



Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Russ Mull, R.E.H.S., A.I.C.P.
Director

Richard W. Simon
Assistant Director.

February 24, 2009

Eihnard F. Diaz, AICP
Diaz Associates
4277 Pasatiempo Court
Redding, CA 96002

Mr. Diaz:

USE PERMIT 17-092A (ADAMS)

This letter is in response to your email sent on February 19, 2009, regarding Use Permit 17-092A. As stated, you are in the process of evaluating recent comments received regarding this project and the project description may be amended in the future.

In November 2008, prior to the County distributing a proposed Mitigated Negative Declaration, you requested a 30-day project continuance to allow additional time to review the Initial Study and evaluate the mitigation measures proposed. Over 90 days have since passed without concurrence or suggested alternatives from the applicant. Most importantly, as stated in our earlier letter, substantial new evidence has been submitted to the County from qualified individuals and agencies indicating that potentially significant impacts from the proposed project could occur in the areas of water resources, biological resources, wetlands, noise, air quality and health hazards; all of which need to be addressed.

The California Environmental Quality Act (CEQA) encourages that where clear and adequate mitigation exists, reasonable efforts should be made to address environmental concerns without requiring an Environmental Impact Report (EIR). However, CEQA plainly states that where substantial evidence indicates that significant impacts may result from a project, even if other substantial evidence indicates that impacts would not be significant (as is the case here), the lead agency *shall* prepare an EIR. Therefore, in accordance with Shasta County Environmental Review Procedures, and based on new substantial evidence of potentially significant impact, the Environmental Review Officer (ERO) has determined that in light of the whole record, as currently filed, this project may have a significant effect on the environment and an EIR must be prepared.

Based on this environmental determination, and in consideration of the possibility that the project may be amended in the future, there are three options available as outlined below.

☐ Suite 101
AIR QUALITY MANAGEMENT DISTRICT
(530) 225-5674
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ADMINISTRATION & COMMUNITY EDUCATION
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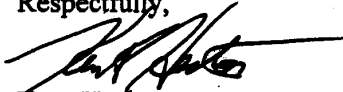
Option 1: To proceed with the project as currently proposed, an EIR will be required. To begin preparation of the EIR, please contact this department regarding the County's EIR process, and funds required to be deposited with the County prior to preparation and distribution of the Request for Proposals (RFP) to consultants qualified to prepare the EIR. For further information pertaining to Shasta County's consultant selection process, please refer to the Shasta County Environmental Review Procedures, available from staff.

Option 2: Withdraw the current project application and submit an amended project, at your convenience, which would initiate and be evaluated under a new environmental review. A refund of unexpended fees on the current application may be requested at the time of withdrawal.

Option 3: The decision of the ERO to prepare an EIR on the current project may be appealed to the Planning Commission by filing an appeal in writing (with the necessary fees) with the Secretary of the Planning Commission within 15 calendar days of the date of this letter. The appeal should provide the basis and support for the appeal. Any such appeal shall be considered and acted on by the Planning Commission within thirty (30) calendar days of a complete filing.

Should you have any questions regarding this letter, please contact me at (530) 225-5532.

Respectfully,



Kent Hector
Senior Planner

KH/dd

c: Lawrence & Melinda Adams, 18355 Hooker Creek Road, Cottonwood, CA 96022

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