



Meeting Date: April 2, 2012

**TOWN OF MORAGA**

**STAFF REPORT**

**To: Planning Commission**  
**From: Shawna Brekke-Read, Planning Director**  
**Subject: Hetfield Estates Final Environmental Impact Report (FEIR)**

**Request**

Review the Final Environmental Impact Report (FEIR) in advance of April 2, 2012 public hearing.

**Background**

The applicant submitted an application for a Conceptual Development Plan to subdivide 58.2 acres at the southern terminus of Hetfield Place into six single family residential lots in December 2005. The Planning Commission adopted a Mitigated Negative Declaration (MND) and approved the project November 17, 2008. A group of neighbors collectively appealed the decision to the Town Council. At its January 14, 2009 meeting, the Town Council overturned the Commission's decision regarding the MND and directed a Focused Environmental Impact Report be prepared for the project.

**Discussion**

The Town of Moraga released a Draft Environmental Impact Report (DEIR) on the project January 14, 2011. At that time, the Planning Commission held a public hearing on the project and the DEIR on March 7, 2011. The Town received numerous comments on the adequacy of the DEIR, in writing and at the public hearing.

Attached to this memo is the Final EIR. A Final EIR is comprised of all comments received on a Draft EIR and responses to each of those comments. In this case, the Town's environmental consultant (Carolyn Mills) has included each comment letter in its entirety and annotated the comments into a category or summary of the comment. Each comment is numbered in the margins, and the responses that follow each comment letter has a corresponding number.

Public hearing notices are being posted and mailed today, March 23, 2012, informing neighbors and other interested parties that the Final EIR is available for public review. The Final EIR is available on the Town's website, at Town Hall, at

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1 the Moraga Library, and at the Hacienda de las Flores. The Final EIR can also be  
2 purchased for a nominal price.

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4 For purposes of the Final EIR, staff recommends the Planning Commission  
5 review the entire document. The comment letters will provide a helpful reminder  
6 of the issues members of the public raised about the Draft EIR, as well as issues  
7 members of the public had with the project itself. In addition, reviewing the  
8 comment letters will help the Commission review and understand the responses  
9 to those comments. At the end of the FEIR are additions and edits for the  
10 mitigation measures.

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12 As identified in the Draft EIR, all potential impacts from the project can be  
13 mitigated to a less than significant level. If the Planning Commission chooses to  
14 approve the project, the Commission must first certify the EIR. At that time, the  
15 Commission would also adopt a mitigation monitoring program that identifies the  
16 mitigation measures, the party responsible for following each mitigation measure,  
17 and the timing for each mitigation measure. In addition, the mitigation measures  
18 will be made part of any conditions of approval, should the Commission choose  
19 to approve the project.

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21 The agenda packet for the April 2, 2012 meeting, including a staff report for the  
22 project, will be distributed on Tuesday, March 27, 2012. The packet will also be  
23 posted on the Town's website. The staff report will provide an analysis of the  
24 project, relative to issues, zoning regulations, necessary findings, and General  
25 Plan policy analysis. Staff will recommend the Planning Commission hold the  
26 public hearing on April 2, receiving a staff report, asking questions from the EIR  
27 consultant and staff, listening to a presentation from the applicant and asking  
28 questions, receiving comments from the public, and discussing both the merits of  
29 the project and the EIR. Staff will recommend the Commission then provide  
30 direction to the applicant and staff, and continue the public hearing to a date  
31 certain.

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33 **Recommendations**

34 At this time, staff recommends the Planning Commission review the Final EIR  
35 and make notes of any questions and/or concerns and/or issues to discuss at the  
36 April 2, 2012 meeting.

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38 **Attachments:**

- 39 **A.** Hetfield Estates Final Environmental Impact Report (FEIR)  
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