
1.0 INTRODUCTION

This Final Environmental Impact Report (FEIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines (Section 15132). The County of Nevada (County) is the lead agency for the environmental review of the proposed Rincon del Rio Continuing Care Retirement Community project (project) and has the principal responsibility for approving the project. This FEIR assesses the expected environmental impacts resulting from approval of the project and associated impacts from subsequent development of the project, as well as responds to comments received on the Draft EIR.

1.1 BACKGROUND AND PURPOSE OF THE EIR

OVERVIEW OF CEQA REQUIREMENTS FOR PREPARATION OF AN EIR

Nevada County, serving as the lead agency, has prepared this EIR to provide the public and responsible and trustee agencies with information about the potential environmental effects of the proposed project. As set forth in the provisions of CEQA and implementing regulations, public agencies are charged with the duty to consider the environmental impacts of proposed development and to minimize these impacts where feasible while carrying out an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

CEQA Guidelines Section 15121(a) states that an EIR is an informational document for decision-makers and the general public which analyzes the significant environmental effects of a project, identifies possible ways to minimize significant effects, and describes reasonable alternatives to the project that could reduce or avoid its adverse environmental impacts. Public agencies with discretionary authority are required to consider the information in the EIR, along with any other relevant information, in making decisions on the project.

CEQA requires the preparation of an environmental impact report prior to approving any project which may have a significant effect on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action that has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]). With respect to the Rincon del Rio Continuing Care Retirement Community (CCRC), the County has determined that the proposed development is a "project" within the definition of CEQA.

BACKGROUND OF ENVIRONMENTAL REVIEW PROCESS OF THE PROJECT

The following is an overview of the environmental review process for the project that led to the preparation of this FEIR:

Notice of Preparation and Initial Study

In accordance with Section 15082 of the State CEQA Guidelines, Nevada County prepared a Notice of Preparation (NOP) of an EIR on May 11, 2011. The County was identified as the lead agency for the proposed project. The purpose of the notice was to solicit comments on the proposed project; therefore, it was circulated to interested parties as well as to public, local, state, and federal agencies. The May 2011 NOP and the comments received in response to the NOP are presented in Appendix A of the Draft EIR.

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Draft EIR

The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. The Draft EIR was circulated for a 60-day public review period on January 20, 2012, to elicit public and agency comments about the adequacy of the Draft EIR. The Draft EIR was provided to interested public agencies and the public and was made available for review at the Nevada County Planning Department. A public meeting was held before the Nevada County Planning Commission on March 8, 2012, to receive comments on the DEIR.

Final EIR

Following the close of the public review period, the County received several individual comment letters from agencies, interest groups, and the public regarding the Draft EIR. These written comments and a summary of oral comments provided at the Planning Commission meeting regarding this project are included herein. As required by CEQA, this document responds to the written comments received. This document also contains minor edits to the DEIR. This document and the DEIR, as amended herein, constitute the FEIR.

Certification of the Final EIR/Project Consideration

The County will review and consider the FEIR. If the County finds that the FEIR is "adequate and complete," the County may certify the FEIR at a public hearing. The rule of adequacy generally holds that the EIR can be certified if it: (1) shows a good faith effort at full disclosure of environmental information; and (2) provides sufficient analysis to allow decisions to be made regarding the project in contemplation of its environmental consequences.

Upon review and consideration of the FEIR, the County may take action to approve, revise, or reject the project. A decision to approve the project would be accompanied by written findings in accordance with State CEQA Guidelines Section 15091 and Section 15093. Public Resources Code Section 21081.6 also requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.

1.2 TYPE OF DOCUMENT

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a Project EIR pursuant to CEQA Guidelines Section 15161. The analysis associated with a Project EIR focuses primarily on the changes in the environment that would occur as a result of project implementation and examines all phases of the project (i.e., planning, construction, and operation). The analysis addresses impacts resulting from the development and operation of the Rincon del Rio Continuing Care Retirement Community, and the provision of infrastructure and services for the project.

Ultimately, the EIR is used by the County as a tool in evaluating a proposed project's environmental impacts and can be further used to modify, approve, or deny approval of a proposed project based on the analysis provided in the EIR.

1.3 INTENDED USES OF THE EIR

This EIR is intended to evaluate the environmental impacts of the project to the greatest extent possible. This EIR, in accordance with CEQA Guidelines Section 15126, should be used as the primary environmental document to evaluate all planning and permitting actions associated with the project. These actions include, but are not limited to, the following:

- General Plan Text Amendment
- General Plan Land Use Diagram Amendment
- Zoning Text Amendment
- Zoning Map Amendment
- Tentative Parcel Map
- Use Permit
- Development Agreement
- Road Maintenance Agreement
- Management Plans
- Road Standard Exceptions
- Annexation into Sanitation District

1.4 ORGANIZATION AND SCOPE OF THE FINAL EIR

This document is organized in the following manner:

CHAPTER 1.0 – INTRODUCTION

Chapter 1.0 provides an overview of the EIR process to date and what the FEIR is required to contain.

CHAPTER 2.0 – EXECUTIVE SUMMARY

Summarizes the characteristics of the proposed project and provides a concise summary matrix of the project's environmental impacts and associated mitigation measures.

CHAPTER 3.0 – COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT EIR

Chapter 3.0 provides a list of commenters, copies of written comments (coded for reference), and the responses to those written comments made on the Draft EIR.

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CHAPTER 4.0 – ERRATA

Chapter 4.0 consists of revisions to the Draft EIR that are a result of responses to comments, as well as minor staff edits that do not change the intent or content of the analysis or mitigation measures.