City of Yuba City

Groundwater Well Installation

Initial Study/Mitigated Negative Declaration

Sutter County
May 2022

Prepared for:
City of Yuba City

Prepared by:
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Table of Contents

List of Figures

List of Tables

Acronyms and Abbreviations

AB	Assembly Bill
AFY	Acre Feet per Year
AL-20	Limited Agricultural
APE	Area of Potential Effect
APN	Assessor's Parcel Number
ASR	Aquifer Storage & Recovery
BA	Biological Assessment
BLM	Bureau of Land Management
BMP	Best Management Practices
BO	Biological Opinion
CAA	Clean Air Act
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
Cal/OSHA	California Division of Occupational Safety and Health
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CAAQS	California Ambient Air Quality Standards
CARI	California Aquatic Resources Inventory
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	U.S. Code of Federal Regulations
CGS	California Geological Survey
CH_4	Methane
CHRIS	California Historical Resources Information System
City	City of Yuba City
CNDDB	California Department of Fish and Wildlife Natural Diversity Database
CNPS	California Native Plant Society
CPUC	California Public Utilities Commission
CO	Carbon Monoxide

CO_2e ..... Carbon Dioxide Equivalent
CRHR ..... California Register of Historical Resources
CUPA ..... Certified Unified Program Agency
CWA ..... Clean Water Act
dB ..... decibel
DDW ..... Division of Drinking Water
DOC ..... California Department of Conservations
DOD ..... Department of Defense
DPM ..... Diesel Particulate Matter
DTSC ..... Department of Toxic Substance Control
DWR ..... Department of Water Resources
EDP ..... ethylene dibromide
EIR ..... Environmental Impact Report
EPA ..... U.S. Environmental Protection Agency
ESA ..... Endangered Species Act
FEMA ..... Federal Emergency Management Agency
FHSZ ..... Fire Hazard Severity Zone
FIRM ..... Flood Insurance Rate Maps
FMMP ..... Farmland Mapping and Monitoring Program
FRAQMD ..... Feather River Air Quality Management District
GC ..... Government Code
GHG ..... Greenhouse Gas
GIS ..... Geographic Information System
GLO ..... General Land Office
gpm ..... gallons per minute
GSA ..... Groundwater Sustainability Agency
GSP ..... Groundwater Sustainability Plan
GWP ..... Global Warming Potential
IPaC ..... U.S. Fish and Wildlife Service's Information for Planning and Consultation system
IS ..... Initial Study
IS/MND ..... Initial Study/Mitigated Negative Declaration
M-1 ..... Light Industrial
MBTA ..... Migratory Bird Treaty Act
MCL ..... Maximum Contaminant Level
MLD ..... Most Likely Descendant

MLRA ..... Major Land Resource Area
MMRP ..... Mitigation Monitoring & Reporting Program
MMT ..... Million Metric Tons
MND ..... Mitigated Negative Declaration
MRZ ..... Mineral Resource Zones
MT CO_2e ..... Metric Tons of Carbon Dioxide Equivalent
NAAQS ..... National Ambient Air Quality Standards
NAD ..... North American Datum
NAHC ..... Native American Heritage Commission
ND ..... Negative Declaration
NEIC ..... Northeastern Information Center
NEPA ..... National Environmental Policy Act
NFIP ..... National Flood Insurance Program
NMFS ..... National Marine Fisheries Service
NO_2 ..... Nitrogen Dioxide
NOX ..... Nitrogen Oxide
NPPA ..... Native Plant Protection Act
NPDES ..... National Pollutant Discharge Elimination System
NPS ..... National Park Service
NRCS ..... Natural Resources Conservation Service
NRHP ..... National Register of Historic Places
NSVAB ..... Northern Sacramento Valley Air Basin
O_3 ..... Ozone
Pb ..... Lead
PC ..... Production-Consumption
PG&E ..... Pacific Gas & Electric Company
PM_{10} ..... Particulate Matter less than 10 microns in diameter
$PM_{2.5}$ ..... Particulate Matter less than 2.5 microns in diameter
PRC ..... Public Resource Code
Project ..... Groundwater Well Installation
QSD ..... Qualified SWPPP Developer
RCRA ..... Resource Conservation and Recovery Act
ROG ..... Reactive Organi Gases
RWQCB ..... Regional Water Quality Control Board
SB ..... Senate Bill

SGMA ..... Sustainable Groundwater Management Act
SHC ..... Streets and Highways Code
SIP ..... State Implementation Plan
SJVAB ..... San Joaquin Valley Air Basin
SSJVAPCD ..... San Joaquin Valley Air Pollution Control District
SLIC ..... Spills-Leaks-Investigations-Cleanups
SMARA ..... Surface Mining and Reclamation Act
SO_2 ..... Sulfur Dioxide
SR ..... State Route
SRA ..... State Responsibility Area
SSC ..... Species of Special Concern
SVAB ..... Sacramento Valley Air Basin
SWRCB ..... State Water Resources Control Board
SWP ..... State Water Project
SWPPP ..... Storm Water Pollution Prevention Plan
TAC ..... Toxic Air Contaminants
TBR ..... Technical Background Report
TCR ..... Tribal Cultural Resources
TPY ..... Tons Per Year
UAIC ..... United Auburn Indian Community
USACE ..... U. S. Army Corps of Engineers
USBR ..... Bureau of Reclamation
USDA ..... U. S. Department of Agriculture
USFWS ..... U. S. Fish and Wildlife Service
USGS ..... U. S. Geological Survey
UST ..... Underground Storage Tank
WC ..... Water Code
WTP ..... Water Treatment Plant
WWSMP ..... Wastewater System Master Plan

Chapter 1 Introduction

The City of Yuba City (City) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to address the potential environmental impacts of the Groundwater Well Installation Project (Proposed Project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000, *et. seq.* and the State CEQA Guidelines (CEQA Guidelines; California Code of Regulations Title 14, Chapter 3, Section 15000, *et seq.*). The City is the CEQA lead agency for this Proposed Project.

The site and the Proposed Project are described in detail in the **Chapter 2 Project Description**.

1.1 Regulatory Information

An Initial Study (IS) is a document prepared by a lead agency to determine whether a project may have a significant effect on the environment. In accordance with California Code of Regulations Title 14 (Chapter 3, Section 15000, *et seq.*) — also known as the CEQA Guidelines — Section 15064 (a)(1) states that an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the Proposed Project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels. A negative declaration (ND) may be prepared instead if the lead agency finds that there is ***no*** substantial evidence considering the whole record that the project may have a significant effect on the environment. An ND is a written statement describing the reasons why a Proposed Project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a ND or *mitigated* ND shall be prepared for a project subject to CEQA when either:

a. The IS shows there is no substantial evidence, considering the whole record before the agency, that the Proposed Project may have a significant effect on the environment, or

b. The IS identified potentially significant effects, but:

    1. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed MND and IS is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and

    2. There is no substantial evidence, considering the whole record before the agency, that the Proposed Project *as revised* may have a significant effect on the environment. If revisions are adopted by the Lead Agency into the Proposed Project in accordance with the CEQA Guidelines Section 15070(b), a *Mitigated Negative Declaration* (MND) is prepared.

1.2 Document Format

This IS/MND contains four chapters and four appendices. **Chapter 1 Introduction**, provides an overview of the Proposed Project and the CEQA process. **Chapter 2 Project Description**, provides a detailed description of Proposed Project components and objectives. **Chapter 3 Impact Analysis**, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible mitigation measures. If the Proposed Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the Proposed Project could have a potentially significant impact on a resource, the issue area discussion provides a description of

potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. **Chapter 4 Mitigation Monitoring and Reporting Program** (MMRP), provides the proposed mitigation measures, implementation timelines, and the entity/agency responsible for ensuring implementation.

The CalEEMod Output Files, Biological Resources Assessment, Cultural Resources Inventory Report, NRCS Soil Resource Report, and Categorical Exclusion (NEPA) are provided as technical **Appendix A**, **Appendix B**, **Appendix C,** (confidential) **Appendix D**, and **Appendix E** respectively, at the end of this document.

Environmental impacts are separated into the following categories:

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

Less than Significant with Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less Than Significant Impact. This category is identified when the Proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. "No Impact" answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (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).

Chapter 2 Project Description

2.1 Project Background and Objectives

2.1.1 Project Title

Groundwater Well Installation Project

2.1.2 Lead Agency Name and Address

City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 95993

2.1.3 Contact Person and Phone Number

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Provost & Pritchard Consulting Group
Briza Grace Sholars, Project Manager
(866) 776-6200

2.1.4 Project Location

The Project is located in eastern Sutter County, northern California, within the City of Yuba City (the City) (see **Figure 2-1**). The Project site is located at the Water Treatment Plant at the corner of Northgate Drive and Live Oak Blvd, specifically addressed as 701 Northgate Drive within the City Limits on Assessor's Parcel Number 51-020-009. The project site is shown in **Figure 2-3**.

2.1.5 Latitude and Longitude

The centroid of the Project area is 39° 9' 40.8702" N, -121° 37' 27.1626" W

2.1.6 General Plan Designation

Public & Semi Public. See **Figure 3-6**

2.1.7 Zoning

R-1: Low Density Residential. See **Figure 3-7**

2.1.8 Description of Project

2.1.8.1 Surrounding Land Uses and Setting

Yuba City is situated in eastern Sutter County on the western bank of the Feather River. Sutter County is located in north central California within the Sacramento Valley and is included in the six-county greater Sacramento region. The County is bordered by Yuba, Butte, Colusa, Yolo, Placer and Sacramento counties. Sutter County is bordered by the Sacramento River to the west and the Feather River to the east. There are two incorporated cities in Sutter County — Yuba City and Live Oak — and several smaller unincorporated rural communities. Major highways within Sutter County include north-south routes SR 70, SR 99, SR 113 and the east-west Colusa Highway/SR 20.

Topographically, the Project site is at an elevation of approximately 59 feet above mean sea level (**Figure 2-2**).

2.1.8.2 Project Background

The City has been awarded a drought resiliency grant from the Bureau of Reclamation (USBR or Reclamation) WaterSMART Drought Response Program. The City has planned to build a new groundwater well with partial funding from the grant. The City has evaluated water supply options for an emergency condition involving loss or significant reduction of the City's available supply from the Feather River and has concluded that a new groundwater well is the best option to provide water during times of drought. The City currently obtains water for its water system from the Feather River through four different permits/contracts. The Feather River is a tributary to the Sacramento River and provides the primary watershed for the State Water Project (SWP). The main water supply source for the City is the Feather River, providing 90% of all water. The City also has access to an existing groundwater well located at the WTP for use in drought or emergency conditions. The additional groundwater well will reduce the City's reliance on imported water from the SWP and increase the City's drought resilience. The proposed well will potentially become an Aquifer Storage and Recovery well (ASR) in future phases. A recent feasibility study confirmed the area's ASR capability. Expanding the proposed well's capabilities to include ASR would allow it to pump water underground to recharge the groundwater supply of the area's aquifer, Sutter Subbasin. Along with increased drought resiliency, the new groundwater well will make better use of water right permits, maximize control of supply sources, and make the best use of existing water diversion, treatment, and transmission facilities, potentially reducing planned capital expenditures for water infrastructure improvements in the future.

2.1.8.3 Project Description

The proposed Project is the construction of a new 500-foot-deep groundwater well for the City of Yuba City. The well will produce approximately 1,500 gallons per minute (GPM) and will expand the City's water production by 2,400-acre feet per year (AFY). It is anticipated that the well will be used during periods of drought when surface water is not available. The new groundwater well will be located in the same vicinity as an existing groundwater well at the City's Water Treatment Plant (WTP) site. The well may be drilled and constructed at any location within the WTP site. Further investigation by the City will determine the best location for the proposed well. For the purposes of the Project, the area of potential effect (APE) will be the entire WTP site acreage of approximately 24.7 acres. The proposed well has an estimated useful life of 50 years.

2.1.8.4 Construction

Construction of the Project is anticipated to be completed within eight months from September 2022 to April 2023. The Project will begin with mobilization and a drilling phase lasting approximately four months. Once the drilling phase is completed, a second phase will begin to construct the above ground facility. Both phases include inspections and site cleanup. Construction equipment will likely include a drilling rig, excavators, backhoes, graders, skid steers, loaders, and hauling trucks.

Generally, construction will occur between the hours of 7am and 5pm, Monday through Friday, excluding holidays. Construction will require temporary staging and storage of materials and equipment. Staging areas will be located onsite at the WTP.

2.1.8.5 Operation and Maintenance

Operation and maintenance of the new groundwater well will be performed by the City of Yuba City's existing maintenance staff.

2.1.8.6 Best Management Practices

The Proposed Project has incorporated standard Best Management Practices (BMPs) relating to air quality, hazardous materials, water quality, and traffic, as summarized below. All BMPs for the Project construction will be incorporated into the construction documents (plans and specifications), thereby contractually obligating contractors and subcontractors to adhere to these practices. These BMPs are not intended to serve as mitigation measures since they have been incorporated into the Project description.

Table 2-1. Best Management Practices for Construction Activities

Best Management Practices for Construction Activities		
Air Quality – 1	FRAQMD Standard BMPs for all Projects	1. Implement the Fugitive Dust Control Plan. 2. Construction equipment exhaust emissions shall not exceed FRAQMD Regulation IV, Rule 3.0, Visible Emissions limitations (40 percent opacity or Ringelmann No. 2). 3. The contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation. 4. Limiting idling time to five minutes – saves fuel and reduces emissions. 5. Utilize existing power sources or clean fuel generators rather than temporary power generators. 6. Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites. 7. Portable engines and portable engine-driven equipment units used at the project work site, except for on-road and off-road motor vehicles, may require California Air Resources Board (ARB) Portable Equipment Registration with the State or a local district permit. The owner/operator shall be responsible for arranging appropriate consultations with the ARB or the District to determine registration and permitting requirements prior to equipment operation at the site.[1]
Hazardous Materials – 1 *All construction projects*	Ensure Proper Vehicle and Equipment Fueling and Maintenance	1. No fueling or servicing will be done in a waterway, unless equipment stationed in these locations is not readily relocated (i.e., pumps, generators). 2. For stationary equipment that must be fueled or serviced on-site, containment will be provided in such a manner that any accidental spill will not be able to come in direct contact with soil, surface water, or the storm drainage system. 3. All fueling or servicing done at the job site will provide containment to the degree that any spill will be unable to enter any waterway or damage riparian vegetation. 4. All vehicles and equipment will be kept clean. Excessive build-up of oil and grease will be prevented. 5. All equipment will be inspected for leaks each day prior to initiation of work. Maintenance, repairs, or other necessary actions will be taken to prevent or repair leaks, prior to use. 6. If emergency repairs are required in the field, only those repairs necessary to move equipment to a more secure location will be done in a channel or flood plain.

[1] FRAQMD Indirect Source Review Guidelines. https://www.fraqmd.org/files/8c3d336a1/FINAL+version+ISR+Amendments.pdf Accessed 28 August 2019.

Best Management Practices for Construction Activities		
Hazardous Materials – 2 *All construction projects*	Utilize Spill Prevention Measures	1. Prevent the accidental release of chemicals, fuels, lubricants, and non-storm drainage water following these measures: 2. Field personnel will be appropriately trained in spill prevention, hazardous material control, and clean-up of accidental spills; 3. Equipment and materials for cleanup of spills will be available on site, and spills and leaks will be cleaned up immediately and disposed of according to applicable regulatory requirements; 4. Field personnel will ensure that hazardous materials are properly handled, and natural resources are protected by all reasonable means; 5. Spill prevention kits will always be in close proximity when using hazardous materials (e.g., at crew trucks and other logical locations), and all field personnel will be advised of these locations; and, 6. The work site will be routinely inspected to verify that spill prevention and response measures are properly implemented and maintained.
Water Quality – 1 *All construction projects*	Maintain Clean Conditions at Work Sites	1. The work site, areas adjacent to the work site, and access roads will be maintained in an orderly condition, free and clear from debris and discarded materials on a daily basis. Personnel will not sweep, grade, or flush surplus materials, rubbish, debris, or dust into storm drains or waterways. 2. For activities that last more than one day, materials or equipment left on the site overnight will be stored as inconspicuously as possible and will be neatly arranged. Any materials and equipment left on the site overnight will be stored to avoid erosion, leaks, or other potential impacts to water quality *3.* Upon completion of work, all building materials, debris, unused materials, concrete forms, and other construction-related materials will be removed from the work site.
Water Quality – 2 *All construction projects*	Manage Sanitary and Septic Waste	Temporary sanitary facilities will be located on jobs that last multiple days, in compliance with California Division of Occupational Safety and Health (Cal/OSHA) regulation 8 California Code of Regulations 1526. All temporary sanitary facilities will be located where overflow or spillage will not enter a watercourse directly (overbank) or indirectly (through a storm drain).
Water Quality – 3 *All construction projects*	Storm Water Pollution Prevention Plan	For construction activity covering more than one acre, a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and submitted to the Central Valley Regional Water Quality Control Board (CVRWQCB) and an Order No. 2009-0009-DWQ Construction General Permit shall be obtained and implemented throughout construction.

2.1.9 Other Public Agencies Whose Approval May Be Required

- Yuba City – Encroachment Permit and/or Building Permit
- State Water Resources Control Board, Division of Drinking Water (DDW) – Water Supply Permit
- State Water Resources Control Board – NPDES Construction General Permit
- Feather River Air Quality Management District
- California Public Utilities Commission – approval for utility upgrades (not anticipated to be necessary)
- Yuba City Fire Department
- Sutter County Environmental Health Services

2.1.10 Consultation with California Native American Tribes

Pursuant to Assembly Bill 52 (AB 52; codified at Public Resources Code Section 21080.3.1, et seq.), a lead agency, within 14 days of deciding to carry out a project, must notify any Native American Tribe that has previously requested such notification about the project and inquire whether the Tribe wishes to initiate formal consultation. Tribes have 30 days from receipt of notification to request formal consultation. The lead agency then has 30 days to initiate the consultation, which then continues until the parties come to an agreement regarding necessary mitigation or agree that no mitigation is needed, or one or both parties determine that negotiation occurred in good faith, but no agreement will be made. The City of Yuba City has previously received written requests from two California Native American Tribes requesting notification of upcoming projects:

- The United Auburn Indian Community of the Auburn Rancheria, dated November 23, 2015
- The Ione Band of Miwok Indians, dated March 2, 2017

On September 25, 2019 the City provided letters to the above Tribes via certified mail.

On October 8, 2019 the City received an email from United Auburn Indian Community of the Auburn Rancheria requesting consultation on the Project. On October 28, 2019 the City sent the Tribe a letter to initiate consultation. On December 31, 2019 and January 29, 2020, the City sent a follow up email to Anna Starkey at astarkey@auburnrancheria.com. On January 29, 2020 the Tribe responded with an email that provided recommended mitigation measures in lieu of consultation to address the potential for the unanticipated discovery of Tribal Cultural Resources (See **TCR-1, TCR-2,** and **TCR-3**). Measures have been incorporated into the Project and all mitigation measures are listed in **Chapter 4 Mitigation Monitoring and Reporting Program**.

Additionally, the Native American Heritage Commission (NAHC) recommends that lead agencies proactively attempt to engage Tribes traditionally affiliated with the area. ECORP requested that the NAHC provide a Sacred Lands File & Native American Contacts List, which was received September 30, 2019 with positive results. ECORP sent letters to the following Tribes via certified mail on October 9, 2019:

- Estom Yumeka Maidu Tribe of the Enterprise Rancheria, Glenda Nelson
- Mechoopda Indian Tribe, Dennis E. Ramirez
- Mooretown Rancheria of Maidu Indians, Benjamin Clark
- Mooretown Rancheria of Maidu Indians, Guv Taylor

- Pakan'vani Maidu of Strawberry Valley Rancheria, Tina Goodwin
- United Auburn Indian community of the Auburn Rancheria, Gene Whitehouse

On October 15, 2019, Mooretown Rancheria responded by letter to indicate that the project is out of their tribal territory and that they have no further comment. No other responses have been received. All Tribal correspondence is included in the Cultural Resources Inventory Report, which is confidential.

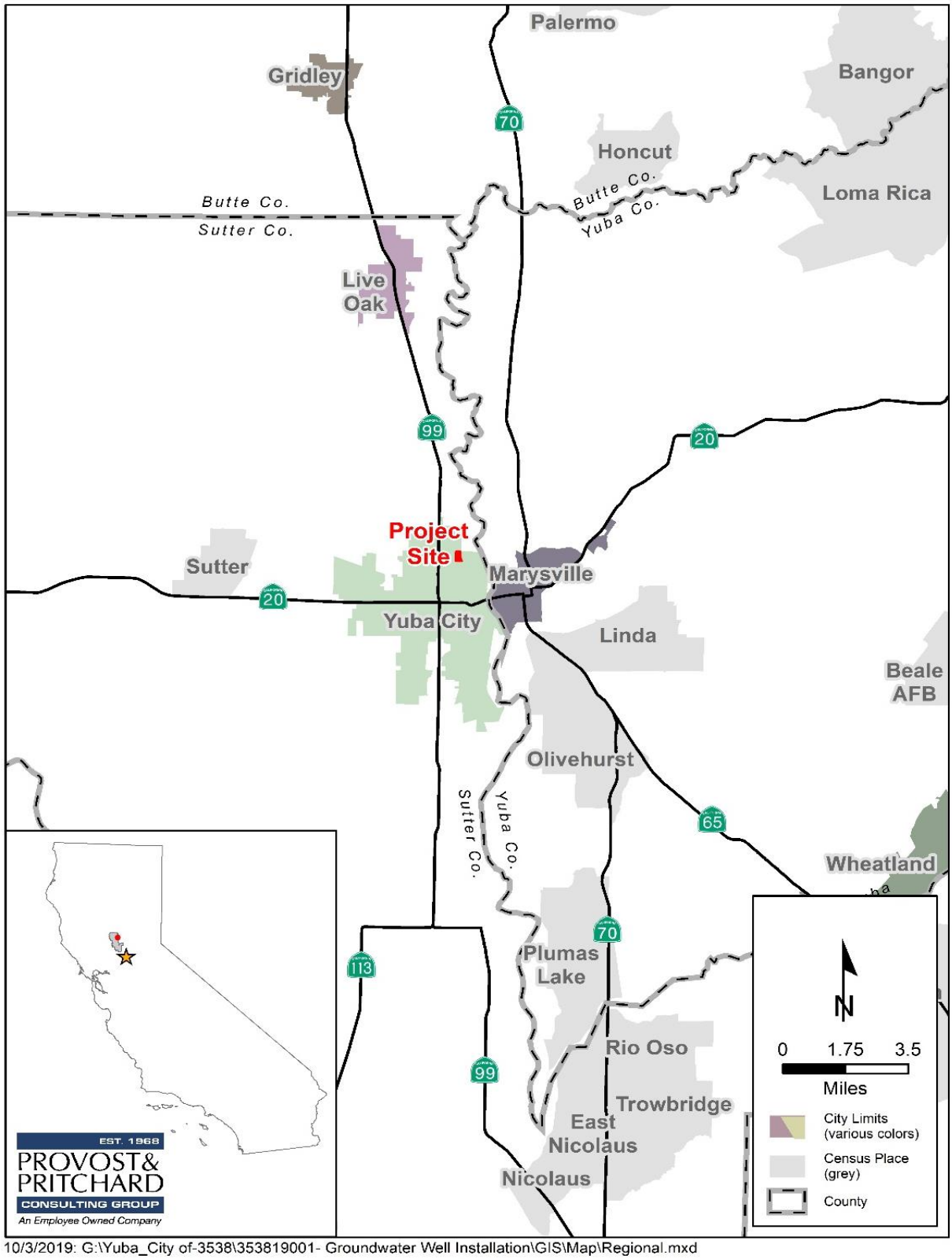

Figure 2-1. Regional Vicinity Map

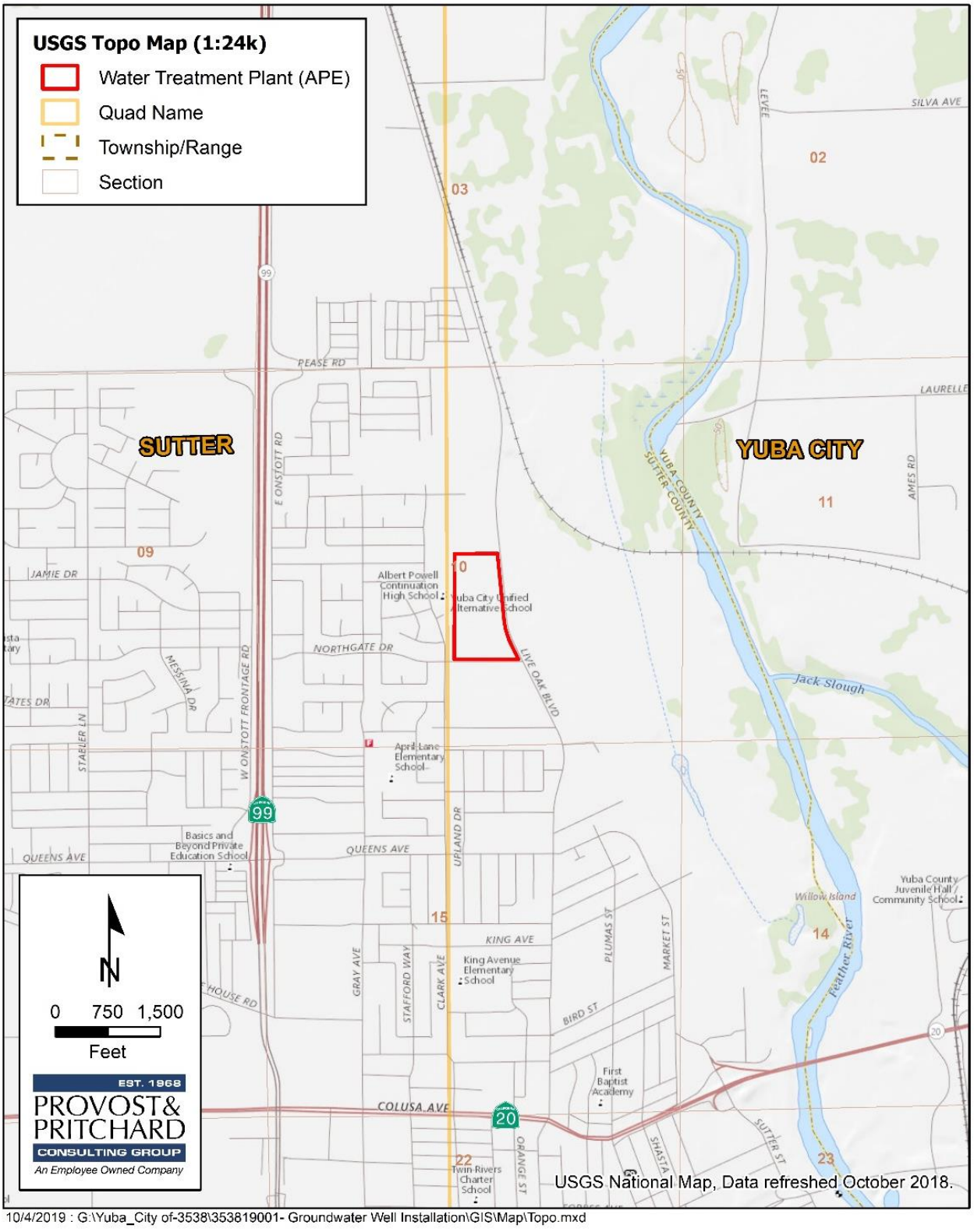

Figure 2-2. Topographic Quadrangle Map

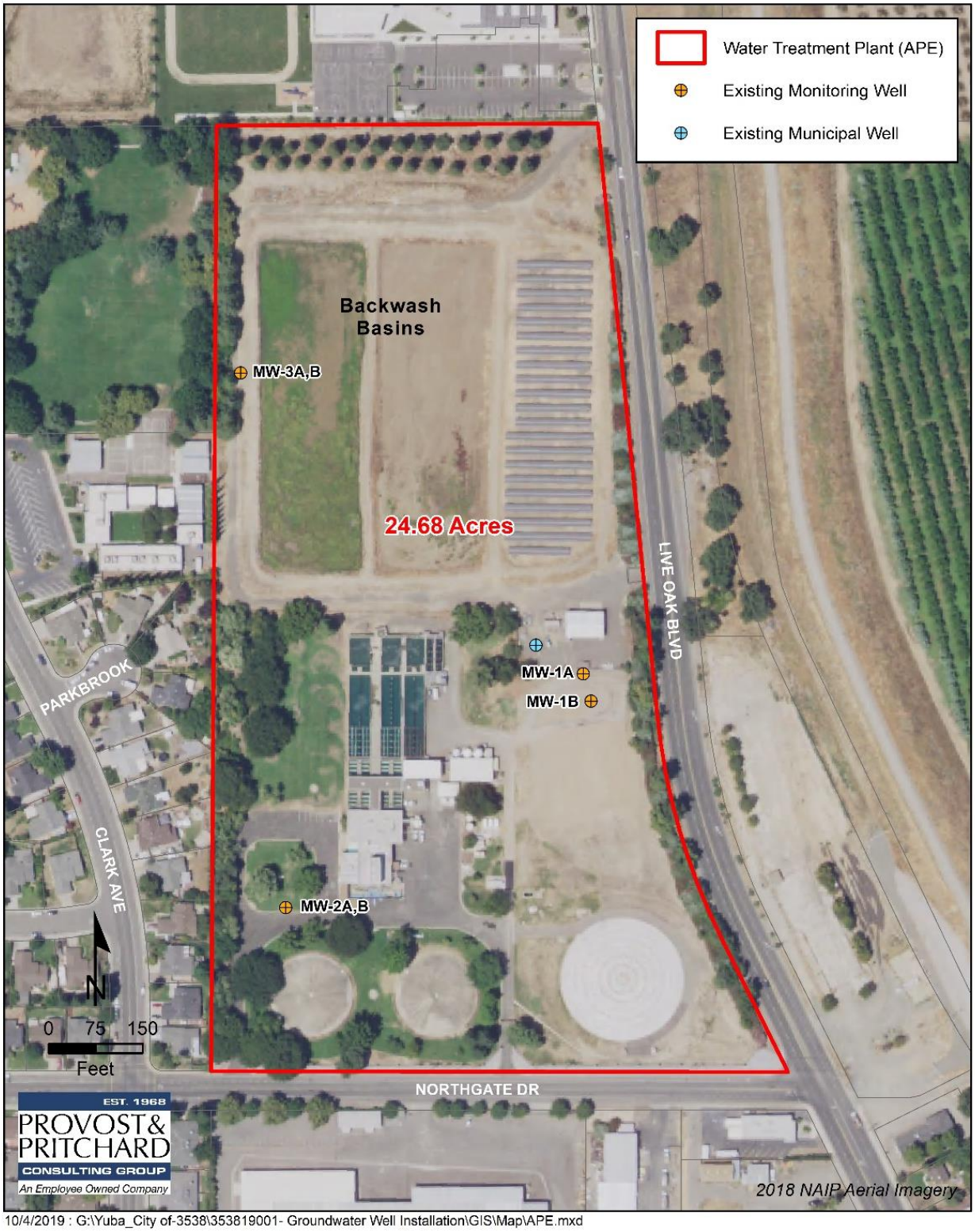

Figure 2-3. Area of Potential Effect

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and subsequent discussion on the following pages.

☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☒ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☒ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation/Traffic	☒ Tribal Cultural Resources
☒ Utilities/Service Systems	☐ Wildfire	☒ Mandatory Findings of significance

DETERMINATION: (To be completed by the Lead Agency)

Based on 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.

_____ _____

Signature Date

_____

Printed Name/Position

Chapter 3 Impact Analysis

3.1 Aesthetics

Table 3-1. Aesthetics Impacts

Aesthetics				
Except as provided in Public Resources Code Section 21099, would the project:	**Potentially Significant Impact**	**Less than Significant with Mitigation Incorporated**	**Less than Significa nt Impact**	**No Impact**
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
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 point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

3.1.1 Environmental Setting

Sutter County consists of predominantly flat land within the Sacramento Valley bordered on the east by the Feather River and on the west by the Sacramento River. Some 88 percent of the county is prime farmland and grazing land. The Project site is a WTP in Yuba City. The land surrounding the Project area is a mix of residential lots, park space, and manufacturing. Live Oak Blvd and Northgate Drive border the WTP; the former is a major arterial roadway and the latter is a collector street. Sutter County has no officially designated or eligible scenic highways.

3.1.2 Impact Assessment

Except as provided in public Resources Code Section 21099, would the project:

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

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

a and b) No Impact. The Project will not damage scenic vistas or resources. Scenic features in the area may include the Feather River waterfront along with associated recreation areas to the east of the Project. Visitors to the area enjoy hunting, fishing and boating. There are no officially designated or eligible scenic highways in Sutter County. The Project site is an existing water treatment plant so there will be no impact.

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 point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

c) No Impact. The Project site is in an urbanized area close to two schools, a neighborhood park, several residences, and manufacturing businesses. Constructing an additional groundwater well within the water treatment plant site will not conflict with applicable zoning or other regulations in the area.

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

d) No Impact. As the Project consists of the construction of a groundwater well, it will not create a new source of substantial light or glare.

3.2 Agriculture and Forestry Resources

Table 3-2. Agriculture and Forestry Resources Impacts

Agriculture and Forest Resources				
Would the project:	**Potentially Significant Impact**	**Less than Significant with Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

3.2.1 Environmental Setting

Agriculture is an important component of Sutter County, both economically and from a land use perspective. Within the Yuba City sphere of influence, agricultural land makes up the majority of open space. Because of its location between the Sacramento and Feather Rivers, which provide nutrient-rich soils and an abundance of water, Yuba City is ideally located for agricultural production. Although orchards are the primary agricultural uses occupying undeveloped land in the western and northern areas of the Yuba City sphere of influence, "very little agricultural land exists within the current City limits."[2]

Land within the Project area and its surroundings are predominantly developed. Nearby land use consists of parkland and residential, commercial, and educational development. The site and surrounding areas do not contain farmland, forest land, timberland, or open space used for the propagation of agriculture.

[2] Yuba City General Plan. https://www.yubacity.net/city_hall/departments/development_services/planning/plans/general_plan/ Accessed 28 August 2019.

3.2.2 Impact Assessment

Would the project:

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?

a) No Impact. The Project site is designated Urban and Built-Up Land as shown in **Figure 3-1**. Land to the east of the Project area is designated as Prime Farmland but the Project will have no impact on the land surrounding the water treatment plant. The Project will not convert Farmland to non-agricultural uses. Therefore, there will be no impact.

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

b) No Impact. The Project area is zoned for low density residential and designated as public and semi-public use. The site is not under a Williamson Act contract. The Project is consistent with the City's intent for the land and will not conflict with a Williamson Act Contract.

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))?

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

c and d) No Impact. There are no forest lands or timberlands within the Project site or vicinity. There will be no impact.

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?

e) No Impact. As discussed above in Impact Assessments a-d, the Project involves the development of a new groundwater well and associated infrastructure on an existing water treatment plant lot. The proposed water supply system improvements will not result in land use conversion of farmland or forest land, either directly or indirectly. There will be no impact.

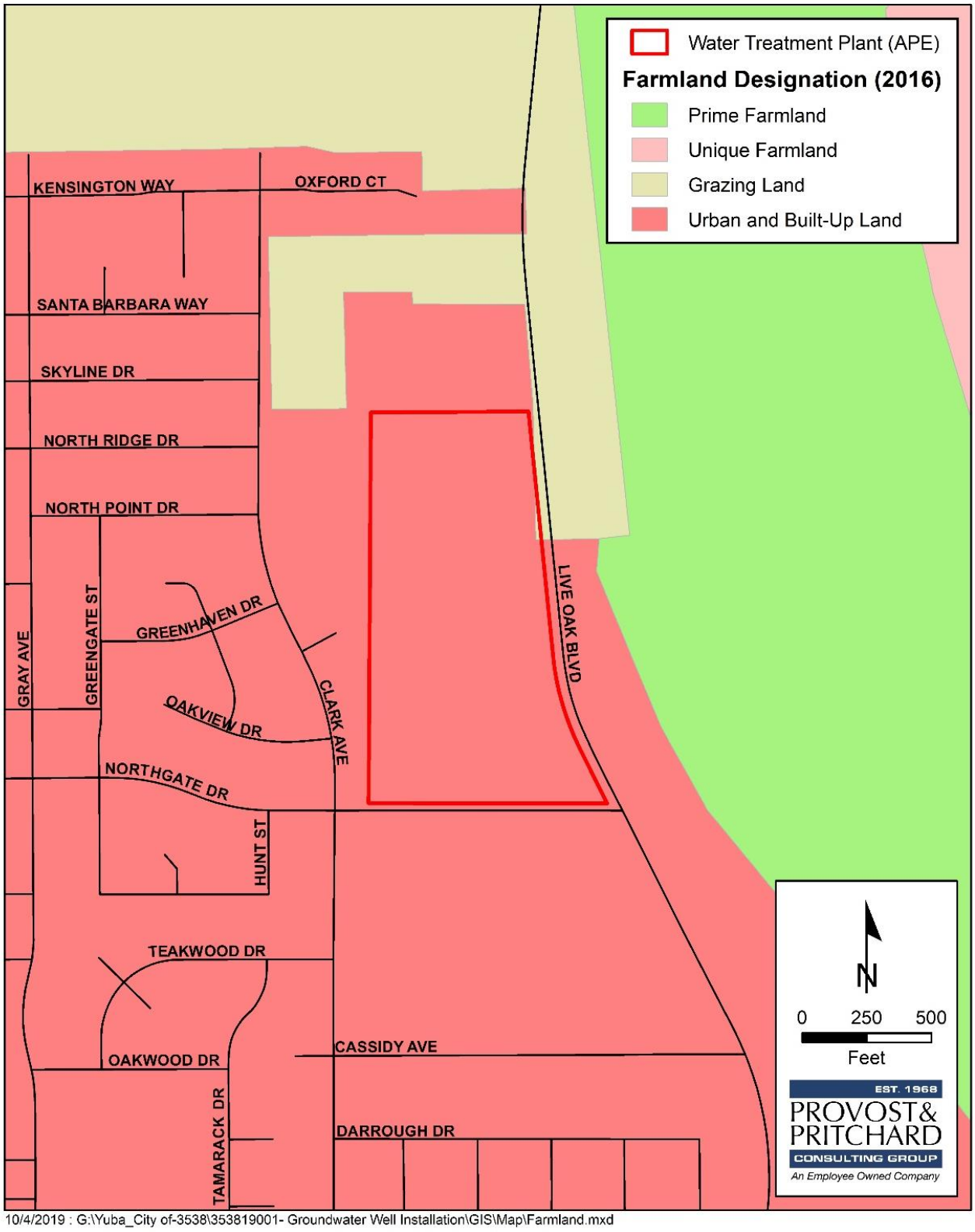

Figure 3-1. Farmland Designation Map

3.3 Air Quality

Table 3-3. Air Quality Impacts

Air Quality					
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
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?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

3.3.1 Environmental Setting

The Project lies within the Northern Sacramento Valley Air Basin (NSVAB) and is managed by Feather River Air Quality Management District (FRAQMD). The Sacramento Valley Air Basin (SVAB) is bounded on the west by the Coast Range, on the north by the Cascade Range, on the east by the Sierra Nevada, and on the south by the San Joaquin Valley Air Basin (SJVAB). The intervening terrain is flat and is approximately 25 feet above sea level. The SVAB consists of the counties of Butte, Colusa, Glenn, Sacramento, Shasta, Sutter, Tehama, Yolo, and Yuba and portions of Placer and Solano Counties.

Air quality in Sutter County is influenced by a variety of factors, including topography and local and regional meteorology. Sutter County generally experiences two types of inversions, both of which are accompanied by air quality issues due to poor dispersion. In the warm summer months, subsidence inversion is common, in which sinking air forms a "lid" over the region, contributing to photochemical smog problems by confining pollution to a shallow layer near the ground. In the cool winter months, radiative inversion occurs because the surrounding mountains create a barrier to airflow which traps pollutants in the valley. Air near the valley floor cools by radiative processes, while the upward air remains warm. Absence of surface wind leads to poor dispersion which can create localized air pollution "hot spots" near emission sources. Because these inversions occur more frequently during summer and winter, the air quality is generally better by comparison during the spring and fall seasons.

National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O_3), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter (PM_{10} and $PM_{2.5}$), and lead (Pb). The CAAQS also set standards for sulfates, hydrogen sulfide, and visibility (see **Table 3-4**).

Air quality plans or attainment plans are used to bring the applicable air basin into attainment with all state and federal ambient air quality standards designed to protect the health and safety of residents within that air basin. Areas are classified under the federal Clean Air Act as either "attainment", "nonattainment", or "extreme nonattainment" areas for each criteria pollutant based on whether the NAAQS have been achieved or not.

Attainment relative to the State standards is determined by the California Air Resources Board (CARB). **Table 3-4** illustrates State and federal attainment designations.

3.3.2 Methodology

An Air Quality and Greenhouse Gas Emissions Evaluation Report (**Appendix A**) was prepared using CalEEMod, Version 2016.3.2 for the Proposed Project in September 2019. The sections below detail the methodology of the air quality and greenhouse gas emissions report and its conclusions.

3.3.2.1 Short-Term Construction-Generated Emissions

Short-term construction emissions associated with the Project were calculated using CalEEmod, Version 2016.3.2. The results modeling emissions generated by off-road equipment, haul trucks, and worker commute trips. Emissions were quantified based on anticipated construction schedules and construction equipment requirements provided by the Project applicant. All remaining assumptions were based on the default parameters contained in the model. Localized air quality impacts associated with the Project would be minor and were qualitatively assessed. Modeling assumptions and output files are included in **Appendix A**.

3.3.2.2 Long-Term Operational Emissions

Long-term operational emissions associated with the Project are estimated to be minimal in nature. The completed well will be brought on-line as part of an existing WTP operating 24 hours per day, 365 days per week. It is not anticipated that new staff members will be employed as a result of the new well operation. Operational equipment, such as the use of a stationary electric pump, will be similar to the existing system which results in negligible emissions. Modeling assumptions and output files are included in **Appendix A**.

Table 3-4. FRAQMD Summary of Ambient Air Quality Standards and Attainment Designation

FRAQMD Summary of Ambient Air Quality Standards & Attainment Designation					
Pollutant	**Averaging Time**	**California Standards***		**National Standards***	
		Concentration	**Attainment Status**	**Concentration****	**Attainment Status**
Ozone (O_3)	1-hour	0.09 ppm	Nonattainment/ Severe	–	No Federal Standard
	8-hour	0.07 ppm	Nonattainment	0.075 ppm	Nonattainment (Extreme)**
Particulate Matter (PM_{10})	AAM	20 µg/m^3	Nonattainment	–	Attainment
	24-hour	50 µg/m^3		150 µg/m^3	
Fine Particulate Matter ($PM_{2.5}$)	AAM	12 µg/m^3	Nonattainment	12 µg/m^3	Nonattainment
	24-hour	No Standard		35 µg/m^3	
Carbon Monoxide (CO)	1-hour	20 ppm	Attainment/ Unclassified	35 ppm	Attainment/ Unclassified
	8-hour	9 ppm		9 ppm	
Nitrogen Dioxide (NO_2)	AAM	0.03 ppm	Attainment	53 ppb	Attainment/ Unclassified
	1-hour	0.18 ppm		100 ppb	
Sulfur Dioxide (SO_2)	AAM	–	Attainment	–	Attainment/ Unclassified
	24-hour	0.04 ppm		–	
	3-hour	–		0.5 ppm****	
	1-hour	0.25 ppm		75 ppb	
Lead (Pb)	30-day Average	1.5 µg/m^3	Attainment	–	No Designation/ Classification
	Calendar Quarter	–		–	
	Rolling 3-Month Average	–		0.15 µg/m^3	
Sulfates (SO_4)	24-hour	25 µg/m^3	Attainment	No Federal Standards	
Hydrogen Sulfide (H_2S)	1-hour	0.03 ppm (42 µg/m^3)	Unclassified		
Vinyl Chloride (C_2H_3Cl)	24-hour	0.01 ppm (26 µg/m^3)	Attainment		
Visibility-Reducing Particle Matter	8-hour	Extinction coefficient: 0.23/km-visibility of 10 miles or more due to particles when the relative humidity is less than 70%.	Unclassified		

** For more information on standards visit: https://ww3.arb.ca.gov/research/aaqs/aaqs2.pdf*
***Primary Standards listed, unless noted otherwise*
**** No Federal 1-hour standard. Reclassified extreme nonattainment for the Federal 8-hour standard May 5, 2010.*
*****Secondary Standard*
Source: CARB 2015; FRAQMD 2016: https://www.fraqmd.org/air-quality-information

3.3.2.3 Local

FRAQMD is a bi-county District that was formed in 1991 to administer local, State, and federal air quality management programs for Yuba and Sutter Counties within the Sacramento Valley Air Basin. The goal of FRAQMD is to improve air quality in the region through monitoring, evaluation, education, and implementing control measures to reduce emissions from stationary sources, permitting, and inspection of pollution sources, enforcement of air quality regulations, and by supporting and implementing measures to reduce emissions from motor vehicles.

FRAQMD adopted its Indirect Source Review guidelines document for assessment and mitigation of air quality impacts under CEQA in 1998. The guide contains criteria and thresholds for determining whether a project may have a significant adverse impact on air quality, and methods available to mitigate impacts on air quality. FRAQMD updated its Indirect Source Review Guidelines to reflect the most recent methods recommended to evaluate air quality impacts and mitigation measures for land use development projects in June 2010. This analysis uses guidance and thresholds of significance from the 2010 FRAQMD Indirect Source Review Guidelines to evaluate the Proposed Project's air quality impacts.

According to FRAQMD's 2010 *Indirect Source Review Guidelines*, a project would be considered to have a significant impact on air quality if it would:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or,
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

3.3.2.4 Thresholds of Significance

Projects that produce emissions that exceed the following thresholds shall be considered significant for a project level and/or cumulatively considerable impact to air quality. The following thresholds are defined for purposes of determining cumulative effects as the baseline for "considerable." Projects located within the FRAQMD will be subject to the following significance thresholds as illustrated in **Table 3-5**.

Table 3-5. Feather River Air Quality Management District Thresholds of Significance

Feather River Air Quality Management District Thresholds of Significance		
Pollutant	**Construction or Operational Emissions (lbs/day)**	**Construction or Operational Emissions (tons/yr)**
ROG	25	4.5
NO_X	25	4.5
CO	–	–
SO_X	–	–
PM_{10}	80	–
$PM_{2.5}$	–	–

Source: FRAQMD Indirect Source Review Guidelines. https://www.fraqmd.org/files/8c3d336a1/FINAL+version+ISR+Amendments.pdf Accessed 29 August 2019.

Construction Generated Emissions of Criteria Air Pollutants: The District distinguishes between two types of projects and refers to them as Type 1 and Type 2. Type 1 projects consist of land use projects in which an operational phase exists. Type 2 projects lack a land use component. The construction of the City's new groundwater well is considered a Type 1 project.

If the operational emissions of a Type 1 project do not exceed the operational thresholds, and the construction emissions of NO_x or ROG do not exceed the 25 lbs/day averaged over the length of the project, or the PM_{10} emissions do not exceed 80 lbs/day, the District recommends following construction phase Standard Best Management Practices listed in **Table 2-1**.

If the operational emissions of a Type 1 project do not exceed the operational thresholds, but the construction phase emissions exceed the construction thresholds of 25 lbs/day of NO_x or ROG averaged over the length of the project and 80 lbs/day of PM_{10}, the District recommends following Best Available Mitigation Measures for Construction Phase, below, in addition to the Standard Best Management Practices:

1. *All grading operations on a project should be suspended when winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures.*
2. *Construction sites shall be watered as directed by the Department of Public Works or Air Quality Management District as necessary to prevent fugitive dust violations.*
3. *An operational water truck should be available at all times. Apply water to control dust as needed to prevent visible emissions violations and offsite dust impacts.*
4. *Onsite dirt piles or other stockpiled particulate matter should be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce wind-blown dust emissions. Incorporate the use of approved non-toxic soil stabilizers according to manufacturer's specifications to all inactive construction areas.*
5. *All transfer processes involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.*
6. *Apply approved chemical soil stabilizers according to the manufacturers' specifications, to all inactive construction areas (previously graded areas that remain inactive for 96 hours) including unpaved roads and employee/equipment parking areas.*
7. *To prevent track-out, wheel washers should be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks to prevent/diminish track-out.*
8. *Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.*
9. *Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the Department of Public Works and/or Caltrans and to reduce vehicle dust emissions. An effective measure is to enforce vehicle traffic speeds at or below 15 mph.*
10. *Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less and reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, onsite enforcement, and signage.*
11. *Reestablish ground cover on the construction site as soon as possible and prior to final occupancy, through seeding and watering.*
12. *Disposal by Burning: Open burning is yet another source of fugitive gas and particulate emissions and shall be prohibited at the project site. No open burning of vegetative waste (natural plant growth wastes) or other legal or illegal burn materials (trash, demolition debris, et. al.) may be conducted at the project site. Vegetative wastes should be chipped or delivered to waste to energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials offsite for disposal by open burning.*

Demolition of Asbestos-Containing Materials: For projects that include demolition as part of the construction phase, the District recommends makes the following recommendation: "Prior to demolition of existing structures, an asbestos evaluation must be completed in accordance with the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) regulations. Section 61.145 requires written notification of demolition operations."

Yuba City General Plan: The Yuba City General Plan sets forth the following goals and policies relating to air quality, and which have potential relevance to the Project's CEQA review:

8.6-I-1 Cooperate with other local, regional, and State agencies to achieve and maintain air quality standards.

8.6-I-2 Work with the Feather River Air Quality Management District to implement the regional Air Quality Management Plan.

8.6-I-4 Provide information to encourage the use of transportation modes that minimize motor vehicle use and resulting contaminant emissions.

8.6-I-6 Require applicants whose development would result in construction-related fugitive dust emissions to control such emissions as follows:

- During clearing, grading, earth-moving, or excavation operations, fugitive dust emissions shall be controlled by regular watering, paving of construction roads, or other dust-preventive measures.
- All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day.
- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 20 mph averaged over 1 hour.
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by demolition, clearing, grading, earth-moving, or excavation operations shall be minimized at all times.
- Portions of the construction site to remain inactive longer than a period of 3 months shall be seeded and watered until grass cover is grown.
- All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized.

8.6-I-7 Require applicants whose development would result in construction-related exhaust emissions to minimize such emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for long periods.

3.3.3 Impact Assessment

Would the project:

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

a) No Impact. As noted in Impact Assessments b) and c) below, implementation of the Project would not result in short-term or long-term increases in emissions that would exceed applicable thresholds of significance. Projects that do not exceed the recommended thresholds would not be considered to conflict with or obstruct the implementation of applicable air quality plans.

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?

b) Less Than Significant Impact.
Estimated construction-generated emissions and operational emissions are summarized in **Table 3-6** and **Table 3-7**, respectively.

Short-Term Construction-Generated Emissions

Construction-generated emissions are temporary in duration, lasting approximately six months for site preparation and drilling and construction of the new well. The construction of the Project would result in the temporary generation of emissions associated with site grading and excavation, motor vehicle exhaust associated with construction equipment, material deliveries, and worker trips, as well as the movement of construction equipment on unpaved surfaces.

Table 3-6 shows that implementation of the Project would not result in emissions exceeding the applicable thresholds of significance. Projects that do not exceed the recommended thresholds would not be considered to conflict with or obstruct the implementation of applicable air quality plans. In accordance with FRAQMD

requirements, the Project would implement the Standard Best Management Practices for construction listed in **Table 2-1**.

Given that emissions during the Project's construction would not exceed applicable FRAQMD significance thresholds and the proposed Project would be required to comply with FRAQMD Regulation IV, construction-generated emissions of criteria pollutants would be considered less than significant.

Long-Term Operational Emissions

Long-term operational emissions associated with the Proposed Project will be minimal. The pump for the proposed well would operate using electricity. It is not anticipated that additional WTP staff will be necessary due to the new well. Bringing the well on-line will not significantly increase the plant's existing emissions. Therefore, Project-related impacts to air quality would be considered less than significant.

Table 3-6. Unmitigated Short-Term Construction-Generated Emissions of Criteria Air Pollutants

Short-Term Construction-Generated Emissions of Criteria Air Pollutants					
	Annual Emissions (Pounds/Day)[1]				
Source	ROG	NO_X	CO_2	PM_{10}	$PM_{2.5}$
2021	0.9338	11.091	7.8696	1.261	0.8295
Maximum Daily Proposed Project Emissions:	0.9338	11.091	7.8696	1.261	0.8295
FRAQMD Significance Thresholds:	*25*	*25*	*N/A*	*80*	*N/A*
Exceed FRAQMD Thresholds?	*No*	*No*	*N/A*	*No*	*N/A*

1. *Emissions were quantified using CalEEmod Output Files Version 2016.3.2. Refer to Appendix A for modeling results and assumptions. Totals may not sum due to rounding.*

Table 3-7. Unmitigated Long-Term Operational Emissions

Long-Term Operational Emissions of Criteria Air Pollutants					
	Annual Emissions (Pounds/Day)[1]				
Source	ROG	NO_X	CO_2	PM_{10}	$PM_{2.5}$
Maximum Daily Project Emissions:	0.0075	0.00001	0.0014	0.0000	0.0000
FRAQMD Significance Thresholds:	*25*	*25*	*N/A*	*80*	*N/A*
Exceed FRAQMD Thresholds?	*No*	*No*	*N/A*	*No*	*N/A*

1. *Emissions were quantified using CalEEmod Output Files Version 2016.3.2. Refer to Appendix A for modeling results and assumptions. Totals may not sum due to rounding.*

c) Expose sensitive receptors to substantial pollutant concentrations?

c) Less Than Significant Impact.

Toxic Air Contaminants

Implementation of the Project would not result in the long-term operation of any major onsite stationary sources of TACs, nor would Project implementation result in a substantial increase in vehicle trips along area roadways, in comparison to existing conditions. However, construction of the Project may result in temporary increases in emissions of diesel-exhaust particulate matter (DPM) associated with the use of off-road diesel

equipment. More than 90% of DPM is less than one μm in diameter, and thus is a subset of $PM_{2.5}$.[3] Health-related risks associated with diesel-exhaust emissions are primarily a result of long-term exposure and involve developing cancer. As such, the calculation of cancer risk associated with exposure of two TACs is typically calculated based on a long-term (e.g., 70-year) period of exposure. The use of diesel-powered construction equipment, however, would be temporary and episodic. Construction activities would occur over an approximate six-month period, which would constitute less than 1 percent of the typical 70-year exposure period. As a result, exposure to construction generated DPM would not be anticipated to exceed applicable thresholds (i.e. incremental increase in cancer risk of 10 in one million).

Although the Project is located in close proximity to two operational schools, construction of the Project is not anticipated to result in a substantial increase in DPM or other TACs. As indicated in **Table 3-6**, construction of the Project would generate maximum unmitigated daily emissions of approximately 0.8295 pounds/day of $PM_{2.5,}$ which includes DPM. The new well is electric and not diesel operated. Operating the new well would not generate any $PM_{2.5}$, as illustrated in **Table 3-7**. Project-related impacts to sensitive receptors would be less than significant.

Naturally Occurring Asbestos

Naturally occurring asbestos, which was identified by CARB as a TAC in 1986, is located throughout California and is commonly associated with ultramafic rock. The Project site is not located near any areas that are likely to contain ultramafic rock.[4] As a result, risk of exposure to asbestos during the construction process would be considered less than significant.

Fugitive Dust

Construction of the Project would include ground-disturbing activities which could result in increased emissions of airborne particulate matter. The Project would be required to comply with FRAQMD Regulation IV, Rule 3.16 (Fugitive Dust). Mandatory compliance with FRAQMD Regulation VI would reduce emissions of fugitive dust from the Project site.

Although the Project near two operational schools, construction of the Project is not anticipated to result in a substantial increase in particulate matter. As indicated in **Table 3-6** and **Table 3-7**, respectively, construction of the Project would generate maximum unmitigated daily emissions of approximately 1.261 pounds/day of PM_{10}, while operation of the Project would not generate any PM_{10}. The construction emissions are substantially less than FRAQMD's threshold of significance of 25 pounds/day. Project-related impacts to sensitive receptors would be less than significant.

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

d) Less Than Significant Impact. Once construction is complete, regular operation of the proposed well would not result in long-term emissions of odors. However, construction would involve the use of a variety of gasoline- or diesel-powered equipment that would emit exhaust fumes. Similarly, infrequent use of the diesel-powered emergency back-up generator may occasionally produce an odorous exhaust. Exhaust fumes, particularly diesel exhaust, may be considered objectionable by some people. Some 88 percent of Sutter County is dominated by agricultural production, which includes the use of diesel-powered equipment and various odorous chemicals on a regular basis. Construction activities and use of the emergency generator would be short-term in nature. Conditions created by Project-related activities would not vary substantially from the baseline conditions routinely experienced onsite and in the vicinity. Impacts would be less than significant.

[3] CARB. Inhalable Particulate Matter. https://www.arb.ca.gov/research/aaqs/common-pollutants/pm/pm.htm Accessed 28 August 2019.
[4] A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos https://ww3.arb.ca.gov/toxics/asbestos/ofr_2000-019.pdf Accessed 26 September 2019.

3.4 Biological Resources

Table 3-8. Biological Resources Impacts

Biological Resources				
Would the project:	**Potentially Significant Impact**	**Less than Significant with Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
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 U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

3.4.1 Environmental Setting

The Project is located within the City's Water Treatment Plant (WTP) at 701 Northgate Drive, Yuba City, California **Figure 2-1**). The site corresponds to the unsectioned portion of the Rancho New Helvetia Land Grant in the "Sutter, California" and "Yuba City, California" 7.5-minute quadrangles (North American Datum [NAD]27) (U.S. Geological Survey [USGS] 1952, photo revised 1973). The approximate center of the site is located at latitude 39.760833 (NAD83) and longitude -121.817251 (NAD83) within the Honcut Headwaters-Lower Feather Watershed (Hydrologic Unit Code #18020159) Watershed (Natural Resources Conservation Service [NRCS], USGS, and U.S. Environmental Protection Agency [USEPA] 2017).

Site Characteristics and Land Use

The APE study area is the currently operational WTP within a developed portion of the city of Yuba City situated at an elevation range of approximately 60 to 65 feet above mean sea level in the Sacramento Valley subregion of the Great Valley region of the California floristic province (Baldwin et. al. 2012). The Project site is developed with existing buildings, water treatment infrastructure, two constructed backwater basins, a solar panel array, paved parking areas, paved and dirt roads, barren dirt pads, and landscaping areas with no native or natural vegetation communities or habitats. Representative photographs of the WTP can be found in Attachment B of **Appendix B**.

The surrounding lands include residential development, abandoned and operational commercial/industrial development, a community park, and the Twin Rivers Charter School.

Vegetation Communities

The Project is entirely developed with buildings and paved surfaces, lawns, ruderal areas of compacted dirt between various structures, constructed backwater basins, and other above-ground operational structures. There are no native or natural vegetation communities or habitats present. Vegetation is mostly comprised of manicured lawns and landscaping shrubs and trees of varying sizes. Common tree species within landscaping areas include Japanese zelkova (*Zelkova serrata*), glossy privet (*Lugistrum lucidum*), black locust (*Robinia pseudoacacia*), Chinese tallow (*Triadica sebifera*), and coast redwood (*Sequoia sempervirens*). Most trees are well established and greater than 16 inches in diameter. Holly (*Ilex* sp.) and oleander (*Nerium oleander*) are the predominant shrubs within landscaping areas. Plant species that were not deliberately planted exist in compacted soils between planted vegetation within landscaping areas and in the constructed backwater basins. Common species include johnsongrass (*Sorghum halapense*), California wild grape (*Vitis californica*), and turkey-mullein (*Croton setiger*).

Soils

According to the *Web Soil Survey* (NRCS 2019a), there are two soil units mapped within the Project: (124) Conejo loam, 0 to 1 percent slopes, MLRA 17 and (127) Conejo-Urban land complex, 0 percent slopes, MLRA 17 (Figure 3. *Natural Resources Conservation Service Soil Types* in **Appendix B**). Neither of these soil units are considered hydric (NRCS 2019b).

3.4.2 Methodology

ECORP Consulting, Inc. reviewed the following resources to determine the special-status species that had been previously documented within or in the vicinity of the Study Area:

- CDFW CNDDB data for the "Sutter, California" and "Yuba City, California" 7.5-minute quadrangles (CDFW 2019).
- USFWS list of species and other resources under the USFWS jurisdiction that are known or expected to be on or near the Study Area (USFWS 2019).
- CNPS' electronic Inventory of Rare and Endangered Plants of California was queried for the "Sutter, California" and "Yuba City, California" 7.5-minute quadrangle and the ten surrounding USGS quadrangles (CNPS 2019).

ECORP biologists Keith Kwan and Hannah Stone conducted a site assessment on September 19, 2019. During the field assessment, meandering transects were walked through the Study Area searching for aquatic resources, potential waters of the U.S./State, special-status species or their habitat. The findings of this site assessment have been incorporated into this BRA.

Special-status plant and animal species considered to have the potential to occur within the region were evaluated for their potential to occur onsite. Species that are tracked in the CNDDB but do not have any other special status were not included in this assessment.

3.4.3 Regulatory Setting

3.4.3.1 Federal

Endangered Species Act

The Endangered Species Act (ESA) protects plants and animals that are listed as endangered or threatened by USFWS and the National Marine Fisheries Service (NMFS). Section 9 of the ESA prohibits, without authorization, the taking of listed wildlife, where take is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct" (50 Code of Federal Regulations [CFR] 17.3). For plants, this statute governs removing, possessing, maliciously damaging, or destroying any listed plant under federal jurisdiction and removing, cutting, digging up, damaging, or destroying any listed plant in any other area in knowing violation of state law (16 U.S. Code [USC] 1538).

Under Section 7 of the ESA, federal agencies are required to consult with USFWS and/or NMFS if their actions, including permit approvals and funding, could adversely affect a listed (or proposed) species (including plants) or its critical habitat. Through consultation and the issuance of a biological opinion (BO), USFWS and NMFS may issue an incidental take statement allowing take of the species that is incidental to an otherwise authorized activity provided the activity will not jeopardize the continued existence of the species. Section 10 of ESA provides for the issuance of incidental take permits where no other federal actions are necessary provided a habitat conservation plan is developed.

Section 7 Consultation

Section 7 of the ESA mandates that all federal agencies consult with USFWS and/or NMFS to ensure that federal agencies' actions do not jeopardize the continued existence of a listed species or adversely modify critical habitat for listed species. If direct and/or indirect effects will occur to critical habitat that appreciably diminish the value of critical habitat for both the survival and recovery of a species, the adverse modifications will require formal consultation with USFWS or NMFS. If adverse effects are likely, the federal lead agency must prepare a biological assessment (BA) for the purpose of analyzing the potential effects of the proposed Project on listed species and critical habitat to establish and justify an "effect determination." Often a third-party, non-federal applicant drafts the BA for the lead federal agencies. The USFWS/NMFS reviews the BA; if it concludes that the Project may adversely affect a listed species or its habitat, it prepares a BO. The BO may recommend "reasonable and prudent alternatives" to the project to avoid jeopardizing or adversely modifying habitat.

Critical Habitat

Critical Habitat is defined in Section 3 of the ESA as:

1. the specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the ESA, on which are found those physical or biological features essential to the conservation of the species and that may require special management considerations or protection; and
2. specific areas outside the geographical area occupied by a species at the time it is listed, upon a determination that such areas are essential for the conservation of the species.

For inclusion in a Critical Habitat designation, habitat within the geographical area occupied by the species at the time it was listed must first have features essential to the conservation of the species (16 USC 1533). Critical Habitat designations identify, to the extent known and using the best scientific data available, habitat areas that provide essential life cycle needs of the species (areas on which are found the primary constituent elements). Primary constituent elements are the physical and biological features that are essential to the conservation of the species and that may require special management considerations or protection. These include but are not limited to the following:

1. Space for individual and population growth and for normal behavior.
2. Food, water, air, light, minerals, or other nutritional or physiological requirements.
3. Cover or shelter.
4. Sites for breeding, reproduction, or rearing (or development) of offspring.
5. Habitats that are protected from disturbance or are representative of the historic, geographical, and ecological distributions of a species.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) implements international treaties between the U.S. and other nations devised to protect migratory birds, any of their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. As authorized under the MBTA, USFWS issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purposes (rehabilitation, education, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal. The regulations governing migratory bird permits can be found in 50 CFR part 13 General Permit Procedures and 50 CFR part 21 Migratory Bird Permits. The State of California has incorporated the protection of nongame birds in § 3800, migratory birds in § 3513, and birds of prey in § 3503.5 of the California Fish and Game Code.

Clean Water Act

The purpose of the federal Clean Water Act (CWA) is to "restore and maintain the chemical, physical, and biological integrity of the nation's waters." Section 404 of the CWA prohibits the discharge of dredged or fill material into "Waters of the United States" without a permit from the USACE. The definition of Waters of the U.S. includes rivers, streams, estuaries, the territorial seas, ponds, lakes, and wetlands. Wetlands are defined as those areas "that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3 7b). The USEPA also has authority over wetlands, including the authority to veto permits issued by USACE under CWA Section 404(c).

Projects involving activities that have no more than minimal individual and cumulative adverse environmental effects may meet the conditions of one of the Nationwide Permits already issued by USACE (Federal Register 82:1860, January 6, 2017). If impacts on wetlands could be substantial, an individual permit is required. A Water Quality Certification or waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions; this certification or waiver is issued by the Regional Water Quality Control Board (RWQCB).

3.4.3.2 State

California Endangered Species Act

The California ESA (California Fish and Game Code §§ 2050-2116) protects species of fish, wildlife, and plants listed by the State as endangered or threatened. Species identified as candidates for listing may also receive protection. Section 2080 of the California ESA prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit. Take is defined in Section 86 of the California Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The California ESA allows for take incidental to otherwise lawful projects under permits issued by CDFW.

Fully Protected Species

The State of California first began to designate species as "fully protected" prior to the creation of the federal and the California ESAs. Lists of fully protected species were initially developed to provide protection to those animals that were rare or faced possible extinction and included fish, amphibians and reptiles, birds, and mammals. Most fully protected species have since been listed as threatened or endangered under the federal

and/or California ESAs. Fully protected species are identified in the California Fish and Game Code § 4700 for mammals, § 3511 for birds, § 5050 for reptiles and amphibians, and § 5515 for fish.

These sections of the California Fish and Game Code provide that fully protected species may not be taken or possessed at any time, including prohibition of CDFW from issuing incidental take permits for fully protected species under the California ESA. CDFW will issue licenses or permits for take of these species for necessary scientific research or live capture and relocation pursuant to the permit and may allow incidental take for lawful activities carried out under an approved Natural Community Conservation Plan within which such species are covered.

Native Plant Protection Act

The NPPA of 1977 (California Fish and Game Code §§ 1900-1913) was established with the intent to "preserve, protect and enhance rare and endangered plants in this state." The NPPA is administered by CDFW. The Fish and Game Commission has the authority to designate native plants as "endangered" or "rare." The NPPA prohibits the take of plants listed under the NPPA, but the NPPA contains a number of exemptions to this prohibition that have not been clarified by regulation or judicial rule. In 1984, the California ESA brought under its protection all plants previously listed as endangered under NPPA. Plants listed as rare under NPPA are not protected under the California ESA but are still protected under the provisions of NPPA. The Fish and Game Commission no longer lists plants under NPPA, referring all listings to the California ESA.

California Fish and Game Code Special Protections for Birds

In addition to protections contained within the California ESA and California Fish and Game Code § 3511 described above, the California Fish and Game Code includes a number of sections that specifically protect certain birds.

Section 3800 states that it is unlawful to take non-game birds, such as those occurring naturally in California that are not resident game birds, migratory game birds, or fully protected birds, except when in accordance with regulations of the California Fish and Game Commission or a mitigation plan approved by CDFW for mining operations.

Section 3503 prohibits the take, possession, or needless destruction of the nest or eggs of any bird.

Section 3503.5 protects birds of prey (which includes eagles, hawks, falcons, kites, ospreys, and owls) and prohibits the take, possession, or destruction of any birds and their nests

Section 3505 makes it unlawful to take, sell, or purchase egrets, ospreys, and several exotic non-native species, or any part of these birds.

Section 3513 specifically prohibits the take or possession of any migratory non-game bird as designated in the MBTA.

Lake or Streambed Alteration Agreements

Section 1602 of the California Fish and Game Code requires individuals or agencies to provide a Notification of Lake or Streambed Alteration to CDFW for "any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake." CDFW reviews the proposed actions and, if necessary, proposed measures to protect affected fish and wildlife resources. The final proposal mutually agreed upon by CDFW and the applicant is the Lake or Streambed Alternation Agreement.

Porter-Cologne Water Quality Act

The RWQCB implements water quality regulations under the federal CWA and the Porter-Cologne Water Quality Act. These regulations require compliance with the National Pollutant Discharge Elimination System (NPDES), including compliance with the California Storm Water NPDES General Construction Permit for discharges of stormwater runoff associated with construction activities. General Construction Permits for projects that disturb one or more acres of land require development and implementation of a Storm Water Pollution Prevention Plan. Under the Porter-Cologne Water Quality Act, the RWQCB regulates actions that would involve "discharging waste, or proposing to discharge waste, with any region that could affect the water of the state" [Water Code 13260(a)]. Waters of the State are defined as "any surface water or groundwater, including saline waters, within the boundaries of the state" [Water Code 13050 (e)]. The RWQCB regulates all such activities, as well as dredging, filling, or discharging materials into Waters of the State, which are not regulated by USACE due to a lack of connectivity with a navigable water body. The RWQCB may require issuance of a Waste Discharge Requirements for these activities.

California Environmental Quality Act

In accordance with CEQA Guidelines § 15380, a species or subspecies not specifically protected under the federal or California ESAs or NPPA may be considered endangered, rare, or threatened for CEQA review purposes if the species meets certain criteria specified in the Guidelines. These criteria include definitions similar to definitions used in ESA, the California ESA, and NPPA. Section 15380 was included in the CEQA Guidelines primarily to address situations in which a project under review may have a significant effect on a species that has not been listed under ESA, the California ESA, or NPPA, but that may meet the definition of endangered, rare, or threatened. Animal species identified as species of special concern (SSC) by CDFW and plants identified by the CNPS as rare, threatened, or endangered may meet the CEQA definition of rare or endangered.

3.4.3.3 Local

Yuba City General Plan: The Yuba City General Plan sets forth the following goals and policies relating to air quality, and which have potential relevance to the Project's CEQA review:

8.4-G-1 Protect special-status species, in accordance with State regulatory requirements.

8.4-G-4 Where appropriate, incorporate natural, wildlife habitat features into public landscapes, parks, and other public facilities.

3.4.4 Results

Potential Waters of the U.S.

There are two backwash basins that support some wetland characteristics. One of the basins was partially inundated during the survey. A constructed detention pond is in the southeastern corner of the WTP. This feature was unvegetated at the time of this field visit. According to the 2015 Clean Water Rule, which is currently in effect in California, "artificial, constructed lakes or ponds created by excavating and/or diking dry land such as farm and stock water ponds, irrigation ponds, settling basins, log cleaning ponds, cooling ponds, or fields flooded for rice growing" are not Waters of the U.S. There are no other aquatic resources present.

According to the California Aquatic Resources Inventory (CARI), there is one previously mapped aquatic resource for the Study Area (Figure 4. *California Aquatic Resources Inventory* in **Appendix B**). One of the backwater basins was labeled "depressional natural." Aquatic features mapped in CARI are typically not ground-truthed, so discrepancies are common. The backwater basins and the detention basin within the WTP are clearly not natural. See **Figure 2-2.**

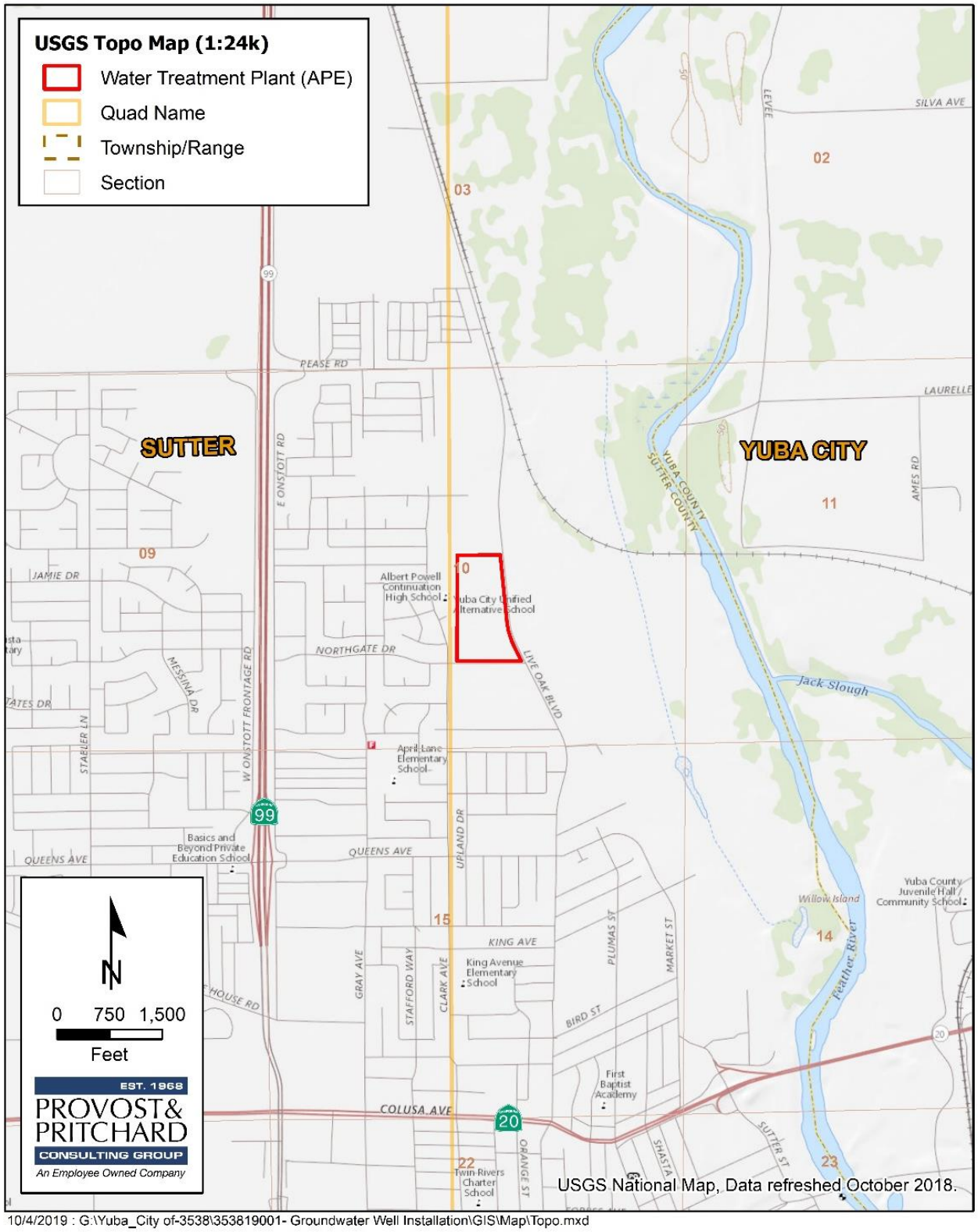
USGS Topo Map (1:24k)
Water Treatment Plant (APE)
Quad Name
Township/Range
Section
SUTTER
YUBA CITY
SILVA AVE
PEASE RD
LAURELLE
E ONSTOTT RD
W ONSTOTT FRONTAGE RD
JAMIE DR
MESSINA DR
STAELER LN
NORTHGATE DR
LIVE OAK BLVD
AMES RD
YUBA COUNTY
SUTTER COUNTY
Jack Slough
Albert Powell Continuation High School
Yuba City Unified Alternative School
April Lane Elementary School
Basics and Beyond Private Education School
QUEENS AVE
UPLAND DR
KING AVE
King Avenue Elementary School
GRAY AVE
STAFFORD WAY
CLARK AVE
PLUMAS ST
MARKET ST
BIRD ST
COLUSA AVE
ORANGE ST
SHASTA
SUTTER ST
First Baptist Academy
Twin Rivers Charter School
Willow Island
Yuba County Juvenile Hall / Community School
Feather River
02
03
09
10
11
14
15
22
23
99
20
0 750 1,500
Feet
EST. 1968
PROVOST& PRITCHARD
CONSULTING GROUP
An Employee Owned Company
USGS National Map, Data refreshed October 2018.
10/4/2019 : G:\Yuba_City of-3538\353819001- Groundwater Well Installation\GIS\Map\Topo.mxd

Figure 2-2

Wildlife

Wildlife use onsite is expected to be minimal due to the highly developed nature of the Project area and vicinity. Bird species commonly found in urban settings that may occur onsite include northern mockingbird (*Mimus polyglottos*), house finch (*Haemorhous mexicanus*), and house sparrow (*Passer domesticus*). Several California ground squirrel (*Otospermophilus beecheyi*) burrows were found in dirt spoil piles in the northern portion of the WTP.

Evaluation of Special-Status Species Identified in the Literature Search

There are no special-status species previously documented within the Study Area, but several special-status species are known to occur within an approximate five-mile radius of the Project (see Attachment A in **Appendix B**).

Special-status species that came up on the CNPS, CNDDB, and USFWS database queries were evaluated for their potential to occur onsite (**Table 3-9**). Based upon the vegetation community and habitats present onsite, there are no potentially occurring special-status plants, invertebrates, fish, amphibians, reptiles, and mammals for the Project site, but does support potential nesting habitat for a few special-status birds and birds protected under the MBTA.

Table 3-9. Potentially Occurring Special-Status Species

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	FESA	CESA/ NPPA	Other			
Plants						
Ferris' milk-vetch (*Astragalus tener* var. *ferrisiae)*	--	--	1B.1	Vernally mesic meadows and seeps and in sub-alkaline flats within valley and foothill grasslands (7'–246').	April–May	Absent; no suitable habitat onsite.
Heartscale (*Atriplex cordulata* var. *cordulata*)	--	--	1B.2	Alkaline or saline valley and foothill grasslands, meadows and seeps, and chenopod scrub communities (0'–1,837').	April–October	Absent; no suitable habitat onsite.
Lesser Saltscale *(Atriplex minuscula)*	--	--	1B.1	Alkaline, sandy soils in chenopod scrub, playas, and valley and foothill grassland (49'–656').	May–October	Absent; no suitable habitat onsite.
Sublte orache *(Atriplex subtilis)*	--	--	1B.2	Valley and foothill grasslands/alkaline (131'–328').	June–September	Absent; no suitable habitat onsite.
Pink creamsacs *(Castilleja rubicundula* var. *rubicundula)*	--	--	1B.2	Serpentinite substrates in chaparral openings, cismontane woodland, meadows and seeps, and valley and foothill grassland (66'–2,986').	April–June	Absent; no suitable habitat onsite.
Pappose tarplant (*Centromadia parryi* ssp. *parryi*)	--	--	4.2	Often on alkaline soils within chaparral, coastal prairie, meadows and seeps, coastal salt marshes and swamps, vernally mesic valley and foothill grassland (0'–1,378').	May–November	Absent; no suitable habitat onsite.
Recurved larkspur (*Delphinium recurvatum*)	--	--	1B.2	Chenopod scrub, cismontane woodland, and valley and foothill grasslands (10'–2,592').	March–June	Absent; no suitable habitat onsite.
Dwarf downingia (*Downingia pusilla*)	--	--	2B.2	Mesic areas in valley and foothill grassland, and vernal pools. Species appears to have an affinity for slight disturbance (i.e., scraped depressions, ditches, etc.) (Baldwin et al. 2012, CDFW 2018) (3'–1,460').	March–May	Absent; no suitable habitat onsite.
Rose–mallow (*Hibiscus lasiocarpos* var. *occidentalis*)	--	--	1B.2	Marshes and freshwater swamps. Often in riprap on sides of levees (0'–394').	June–September	Absent; no suitable habitat onsite.
Ahart's dwarf rush *(Juncus leiospermus* var. *ahartii)*	--	--	1B.2	Mesic areas in valley and foothill grassland. Species has an affinity for slight disturbance such as farmed	March–May	Absent; no suitable habitat onsite.

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	FESA	CESA/ NPPA	Other			
				fields (USFWS 2005) (98'–751').		
Red Bluff dwarf rush (*Juncus leiospermus* var. *leiospermus*)	--	--	1B.1	Vernally mesic areas in chaparral, cismontane woodland, meadows and seeps, valley and foothill grassland, and vernal pools (115'–4,101').	March–June	Absent; no suitable habitat onsite.
Colusa layia *(Layia septentrionalis)*	--	--	1B.2	Sandy or serpentinite soils in chaparral, cismontane woodland, and valley and foothill grasslands (328'–3,593').	April–May	Absent; no suitable habitat onsite.
Legenere *(Legenere limosa)*	--	--	1B.1	Various seasonally inundated areas including wetlands, wetland swales, marshes, vernal pools, artificial ponds, and floodplains of intermittent drainages (USFWS 2005) (3'–2,887').	April–June	Absent; no suitable habitat onsite.
Veiny monardella *(Monardella venosa)*	--	--	1B.1	Heavy clay soils in cismontane woodland and valley and foothill grasslands (197'–1,345').	May–July	Absent; no suitable habitat onsite.
Baker's navarretia *(Navarretia leucocephala* ssp. *bakeri)*	--	--	1B.1	Vernal pools and mesic areas within cismontane woodlands, lower montane coniferous forests, meadows and seeps, and valley and foothill grasslands (16'–5,709').	April–July	Absent; no suitable habitat onsite.
Ahart's paronychia *(Paronychia ahartii)*	--	--	1B.1	Cismontane woodland; valley and foothill grassland; vernal pools (98'–1,673').	February–June	Absent; no suitable habitat onsite.
Hartweg's Golden Sunburst (*Pseudobahia bahiifolia*)	FE	CE	1B.1	Clay, often acidic soils in cismontane woodland, valley and foothill grasslands (49'–492').	March–April	Absent; no suitable habitat onsite.
California alkali grass (*Puccinellia simplex*)	--	--	1B.2	Alkaline, vernally mesic areas in sinks, flats and lake margins in chenopod scrub, meadows and seeps, valley and foothill grassland, and vernal pools (7'–3,051').	March–May	Absent; no suitable habitat onsite.
Sanford's arrowhead (*Sagittaria sanfordii*)	--	--	1B.2	Shallow marshes and freshwater swamps (0'–2,133').	May–October	Absent; no suitable habitat onsite.
Wright's trichocoronis *(Trichocoronis wrightii* var. *wrightii)*	--	--	2B.1	Alkaline soils in meadows and seeps, marshes and swamps, riparian forest, and vernal pools (16'–1,427').	May–September	Absent; no suitable habitat onsite.

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	FESA	CESA/ NPPA	Other			
Brazilian watermeal *(Wolffia brasiliensis)*	--	--	2B.3	Assorted shallow freshwater marshes and swamps (66'–328').	April–December	Absent; no suitable habitat onsite.
Invertebrates						
Conservancy fairy shrimp (*Branchinecta conservatio)*	FE	--	--	Vernal pools/wetlands.	November–April	Absent; no suitable habitat present.
California linderiella *(Linderiella occidentalis)*	--	--	CNDDB	Vernal pools/wetlands.	November–April	Absent; no suitable habitat present.
Vernal pool fairy shrimp (*Branchinecta lynchi*)	FT	--	--	Vernal pools/wetlands.	November–April	Absent; no suitable habitat present.
Vernal pool tadpole shrimp (*Lepidurus packardi*)	FE	--	--	Vernal pools/wetlands.	November–April	Absent; no suitable habitat present.
Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*)	FT	--	--	Elderberry shrubs.	Any season	Absent; no suitable habitat present.
Fish						
Delta smelt (*Hypomesus transpacificus*)	FT	CE	--	Sacramento-San Joaquin delta.	N/A	Absent; no suitable habitat present.
Chinook salmon (Central Valley spring-run ESU) (*Oncorhynchus tshawytscha*)	FT	CT	--	Undammed rivers, streams, creeks.	N/A	Absent; no suitable habitat present.
Steelhead (CA Central Valley DPS) (*Oncorhynchus mykiss*)	FT	--	--	Undammed rivers, streams, creeks.	N/A	Absent; no suitable habitat present.
Amphibians						
California red-legged frog (*Rana draytonii*)	FT	--	SSC	Lowlands or foothills at waters with dense shrubby or emergent riparian vegetation. Adults must have aestivation habitat to endure summer dry down.	May 1–November 1	Absent; no suitable habitat present.
Western spadefoot (*Spea hammondii*)	--	--	SSC	California endemic species of vernal pools, swales, wetlands and adjacent grasslands throughout the Central Valley.	March–May	Absent; no suitable habitat present.
Reptiles						
Giant garter snake (*Thamnophis gigas*)	FT	CT	--	Freshwater ditches, sloughs, and marshes in the Central Valley. Almost extirpated from the southern parts of its range.	April–October	Absent; no suitable habitat onsite.
Northwestern pond turtle (*Actinemys marmorata*)	--	--	SSC	Requires basking sites and upland habitats up to 0.5 km from water for egg laying. Uses ponds, streams, detention basins, and irrigation ditches.	April–September	Absent; no suitable habitat onsite.

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	FESA	CESA/ NPPA	Other			
Birds						
Aleutian cackling goose *(Branta hutchinsii leucopareia)*	Delisted	--	--	Pasture, marsh (Sacramento/San Joaquin Valley and Delta)	October–March	Absent; no suitable habitat onsite.
Yellow-billed cuckoo (*Coccyzus americanus*)	FT	CE	BCC	Breeds in CA, AZ, UT, CO, and WY. In California, they nest along the upper Sacramento River and the South Fork Kern River from Isabella Reservoir to Canebrake Ecological Reserve. Other known nesting locations include Feather River (Butte, Yuba, Sutter counties), Prado Flood Control Basin (San Bernardino and Riverside counties), Amargosa River and Owens Valley (Inyo Co.), Santa Clara River (Los Angeles Co.), Mojave River and Colorado River (San Bernardino Co.). Nests in riparian woodland. Winters in South America.	June 15–August 15	Absent; no suitable habitat onsite.
Rufous hummingbird *(Selasphorus rufus)*	--	--	BCC	Breeds in British Columbia and AK (does not breed in CA). Winters in coastal Southern CA south into Mexico. Common migrant during March–April in Sierra Nevada foothills and June–August in Lower Conifer to Alpine zone of Sierra Nevada. Nesting habitat includes Secondary succession communities and openings, mature forests, parks and residential area.	April–July	Absent; no suitable habitat onsite.
California black rail (*Laterallus jamaicensis coturniculus*)	--	CT	BCC, CFP	Salt marsh, shallow freshwater marsh, wet meadows, and flooded grassy vegetation. In California, primarily found in coastal and Bay-Delta communities, but also in Sierra Nevada foothills (Butte, Yuba, Nevada, Placer counties).	March–September (breeding)	Absent; no suitable habitat onsite.
Greater sandhill crane *(Antigone canadensis tabida)*	--	CT	CFP	Breeds in NE CA, NV, OR, WA, and BC, Canada; winters from CA to FL. In winter, they forage in burned grasslands, pastures, and feed on	March–August (breeding); September–March (wintering)	Absent; no suitable habitat onsite.

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	FESA	CESA/ NPPA	Other			
				waste grain in a variety of agricultural settings (corn, wheat, milo, rice, oats, and barley), tilled fields, recently planted fields, alfalfa fields, row crops and burned rice fields.		
White-tailed kite (*Elanus leucurus*)	--	--	CFP	Nesting occurs within trees in low elevation grassland, agricultural, wetland, oak woodland, riparian, savannah, and urban habitats.	March–August	Potential
Bald eagle (*Haliaeetus leucocephalus)*	Delisted	CE	CFP, BCC	Typically nests in forested areas near large bodies of water in the northern half of California; nest in trees and rarely on cliffs; wintering habitat includes forest and woodland communities near water bodies (e.g. rivers, lakes), wetlands, flooded agricultural fields, open grasslands.	February–September (nesting); October–March (wintering)	Absent; no suitable habitat onsite.
Northern harrier (*Circus hudsonius*)	--	--	SCC	Nests on the ground in open wetlands, marshy meadows, wet/lightly grazed pastures, (rarely) freshwater/brackish marshes, tundra, grasslands, prairies, croplands, desert, shrub-steppe, and (rarely) riparian woodland communities.	April–September	Absent; no suitable habitat onsite.
Swainson's hawk (*Buteo swainsoni*)	--	CT	BCC	Nesting occurs in trees in agricultural, riparian, oak woodland, scrub, and urban landscapes. Forages over grassland, agricultural lands, particularly during disking/harvesting, irrigated pastures.	March–August	Low potential.
Burrowing owl *(Athene cunicularia)*	--	--	BCC, SSC	Nests in burrows or burrow surrogates in open, treeless, areas within grassland, steppe, and desert biomes. Often with other burrowing mammals (e.g. prairie dogs, California ground squirrels). May also use human-made habitat such as agricultural fields, golf courses, cemeteries, roadside, airports, vacant urban lots, and fairgrounds.	February–August	Potential

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	FESA	CESA/ NPPA	Other			
Nuttall's woodpecker *(Dryobates nuttallii)*	--	--	BCC	Resident from northern California south to Baja California. Nests in tree cavities in oak woodlands and riparian woodlands.	April–July	Absent; no suitable habitat onsite.
Least Bell's vireo (*Vireo bellii pusillus*)	FE	CE	BCC	In California, breeding range includes Ventura, Los Angeles, Riverside, Orange, San Diego, and San Bernardino counties, and rarely Stanislaus and Santa Clara counties. Nesting habitat includes dense, low shrubby vegetation in riparian areas, brushy fields, young second-growth woodland, scrub oak, coastal chaparral and mesquite brushland. Winters in southern Baja California Sur.	April 1–July 31	Absent; no suitable habitat onsite.
Yellow-billed magpie (*Pica nuttallii*)	--	--	BCC	Endemic to California; found in the Central Valley and coast range south of San Francisco Bay and north of Los Angeles County; nesting habitat includes oak savannah in large expanses of open ground; also found in urban parklike settings.	April–June	Potential
Bank swallow (*Riparia riparia*)	--	CT	--	Nests colonially along coasts, rivers, streams, lakes, reservoirs, and wetlands in vertical banks, cliffs, and bluffs in alluvial, friable soils. May also nest in sand, gravel quarries and road cuts. In California, breeding range includes northern and central California.	May–July	Absent; no suitable habitat onsite.
Wrentit (*Chamaea fasciata*)	--	--	BCC	Coastal sage scrub, northern coastal scrub, chaparral, dense understory of riparian woodlands, riparian scrub, coyote brush and blackberry thickets, and dense thickets in suburban parks and gardens.	March–August	Absent; no suitable habitat onsite.
San Clemente spotted towhee (*Pipilo maculatus clementae*)	--	--	BCC, SSC	Resident on Santa Catalina and Santa Rosa Islands; extirpated on San Clemente Island, California. Breeds in dense, broadleaf shrubby	Year round resident; breeding season is April–July	Absent; no suitable habitat onsite.

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	FESA	CESA/ NPPA	Other			
				brush, thickets, and tangles in chaparral, oak woodland, island woodland, and Bishop pine forest.		
Song sparrow "Modesto" (*Melospiza melodia heermanni*)	--	--	BCC, SSC	Resident in central and southwest California, including Central Valley; nests in marsh, scrub habitat.	April–June	Absent; no suitable habitat onsite.
Tricolored blackbird (*Agelaius tricolor*)	--	CT	BCC, SSC	Breeds locally west of Cascade-Sierra Nevada and southeastern deserts from Humboldt and Shasta counties south to San Bernardino, Riverside and San Diego counties. Central California, Sierra Nevada foothills and Central Valley, Siskiyou, Modoc and Lassen counties. Nests colonially in freshwater marsh, blackberry bramble, milk thistle, triticale fields, weedy (mustard, mallow) fields, giant cane, safflower, stinging nettles, tamarisk, riparian scrublands and forests, fiddleneck and fava bean fields.	March–August	Absent; no suitable habitat onsite.
Saltmarsh common yellowthroat (*Geothlypis trichas sinuosa*)	--	--	BCC, SSC	Breeds in salt marshes of San Francisco Bay; winters San Francisco south along coast to San Diego Co.	March–July	Absent; no suitable habitat onsite.

Status Codes:

FESA	Federal Endangered Species Act.
CESA	California Endangered Species Act.
FE	FESA listed, Endangered.
FT	FESA listed, Endangered.
BCC	USFWS Bird of Conservation Concern (USFWS 2002).
CE	CESA or NPPA listed, Endangered.
CT	CESA- or NPPA-listed, Threatened.
CFP	California Fish and Game Code Fully Protected Species (§ 3511-birds, § 4700-mammals, §5 050-reptiles/amphibians).
CNDDB	Species that is tracked by CDFW's CNDDB but does not have any of the above special-status designations otherwise.
SSC	CDFW Species of Special Concern.
1B	CRPRs/Rare or Endangered in California and elsewhere.
2B	CRPR /Rare or Endangered in California, more common elsewhere.
4	CRPR plants of limited distribution.
0.1	Threat Rank/Seriously threatened in California (over 80 percent of occurrences threatened / high degree and immediacy of threat).
0.2	Threat Rank/Moderately threatened in California (20–80 percent of occurrences threatened / moderate degree and immediacy of threat).
0.3	Threat Rank/ Not very threatened in California (<20 percent of occurrences threatened / low degree and immediacy of threat or no current threats known).

3.4.5 Impact Assessment

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 U.S. Fish and Wildlife Service?

a) Less Than Significant Impact with Mitigation Incorporated.

White-tailed kite, Swainson's hawk, burrowing owl, yellow-billed magpie, and birds protected by the Migratory Bird Treaty Act have the potential to be impacted by the proposed Project. Project construction could result in direct permanent impacts to developed habitat that could provide suitable nesting habitat for birds protected under the MBTA. All non-game native birds (resident and migratory) and the nests and eggs of all birds are protected under the California Fish and Game Code (§§ 3800, 3813, and 3503) and all migratory birds are protected under the federal MBTA. As such, to ensure that there are no impacts to protected birds, the following measures are recommended:

Mitigation Measure BIO-1a (Avoidance of Nesting Bird Season)

The Project's construction activities shall occur, if feasible, between September 16 and January 31 (outside of nesting bird season) in an effort to avoid impacts to nesting birds.

Mitigation Measure BIO-1b (Pre-Construction Nesting Bird Survey)

During the nesting season (approximately February 1 to August 31) a qualified biologist shall conduct pre-construction nesting bird surveys of suitable habitats in the Project area within 14 days prior to the commencement of Project construction. The survey area shall include the Project footprint and 300-foot radius for raptors and a 100-foot radius for other birds protected under the MBTA.

Mitigation Measure BIO-1c (Establish Nest Buffers)

On discovery of any active nests near work areas, the biologist shall determine appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines and/or the biology of the species in question. Construction buffers shall be identified with flagging, fencing, or other easily visible means, and shall be maintained until the biologist has determined that the nestlings have fledged.

Mitigation Measure BIO-2a (Pre-Construction Burrowing Owl Habitat Assessment)

Prior to Project construction, a qualified biologist shall conduct a burrowing owl habitat assessment according to the Staff Report on Burrowing Owl Mitigation (Staff Report) (CDFG 2012).

Mitigation Measure BIO-2b (Pre-Construction Burrowing Owl Survey)

If potential burrowing owl nesting habitat is present within 656 feet (200 meters) of the Project footprint, nesting or wintering season surveys for burrowing owl shall be conducted according to the Staff Report (CDFG 2012).

Mitigation Measure BIO-2c (Establish Avoidance Radius)

If an active, occupied burrow is discovered within 656 feet of the Project footprint, the City and CDFW shall be notified. An avoidance radius shall be established and fenced around the occupied burrow, in consultation with the City and CDFW.

Mitigation Measure BIO-2d (Prepare Relocation Plan)

If avoidance of the occupied burrow is not feasible, a passive relocation plan shall be prepared in consultation with the City and CDFW. The passive relocation plan will be implemented only upon City and CDFW approval.

Mitigation Measure BIO-3a (Pre-Construction Swainson's Hawk Survey)
If Project construction is anticipated to commence during the Swainson's hawk nesting season, approximately March 1 through September 15, a qualified biologist shall conduct a preconstruction survey within 0.25 miles of the Project footprint in accordance with the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000). If no active Swainson's hawk nests are found within 0.25 miles of the Project, no avoidance or other mitigation measures are recommended.

Mitigation Measure BIO-3b (Prepare Avoidance and Minimization Plan)
If an active Swainson's Hawk nest is found within 0.25 miles of the Project footprint, an avoidance and minimization plan shall be prepared in consultation with the City and CDFW. The avoidance and minimization plan will be implemented only upon City and CDFW approval. The plan shall include, but is not limited to, worker awareness training, avoidance radius around the active nest, and nest monitoring during construction.

Implementation of Mitigation Measures **BIO-1a–c, BIO-2a–d,** and **BIO-3a–b** will reduce potential impacts to nesting birds and any other special status or protected species to a less than significant level and will ensure compliance with State and federal laws protecting these resources.

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

b) No Impact. Water features, hydric soils, riparian vegetation, and riparian habitat is absent from the Project area and adjacent lands. According to CNDDB, there are no recorded observations of natural communities of special concern with potential to occur within the Project area or vicinity. Additionally, no natural communities of special concern were observed during the biological survey. Therefore, implementation of the Project will have no impact on riparian habitat or any other sensitive natural communities. Mitigation measures are not warranted.

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?

c) No Impact. Wetlands are absent from the Project area and adjacent lands. Furthermore, there is no potential for indirect downstream effects because the Project does not involve lake or streambed altering activities. Therefore, implementation of the Project will have no impact on wetlands and mitigation measures are not warranted.

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?

d) No Impact. The Project area does not contain features that would be likely to function as wildlife movement corridors. Furthermore, the Project is in a developed portion of the city of Yuba City which would discourage dispersal and migration. Therefore, implementation of the Project will have no impact on wildlife movement corridors, and mitigation is not warranted.

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

e) No Impact. The Project description is in compliance with the goals and policies set forth in the Yuba City General Plan. Project activities do not involve the removal of trees. There will be no impact.

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?

f) No Impact. The Project site is not within a designated Habitat Conservation Plan, Natural Conservation Plan, or any other State or local habitat conservation plan. There would be no impact.

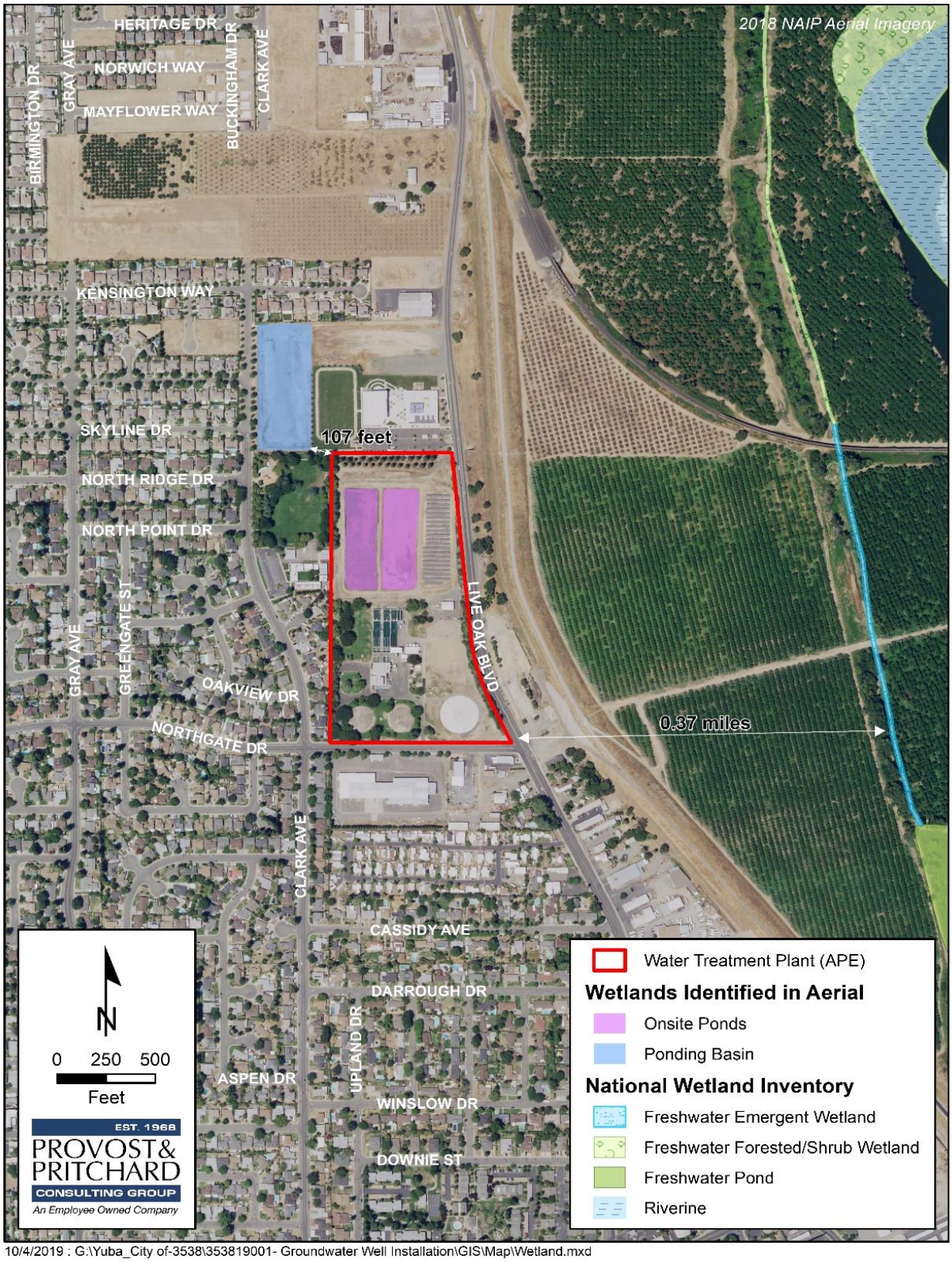

Figure 3-2. Wetlands Map

3.5 Cultural Resources

Table 3-10. Cultural Resources Impacts

Cultural Resources					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

3.5.1 Environmental Setting

The Project area is located in a commercial and industrial urban developed area within Yuba City. It is fully exposed with an open aspect, and elevations range from 55 to 57 feet above mean sea level. The Feather River is located approximately 0.4-mile to the east. Given the likelihood of pre-contact archaeological sites located along perennial waterways, there exists the potential for buried pre-contact archaeological sites in the Project area. The APE is located within an existing Water Treatment Plant and has been partially developed.

3.5.2 Methodology

ECORP Consulting, Inc. (ECORP) was contracted to conduct a cultural resources inventory of the proposed Project area. A records search for the property was completed at the Northeastern Information Center (NEIC) of the California Historical Resources Information System (CHRIS) at California State University-Chico on September 19, 2019 (NEIC search #SAC-W19-156; provided as Attachment A in **Appendix C**). The purpose of the records search was to determine the extent of previous surveys within a 0.5-mile (800-meter) radius of the proposed Project location, and whether previously documented pre-contact or historic archaeological sites, architectural resources, or traditional cultural properties exist within this area.

In addition to the official records and maps for archaeological sites and surveys in Sutter County, the following historic references were also reviewed: Historic Property Data File for Sutter County (OHP 2012); The National Register Information System website (National Park Service [NPS] 2019); Office of Historic Preservation, California Historical Landmarks website (OHP 2019); California Historical Landmarks (OHP 1996 and updates); California Points of Historical Interest (OHP 1992 and updates); Directory of Properties in the Historical Resources Inventory (1999); Caltrans Local Bridge Survey (Caltrans 2019); Caltrans State Bridge Survey (Caltrans 2018); and Historic Spots in California (Kyle 2002).

Other references examined include a RealQuest Property Search and historic General Land Office (GLO) land patent records (Bureau of Land Management [BLM] 2019). Historic maps reviewed include:

- 1867 BLM GLO Plat map for Township 15 North and Range 3 East.
- 1886 USGS California, Marysville topographic quadrangle (1:125,000 scale).
- 1911 USGS Yuba City, California topographic quadrangle (1:31,680 scale).
- 1952 USGS Yuba City, California topographic quadrangle (7.5-minute scale).
- 1952 photo revised 1975 USGS Yuba City, California topographic quadrangle (7.5-minute scale).

Aerial photos taken from 1998 to present were also reviewed by ECORP for any indications of property usage and built environment.

In addition to the record search, ECORP contacted the California Native American Heritage Commission (NAHC) on September 11, 2019 to request a search of the Sacred Lands File for the APE (Attachment B in **Appendix C**). This search will determine whether or not Sacred Lands have been recorded by California Native American tribes within the APE, because the Sacred Lands File is populated by members of the Native American community who have knowledge about the locations of tribal resources. In requesting a search of the Sacred Lands File, ECORP solicited information from the Native American community regarding tribal cultural resources, but the responsibility to formally consult with the Native American community lies exclusively with the federal and local agencies under applicable state and federal law. ECORP was not delegated authority by the lead agencies to conduct tribal consultation.

On September 18, 2019, ECORP subjected the APE to an intensive pedestrian survey under the guidance of the Secretary of the Interior's Standards for the Identification of Historic Properties (NPS 1983) using transects spaced 15 meters apart (Figure 3). ECORP spent 0.5 person-day in the field. At that time, the ground surface was examined for indications of surface or subsurface cultural resources. The general morphological characteristics of the ground surface were inspected for indications of subsurface deposits that may be manifested on the surface, such as circular depressions or ditches. Whenever possible, the locations of subsurface exposures caused by such factors as rodent activity, water or soil erosion, or vegetation disturbances were examined for artifacts or for indications of buried deposits. No subsurface investigations or artifact collections were undertaken during the pedestrian survey.

3.5.3 Regulatory Setting

3.5.3.1 Federal

National Historic Preservation Act of 1966 (as amended), Section 106: The significance of cultural resources is evaluated under the criteria for inclusion in the National Register of Historic Places (NRHP), authorized under the National Historic Preservation Act of 1966, as amended.

Significant impacts under CEQA occur when "historically significant" or "unique" cultural resources are adversely affected, which occurs when such resources could be altered or destroyed through project implementation. Historically significant cultural resources are defined by eligibility for or by listing in the California Register of Historical Resources (CRHR). In practice, the federal NRHP criteria (see below) for significance applied under Section 106 are generally (although not entirely) consistent with CRHR criteria (see PRC Section 5024.1; Title 14 CCR, Sections 4852 and 15064.5(a)(3)).

Significant cultural resources are those archaeological resources and historical properties that:

(A) Are associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

(B) Are associated with the lives of persons important in our past;

(C) Embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values; or

(D) Have yielded, or may be likely to yield, information important in prehistory or history.

Unique resources under CEQA, in slight contrast, are those that represent:

> An archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

(1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.

(2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.

(3) Is directly associated with a scientifically recognized important prehistoric or historic event or person (PRC Section 21083.2(g)).

Preservation in place is the preferred approach under CEQA to mitigating adverse impacts to significant or unique cultural resources. Sites listed or eligible for listing on the NRHP are considered to be historic properties. Sites younger than 50 years, unless of exceptional importance, are not eligible for listing in the NRHP.

American Indian Religious Freedom Act

The American Indian Religious Freedom Act, a federal law and joint resolution of Congress was created to protect and preserve the traditional religious rights and cultural practices of American Indians, Eskimos, Aleuts, and Native Hawaiians. These rights include, but are not limited to, access of sacred sites, repatriation of sacred objects held in museums, freedom to worship through ceremonial and traditional rites, including within prisons, and use and possession of objects considered sacred.

Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act requires federal agencies and institutions that receive federal funding to return Native American cultural items to lineal descendants and culturally affiliated Indian tribes and Native Hawaiian organizations. Cultural items include human remains, funerary objects, sacred objects, and objects of cultural patrimony.

3.5.3.2 State

CEQA requires consideration of project impacts on archaeological or historical sites deemed to be "historical resources." Under CEQA, a substantial adverse change in the significant qualities of a historical resource is considered a significant effect on the environment. For the purposes of CEQA, a "historical resource" is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (Title 14 CCR Section15064.5[a][1]-[3]). Historical resources may include, but are not limited to, "any object, building, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (PRC Section 5020.1[j]).

The eligibility criteria for the California Register are the definitive criteria for assessing the significance of historical resources for the purposes of CEQA (Office of Historic Preservation). The criteria for a resource to be considered "historically significant" for listing on the California Register is demonstrated below.

A resource is considered "historically significant" if it meets one or more of the following criteria for listing on the California Register:

- *Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.*
- *Is associated with the lives of persons important in our past.*
- *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.*
- *Has yielded, or may be likely to yield, information important in prehistory or history. (PRC Section5024.1[c])*

California Health and Safety Code: Health and Safety Code Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the County coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the

coroner must contact the California Native American Heritage Commission. PRC Section 5097.98 specifies the procedures to be followed in case of the discovery of human remains on non-federal land. The disposition of Native American burials is within the jurisdiction of the Native American Heritage Commission.

3.5.3.3 Local

Yuba City General Plan. The Yuba City General Plan contains policies aimed at identifying and preserving cultural resources. The following policies are relevant to the protection of cultural resources within the Project site and surrounding area:

8.3-G-1 Identify and preserve the archaeological, paleontological, and historic resources that are found within the Yuba City Planning Area.

8.3-I-5 Require that new development analyze and avoid any potential impacts to archaeological, paleontological, and historic resources by:

- Requiring a records review for development proposed in areas that are considered archaeologically sensitive;
- Studying the potential effects of development and construction (as required by CEQA);
- Requiring pre-construction surveys and monitoring during any ground disturbance for all development in areas of historical and archaeological sensitivity; and
- Implementing appropriate measures to avoid the identified impacts.

8.3-I-6 In accordance with CEQA and the State Public Resources Code, require the preparation of a resource mitigation plan and monitoring program by a qualified archaeologist in the event that archaeological resources are discovered.

3.5.4 Impact Assessment

Would the project:

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

a) Less than Significant Impact.

ECORP surveyed the Project area for cultural resources on September 19, 2019. The APE was subjected to an intensive pedestrian survey under the guidance of the Secretary of the Interior's Standards for the Identification of Historic Properties (NPS 1983) using 15-meter transects. The southern portion of the area of direct impact consisted of manicured lawn, two landscaped trees, and a flagpole (Figure 4 in **Appendix C**). The ground visibility of this area was moderate as soils were obscured by a manicured lawn and the surrounding paved parking lot. The northern portion of the APE was located in a plowed field that served as a Backwater Basin (Figure 5 in **Appendix C**). Though currently dry, it appeared as though this Backwater Basin had been used to store water due to heavier vegetation. Ground visibility within the basin was good, at approximately eighty percent of the ground had visible soils. Soils consisted of dry, light brown sandy loam. The soils were very compacted surrounding the basins and less compacted within the basin. No cultural resources were observed within the Project area as a result of the field survey.

The APE contains the existing WTP facility, which was constructed in 1969; however, the facility components (buildings and structures) are not within the Project area. If the WTP were found to be eligible for the CRHR and NRHP through formal evaluations, the integrity of location, materials, design, and workmanship would not be impacted by the proposed wells because all buildings, structures, and features of the WTP will remain. The integrity of setting and feeling will not be impacted because the proposed wells are consistent with the current use of the property, will not introduce new and different aesthetics, and will not change the footprint of the WTP. The integrity of association would not change because none of the existing buildings and structures

elsewhere in the APE would be removed or disassociated from any historical association that they might have. Therefore, the City has chosen to treat the WTP as eligible for the CRHR and NRHP for the purposes of this project alone and conclude that there will be no effect to the WTP.

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

b) Less than Significant Impact with Mitigation Incorporated.
As ECORP determined in its records search and field survey, no cultural or historical resources will be impacted. However, given the likelihood of pre-contact archaeological sites located along perennial waterways, there always exists the potential for buried pre-contact archaeological sites in the Project area. With the implementation of Mitigation Measure **CUL-1**, the impact will be less than significant.

Mitigation Measure CUL-1 (Cultural Remains)
If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for pre-contact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.

If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the Bureau of Reclamation, the City of Yuba City, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to their satisfaction.

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

c) Less than Significant Impact with Mitigation Incorporated. No formal cemeteries or other places of human internment are known to exist on the Project site; however, in accordance with Health and Safety Code Section 7050.5 and Public Resource Code Section 5097.98, if human remains are uncovered the following mitigation measures shall apply:

Mitigation Measure CUL-2 (Human Remains)
If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Sutter County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center, using an open space or conservation zoning designation or easement, or recording a reinternment document with the county

in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

3.6 Energy

Table 3-11. Energy Impacts

Energy					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

3.6.1 Environmental Setting

PG&E is the primary energy utility purveyor within Sutter County. PG&E has sufficient energy supplies to serve the growth that has occurred in Sutter County. Much of the energy consumed in the region is for residential and commercial purposes.

Construction equipment and construction worker vehicles operated during Project construction would use fossil fuels. This increased fuel consumption would be temporary and would cease at the end of the construction activity, and it would not have a residual requirement for additional energy input. The marginal increases in fossil fuel use resulting from Project construction are not expected to have appreciable impacts on energy resources.

3.6.2 Impact Assessment

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?

a) No Impact. As discussed in **Section 3.3**, the Project will not exceed any air emission thresholds during construction or operation. The Project will comply with construction best management practices and is required to complete a SWPPP as part of construction and operational permits. Once completed, the Project will be mostly passive in nature and will not use an excessive amount of energy. Therefore, the Project will not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation.

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

b) No Impact. The proposed Project will be passive in nature once it is completed, and the construction phase will be temporary in nature and will not exceed any thresholds set by the FRAQMD.

3.7 Geology and Soils

Table 3-12. Geology and Soils Impacts

Geology and Soils					
	Would the project:	**Potentially Significant Impact**	**Less than Significant with Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
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 Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
	ii) Strong seismic ground shaking?	☐	☐	☒	☐
	iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	iv) Landslides?	☐	☐	☐	☒
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d)	Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
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?	☐	☐	☐	☒
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

3.7.1 Environmental Setting

3.7.1.1 Geology and Soils

The Project is located in northern Sutter County, in the northern section of California's Great Valley Geomorphic Province, or Central Valley. The Sacramento Valley makes up the northern third and the San Joaquin Valley makes up the southern two-thirds of the geomorphic province. Both valleys are watered by large rivers flowing west from the Sierra Nevada Range, with smaller tributaries flowing east from the Coast Ranges. Most of the surface of the Great Valley is covered by Quaternary (present day to 1.6 million years ago) alluvium. The sedimentary formations are steeply upturned along the western margin due to the uplifted Sierra Nevada

Range.[5] From the time the Valley first began to form, sediments derived from erosion of igneous and metamorphic rocks and consolidated marine sediments in the surrounding mountains have been transported into the Valley by streams.

3.7.1.2 Faults and Seismicity

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone and no known active faults cut through the local soil at the site. The nearest major fault is the Hayward Fault, located approximately 90 miles southwest of the Project site. The Hayward Fault runs along the East Bay Hills and it is expected that the fault will produce a significant earthquake within the next 30 years.[6] A smaller fault zone, the Cleveland Hill Fault, is approximately 21 miles northeast of the site.

3.7.1.3 Liquefaction

The potential for liquefaction, which is the loss of soil strength due to seismic forces, is dependent on soil types and density, depth to groundwater, and the duration and intensity of ground shaking. Although no specific liquefaction hazard areas have been identified in the county, liquefaction is possible where unconsolidated sediments and a high-water table coincide. It is reasonable to assume that due to the depth to groundwater within the northern portion of Sutter County, liquefaction hazards would be negligible. Using the USDA NRCS soil survey of Sutter County, an analysis of the soils onsite was performed (**Appendix D**). The predominant soil types in Sutter County are Capay, Clear Lake, Conejo, Oswald, and Olashes.

3.7.1.4 Soil Subsidence

Subsidence occurs when a large land area settles due to over-saturation or extensive withdrawal of ground water, oil, or natural gas. These areas are typically composed of open-textured soils, high in silt or clay content, that become saturated. 99.5 percent of the Project site consists of Conejo-Urban land complex soil with 0 percent slope and a low to moderate risk of subsidence.

3.7.1.5 Dam and Levee Failure

Oroville Dam is located approximately 27 miles northeast, and the Project site lies within its inundation zone. The breach hazard for Oroville Dam is extremely high, according to DWR's Division of Safety of Dams.

3.7.2 Impact Assessment

Would the project:

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

a-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 Division of Mines and Geology Special Publication 42.

a-ii) Strong seismic ground shaking?

a-i and a-ii) Less Than Significant Impact. The Project site and its vicinity are located in an area traditionally characterized by relatively low seismic activity. The site is not located in an Alquist-Priolo Earthquake Fault Zone as established by the Alquist-Priolo Fault Zoning Act (Section 2622 of Chapter 7.5, Division 2 of the California Public Resources Code). The nearest major fault is the Hayward Fault, located approximately 90

[5] Harden, D.R. 1998, California Geology, Prentice Hall, 479 pages
[6] UC Berkeley Seismology Lab http://earthquakes.berkeley.edu/hayward/index.html Accessed 19 September 2019.

miles southwest of the Project site. A smaller fault zone, the Cleveland Hill Fault is approximately 21 miles northeast of the site.

The Project involves construction of a water well and associated infrastructure, which does not include development of habitable residential, agricultural, commercial or industrial structures. The WTP currently operates 24 hours a day, 365 days a year but drilling the new well would not require an increase in the number of employees. Therefore, implementation of the Project would not result in an increase of people or habitable structures onsite. Any impact would be less than significant.

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

a-iii) Less Than Significant Impact. Liquefaction is a process which involves the temporary transformation of soil from a solid state to a fluid form during intense and prolonged ground shaking. Water-saturated areas with shallow depth to groundwater and uniform sands, loose-to-medium in density, are prone to liquefaction. No subsidence-prone soils, oil, or gas production or overdraft exists at the Project site. Furthermore, soil conditions on the site are prone to soil instability due to its low shrink-swell behavior.

a-iv) Landslides?

a-iv) No Impact. As the Proposed Project is located on the Valley floor, no major geologic landforms exist on or near the site that could result in a landslide event. The potential landslide impact at this location is minimal as the site is approximately 11 miles from the Sutter Buttes, which are considered to be in a low landslide hazard zone,[7] and the local topography is essentially flat and level. There will be no impact.

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

b) Less Than Significant Impact. Earthmoving activities associated with the Project would include excavation, drilling, trenching, grading, and infrastructure construction over an area of approximately 1.2 acres. These activities could expose soils to erosion processes and the extent of erosion would vary depending on slope steepness/stability, vegetation/cover, concentration of runoff, and weather conditions. Dischargers whose projects disturb one (1) or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). Since the Project site has relatively flat terrain with a low potential for soil erosion and would comply with the SWRCB requirements, the impact would be 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?

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

c and d) Less Than Significant Impact. 99.5 percent of the Project site consists of Conejo-Urban land complex soil with 0 percent slope and a low to moderate risk of subsidence (See NRCS Soil Resource Report in **Appendix D**). The Project site and surrounding areas do not contain substantial grade changes. Risk of landslides, lateral spreading, subsidence, liquefaction, and collapse are minimal. The Project does not propose significant alteration of the topography of the site and it does not involve development of structures or facilities that could be affected by expansive soils or expose people to substantial risks to life or property. Furthermore, the Project will be consistent with the California Building Standards Code. Any impacts would be less than significant.

[7] Urban Geology Master Plan for California, 1973, 112 p.

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?

e) No Impact. Septic installation or alternative wastewater disposal systems are not necessary for the project. There will be no impact.

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

f) No Impact. The Project site is an existing WTP, which is highly disturbed land. There are no unique paleontological resources or sites or unique geologic features present on the site. Therefore, the Project would not directly or indirectly destroy any unique paleontological resources or sites or any unique geologic feature. There would be no impact.

3.8 Greenhouse Gas Emissions

Table 3-13. Greenhouse Gas Emissions Impacts

Greenhouse Gas Emissions					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

3.8.1 Environmental Setting

The Earth's climate has been warming for the past century. Experts believe this warming trend is related to the release of certain gases into the atmosphere. Greenhouse gases (GHG) absorb infrared energy that would otherwise escape from the Earth. As the infrared energy is absorbed, the air surrounding the Earth is heated. An overall warming trend has been recorded since the late 19th century, with the most rapid warming occurring over the past 35 years, with 16 of the 17 warmest years on record occurring since 2001. Not only was 2016 the warmest year on record, but eight of the 12 months that make up the year — from January through September, with the exception of June — were the warmest on record for those respective months. October, November, and December of 2016 were the second warmest of those months on record — in all three cases, behind records set in 2015.[8] Human activities have been attributed to an increase in the atmospheric abundance of greenhouse gases. The following is a brief description of the most commonly recognized GHGs.

3.8.1.1 Greenhouse Gases

Commonly identified GHG emissions and sources include the following:

Carbon dioxide (CO_2) is an odorless, colorless natural greenhouse gas. CO_2 is emitted from natural and anthropogenic sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic out gassing. Anthropogenic sources include the burning of coal, oil, natural gas, and wood.

Methane (CH_4) is a flammable greenhouse gas. A natural source of methane is the anaerobic decay of organic matter. Geological deposits, known as natural gas fields, also contain methane, which is extracted for fuel. Other sources are from landfills, fermentation of manure, and ruminants such as cattle.

Nitrous oxide (N_2O), also known as laughing gas, is a colorless greenhouse gas. Nitrous oxide is produced by microbial processes in soil and water, including those reactions that occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load.

Water vapor is the most abundant, and variable greenhouse gas. It is not considered a pollutant; in the atmosphere, it maintains a climate necessary for life.

[8] NASA, NOAA Data Show 2016 Warmest Year on Record Globally. https://www.nasa.gov/press-release/nasa-noaa-data-show-2016-warmest-year-on-record-globally. January 18, 2017. Site Accessed September 2019.

Ozone (O_3) is known as a photochemical pollutant and is a greenhouse gas; however, unlike other greenhouse gases, ozone in the troposphere is relatively short-lived and, therefore, is not global in nature. Ozone is not emitted directly into the atmosphere but is formed by a complex series of chemical reactions between volatile organic compounds, nitrogen oxides, and sunlight.

Aerosols are suspensions of particulate matter in a gas emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light.

Chlorofluorocarbons (CFCs) are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were first synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. CFCs destroy stratospheric ozone; therefore, their production was stopped as required by the Montreal Protocol in 1987.

Hydrofluorocarbons (HFCs) are synthetic chemicals that are used as a substitute for CFCs. Of all the greenhouse gases, HFCs are one of three groups (the other two are perfluorocarbons and sulfur hexafluoride) with the highest global warming potential. HFCs are human made for applications such as air conditioners and refrigerants.

Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere; therefore, PFCs have long atmospheric lifetimes, between 10,000 and 50,000 years. The two main sources of PFCs are primary aluminum production and semiconductor manufacture.

Sulfur hexafluoride (SF_6) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It has the highest global warming potential of any gas evaluated. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

3.8.1.2 Effects of Climate Change

The impacts of climate change have yet to fully manifest. A hotter planet is causing the sea level to rise, disease to spread to non-endemic areas, as well as more frequent and severe storms, heat events, and air pollution episodes. Also affected are agricultural production, the water supply, the sustainability of ecosystems, and therefore the economy. The magnitude of these impacts is unknown.

Emissions of GHGs contributing to global climate change are largely attributable to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. GHG emissions are typically expressed in carbon dioxide-equivalents (CO_2e), based on the GHG's Global Warming Potential (GWP). The GWP is dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. For example, one ton of CH_4 has the same contribution to the greenhouse effect as approximately 21 tons of CO_2. Therefore, CH_4 is a much more potent GHG than CO_2.

3.8.2 Methodology

An Air Quality and Greenhouse Gas Emissions Evaluation Report (**Appendix A**) was prepared in September 2019. The sections below detail the methodology of the report and its conclusions.

3.8.2.1 Short-Term Construction-Generated Emissions

Short-term construction emissions associated with the Project were calculated using CalEEmod, Version 2016.3.2. The emissions modeling includes emissions generated by off-road equipment, haul trucks, and worker commute trips. Emissions were quantified based on anticipated construction schedules and construction equipment requirements provided by the Project applicant. All remaining assumptions were based on the default parameters contained in the model. Localized air quality impacts associated with the Project would be minor and were qualitatively assessed. Modeling assumptions and output files are included in **Appendix A**.

3.8.2.2 Long-Term Operational Emissions

Long-term operational emissions associated with the Project are estimated to be minimal in nature. The completed well will be brought on-line as part of an existing WTP operating 24 hours per day, 365 days per week. It is not anticipated that new staff members will be employed as a result of the new well operation. Operational equipment, such as the use of a stationary electric pump, will be similar to the existing system which results in negligible emissions. Modeling assumptions and output files are included in **Appendix A**.

3.8.2.3 Thresholds of Significance

CEQA Guidelines Amendments became effective March 18, 2010. Included in the Amendments are revisions to the Appendix G Initial Study Checklist. In accordance with these Amendments, a project would be considered to have a significant impact to climate change if it would:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or,
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

3.8.2.4 Local

Feather River Air Quality Management District: Air districts have traditionally provided guidance to lead agencies on evaluating and addressing air pollution impacts from projects subject to CEQA. However, FRAQMD has not established thresholds of significance for GHG emissions, nor has it published any goals, implementation measures, or guidance regarding GHG. Instead, FRAQMD recommends local lead agencies refer to a paper entitled *CEQA and Climate Change* prepared by the California Air Pollution Control Officers Association available online at http://www.capcoa.org/. The aforementioned document states that "the absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA."[9] Furthermore, when there are no established thresholds of significance, each project is examined on a case-by-case basis.[10]

Sutter County Climate Action Plan: The Sutter County Climate Action Plan (CAP) was designed under the premise that the County and the community it represents are uniquely capable of addressing emissions associated with sources under the County's jurisdiction and that the County's emission reduction efforts should coordinate with the state strategies of reducing emissions in order to accomplish these reductions in an efficient and cost-effective manner. The County developed this document with the following purposes in mind:

- Create a GHG emissions baseline from which to benchmark GHG reductions;
- Provide a plan that is consistent with and complementary to: the GHG emissions reduction efforts being conducted by the State of California through the Global Warming Solutions Act (AB 32); the Federal Government through the actions of the Environmental Protection Agency; and the global community through the Kyoto Protocol;
- Guide the development, enhancement, and implementation of actions that aggressively reduce GHG emissions; and
- Provide a policy document with specific implementation measures meant to be considered as part of the planning process for future development projects.[11]

Bay Area Air Quality Management District's Thresholds for Significance[12]

Bay Area Air Quality Management District's approach to developing a threshold of significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict

[9] CAPCOA's CEQA and Climate Change. http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf Accessed 28 August 2019.
[10] Ibid.
[11] Sutter County Climate Action Plan. https://www.suttercounty.org/assets/pdf/cs/ps/Climate_Action_plan_.pdf Accessed 20 September 2019.
[12] BAAQMD CEQA Guidelines.http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en Accessed 20 September 2019.

with existing California legislation adopted to reduce Statewide GHG emissions. If a project would generate GHG emissions above the threshold level, it would be considered to contribute substantially to a cumulative impact and would be considered significant. If mitigation can be applied to lessen the emissions such that the project meets its share of emission reductions needed to address the cumulative impact, the project would normally be considered less than significant. Although the Proposed Project is not located in the Bay Area, the Bay Area Air Quality Management District's thresholds for significance are based on the Statewide AB 32 objectives.

Yuba City General Plan

The Yuba City General Plan sets forth the following goals and policies that address greenhouse gases and climate change and which have potential relevance to the project's CEQA review:

8.6-I-4 Provide information to encourage the use of transportation modes that minimize motor vehicle use and resulting contaminant emissions.

8.6-I-7 Require applicants whose development would result in construction-related exhaust emissions to minimize such emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for long periods.

8.6-I-8 Require applicants whose development would result in potential carbon monoxide (CO) "hot spot" impacts to consult with the City to ensure that schools, hospitals, or day care facilities are not located near such "hot spots."

3.8.3 Impact Assessment

Would the project:

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

a) Less Than Significant Impact.

Short-Term Construction-Generated Emissions

Estimated construction-generated emissions are summarized in **Table 3-14**. As indicated, construction of the Project would generate maximum annual emissions of approximately 89.1656 metric tons of carbon dioxide equivalent ($MTCO_{2}e$). Construction-related production of GHGs would be temporary and last approximately six months.

Table 3-14. Short-Term Construction-Generated GHG Emissions

Short-Term Construction-Generated GHG Emissions	
Year	**Emissions (MT CO_2e)[1]**
2021	89.1656
*AB 32 Consistency Threshold for Land-Use Development Projects**	*1,100*
*AB 32 Consistency Threshold for Stationary Source Projects**	*10,000*
Exceed Threshold?	*No*

1. *Emissions were quantified using the CalEEmod, Version 2016.3.2. Refer to Appendix A for modeling results and assumptions. Totals may not sum due to rounding.*

*As published in the Bay Area Air Quality Management District's CEQA Air Quality Guidelines. Available online at http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en Accessed 25 September 2019.

Long-Term Operational Emissions

Estimated long-term operational emissions are summarized in **Table 3-15**. As indicated, operation of the Project would generate maximum annual emissions of approximately 0.0003 metric tons of carbon dioxide equivalent ($MTCO_2e$).

Table 3-15. Long-Term Operational GHG Emissions

Long-Term Operational GHG Emissions	
	Emissions (MT CO_2e)[1]
Estimated Total Annual Operational CO_2e Emissions	0.0003
*AB 32 Consistency Threshold for Land-Use Development Projects**	*1,100*
*AB 32 Consistency Threshold for Stationary Source Projects**	*10,000*
Exceed Threshold?	*No*

1. *Emissions were quantified using the CalEEmod, Version 2016.3.2. Refer to Appendix A for modeling results and assumptions. Totals may not sum due to rounding.*

*As published in the Bay Area Air Quality Management District's CEQA Air Quality Guidelines. Available online at http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en Accessed 25 September 2019.

Long-term operational emissions associated with the proposed Project will include the use a stationary electric pump. The WTP will continue to operate 24 hours a day, 365 days a week as it does now. The additional well will not require more staff to be hired. There will not be an increase in vehicle trips or vehicle miles travelled because the additional well will be constructed at the existing WTP site. Furthermore, there is no population growth associated with the Project. Therefore, long-term Project-related emissions of GHGs would be less than significant.

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

b) Less Than Significant Impact. FRAQMD has not established thresholds of significance for GHG emissions, nor has it published any goals, implementation measures, or guidance regarding GHG. In the absence of pre-determined thresholds of significance in the applicable Air District, the Bay Area Air Quality Management District's GHG emissions thresholds were used. The Project complies with the Bay Area Air Quality Management District's GHG emissions thresholds for significance. Setting limits on idling time and requiring the use of clean-diesel technology will subsequently result in a reduction of GHG emissions. The

Project will not conflict with any applicable plan, policy, or regulation for reducing the emissions of GHGs, nor will the Project have a significant impact on the baseline conditions. The impact would be considered less than significant.

3.9 Hazards and Hazardous Materials

Table 3-16. Hazards and Hazardous Materials Impacts

Hazards and Hazardous Materials					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g)	Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

3.9.1 Environmental Setting

3.9.1.1 Hazardous Materials

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code (GC) Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop at least annually an updated Cortese List. The Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. DTSC's EnviroStor database provides DTSC's component of Cortese List data (DTSC, 2010). In addition to the EnviroStor database, the State Water Resources Control Board (SWRCB) Geotracker database provides information on regulated hazardous waste facilities in California, including underground storage tank (UST) cases and non-UST cleanup programs, including Spills-Leaks-Investigations-Cleanups (SLIC) sites, Department of Defense (DOD) sites, and Land Disposal program.

A search of the DTSC EnviroStor database and the SWRCB Geotracker performed on September 20, 2019 determined that there are no known active hazardous waste generators or hazardous material spill sites within the Project site or immediate surrounding vicinity. See **Figure 3-3** and **Figure 3-4**.

3.9.1.2 Airports

The Sutter County Airport is located approximately 2.8 miles southeast of the Project.

3.9.1.3 Emergency Response Plan

In September 2007, City Council of the City of Yuba City approved a Multi-Jurisdiction Multi-Hazard Mitigation Plan. The plan was developed in conjunction with the County of Sutter and in accordance with the California Disaster Mitigation Act of 2000.

3.9.1.4 Sensitive Receptors

Albert Powell High School abuts the Project site along its northwestern edge and Twin Rivers Charter School is situated across the street at the site's northern border.

3.9.2 Impact Assessment

Would the project:

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

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

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

a–c) Less Than Significant Impact. The Project area is adjacent to Albert Powell High School and Twin Rivers Charter School is across the street at the Project area's northern border. Implementation of the Project would alleviate the City's reliance on surface water and increase the City's drought resilience. Construction of the Project will involve the use of hazardous materials associated with construction equipment, such as diesel fuel, lubricants, and solvents. However, the contractor will implement a SWPPP and will comply with all Cal/OSHA regulations regarding regular maintenance and inspection of equipment, spill prevention, and spill remediation in order to reduce the potential for incidental release of pollutants or hazardous substances onsite. Furthermore, any potential accidental hazardous materials spills during construction are the responsibility of the contractor to remediate in accordance with industry best management practices and State and county regulations. The operational phase of the Project will involve the use of chlorine, which is required for sanitation of drinking water. Storage, handling, and distribution of chlorine will be monitored and comply with all regulations set forth by DDW and the City of Yuba City. Impacts will be less than significant.

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?

d) No Impact. The Project does not involve land that is listed as a hazardous materials site pursuant to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control. A search of the DTSC EnviroStor database and the SWRCB Geotracker performed on September 20, 2019 determined that there are no known active hazardous waste generators or hazardous material spill sites within the Project site or immediate surrounding vicinity. There will be no impact.

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?

e) No Impact. The Project is not located within an airport land use plan or within two miles of an airport. The Sutter County Airport is located approximately 2.8 miles southeast of the Project. Construction of a new well and implementation of associated water system improvements would not be a safety hazard for people working in the area. Operation of the well site would not generate excessive noise, and any construction noise would be temporary. There would be no impact.

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

f) Less Than Significant Impact. The Project includes drilling, constructing, and operating a new groundwater well. Construction traffic associated with the Project would be minimal and temporary, lasting approximately six months. The traffic to the WTP will be unchanged after Project implementation and it will have no effect on roadways or emergency access. Road closures and detours are not anticipated as part of the construction phase of the Project. Therefore, Project-related impacts to emergency evacuation routes or emergency response routes on local roadways would be considered less than significant.

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

g) No Impact. The nearest wildland, which has a moderate fire severity risk according to the California Department of Forestry and Fire Protection, is located approximately 10 miles to the east of the Project area. The Project does not include any residential components. There would be no impact.

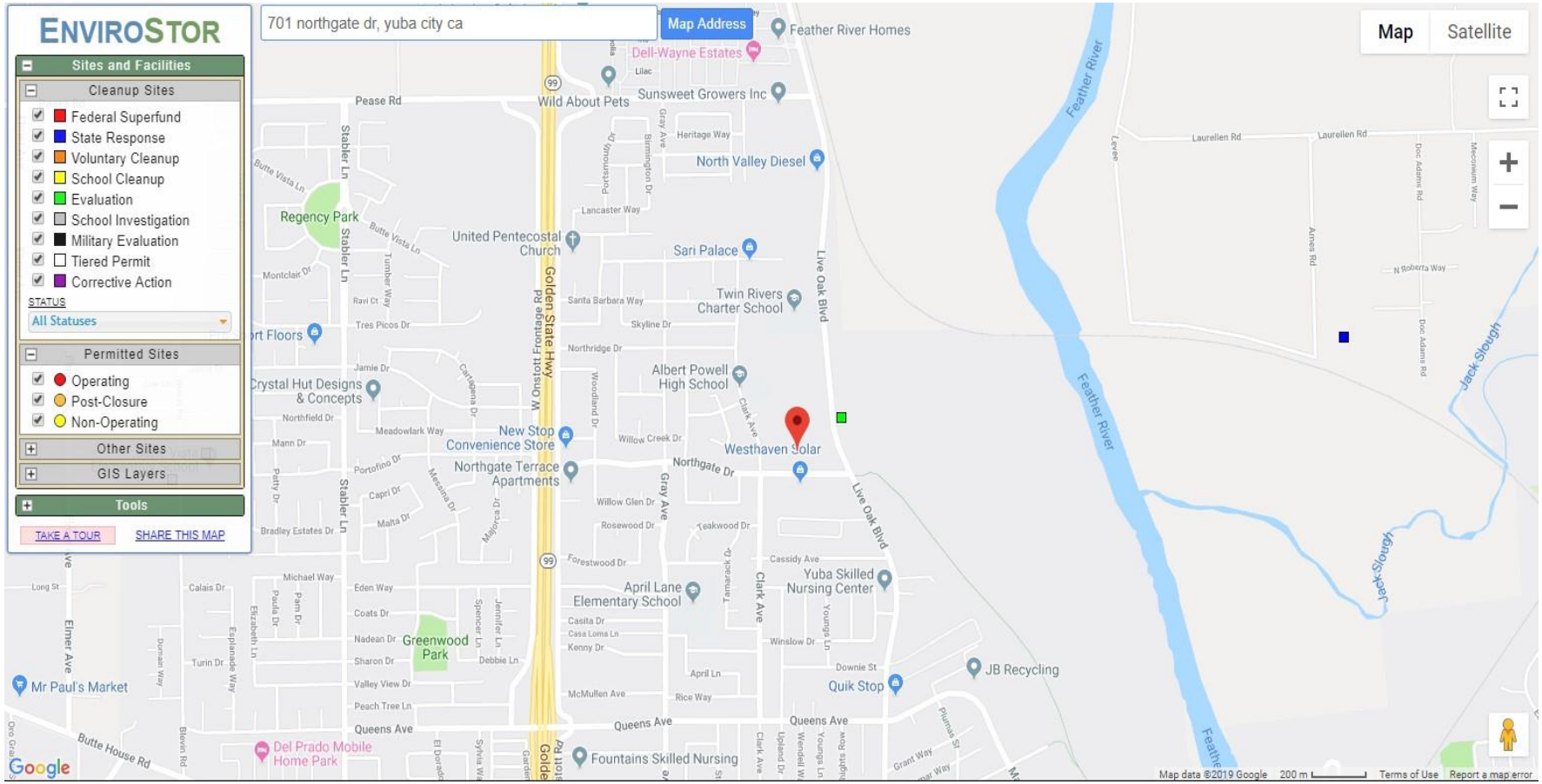

Figure 3-3. EnviroStor Map

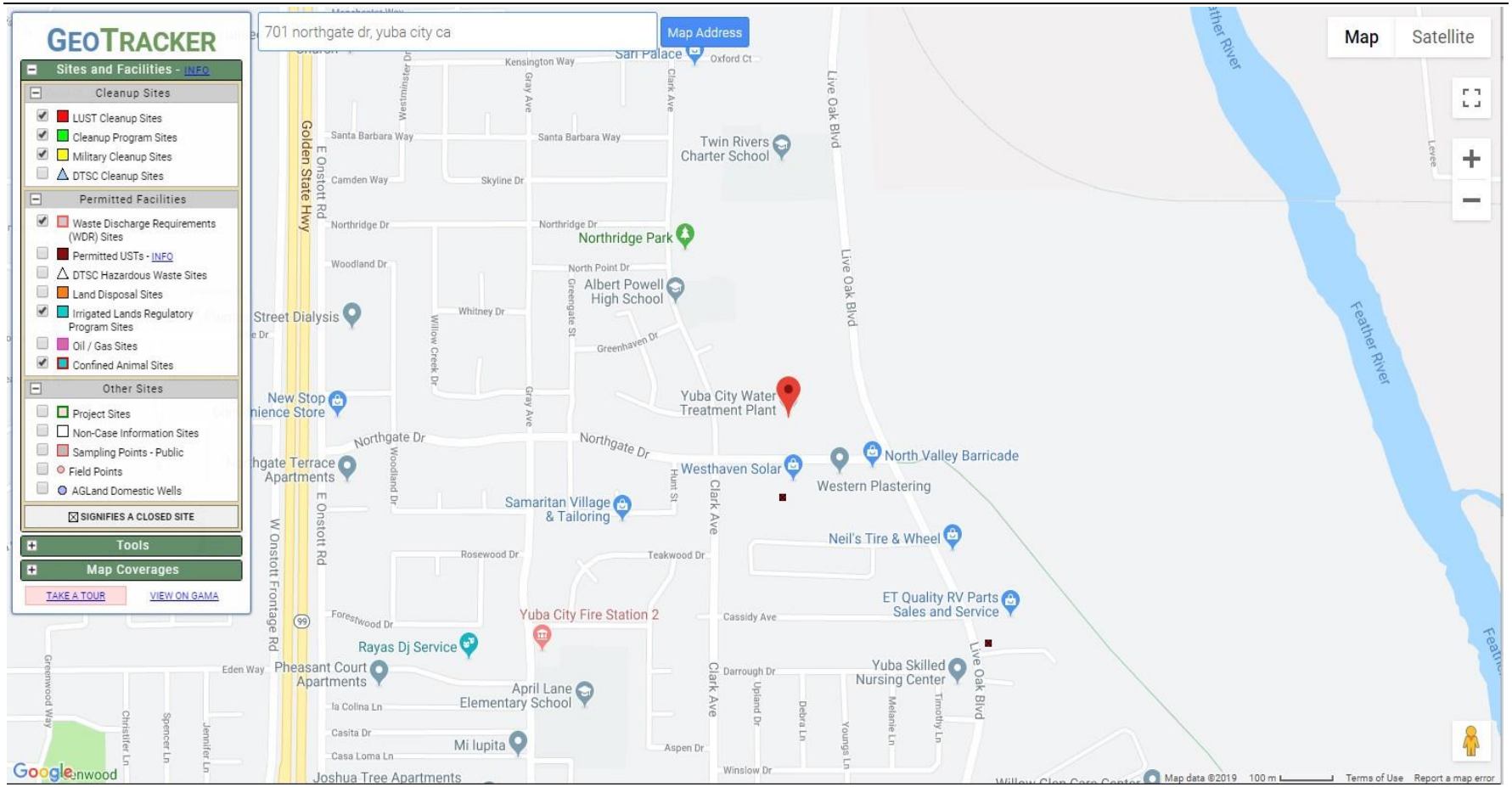

Figure 3-4. Geotracker Map

3.10 Hydrology and Water Quality

Table 3-17. Hydrology and Water Quality Impacts

Hydrology and Water Quality					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
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 erosion or siltation on- or off-site;	☐	☐	☒	☐
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	☐	☐	☒	☐
	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	☐	☐	☒	☐
	iv) impede or redirect flood flows?	☐	☐	☒	☐
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

3.10.1 Environmental Setting

Sutter County is generally located between the Sacramento River in the west and the Feather River in the east and lies entirely within the Sacramento River watershed. The Feather River is the primary hydrological feature in Yuba City and is approximately .75 miles east of the Project site. The river provides for recreational activities, agricultural irrigation, and wildlife habitat; it also provides a significant component of the Yuba City drinking water supply. The Gilsizer and Live Oak Sloughs, which were constructed for flood control purposes, are the only other hydrological features in the Planning Area (Sutter County. County of Sutter General Plan 2015: Background Report, November 1996. Pg. 9–31).

3.10.1.1 Water Resources

Surface Water: According to the General Plan TBR, Sutter County is located between the Sacramento River on the west and the Feather River on the east, in the northern portion of the relatively flat Sacramento Valley. Similar to Mediterranean climates, Sutter County's climate is generally characterized by hot, dry summers, with

relatively moderate, wet winters. Precipitation rates are greatest during late fall to early spring followed by the dry season from later spring to early fall. Because there are no significant water storage reservoirs in Sutter County, rainfall percolates into the soil, runs off into local streams and rivers, and evaporates. By late summer, most small creeks and streams are generally dry and the rivers are at their lowest levels. Some small creeks have water during the dry season due to agricultural irrigation and drainage and/or from drainage in upstream urban areas.

Sutter County lies entirely within the Sacramento River watershed, which includes the Feather and Bear Rivers. The Sutter Bypass is a major manmade flood control area that acts as an overflow collector of flood flows in the Sacramento River after passing through the Butte Slough and the Butte Sink. The Sutter Bypass starts north of Pass Road, westerly of the Sutter Buttes generally in a south-southeast orientation for about 27 miles until it intercepts the Feather River about three miles downriver from the rural community of Nicolaus.[13]

Groundwater: The Proposed Project is located within the greater Sacramento Valley Groundwater Basin in the Sutter Subbasin. Major surface water sources described above are major sources of groundwater recharge to the groundwater subbasins within Sutter County. Other sources of groundwater recharge in Sutter County are from percolation of rainfall, agricultural irrigation, and subsurface inflow from adjacent groundwater basins. Pumping of groundwater and subsurface outflow to rivers and adjoining subbasins result in a groundwater discharge from Sutter County.[14]

The three subbasins within the county have similar water bearing formations that are used for water supplies for agricultural irrigation and domestic drinking water. The groundwater level trends are reported to be stable within Sutter County and tend to be within about 10 feet below the ground surface.[15] The State Department of Water Resources (DWR) reported that the Sutter Subbasin has an estimated five million acre-feet of usable storage potential for Sutter County.[16]

3.10.1.2 Flooding

The primary method of flood protection provided in the County is via a 280 mile system of levees or earthen embankments along the Sacramento and Feather Rivers that contain high river flows within these constructed channels.[17] When the capacity of the river levee system is exceeded, the bypass system accommodates the additional flows to take the load off the primary levee system during critical peak flow periods. Failure of any of these levees could cause major flooding in the County.[18]

3.10.2 Regulatory Setting

3.10.2.1 Federal

Clean Water Act: The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires States to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

Federal Emergency Management Agency (FEMA) Flood Zones: The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, FEMA has developed Flood Insurance Rate Maps (FIRM) that can be used for planning

[13]Sutter County General Plan Update, Technical Background Report, February 2008. Page 4.3-1 through 4.3-2.
[14] Ibid, Page 4.3-5.
[15] Department of Water Resources, California's Groundwater, Bulletin 118. Sacramento Valley Groundwater Basin, Sutter Subbasin.
[16] Sutter County General Plan Update, Technical Background Report, February 2008. Page 4.3-5.
[17] Sutter County California Feasibility Study, October 2004, Feasibility Scoping Meeting (F3 Milestone) Report.
[18] Sutter County General Plan Update, Technical Background Report, February 2008. Page 5.5-1.

purposes. Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (un-shaded).

3.10.2.2 State

State Water Resources Control Board: The SWRCB, headquartered in Sacramento, is the agency with jurisdiction over water quality issues in the State of California. The SWRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code), which establishes the legal framework for water quality control activities by the SWRCB. The intent of the Porter-Cologne Act is to regulate factors which may affect the quality of waters of the State to attain the highest quality which is reasonable, considering a full range of demands and values. Much of the implementation of the SWRCB's responsibilities is delegated to its nine Regional Boards. The Project site is located within the Central Valley Regional Water Quality Control Board (CVRWQCB).

The CVRWQCB administers the NPDES storm water-permitting program in the Central Valley region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). Additionally, CVRWQCB is responsible for issuing Waste Discharge Requirements Orders under California Water Code Section 13260, Article 4, Waste Discharge Requirements.

State Department of Water Resources: California Water Code (Sections 10004, *et seq*.) requires that DWR update the State Water Plan every five years. The 2013 update is the most current review and included (but is not limited to) the following conclusions:

- The total number of wells completed in California between 1977 and 2010 is approximately 432,469 and ranges from a high of 108,346 wells for the Sacramento River Hydrologic Region to a low of 4,069 wells for the North Lahontan Hydrologic Region.
- Based on the June 2014 California Statewide Groundwater Elevation Monitoring (CASGEM) basin prioritization for California's 515 groundwater basins, 43 basins are identified as high priority, 84 basins as medium priority, 27 basins as low priority, and the remaining 361 basins as very low priority.
- The 127 basins designated as high or medium priority account for 96 percent of the average annual statewide groundwater use and 88 percent of the 2010 population overlying the groundwater basin area.
- Depth-to-groundwater contours were developed for the unconfined aquifer system in the Central Valley. In the Sacramento Valley, the spring 2010 groundwater depths range from less than 10 feet below ground surface (bgs) to approximately 50 feet bgs, with local areas showing maximum depths of as much as 160 feet bgs.
- The most prevalent groundwater contaminants affecting California's community drinking water wells are arsenic, nitrate, gross alpha activity, and perchlorate.[19]

California Government Code Section 65302(d): A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, river and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. That portion of the conservation element

[19] State of California, Natural Resources Agency, Department of Water Resources. California's Groundwater Update 2013: Findings, Data Gaps, and Recommendations. April 2015.

including waters shall be developed in coordination with any County-wide water agency and with all district and city agencies which have developed, served, controlled or conserved water for any purpose for the County or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or County. The conservation element may also cover:

1. The reclamation of land and waters.
2. Prevention and control of the pollution of streams and other waters.
3. Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.
4. Prevention, control, and correction of the erosion of soils, beaches, and shores.
5. Protection of watersheds.
6. The location, quantity and quality of the rock, sand and gravel resources.
7. Flood control.

Sustainable Groundwater Management Act: On September 16, 2014 Governor Edmund G. Brown Jr. signed historic legislation to strengthen local management and monitoring of groundwater basins most critical to the state's water needs. The three bills, SB 1168 (Pavley) SB 1319 (Pavley) and AB 1739 (Dickinson) together makeup the Sustainable Groundwater Management Act. The Sustainable Groundwater Management Act comprehensively reforms groundwater management in California. The intent of the Act is to place management at the local level, although the state may intervene to manage basins when local agencies fail to take appropriate responsibility. The Act provides authority for local agency management of groundwater and requires creation of groundwater sustainability agencies and implementation of plans to achieve groundwater sustainability within basins of high and medium priority. The Sutter Subbasin is designated as a medium priority subbasin.[20] The Act took effect on January 1, 2015 and will be implemented over the course of next several years and decades.

3.10.2.3 Local

Yuba City General Plan: The Yuba City General Plan sets forth the following goals and policies regarding hydrology and water quality and which have potential relevance to the Project's CEQA review:

8.5-G-1 Enhance the quality of surface water and groundwater resources and prevent their contamination.

8.5-G-3 Ensure that the City's drinking water continues to meet or exceed water quality standards.

8.5-I-2 Comply with the Central Valley Regional Water Quality Control Board's regulations and standards to maintain and improve the quality of both surface water and groundwater resources.

8.5-I-3 Continue to control stormwater pollution and protect the quality of the City's waterways, by preventing oil and sediment from entering the river.

8.5-I-4 Encourage State and regional agencies to monitor groundwater supplies and take steps to prevent overuse, depletion, and toxicity.

8.5-I-5 Continue to regularly monitor water quality to maintain high levels of water quality for human consumption and ecosystem health.

8.5-I-6 Protect waterways by prohibiting the dumping of debris and refuse in and near waterways and storm drains.

[20] Groundwater Information Center Interactive Map Application. https://gis.water.ca.gov/app/gicima/ Accessed 19 September 2019.

8.5-I-7 Require new construction to utilize best management practices such as site preparation, grading, and foundation designs for erosion control to prevent sediment runoff into waterways, specifically the Feather River.

Best management practices include:

- *Requiring that low berms or other temporary facilities be built between a construction site and drainage area to prevent sheet-flooding stormwater from entering storm drains and waterway*
- *Requiring installation of storm drains or other facilities to collect stormwater runoff during construction*
- *Requiring onsite retention where appropriate*

8.5-I-9 If areas of groundwater contamination are identified, the City shall develop plans to limit further contamination and to protect public health.

8.5-I-10 Support the application of reclaimed water to reduce the demand on municipal water supplies, if economically feasible.

9.2-I-6 Control erosion of graded areas with revegetation or other acceptable methods.

9.3-G-1 Protect the community from risks to lives and property posed by flooding and stormwater runoff.

9.3-G-2 Collect and dispose of storm water in a safe and efficient manner.

3.10.3 Impact Assessment

Would the project:

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

a) No Impact. The existing groundwater well at the Project site is used as a backup operating well when the surface water supply alone is not sufficient to meet the City's demand, as may be the case during drought. Through a Hydrogeologic Assessment, the City determined the new well will deliver an annual average of 2,400 AFY decreasing the City's dependence on surface water during times of drought. The water from the proposed groundwater well will be blended with available treated surface water to satisfy drinking water quality and aesthetic standards. The City and WTP are not currently under any compliance orders regarding water quality standards. It is not anticipated that the new groundwater well will have an adverse effect on this status. The WTP does not involve wastewater so it does not operate under a waste discharge requirement permit. The proposed Project also does not involve wastewater. Finally, the contractor for the Project will be required to adhere to a SWPPP should the construction area cover more than one acre in order to protect the area's water quality. For these reasons, this Project will not degrade surface or groundwater quality.

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

b) Less Than Significant Impact. Currently, the DWR does not consider any of the groundwater subbasins underlying Sutter County to be in overdraft nor is the area negatively affected by land subsidence. The City overlies a portion of an unadjudicated basin, the Sacramento Valley Groundwater Basin, and Sutter Subbasin. The principal sources of groundwater recharge are stream percolation, deep percolation of rainwater, and percolation of irrigation water. The proposed well will draw from the Sutter Subbasin. In accordance with the City has formed a groundwater sustainability agency, City of Yuba City GSA, a stakeholder of the Sutter Subbasin. Once DWR approves the GSP for the subbasin currently in development, the City will adopt and comply with the GSP. Sutter County received a grant to develop a GSP on behalf of all the GSAs within Sutter Subbasin.

The proposed addition of a new groundwater well would be constructed in accordance with the guidelines established in the GSP to ensure that monitoring and draw down do not negatively affect the long-term groundwater sustainability in the basin. Finally, a recent feasibility study confirmed the area's ASR capability so the new well will potentially become an ASR well in future phases, therefore the proposed Project would not impede sustainable groundwater management of the basin.

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 erosion or siltation on- or off-site;

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

(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

(iv) impede or redirect flood flows?

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

c–d) Less Than Significant Impact. The Project will have little impact on the existing drainage pattern of the WTP and does not involve altering the course of a waterway. The Project does not propose significant alteration of the topography of the site. The Project proposes calculated grading and development to prevent storm runoff from pooling around the WTP equipment. A site-specific grading plan will be prepared indicating that no drainage shall be onto adjacent properties. In order to minimize erosion and run-off during construction activities, a SWPPP will be implemented, and the contractor will comply with all Cal/OSHA regulations regarding regular maintenance and inspection of equipment, spill prevention, and spill remediation in order to reduce the potential for incidental release of pollutants or hazardous substances onsite. **Figure 3-5.** Impacts will be less than significant.

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

e) No Impact. As discussed above in Impact Assessments IX-a and IX-c(iii), implementation of the Project will have no negative effect on the area's water quality. Furthermore, construction activities will require implementation of a SWPPP and compliance with all Cal/OSHA regulations in order to reduce the potential for incidental release of pollutants or hazardous substances into surface water or groundwater. The proposed Project would be constructed in accordance with the guidelines established in the GSP submitted to DWR to ensure that monitoring and draw down do not negatively affect the long-term groundwater sustainability in the Sutter Subbasin. The Project will not conflict with or obstruct implementation of any water quality control plan or sustainable groundwater management plan. There would be no impact.

Figure 3-5. FEMA Flood Map

3.11 Land Use and Planning

Table 3-18. Land Use and Planning Impacts

Land Use and Planning					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Cause a significant environmental impact due to a conflict with land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

3.11.1 Environmental Setting

Yuba City lies in the northern portion of California's flat, fertile Central Valley. It is situated in eastern Sutter County on the western bank of the Feather River. Marysville, Yuba City's sister City, is located opposite Yuba City on the eastern bank of the Feather River and is in Yuba County. Primarily undeveloped agricultural land exists to the north, west, and south of the City. The Sutter Buttes are located to the northwest of the City and frame views in that direction. The primary transportation corridors are SR 99 and SR 20. SR 99 leads due south to Sacramento and north to Oroville and Chico beyond; SR 20 links Yuba City to Colusa and I-5 to the west and Grass Valley and the Sierra Nevada range to the east. SRs 70 and 65 lead south from Marysville, connecting the region to Sacramento and to the northern Sacramento suburbs of Roseville and Rockland.

Much of Yuba City's land use pattern can be traced to its evolution as a primary service center within a large agricultural area focused on downtown Yuba City and the intersection of SR 20 and SR 99 as employment cores. Much of the residential development is medium- and low-density single-family housing and much of the commercial development is retail-related. Existing land use surrounding the Project area consists of residential and commercial development, as well as schools and a park. The local general plans do not anticipate any major changes to land uses within the Project vicinity (Yuba City General Plan, 2004).

3.11.2 Impact Assessment

Would the project:

a) Physically divide an established community?

a) No Impact. As the Project area consists of an existing WTP, the proposed groundwater well addition will not divide an established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

b) No Impact. As illustrated in **Figure 3-6**, the WTP site is zone R-1, Low Density Residential by the City of Yuba City. The Land Use Map (**Figure 3-7**) designates this area as Public & Semi-Public. Although the site is zoned for low density residential use, this category allows for civic and institutional use. As the proposed groundwater well would be constructed within the WTP site, there would be no conflict with any land use plan, policy, or regulation.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

c) No Impact. No known Habitat Conservation Plans or Natural Community Conservation plans are in effect for the area. The Project site consists of a WTP and the surrounding land is developed. There would be no impact.

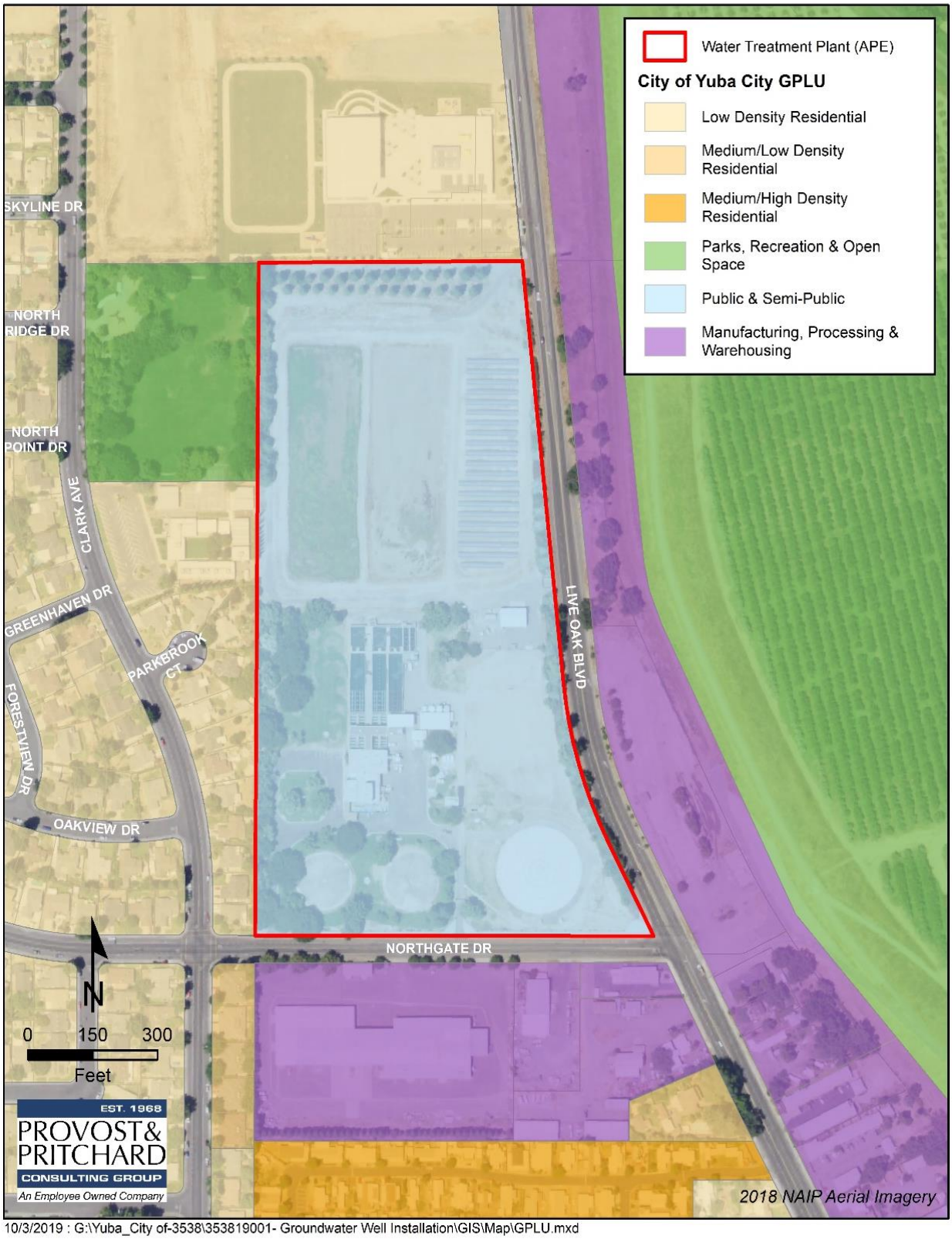

Figure 3-6. General Plan Map

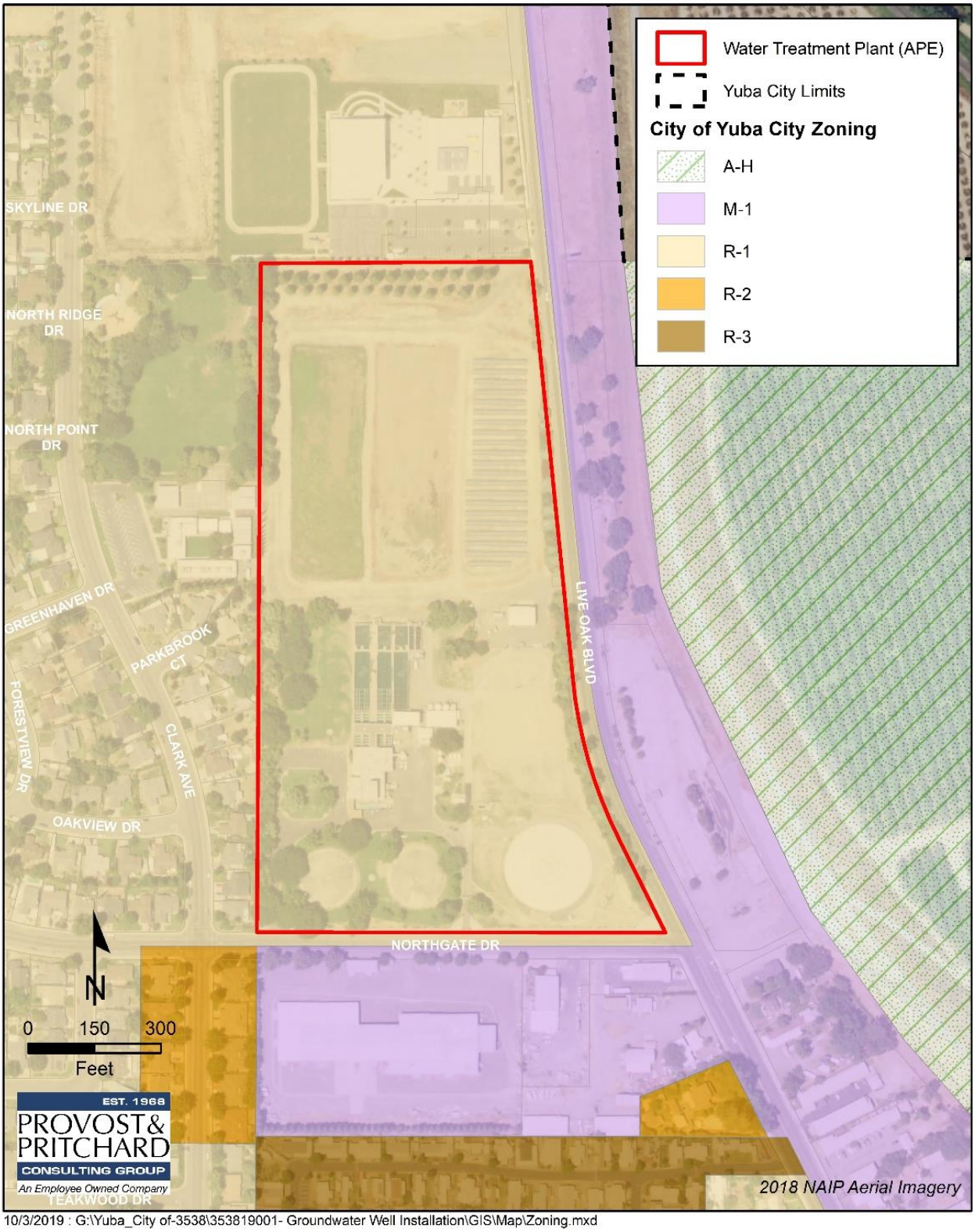

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Figure 3-7. Zoning Map

3.12 Mineral Resources

Table 3-19. Mineral Resources Impacts

Mineral Resources					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

3.12.1 Environmental Setting

Yuba City is located in northeast Sutter County within the central portion of the Sacramento Valley in northern California. With the exception of the Sutter Buttes, the topography of the Sacramento Valley is a predominantly flat trough that lies between the Sierra Nevada Mountain Range on the east, the Coast Range on the West, and the Cascade Range and Klamath Mountains to the north. A small and unique area of raised volcanic lava domes, the Sutter Buttes are known as the "world's smallest mountain range." Yuba City is located approximately 11 miles southwest of the Sutter Buttes. The Sutter Buttes and areas in the immediate vicinity are composed of quaternary volcanic rock, undifferentiated cretious, eocene rock, and quaternary volcanic pyroclastic. However, the remainder of Sutter County, including the Project site within Yuba City, is entirely underlain by quaternary alluvium.[21] Pursuant to the State's Surface Mining and Reclamation Act (SMARA), in 1986 the California Division of Mines and Geology issued a special report following a geological survey that found "no significant or substantial deposits located within Sutter County."[22] According to the Sutter County General Plan, "there are no areas within Sutter County designated by the State Mining and Geology Board to have regional or statewide significance."[23] Furthermore, the Project site is located within a WTP in a developed area.

3.12.2 Impact Assessment

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?

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?

a) and b) No Impact. The California Division of Mines and Geology has reported "no significant or substantial deposits located within Sutter County."[29] According to the Sutter County General Plan, "there are no areas within Sutter County designated by the State Mining and Geology Board to have regional or statewide significance."[30] Furthermore, the Project is located within a developed portion of Yuba City. Since no known mineral resources occur in this area, the Project would not result in the loss of availability of a known mineral resource. There would be no impact.

[21] Sutter County General Plan. https://www.suttercounty.org/doc/government/depts/ds/ps/gp/gp_documents Accessed 28 August 2019.
[22] Sutter County General plan Background Report. .https://www.suttercounty.org/doc/government/depts/ds/ps/gp/gp_documents Accessed 28 August 2019.
[23] Sutter County General Plan. https://www.suttercounty.org/doc/government/depts/ds/ps/gp/gp_documents Accessed 28 August 2019.

3.13 Noise

Table 3-20. Noise Impacts

Noise					
	Would the project result in:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 applicable standards of other agencies?	☐	☐	☒	☐
b)	Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☐	☒

3.13.1 Environmental Setting

The Noise element of the City's General Plan has a direct correlation with the land use, circulation, and housing elements. It guides land use and transportation facilities since they are common sources of excessive noise levels. According to common practice, maximum noise levels of 60 dB are considered "normally acceptable" for unshielded residential development. Noise levels from 60 to 70 dB fall within the "conditionally unacceptable" range, and those in the 70 to 75 dB range are considered "normally unacceptable."

3.13.2 Impact Assessment

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 applicable standards of other agencies?

a) Less Than Significant Impact. The construction phase of the Project will last approximately six months and involve temporary noise sources, originating predominantly from off-road equipment, such as backhoes, drilling rigs, scrapers, and tractors. The Project is located adjacent to schools, a park, several homes, and a few businesses. The Project will comply with the City's Nuisance Control Ordinance. Operation of the proposed well is not expected to increase noise at the WTP because there is an existing well at the site and it is not anticipated that the two wells would pump water at the same time. As the proposed well is comparable to the existing well, the noise generated by operating the proposed well would be similar to the existing and therefore would not exceed present conditions. Additionally, though the proposed well is expected to add to the City's available water supply, the well would not increase current water demand, or the amount of water being treated. Any impacts would be mild and temporary and consequently, less than significant.

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

b) Less Than Significant Impact. The construction phase of the Project will include excavation, drilling, and grading as part of development of the new well and associated infrastructure. Conditions created by Project-related construction activities would not vary substantially from the baseline conditions routinely experienced at the WTP. As construction will last approximately six months, impacts would be less than significant.

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?

c) No Impact. The Project site is not located within an airport land use plan or within two miles of an airport. The Sutter County Airport is located approximately 2.8 miles southeast of the Project site. Furthermore, the Project does not involve the development of habitable structures or require the presence of permanent staff onsite. There would be no impact.

3.14 Population and Housing

Table 3-21. Population and Housing Impacts

Population and Housing					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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)?	☐	☐	☐	☒
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

3.14.1 Environmental Setting

The Project is located within Yuba City at a WTP. The Project area is surrounded by residential and commercial development, as well as two schools and a park. Yuba City is currently home to 65,416 residents. The majority of housing within the City consists of low-density residential subdivisions.

3.14.2 Impact Assessment

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)?

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

a and b) No Impact. The proposed Project involves construction of a new groundwater well at the site of an existing WTP. The Project would not encourage population growth directly or indirectly beyond that previously analyzed by the City's General Plan. No housing or habitable structures would be built, nor will any be removed. Implementation of the Project will not result in displacement of people or existing housing. Therefore, there will be no impact.

3.15 Public Services

Table 3-22. Public Services Impacts

Public Services					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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?	☐	☐	☐	☒
	Police protection?	☐	☐	☐	☒
	Schools?	☐	☐	☐	☒
	Parks?	☐	☐	☐	☒
	Other public facilities?	☐	☐	☐	☒

3.15.1 Environmental Setting

The City of Yuba City Fire Station #2 is located approximately 0.5 miles southwest of the Project site.

The Sutter County Sheriff, the Gustine Police Department, and the Yuba City Police Department are located approximately two miles southwest of the Project.

Albert Powell High School abuts the Project site along its northwestern edge and Twin Rivers Charter School property shares the site's northern border.

Northridge Park shares a boundary with the Project site, abutting its northwestern edge.

The closest landfill to the Project site is the Ostrom Road Landfill in Wheatland approximately 13.5 miles southeast of the site.

3.15.2 Impact Assessment

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 or police protection, schools, parks, and other public facilities?

a) No Impact. The proposed Project does not include any features or facilities that would require additional fire protection resources or enhanced levels of police protection. The Project does not have the potential to increase or decrease the area's population and will therefore not result in impacts on schools, parks, or landfills. The Project would not result in adverse physical impacts associated with the provision of new or physically altered governmental facilities. No habitable structures that would require any public services would be constructed on the site.

3.16 Recreation

Table 3-23. Recreation Impacts

Recreation					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

3.16.1 Environmental Setting

No habitable structures are proposed as part of this project and therefore would not increase the use of local parks. The closest recreational area is Northridge Park. It shares a boundary with the Project site, abutting its northwestern edge.

3.16.2 Impact Assessment

a) Would the project 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?

a) No Impact. The proposed Project does not have the potential to increase or decrease the area's population and would therefore not result in increased or decreased use of parks or other recreational facilities.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

b) No Impact. The proposed Project does not include recreational facilities and would not require the construction or expansion of any recreational facilities. Northridge Park shares a boundary with the Project site along its northwestern edge but as project implementation is comparable to existing operations at the WTP, there would be no impact on the park.

3.17 Transportation

Table 3-24. Transportation Impacts

Transportation					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b)	Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d)	Result in inadequate emergency access?	☐	☐	☒	☐

3.17.1 Environmental Setting

Yuba City is situated in eastern Sutter County on the western bank of the Feather River. The Project is located at a WTP at the corner of Northgate Drive and Live Oak Blvd in Yuba City. Yuba City evolved as a primary service center within a large agricultural area focused on downtown Yuba City and the intersection of SR 20 and SR 99 as employment cores. Much of the residential development is medium- and low-density single-family housing and much of the commercial development is retail-related. Existing land use surrounding the Project area consists of residential and commercial development, as well as schools and a park. Sutter County Airport is located approximately 2.8 miles southeast of the Project area.

3.17.2 Impact Assessment

Would the project:

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

a) Less Than Significant Impact. The proposed Project includes the construction and operation of a new groundwater well. The well will be located at an existing WTP and materials and equipment will be staged within the plot of the WTP. Construction traffic associated with the proposed Project would be minimal and temporary, lasting approximately six months. The plant runs 24 hours a day, 365 days a year and it is not expected that additional staff will be hired as a result of the new well. There would not be a significant adverse effect to existing roadways in the area. There is no population growth associated with the Project, nor will implementation of the Project result in an increase of staff or drivers utilizing roadways in the area. Therefore, implementation of the Project will not increase the demand for any changes to congestion management programs increase existing vehicle miles traveled during the operational phase. Construction-related roadway interferences, if any, will be less than significant in nature.

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

b) No Impact. CEQA Guidelines Section 15064.3(b) establishes criteria for analyzing transportation impacts. For projects similar to the proposed Project, the criteria would be to determine if the project would exceed an established threshold of significance. Because the Project would not result in significant traffic or transportation impacts, the Project is considered to be consistent with CEQA Guidelines Section 15064.3(b).

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

c) No Impact. The proposed Project does not include any roadway changes nor propose any new intersections. Therefore, the Project would have no impact related to hazardous design features or incompatible uses.

d) Result in inadequate emergency access?

d) Less Than Significant Impact. Construction and operation will take place within the boundaries of an existing WTP. Materials and equipment will be staged onsite such that construction will not interfere with daily WTP operations. As a result, impacts to emergency access at the WTP would be considered less that significant. The operational phase of the Project will have no effect on roadways or emergency access. Therefore, overall potential Project-related impacts to emergency access on local roadways would be considered less than significant.

3.18 Tribal Cultural Resources

Table 3-24. Tribal Cultural Resources Impacts

Tribal Cultural Resources				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) 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:	☐	☒	☐	☐
i. 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), or	☐	☒	☐	☐
ii. 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

3.18.1 Environmental Setting

3.18.1.1 Ethnographical Setting

Prior to the arrival of Euro-Americans in the region, indigenous groups speaking more than 100 different languages and occupying a variety of ecological settings inhabited California. Kroeber (1925, 1936), and others (i.e., Murdock 1960; Driver 1961), recognized the uniqueness of California's indigenous groups and classified them as belonging to the California culture area. Kroeber (1925) further subdivided California into four subculture areas: Northwestern, Northeastern, Southern, and Central.

When the first European explorers entered the regions between 1772 and 1821, an estimated 100,000 people, about a third of the state's native population, lived in the Central Valley (Moratto 1984:171). At least seven distinct languages of Penutian stock were spoken among these populations: Wintu, Nomlaki, Konkow, River Patwin, Nisenan, Miwok, and Yokuts. Common linguistic roots and similar cultural and technological characteristics indicate that these groups shared a long history of interaction (Rosenthal et al. 2007). The Central area (as defined by Kroeber 1925) encompasses the current Project Area and includes the Nisenan or Southern Maidu.

Ethnographically, the Project Area is in the territory occupied by the Penutian-speaking Nisenan and Konkow groups. Both of these groups spoke versions of a Penutian language classified as Maidu by Shipley (1963);

Nisenan have also been referred to as Southern Maidu and Konkow as Northwestern Maidu based on their linguistic dispersion (Riddell 1978). As with most pre-contact populations, tribal boundaries were not static, but rather, were plastic and constantly changing in part as a reflection of resource exploitation patterns (Nilsson 1985) or changes in socio-political relationships between groups.

3.18.1.2 Regulatory Setting

American Indian Religious Freedom Act

The American Indian Religious Freedom Act, a federal law and joint resolution of Congress was created to protect and preserve the traditional religious rights and cultural practices of American Indians, Eskimos, Aleuts, and Native Hawaiians. These rights include, but are not limited to, access of sacred sites, repatriation of sacred objects held in museums, freedom to worship through ceremonial and traditional rites, including within prisons, and use and possession of objects considered sacred.

Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act requires federal agencies and institutions that receive federal funding to return Native American cultural items to lineal descendants and culturally affiliated Indian tribes and Native Hawaiian organizations. Cultural items include human remains, funerary objects, sacred objects, and objects of cultural patrimony.

3.18.1.3 Methodology

The information for this section was obtained using the same Methodology in **Section 3.5**.

3.18.2 Impact Assessment

a) 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-i) 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), or

a-ii) 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

a-i and a-ii) Less than Significant Impact with Mitigation Incorporated. The City of Yuba City has previously received written requests from two California Native American Tribes requesting notification of upcoming projects:

- The United Auburn Indian Community of the Auburn Rancheria, dated November 23, 2015
- The Ione Band of Miwok Indians, dated March 2, 2017

On September 25, 2019 the City provided letters to the above Tribes via certified mail.

On October 8, 2019 the City received an email from United Auburn Indian Community of the Auburn Rancheria requesting consultation on the Project. On October 28, 2019 the City sent the Tribe a letter to initiate consultation. On December 31, 2019 and January 29, 2020, the City sent a follow up email to Anna Starkey at astarkey@auburnrancheria.com On January 29, 2020 the Tribe responded with an email that provided recommended mitigation measures in lieu of consultation to address the potential for the unanticipated

discovery of Tribal Cultural Resources (See **TCR-1, TCR-2,** and **TCR-3**). Measures have been incorporated into the Project and all mitigation measures are listed in **Chapter 4 Mitigation Monitoring and Reporting Program**.

Additionally, the Native American Heritage Commission (NAHC) recommends that lead agencies proactively attempt to engage Tribes traditionally affiliated with the area. ECORP requested that the NAHC provide a Sacred Lands File & Native American Contacts List, which was received September 30, 2019 with positive results. ECORP sent letters to the following Tribes via certified mail on October 9, 2019:

- Estom Yumeka Maidu Tribe of the Enterprise Rancheria, Glenda Nelson
- Mechoopda Indian Tribe, Dennis E. Ramirez
- Mooretown Rancheria of Maidu Indians, Benjamin Clark
- Mooretown Rancheria of Maidu Indians, Guv Taylor
- Pakan'vani Maidu of Strawberry Valley Rancheria, Tina Goodwin
- United Auburn Indian community of the Auburn Rancheria, Gene Whitehouse

On October 15, 2019, Mooretown Rancheria responded by letter to indicate that the project is out of their tribal territory and that they have no further comment. No other responses have been received. All Tribal correspondence is included in the Cultural Resources Inventory Report, which is confidential.

There remains the possibility that Tribal Cultural Resources will be impacted by ground disturbing activities associated with the Project, and this may constitute a significant impact. Implementation of the following mitigation measures will reduce this impact to less than significant.

TCR-1 Construction Field Visit

A minimum of seven calendar days prior to the start of construction, the project proponent shall send a written notice to the United Auburn Indian Community to provide the option for a tribal representative to visit the project location to observe any soil piles or other disturbed areas within the first five days of ground-breaking activity, at its own expense and discretion. Construction activity may be ongoing during this time. Should the tribe choose not to perform a field visit within the first five days, construction activities may continue as scheduled, as long as the notification was made and documented.

TCR-2: Worker Awareness Training

The City shall ensure that a Worker Awareness Training Program is developed and delivered to train equipment operators about tribal cultural resources. The program shall be designed to inform workers about: federal and state regulations pertaining to cultural resources and tribal cultural resources; the subsurface indicators of resources that shall require a work stoppage; procedures for notifying the City of any occurrences; and enforcement of penalties and repercussions for non-compliance with the program. Worker training will be provided in person on the first day of scheduled construction and all equipment operators will be provided a copy of a brochure provided by the United Auburn Indian Community (UAIC). The UAIC shall be afforded the option of attending the initial training in person to communicate the contractor's need to be respectful of tribal cultural resources and tribal participation in implementing unanticipated discovery protocols. All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training. A copy of the form and training brochure shall be provided to the City as proof of compliance.

TCR-3: Unanticipated Discovery Procedures

If potentially significant Tribal Cultural Resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find. A Native American representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist meeting the Secretary of Interior's Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to treatment directed by the City.

Therefore, it is concluded, barring evidence to the contrary and in light of the ethnographic record and records search information summarized in the Cultural Resources Inventory Report, that there is little or no chance the Project will cause a substantial adverse change to the significance of a tribal cultural resource as defined.

3.19 Utilities and Service Systems

Table 3-25. Utilities and Service Systems Impacts

Utilities and Service Systems					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c)	Result in a determination by the wastewater treatment provider which 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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

3.19.1 Environmental Setting

Yuba City's solid waste collection and disposal is provided by Recology Yuba-Sutter and utilizes Ostrom Road Landfill in Wheatland, CA, which is located 13.5 miles southeast of the Project site. Sutter County does not contain any solid waste management facilities. Sanitary sewer service is provided by the City Public Works Department. The City has sufficient capacity at its Wastewater Treatment Facility. Furthermore, after performing wastewater system modeling, the Yuba City Wastewater System Master Plan (WWSMP) projections "do not indicate major sewer deficiencies for both current and future flow conditions."[24]

[24] Yuba City Wastewater Planning. https://www.yubacity.net/city_hall/departments/public_works/utilities/wastewater/wastewater_planning/ Accessed 19 September 2019.

3.19.2 Impact Assessment

Would the project:

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

a) No Impact. The proposed Project would not exceed wastewater treatment requirements or require new facilities. The Project entails the development of a new groundwater well, which will not generate wastewater or require expansion of existing facilities. There would be no impact.

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

b) Less Than Significant Impact. The proposed groundwater well at the Project site is used as a backup operating well when the surface water supply alone is not sufficient to meet the City's demand, as may be the case during drought. Through a Hydrogeologic Assessment, the City determined the new well will deliver an annual average of 2,400 AFY decreasing the City's dependence on the SWP during times of drought. The proposed well will draw from the Sutter Subbasin.

In accordance with SGMA, the City has formed a groundwater sustainability agency, City of Yuba City GSA, a stakeholder of the Sutter Subbasin. Once DWR approves the GSP for the subbasin currently in development, the City will adopt and comply with the GSP. Sutter County received a grant to develop a GSP on behalf of all the GSAs within Sutter Subbasin.

The proposed addition of a new groundwater well would be constructed in accordance with the guidelines established in the GSP to ensure that monitoring and draw down do not negatively affect the long-term groundwater sustainability in the basin. A recent feasibility study confirmed the area's ASR capability so the new well will potentially become an ASR well in future phases. Currently, the DWR does not consider any of the groundwater subbasins underlying Sutter County to be in overdraft nor is the area negatively affected by land subsidence. Additionally, though the proposed well is expected to add to the City's available water supply, the well would not increase current water demand or the amount of water being treated. Sufficient water supplies are available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. Impacts would be less than significant.

c) Result in a determination by the wastewater treatment provider which 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?

c) No Impact. The proposed Project will create no wastewater demand on any wastewater treatment provider, nor will it require any wastewater treatment facilities at the Project site, so there will be no need for any sort of capacity determination by a wastewater treatment provider. There would be no impact.

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?

d) Less Than Significant Impact. There will be no solid waste associated with the operational phase of the Project. Waste associated with construction would be minimal and temporary, most of which will be recycled. Therefore, impacts would be less than significant.

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

e) No Impact. Implementation of the Project is not anticipated to produce any solid waste. Furthermore, the Project would continue to comply with any federal, State, and local regulations regarding solid waste. There would be no impact.

3.20 Wildfire

Table 3-26. Wildfire Impacts

Wildfire					
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:		**Potentially Significant Impact**	**Less than Significant with Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a)	Substantially impair an adopted emergency response plan or 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 wildfire?	☐	☐	☐	☒
c)	Require the installation or maintenance 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

3.20.1 Environmental Setting

The Proposed Project is the premises of Yuba City's WTP. The site is in a flat urbanized area of Sutter County. All of the construction will take place within the WTP's boundaries. No structures are being constructed as part of the Project, and the Project is not considered to be population growth inducing.

3.20.2 Impact Assessment

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?

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

c) Require the installation or maintenance 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?

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?

a–d) No Impact. The Proposed Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The nearest State Responsibility Area (SRA) is approximately 10 miles

to the east of the Project site. Additionally, the site is approximately 36 miles from the nearest Very High classification of Fire Hazard Severity Zone (FHSZ). Therefore, further analysis of the Project's potential impacts to wildfire are not warranted. There would be no impacts.

3.21 CEQA Mandatory Findings of Significance

Table 3-27. Mandatory Findings of Significance Impacts

Mandatory Findings of Significance					
		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
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)?	☐	☐	☒	☐
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

3.21.1 Impact Assessment

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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

a) Less Than Significant Impact with Mitigation Incorporated. The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the Project, with incorporation of mitigation measures, will have a less than significant effect on the environment. The potential for impacts to biological resources and cultural resources from the implementation of the Proposed Project will be less than significant with the incorporation of the mitigation measures discussed in **Chapter 4 Mitigation Monitoring and Reporting Program**. Accordingly, the Proposed Project will involve no potential for significant impacts through the degradation of the quality of the environment, the reduction in the habitat or population of fish or wildlife, including endangered plants or animals, the elimination of a plant or animal community or example of a major period of California history or prehistory.

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)?

b) Less Than Significant Impact. CEQA Guidelines Section 15064(i) States that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. The Proposed Project would include the construction a new well for additional water supply to provide drinking water during times of drought. No additional roads would be constructed as a result of the Project, nor would any additional public services be required. The Proposed Project is intended to supplement city water supplies and would not result in direct or indirect population growth. Therefore, implementation of the Project would not result in significant cumulative impacts and all potential impacts would be reduced to less than significant through the implementation of mitigation measures and basic regulatory requirements incorporated into future Project design.

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

c) Less than Significant Impact. The Proposed Project would include the construction of a new well at the WTP site. The Proposed Project in and of itself would not create a significant hazard to the public or the environment. On the contrary, implementation of the Project would correct water quantity issues experienced by the community of Yuba City when there is a loss or significant reduction in the City's available surface water supplies. Construction-related air quality/dust exposure impacts could occur temporarily as a result of project construction. However, implementation of basic regulatory requirements identified in this IS/MND would ensure that impacts are less than significant. Therefore, the Proposed Project would not have any direct or indirect adverse impacts on humans. This impact would be less than significant.

Chapter 4 Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the City of Yuba City new groundwater well Project (Project) in Yuba City in northern Sutter County. The MMRP lists mitigation measures recommended in the IS/MND for the Project and identifies monitoring and reporting requirements.

Table 4-1 presents the mitigation measures identified for the Proposed Project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of **Table 4-1** identifies the mitigation measure. The second column, entitled "When Monitoring is to Occur," identifies the time the mitigation measure should be initiated. The third column, "Frequency of Monitoring," identifies the frequency of the monitoring of the mitigation measure. The fourth column, "Agency Responsible for Monitoring," names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last columns will be used by the City to ensure that individual mitigation measures have been complied with and monitored.

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**
Biological Resources					
Mitigation Measure BIO-1: Swainson's hawk					
Project construction could result in direct permanent impacts to suitable nesting habitat for Swainson's hawks. To ensure that there are no impacts to protected Swainson's hawk are reduced, the following measures are recommended: • If Project construction is anticipated to commence during the Swainson's hawk nesting season, approximately March 1 through September 15, a qualified biologist shall conduct a preconstruction survey within 0.25 mile of the Project footprint in accordance with the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000). If no active Swainson's hawk nests are found within 0.25 mile of the Project, no avoidance or other mitigation measures are recommended. • If an active Swainson's Hawk nest is found within 0.25 mile of the Project footprint, an avoidance and minimization plan shall be prepared in consultation with the City and CDFW. The avoidance and minimization plan will be implemented only upon City and CDFW approval. The plan shall include, but is not limited to, worker awareness training, avoidance radius around the active nest, and nest monitoring during construction. • Swainson's hawk surveys are not necessary if Project construction commences during September 15 through February 28.	Prior to construction activities	Once	City of Yuba City		
Mitigation Measure BIO-2a: Pre-construction surveys					
During the nesting season (approximately February 1 to August 31) conduct pre-construction nesting bird surveys of suitable habitats in the Project area within 14 days prior to the commencement of Project construction. The survey area shall include the Project footprint and 300-foot radius for raptors and a 100-foot radius for other birds protected under the MBTA.	During construction activities	Daily, during construction activities	City of Yuba City		
Mitigation Measure BIO-2b: Nesting bird buffers					
If active nests are found, a no-disturbance buffer should be established around the nest. The buffer distance should be established by a qualified biologist in consultation with the City and CDFW. The buffer should be maintained until the fledglings are capable of flight and become independent of the nest, to be determined by a qualified biologist. Once the young are independent of the nest, no further measures would be necessary. Pre-construction nesting surveys would not be required for construction activity that begins outside the nesting season (September 1 to January 31).	Within 30 days prior to the start of work performed from February 1 to September 15	Once	City of Yuba City		

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**
Mitigation Measure BIO-3: Burrowing Owls					
Project construction could result in direct permanent impacts to suitable nesting habitat for burrowing owls. To ensure that there are no impacts to protected burrowing owls are reduced, the following is recommended: • Prior to Project construction, a qualified biologist shall conduct a burrowing owl habitat assessment according to the Staff Report on Burrowing Owl Mitigation (Staff Report) (CDFG 2012). • If potential burrowing owl nesting habitat is present within 656 feet (200 meters) of the Project footprint, nesting or wintering season surveys for burrowing owl shall be conducted according to the Staff Report (CDFG 2012). • If an active, occupied burrow is discovered within 656 feet of the Project footprint, the City and CDFW shall be notified. An avoidance radius shall be established and fenced around the occupied burrow, in consultation with the City and CDFW. • If avoidance of the occupied burrow is not feasible, a passive relocation plan shall be prepared in consultation with the City and CDFW. The passive relocation plan will be implemented only upon City and CDFW approval.	Prior to construction activities	Once	City of Yuba City		
Cultural Resources					
Mitigation Measure CUL-1: Cultural Resources					
If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for pre-contact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find: • If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required. • *If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the Bureau of Reclamation, the City of Yuba City, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to* be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines.	In the event cultural resources or human remains are uncovered	During ground-disturbing activities	City of Yuba City		

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**
Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to their satisfaction.					
Mitigation Measure CUL-2: Human Remains					
If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Sutter County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center, using an open space or conservation zoning designation or easement, or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.	In the event cultural resources or human remains are uncovered	During ground disturbing activities	City of Yuba City		
Mitigation Measure TCR-1: Construction Field Visit					
A minimum of seven calendar days prior to the start of construction, the project proponent shall send a written notice to the United Auburn Indian Community to provide the option for a tribal representative to visit the project location to observe any soil piles or other disturbed areas within the first five days of ground-breaking activity, at its own expense and discretion. Construction activity may be ongoing during this time. Should the tribe choose not to perform a field visit within the first five days, construction activities may continue as scheduled, as long as the notification was made and documented.	During the first 5 days of construction	Once	City of Yuba City		

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Monitoring**	**Method to Verify Compliance**	**Verification of Compliance**
Mitigation Measure TCR-2: Worker Awareness Training					
The City shall ensure that a Worker Awareness Training Program is developed and delivered to train equipment operators about tribal cultural resources. The program shall be designed to inform workers about: federal and state regulations pertaining to cultural resources and tribal cultural resources; the subsurface indicators of resources that shall require a work stoppage; procedures for notifying the City of any occurrences; and enforcement of penalties and repercussions for non-compliance with the program. Worker training will be provided in person on the first day of scheduled construction and all equipment operators will be provided a copy of a brochure provided by the United Auburn Indian Community (UAIC). The UAIC shall be afforded the option of attending the initial training in person to communicate the contractor's need to be respectful of tribal cultural resources and tribal participation in implementing unanticipated discovery protocols. All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training. A copy of the form and training brochure shall be provided to the City as proof of compliance.	At the start of construction	Once	City of Yuba City		
Mitigation Measure TCR-3: Unanticipated Discovery Procedures					
If potentially significant Tribal Cultural Resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find. A Native American representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist meeting the Secretary of Interior's Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to treatment directed by the City.	In the event Tribal Cultural Resources are uncovered	During ground-disturbing activities	City of Yuba City		

Appendix A

Air Quality and Greenhouse Gas Emissions Evaluation Report

Appendix B

Biological Evaluation Report

Appendix C

Cultural and Historical Resources Evaluation Report

Confidential

Appendix D

NRCS Soil Resource Report

Appendix E

Bureau of Reclamation Categorical Exclusion