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### **Colusa County Initiates Litigation Against City of Colusa**

*County Seeks Injunction on Expanded Colusa Industrial  
Park Development Project Pending Proper Environmental Review*

**(COLUSA, CA) January 25, 2022** – Yesterday, Colusa County initiated litigation against the City of Colusa (with Colusa Industrial Properties named as real party of interest) to seek an injunction on the expanded Colusa Industrial Park residential development project. The filing requests a temporary restraining order on development activity until an injunction hearing can be held to determine the need for additional environmental review in lieu of the project’s substantial expansion.

“Colusa County is in full support of the Colusa Industrial Park residential project as originally proposed and approved,” said Supervisor Merced Corona, Chair of the Colusa County Board of Supervisors. “Our concern is with the environmental consequences and threat to public safety that the expanded project may pose as a result of the City of Colusa neglecting to follow land use law. We’re simply requesting that a proper environmental review be conducted on this substantially changed project.”

#### **PROJECT TIMELINE**

In 2007, Colusa County released a draft Environmental Impact Report (EIR) for the necessary entitlements to allow for a residential, commercial, and recreational development project on 151 acres of land north and northwest of the Colusa County Airport. The project consisted of a mixed-

use community with 286 residential units, improvements to the existing golf course, and various commercial and office uses. On December 17, 2007, the Colusa County Airport Land Use Commission (ALUC) reviewed the proposed project for consistency with the Colusa County Airport Land Use Compatibility Plan (ALUCP). The ALUC ultimately found that the proposed development was inconsistent with the ALUCP for a number of reasons, including:

- The concentration of residential units and people exceeded the limits established in the ACLUP and the risks were not adequately mitigated;
- The proposed businesses inside the Safety Area may create a concentration of people that exceeded the limits established in the ACLUP and the risks were not adequately mitigated; and,
- The impact of existing airport noise on the proposed residential and businesses exceeded the limits established in the ACLUP and the risks were not fully mitigated.

On May 27, 2008, the Colusa County Board of Supervisors reviewed the project, the EIR, and Airport Land Use Commission's report and adopted a Mitigation Monitoring and Reporting Program (MMRP), and overruled the ALUC's finding of inconsistency and approved the development contingent upon the implementation of a number of significant changes and mitigation measures to address the ALUC findings, including:

- Reducing the number of single-family homes from a maximum of 140 lots to a maximum of 84 single-family lots;
- Widening the aircraft flight corridor through the residential development to increase the separation from the aircraft and the homes;
- Adopting a series of disclosures regarding aircraft operations and noise to notify future homeowners of the impacts that aircraft operations would have on their use of their property, both indoors and outdoors; and,
- Adopting numerous other mitigation measures to ensure that the future residential development does not cause negative impacts to nearby streets, schools, and parks or overwhelm law enforcement or fire public safety services.

In September 2015, the project property was annexed into the City of Colusa. Subsequently, in 2016 the City of Colusa approved a development agreement and subdivision map amendment that increased the number of low-density single-family lots to 180 units, among other amendments.

Over the course of the next several years, the City of Colusa approved a series of additional changes to the project, including both an increase in units, and the positioning of lots in an area adjacent to the Airport's runway protection zone not previously approved for residential development in the County's 2008 approval. All of these additional entitlements were entered into without further environmental review.

In addition, the City of Colusa neglected to refer these entitlement actions to the ALUC prior to review and approval. These entitlements involved an amended subdivision map, a development agreement (2016), and an amended development agreement (2018). Given these substantial changes, the County determined that the new project was inconsistent with the Board of Supervisors' original approval in 2008, and the additional entitlements triggered ALUC review pursuant to the requirements of the ALUCP.

On March 11, 2021, the ALUC adopted a Resolution finding that the project was once again inconsistent with the ALUCP. In November 2021, the City of Colusa overrode the ALUC's findings and proceeded to move forward with the expanded project without adequate environmental review or explanation on how the City has complied with the mitigation measures adopted with the 2008 EIR.

Colusa County is supportive of the Colusa Industrial Park residential project as originally approved and mitigated, and requests that the City of Colusa cease development that falls outside of this original approval until a full environmental review is conducted on the substantially changed proposed project and detailed explanation on how the City of Colusa has complied with the adopted mitigation measures. The environmental consequences of this expanded project, coupled with the safety concerns for the community, and the impacts to the Colusa County Airport are far too great to not be properly studied.

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