

This section summarizes the purpose of the Recirculated Draft Environmental Impact Report (EIR) for the Sierra Pacific Industries (SPI) Cogeneration Power Project (project). The following discussion addresses the environmental procedures that are to be followed according to State law; the intended uses of the Recirculated Draft EIR; the contents of the Recirculated Draft EIR; the procedures for submittal of public and agency comments on the Recirculated Draft EIR; and the requirements for responding to comments on the original Draft EIR and the Recirculated Draft EIR.

1.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that all state and local government agencies consider the environmental consequences of programs and projects over which they have discretionary authority before taking action on those projects or programs. Where there is substantial evidence that a project may have a significant effect on the environment, the agency shall prepare an environmental impact report (EIR) (CEQA Guidelines, Section 15164[a]). An EIR is an informational document that will inform public agency decision makers and the general public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

CEQA requires that a draft EIR be prepared and circulated for public review. Following the close of the public review period, the lead agency prepares a final EIR, which includes the comments received during the review period (either verbatim or in summary), and responses to the significant environmental issues raised in those comments. Prior to taking action on a proposed project, the lead agency must certify the EIR and make certain findings.

A lead agency is required to recirculate a draft EIR, prior to certification, when “significant new information” is added to the EIR after the public review period begins (CEQA Guidelines Section 15088.5). New information is deemed significant if it reveals the following:

- A new significant environmental impact resulting from either the project itself or a new proposed mitigation measure;
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project proponent declines to adopt it; or
- The draft EIR was so fundamentally inadequate and conclusory that it precluded meaningful public review and comment.

In addition, a lead agency may choose to recirculate an EIR if additional studies or analysis is conducted for a project before a specific action is taken by local decision makers to approve a project. Recirculation may be limited to those chapters or portions of the EIR that have been modified (CEQA Guidelines Section 15088.5(c)).

1.2 PROJECT BACKGROUND AND REASONS FOR EIR RECIRCULATION

Notice of Preparation

The County circulated a Notice of Preparation (NOP) of an EIR for the proposed project and an Initial Study on July 3, 2009 to trustee and responsible agencies, the State Clearinghouse, and the public. A public scoping meeting was held on July 21, 2009. Concerns raised in response to the NOP were considered during preparation of the Draft EIR.

Draft EIR

The County circulated a Draft EIR to the State Clearinghouse, trustee and responsible agencies, and the public on August 6, 2010. A Notice of Completion (NOC) was filed, and a 45-day public review period was provided between August 6, 2010 and September 21, 2010 to receive public and agency comments on the adequacy of the environmental analysis contained in the 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, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts.

REASONS FOR EIR RECIRCULATION

Since the Draft EIR was circulated for public review on August 6, 2010, new information regarding the project has become available. Specifically, additional details regarding the project's fuel supplies have been provided by the project proponent, and a revised greenhouse gas (GHG) analysis has been prepared. This new information is described in greater detail below.

The new information regarding this project has not resulted in new significant and unavoidable impacts, nor has it resulted in an increase in the severity of a previously identified impact. The original Draft EIR concluded that the proposed project would result in a significant and unavoidable impact to greenhouse gases and global climate change. The County has since overseen preparation of a revised GHG and climate change analysis that employs a more refined and comprehensive methodology, and utilizes the expanded fuel supply information provided by the project applicant. The revised GHG and climate change analysis has resulted in a conclusion that impacts to greenhouse gases and global climate change associated with the proposed project would be less than significant.

The County received several comments related to the topic of GHGs and climate change after public review of the original Draft EIR. Given the relatively high degree of public interest in this topic, the County has elected to recirculate this revised Draft EIR project description and GHG analysis to provide the public and agencies with ample opportunity to review and comment on the updated analysis and new project information. Procedures for commenting on this revised analysis are detailed below.

1.3 SUMMARY OF CHANGES

Two sections of the original Draft EIR have been revised and are included in this Recirculated Draft EIR.

Chapter 2.0: Project Description

The Recirculated Draft EIR Project Description has been revised and expanded to include additional details and information regarding the fuel types and fuel supplies that will be used in the proposed cogeneration facility. The Project Description also includes additional details and information regarding the proposed project's process water system, which includes the cooling tower system and the boiler water/steam system. The majority of the information contained in the original Draft EIR Project Description remains unchanged with this Recirculated Draft EIR. Therefore, changes made to this section have been shown in underline and ~~striketrough~~ text to assist the reader in identifying the changes made to this section. Underline text indicates new language that has been added to this section, and ~~striketrough~~ text indicates language that has been deleted or removed from this section.

Chapter 3.2.4: Greenhouse Gases and Climate Change

The original Draft EIR included an analysis of greenhouse gases and climate change as a subsection of Chapter 3.2. Chapter 3.2 also included an analysis of the project's potential Air Quality impacts. The Air Quality portion of Chapter 3.2 is not included in this Recirculated Draft EIR. However, the entirety of the greenhouse gases and climate change analysis (Chapter 3.2.4) is included in this Recirculated Draft EIR.

The GHG and climate change analysis has been revised to include new methodologies to quantify GHGs generated by the proposed project. The updated methodology employs techniques and quantification models developed and endorsed by the Intergovernmental Panel on Climate Change (IPCC), and accounts for the "alternate fate" of biomass fuels proposed for consumption by the proposed project. The revised methodologies and quantification results are described in detail in Chapter 3.2.4.

The original Draft EIR concluded that impacts related to GHGs and global climate change would be significant and unavoidable. This Recirculated Draft EIR has concluded that impacts related to GHGs and global climate change would be less than significant.

Due to the extensive changes made to this section, this section is presented in its entirety **without** the use of underline and ~~striketrough~~ text.

1.4 COMMENTS ON THE RECIRCULATED DRAFT EIR

In accordance with Section 15088.5(f)(2) of the CEQA Guidelines, *"When an EIR is revised only in part and the lead agency is recirculating only the revised chapters or portions of the EIR, the lead agency may request that reviewers limit their comments to the revised chapters or portions of the recirculated EIR. The lead agency need only respond to (i) comments received during the initial circulation period that relate to chapters or portions of the document that were **not** revised and*

recirculated, and (ii) comments received during the recirculation period that relate to the chapters or portions of the earlier EIR that were revised and recirculated.”

The SPI Cogeneration Power Project Draft EIR was originally circulated for a 45-day public review and comment period between August 6, 2010 and September 21, 2010. The County of Shasta, acting as the lead agency for the project, formally requests that reviewers of the Recirculated Draft EIR **limit their comments to the revised portions of the Recirculated Draft EIR included herein**. The Final EIR, which will be prepared after the public review period for the Recirculated Draft EIR, will include responses to comments received on all sections of the original Draft EIR that were **not** recirculated, and responses to comments received on the Recirculated Draft EIR that relate to the portions that were recirculated. In other words, comments related to the project description, and GHG and climate change analysis included in the original Draft EIR will **not** be included in the Final EIR responses to comments. Comments and responses related to the project description, and GHG and climate change analysis contained in this Recirculated Draft EIR **will** be included in the Final EIR.

1.5 PUBLIC NOTICE/PUBLIC REVIEW

CEQA requires a public review period of at least 45 days for a recirculated draft EIR (Guidelines Sections 15088.5 and 15105). Additionally, Public Resources Code Section 21092.1 requires Shasta County to send a notice of recirculation to every agency, person, or organization that commented on the original Draft EIR.

Consistent with CEQA, the review period for this Recirculated Draft EIR is forty-five (45) days. County Planning staff will be available to answer questions from the public regarding the Recirculated Draft EIR. Public comment on the Recirculated Draft EIR will be accepted in written form. All comments or questions regarding the Recirculated Draft EIR should be addressed to:

Lio Salazar, Associate Planner
Shasta County Department of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001
(530) 225-5532

RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR will be prepared. The Final EIR will include responses to comments received on all sections of the original Draft EIR that were **not** recirculated, and responses to comments received on the Recirculated Draft EIR that relate to the portions that were recirculated.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The County will review and consider the Final EIR. If the County finds that the Final EIR is adequate and completed in compliance with CEQA, the Planning Commission may certify the Final EIR in accordance with CEQA. As set forth by CEQA Guidelines Section 15151, the standards of adequacy

require an EIR to provide a sufficient degree of analysis to allow decisions to be made regarding the proposed project that intelligently take account of environmental consequences.

Following review and consideration of the Final EIR, the County may take action to approve, modify, or reject the project. A decision to approve the proposed project, for which the original Draft EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring Program would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. This Mitigation Monitoring Program will be designed to ensure that these measures are carried out during project implementation, in a manner that is consistent with the EIR.

1.6 ORGANIZATION OF THE DOCUMENT

This Recirculated Draft EIR includes three chapters as follows:

CHAPTER 1.0 – INTRODUCTION

This chapter summarizes the purpose of the Recirculated Draft EIR, describes the environmental procedures that are to be followed according to State law, the intended uses of the Recirculated Draft EIR, the contents of the Recirculated Draft EIR, including a summary of changes made to the original Draft EIR, the procedures for submittal of public and agency comments on the Recirculated Draft EIR, and the requirements for responding to comments on the original Draft EIR and the Recirculated Draft EIR.

REVISED CHAPTER 2.0 – PROJECT DESCRIPTION

Chapter 2 provides a detailed description of the proposed project, including the location, intended objectives, background information, the physical and technical characteristics, including the decisions subject to CEQA, subsequent projects and activities, and a list of related agency action requirements. Revisions to this chapter include an expanded discussion of the proposed project's fuel supplies and operational characteristics of the process water system.

REVISED CHAPTER 3.2.4 – GREENHOUSE GASES AND CLIMATE CHANGE

Chapter 3.2.4 provides background information on the existing environmental and regulatory settings as they relate to GHGs and climate change, identifies the methodologies used to complete the GHG analysis, identifies the thresholds of significance used in the analysis, and includes both a quantitative and qualitative analysis of the proposed project's impacts related to GHGs and climate change. The GHG and climate change analysis has been revised to include new methodologies to quantify GHGs generated by the proposed project, as previously described. The original Draft EIR concluded that impacts related to GHGs and global climate change would be significant and unavoidable. This Recirculated Draft EIR has concluded that impacts related to GHGs and global climate change would be less than significant.

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