an important role in attracting employment-generating businesses.
- ▶ Approved land development projects should contribute to the City’s economic health and fiscal sustainability.

Infrastructure and Public Services

- ▶ New development will generate sufficient public revenue to pay for the public facilities and services required to meet minimum service standards set by the City.
- ▶ Existing residents will not pay for the cost of new or expanded public facilities or services to serve new development projects.
- ▶ Livable neighborhoods and a healthy citizenry require adequately maintained parks and open space, cultural and recreational activities and programs, and active neighborhood involvement in such facilities and programs.
- ▶ Adequate law enforcement services are important to our community, especially for traffic safety and crime prevention.
- ▶ Adequate fire prevention/suppression and emergency response services are required for our community’s safety and security.
- ▶ We need a safe and reliable water supply and high-quality sewer service and stormwater drainage.
- ▶ Our community needs an appropriate administrative structure, staffing, and resources to provide high-quality public services and facilities, and to coordinate between citizens and City departments providing the services.
- ▶ The long-term viability of Live Oak depends on high-quality educational services, and the City and community should support programs to improve the quality of public and private education for all ages.

Pedestrian and Bicycle Safety and Convenience

- ▶ Though we enjoy the independence and convenience provided by our automobiles, our City should be designed to meet the needs of our people, and not our cars.
- ▶ Our downtown will be more successful and our neighborhoods more livable if the City is designed as to be safe and convenient for pedestrians and bicyclists, as well as drivers.
- ▶ It is important to provide alternatives to automobile travel for work, school, shopping, and recreation.

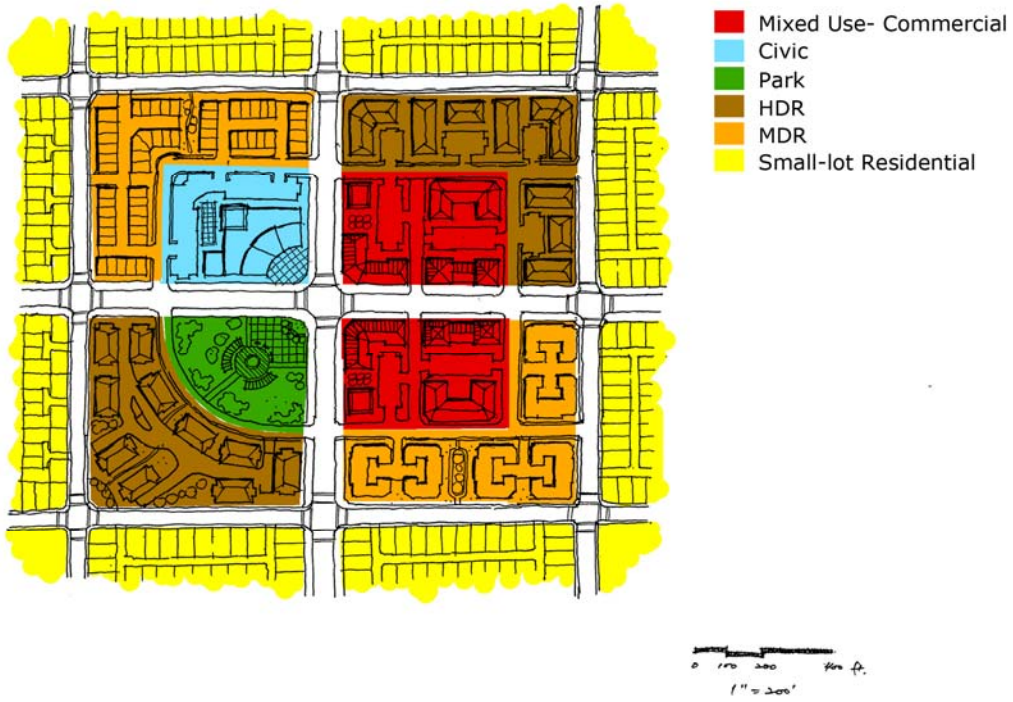
Live Oak General Plan Update Preliminary Draft Land Use and Circulation Diagram

The preliminary draft Land Use and Circulation Diagram includes the following generalized land use types:

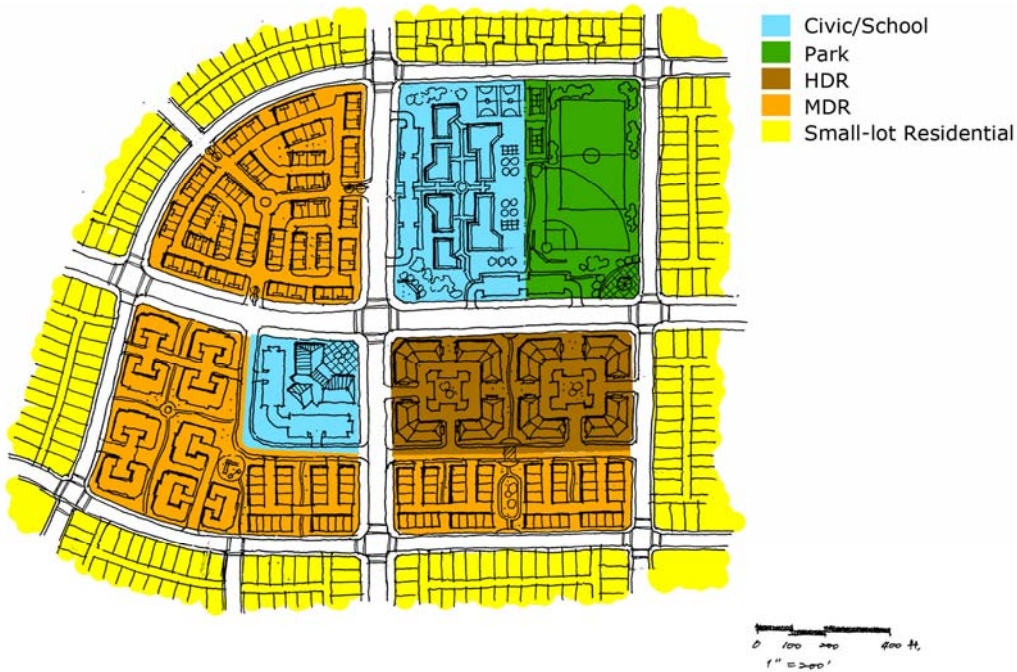
- ▶ **Single-Family Residential** - This use involves the development of single-family, detached homes, one to each lot. Densities for this use would range from two to six units per acre.
- ▶ **Smaller Lot Residential** - This use involves the development of single-family detached residential units, zero-lot line single family detached units, and other single-family detached and attached residences. Densities for this use would range from four to 10 units per acre.

- ▶ **Medium-Density Residential** - This use involves single-family detached and attached residential units on smaller lots, townhomes, duplexes, triplexes, four-plexes, condominiums, and other more compact housing choices. Densities for this use would range from 8 to 15 units per acre.
- ▶ **Higher-Density Residential** - This involves small lot single-family residences, attached single-family residences, condominiums, apartments, and other housing types. Densities for this use range from 12 to 25 units per acre.
- ▶ **Civic** - This category includes schools, places of worship, public facilities and infrastructure, community halls, and various other cultural and civic land uses.
- ▶ **Park** - This category would include community parks, neighborhood parks, public plazas, town squares, pocket parks, tot lots, linear parks, and parkland with other configurations.
- ▶ **Buffers** - This category includes landscaped buffers from areas such as the railroad line and Highway 99. Buffers along Highway 99 and the railroad would be designed to attenuate noise, ensure public safety, reduce exposure to air pollutants, and provide a high-quality aesthetic environment.
- ▶ **Commercial - Mixed Use** - This designation would allow a range of commercial uses that are compatible with a mixed-used environment. It is assumed that up to 10% of the total square footage in this designation will be developed as residential units in a mixed residential-nonresidential setting.
- ▶ **Downtown - Mixed Use** - This designation would allow a range of commercial uses compatible with a pedestrian-oriented downtown environment. The intent of this designation is to create a vibrant Downtown. It is expected that 10% of the total square footage in this designation will be developed as residential units in a mixed residential-nonresidential setting.
- ▶ **Community Commercial** - This designation would allow a full range of commercial uses including highway oriented retail and services.
- ▶ **Employment** - This category would accommodate various non-retail commercial operations. Uses might include agricultural processing, offices, manufacturing, and other employment-generating land uses.
- ▶ **Reserve** - These areas are not needed to accommodate growth needs during this General Plan time horizon (through 2030). These areas currently contain rural residential and agricultural uses. The City will avoid premature conversion of these areas to urban uses. The City will plan the Reserve areas once planned areas approach build out.
- ▶ **Preserve** - This designation identifies lands that are to remain as agricultural and rural residential indefinitely. The majority of the land in this designation consists of large parcels with high-quality agricultural land. The City will not entertain development requests in this area.
- ▶ **Neighborhood Center** - Neighborhood Centers will provide opportunities for smaller-scale neighborhood-serving commercial uses, civic buildings, a park, and medium- and higher-density residential uses (**see Exhibit 3**).
- ▶ **Civic Center** - Civic Centers will provide opportunities for civic buildings, a park, and medium- and higher-density residential uses. It is intended that elementary schools serve as the primary civic use in such centers and that the park would be available for joint use by the school and community (**see Exhibit 3**).
- ▶ **Civic/Neighborhood Center** - Civic/Neighborhood Centers are a combination of the other two center types.

Example Neighborhood Center



Example Civic Center



Centers Conceptual Diagram

Exhibit 3

The preliminary draft Land Use and Circulation Diagram also proposes a fully connected, modified grid transportation network. The transportation system will be designed to distribute (rather than concentrate) traffic, provide direct routes, provide convenient bicycle and pedestrian access, and ensure excellent emergency access. The General Plan update will emphasize a high degree of connectivity between the existing City and the new growth area.

Buildout Analysis

Buildout of the 2030 General Plan could result in the construction of between 13,000 and 21,000 new housing units, between 1.3 and 2.2 million square feet of commercial building square footage, and between 790,000 and 1.3 million square feet of employment-generating building square footage (**Table 1**). This includes development within the existing areas of the City, as well as proposed development in the new growth area.

Table 1 Total Land Use Change (Existing and Proposed General Plan Area)	
Total Land Use Change, Existing General Plan Area + Planned Growth Area	Range
New Dwelling Units	13,000 to 21,000
New Commercial Square Footage	1,300,000 to 2,200,000
New Employment Square Footage	790,000 to 1,300,000
Notes: The values above serve as a general indication of the range of development that might be accommodated under the updated Live Oak General Plan. As indicated elsewhere in this Notice of Preparation, the exact amounts and locations of land use types will undergo revision as the City writes the General Plan and EIR. However, the City is confident that the ranges presented above for each generalized land use type accurately reflect the level of development that will be analyzed and presented in the General Plan Update and Program EIR.	

In the existing City, vacant and underutilized properties represent substantial development opportunities (**Table 2**). Roughly 1,600 to 3,100 housing units could be constructed on vacant and underutilized properties with residential designations. Approximately 500,000 to 720,000 square feet of commercial buildings could be developed within the existing City limits.

Table 2 Estimated Land Use Change in Existing City	
Land Use Change in Existing General Plan Area	Range
New Dwelling Units	1,616 to 3,132
New Commercial Square Footage	459,830 to 718,485
Notes: The values above serve as a general indication of the range of development that might be accommodated under the updated Live Oak General Plan. As indicated elsewhere in this Notice of Preparation, the exact amounts and locations of land use types will undergo revision as the City writes the General Plan and EIR. However, the City is confident that the ranges presented above for each generalized land use type accurately reflect the level of development that will be presented in the General Plan Update and Program EIR.	

As noted elsewhere, the 2030 Live Oak General Plan Update includes long-range planning for an expanded City. This area of expansion is known as the “New Growth Area” for this General Plan Update. The New Growth Area could accommodate roughly 940 to 1,470 higher-density dwelling units, 770 to 1,200 medium-density dwelling units, and 4,100 to 6,400 small lot residential dwelling units, and 5,500 to 8,500 lower-density dwelling units. The New Growth Area could also accommodate roughly 1 to 1.6 million square feet of commercial and office use, roughly 790,000 to 1.3 million square feet of employment-generating building square footage (**Table 3**).

Table 3 Land Use Change in New Growth Area			
Land Use Change in Planned Growth Area	from:	to:	Units/Acres/Sq. Ft.
High Density Residential (HDR)	940	1,470	Dwelling Units
Medium Density Residential (MDR)	770	1,200	Dwelling Units
Small Lot Residential (SLR)	4,100	6,400	Dwelling Units
Low Density Residential (LDR)	5,500	8,500	Dwelling Units
Commercial (Total)	1,000,000	1,600,000	Square Footage
Employment (Total)	790,000	1,300,000	Square Footage

Notes: The values above serve as a general indication of the range of development that might be accommodated under the updated Live Oak General Plan. As indicated elsewhere in this Notice of Preparation, the exact amounts and locations of land use types will undergo revision as the City writes the General Plan and EIR. It is anticipated that the ranges presented above represent accurately the level of land use change current anticipated.

PROBABLE ENVIRONMENTAL IMPACTS

Aesthetics

The updated General Plan would result in distinct changes to the existing visual environment. The visual impacts would be particularly distinct where urban land use designations are applied to areas primarily containing orchards or other open land. This would result in the removal of vegetation, the addition of structures, new lighting sources, glare, lighting of the nighttime sky, impedance of existing expansive views, and other aesthetic impacts. Other similar visual impacts could occur in the downtown area as a result of infill development. Such impacts will be comprehensively addressed and mitigated at a programmatic level in the EIR.

Agriculture

The General Plan update would facilitate conversion of high-quality farmland to urban use. The General Plan would result in direct and indirect impacts on agriculture, which will be analyzed, presented, and mitigated in the EIR. Indirect impacts are those that occur when there are changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or could create incompatibilities with the existing adjacent agricultural use. The EIR will also address impacts related to urban land use designations on property protected by a Williamson Act for agricultural use and land zoned for agriculture.

Air Quality

Live Oak is located within the Feather River Air Quality Management District, in an area that does not currently meet health-based standards for ozone and particulate matter set by the United States Environmental Protection Agency. These health standards have been established to protect public health, as both smog and particulate matter can cause or aggravate respiratory and cardiac conditions.

Construction and operation of urban land uses accommodated by the updated General Plan would contribute to cumulative air quality impacts occurring within the area. Earth is disturbed during site development activities, generating dust, and construction equipment will create additional short-term pollutant emissions. In addition to short-term dust and exhaust emissions generated during the construction phase, the General Plan update would result in additional vehicular traffic that would contribute long-term air pollutants. The General Plan update may

accommodate industrial development and other stationary sources of air pollution. Air quality impacts will be comprehensively analyzed, presented, and mitigated in the EIR.

Biological Resources

The General Plan Update may have a substantial adverse effect on rare, threatened, or endangered species and/or the habitat that supports them. It is possible the General Plan Update could affect riparian habitat and/or federally protected wetlands. The Biological Resources chapter of the EIR will include a description of the existing setting, including any sensitive habitats or special-status species that could potentially be affected by General Plan implementation. All potentially significant direct and indirect impacts on the natural environment will be identified, analyzed, and mitigated in the EIR.

Climate Change

Emissions of greenhouse gases contributing to global climate change are attributable in large part to human activities. In California, the transportation sector is the largest emitter, but greenhouse gas emissions can be broadly attributed to various human activities associated with the residential, industrial/manufacturing, utility, transportation, and agricultural sectors. The EIR will disclose and mitigate climate-change related impacts of General Plan implementation.

Cultural Resources

The General Plan Update may have a substantial adverse effect on historic and/or archaeological resources. The Cultural Resources section of the EIR will summarize the setting and describe the potential construction-related effects on historical and archaeological resources, including any known resource sites. Development within the General Plan area may adversely impact undiscovered cultural resources. The EIR will discuss and analyze any cultural resources and will include information from record searches and other relevant studies. The EIR will provide mitigation measures necessary to address potential impacts to cultural resources and steps to be taken should any resources be discovered during construction within the General Plan Planning Area.

Energy Conservation

The updated General Plan will increase the demand for energy within the City of Live Oak. The probable effects of energy consumption will be evaluated in the EIR and mitigation measures will be included.

Geology, Soils, and Mineral Resources

The General Plan Update may result in substantial soil erosion or the loss of topsoil and/or allow development in areas with geologic or soils constraints. The Geology, Soils, and Mineral Resources section of the EIR will summarize the setting and describe the potential effects associated with any geologic or soil limitations or hazards and paleontological resources. The chapter will also address the impacts associated with grading, such as increased wind and water erosion potential. The probable environmental effects include disruptions of the soil, changes in topography, erosion from wind or water, and other impacts, which will be comprehensively addressed in the EIR, including mitigation to address potentially significant impacts. Also addressed will be the potential impact of development accommodated in the General Plan on any known significant mineral resources in the Planning Area.

Hazards and Hazardous Materials

If the land designated for urban development was historically used for agriculture, railroad-oriented uses, certain industrial processes, or other land uses, there are potential effects related to contamination. Development within the Live Oak Planning Area may involve installation of stormwater detention structures, which, if not properly designed, have the potential to become breeding grounds for mosquitoes of public health concern. The EIR will

also discuss the potential for hazardous material exposure either during construction or during long-term occupation of development accommodated by the General Plan. All hazards and hazardous materials related impacts will be analyzed and presented in a section of the EIR entitled “Hazards and Hazardous Materials.”

Hydrology and Water Quality

The General Plan Update may affect groundwater supplies or groundwater recharge. Development anticipated under the General Plan Update could change drainage patterns and/or contribute polluted stormwater runoff, if not appropriately mitigated. This chapter will summarize the existing hydrological setting, recharge, surface flows, flooding, and quality of water. The EIR will analyze and present impacts related to urban runoff and flooding potential, water quality, changes in drainage patterns, and effects on groundwater recharge or overdraw associated with development under the General Plan Update.

Land Use and Planning

The Land Use chapter will evaluate the consistency of the updated General Plan with existing plans and policies adopted with the purpose of reducing potential environmental impacts. This chapter will offer a review of relevant policies in the City’s current General Plan and any other appropriate documents. This chapter will also review the potential for the General Plan Update to result in the division of any existing community.

Noise

Short-term noise impacts will occur during any site development or building construction activities accommodated by the General Plan update. Long-term noise impacts will result from the use of motor vehicles associated with development accommodated by the General Plan Update. The General Plan Update may accommodate noise sensitive land uses in an area of existing noise, such as areas adjacent to the Union Pacific railroad line that bisects the community. The General Plan Update may place noise generating land uses, such as industrial operations or high-volume roadways, in an area with existing or planned noise-sensitive land uses. Noise quality impacts will be comprehensively analyzed, presented, and mitigated in the EIR.

Population and Housing

The General Plan Update would accommodate population increases that may exceed population estimates in regional planning documents, and therefore the air quality attainment planning efforts and regional transportation planning based on these planning documents and population estimates. The EIR will discuss the project’s direct and reasonably foreseeable indirect impacts related to adding housing and population to the Planning Area.

Public Services, Including Recreation

Development within the Planning Area will increase the demand for fire, police, school, water, sewer, parks and recreation, and the full range of public services. The EIR will include a description of the existing levels of service and an analysis of the potential impacts of the General Plan Update for each service type. Recreation will also be addressed in this section of the EIR.

Transportation/Traffic

The updated General Plan would result in additional vehicular traffic on the regions’ roads and highways, potentially reducing roadway and intersection levels of service. The EIR will evaluate the air quality, noise, and other impacts of additional vehicular travel. The EIR will also present potential vehicular traffic congestion impacts, as well as the degree to which the updated General Plan accommodates not only vehicular, but also safe and convenient pedestrian and bicycle travel. The full range of transportation-related impacts will be addressed and mitigated in the EIR.

Utilities

The EIR will include a description of the existing utilities and service systems, and will include an analysis of the potential impacts on these services. Impacts having to do with stormwater runoff and drainage infrastructure will be addressed in the Utilities section and/or cross referenced between the Utilities section and the Hydrology and Water Quality section of the General Plan Update Program EIR.

DEPARTMENT OF TRANSPORTATION

DISTRICT 3
703 B STREET
P. O. BOX 911
MARYSVILLE, CA 95901-0911
PHONE (530) 741-4025
FAX (530) 741-5346
TTY (530) 741-4509



*Flex your power!
Be energy efficient!*

September 23, 2008

08SUT0033
03-SUT-Variou
NOP/Draft EIR
SCH #2008092050



Mr. Denis Cook
City of Live Oak
9955 Live Oak Blvd.
Live Oak, CA 95953

Dear Mr. Cook:

Thank you for the opportunity to review and provide comments on the Notice of Preparation for the City of Live Oak's 2030 General Plan Update and the draft Environmental Impact Report.

The City's General Plan Update may result in transportation related impacts. Thus, Caltrans would appreciate the opportunity to be involved in the scope of the Traffic Impact Study (TIS) before the study begins. A TIS should be completed and include an analysis of the impacts to the State Highway System. To obtain a copy of the TIS guide, please visit our website at: <http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>.

If you have any questions regarding these comments, please contact Cassandra Pitts, Local Development/Inter-Governmental Review Coordinator, at (530) 740-4989.

Sincerely,

A handwritten signature in blue ink that reads "Sukhvinder Takhar".

SUKHVINDER (SUE) TAKHAR, CHIEF
Office of Transportation Planning – North

cc: Scott Morgan
Project Analyst, State Clearinghouse

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



September 23, 2008



Denis Cook
City of Live Oak
9955 Live Oak Boulevard
Live Oak, CA 95953

RE: SCH#2008092050 City of Live Oak General Plan Update; Sutter County.

Dear Mr. Cook:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. **USGS 7.5 minute quadrangle name, township, range and section required.**
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached.**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez
Program Analyst

CC: State Clearinghouse

Native American Contacts
Sutter County
September 22, 2008

Strawberry Valley Rancheria
Calvine Rose, Chairperson
PO Box 667 Maidu
Marysville , CA 95901 Miwok

Enterprise Rancheria of Maidu Indians
Frank Watson, Vice Chairperson
1940 Feather River Blvd., Suite B Maidu
Oroville , CA 95965
eranch@cncnet.com
(530) 532-9214
(530) 532-1768 FAX

Enterprise Rancheria of Maidu Indians
Glenda Nelson, Chairperson
1940 Feather River Blvd., Suite B Maidu
Oroville , CA 95965
eranch@cncnet.com
(530) 532-9214
(530) 532-1768 FAX

Strawberry Valley Rancheria
Robert Kerfoot
PO Box 667 Maidu
Marysville , CA 95901 Miwok

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2008092050 City of Live Oak General Plan Update; Sutter County.



STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT



ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

September 12, 2008



To: Reviewing Agencies

Re: City of Live Oak General Plan Update
SCH# 2008092050

Attached for your review and comment is the Notice of Preparation (NOP) for the City of Live Oak General Plan Update draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Denis Cook
City of Live Oak
9955 Live Oak Boulevard
Live Oak, CA 95953

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008092050
Project Title City of Live Oak General Plan Update
Lead Agency Live Oak, City of

Type NOP Notice of Preparation
Description The City of Live Oak (the City), as the Lead Agency under the California Environmental Quality Act (CEQA) will prepare a Program Environmental Impact Report (EIR) for the 2030 General Plan update. The City's 2030 General Plan update will be comprehensive in scope and will revise all required elements, as well as optional elements. The EIR will be prepared in accordance with CEQA, implementing guidelines, relevant case law, and City procedures. CEQA recognizes the authority of the local general planning process in several areas. As a project, the general plan is subject to CEQA review. As a policy document, the general plan provides guidance and sets standards for several areas of mandatory environmental review for later projects that would be undertaken by local governments and the private sector.

Lead Agency Contact

Name Denis Cook
Agency City of Live Oak
Phone (530) 695-2112 **Fax**
email dcook@liveoakcity.org
Address 9955 Live Oak Boulevard
City Live Oak **State** CA **Zip** 95953

Project Location

County Sutter
City Live Oak
Region
Cross Streets Citywide
Lat / Long
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Biological Resources; Archaeologic-Historic; Soil Erosion/Compaction/Grading; Minerals; Toxic/Hazardous; Landuse; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Traffic/Circulation; Other Issues

Reviewing Agencies Resources Agency; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 2; Office of Emergency Services; Native American Heritage Commission; Public Utilities Commission; Department of Housing and Community Development; Caltrans, District 3; Air Resources Board, Transportation Projects; Regional Water Quality Control Bd., Region 5 (Sacramento)

Date Received 09/12/2008 **Start of Review** 09/12/2008 **End of Review** 10/14/2008

<input checked="" type="checkbox"/> <u>Resources Agency</u>	<input type="checkbox"/> Fish & Game Region 2 Jeff Drongesen	<input type="checkbox"/> Public Utilities Commission Ken Lewis	<input type="checkbox"/> Caltrans, District 8 Dan Kopulsky	<input type="checkbox"/> Regional Water Quality Control Board (RWQCB)
<input checked="" type="checkbox"/> Resources Agency Nadell Gayou	<input type="checkbox"/> Fish & Game Region 3 Robert Floerke	<input type="checkbox"/> Santa Monica Bay Restoration Guangyu Wang	<input type="checkbox"/> Caltrans, District 9 Gayle Rosander	<input type="checkbox"/> RWQCB 1 Cathleen Hudson North Coast Region (1)
<input type="checkbox"/> Dept. of Boating & Waterways David Johnson	<input type="checkbox"/> Fish & Game Region 4 Julie Vance	<input type="checkbox"/> State Lands Commission Marina Brand	<input type="checkbox"/> Caltrans, District 10 Tom Dumas	<input type="checkbox"/> RWQCB 2 Environmental Document Coordinator San Francisco Bay Region (2)
<input type="checkbox"/> California Coastal Commission Elizabeth A. Fuchs	<input type="checkbox"/> Fish & Game Region 5 Don Chadwick Habitat Conservation Program	<input type="checkbox"/> Tahoe Regional Planning Agency (TRPA) Cherry Jacques	<input type="checkbox"/> Caltrans, District 11 Jacob Armstrong	<input type="checkbox"/> RWQCB 3 Central Coast Region (3)
<input type="checkbox"/> Colorado River Board Gerald R. Zimmerman	<input type="checkbox"/> Fish & Game Region 6 Gabrina Gatchel Habitat Conservation Program	<u>Business, Trans & Housing</u>	<input type="checkbox"/> Caltrans, District 12 Ryan P. Chamberlain	<input type="checkbox"/> RWQCB 4 Teresa Rodgers Los Angeles Region (4)
<input type="checkbox"/> Dept. of Conservation Sharon Howell	<input type="checkbox"/> Fish & Game Region 6 I/M Gabrina Getchel Inyo/Mono, Habitat Conservation Program	<input type="checkbox"/> Caltrans - Division of Aeronautics Sandy Hesnard	<input type="checkbox"/> Caltrans, District 13 Ryan P. Chamberlain	<input type="checkbox"/> RWQCB 5 Central Valley Region (5)
<input type="checkbox"/> California Energy Commission Dale Edwards	<input type="checkbox"/> Dept. of Fish & Game M George Isaac Marine Region	<input type="checkbox"/> Caltrans - Planning Terri Pencovic	<input checked="" type="checkbox"/> Cal EPA	<input type="checkbox"/> RWQCB 5F Central Valley Region (5) Fresno Branch Office
<input checked="" type="checkbox"/> Cal Fire Allen Robertson	<u>Other Departments</u>	<input type="checkbox"/> California Highway Patrol Shirley Kelly Office of Special Projects	<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> RWQCB 5R Central Valley Region (5) Redding Branch Office
<input type="checkbox"/> Office of Historic Preservation Wayne Donaldson	<input type="checkbox"/> Food & Agriculture Steve Shaffer Dept. of Food and Agriculture	<input type="checkbox"/> Housing & Community Development CEQA Coordinator Housing Policy Division	<input type="checkbox"/> Airport Projects Jim Lerner	<input type="checkbox"/> RWQCB 6 Lahontan Region (6)
<input checked="" type="checkbox"/> Dept of Parks & Recreation Environmental Stewardship Section	<input type="checkbox"/> Dept. of General Services Public School Construction	<input type="checkbox"/> Dept. of Transportation	<input type="checkbox"/> Transportation Projects Ravi Ramalingam	<input type="checkbox"/> RWQCB 6V Lahontan Region (6) Victorville Branch Office
<input type="checkbox"/> Central Valley Flood Protection Board Mark Herald	<input type="checkbox"/> Dept. of General Services Anna Garbeff Environmental Services Section	<input type="checkbox"/> Caltrans, District 1 Rex Jackman	<input type="checkbox"/> Industrial Projects Mike Tollstrup	<input type="checkbox"/> RWQCB 7 Colorado River Basin Region (7)
<input type="checkbox"/> S.F. Bay Conservation & Dev't. Comm. Steve McAdam	<input type="checkbox"/> Dept. of Public Health Veronica Malloy Dept. of Health/Drinking Water	<input type="checkbox"/> Caltrans, District 2 Marcelino Gonzalez	<input type="checkbox"/> California Integrated Waste Management Board Sue O'Leary	<input type="checkbox"/> RWQCB 8 Santa Ana Region (8)
<input checked="" type="checkbox"/> Dept. of Water Resources Resources Agency Nadell Gayou	<u>Independent Commissions, Boards</u>	<input type="checkbox"/> Caltrans, District 3 Bruce de Terra	<input type="checkbox"/> State Water Resources Control Board Steven Herrera Division of Water Rights	<input type="checkbox"/> RWQCB 9 San Diego Region (9)
<input type="checkbox"/> Conservancy	<input type="checkbox"/> Delta Protection Commission Debbie Eddy	<input type="checkbox"/> Caltrans, District 4 Lisa Carboni	<input type="checkbox"/> State Water Resources Control Board Student Intern, 401 Water Quality Certification Unit Division of Water Quality	<input type="checkbox"/> Other _____
<u>Fish and Game</u>	<input checked="" type="checkbox"/> Office of Emergency Services Dennis Castrillo	<input type="checkbox"/> Caltrans, District 5 David Murray	<input type="checkbox"/> State Water Resources Control Board CEQA Tracking Center	
<input type="checkbox"/> Dept. of Fish & Game Scott Flint Environmental Services Division	<input type="checkbox"/> Governor's Office of Planning & Research State Clearinghouse	<input type="checkbox"/> Caltrans, District 6 Michael Navarro	<input type="checkbox"/> Department of Pesticide Regulation CEQA Coordinator	
<input type="checkbox"/> Fish & Game Region 1 Donald Koch	<input checked="" type="checkbox"/> Native American Heritage Comm. Debbie Treadway	<input type="checkbox"/> Caltrans, District 7 Elmer Alvarez		
<input type="checkbox"/> Fish & Game Region 1E Laurie Harnsberger				



GOVERNOR'S OFFICE OF EMERGENCY SERVICES
DISASTER ASSISTANCE PROGRAMS BRANCH
3650 SCHRIEVER AVENUE
MATHER, CALIFORNIA 95655
PHONE: (916) 845-8101 FAX: (916) 845-8381



October 2, 2008

Denis Cook
City of Live Oak
9955 Live Oak Boulevard
Live Oak, CA 95953

RE: Notice of Preparation for a Draft Environmental Impact Report for the City of Live Oak
General Plan Update, SCH# 2008092050

Dear Mr. Cook:

Thank you for the opportunity to comment on your Notice of Preparation for a Draft Environmental Impact Report (DEIR) for the city's general plan update. In preparing the general plan and accompanying DEIR, the city should examine the sections of state planning law that involve potential hazards the city may face. For your information, I have underlined specific sections of state planning law where identification and analysis of hazards are discussed (see Attachment A).

Prior to the release of the draft general plan or within the DEIR, city staff or your consultants should examine each of the requirements in state planning law and determine if there are hazard issues within the community which the general plan should address. A table in the DEIR (or general plan) which identifies these specific issues and where they are addressed in the general plan would be helpful in demonstrating the city has complied with these requirements. If the DEIR determines that state planning law requirements have not been met, it should recommend that these issues be addressed in the general plan as a mitigation measure.

We note that state planning law includes a requirement for consultations with state agencies in regard to information related to hazards. OES would be happy to share all available information at our disposal to facilitate the city's ability to comply with state planning and environmental laws.

If you have any questions about these comments, please contact Andrew Rush at (916) 845-8269 or andrew.rush@OES.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Dennis Castrillo".

Dennis Castrillo
Environmental Officer

cc: State Clearinghouse

Attachment A
Hazards and State Planning Law Requirements

General Plan Consistency

65300.5. In construing the provisions of this article, the Legislature intends that the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.

Seven Mandated Elements

65302. The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements:

(a) A land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The location and designation of the extent of the uses of the land for public and private uses shall consider the identification of land and natural resources pursuant to paragraph (3) of subdivision (d). The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify and annually review those areas covered by the plan that are subject to flooding identified by flood plain mapping prepared by the Federal Emergency Management Agency (FEMA) or the Department of Water Resources. The land use element shall also do both of the following:

(1) Designate in a land use category that provides for timber production those parcels of real property zoned for timberland production pursuant to the California Timberland Productivity Act of 1982, Chapter 6.7 (commencing with Section 51100) of Part 1 of Division 1 of Title 5.

(2) Consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing zoning ordinances or designating land uses covered by the general plan for land, or other territory adjacent to military facilities, or underlying designated military aviation routes and airspace.

(A) In determining the impact of new growth on military readiness activities, information provided by military facilities shall be considered. Cities and counties shall address military impacts based on information from the military and other sources.

(B) The following definitions govern this paragraph:

(i) "Military readiness activities" mean all of the following:

(I) Training, support, and operations that prepare the men and women of the military for combat.

(II) Operation, maintenance, and security of any military installation.

(III) Testing of military equipment, vehicles, weapons, and sensors for proper operation or suitability for combat use.

(ii) "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the United States Department of Defense as defined in paragraph (1) of subsection (e) of Section 2687 of Title 10 of the United States Code.

(b) A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan.

(c) A housing element as provided in Article 10.6 (commencing with Section 65580).

(d) (1) A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. The conservation element shall consider the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies, including flood management, water conservation, or groundwater agencies that have developed, served, controlled, managed, or conserved water of any type for any purpose in the county or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or county.

(2) The conservation element may also cover all of the following:

(A) The reclamation of land and waters.

(B) Prevention and control of the pollution of streams and other waters.

(C) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.

(D) Prevention, control, and correction of the erosion of soils, beaches, and shores.

(E) Protection of watersheds.

(F) The location, quantity and quality of the rock, sand and gravel resources.

(3) Upon the next revision of the housing element on or after January 1, 2009, the conservation element shall identify rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management.

(e) An open-space element as provided in Article 10.5 (commencing with Section 65560).

(f) (1) A noise element which shall identify and appraise noise problems in the community. The noise element shall recognize the guidelines established by the Office of Noise Control in the State Department of Health Care Services and shall analyze and quantify, to the extent practicable, as determined by the legislative body, current and projected noise levels for all of the following sources:

(A) Highways and freeways.

(B) Primary arterials and major local streets.

(C) Passenger and freight on-line railroad operations and ground rapid transit systems.

(D) Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation.

(E) Local industrial plants, including, but not limited to, railroad classification yards.

(F) Other ground stationary noise sources, including, but not limited to, military installations, identified by local agencies as contributing to the community noise environment.

(2) Noise contours shall be shown for all of these sources and stated in terms of community noise equivalent level (CNEL) or day-night average level (Ldn). The noise contours shall be prepared on the basis of noise monitoring or following generally accepted noise modeling techniques for the various sources identified in paragraphs (1) to (6), inclusive.

(3) The noise contours shall be used as a guide for establishing a pattern of land uses in the land use element that minimizes the exposure of community residents to excessive noise.

(4) The noise element shall include implementation measures and possible solutions that address existing and foreseeable noise problems, if any. The adopted noise element shall serve as a guideline for compliance with the state's noise insulation standards.

(g) (1) A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction, and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of Division 2 of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wild land and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, military installations, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards.

(2) The safety element, upon the next revision of the housing element on or after January 1, 2009, shall also do the following:

(A) Identify information regarding flood hazards, including, but not limited to, the following:

(i) Flood hazard zones. As used in this subdivision, "flood hazard zone" means an area subject to flooding that is delineated as either a special hazard area or an area of moderate or minimal hazard on an official flood insurance rate map issued by the Federal Emergency Management Agency. The identification of a flood hazard zone does not imply that areas outside the flood hazard zones or uses permitted within flood hazard zones will be free from flooding or flood damage.

(ii) National Flood Insurance Program maps published by FEMA.

(iii) Information about flood hazards that is available from the United States Army Corps of Engineers.

(iv) Designated floodway maps that are available from the Central Valley Flood Protection Board.

(v) Dam failure inundation maps prepared pursuant to Section 8589.5 that are available from the Office of Emergency Services.

(vi) Awareness Floodplain Mapping Program maps and 200-year flood plain maps that are or may be available from, or accepted by, the Department of Water Resources.

(vii) Maps of levee protection zones.

(viii) Areas subject to inundation in the event of the failure of project or nonproject levees or floodwalls.

(ix) Historical data on flooding, including locally prepared maps of areas that are subject to flooding, areas that are vulnerable to flooding after wildfires, and sites that have been repeatedly damaged by flooding.

(x) Existing and planned development in flood hazard zones, including structures, roads, utilities, and essential public facilities.

(xi) Local, state, and federal agencies with responsibility for flood protection, including special districts and local offices of emergency services.

(B) Establish a set of comprehensive goals, policies, and objectives based on the information identified pursuant to subparagraph (A), for the protection of the community from the unreasonable risks of flooding, including, but not limited to:

(i) Avoiding or minimizing the risks of flooding to new development.

(ii) Evaluating whether new development should be located in flood hazard zones, and identifying construction methods or other methods to minimize damage if new development is located in flood hazard zones.

(iii) Maintaining the structural and operational integrity of essential public facilities during flooding.

(iv) Locating, when feasible, new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities or identifying construction methods or other methods to minimize damage if these facilities are located in flood hazard zones.

(v) Establishing cooperative working relationships among public agencies with responsibility for flood protection.

(C) Establish a set of feasible implementation measures designed to carry out the goals, policies, and objectives established pursuant to subparagraph (B).

(3) After the initial revision of the safety element pursuant to paragraph (2), upon each revision of the housing element, the planning agency shall review and, if necessary, revise the safety element to identify new information that was not available during the previous revision of the safety element.

(4) Cities and counties that have flood plain management ordinances that have been approved by FEMA that substantially comply with this section, or have substantially equivalent provisions to this subdivision in their general plans, may use that information in the safety element to comply with this subdivision, and shall summarize and incorporate by reference into the safety element the other general plan provisions or the flood plain ordinance, specifically showing how each requirement of this subdivision has been met.

(5) Prior to the periodic review of its general plan and prior to preparing or revising its safety element, each city and county shall consult the California Geological Survey of the Department of Conservation, the Central Valley Flood Protection Board, if the city or county is located within the boundaries of the Sacramento and San Joaquin Drainage District, as set forth in Section 8501 of the Water Code, and the Office of Emergency Services for the purpose of including information known by and available to the department, the office, and the board required by this subdivision.

(6) To the extent that a county's safety element is sufficiently detailed and contains appropriate policies and programs for adoption by a city, a city may adopt that portion of the county's safety element that pertains to the city's planning area in satisfaction of the requirement imposed by this subdivision.

Consistency with Airport Land Use Plans

65302.3. (a) The general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the plan adopted or amended pursuant to Section 21675 of the Public Utilities Code.

Review of Safety Element

65302.5. (a) At least 45 days prior to adoption or amendment of the safety element, each county and city shall submit to the Division of Mines and Geology of the Department of Conservation one copy of a draft of the safety element or amendment and any technical studies used for

developing the safety element. The division may review drafts submitted to it to determine whether they incorporate known seismic and other geologic hazard information, and report its findings to the planning agency within 30 days of receipt of the draft of the safety element or amendment pursuant to this subdivision. The legislative body shall consider the division's findings prior to final adoption of the safety element or amendment unless the division's findings are not available within the above prescribed time limits or unless the division has indicated to the city or county that the division will not review the safety element. If the division's findings are not available within those prescribed time limits, the legislative body may take the division's findings into consideration at the time it considers future amendments to the safety element. Each county and city shall provide the division with a copy of its adopted safety element or amendments. The division may review adopted safety elements or amendments and report its findings. All findings made by the division shall be advisory to the planning agency and legislative body.

(1) The draft element of or draft amendment to the safety element of a county or a city's general plan shall be submitted to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county at least 90 days prior to either of the following:

(A) The adoption or amendment to the safety element of its general plan for each county that contains state responsibility areas.

(B) The adoption or amendment to the safety element of its general plan for each city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177.

(2) A county that contains state responsibility areas and a city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177, shall submit for review the safety element of its general plan to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county in accordance with the following dates as specified, unless the local government submitted the element within five years prior to that date:

(A) Local governments within the regional jurisdiction of the San Diego Association of Governments: December 31, 2010.

(B) Local governments within the regional jurisdiction of the Southern California Association of Governments: December 31, 2011.

(C) Local governments within the regional jurisdiction of the Association of Bay Area Governments: December 31, 2012.

(D) Local governments within the regional jurisdiction of the Council of Fresno County Governments, the Kern County Council of Governments, and the Sacramento Area Council of Governments: June 30, 2013.

(E) Local governments within the regional jurisdiction of the Association of Monterey Bay Area Governments: December 31, 2014.

(F) All other local governments: December 31, 2015.

(3) The State Board of Forestry and Fire Protection shall, and a local agency may, review the draft or an existing safety element and report its written recommendations to the planning agency within 60 days of its receipt of the draft or existing safety element. The State Board of Forestry and Fire Protection and local agency shall review the draft or existing safety element and may offer written recommendations for changes to the draft or existing safety element regarding both of the following:

(A) Uses of land and policies in state responsibility areas and very high fire hazard severity zones that will protect life, property, and natural resources from unreasonable risks associated with wildland fires.

(B) Methods and strategies for wildland fire risk reduction and prevention within state responsibility areas and very high hazard severity zones.

(b) Prior to the adoption of its draft element or draft amendment, the board of supervisors of the county or the city council of a city shall consider the recommendations made by the State Board of Forestry and Fire Protection and any local agency that provides fire protection to territory in the city or county. If the board of supervisors or city council determines not to accept all or some of the recommendations, if any, made by the State Board of Forestry and Fire Protection or local agency, the board of supervisors or city council shall communicate in writing to the State Board of Forestry and Fire Protection or to the local agency, its reasons for not accepting the recommendations.

Open Space Plans

65560. (a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional or state open-space plan as any of the following:

(1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

(4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.