
1.0 - INTRODUCTION

This Final Environmental Impact Report (Final EIR or FEIR) was prepared in accordance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines (Section 15132). The City of Madera is the lead agency for the environmental review of the proposed Madera General Plan and has the principal responsibility for approving the project. This FEIR assesses the expected environmental impacts resulting from adoption and implementation of the General Plan, 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

The City of Madera, 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 General Plan. 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.

State CEQA Guidelines Section 15121(a) states that an EIR is an informational document for decision makers and the general public that 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 which 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 proposed Madera General Plan, the City 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 Madera General Plan that has led to the preparation of this FEIR.

Notice of Preparation and Initial Study

In accordance with Section 15082 of the State CEQA Guidelines, the City prepared a Notice of Preparation (NOP) of an EIR for the proposed project on December 27, 2007. The City was identified as the lead agency for the proposed project. This notice was circulated to the State Clearinghouse and to the public, local, state, and federal agencies, and other interested parties to solicit comments on the proposed project. The NOP was posted on the City's website. A scoping meeting was held on January 28, 2008, to receive additional comments. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses by interested parties are presented in Appendix 1.0 of the Draft EIR. An Initial Study for the project was prepared and released for public review along with the NOP. Its conclusions supported preparation of an EIR for the project. The Initial Study is also included in Appendix 1.0 of the Draft EIR.

1.0 INTRODUCTION

Draft EIR

The Draft EIR (DEIR) was released for public and agency review on May 13, 2009. The public comment period was from May 13, 2009, to June 29, 2009. A public comment meeting was held on June 1, 2009.

The DEIR 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 provided interested public agencies and the public and was made available for review at the City of Madera Planning Department, at the Madera library, and on the City's website.

Final EIR

The City received 16 comment letters from agencies, interest groups, and the public regarding the Draft EIR. This document responds to the written comments received as required by CEQA. This document also contains minor edits to the Draft EIR, which are included in Section 4.0, Minor Revisions to the Draft EIR. This document constitutes the FEIR.

Certification of the Final EIR/Project Consideration

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

Upon review and consideration of the Final EIR, the City may take action to adopt, revise, or reject the proposed Madera General Plan. A decision to adopt the General Plan 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 reporting and 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 State CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. According to Section 15168:

A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

- (1) Geographically,*
- (2) As logical parts in the chain of contemplated actions,*
- (3) In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program, or*

- (4) *As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.*

The program-level analysis considers the broad environmental effects of the overall proposed General Plan. This EIR will be used to evaluate subsequent projects and activities under the proposed General Plan. Additional environmental review under CEQA will be required and would be generally based on the subsequent project's consistency with the General Plan and the analysis in this EIR, as required under CEQA. When individual projects or activities under the General Plan are proposed, the City would be required to examine the projects or activities to determine whether their effects were adequately analyzed in the program EIR (State CEQA Guidelines Section 15168). If the projects or activities would have no effects beyond those analyzed in this EIR, no further CEQA compliance would be required.

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 should be used as the primary environmental document to evaluate all subsequent planning and permitting actions associated with projects in the city that are consistent with the General Plan. Subsequent actions that may be associated with the proposed General Plan are identified in Section 3.0, Project Description, of the Draft EIR.

1.4 ORGANIZATION AND SCOPE OF THE FINAL EIR

This document is organized in the following manner:

SECTION 1.0 – INTRODUCTION

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

SECTION 2.0 – EXECUTIVE SUMMARY

Section 2.0 includes an updated Executive Summary that provides a brief project description and presents a summary table of probable environmental effects edited as a result of comments received on the DEIR and minor staff edits.

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

Section 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.

SECTION 4.0 – MINOR REVISIONS TO THE DRAFT EIR

This section consist 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. Revisions appear in ~~strikethrough~~ and underline.

