



County of Lassen

Department of Planning and Building Services

• Planning

• Building Permits

• Code Enforcement

• Surveyor

• Surface Mining

August 13, 2021

Maurice L. Anderson, Director

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

Fax: 530 251-8373

email: landuse@co.lassen.ca.us

website: www.co.lassen.ca.us

Dr. Charles Hooper
11242 Clinton Bar Road
Pine Grove, CA 95665

Zoning & Building
Inspection Requests
Phone: 530 257-5263

Brent Moore, Vice President
Sierra Geotech, DBE, Inc.
2250 Sierra Meadows Drive, Suite A
Rocklin, CA 95677

RE: Initial Study #2020-001 for Use Permit #2020-004, Hooper

As you are aware, this Department has received several letters in regard to the circulation of the proposed mitigated negative declaration and supporting initial study for your project within the last two weeks. Specifically, this Department received letters from the Lahontan Regional Water Quality Control Board on July 28, 2021, the law firm Adams Broadwell Joseph and Cardozo on July 29, 2021, and the California Department of Fish and Wildlife on August 9, 2021. Said letters identify numerous potentially significant impacts on account of the project, including impacts to air quality, greenhouse gases, biological resources, water quality, wildfire, and energy, among others. Said letters present a fair argument based on substantial evidence that the project may have potentially significant effects to the environment. In light of this, Lassen County Environmental Review Officer (ERO) has determined that an Environmental Impact Report (EIR) is required for your project.

The ERO's determination is supported by both Sections 15064(f)(1) and (g) of the 2021 CEQA Guidelines which state in part:

15064(f)(1)

[I]f a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect.

15064(g)

[I]n marginal cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, the lead agency shall be guided by the following principle: If there is disagreement among expert opinion supported by fact over the significance of an effect on the environment, the Lead Agency shall treat the effect as significant and shall prepare an EIR.

Pursuant to Section 6(c) of Board Resolution No. 01-043 (attached), "Unless the applicant concurs with the preliminary determination of the [Environmental Review Officer] to begin preparation of an EIR, the primary decision-making body will make a determination as to whether an EIR or Negative

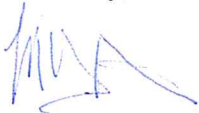
Declaration should be prepared.” As such, please inform this Department, in writing, whether or not you concur that an EIR should be prepared for this project. If you do not concur, the ERO will schedule a public hearing with the Lassen County Planning Commission, who would then make the determination as to whether an EIR must be prepared, unless appealed to the Lassen County Board of Supervisors.

Please see the attached document titled “Environmental Impact Report Preparation Process” for further information concerning the process and cost for preparation of an EIR. Please also see Section 7(b) of Board Resolution #01-043 in regard to the EIR process.

Your initial study and use permit applications are on hold until you inform this Department whether you concur that an EIR is the appropriate environmental document for this project. Please inform us of your intent in writing by October 8, 2021. If you concur that an EIR is required, the initial study preparation process is complete. In such a case, your use permit application will remain on-hold until you submit the required EIR application in accordance with the attached process. Again, if you do not concur that an EIR is required, please inform this Department in writing and a public hearing will be scheduled with the Planning Commission.

Please contact Senior Planner Stefano Richichi at srichichi@co.lassen.ca.us if you have further questions. In addition, you may contact Administrative Assistant Dana Hopkins at dhopkins@co.lassen.ca.us or at (530) 251-8269 to schedule a conference call with Planning Division staff if you wish to discuss this matter further.

Sincerely,



Maurice L. Anderson,
Director

MLA:smr

Enclosures: Board Resolution #01-043
Environmental Impact Report Preparation Process

cc: Lassen County Counsel
Shaun Vemuri, Sierra Geotech, DBE, Inc.

RESOLUTION NO. 01-043

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF LASSEN, AMENDING PROCEDURES FOR THE ADMINISTRATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT BY THE COUNTY OF LASSEN

WHEREAS, Public Resources Code Section 21082, as a provision of the California Environmental Quality Act (CEQA), requires that all public agencies shall adopt objectives, criteria and procedures for the evaluation of projects and the preparation of environmental impact reports and negative declarations; and

WHEREAS, said section requires that said objectives, criteria and procedures shall be consistent with the guidelines certified and adopted by the Secretary of the Resources Agency pursuant to Public Resources Code Section 21083; and

WHEREAS, periodic amendments to said guidelines require modification of Lassen County's procedures for environmental review, and

WHEREAS, it is in the interest of the County of Lassen to improve the efficiency and effectiveness of its environmental review procedures to better serve the public and fulfill its responsibilities under CEQA.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Lassen hereby adopts the objective, criteria and implementation procedures attached to this resolution and incorporated herein under the title of "Lassen County Environmental Review Guidelines"; and

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby adopts and incorporates by reference the State CEQA Guidelines as adopted and amended by the Secretary of Resources as Chapter 3, Division 6, Title 14 of the California Code of Regulations, with the additions and modifications set forth in said "Lassen County Environmental Review Guidelines"; and

BE IT FURTHER RESOLVED, that this resolution repeals and supercedes Resolution 01-003; and

BE IT FURTHER RESOLVED that this resolution shall become effective on May 22, 2001.

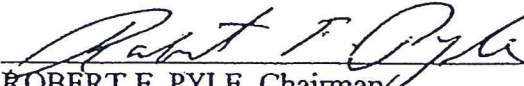
The foregoing resolution was adopted at a regular meeting of the Lassen County Board of Supervisors on the 22nd day of May, 2001, by the following vote:

AYES: Supervisors Pyle, Keefer, Dahle

NOES: Supervisor McCain

ABSTAIN: None

ABSENT: Supervisor Chapman



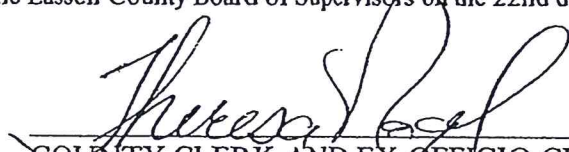
ROBERT F. PYLE, Chairman
Lassen County Board of Supervisors

ATTEST:



Theresa Nagel, County Clerk

I, THERESA NAGEL, Lassen County Clerk, and ex-officio clerk of the Board of Supervisors, do hereby certify that the foregoing resolution was adopted by the Lassen County Board of Supervisors on the 22nd day of May, 2001.



COUNTY CLERK AND EX-OFFICIO CLERK OF THE
BOARD OF SUPERVISORS

LASSEN COUNTY ENVIRONMENTAL REVIEW GUIDELINES

INTRODUCTION

The County of Lassen acknowledges and supports the basic purposes of CEQA, as set forth in the State CEQA Guidelines, Section 15002 (a). The basic purposes of CEQA are to:

- a) Inform governmental decisionmakers and the public about the potential, significant environmental effects of proposed activities.
- b) Identify the ways that environmental damage can be avoided or significantly reduced.
- c) Prevent significant, avoidable damage to the environment by requiring changes to projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- d) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

In order to ensure conformity with the State CEQA Guidelines, Lassen County hereby re-adopts said Guidelines and incorporates them by reference in the County's Environmental Review Guidelines. The objectives of the County's Guidelines are:

- a) To comply with Section 15022 of the State CEQA Guidelines which requires that each public agency shall adopt objectives, criteria and specific procedures consistent with CEQA and the State's Guidelines for administering its responsibilities under CEQA; and
- b) To establish local procedures and provisions that are necessary to tailor the general provisions of the State's Guidelines to the specific operations of the agency.

1. COUNTY LEAD AGENCY RESPONSIBILITIES

- a) These guidelines apply to "projects" in which the County of Lassen is the "Lead Agency" under the criteria set forth in CEQA. A "project", as defined in Section 21065 of Public Resources Code, includes any of the following:

- 1. An activity directly undertaken by any public agency.

2. An activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
3. An activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

b) The Board of Supervisors, consistent with State CEQA Guidelines Section 15025, has assigned specific functions to its Planning Commission and staff to assist in administering CEQA. In cases where the Board has delegated decision-making authority to the Planning Commission, the Commission, as the "primary decision making body," shall perform the functions of Lead Agency under the delegation of the Board.

1. The delegation of primary decision-making authority by the Board of Supervisors to the Planning Commission does not waive any appeal rights of an applicant otherwise granted by the Lassen County Code, Title 18, these guidelines, or applicable ordinances. When a project decision of the Planning Commission is appealed to the Board, the Board shall resume authority and duties of Lead Agency under CEQA relating to the project in question.
2. Neither the Planning Commission nor the Board of Supervisors, in executing their decision-making responsibilities, shall delegate the following CEQA functions:
 - A. Reviewing and considering a final EIR or approving a Negative Declaration prior to approving a project.
 - B. The making of findings as required by State CEQA Guidelines Sections 15091 (regarding findings in an EIR) and 15093 (regarding Statements of Overriding Considerations in an EIR).
3. Where the Planning Commission*, as an advisory board, is required to make a recommendation on a project to the decision-making body, the Commission shall also review and provide recommendations upon the EIR or Negative Declaration in draft or final form.

*References to the Planning Commission contained within these guidelines shall be also be deemed to be references to other agencies which are delegated decision-making authority by action of the Board of Supervisors.

2. RESPONSIBILITIES OF THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT

The Director of the Department of Community Development shall:

- a) Be responsible for coordinating Lassen County's environmental review procedures;
- b) Prepare administrative procedures for efficient and effective environmental review processes, including a process to evaluate activities to determine if there is no possibility that the activity may have significant effect on the environment;
- c) Identify and maintain a list of specific activities which are found to be within the categorical exemptions listed in the CEQA Guidelines, and are exempt from CEQA.
 - 1. The Director shall consider the intent of the Legislature in identifying categorical exemptions and the applicability of that intent in Lassen County, given local conditions when determining such local exemptions.
 - 2. Upon request by any person, the Director shall consider the potential effects of the specific activity set forth in the request and shall, within 30 days, either list the specific activity as categorically exempt or determine that the activity is subject to CEQA review.
 - 3. The Director shall maintain an official list of "locally exempt" activities.
- d) Identify and maintain a list of projects or permits over which the County has only ministerial authority.
- e) Advise the Board of Supervisors on State environmental review requirements, and prepare and submit to the Board proposed amendments to the County's environmental review procedures; and
- f) Advise other agencies in Lassen County, upon request, on compliance with and implementation of CEQA.

3. DESIGNATION OF ENVIRONMENTAL REVIEW OFFICER

- a) The Lassen County Director of Community Development is hereby designated to serve as the "Environmental Review Officer" (ERO) for all projects under the responsibility of the Planning Commission and Board of Supervisors that are subject to environmental review under CEQA. Functions delegated to the ERO in

this resolution shall be performed on behalf of and under the title of Lead Agency.

- b) Upon approval by the County Administrative Officer, Department Heads of the various Lassen County Departments (e.g. Public Works, Sheriff's Department, Probation, Public Health, Lassen Works, etc.) may assume ERO status and will be responsible for CEQA compliance on projects administered by their departments.

4. DUTIES OF THE ENVIRONMENTAL REVIEW OFFICER

- a) The ERO may delegate to staff members under the ERO's supervision authority to act on the ERO's behalf on all environmental matters for which the ERO is responsible.
- b) The ERO shall:
 - 1. Determine whether proposed projects are exempt from environmental review requirements of CEQA and these guidelines.
 - 2. Prepare Initial Studies and determine the environmental significance of each proposed project;
 - 3. Recommend environmental findings to the Lead Agency;
 - 4. Prepare or cause to be prepared mitigation measures for negative declarations and EIRs, if necessary, and include those measures in any staff report on any project to which CEQA is applicable;
 - 5. Prepare or cause to be prepared responses to written comments received on draft EIRs;
 - 6. Conduct public hearings pursuant to State Guidelines Section 15087 and as deemed necessary or beneficial to determine the adequacy of draft and final EIRs;
 - 7. Conduct scoping meetings and other public meetings deemed to be beneficial to the environmental review process by the ERO and Lead Agency;
 - 8. Comment on environmental documents of a Lead Agency pursuant to Guidelines 15096 (d) when the County is a Responsible Agency for the Lead Agency's project;

5. ENVIRONMENTAL REVIEW PROCESS

- a) When the County determines to carry out a project, or an entitlement proposal is accepted for processing, the following process shall be administered.
 - 1. The ERO shall conduct a preliminary review of all projects and determine, within 30 days, whether the project is ministerial or otherwise exempt from CEQA.
 - 2. An Initial Study, as defined pursuant to Section 15365 of the State CEQA Guidelines, shall be prepared by the ERO for each project which is not exempt from CEQA and for which a complete application has been accepted. The process for preparation of an Initial Study shall be as prescribed by the ERO, pursuant to Section 2 (B) of these Guidelines.

6. DETERMINATION OF THE APPROPRIATE ENVIRONMENTAL DOCUMENT

- a) The ERO shall review the Initial Study and determine whether:
 - 1. The Initial Study shows there is no substantial evidence that the project may have a significant effect on the environment and a Negative Declaration should be prepared; or
 - 2. The Initial Study identified potentially significant effects, but revisions in the project would avoid the effects or mitigate the effects to a point where no significant effects would occur, and there is no substantial evidence that the project as revised may have a significant effect on the environment, consequently a Negative Declaration should be prepared; or
 - 3. There is substantial evidence that the project may have a significant effect on the environment and an EIR should be required.
- b) The ERO may refer projects to the Planning Commission, or to the Board of Supervisors as applicable, for the purpose of making a determination of whether an EIR or a Negative Declaration shall be prepared.
- c) Except as provided in subdivision (e) of this Section, in the event that the ERO, after review of the Initial Study, makes a preliminary determination that an EIR should be prepared, the referral of the determination will be scheduled for Public Hearing by the primary decision-making body. Unless the applicant concurs with the preliminary determination of the ERO to begin preparation of an EIR, the primary decision-making body will make a determination as to whether an EIR or Negative Declaration should be

prepared. Review will not be limited to the record, and relevant new information, recommendations and public comment will be encouraged. If an appeal is made to the Board of Supervisors on a determination by the Planning Commission, the appeal shall be made pursuant to this Section.

- d) The Lead Agency shall determine within 30 days after acceptance of an application as complete whether an EIR or a Negative Declaration will be required, or whether to use a previously prepared EIR or Negative Declaration. The 30-day period may be extended 15 days upon mutual consent of the project applicant and the Lead Agency. A determination made by the ERO or the Planning Commission on behalf of the Lead Agency shall satisfy the time limits set forth in Section 15102 of the State CEQA Guidelines, regardless of any pending appeals on the determination.
- e) The ERO may forego the process of determining whether an EIR or Negative Declaration will be prepared including preparation of an Initial Study if the proponent of the project authorizes the preparation of an EIR.
- f) Any person dissatisfied with the determination of the Planning Commission to require an Environmental Impact Report or Negative Declaration, or to require a revision of a project to qualify for a Negative Declaration, may, within 10 days following such determination, appeal the same to the Board of Supervisors. The appeal shall be taken by filing a notice thereof with the ERO, stating with particularity the findings of the Planning Commission, which are claimed to be unsupported by the record of the matter. Thereupon, the ERO shall transmit the complete record of the Planning Commission action on the application, together with the Notice of Appeal, to the Clerk of the Board of Supervisors, who shall place the matter upon the agenda of the Board of Supervisors as a public hearing at its first meeting occurring at least 14, but not more than 28 days, following receipt by the Clerk of the Notice of Appeal. The Board of Supervisors shall make its independent findings and determination as to the appropriate environmental document.

Regardless of the duration or the outcome of any referral or appeal of an environmental determination, the initial determination of the ERO or the Planning Commission shall comply with and thereby satisfy the time limit requirements of State Guidelines, Section 15102.

7. PREPARATION OF ENVIRONMENTAL DOCUMENTS

a) Preparation of Negative Declarations

1. Negative Declarations shall be prepared pursuant to Sections 15070 and 15071 of the State CEQA Guidelines.
2. The ERO may require the applicant of a project to supply any additional data and information identified by the ERO, responsible agencies, and/or commenting agencies and persons as necessary for the preparation of adequate environmental documents.

b) Preparation of Environmental Impact Reports

1. Environmental Impact Reports shall be prepared in conformance with the CEQA Guidelines, Section 15080 et. Seq.
2. For EIRs related to entitlement applications, the following provisions shall apply:
 - A. When a determination has been made that an EIR is the appropriate environmental document, the project applicant shall be notified. Preparation of the Draft EIR, including the sending of Notices of Preparation, will not be initiated until the applicant has paid the appropriate EIR preparation fees. Delay in paying the fees shall suspend the running of the time periods described in the CEQA Guidelines. Failure to pay within six months of notification that an EIR will be required may result in disapproval of the project application, or an interpretation that the project has been withdrawn.
 - B. The County may hire independent contractor(s) to prepare and/or administer contracts for preparation of the EIR. The ERO shall have the discretion to determine when a contractor should be hired and the extent of contractor services.
 - C. The County shall be responsible to ensure the adequacy of the EIR and to that end, will exercise its sole discretion as to content and quality of the EIR.
 - D. The County, or its contractor(s), may make use of outside studies of environmental factors prepared by consultants not on the staff of or under the direction of the County's consultant and contracted for before the approval of the County's consultant contract. The consultant may also utilize information obtained from ongoing studies regarding factual environmental information related to the subject property and its surroundings, even though the authors are not on the staff of or under the direction of the County's consultant. In either case, the County's

consultant must independently (1) verify the professional competence and expertise of the study author(s), (2) agree with the study methodology, and (3) determine the factual validity of environmental conclusions drawn from these studies.

- E. The project proponent, pursuant to a funding agreement executed by the County and proponent, shall pay the cost of preparing an EIR. Such funds as may be required to meet the proponent's obligation under the funding agreement, shall be paid to the County prior to the County beginning or continuing work on the EIR. The funds shall be deposited into a non-interest bearing trust account.
- F. In the event that a project proponent withdraws an application after preparation of an EIR has begun, the following provisions shall pertain to the return of any EIR filing fees:
 - 1) If the project is withdrawn or otherwise terminated prior to the payment of the proposed contract costs, 60 percent of the EIR filing fee will be returned.
 - 2) If the project is withdrawn or otherwise terminated after a third party contract is entered into for preparation of the EIR, and before a public hearing on the Draft EIR has been initiated, 20 percent of the EIR filing fee will be returned.
 - 3) If the project is withdrawn or otherwise terminated after initiation of the public review period on the Draft EIR, no part of the EIR filing fee will be returned.

8. FINAL PROJECT DECISION BY LEAD AGENCY

- a) If an EIR was prepared to consider the environmental effects of the project, prior to making its final decision to approve or carry out the project, the County shall, follow the procedures set forth in Sections 15089 through 15091.
- b) Upon making its final decision to approve or carry out a project, the County shall,
 - 1. if a Negative Declaration was prepared to consider the environmental effects of the project, meet the requirements of Section 15075, or
 - 2. if an EIR was prepared to consider the environmental effects of the project, follow the procedures set forth in Sections 15092 through 15095

3. Upon adoption of a negative declaration, a mitigated negative declaration or certification of an EIR, the ERO shall file, within five working days, a Notice of Determination pursuant to Guidelines Section 15075 or 15094. When the approving authority acts as Responsible Agency, the ERO shall file or cause to be filed a Notice of Determination pursuant to Guidelines Section 15096 (i).

Adopted January 23, 2001, Board of Supervisors Resolution No. 01-003
Revision 1: May 22, 2001, Board of Supervisors Resolution No. 01-043
Effective Date: May 22, 2001



ENVIRONMENTAL IMPACT REPORT PREPARATION PROCESS

DEPARTMENT OF PLANNING AND BUILDING SERVICES
707 Nevada Street, Suite 5 · Susanville, CA 96130-3912
(530) 251-8269 · (530) 251-8373 (fax)
www.co.lassen.ca.us

CONSULTANT SELECTION AND CONTRACTING PROCEDURES

The following process sets forth the procedure for the selection of consultants for preparation of Environmental Impact Reports (EIR's) for projects in Lassen County in cases where the Planning Commission or Board of Supervisors is the "Lead Agency." This process is designed to minimize expenses to the County of Lassen and the applicant, while ensuring that the EIR will be both objective and adequate for the purpose of evaluating and mitigating potentially significant adverse environmental impacts.

The following excerpts are from the CEQA Guidelines:

Section 15084

- (a) The draft EIR shall be prepared directly by or under contract to the Lead Agency.
- (e) Before using a draft prepared by another person, the Lead Agency shall subject the draft to the agency's own review and analysis. The draft EIR which is sent out for public review must reflect the independent judgment of the Lead Agency. The Lead Agency is responsible for adequacy and objectivity of the draft EIR.

Summary of Process

The EIR process starts with the determination by the Lead Agency to prepare an EIR (see CEQA Guidelines section 15081).

Following the determination that an EIR will be required for a proposed project, the Planning and Building Services Department (Department) shall notify the applicant of the determination and of known environmental issues that will need to be addressed in the EIR, and shall advise the applicant of the EIR process as set forth herein. Whenever possible, applicants shall be encouraged to meet with Department staff after a determination to prepare an EIR to discuss the project and explore possible amendments to the project which may avoid or mitigate the extent of potential impacts and which could affect the scope of an EIR or the manner in which the EIR will be prepared.

The EIR will be prepared through one of the following mechanisms:

1. By far the most common and preferred arrangement for preparing an EIR for private projects in Lassen County is through a third-party contract to govern preparation of the EIR by a consultant through an independent contract with Lassen County. The applicant is not a party to the contract and the selected consultant reports directly to Lassen County.
2. In rare cases, Lassen County prepares the EIR itself, but this is admittedly unusual. Given normal staff workloads and the infrequency of EIRs in Lassen County, Lassen County does not generally have sufficient available staff time (or a staff member dedicated to EIRs) needed for

the County to prepare the EIR in a timely, economical manner, and therefore number 1 above is the most common approach.

3. Last, and only with advance written approval, the Department may allow submittal of a proposed draft EIR that was commissioned by the applicant. Any EIR that was not prepared directly under contract to Lassen County must undergo third-party review by a consultant that is under contract to Lassen County.

Application Fees and Costs are as follows:

- In accordance with Lassen County Code section 3.18.020, the EIR application fee is \$2,619.
- In addition, the applicant must pay all contracted consultant fees and costs in advance or through a funding agreement, which must be executed before an EIR application can be accepted as complete. This requirement applies regardless of whether the EIR was prepared directly under contract to Lassen County or for third-party review conducted by a consultant under contract to Lassen County for any EIR commissioned and submitted by the applicant.
- Lassen County Code section 3.18.020 requires payment of an administration fee equal to ten percent of the total contract costs if the EIR is prepared under contract to Lassen County or if third-party review is conducted under contract to Lassen County. This fee must also be paid before an EIR application can be accepted as complete.
- In cases where the EIR is prepared directly by Lassen County staff, Lassen County Code section 3.18.020 requires the applicant to pay the actual costs (time and materials) Lassen County incurs that exceed the \$2,619 application fee. Applicant's will be billed as said costs are incurred, and, if costs are not paid, the application preparation process and timeline will be placed on hold until said costs are paid.

Application Process

The applicant may initiate the preparation of the EIR by filing the following with the Department:

1. Affirmation that the applicant wishes to proceed with the application and that he/she agrees to participate in preparation of the EIR.
2. Submittal of the EIR filing fee and application. The filing fee is \$2,619.00. This is in addition to the \$2,000.00 Initial Study application fee (if an Initial Study was completed).
3. The Department shall prepare a Request for Proposals (RFP) and mail it to consultants who are on the list of consultants the county maintains. The Department may also mail the RFP to any other appropriate consultants that may be identified. The applicant may request, in writing, that the RFP be mailed to any other consultants.
4. Bid proposals will be submitted to the Planning and Building Services Department by the date specified in the RFP. The submitted proposals shall at a minimum agree with the scope of

services and proposal specifications as outlined in the RFP, and shall be valid for a definite period of time. Incomplete proposals may be rejected.

The Department shall review and evaluate the scope, content and completeness of the bid proposals in order to determine the proposal which best demonstrates the ability and qualified staff to provide the services required. The Department may hold interviews with any or all of the selected consultants to help in arriving at a decision. The scope, content, completeness and quality of services provided will be of equal importance with cost. The Department shall select a consultant for each EIR.

5. The Department's selection shall be contained in a letter to the applicant indicating the date of expiration of the proposal. Upon receipt of a letter from the applicant indicating concurrence with the environmental consultant selected, and funds sufficient to cover the consultant's fee (or execution of a funding agreement), the Planning and Building Services Department shall execute the contract. Depending on the amount, the contract may require approval by the Board of Supervisors in accordance with Lassen County's Purchasing Policy.

If it is the judgement of the Department that exceptional circumstances exist which preclude acceptance of any of the submitted proposals, following discussion with the applicant, the Department may choose an alternate consultant, or, at the request of the applicant, may release a second RFP.

Consultants with a possible conflict of interest with a project, directly or indirectly, shall not be considered as a consultant for preparation of a project's EIR.

EIR Preparation

The EIR will be prepared in compliance with the State's CEQA Guidelines. Draft EIR's shall contain the information required by Article 9.

The contract offered to the consultant selected to prepare the EIR shall specify a schedule for preparation and review so that the EIR can be processed within the required timeframes. Section 15108 of the CEQA Guidelines states:

With a private project, the Lead Agency shall complete and certify the final EIR as provided in Section 15090 within one year after the date when the Lead Agency accepted the application as complete.

This one-year limit may be extended once for a period of not more than 90 days upon consent of the Lead Agency and the applicant.

The laws and rules governing the CEQA process are contained in the CEQA statute (Public Resources Code Section 21000 and following), the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 and following), published court decisions interpreting CEQA, and locally adopted CEQA procedures.

The Governor's Office of Planning and Research (OPR) serves several important functions in the administration of CEQA. First, together with the Natural Resources Agency, OPR develops the CEQA

Guidelines. The CEQA Guidelines are administrative regulations interpreting the CEQA statute and published court decisions. Second, OPR runs the State Clearinghouse which coordinates state level review of CEQA documents. Finally, OPR provides technical assistance to state and local government agencies, including the development of technical advisories on selected CEQA topics.

Additional information regarding the CEQA statute, the CEQA Guidelines, published court decisions involving CEQA, OPR's technical advisories and updates on addressing greenhouse gas emissions in CEQA documents can be found by visiting OPR's website: <https://opr.ca.gov/ceqa/>

If you have any questions about Lassen County's role in the CEQA process and the preparation of EIR's for projects in Lassen County, contact the Lassen County Planning and Building Services Department, 707 Nevada Street, Suite 5, Susanville, California 96130, (530) 251-8269.

Attachment:

CEQA Flowchart for Local Agencies, CEQA Guidelines Appendix A