

INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST

California Environmental Quality Act (CEQA)

PROJECT INFORMATION

1. Project Title: Tentative Parcel Map (TPM19-0003)
2. Lead Agency Name and Address: Butte County – Department of Development Services
Planning Division
7 County Center Drive
Oroville, CA 95965
3. Contact Person and Phone Number: Tristan Weems, Associate Planner
530.552.3685; tweems@buttecounty.net
4. Project Location: The subject property is approximately 68.67 acres on one existing parcel. The southerly portion of the parcel is located at 1078 Ophir Road (northern boundary) and 2535 Wheeler Road (southern boundary) (APN 078-080-015). The northerly portion of the parcel (APN 078-080-013) is a vacant 28.31-acre parcel adjacent to and north of APN 078-080-015 on the north side of Ophir Road. Both portions of the parcel is approximately 2 miles east of Highway 70, southeast of Oroville. Section 33, Range 4; MDB&M. APN's: 078-080-015 and 078-080-013. Latitude 39° 27' 53.62 "N, Longitude -121° 31' 54.90" W and Latitude 39° 28' 1.24" N, Longitude - 121° 31' 52.00" W
5. Project Sponsor's Name and Address: Daniel Vaught
2755 Oro Dam Boulevard
Oroville, CA 95966
6. General Plan Designation: Rural Residential (RR) on APN 078-080-015 and Resource Conservation (RC) on APN 078-080-013.
7. Zoning: RR-5 (Rural Residential with a 5-acre minimum) on APN 078-080-015 and Resource Conservation (RC) on APN 078-080-013
8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The project is a Tentative Parcel Map involving one (1) 68.67-acre parcel. The existing parcel involves two assessor's parcel numbers consisting of one 41.36-acre property (APN 078-080-015) fronting Wheeler Avenue and one 27.31 acre parcel (APN 078-080-013) fronting Ophir Road. APN 078-080-015 would be divided into two parcels; the westerly parcel would be 22.18 acres and the easterly parcel would be 17.71 acres. APN 078-080-015 is located at 1078 Ophir Road and 2535 Wheeler Road and is currently developed with two single-family residences and accessory buildings. APN 078-080-013 is undeveloped with potential for development of one single-family residence. The parcels will be served by public roads: Ophir Road, Wheeler Avenue and Lower Wyandotte Road. Residential uses on the existing APN 078-080-015 would remain and be served by existing wells and septic systems. No development is proposed on APN 078-080-013 at this time. If a future residential use is proposed for APN 078-

080-013, the development would be served by an individual septic system, and individual well to be installed at the time the development is approved and issued a permit.

9. Surrounding Land Uses and Setting:

Existing land uses adjacent to the subject parcel are resource conservation to the north and southwest, residential to the southeast and east, and general commercial to the northeast. Much of the surrounding area is undeveloped and used historically for mining, ranching, and limited residential development. The project area primarily consists of rural residential and resource conservation, on parcel sizes that range in size from 9.68 to 33.97 acres.

Direction	General Plan Designation	Zoning	Existing Land Use(s)
North	Resource Conservation (RC)	RC	Vacant/Conservation Land
South	Rural Residential (RR)/ Resource Conservation (RC)	RR-5/ RC	Rural Residential/ Open prairie Land
East	Low Density Residential (LDR)/ Retail (RTL)	LDR/ G-C	Low Residential/Vacant Land
West	Rural Residential (RR)/ Resource Conservation (RC)	MDR/ RC	Rural Residential/Orchard

The project site is located within unincorporated Butte County southeast of the City of Oroville. The project site and surrounding area is zoned Rural Residential with a 5-acre minimum (RR-5), Public (P), and Resource Conservation (RC). The purpose of the RR-5 zone is to allow for large lot single-family homes, small farmsteads and related uses in the rural residential neighborhoods within the county. Standards for the RR zone are intended to preserve and protect the character of existing rural residential areas and ensure that future rural residential development is compatible with adjacent agricultural uses. Permitted uses in the RR zones include single-family homes, small residential care homes, second units and accessory dwelling units, animal grazing, crop cultivation, private stables, on-site agricultural product sales, and other similar agricultural activities. The RR zone also conditionally permits non-residential uses compatible with a rural residential setting including public and quasi-public uses, personal services, nurseries, and animal services.

The purpose of the RC zone is to protect and preserve natural, wilderness, and scientific study areas that are critical to environmental quality within Butte County. Standards for the RC zone are intended to protect sensitive natural resources and to provide limited recreational and commercial recreational uses for the enjoyment of Butte County residents and visitors. The RC zone allows for one (1) single-family home and one (1) Accessory Dwelling Unit per parcel.

The topography of the subject property is comprised of flat areas and rolling hills with elevations ranging from 118 to 317 feet above sea level. Vegetation on the subject property is comprised primarily of native oak and pine stands and annual grasslands. Ornamental landscaping is located around the existing residences. The most

prominent human-made features are the single-family residences, accessory structures, roads, utility lines, as well as the urban and suburban landscapes.

10. Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement)
- Butte County Department Development Services: Building Permits (Future Construction)
 - Butte County Environmental Health (Future wastewater systems)
 - California Fire Department: Improvement Plans (Future Construction)
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

See Discussion 1.18

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages. Where checked below, the topic with a potentially significant impact will be addressed in an environmental impact report.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forest Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology / Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards / Hazardous Materials
<input type="checkbox"/>	Hydrology / Water Quality	<input type="checkbox"/>	Land Use / Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population / Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities / Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project could not have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project **COULD** have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Tristan Weems

9/24/2021

Tristan Weems, Associate Planner

Date

Dan Breedon

9/21/2021

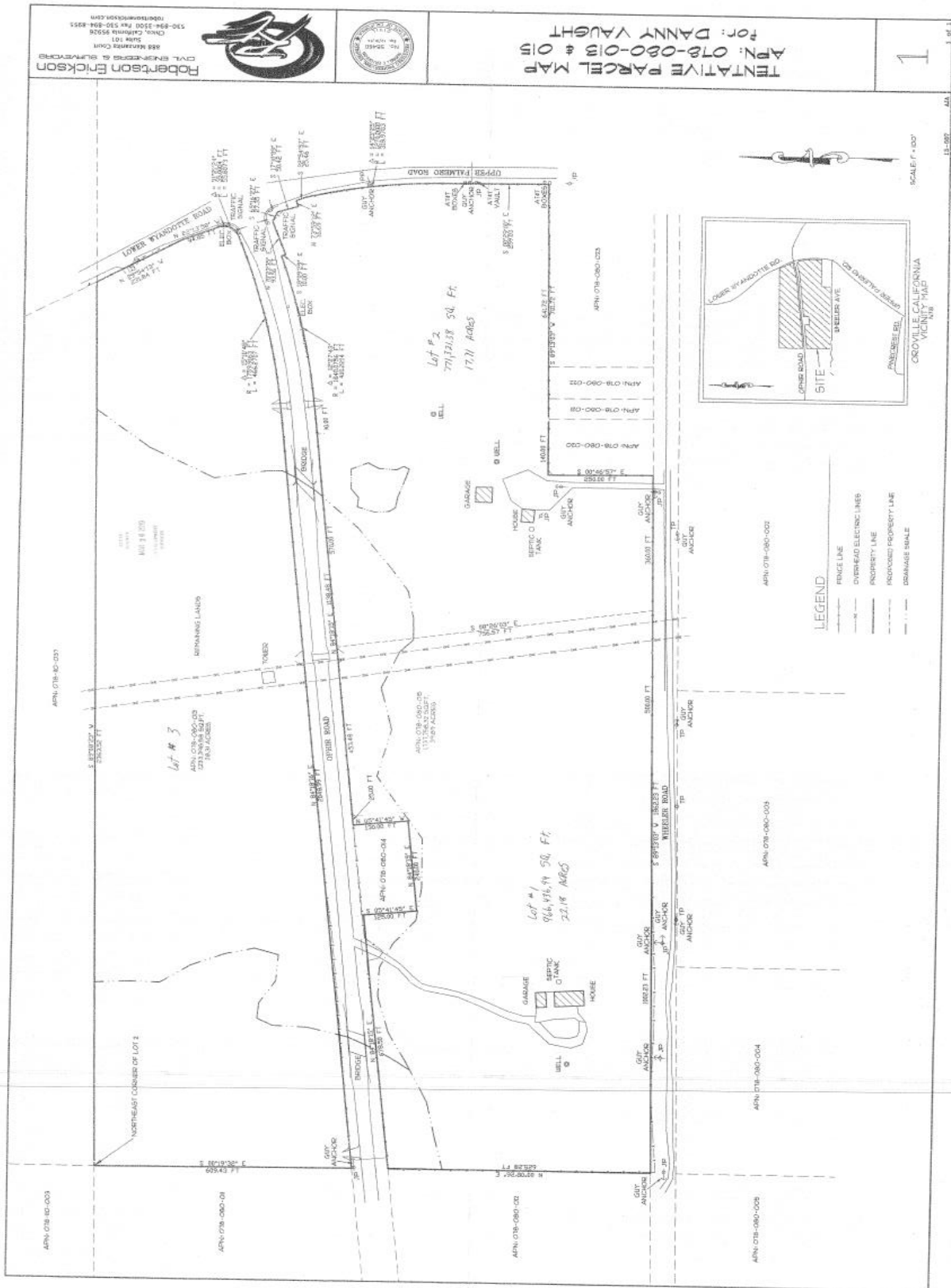
Dan Breedon, Planning Manager

Date

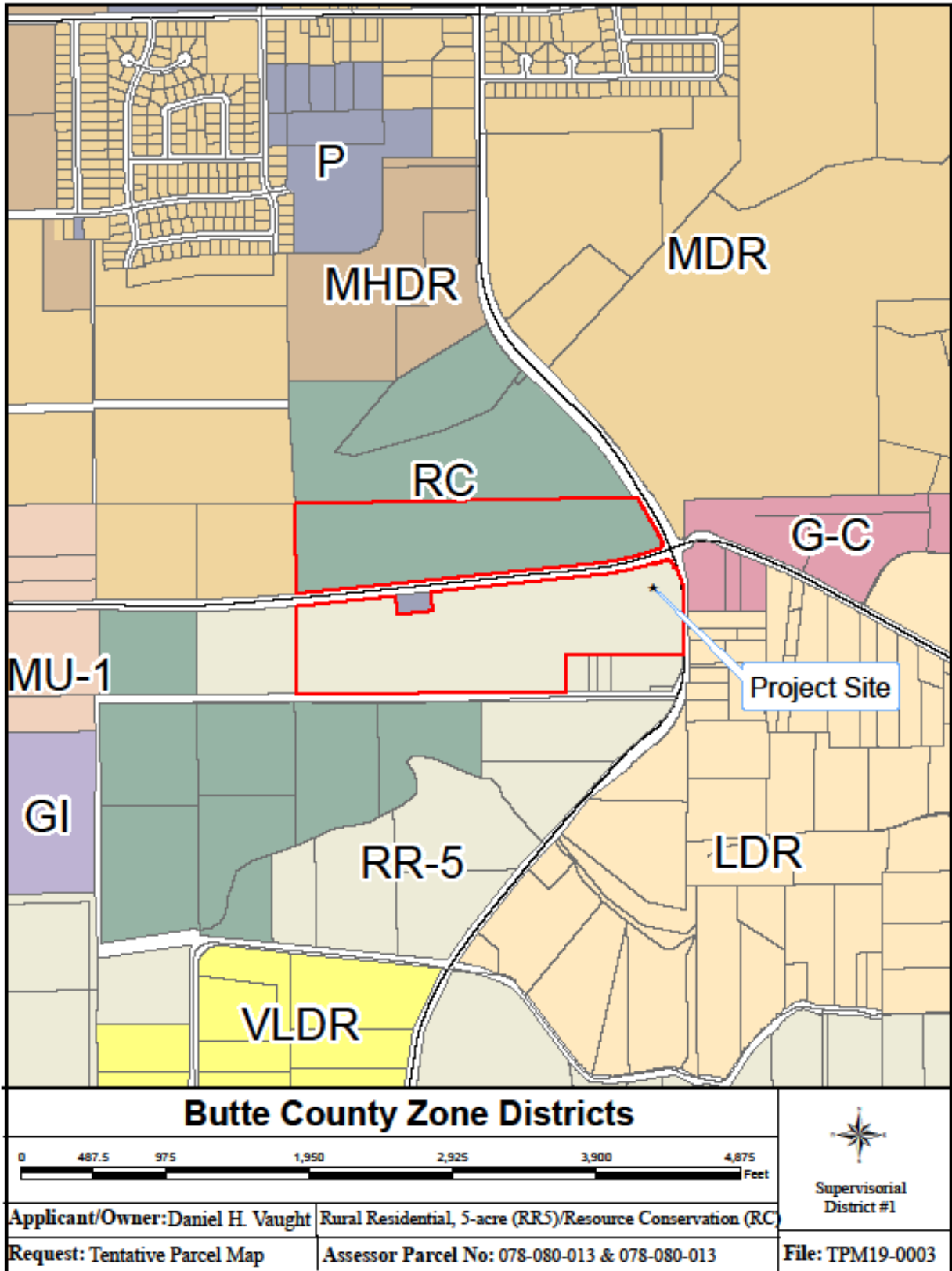
EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Tentative Subdivision Map



VICINITY / ZONING MAP



AESTHETICS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. Aesthetics.				
Except as provided in Public Resources Code section 21099 (where aesthetic impacts shall not be considered significant for qualifying residential, mixed-use residential, and employment centers), would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The project area is characterized as rural residential in unincorporated Butte County southeast of the City of Oroville. Adjacent land to the north, west and south are developed similar to the subject parcels. Land to the east is zoned for medium density residential and general commercial.

The topography of the project area is gentle and flat, with elevations ranging from 170 to 172 feet above sea level. Natural vegetation in the area consists of native trees and annual grasslands. The most prominent human-made features are the rural residences, accessory structures, roads, utility lines, as well as the urban and suburban landscapes located in the higher density areas to the east.

The Butte County General Plan depicts identified scenic resources in Butte County, including land-based and water-based scenic resources (Figure COS-7), County scenic highways (Figure COS-8), and Scenic Highway Zones (Figure COS-9). Based on the information provided in the General Plan, the project site is not located within, or in the vicinity of, identified scenic resources.

Discussion

a) Have a substantial adverse effect on a scenic vista?

Less than Significant Impact. Approval of the proposed action would support development of a single-family residences on the northern parcel. No development is proposed. Land use on the southern parcel(s) would not change with approval of the proposed action. No change in visual characteristics of the subject parcels or neighboring parcels would occur with approval of the project. It is unknown if any future residential development on the northern parcel would be visible from Ophir Road. Thus, while some visual change may occur in the future, impacts would be less than significant.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No impact. There are no scenic resources, trees, rock outcroppings or historic buildings proximal to the site. Neither Wheeler Road nor Ophir Road are designated scenic highways. No impact would occur under this threshold.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

No impact. The proposed project would not result in any new development. However, future development of the northerly parcel may include a single-family residence and accessory structures as allowed per the zoning ordinance. Any future development would be consistent with the rural character and quality of the project site and surrounding area. No impact would occur under this threshold.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No impact. The southern parcel is developed with an existing structure used for agricultural services and residential dwelling. The northern parcel is vacant. Future development if it occurs, would be consistent with existing lighting already use on site. No impact would occur under this threshold.

AGRICULTURE AND FOREST RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>II. Agriculture and Forest Resources.</p> <p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997, as updated) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.</p> <p>Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The subject property is comprised of two parcels. The southerly parcel (APN 078-080-013) is zoned Rural Residential with a 5-acre minimum (RR-5) and Public (P). The northern parcel is zoned Resource Conservation (RC). The purpose of the RC zone is to protect and preserve natural, wilderness, and scientific study areas that are critical to environmental quality within Butte County. Standards for the RC zone are intended to protect sensitive natural resources and to provide limited recreational and commercial recreational uses for the enjoyment of Butte County residents and visitors. Permitted land uses in the RC zone include livestock grazing and limited recreational and commercial recreational uses that do not detract from the area’s value for habitat, open space, or research. The purpose of the RR zone is to allow for the appropriate development of large-lot single-family homes, small farmsteads, and related uses in the rural and agricultural areas of the county. Standards for the RR zone are intended to preserve and protect the character of existing rural residential areas and ensure that future rural residential development is compatible with adjacent

agricultural uses. Permitted residential uses in the RR zones include a single-family home, small residential care home, and a second unit. The RR zone also conditionally permits non-residential uses compatible with a rural residential setting, including public and quasi-public uses, personal services, nurseries, and animal services. Animal grazing, crop cultivation, private stables, on-site agricultural product sales, and other similar agricultural activities are permitted uses in the RR zone. The minimum permitted parcel size in the RR zone ranges from 5 to 10 acres. The southerly parcel is developed with two residential dwellings and outbuildings. The northerly parcel is undeveloped. Neither parcel is used for agricultural or forest production.

Regulatory Setting

Williamson Act/Land Conservation Act (LCA) Contracts

The California Land Conservation Act of 1965, commonly known as the Williamson Act, was established based on numerous State legislative findings regarding the importance of agricultural lands in an urbanizing society. Policies emanating from those findings include those that discourage premature and unnecessary conversion of agricultural land to urban uses and discourage discontinuous urban development patterns, which unnecessarily increase the costs of community services to community residents. The Williamson Act authorizes each County to establish an agricultural preserve. Land that is within the agricultural preserve is eligible to be placed under a contract between the property owner and County that would restrict the use of the land to agriculture in exchange for a tax assessment that is based on the yearly production yield. The contracts have a 9-year term that is automatically renewed each year, unless the property owner or county requests a non-renewal or the contract is cancelled.

Farmland Mapping and Monitoring Program

To characterize the environmental baseline for agricultural resources, Important Farmland Maps produced by the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) were reviewed. Important Farmland maps show categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance (if adopted by the county), Grazing Land, Urban and Built-up Land, Other Land, and Water. Prime Farmland and Farmland of Statewide Importance map categories are based on qualifying soil types, as determined by the U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), as well as current land use. These map categories are defined by the Department of Conservation's FMMP as follows:

Prime Farmland: Land which has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods.

Farmland of Statewide Importance: Land that is similar to *Prime Farmland* but with minor shortcomings, such as greater slopes or less ability to hold and store moisture.

Unique Farmland: Land of lesser quality soils used for the production of specific high economic value crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality or high yields of a specific crop when treated and managed according to current farming methods. It is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Examples of crops include oranges, olives, avocados, rice, grapes, and cut flowers.

Farmland of Local Importance: Land of importance to the local agricultural economy, as determined by each county's board of supervisors and local advisory committees. Examples include dairies, dryland farming, aquaculture, and uncultivated areas with soils qualifying for *Prime Farmland* and *Farmland of Statewide Importance*. Butte County has not adopted a definition of Farmland of Local Importance.

Grazing Land: Land on which the existing vegetation, whether grown naturally or through management, is suitable for grazing or browsing of livestock.

Urban and Built-up Land: Land used for residential, industrial, commercial, construction, institutional, public administrative purpose, railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment

plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities are also included in this category.

Other Land: Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

Water: Water areas with an extent of at least 40 acres.

The project site is identified by the Department of Conservation as *Other Lands*. Areas surrounding the project site have the same designation. Lands to the south are designated *Grazing Land*.

California Public Resources Code Section 4526

"Timberland" means land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.

California Public Resources Code Section 12220(g)

"Forest land" is land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Butte County Right to Farm Ordinance

Butte County has adopted a Right to Farm Ordinance (Butte County Code Chapter 35, Protection of Agricultural Land). This ordinance protects properly conducted agricultural operations in the unincorporated County against nuisance lawsuits, and requires annual disclosure to all property owners within the County of the right to farm. In addition, the ordinance requires disclosure to buyers of real property and as part of development approvals. While the County Right-to-Farm Ordinance specifically applies to commercial agricultural operations within the unincorporated area, all commercial agricultural operations that comply with agricultural standards currently are protected from nuisance claims under State law (Section 3482.5 of the California Civil Code), whether located within cities or unincorporated areas.

Discussion

Adoption of the Butte County General Plan and Land Use Map designated the site RR and RC, and adoption of the Zoning Ordinance and Zoning Map zoned the site RR-5 for rural residential development and RC for resource conservation. Neither of the two parcels are designated or used for agricultural purposes. The project site is not under a Williamson Act contract to help preserve agricultural lands nor are any of the parcels surrounding the project site under a Williamson Act contract.

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No impact. The California Farmland Mapping and Monitoring Program designates the project parcels as "Other Lands". The proposed action would not result in any new development that would preclude agricultural use on the southern parcel. Future development may occur on the northern parcel; however, the project would not result in a conversion of prime farmland to non-agricultural use. No impact would occur under this threshold.

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?

No impact. The project site is not zoned for agricultural use nor are either parcel under a Williamson Act contract. No impact would occur under this threshold.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No impact. The project site is not located in a timber resource zoning category such as Timber Mountain (TM) or Timber Production (TPZ). The northern parcel is zoned Resource Conservation (RC); however, it is not classified as forest land, pursuant to California Public Resources Code Section 12220(g) or used for forest production. Approval of the proposed project would not require a rezone or conflict with, or cause the rezoning of, a timber resource zoning designation. No impact would occur under this threshold.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No impact. The project site is not considered forest land and therefore, the proposed project would not result in loss or conversion of forest land to a non-forest use. No impact would occur under this threshold.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

No impact. As stated, the subject parcels are designated Other Lands. While agricultural cultivation is allowed on lands zoned RR-5, no evidence of such a use is visible nor would approval of the proposed action preclude such a use from occurring in the future. Neither parcel is considered forest land or used for forest production. No impact would occur under this threshold.

AIR QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Air Quality.				
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations.				
Are significance criteria established by the applicable air district available to rely on for significance determinations?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Butte County is located within the Sacramento Valley Air Basin (SVAB), comprising the northern half of California's 400-mile long Great Central Valley. The SVAB encompasses approximately 14,994 square miles with a largely flat valley floor (excepting the Sutter Buttes) about 200 miles long and up to 150 miles wide, bordered on its east, north and west by the Sierra Nevada, Cascade and Coast mountain ranges, respectively.

The SVAB, containing 11 counties and some two million people, is divided into two air quality planning areas based on the amount of pollutant transport from one area to the other and the level of emissions within each. Butte County is within the Northern Sacramento Valley Air Basin (NSVAB), which is composed of Butte, Colusa, Glenn, Shasta, Sutter, Tehama, and Yuba Counties.

Emissions from the urbanized portion of the basin (Sacramento, Yolo, Solano, and Placer Counties) dominate the emission inventory for the Sacramento Valley Air Basin, and on-road motor vehicles are the primary source of emissions in the Sacramento metropolitan area. While pollutant concentrations have generally declined over the years, additional emission reductions will be needed to attain the State and national ambient air quality standards in the SVAB.

Seasonal weather patterns have a significant effect upon regional and local air quality. The Sacramento Valley and Butte County have a Mediterranean climate, characterized by hot, dry summers and cool, wet winters. Winter weather is governed by cyclonic storms from the North Pacific, while summer weather is typically subject to a high-pressure cell that deflects storms from the region.

In Butte County, winters are generally mild with daytime average temperatures in the low 50s°F and nighttime temperatures in the upper 30s°F. Temperatures range from an average January low of approximately 36°F to an average July high of approximately 96°F, although periodic lower and higher temperatures are common. Rainfall between

October and May averages about 26 inches but varies considerably year to year. Heavy snowfall often occurs in the northeastern mountainous portion of the County. Periodic rainstorms contrast with occasional stagnant weather and thick ground or “tule” fog in the moister, flatter parts of the valley. Winter winds generally come from the south, although north winds also occur.

Diminished air quality within Butte County largely results from local air pollution sources, transport of pollutants into the area from the south, the NSVAB topography, prevailing wind patterns, and certain inversion conditions that differ with the season. During the summer, sinking air forms a “lid” over the region, confining pollution within a shallow layer near the ground that leads to photochemical smog and visibility problems. During winter nights, air near the ground cools while the air above remains relatively warm, resulting in little air movement and localized pollution “hot spots” near emission sources. Carbon monoxide, nitrogen oxides, particulate matters and lead particulate concentrations tend to elevate during winter inversion conditions when little air movement may persist for weeks.

As a result, high levels of particulate matter (primarily fine particulates or PM2.5) and ground-level ozone are the pollutants of most concern to the NSVAB Districts. Ground-level ozone, the principal component of smog, forms when reactive organic gases (ROG) and nitrogen oxides (NOx) – together known as ozone precursor pollutants – react in strong sunlight. Ozone levels tend to be highest in Butte County during late spring through early fall, when sunlight is strong and constant, and emissions of the precursor pollutants are highest (Butte County CEQA Air Quality Handbook 2014).

Air Quality Attainment Status

Local monitoring data from the BCAQMD is used to designate areas a nonattainment, maintenance, attainment, or unclassified for the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). The four designations are further defined as follows:

Nonattainment – assigned to areas where monitored pollutant concentrations consistently violate the standard in question.

Maintenance – assigned to areas where monitored pollutant concentrations exceeded the standard in question in the past but are no longer in violation of that standard.

Attainment – assigned to areas where pollutant concentrations meet the standard in question over a designated period of time.

Unclassified – assigned to areas where data are insufficient to determine whether a pollutant is violating the standard in question.

Table 1.3-1. Federal and State Attainment Status of Butte County

POLLUTANT	STATE DESIGNATION	FEDERAL DESIGNATION
1-hour ozone	Nonattainment	-
8-hour ozone	Nonattainment	Nonattainment
Carbon monoxide	Attainment	Attainment
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
24-Hour PM10	Nonattainment	Attainment
24-Hour PM2.5	Unclassified	Attainment
Annual PM10	Attainment	Unclassified
Annual PM2.5	Nonattainment	Attainment

Source: Butte County AQMD, 2018

Butte County Air Quality Management District

The Butte County Air Quality Management District (BCAQMD) is the local agency with primary responsibility for compliance with both the federal and state standards and for ensuring that air quality conditions are maintained. They do this through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues.

Activities of the BCAQMD include the preparation of plans for the attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, issuance of permits for stationary sources of air pollution, inspection of stationary sources of air pollution and response to citizen complaints, monitoring of ambient air quality and meteorological conditions, and implementation of programs and regulations required by the FCAA and CCAA.

According to the State CEQA Guidelines, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make significance determinations for potential impacts on environmental resources. BCAQMD is responsible for ensuring that state and federal ambient air quality standards are not violated within Butte County. Analysis requirements for construction and operation-related pollutant emissions are contained in BCAQMD's *CEQA Air Quality Handbook: Guidelines for Assessing Air Quality and Greenhouse Gas Impacts for Projects Subject to CEQA Review*. Established with these guidelines are screening criteria to determine whether or not additional modeling for criteria air pollutants is necessary for a project. The CEQA Air Quality Handbook also contains thresholds of significance for construction-related and operation-related emissions: ROG, NO_x and PM₁₀. The screening criteria listed in Table 1.3-2 were created using CalEEMod version 2013.2.2 for the given land use types. To determine if a proposed project meets the screening criteria, the size and metric for the land use type (units or square footage) should be compared with that of the proposed project. If a project is less than the applicable screening criteria, then further quantification of criteria air pollutants is not necessary, and it may be assumed that the project would have a less than significant impact for criteria air pollutants. If a project exceeds the size provided by the screening criteria for a given land use type then additional modeling and quantification of criteria air pollutants should be performed (Butte County Air Quality Management District 2014).

Table 1.3-2. Screening Criteria for Criteria Air Pollutants

LAND USE TYPE	MAXIMUM SCREENING LEVELS FOR PROJECTS
Single-Family Residential	30 Units
Multi-Family (Low Rise) Residential	75 Units
Commercial	15,000 square feet
Educational	24,000 square feet
Industrial	59,000 square feet
Recreational	5,500 square feet
Retail	11,000 square feet

Source: Butte County AQMD, CEQA Air Quality Handbook, 2014

Discussion

a) Conflict with or obstruct implementation of the applicable air quality plan?

No impact. The applicable air quality plan for the project area is the *Northern Sacramento Valley Planning Area 2015 Triennial Air Quality Attainment Plan*. In adopting this plan, BCAQMD assumes that growth within its jurisdiction will be in accordance with city and county general plans, for which air quality effects associated with build-out have been analyzed.

A project is deemed inconsistent with an air quality plan if it would result in population or employment growth that exceeds the growth estimates in the applicable air quality plan (i.e., generating emissions not accounted for in the applicable air quality plan emissions budget). Therefore, proposed projects need to be evaluated to determine whether they would generate population and employment growth and, if so, whether that growth would exceed the growth rate included in the applicable air quality plan.

Table 1.3-2 (Screening Criteria for Critical Pollutants) lists the established thresholds based on land use. The proposed project is not proposing any new development; however, future development on the northerly parcel may consist of a single-family residence, accessory dwelling unit and accessory structures. The development of one new single-family residence consistent with the RC zone would not conflict with or obstruct the air quality plan. No impact would occur under this threshold.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less than significant Impact. No new structures or upgrades to existing facilities would be required. The construction of one new single-family residence or accessory dwelling unit on the northern parcel would not exceed the land-use type screening criteria listed above in Table 1.3-3. Thus, with development of a new single-family residence on the northerly parcel, the project would not exceed the significance thresholds established in the BCAQMD, CEQA Air Quality Handbook. Impacts would be less than significant under this threshold.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than significant Impact. Based on the information provided in section b.), above, the proposed project would not result in the violation of any air quality standards or contribute substantially to an existing or projected air quality violation. However, construction of a new single-family residence or accessory dwelling unit would result in air emissions. Impact would be less than significant under this threshold.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

No impact. The proposed action would not result in any odors that would impact a substantial number of people for an extended period of time. No impact would occur under this threshold.

BIOLOGICAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources.				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The project site is situated in a valley area within an agricultural and rural area in the northern Sacramento Valley, south of the City of Oroville. Both the Butte County General Plan, and from land cover data provided by the Butte County Association of Governments, in preparation of the upcoming Butte County Regional Conservation Plan identify this property as *Rural Residential (Mixed Oak Woodland)*. Information within this section is summarized from the *Biological Evaluation Report for APNs 078-080-013 and -15* prepared by Bole & Associates, Inc. (August 2020).

The study area is located southeast of the City of Oroville, in an area commonly known as South Oroville. The property is in rolling terrain with an elevation above sea level ranging from approximately 260 feet in the southern portion of APN 078-080-015, to 240 feet in the northern portion of APN 078-080-013. Several seasonal streams are located within this portion of south-central Butte County including Wyman Ravine which generally trends east-west

through the central portion of the property, and Lower Wyandotte Creek, which trends through the northwestern corner of the subject property. These seasonal water courses support a diverse variety of seasonal and perennial trees and shrubs. They are predominately dry throughout the majority of the late-spring through early winter time period and do not support fish species. A thorough examination of these seasonal streams did not reveal the presence of reptile (turtle) or amphibian (frog) species. Vegetation communities are comprised of California Annual Grassland, Mixed Oak/Pine Foothill Woodland, and Freshwater Seasonal Streams.

The Mixed Oak/Pine Foothill Woodland alliance is characterized by stands of blue oaks (*Quercus douglasii*), Valley Oak (*Quercus lobata*) and foothill gray pine (*Pinus sabiniana*). This alliance largely consists of the Mixed Oak – Foothill Pine / Grass association. Blue oak and Valley Oak dominates the canopy, along with foothill pine (*Pinus sabiniana*) as a co dominant in areas. The understory is almost entirely composed of annual grasses and buckbrush (*Ceanothus cuneatus*). The Mixed Oak/Pine Foothill Woodland alliance covers approximately 60% of the area within the study area.

The California Annual Grassland alliance covers approximately 30% of the site and is dominated by invasive annual grasses and forbs such as oatgrass (*Avena* sp.), little quaking grass (*Briza minor*), foxtail barley (*Hordeum* sp.), and several invasive bromes (*Bromus diandrus* and *Bromus Madritensis*). Native herbaceous plants common to the central valley's annual grasslands also occur at lower densities throughout the grasslands onsite.

Two seasonal streams run through the study area. These were evaluated and are defined as *Seasonal Riparian Woodland* type consisting of medium to tall, broad-leaved deciduous trees. These riparian corridors are seasonally inundated and support emergent wetland vegetation until the seasonal shift in temperature and precipitation increase the cover of non-wetland plants in the late-spring and early summer.

Jurisdictional Waters of the United States, including Wetlands

Waters of the United States (U.S.), including wetlands, are broadly defined to include navigable waterways, and tributaries of navigable waterways, and adjacent wetlands. Although definitions vary to some degree, wetlands are generally considered to be areas that are periodically or permanently inundated by surface water or groundwater, supporting vegetation adapted to life in saturated soil. Jurisdictional wetlands are vegetated areas that meet specific vegetation, soil, and hydrologic criteria defined by the U.S. Army Corps of Engineers (USACE). The USACE holds sole authority to determine the jurisdictional status of waters of the U.S., including wetlands. Jurisdictional wetlands and Waters of the U.S. include, but are not limited to, perennial and intermittent creeks and drainages, lakes, seeps, and springs; emergent marshes; riparian wetlands; and seasonal wetlands. Wetland and waters of the U.S. provide critical habitat components, such as nest sites and reliable source of water for a wide variety of wildlife species.

As stated, two seasonal streams are located on-site. A wetland determination was performed concurrently with the botanical survey performed on the project site.

Special-Status Species

Many species of plants and animals within the State of California have low populations, limited distributions, or both. Such species may be considered "rare" and are vulnerable to extirpation as the state's human population grows and the habitats these species occupy are converted to agricultural and urban uses. A sizable number of native species and animals have been formally designated as threatened or endangered under State and Federal endangered species legislation. Others have been designated as "Candidates" for such listing and the California Department of Fish and Wildlife (CDFW) have designated others as "Species of Special Concern". The California Native Plant Society (CNPS) has developed its own lists of native plants considered rare, threatened or endangered. Collectively, these plants and animals are referred to as "special status species."

California Environmental Quality Act Guidelines Section 15065 requires a mandatory finding of significance for projects that have the potential to substantially degrade or reduce the habitat of a threatened or endangered species, and to fully disclose and mitigate impacts to special status resources. For the purposes of this Initial Study, the California Environmental Quality Act (Sections 21083 and 21087, Public Resources Code) defines mitigation as measure(s) that

- Avoids the impact altogether by not taking a certain action or parts of an action.
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment.
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project.
- Compensates for the impact by replacing or providing substitute resources or environments.

The California Department of Fish & Wildlife’s California Natural Diversity Database (CNDDDB) lists the potential for occurrence of several special status plant and wildlife species within the study area, onsite investigations did not reveal the presence of these species or the specific micro-habitat to support these species. These species are addressed in the Biological Resources Report and summarized in Table 4.4-1.

Table 4.4.1 Federal and State Listed Species in the Vicinity of the Project Site		
SPECIES	LISTING STATUS	DETERMINATION
PLANTS		
<i>Chamaesyce hooveri</i>	FT	No effect
<i>Limnanthes floccosa ssp. californica</i>	SE	No effect
<i>Orcuttia pilosa</i>	FE, SE	No effect
<i>Orcuttia tenuis</i>	FT, SE	No effect
<i>Packera layneae</i>	FT	No effect
<i>Tuctoria greenei</i>	FE	No effect
ANIMALS		
<i>Acipenser medirostris</i>	FT	No effect
<i>Agelaius tricolor</i>	SSC	No effect
<i>Ambystoma californiense</i>	FT	No effect
<i>Ardea herodias</i>	SSC	No effect
<i>Branchinecta conservatio</i>	FE	No effect
<i>Branchinecta lynchi</i>	FT	No effect
<i>Buteo swainsoni</i>	ST	Not likely to adversely affect
<i>Circus cyaneus</i>	SSC	Not likely to adversely affect
<i>Clemmys marmorata</i>	SSC	No effect
<i>Coccyzus americanus occidentalis</i>	FC, SE	No effect
<i>Dendroica petechia</i>	SSC	No effect
<i>Desmocercus californicus dimorphus</i>	FT	No effect
<i>Eumops perotis californicus</i>	SSC	Not likely to adversely affect
<i>Grus canadensis</i>	ST	No effect
<i>Haliaeetus leucocephalus</i>	FT, ES	No effect
<i>Lasionycteris noctivagans</i>	SSC	Not likely to adversely affect
<i>Lepidurus packardi</i>	FE	No effect
<i>Linderiella occidentalis</i>		No effect
<i>Lanius ludovicianus</i>	FE	Not likely to adversely affect
<i>Oncorhynchus mykiss</i>	FT	No effect
<i>Oncorhynchus tshawytscha</i>	FT, ST	No effect

<i>Pandion haliaetus</i>	SSC	No effect
<i>Rana aurora draytonii</i>	FT, SSC	No effect
<i>Riparia riparia</i>	ST	No effect
<i>Spea hammondii</i>	SSC	No effect
<i>Thamnophis gigas</i>	FT, ST	No effect
Source: Biological Evaluation, APNs 078-080-013 & -015, Oroville, Butte County, CA, Bole & Associates, August 2020		

The project site and surrounding area is zoned Rural Residential with a 5-acre minimum (RR-5), Public (P), and Resource Conservation (RC). As stated, no development is proposed as part of the TPM project; however, future development of a single-family residence on the northerly parcel is evaluated herein.

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?**

Less than Significant with Mitigation. The project site contains habitats that have the potential to support plant and invertebrates, considered as candidate, sensitive or special status species by the California Department of Fish and Wildlife and United States Fish and Wildlife Service. The CDF&W CNDDDB lists the potential for occurrence of several special status plant and wildlife species within the study area (see Table 4.4-1); however, onsite investigations did not reveal the presence of these species or the specific micro-habitat to support these species. However, the site does contain habitat that could support avian species protected under the Migratory Bird Treaty Act. Further, the Biological Resources Report states that any site development is likely to have a moderate to low effect on the following special-status wildlife species: Swainson’s hawk and Silverhaired bat and raptor species including the Osprey and Northern harrier should they occur on or in proximity to the site. Implementation of Mitigation Measures BIO-1, BIO-2 and BIO-3 will reduce potential impacts to nesting birds and/or raptor species to less than significant.

Mitigation Measures

Mitigation Measure BIO-1

A site survey by a qualified biologist for occupied nests shall be conducted prior to any planned development in the study area. The survey shall identify all bird nests protected by the Migratory Bird Treaty Act on the study area. These nests shall be avoided until young have fledged in accordance with the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat. 755) as amended. If nests are located during these pre-construction surveys, then construction activity shall not commence until young have fledged, as determined by a qualified biologist. If any nest sites are found, fine netting or canvas shall be attached to the nesting substrate to cover the nest area and to prevent nesting attempts during the study construction phase.

Plan Requirements: The note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. This note shall also be placed on all building and site development plans.

Timing: Requirements of the condition shall be met if construction activities are proposed to occur during nesting season specified by the CDFW.

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. A survey report of findings shall be provided to Butte County Development Services Department prior to issuance of a grading permit.

Mitigation Measure BIO-2

Prior to initiation of any future ground disturbing/construction activities during the nesting season, the area within 0.5 mile of the proposed disturbed area must be surveyed for active Swainson's hawk nests. The nesting season is defined as that period which begins at the start of the critical breeding period and ends when a qualified biologist determines that the young birds are fully fledged and able to successfully leave the nest. For Swainson's hawk this period is typically from March 15 to August 15. If one or more active Swainson's hawk nests are present within the 0.5-mile survey area, the active nest(s) shall be monitored by a qualified raptor biologist prior to and during study activities. If the nesting pair's behavior suggests agitation or disturbance by study activities, all activities in the area shall immediately stop pending consultation with the CDFW. Following a review of the breeding pair's behavior, CDFW will determine whether study activities in the area may continue during the nesting season and, if so, the conditions under which they may continue.

Plan Requirements: The note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. This note shall also be placed on all building and site development plans.

Timing: Requirements of the condition shall be adhered to if construction would occur between March 15 to August 15.

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. A survey report of findings shall be provided to Butte County Development Services Department prior to issuance of a grading permit.

Mitigation Measure BIO-3

A pre-construction survey, conducted by a qualified biologist between April and May prior to any future planned construction is recommended to ensure that no raptors are or have begun nesting in the study area or vicinity. This includes a buffer of at least 250 feet around property boundaries.

Plan Requirements: The note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. This note shall also be placed on all building and site development plans.

Timing: Requirements of the condition shall be met if construction activities are proposed to occur during nesting season specified by the CDFW.

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. A survey report of findings shall be provided to Butte County Development Services Department prior to issuance of a grading permit.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?**

Less than Significant with Mitigation. As stated, two seasonal streams are located on-site. While, no development is proposed as part of the project, future development could impact sensitive Mixed Oak/Pine Foothill Woodlands and riparian corridors associated with the two onsite seasonal streams. Provided future development is not located proximal to either of the two seasonal streams, implementation of Mitigation Measure BIO-4 would avoid potential impacts associated with future single-family residential or accessory dwelling development.

Mitigation Measures

Mitigation Measure BIO-4

Any development proposed outside the building envelopes as shown on the Parcel Map or Additional Map sheet shall require that an Arborist Report and Tree Management/Preservation report be prepared by a certified arborist or landscape architect prior to development. Mapping of all trees with a diameter at breast height (DBH) of greater than six inches is required, as well as identification of all trees to be removed. This report shall be submitted to the Butte County Planning Department for approval prior to study implementation. The applicant/developer shall satisfy one of the following:

- A. Place a note on a separate document which is to be recorded concurrently with the map or on an additional map sheet that states: Prior to any development activity or the issuance of any permit or approval removing or encroaching upon oak trees on the project site (this generally includes the canopy drip-line of trees within the area of ground disturbance and trees subject to changes in hydrologic regime) an Oak Tree Mitigation Plan prepared by a certified arborist, registered professional forester, botanist or landscape architect shall be submitted for review and approval by the Director of Development Services or his/her designee that includes:
- 1) A survey showing the location of oak trees 5 inches or more in diameter at breast height, as defined by PRC §21083.4(a);
 - 2) The removal of all oak trees 5 inches or more in diameter at breast height shall be mitigated. It shall be mitigated by one or more of the following: replanting and maintaining oak trees, establishing conservation easements, contributing funds for off-site oak woodlands conservation, and/or other mitigation measures developed by Butte County. Replanting oak trees cannot account for more than one-half of the mitigation. Replanted oak trees shall be maintained for a period of seven years after they are planted. If any of the replanted oak trees die or become diseased, they shall be replaced and maintained for seven years after the new oak trees are planted;
 - 3) A replanting schedule and diagram for trees removed or encroached upon by permit activities consistent with PRC §21083.4(b)(2), applicable mitigation measures, and Butte County Ordinance, if any, shall be submitted to and approved by the Director of Development Services or his/her designee. Replanted trees shall be planted in areas deemed appropriate by the Plan, considering future lot development, interference with foundations, fencing, roadways, driveways, and utilities. Trees planted shall be protected from livestock and other animals;
 - 4) Oak Tree protection measures for trees to be retained within the project site shall be included in construction specifications. Each oak tree to be preserved shall be surrounded by a tree zone identified by the drip line of the tree. An orange plastic fence or other suitable type of fence shall be used to identify the tree zone during construction activities. No vegetation removal, soil

disturbance, or other development activities shall occur within the tree zone in order to protect root systems and minimize compaction of the soil, unless authorized by Oak Tree Mitigation Plan; and

- 5) Conservation easements or funds for off-site oak woodlands conservation shall be proposed to and approved by the Director of Development Services or his/her designee.; or
- B. Place a note on a separate document which is to be recorded concurrently with the map or on an additional map sheet that states: Prior to any development activity or the issuance of any permit or approval removing or encroaching upon oak trees on the project site (this generally includes the canopy drip-line of trees within the area of ground disturbance and trees subject to changes in hydrologic regime) the developer shall be consistent with the County's adopted oak mitigation ordinance.; or
- C. Place a note on a separate document which is to be recorded concurrently with the map or on an additional map sheet that states: Prior to any development activity or the issuance of any permit or approval removing or encroaching upon oak trees on the project site (this generally includes the canopy drip-line of trees within the area of ground disturbance and trees subject to changes in hydrologic regime) the project shall be consistent with all avoidance and minimization measures and the applicant shall pay applicable in lieu fees to mitigate for blue oak woodland impacts as provided in the adopted Butte County Resource Conservation Plan.

Plan Requirements: No vegetation removal, grading, road construction, or other earthwork resulting in the removal or encroachment upon oak trees on the project site shall be permitted until the mitigation measure is satisfied by the applicant/developer completing one of the specified measures to the satisfaction of the Director of Development Services or his/her designee.

Timing: Requirements of the condition shall be satisfied prior to any development activity or the issuance of any grading, building, septic, or well permit, or the approval of any improvement plans on the parcels.

Monitoring: The Butte County Department of Development Services and Department of Public Works shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. At the time of septic, well, or building permit application, the Development Services Department will reference this requirement on any grading, building, septic, or well permit site plans and verify that actions necessary to verify this measure have been satisfied have been submitted to and approved by the Director of Development Services or his/her designee. Butte County building inspectors shall ensure compliance on-site.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No impact. The biological evaluation did not identify any federally protected wetlands as defined by Section 404 of the Clean Water Act exists, or within proximity to the project site. As stated, two seasonal streams occur on-site; however, no new development would occur as a result of TPM approval. No impact to jurisdictional drainages or federally protected wetlands would occur.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

No impact. No major migratory routes have been designated through the project site. The site may facilitate home range and dispersal movement of resident wildlife species but does not serve as a designated wildlife movement corridor. Subsequent development of the resultant parcels would not restrict regional wildlife movement or wildlife migration patterns primarily due to the large size of the parcels and minimal development potential.

- e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

Less than Significant with Mitigation. While no new development is proposed on the project site, future expansion of existing development on the southern parcel and new single-family development on the northerly parcel may impact tree species occurring on-site. Any impacts to the oak resources within the subject property would be subject to the provisions of the Butte Oak Woodland Technical Manual (October 23, 2018) and the Butte County Addendum to the GP 2030 EIR and Supplemental EIR for the Butte County Oak Woodland Mitigation Ordinance (October 22, 2018). With implementation of Mitigation Measure BIO-4, potential impacts to trees would be reduced to less than significant. In addition, a building envelope will be required for recordation on the map. This will be set in place to prevent encroachment upon sensitive habitat and oak woodland areas.

- f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

No impact. The Butte Regional Conservation Plan (BRCP) is a joint Habitat Conservation Plan (HCP)/National Community Conservation Plan (NCCP) for the western half of the Butte County. The project site is located within the proposed plan area of the BRCP. However, as the plan has not been adopted, the proposed project will not conflict, nor interfere with, the attainment of the goals of the proposed plan. No development would occur with approval of the TPM; thus, the action would not have significant impacts upon sensitive biological resources that would require mitigation under the future habitat conservation plan.

CULTURAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Cultural Resources.				
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Butte County contains a rich diversity of archaeological, prehistoric and historical resources. The General Plan 2030 EIR observes that the "archaeological sensitivity of Butte County is generally considered high, particularly in areas near water sources or on terraces along water courses" (Butte County General Plan EIR, 2010, p. 4.5-7).

A substantial adverse change upon a historically significant resource would be one wherein the resource is demolished or materially altered so that it no longer conveys its historic or cultural significance in such a way that justifies its inclusion in the California Register of Historical Resources or such a local register (CEQA Guidelines Section 15064.5, subd. (b)(2)). Cultural resources include prehistoric and historic period archaeological sites; historical features, such as rock walls, water ditches and flumes, and cemeteries; and architectural features. Cultural resources consist of any human-made site, object (i.e., artifact), or feature that defines and illuminates our past. Often such sites are found in foothill areas, areas with high bluffs, rock outcroppings, areas overlooking deer migratory corridors, or near bodies of water.

A Cultural Resources Inventory Survey was performed for the site. The methodology and findings are documented in the Cultural Resources Inventory Survey Report (Jensen, August 9, 2020). The findings are summarized herein.

Discussion

a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

No impact. Cultural resources review included prehistoric and historic period archaeological sites; historical features, such as rock walls, water ditches and flumes and cemeteries; and architectural features. Cultural resources consist of any human-made site, object (i.e., artifact), or feature that defines and illuminates our past. According to Butte County constraints mapping, the project site is located in an area considered to have a low archeological sensitivity. Historic use of the project site for agricultural purposes has resulted in ground-disturbing activities that likely destroyed any cultural resources that may have been located on the surface. Further, no historic structures are located on the site. Thus, there is little potential to uncover historic resources. Potential impacts to prehistoric cultural resources located below the surface is discussed below. No impact would occur under this threshold.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less than Significant Impact with Mitigation Incorporated. As stated in the Cultural Resources Report, two recorded historic archaeological sites occur on the northern parcel. The sites were evaluated for significance in relation to CEQA criteria. Historical resources per CEQA are defined as buildings, sites, structures, objects, or districts, each of which may have historical, architectural, archaeological, cultural, or scientific significance. CEQA requires that, if a project results in an effect that may cause a substantial adverse change in the significance of a cultural or historical resource, alternative plans or mitigation measures must be considered; however, only significant historical resources need to be addressed.

Of the two recorded sites, one (P-04-736) is considered to be of potential historic significance. The buried components at this prehistoric site may contain formed and datable (temporally diagnostic) artifact types, faunal and floral remains and specialized samples suitable for radiocarbon dating. Depending on age and certain attributes that might be present, such buried cultural material could yield important and valuable information on prehistoric patterns of resource extraction methodology and technology, technical information concerning lithic reduction strategies employed, the size of the population involved, and further characterization of the intensity of resource use during this early period in Butte County. If future residential development is proposed within the recorded boundaries of site P-04-736 as defined in the Cultural Resources Report, or within 30 feet of said boundaries, then qualities of this prehistoric site that qualify it as potentially significant per CEQA could be materially and significantly impacted. Implementation of either of the following mitigation measures, CUL-1 and/or CUL-2 as applicable, would reduce potential impacts to less than significant.

Mitigation Measures

Mitigation Measure CUL-1

Preserve the prehistoric site (P-04-736) intact by means of an impact avoidance strategy. The site boundaries shall be flagged and accurately located through survey, and the area thus flagged designated as an impact avoidance zone on any tentative development or other project maps.

Mitigation Measures CUL-2

Any development outside of building site envelopes as shown on the Tentative Parcel Map or Additional Map Sheet shall require a formal evaluation of the specific attributes and qualities which would render prehistoric site P-04-736 significant per CEQA. Such a formal evaluation shall involve archaeological data collection work (i.e., archaeological testing), which testing shall include recovery of a sample of cultural material sufficient to evaluate site depth, age and make-up of the components of the sites, and characterization of artifactual and cultural constituents in terms of major data categories present. The testing program shall culminate in a professional report that contains explicit recommendations for any mitigative-level data recovery work that may be justified or warranted on the basis of the specific findings of the program of archaeological testing.

c) Disturb any human remains, including those interred outside of formal cemeteries?

No impact. Indications are that humans have occupied Butte County for over 10,000 years and it is not always possible to predict where human remains may occur outside of formal burials. Therefore, excavation and construction activities, regardless of depth, may yield human remains that may not be interred in marked, formal burials.

Under CEQA, human remains are protected under the definition of archaeological materials as being "any evidence of human activity." Additionally, [Public Resources Code section 5097.98](#) has specific stop-work and

notification procedures to follow in the event that human remains are inadvertently discovered during project implementation.

The Butte County Conservation Element has established two policies that address the inadvertent discovery of human remains. COS-P16.3 requires human remains discovered during construction to be treated with dignity and respect and to fully comply with the federal Native American Graves Protection and Repatriation Act and other appropriate laws. COS-P16.4 requires work to stop if human remains are found during construction until the County Coroner has been contacted, and, if the human remains are determined to be of Native American origin, the North American Heritage Commission and most likely descendant have been consulted. This policy would be followed; "should remains be discovered on-site during ground disturbing activities associated with construction of a single-family residence or accessory dwelling unit should it occur".

1.6 Energy

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Energy.				
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a) **Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

Less than Significant impact. The project would divide the southern parcel into two parcels. No action is proposed on the northern parcel; however, as noted, future development of a single-family residence, a accessory dwelling unit and accessory structures may occur on this site.

Development of the proposed project would consume energy primarily in two ways: (1) construction activities would consume energy through the operation of heavy off-road equipment, trucks, and worker traffic, and (2) use of the residence would cause long-term energy consumption from electricity and propane gas consumption, energy used for water conveyance, and vehicle operations to and from the project site.

Construction energy consumption would largely result from fuel consumption by heavy equipment during grading activities associated with road and building site clearance; trucks transporting construction materials to the site during parcel development, and worker trips to and from the job site. Energy consumption during construction related activities would vary depending on the level of activity, length of the construction period, specific construction operations, types of equipment and the number of personnel. Despite this variability in the construction activities, the overall scope of the construction that could be accommodated on the site is not expected to require a substantial amount of fuel to complete. Additionally, increasingly stringent state and

federal regulations on engine efficiency combined with local, state and federal regulations limiting engine idling times and recycling of construction debris, would further reduce the amount of transportation fuel demand during project construction. Considering these factors, the proposed project would not result in the wasteful and inefficient use of energy resources during construction and impacts would be less than significant.

Long-term energy consumption would occur during operation of the residence if constructed. The residence and outbuildings would consume electricity for lighting, heating and well operation. Propane would likely also be used an energy source. The project would generate additional vehicle trips. This would result in the consumption of transportation fuel. State and federal regulatory requirements addressing fuel efficiency are expected to increase fuel efficiency over time as older, less fuel-efficient vehicles are retired. This would reduce vehicle fuel energy consumption rates over time. Therefore, energy impacts related to fuel consumption/efficiency during project operations would be less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency

Less than significant impact. Many of the state and federal regulations regarding energy efficiency are focused on increasing building efficiency and renewable energy generation, as well as reducing water consumption and Vehicles Miles Traveled. Proposed development would be required to include energy conservation measures intended to meet and exceed regulatory requirements, including reducing idling time of heavy equipment during construction activities. Additionally, future development would be in compliance with the most recent Title 24 and CalGreen building code standards at the time of project construction. Therefore, the proposed project would implement energy reduction design features and comply with the most recent energy building standards. The project would not result in wasteful or inefficient use of nonrenewable energy sources. Impacts would be less than significant under this threshold.

1.7 Geology and Soils

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Geology and Soils.				
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a) **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist - Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)**

No impact. There are no known active faults underlying, or adjacent to, the project site. The Cleveland Hill fault is the only active fault zone in Butte County identified in the most recent Alquist-Priolo Earthquake Fault Zoning Map. The Cleveland Hill fault zone is located approximately 4 miles east of the project site. Because the nearest active fault is located a considerable distance from the project site, the likelihood of a surface rupture at the project site is low. No impact would occur under this threshold.

ii) **Strong seismic ground shaking?**

No impact. Like most of north central California, the site will likely be subjected to strong seismic ground shaking. All buildings and other improvements are designed and constructed in accordance with seismic standards in the Uniform Building Code. No impacts would occur under this threshold.

iii) **Seismic-related ground failure, including liquefaction?**

No impact. According to Butte County General Plan 2030, areas that are at risk for liquefaction can be found on the valley floor, especially near the Sacramento and Feather Rivers, and their tributaries, which have a higher potential to contain sandy and silty soils. Liquefaction is a phenomenon where loose, saturated, granular soils lose their inherent shear strength due to excess water pressure that builds up during repeated movement from seismic activity. Factors that contribute to the potential for liquefaction include a low relative density of granular materials, a shallow groundwater table, and a long duration and high acceleration of seismic shaking. Liquefaction usually results in horizontal and vertical movements from lateral spreading of liquefied materials and post-earthquake settlement of liquefied materials. Liquefaction potential is greatest where the groundwater level is shallow, and submerged loose, fine sands occur within a depth of approximately 50 feet or less. Future

development would be evaluated for liquefaction potential and if needed, design measures would be implemented to address this issue. No impact would occur under this threshold.

iv) Landslides?

No impact. The project area is primarily level with 0-2% slopes. As a result, the landslide potential for the project site and surrounding area is low to none. The Subsidence and Landslide Potential Map of the Health and Safety Element of the Butte County General Plan (Figure HS-6 of the General Plan) indicates that there is a low to no potential for landslides in this area. No impact would occur under this threshold.

b) Result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact. Construction activities associated with the project would be subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Storm Water permit program if one acre or more is disturbed. Construction activities that result in a land disturbance of less than one acre, but which are part of a larger common plan of development, also require a permit. This program requires implementation of erosion control measures during and immediately after construction that are designed to avoid significant erosion during the construction period. In addition, the project operation would be subject to State Water Resources Control Board requirements for the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) to control pollution in stormwater runoff from the project site, including excessive erosion and sedimentation. The SWPPP, if required, must be obtained prior to any soil disturbance activities. Implementation of standard erosion control BMPs during future construction-related activities, together with adherence to State requirements regarding grading activities, would ensure that potential erosion impacts are less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

No impact. The project is not located on an unstable geologic unit or soil and will not cause instability that would result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. No impact would occur under this threshold.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?

No impact. Figure HS-8 of the General Plan Health and Safety Element indicates that the project site has a low to very low expansive soil potential. The Butte County Building Division may require soil tests prior to issuance of a building permit to determine if the soils on the site have an expansive potential. No impacts associated with expansive soil would occur.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Less than Significant Impact. If a single-family residence or accessory dwelling unit were constructed on the northern parcel, wastewater would be generated from use of the residence. The Butte County Department of Environmental Health (April 6, 2021) has determined, based on the soil profiles, that on-site soils have adequate depth and quality to support a septic system.

The wastewater system must be constructed in conformance with Butte County Code, Chapter 19, as well as the Butte County Onsite Wastewater Manual. An On-Site Wastewater System Construction Permit must be approved by the Butte County Environmental Health Division, under a ministerial permit application.

Application for a Construction Permit will include detailed plans of the proposed wastewater system, prepared by a Certified Installer or Certified Designer, which will demonstrate compliance with County regulations and the County's On-Site Wastewater Manual, and to ensure a safe, sanitary, and environmentally sound wastewater system. Compliance with Environmental Health Division conditions would reduce potential impacts to less than significant.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No impact. No paleontological resources are known to occur on the project site and no deep excavation would be required to implement the project action if constructed. No impact would occur under this threshold.

GREENHOUSE GAS EMISSIONS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. Greenhouse Gas Emissions.				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

The Butte County Climate Action Plan (CAP) was adopted on February 25, 2014. The Butte County CAP provides goals, policies, and programs to reduce GHG emissions, address climate change adaptation, and improve quality of life in the county. The Butte County CAP also supports statewide GHG emission-reduction goals identified in AB 32 and SB 375. Programs and actions in the CAP are intended to help the County sustain its natural resources, grow efficiently, ensure long-term resiliency to a changing environmental and economic climate, and improve transportation. The Butte County CAP also serves as a Qualified GHG Reduction Strategy under CEQA, simplifying development review for new projects that are consistent with the CAP.

A 2006 baseline GHG emission inventory was prepared for unincorporated Butte County. The inventory identified the sources and the amount of GHG emissions produced in the county. The leading contributors of GHG emissions in Butte County are agriculture (43%), transportation (29%), and residential energy (17%). The Climate Action Plan (CAP) adopted by the County provides a framework for the County to reduce GHG emissions while simplifying the review process for new development. Measures and actions identified in the CAP lay the groundwork to achieve the adopted General Plan goals related to climate change, including reducing GHG emissions to 1990 levels by 2020.

New projects are evaluated to determine consistency with the CAP and identify which GHG emission reduction measures would be implemented with project approval. These measures may include expansion of renewable energy systems for new residential development by prewiring future development for photovoltaic systems; reduction of construction equipment idling time; and, installation of electric vehicle charging outlets in the garage or the exterior of the home.

Discussion

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact with Mitigation Incorporated. The project may result in the development of a single-family residence on the northern parcel. The project would generate greenhouse gas emissions during construction and operation. Construction-related emissions during development may be generated from construction equipment exhaust, construction employee vehicle trips to and from the work site, application of architectural coatings and asphalt paving. The project’s construction GHG emissions would occur over a short duration and would consist primarily of emissions from equipment exhaust. The long-term regional emissions associated with the project would primarily occur from the creation of new vehicular trips and indirect source emissions, such as electricity consumption, water use and solid waste disposal. The proposed project is subject to Mitigation Measure GHG-1, which reduces project emissions of heavy-duty diesel-powered equipment

during construction and energy consumption during operation. A CAP policy evaluation below addresses project consistency with applicable elements of the CAP focused on reducing long-term GHG emissions associated with the project. Implementation of Mitigation Measure GHG-1 and applicable CAP policies would minimize project-related GHG emissions to the extent feasible, consistent with AB 32 GHG reduction goals. Impacts would be less than significant.

Mitigation Measures

Mitigation Measure GHG-1

The project proponent shall implement the following measures during construction-related activities and at the time of development to offset the anticipated contribution of greenhouse gas emissions:

- Prewire all new structures to support photovoltaic system installation.
- Install electrical vehicle outlets on external walls or in garages in all new residential development.
- Minimize equipment idling time during construction activities either by shutting equipment off when not in use or reducing the time of idling to no more than 3 minutes.
- Use clean or alternative fuel equipment during construction-related activities to improve fuel efficiency.

Plan Requirements: The measure shall be placed on an additional map sheet which is to be recorded with the Parcel Map. This note shall also be placed on all building and site development plans.

Timing: Shall be implemented prior to issuance of building permits for development. Construction-related measures shall be adhered to throughout all grading and construction periods.

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the measure is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. The Planning Division will ensure that future residential development includes the applicable measures during Building Permit review. Building inspectors shall spot check and shall ensure compliance on-site.

- b) **Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

- 1.9 **Less than significant impact with mitigation incorporated.** Implementation of mitigation measure ghg-1 would mitigate project-generated ghg emissions through programmatic-level measures established through the butte county cap. The project's compliance with the applicable policies and measures in the cap would in turn support county-wide efforts to meet statewide ghg emission reduction goals.

HAZARDS AND HAZARDOUS MATERIALS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Hazards and Hazardous Materials.				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Less than significant impact. The single-family residence or accessory dwelling unit may store potentially hazardous materials, including paints, cleaning materials, vehicle fuels, oils, and transmission fluids. However, all potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. It is not anticipated that large quantities of hazardous materials would be permanently stored or used within the project site. It is more likely that only small quantities of publicly-available hazardous materials (e.g., paint, maintenance supplies) may be routinely used within the project site for routine maintenance and cleaning. However, these materials would not be used in sufficient strength or quantity to create a substantial risk of fire or explosion, or otherwise pose a substantial risk to human or environmental health.

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?**

Less than significant impact. The project would not emit hazardous emissions or handle hazardous materials. Small quantities of publicly-available hazardous materials (e.g., paint, maintenance supplies) would be routinely used within the project site for maintenance and cleaning, and these materials will not be used in sufficient strength or quantity to create a substantial risk of fire or explosion, or otherwise pose a substantial risk to human or environmental health. Therefore, implementation of the proposed project would not create a permanent significant hazard to the public or environment through the accidental release of hazardous materials.

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

No impact. No existing or proposed elementary schools have been identified within one-quarter mile of the project site. The nearest school is Golden Hills Elementary School, which is located on Via Canela, approximately 1.6 miles from the project site. No impact would occur under this threshold.

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

No impact. A review of regulatory agency databases (i.e., Geotracker website-<https://geotracker.waterboards.ca.gov/>), which includes lists of hazardous materials sites compiled pursuant to California Government Code Section 65962.5, did not identify any sites at or adjacent to the project site that have used, stored, disposed of, or released hazardous materials. No impact would occur under this threshold.

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

No impact. No public use airports have been identified to be located within two miles of the project site. The closest airport is Oroville Municipal Airport, located approximately 4.4 miles to the northwest. The proposed project is located outside the compatibility zones for the area airports, and therefore, would not result in hazard or noise impacts to people residing on the project site. No impact would occur under this threshold.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No impact. The proposed project does not include any actions that physically interfere with any emergency response or emergency evacuation plans. If constructed, the future residence on the northern parcel would require the construction of a new driveway; however, this would occur consistent with Butte County code and would not interfere with use of Ophir Road for evacuation. No impact would occur under this threshold.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

Less than Significant Impact. The project site is not located in a Fire Hazard Severity Zone or in a State Responsibility Area. It is in a Local Responsibility Area (LRA) for fire protection. Due to the heightened risk of wildfire and increased potential for damage or loss, development must meet Butte County Code requirements which establish standards for access, signage, maintenance of defensible space and vegetation management. These standards will be included as conditions of approval and implemented at the time of development if it occurs. Implementation of these standards, as well as oversight by Butte County Fire/Cal Fire, would ensure the proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. A less than significant impact would occur under this threshold.

HYDROLOGY AND WATER QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. Hydrology and Water Quality.				
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial on- or offsite erosion or siltation;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Flooding

Flooding events can result in damage to structures, injury or loss of human and animal life, exposure of waterborne diseases, and damage to infrastructure. In addition, standing floodwater can destroy agricultural crops, undermine infrastructure and structural foundations, and contaminate groundwater. The Federal Emergency Management Agency (FEMA) is responsible for mapping areas subject to flooding during a 100-year flood event (i.e., 1 percent chance of occurring in a given year). According to floodplain mapping of the project area, the project site is located within the X and A zones. The X zone (Unshaded) is defined by FEMA as areas of minimal flood hazard from the principal source of flood in the area and

determined to be outside of the 0.2 percent annual chance floodplain. The A zone is defined by FEMA as areas subject to inundation by the 1-percent-annual-chance flood event.

Discussion

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

No impact. If constructed, the single-family residence or accessory dwelling unit would generate wastewater. As stated, the wastewater system must be constructed in conformance with Butte County Code, Chapter 19, as well as the Butte County Onsite Wastewater Manual to avoid violations of water quality standards. No impact would occur under this threshold.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less than significant impact. The Sacramento Valley Groundwater Basin supplies a portion of the municipal and agricultural water demands for the City of Oroville and surrounding unincorporated areas. The project site is located over the Sacramento Valley Groundwater Basin which underlies the majority of eastern Butte County. The project site is not located within a water service district; thus, water would be obtained from a private well installed on the project site.

According to the Butte County Groundwater Management Plan (2005), groundwater supplies approximately 31% of potable water demand county-wide. Water demand for the unincorporated areas of the county was projected to grow from 8,322.3 million gallons in 2000 to 9,736.4 million gallons in 2030, an increase of 17 percent. Development of permanent structures would have a net increase in impervious surfaces relative to existing conditions. However, stormwater runoff would be directed to pervious areas during precipitation events. The additional impervious area associated with a single-family residence would be negligible and would not cause a measurable reduction in surface infiltration or a decrease in deep percolation to the underlying aquifers. The project site is not located in a groundwater recharge area for the Sacramento Valley Groundwater Basin. Impacts to groundwater supplies and recharge would be less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial on- or offsite erosion or siltation;

Less than significant impact. Future development on the northern parcel would alter existing site drainage with the construction of impervious surfaces. During construction-related activities, specific erosion control and surface water protection methods for each construction activity would be implemented on the project site by construction personnel. The type and number of measures implemented would be based upon location-specific attributes (i.e., slope, soil type, weather conditions). These control and protection measures, or BMPs, are standard in the construction industry and are commonly used to minimize soil erosion and water quality degradation. Application of BMPs administered through the construction process would minimize the potential increase of surface runoff from erosion. See response to 1.10 (a) above. The project would not alter the course of a stream or river. Impacts would be less than significant.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

Less than significant Impact. The increase in impervious surface area from construction of permanent buildings would alter drainage patterns on-site. Storm flows would be retained and treated on-site. Future development would be reviewed by the Butte County Public Works Department to ensure any potential drainage concerns are addressed and that no net increase in stormwater runoff leaves the project site. The project would not result in on- or off-site flooding. Impacts would be less than significant.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Less than Significant Impact. If constructed, the single-family residence or accessory dwelling unit would increase runoff from impervious surfaces which would be conveyed to an on-site retention area where it would likely percolate into the soil. The minor increase in runoff quantity would not exceed the capacity of the existing stormwater drainage systems or substantially increase polluted runoff. Impacts would be less than significant.

iv) Impede or redirect flood flows?

Less than Significant Impact. The floodplain mapping of the project area identifies the project site being located within flood zones X and A (FEMA Map 06007C0985E, January 6, 2011). Zone A areas are subject to inundation by 1-percent-annual-chance shallow flooding where average depths are between one and three feet. If constructed, the location of the single-family residence or accessory dwelling unit would be evaluated relative to the floodplain with specific design features required to avoid potential impacts associated with flooding and potential redirection of flood flows. No impact would occur under this threshold.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No impact. As stated, a portion of the project is located within Flood Zone A. The proposed action would not result in a risk of pollutant release during a flood hazard, tsunami or seiche event. As stated, future development on the northern parcel would be evaluated under this threshold to identify and avoid or minimize potential impacts. No impact would occur under this threshold.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No impact. The project site is located within the Butte County Groundwater Management Plan area and West Butte Subbasin. Approval of the proposed project and future construction of a single-family residence would not affect water quality, groundwater demand or recharge. No impact would occur under this threshold.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. Land Use and Planning.				
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Butte County General Plan

The General Plan represents the basic community values, ideals and aspirations with respect to land use, development, transportation, public services, and conservation policy that will govern Butte County through 2030. The land use element of the general plan designates the land use of areas within the County, and includes a description of the characteristics and intensity of each land use category. The land use designation for the project site is *Rural Residential (RR)* on APN 078-080-015 and *Resource Conservation (RC)* on APN 078-080-013. It is located in unincorporated Butte County, southeast of the City of Oroville and within the City of Oroville Sphere of Influence as defined in the 2030 General Plan Update Land Use Map (2015).

Butte County Zoning Ordinance

The Zoning Ordinance implements the goals and policies of the Butte County General Plan by regulating the uses of the land and structures within the County. The zoning designations of the project site and their intended use are as follows:

Rural Residential (RR)

The purpose of the RR-5 zone is to allow for large lot single-family homes, small farmsteads and related uses in the rural residential neighborhoods within the county. Standards for the RR zone are intended to preserve and protect the character of existing rural residential areas and ensure that future rural residential development is compatible with adjacent agricultural uses. Permitted uses in the RR zones include single-family homes, small residential care homes, second units and accessory dwelling units, animal grazing, crop cultivation, private stables, on-site agricultural product sales, and other similar agricultural activities. The RR zone also conditionally permits non-residential uses compatible with a rural residential setting including public and quasi-public uses, personal services, nurseries, and animal services.

Resource Conservation (RC)

The purpose of the RC zone is to protect and preserve natural, wilderness, and scientific study areas that are critical to environmental quality within Butte County. Standards for the RC zone are intended to protect sensitive natural resources and to provide limited recreational and commercial recreational uses for the enjoyment of Butte County residents and visitors.

a) **Physically divide an established community?**

No impact. Existing land uses adjacent to the subject parcel are resource conservation to the north and southwest, residential to the southeast and east, and general commercial to the northeast. Much of the surrounding area is

undeveloped and has been historically used for mining, ranching, and limited residential development. The project area primarily consists of rural residential and resource conservation, on parcel sizes that range in size from 9.68 to 33.97 acres. Development of a single-family residence is allowed in the RC zone. No existing community would be impacted.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No impact. A single-family residence and accessory dwelling unit may be constructed by right on the northern parcel. No new construction is anticipated on the southern parcel(s). The project will not conflict with a land use plan or policy related to avoiding or mitigating environmental effects. No impact would occur under this threshold.

MINERAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. Mineral Resources.				
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No impact. There are no known economically viable sources of rock materials in the immediate vicinity of the project site. No known mining operations have occurred on the project site or surrounding area and the project would not preclude future extraction of available mineral resources. Mineral resource extraction is not proposed with this project. However, future development on the resultant parcels would use mineral resources in the construction of structures and access roads. The amount of resources used for the anticipated development on the resultant parcels is minor and would not result in the loss of its availability. No impact would occur under this threshold.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No impact. The project site is not within or near any designated locally important mineral resource recovery site. No impact would occur under this threshold.

NOISE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII.Noise.				
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

According to the Butte County General Plan 2030, noise is a concern throughout Butte County, but especially in rural areas and in the vicinity of noise-sensitive uses such as residences, schools, and churches. Noise is discussed in the Health and Safety Chapter of the Butte County General Plan 2030. Tables HS-2 and HS-3 in the County General Plan (included as Tables 1.13-1 and 1.13-2 below) outline the maximum allowable noise levels at sensitive receptor land uses.

Table 1.13-1. Maximum Allowable Noise Exposure Transportation Noise Sources

LAND USE	Exterior Noise Level Standard for Outdoor Activity Areas ^a		Interior Noise Level Standard	
	L _{dn} /CNEL, dB	L _{eq} , dBA ^b	L _{dn} /CNEL, dB	L _{eq} , dBA ^b
Residential	60 ^c	-	45	-
Transient Lodging	60 ^c	-	45	-
Hospitals, nursing homes	60 ^c	-	45	-
Theaters, auditoriums, music halls	-	-	-	35
Churches, meeting halls	60 ^c	-	-	40
Office Buildings	-	-	-	45
Schools, libraries, museums	-	70	-	45
Playgrounds, neighborhood parks	-	70	-	-

Source: Table HS-2, Butte County General Plan 2030

^a Where the location of outdoor activity areas is unknown, the exterior noise-level standard shall be applied to the property line of the receiving land use.

^b As determined for a typical worst-case hour during periods of use.

^c Where it is not possible to reduce noise in outdoor activity areas to 60 dB Ldn/CNEL or less using a practical application of the best-available noise reduction measures, an exterior noise level of up to 65 dB Ldn/CNEL may be allowed, provided that available exterior noise-level reduction measures have been implemented and interior noise levels are in compliance with this table.

Table 1.13-2. Maximum Allowable Noise Exposure Non-Transportation Noise Sources

NOISE LEVEL DESCRIPTION	Daytime 7 am - 7 pm		Evening 7 pm - 10 pm		Night 10 pm - 7 am	
	Urban	Non-Urban	Urban	Non-Urban	Urban	Non-Urban
Hourly Leq (dB)	55	50	50	45	45	40
Maximum Level (dB)	70	60	60	55	55	50

Source: Table HS-3, Butte County General Plan 2030

Notes:

1. "Non-Urban designations" are Agriculture, Timber Mountain, Resource Conservation, Foothill Residential and Rural Residential. All other designations are considered "urban designations" for the purposes of regulating noise exposure.
2. Each of the noise levels specified above shall be lowered by 5 dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g. caretaker dwellings).
3. The County can impose noise level standards which are up to 5 dB less than those specified above based upon determination of existing low ambient noise levels in the vicinity of the project site.
4. In urban areas, the exterior noise level standard shall be applied to the property line of the receiving property. In rural areas, the exterior noise level standard shall be applied at a point 100 feet away from the residence. The above standards shall be measured only on property containing a noise sensitive land use. This measurement standard may be amended to provide for measurement at the boundary of a recorded noise easement between all affected property owners and approved by the County.

Table 1.13.1, above, identifies the maximum allowable noise exposure to a variety of land uses from transportation sources, including from roadways, rail and airports. Table 1.13-2 identifies the maximum allowable noise exposure from non-transportation sources. In the case of transportation noise sources, exterior noise level standards for residential outdoor activity areas are 60 dB (Ldn/CNEL). However, where it is not possible to reduce noise in an outdoor activity area to 60 dB Ldn /CNEL or less using a practical application of the best-available noise-reduction measures, an exterior noise level of up to 65 dB may be allowed, provided that available exterior noise-level reduction measures have been implemented and interior noise levels are in compliance with applicable standards.

Butte County Noise Ordinance

Chapter 41A, Noise Control, of the Butte County Code of Ordinance applies to the regulation of noise. The purpose of the noise ordinance is to protect the public welfare by limiting unnecessary, excessive, and unreasonable noise. Section 41A-7 specifies the exterior noise limits that apply to land use zones within the County, which are provided in Table 1.13-2.

The Butte County Noise Ordinance provides the County with a means of assessing complaints of alleged noise violations and to address noise level violations from stationary sources. The ordinance includes a list of activities that are exempt from the provisions of the ordinance; however, some noise-generating activities associated with future residential uses would not be considered exempt from the Noise Ordinance. Relevant information related to the exterior and interior noise limits set out by the Butte County Noise Ordinance are included below.

Chapter 41A-9 Exemptions

The following are exempted activities identified in Chapter 41A-9 that are applicable to the proposed project:

- (f) Noise sources associated with construction, repair, remodeling, demolition, paving or grading of any real property or public works project located within one thousand (1,000) feet of residential uses, provided said activities do not take place between the following hours:
- Sunset to sunrise on weekdays and non-holidays;
 - Friday commencing at 6:00 p.m. through and including 8:00 a.m. on Saturday, as well as not before 8:00 a.m. on holidays;
 - Saturday commencing at 6:00 p.m. through and including 10:00 a.m. on Sunday; and,
 - Sunday after the hour of 6:00 p.m.
- Provided, however, when an unforeseen or unavoidable condition occurs during a construction project and the nature of the project necessitates that work in process be continued until a specific phase is completed, the contractor or owner shall be allowed to continue work into the hours delineated above and to operate machinery and equipment necessary to complete the specific work in progress until that specific work can be brought to conclusion under conditions which will not jeopardize inspection acceptance or create undue financial hardships for the contractor or owner;
- (g) Noise sources associated with agricultural and timber management operations in zones permitting agricultural and timber management uses;
- (h) All mechanical devices, apparatus or equipment which are utilized for the protection or salvage of agricultural crops during periods of adverse weather conditions or when the use of mobile noise sources is necessary for pest control;
- (i) Noise sources associated with maintenance of residential area property, provided said activities take place between 7:00 a.m. to sunset on any day except Saturday, Sunday, or a holiday, or between the hours of 9:00 a.m. and 5:00 p.m. on Saturday, Sunday, or a holiday; and, provided machinery is fitted with correctly functioning sound suppression equipment;

Chapter 41A-8 Butte County Interior Noise Standards

Interior noise standards discussed in Chapter 41A apply to all noise sensitive interior area within Butte County. The maximum allowable interior noise level standards for residential uses is 45 dB Ldn/CNEL, which is designed for sleep and speech protection. The typical structural attenuation of a residence from an exterior noise is 15 dBA when windows facing the noise source is open. When windows in good condition are closed, the noise attenuation factor is around 20 dBA for an older structure and 25 dBA for a newer dwelling.

Table 1.13-3. Maximum Allowable Interior Noise Standards

NOISE LEVEL DESCRIPTION	Daytime 7 am - 7 pm	Evening 7 pm - 10 pm	Nighttime 10 pm - 7 am
Hourly L_{eq} (dB)	45	40	35
Maximum Level (dB)	60	55	50

Source: Butte County Code Chapter 41A-8, Interior Noise Standards

Discussion

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?**

Less than Significant Impact. No significant existing noise generating sources have been identified in the project area. The proposed action would not generate noise. Future development of a single-family residence or accessory dwelling unit would generate temporary noise during construction. Operational noise would be similar to what occurs with existing rural residences in the area. The project would be evaluated for consistency with Butte County Code Chapter 41A-7 which addresses noise control. Impacts under this threshold would be less than significant.

- b) **Generation of excessive groundborne vibration or groundborne noise levels?**

No impact. If construction of a new single-family residence occurs, it is anticipated construction activities may generate short-term vibration; however, this would be temporary and unlikely to affect adjacent residences given the size of the northern parcel and proximity to neighboring uses. No impact would occur under this threshold.

- c) **For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

No impact. No public use airports have been identified to be located within two miles of the project site. The closest airport is Oroville Municipal Airport, located approximately 4.4 miles to the northwest. The proposed project is located outside the compatibility zones for the area airports, and therefore, would not result in hazard or noise impacts to people residing on the project site. No impact would occur under this threshold.

POPULATION AND HOUSING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. Population and Housing.				
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a) **Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

No impact. The proposed action may result in the construction of one new single-family residence and accessory dwelling unit on the northern parcel. The project is allowed by right, and thus, would not induce population growth within the area. No impact would occur under this threshold.

- b) **Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

No impact. The project would not displace existing individuals or housing. No impact would occur under this threshold.

PUBLIC SERVICES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. Public Services.				
Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

Fire protection?

No impact. Fire protection services are provided by CalFire/Butte County Fire Department. Approval of the proposed land use action will not require additional fire protection services. Development of a new single-family residence on the northern parcel would require the payment of fire protection impact fees to help offset the impacts of that development. Such fees would be used to fund capital costs associated with acquiring land for new fire stations, constructing new fire stations, purchasing fire equipment, and providing for additional staff as needed. Fire protection impact fees would be paid at the time of building permit issuance. No impact would occur under this threshold.

Police protection?

No impact. The Butte County Sheriff’s Office provides law enforcement service to the site. The proposed action is unlikely to increase service calls. However, increased development in the County impacts the ability of the Sheriff’s Department to adequately provide services to outlying areas. If the single-family residence is constructed, it is expected that the action would not require any new law enforcement facilities or the alteration of existing facilities to maintain acceptable performance objectives. Future development would be partially offset through project-related impact fees. No impact would occur under this threshold.

Schools?

Less than Significant impact. The project site is located within the Palermo Union School District. The proposed action may result in the construction of a single-family residence which may house school-aged students. The addition of one family would not significantly impact demand for school services within the Palermo Union School District. A less than significant impact would occur under this threshold.

Parks?

No Impact. Increase in the demand for recreational facilities is typically associated with increases in population. As discussed in Section 1.14 - *Population and Housing*, the addition of one single-family residence is not expected to generate growth in the local population to the extent that impacts to existing parks or recreational facilities would occur. No impact would occur under this threshold.

Other public facilities?

No impact. No other public facilities would be impacted by the proposed project. No impact would occur under this threshold.

RECREATION

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Recreation.				
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a) **Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

No impact. No increase in demand for recreational facilities would occur with approval of the proposed action. As discussed in Section 1.14 - *Population and Housing*, the proposed project may result in the construction of one new single-family residence and an accessory dwelling unit. Thus, the project would not increase use of existing parks and recreational facilities in the surrounding area. No impact would occur under this threshold.

- b) **Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?**

No impact. The proposed project does not include plans for additional recreational facilities nor would it require expansion of existing recreational facilities. Therefore, the proposed project would not result in any adverse physical effects on the environment from construction or expansion of recreational facilities. No impact would occur under this threshold.

TRANSPORTATION

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Transportation.				
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less than Significant Impact. The proposed action would not generate trips or otherwise impact the circulation system. If a single-family residence were constructed, residents would generate approximately 10 trips per day according to ITE Trip Generation Manual, 10th Edition. No existing transit, bicycle or pedestrian facilities are located on, or in the vicinity of, the project site. The addition of 10 daily trips will not adversely impact the circulation system in the project area. No impact would occur under this threshold.

b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Less than Significant Impact. The project creating 3 parcels does not exceed the thresholds required to assess Vehicle Miles Traveled under the Government Code.

c) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Less than Significant Impact. The project does not propose any additional development; however, one new single-family residence may be constructed on the northern parcel. The increase in vehicles miles traveled would be negligible; and thus, would be consistent with CEQA Guidelines Section 15064.3, subdivision (b). A less than significant impact would occur under this threshold.

d) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No impact. The proposed project would not change the configuration (alignment) of area roadways and would not introduce types of vehicles that are not already traveling on area roads. No impact would occur under this threshold.

TRIBAL CULTURAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. Tribal Cultural Resources.				
Has a California Native American Tribe requested consultation in accordance with Public Resources Code section 21080.3.1(b)?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Tribal Cultural Resources are defined as a site feature, place, cultural landscape, sacred place or object, which is of cultural value to a Tribe and is either on or eligible for the California Historic Register, a local register, or a resource that the lead agency, at its discretion, chooses to treat as such (Public Resources Code Section 21074 (a)(1)).

Butte County contains a rich diversity of archaeological, prehistoric and historical resources. The General Plan 2030 EIR observes that the “archaeological sensitivity of Butte County is generally considered high, particularly in areas near water sources or on terraces along water courses” (Butte County General Plan EIR, 2010, p. 4.5-7).

A substantial adverse change upon a historically significant resource would be one wherein the resource is demolished or materially altered so that it no longer conveys its historic or cultural significance in such a way that justifies its inclusion in the California Register of Historical Resources or such a local register (CEQA Guidelines Section 15064.5, sub. (b)(2)). Cultural resources include prehistoric and historic period archaeological sites; historical features, such as rock walls, water ditches and flumes, and cemeteries; and architectural features. Cultural resources consist of any human-made site, object (i.e., artifact), or feature that defines and illuminates our past. Often such sites are found in foothill areas, areas with high bluffs, rock outcroppings, areas overlooking deer migratory corridors, or near bodies of water.

An AB 52 Notification Request prepared consistent with Public Resources Code Section 21080.3(b), was mailed on May 19, 2020, to tribes requesting consultation. No responses were received.

Discussion

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

No impact. As stated, per Assembly Bill AB 52 (Statutes of 2014) Notification Request, Public Resources Code Section 21080.3(b), the County received no letters for notification were received. Thus, the AB 52 process was considered complete. No impact would occur under this threshold.

- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

No impact. See discussion 4.17(a) – *Tribal Cultural Resources*. No impact would occur under this threshold.

UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. Utilities and Service Systems.				
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a) **Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?**

No impact. If a new single-family residence and accessory dwelling unit were constructed on the project site, a new well and septic system would also be constructed to provide potable water and wastewater treatment. As stated, domestic water is also available from a local utility provider. The construction of these systems would occur as part of the overall project development process and is not expected to cause significant environmental effects.

No existing on-site storm water drainage facilities are located on the project site. All precipitation percolates into the ground. Future development, if any, would require the installation of a stormwater management system.

The project site is currently served by electric power (PG&E) and wireless phone service. The project would not result in the relocation or construction of new or expanded infrastructure including water services, wastewater

treatment, stormwater drainage, natural gas, or telecommunication facilities. No impact would occur under this threshold.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

No impact. Domestic water services could be provided by a well or connection to an existing domestic water source. Water to support one new single-family residence would not adversely affect supplies. No impact would occur under this threshold.

c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project’s projected demand, in addition to the provider’s existing commitments?

No impact. Wastewater disposal for the proposed project site would be provided by an on-site septic system. The wastewater system would conform to Butte County Code, Chapter 19, as well as the Butte County Onsite Wastewater Manual. An On-Site Wastewater System Construction Permit must be approved by the Butte County Environmental Health Division, under a ministerial permit application. Therefore, the project would not have an impact on any wastewater treatment facilities because a septic system would be utilized. No impact would occur under this threshold.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than significant Impact. Construction and operation of a single-family residence and accessory dwelling unit would result in a minor increase of solid waste that would require disposal at the Neal Road Recycling and Waste Facility. The Neal Road Facility has a maximum permitted throughput of 1,500 tons per day, and an estimated current daily average throughput of 466 tons per day. Therefore, the facility would have adequate capacity to accommodate solid waste generated by the project.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No impact. The proposed project would comply with statutes and regulations related to solid waste. Waste generated by the proposed project would consist only of domestic refuse, which would be collected in approved trash bins and removed by a waste hauler or by the onsite applicant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX.Wildfire.				
Is the project located in or near state responsibility areas or lands classified as high fire hazard severity zones?				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
-

Environmental Setting

The project site in the local responsibility area for fire protection and is not in any designated fire hazard area by the State Department of Forestry and Fire Protection.

Discussion

- a) **Substantially impair an adopted emergency response plan or emergency evacuation plan?**

No impact. There would be no lane closures involved in the proposed project that would constrict emergency access or interfere with an emergency evacuation plan.

- b) **Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

No impact. The project site is not located in an area that is susceptible to wildland fires. No conditions or factors have been identified in the project area that would exacerbate wildfire risks.

- c) **Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

No impact. The project site is located outside of a fire hazard severity zone. However, due to the heightened risk of wildfire and increased potential for damage or loss, development must meet Butte County Code requirements which establish standards for access, signage, maintenance of defensible space and vegetation management. These standards will be included as conditions of approval and implemented at the time of development if it occurs. The project is not subject any infrastructure improvements that would exacerbate fire risks or generate temporary impacts to the project site or surrounding area. No impact would occur under this threshold.

- d) **Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

No impact. The project site area is located within a developed area and the topography is flat. The project area does not exhibit flooding potential (see discussion Section 1.10.d – Hydrology and Water Quality) or landslide

potential (see discussion Section 1.7.a – Geology Soils). Therefore, no impacts from post-fire instability or drainage changes would occur. No impact would occur under this threshold.

MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. Mandatory Findings of Significance.				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a) **Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?**

No impact. The project is a Tentative Parcel Map that would divide one 68.2 acre property (APN 078-080-015 and 078-080-013) into three parcels. APN 078-080-015 is located at 1078 Ophir Road and 2535 Wheeler Road and is currently developed with two single-family residences and out-buildings. The westerly parcel would be 22.18 acres and the easterly parcel would be 17.71 acres. APN 078-080-013 is undeveloped and would remain so with approval of the proposed action. However, a single-family residence, accessory dwelling unit, and related improvements may be constructed on the site in the future. The parcels will be served by public roads: Ophir Road, Wheeler Avenue and Lower Wyandotte Road. Residential uses on the existing APN 078-080-015 would remain and be served by existing wells and septic systems. If future residential uses are proposed for the APN 078-080-013, the development would be served by an individual septic system and individual well to be installed at the time the development is approved and issued a permit.

The proposed project’s impacts to biological resources and cultural resources were analyzed in this Initial Study. Implementation of Mitigation Measures BIO-1, BIO-2, BIO-3 and BIO-4 and CUL-1 and CUL-2 would

avoid potentially significant adverse impacts to these resources should a single-family residential or accessory dwelling development be constructed on the APN 078-080-13. The proposed action would not adversely impact specific status species or cause fish or wildlife populations to drop below self-sustaining levels or restrict the movement/distribution of a rare or endangered species.

- b) **Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)**

No impact. The proposed project has no impact, less than significant impact or less than significant with mitigation with respect to all environmental issues pursuant to CEQA. Due to the limited scope of direct physical impacts to the environment associated with the proposed project, impacts are primarily project-specific in nature and related to the future construction of a single-family residence on the northern parcel.

Past, current, and probable future projects in the vicinity of the project site were reviewed to determine if any additional cumulative impacts may occur with the approval of this project. A two-mile radius was used in determining cumulative impacts. There are no other projects in the area that would add to the cumulative impacts. Each project will be analyzed and include mitigation that will reduce their impacts to a less than significant impact.

The cumulative effects resulting from build out of the Butte County General Plan 2030 were previously identified in the General Plan EIR. The type, scale, and location of the proposed project is consistent with County’s General Plan and zoning designation.

- c) **Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?**

No impact. There have been no impacts discovered through the review of this application demonstrating that there would be substantial adverse effects on human beings either directly or indirectly.

Authority for the Environmental Checklist: Public Resources Code Sections 21083, 21083.5.

Reference: Government Code Sections 65088.4.

Public Resources Code Sections 21080, 21083.5, 21095; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Environmental Reference Materials


1. Bole & Associates. *Biological Evaluation, APNs 078-080-013 & -015, Oroville, Butte County, CA*. August 2020.
2. Butte County. *Butte County Climate Action Plan*. February 25, 2014. Available at <http://www.buttecap.net/>
3. Butte County. *Butte County General Plan 2030 Final Environmental Impact Report*. April 8, 2010. Available at http://www.buttegeneralplan.net/products/2010-08-30_FEIR/default.asp.
4. Butte County. *Butte County General Plan 2030*. October 26, 2010. Available at <http://www.buttecounty.net/dds/Planning/GeneralPlan/Chapters.aspx>
5. Butte County. *Butte County General Plan 2030 and Zoning Ordinance Amendments – Draft Supplemental Environmental Impact Report*. June 17, 2015. Available at http://www.buttegeneralplan.net/products/2012-05-31_GPA_ZO_SEIR/default.asp
6. Butte County. *Butte County General Plan 2030 Setting and Trends Report Public Draft*. August 2, 2007. Available at <http://www.buttegeneralplan.net/products/SettingandTrends/default.asp>.
7. Butte County. *Butte County Code of Ordinances, Chapters 19, 20, 24 & 41A*. Available at https://www.municode.com/library/ca/butte_county/codes/code_of_ordinances/
8. Butte County. *Butte County Department of Development Services GIS Data*. September 2019.
9. Butte County Air Quality Management District. *CEQA Air Quality Handbook – Guidelines for Assessing Air Quality and Greenhouse Gas Impacts for Projects Subject to CEQA Review*. October 23, 2014. Available at <https://bcaqmd.org/planning/air-quality-planning-ceqa-and-climate-change/>
10. Butte County Public Works Department, Division of Waste Management. *Joint Technical Document-Neal Road Recycling and Waste Facility, Butte County, California*. November 2017.
11. California Department of Conservation. *Fault-Rupture Hazard Zones in California. Altquist-Priolo Earthquake Fault Zoning Act with Index to Earthquake Fault Zone Maps*. Special Publication 42. Interim Revision. 2007.
12. California Department of Conservation, Division of Land Resource Protection. *A Guide to the Farmland Mapping and Monitoring Program*. 2014.
13. California Department of Toxic Substance Control. 2009. *Envirostor Database*. Accessed on September 2019. <http://www.envirostor.dtsc.ca.gov/public>.
14. California Department of Finance. *Population and Housing Estimates for Cities, Counties, and the State, 2011-2018*. March 5, 2019.
15. California Department of Water Resources, Northern Region Office. *Geology of the Northern Sacramento Valley, California*. September 2014.
16. California Department of Finance. *Population and Housing Estimates for Cities, Counties, and the State, 2011-2018*.
17. Jensen, Sean Michael. *Cultural Resources Inventory Survey, Vaught Parcel Split Project, Butte County*. August 9, 2020.
18. Institute of Transportation Engineers, Trip Generation Manual, 10th Edition, February 2020

Mitigation Measures and Monitoring Requirements

TENTATIVE PARCEL MAP / VAUGHT (TPM19-0003)

Project Sponsor(s) Incorporation of Mitigation into Proposed Project

I/We have reviewed the Initial Study for the Tentative Parcel Map for Vaught (TPM19-0003) application and particularly the mitigation measures identified herein. I/We hereby modify the applications on file with the Butte County Planning Department to include and incorporate all mitigations set forth in this Initial Study.



Project Sponsor/Project Agent

9-27-21

Date

Project Sponsor/Project Agent

Date

Butte County Department of Development Services – Planning Division

7 County Center Drive
Oroville, CA 95928
530.552.3700