



CHAPTER ONE INTRODUCTION

1.1 PROPOSED ACTION

A. The proposed actions for which this Environmental Impact Report (EIR) has been prepared include the following:

- Adoption and subsequent implementation of a General Plan for the Town of Paradise and the surrounding area, known as the *Paradise General Plan*.
- Subsequent Zoning and Subdivision Ordinance amendments and changes of zone to achieve consistency with the *General Plan*.

B. The objectives of this project are to:

- Identify the Town's land use, circulation, environmental, economic and social goals and policies as they relate to land use and development through the year 2007.
- Provide a basis for Town decision-making, including a nexus to support development exactions as required by *Nollan v. California Coastal Commission* (1987).
- Provide citizens with opportunities to participate in the planning and decision-making processes of local government.
- Inform citizens, developers, decision-makers, other cities and Butte County of the ground rules that will guide development within the Town.

The area encompassed by the *General Plan* is described as the Paradise Planning Area. The Paradise Planning Area consists of the Town of Paradise and the surrounding Secondary and Tertiary Planning Areas to the north and south, as shown in Figure 2-3. All future development activities within this area, as well as the continuation of existing



or established uses, would be carried out or sustained in accordance with the adopted *Paradise General Plan*. The Plan will be adopted by, and administered under the auspices of, the Town of Paradise. For the portions of the Planning Area which are in the unincorporated area of Butte County, the County will be requested to adopt and administer an identical or substantially similar plan and approach to land use decision-making.

1.2 PROCEDURES

This EIR has been prepared for the Town of Paradise by QUAD Consultants in accordance with applicable provisions of the *California Environmental Quality Act (CEQA)* and the *State Guidelines for Implementation of the California Environmental Quality Act* (California Administrative Code, Title 14, Division 6, Chapter 3). As provided in Section 15121 (a) of the *Guidelines*, this EIR is to serve as an informational document that will:

...inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify ways to minimize the significant effects, and describe reasonable alternatives to the project...

Although a general plan and an EIR on a general plan are legally distinct, they must address many of the same concerns, and the processes for preparing them are similar. According to the *State General Plan Guidelines* a thorough process for revising an entire general plan will cover "virtually every substantive requirement of an EIR... A well-prepared general plan EIR covering broad geographic areas can increase the possibility that negative declarations can be issued at a later time for specific project proposals within the planning areas." The *CEQA Guidelines* recognize that a general plan EIR will not be as specific as an EIR on an individual project.

CEQA and the *CEQA Guidelines* authorize the use of the general plan EIR for subsequent discretionary projects in order to streamline and simplify environmental review. Through "tiering", the environmental review for subsequent project is limited to the additional significant effects which were not examined in the general plan EIR or effects which may be mitigated by specific revisions in the project.

The adoption of the proposed *Paradise General Plan* is a discretionary action of the Town of Paradise. Consequently, the Town is defined under CEQA as the *lead*



agency for the project. In accordance with State Planning Law and with the *CEQA Guidelines*, the Town will adopt the Plan only after a minimum of one public hearing each before the Planning Commission and the Town Council.

The Town, following a forty-five day public review and comment period on the Draft EIR and public testimony on the environmental effects of the Plan, will address concerns raised by the public and by responsible and trustee agencies (as defined by CEQA) in a published Final EIR. The Town Council will certify this Final EIR preceding the adoption of the *Paradise General Plan*. Measures and programs prescribed in the Final EIR to mitigate potentially significant effects on the environment associated with carrying out the General Plan and related actions will be imposed by the Town upon future developers, upon itself, and upon other parties involved in implementing aspects of the Plan.

1.3 METHODOLOGY/SCOPE OF EIR

This EIR discusses and evaluates the potential effects of the approval, and subsequent implementation, of a General Plan for the Town of Paradise and the surrounding Planning Area included in the General Plan. Included in this environmental analysis are the direct effects of building out the portions of the Planning Area designated for development, as well as the cumulative and growth-inducing effects upon the community and regional environments. The EIR will also take into consideration the mitigating effects of many of the goals, objectives, policies and implementation measures which are a part of the General Plan.

In April 1991, the Town of Paradise distributed a Notice of Preparation (NOP) of the subject EIR, inviting responsible and trustee agencies and other interested parties to comment upon the appropriate scope of the environmental analysis. A copy of this NOP, and of the responses received by the Town, are included as Appendices A and B, respectively, of Volume II, *Environmental Impact Report*.

Based upon the Initial Study of the Plan's potential environmental effects and upon the comments received in response to the referenced NOP (see Appendices A and B), it has been determined that this EIR should be focused upon the following aspects of the environment:

- Topography



- Geology/Seismicity
- Soils
- Air Quality
- Hydrology
- Vegetation and Wildlife
- Noise
- Light and Glare
- Land Use and Population
- Housing
- Health Hazards and Safety
- Transportation and Circulation
- Public Facilities and Services
- Scenic and Cultural Resources

Aspects of the environment other than those listed and discussed above have been determined by the Town of Paradise to be unlikely to incur significant Plan related impacts. This EIR, therefore, will be confined to the topical areas referenced and to CEQA - mandated discussion of such general issues as the Plan's possible irreversible environmental effects, alternatives to the proposed Plan, and the comparative environmental superiority among such alternatives.

According to the *State General Plan Guidelines*:

Because a general plan and its EIR overlap in content and should be prepared as part of a single planning process, local governments may want



to combine them into a single document or set of documents (*CEQA Guidelines*, Section 15166).

Three documents have been prepared which, taken together, constitute this Environmental Impact Report. Volume III, the *Environmental Setting*, contains information on the physical and environmental setting, including inventories of soils, geology, hydrology, air quality, vegetation, wildlife, energy, cultural heritage, ambient noise, existing land use, transportation, population, public services, and water quality, and a description of relevant local and regional plans. This document constitutes both the data and analysis out of which General Plan policies have evolved and the environmental setting section of the EIR.

The first document, Volume I, *Policy Document*, consists of the policies, plan proposals, standards and implementation program of the General Plan. In essence, this document is the project and constitutes the project description for purposes of CEQA. This document, Volume III, consists of the environmental assessment - the discussion of effects, mitigation measures, and alternatives which satisfies the requirements of an EIR. Ultimately, the three documents are to be certified as the EIR, while Volumes I and II are to be adopted as the General Plan.

The scope and analysis of the issues discussed above conforms to the *Standards for Adequacy of an EIR* (*CEQA Guidelines* Section 15151), which states:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An analysis of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement, among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

The environmental effects of a change in an adopted plan and the range of discussion of potential impacts for issues such as police and fire protection and schools are guided in this EIR by the definition of "environment" in the *CEQA Guidelines*:



Environment means the physical conditions which exist within the area which will be affected by the proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. (Section 15360)

Further, Section 15146 (b) states that "An EIR on projects such as the adoption or amendment of ...a local general plan should focus on the secondary effects that can be expected to follow from the adoption, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow. Accordingly, the impacts of the proposed *Paradise General Plan* and related actions are not evaluated in terms of change just in allowable land uses from the current Town General Plan and zoning plan, but rather in terms of the actual effects on the physical environment, as it exists now, attributable to Plan *implementation*. It should be noted that possible social and/or economic effects of a project are not considered environmental impacts under CEQA, unless they, in turn, result in adverse, identifiable effects on the *physical* environment.

The consideration of alternatives to the proposed project in this EIR has been conducted in conformance with Section 15126 (d) of the *CEQA Guidelines*, which prescribes:

(3) The discussion of alternatives shall focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance...

(5) The range of alternatives required in an EIR is governed by "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The key issue is whether the selection and discussion of alternatives fosters informed decision-making and informed public participation.

The next chapter of this report describes the project in greater detail and summarizes the general characteristics of the Planning Area and vicinity. Chapter Three of this EIR describes specific characteristics of the Plan's environmental setting, organized within the framework of the topical areas of focus prescribed in response to the Town's Initial Study and responses to the Notice of Preparation. Chapter Three also identifies and discusses potentially significant project-related impacts on those selected aspects of the environment and sets forth mitigation measures for these impacts, as



appropriate. Chapter Four evaluates alternatives to the proposed Plan, including: the alternative of no Plan update, and alternative land use and circulation system scenarios. An alternative location for the Plan is evaluated only to the extent that alternative Planning Area boundaries have been considered.

The fifth and final chapter of this EIR summarizes significant environmental effects of the proposed Plan which cannot be avoided and evaluates the cumulative impacts and growth-inducement potential of the project. Following the text of this report, several appendices and references have been included to facilitate full environmental review of the Plan. Additional technical appendices referred to in this EIR document are included in Volume II, *Environmental Setting*, addressing in detail key aspects of the *Paradise General Plan's* environmental setting. Those technical appendices are to be regarded as an integral part of this EIR.