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INCLUDING A PROFESSIONAL CORPORATION

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MEMORANDUM

TO: City of Lemoore Planning Commission

FROM: Dale E. Bacigalupi, Special Legal Counsel

SUBJECT: 2030 General Plan and Draft EIR

DATE: December 5, 2007

You will be receiving a copy of the 2030 General Plan and related Draft EIR at the Planning Commission meeting of December 10th.

The purpose of this memorandum is to provide you with some general guidance about the events which will follow as the adoption process moves forward and an invitation to the Planning Commissioners to review the documents and to be prepared for the adoption process.

At the same time the General Plan and Draft EIR are distributed to you, they will also be distributed to state and other regulatory agencies as required by the CEQA process. The distribution to the state agencies, through the State Clearing House in Sacramento, starts a 45 day review period in which state and other regulatory agencies are entitled to provide comments to the City regarding the General Plan and EIR.

The CEQA requires the City to provide responses to each of the comments received and the Draft EIR along with the responses becomes the Final EIR which will be available for your review and recommendation to the City Council at the time of the Planning Commission public hearings in early 2008.

These documents are being made available for public review on the City's website and otherwise.

A couple of "Do's and Don'ts" for the members of the Commission:

1. Do review the document and become familiar with its contents;
2. Don't discuss it with other members of the Planning Commission so as to avoid any Brown Act problems.
3. If members of the public wish to discuss the new General Plan and EIR with you, there is no problem with listening, however, please don't announce to any member of the public your views on the documents or on any of the policies contained in the documents. Please reserve the announcement of your opinions for the Planning Commission hearings.

Between now and the period of the Planning Commission hearings in March of 2008, should you have any questions, feel free to submit them to Holly, via an e-mail or in writing, and this will help Holly and the consultant to prepare their staff report to the Commission at the time of the public hearings.

The current schedule for the 2030 Plan adoption is attached.

Lemoore General Plan & EIR Streamlined Schedule¹
Revised by Dyett & Bhatia for City staff review, November 16, 2007

Month/Year	Work Item
Week of June 25, 2007	Completion of traffic modeling, presentation to City staff and discussions. - Week of June 25, City staff comments on modeling - July 2, 2007
July 2, 2007	City staff approval of traffic modeling and use of results for noise contours.
Week of July 28, 2007	Administrative General Plan and Draft EIR is circulated to staff for review
July, Sept, October, and November 2007	Comments from Staff on the Administrative Draft General Plan and DEIR
November 21, 2007	2 nd Admin. Draft General Plan & EIR sent to City for minor review
December 3, 2007	Comments back to D&B
December 7, 2007	Send Availability of GP and EIR Notice to Newspaper for 12/14/07 publication.
December 10, 2007	D&B sends entire document to Planning for reproduction
December 10-14, 2007	Draft EIR to be circulated for a 45 day public review period Hand out to Commission on 12/10 and have Dale Bacigalupi go over process during the review period and get all others in mail or courier to OPR with Notice of Completion and Dept of Fish & Game fee (see OPR requirements). Use Environmental Document Transmittal in Appendix C of the 2006 CEQA Guidelines Book
December 11, 2007	Post Environmental Availability Notice at County
January 28, 2007	Planning Commission hearing to receive oral comments on DEIR (Michael Dyett attends)
January 28, 2007	DEIR 45-day review period ends
February 11, 2008	Dyett & Bhatia prepares response to Final EIR (coordination time needed with Dowling Associates and with City staff)
February 8, 2008	Public Hearing Notice to Newspaper for 2/14/08 publication for 2/25 and 3/10/08 PC hearings and 4/1/08 CC hearings. MUST BE 1/8 PAGE IN SIZE
February 15, 2008	Final EIR published 10 – day review period
February 25, 2007	10-day FEIR public review period ends
February 25, 2008	Planning Commission General Plan Study Session/Hearing -Discuss ½ of the General Plan Overview in Community Design, Circulation, and Land Use
March 10, 2008	Planning Commission 2 nd hearing continue to finalize discussion on the remainder of the General Plan and recommendation on EIR and General Plan to City Council via a Resolution
	Optional notice to newspaper for 4/1/08 CC public hearing
April 1, 2008	Council Hearing/action on the Final General Plan and FEIR via Resolution with required findings put together by Dale/Don attorneys (<i>Final action by Council may need to be scheduled for a subsequent date if substantive changes are made or changes in resolutions are needed</i>)

This schedule assumes one single set of comments on the DEIR and FEIR will be provided to Dyett and Bhatia and that City staff is responsible for Staff reports on meeting and hearings and documenting oral comments and testimony and preparing of EIR certification and Plan adoption resolutions including Statements of Findings, Facts and Overriding Considerations, which would normally be an exhibit for the EUR certification resolution.