



## Department of Development Services

Paula Daneluk, AICP, Director  
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[buttecounty.net/dds](http://buttecounty.net/dds)

### BUTTE COUNTY

### NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION BUTTE COUNTY FARM BUREAU (GPA23-0001)

NOTICE IS HEREBY GIVEN that Butte County has prepared an Initial Study in accordance with the California Environmental Quality Act (CEQA) and is considering the adoption of a Mitigated Negative Declaration for the project described below. The Mitigated Negative Declaration establishes that although the proposed project could have a significant effect on the environment, there will not be a significant effect because required mitigation measures will address potential project effects. The County has prepared this Notice of Intent to Adopt a Mitigated Negative Declaration to provide an opportunity for input from public agencies, organizations, and interested parties on the environmental analysis addressing the potential effects of the proposed project. The IS/MND is available for review on the County's website at <https://www.buttecounty.net/363/California-Environmental-Quality-Act-CEQ>.

#### Project Information

**Project:** Butte County Farm Bureau (GPA23-0001)

**Location:** The project site is located at 9412 Jones Avenue, on the northeast corner of Jones Avenue and Durham-Dayton Highway, 1,500 feet east of Midway, in the unincorporated community of Durham. Assessor Parcel Number: 040-180-041.

**Project Description:** Proposal to construct and operate a 5,000 square foot private meeting hall and offices on a 1.64-acre parcel. The proposal requires four entitlements, which will be processed concurrently: A General Plan Amendment and Zone Map Amendment to change the land use designation and zone district from the Very Low Density Residential (VLDR) to Agricultural Services (AS); Approval of a Minor Use Permit to operate a Private Meeting Hall in the AS zone; and, a Tentative Parcel Map to subdivide the 4.92 acres into four parcels, with the proposed development to occur on resultant Parcel 1, and the other three AS-zoned parcels to remain undeveloped.

The Initial Study/Mitigated Negative Declaration (IS/MND) is on file for public review and comment starting **July 13, 2023**, to **August 11, 2023**. All comments for the IS/MND must be submitted in writing and received by **5:00 pm Friday, August 11, 2023**. Written comments may be submitted to the project planner, Rowland Hickel, Senior Planner, Butte County Development Services Department, Planning Division, 7 County Center Drive, Oroville, CA 95965. Phone: (530) 552-3684 Email: [rhickel@buttecounty.net](mailto:rhickel@buttecounty.net). The Butte County Planning Commission will consider the proposed project at a public hearing on a future date to be determined.

PAULA DANELUK, DIRECTOR OF DEVELOPMENT SERVICES

# INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST

California Environmental Quality Act (CEQA)

## PROJECT INFORMATION

1. Project Title: Butte County Farm Bureau General Plan Amendment (GPA23-0001), Rezone (REZ23-0001), Tentative Parcel Map (TPM23-0002), and Minor Use Permit (MUP23-0001)
2. Lead Agency Name and Address: Butte County – Department of Development Services  
Planning Division  
7 County Center Drive  
Oroville, CA 95965
3. Contact Person and Phone Number: Rowland Hickel, AICP, Senior Planner  
530.552.3684  
[rhickel@buttecounty.net](mailto:rhickel@buttecounty.net)
4. Project Location: The project site is located at 9412 Jones Avenue, on the northeast corner of Jones Avenue and Durham-Dayton Highway, 1,500 feet east of Midway, in the unincorporated community of Durham. Assessor Parcel Number: 040-180-041.
5. Project Sponsor's Name and Address: Butte County Farm Bureau  
PO Box 360  
Durham, CA 95938
6. General Plan Designation: Very Low Density Residential (VLDR)
7. Zoning: VLDR (Very Low Density Residential)
8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The Butte County Farm Bureau (applicant), a local non-profit membership advocacy organization, proposes constructing and operating a 5,000 square foot private meeting hall and offices on a 1.64-acre parcel. Offices will operate between Monday and Friday from 9 am to 5 pm. The meeting hall and office building include a large meeting room that can accommodate up to 100 individuals for occasional meetings and gatherings involving organization members, agriculture community members, and youth organizations. The building will include three office rooms, a larger undivided office area, a small conference room, a reception area, a kitchen, a staff break room, an outdoor dining area, and storage rooms. The proposal includes onsite parking with direct access to Jones Avenue, landscaping, parking area lighting, and a future monument sign at the corner of Jones Avenue and Durham-Dayton Highway. The building's main entrance will face toward Durham-Dayton Highway, with the parking area positioned between the proposed building and Durham-Dayton Highway.

The applicant's proposal requires four entitlements, which will be processed concurrently: A General Plan Amendment and Zone Map Amendment to change the land use designation and zone district from the Very Low Density Residential (VLDR) to Agricultural Services (AS); Approval of a Minor Use Permit to operate a Private

Meeting Hall in the AS zone; and, a Tentative Parcel Map to subdivide the 4.92 acres into four parcels, with the proposed development to occur on resultant Parcel 1, and the other three AS-zoned parcels to remain undeveloped.

#### **General Plan Amendment (GPA23-0001)**

The applicant proposes to change the land use designation from Very Low Density Residential (VLDR) to the Agricultural Services (AS) designation. The VLDR designation allows single-family residential uses at densities of up to one dwelling unit per acre, an Accessory Dwelling Unit, and other ancillary residential uses. The AS land use designation allows all uses allowed in the Agriculture (AG) designation, including the cultivation, harvest, storage, processing, sale, and distribution of plant crops. Livestock grazing, animal husbandry, intensive animal operations, and animal matter processing. The AS designation also allows agriculture-related services complementary to existing agricultural uses, including industrial uses such as processing facilities, commercial uses such as agricultural equipment sales, and technologies that use agricultural byproducts. Alternative energy facilities are allowed in the AS designation subject to permit requirements. No residential uses are allowed under the AS designation except for caretakers' residences.

#### **Rezone (REZ23-0001)**

The proposal includes a zoning map amendment to change the base zone district from VLDR to the AS zone. The AS zone is intended to protect, maintain, promote, and enhance agriculture as a viable, long-term economic sector by accommodating agricultural uses or compatible commercial and light industrial uses that directly support agricultural activities within the county. Standards for the AS zone are intended to allow most agricultural uses allowed in the AG zone while encouraging new, compatible support industries and operations, and to protect agricultural and other neighboring land uses by minimizing conflicts. Agricultural support uses permitted as-of-right in the AS zone include uses with minimal potential impacts on adjacent parcels, such as agricultural equipment sales and rental, light manufacturing, warehousing, and distribution and storage. Agricultural support uses that are more likely to impact adjacent parcels, such as agricultural vehicle repair and heavier manufacturing, require the approval of a Conditional Use Permit. Residential uses are not permitted in the AS zone, except caretaker residences as an accessory use, which requires an Administrative Use Permit. The minimum parcel size allowed for creating new parcels is 20,000 square feet. The maximum permitted floor area ratio in the AS zone is eight-tenths (0.8). The AS zone implements the General Plan's Agriculture Services land use designation.

AGRICULTURAL SERVICES (AS) Butte County Code section 24-12	
Permitted Uses	Conditionally-Permitted Uses
Agricultural Processing	Animal Processing
Animal Grazing	Intensive Animal Operations
Animal Processing, Custom	Stables, Commercial
Crop Cultivation	Mining and Surface Mining Operations
Feed Store	Oil and Gas Extraction, including reinjection wells for natural gas
Stables, Private	
Stables, Semiprivate	<b>Clubs, Lodges, and Private Meeting Halls</b>
Caretaker Quarters (Administrative Permit)	Parks and Recreational Facilities
Agricultural Products Sales, On-Site	Public Safety Facilities
Agricultural Support Services, Light	Religious Facilities
Firewood Storage, Processing, and Off-Site Sales, Small	Agricultural Products Sales, Off-Site
	Agricultural Support Services, General

Heavy Equipment Storage	Animal Services
Nursery, Wholesale	Firewood Storage, Processing, and Off-Site Sales, Medium
Recreational Vehicle Parks (Administrative Permit)	Firewood Storage, Processing, and On-Site Sales, Large
Farm Airstrips	Composting Facilities
Recycling Collection Facility, Small (Administrative Permit)	Aerial Applicator and Support Services
Recycling Processing Facility, Light (Administrative Permit)	Runways and Heliports
Reverse Vending Machines (Administrative Permit)	Utilities, Major
Utilities, Accessory (Administrative Permit)	Utilities, Minor
Utilities, Minor	

AGRICULTURAL SERVICES (AS) Development Standards	
Minimum Lot Area	20,000 square feet
Minimum Lot Width	50 feet
Front Setback	20 feet
Side Setback	25 ft. or 5 percent of the lot width, whichever is less but no less than 5 ft.
Rear Setback	25 feet
Creek Setbacks	N/A
Maximum Building Height	--
• Residential	35 feet
• Non-Residential	50 feet
• Non-Residential Exceptions	Greater than 50 feet
Maximum Floor Area Ratio (FAR)	0.8

### Tentative Parcel Map (TPM23-0002)

The project includes a proposal to subdivide the 4.92-acre project site into four parcels of 1.64 acres (Parcel 1), 1.0 acre (Parcel 2), 1.0 acre (Parcel 3), and 1.0 acre (Parcel 4). No development is proposed on Parcels 2 through 4. An onsite septic system would treat wastewater for each parcel. The soil conditions for each resultant lot were evaluated by Butte County Environmental Health, which determined that adequate soil conditions exist for the future installation of a system. The Durham Irrigation District, a public water system, will provide domestic water for each parcel.

### Drainage

The project's proposed drainage system may involve a combination of conventional surface and subsurface drainage systems, including underground pipe conveyance, drainage and detention basins, bio-swales, outfalls, and existing natural and roadside swales. The specific drainage system improvements for the proposed and future development would be designed and constructed to Butte County standards.

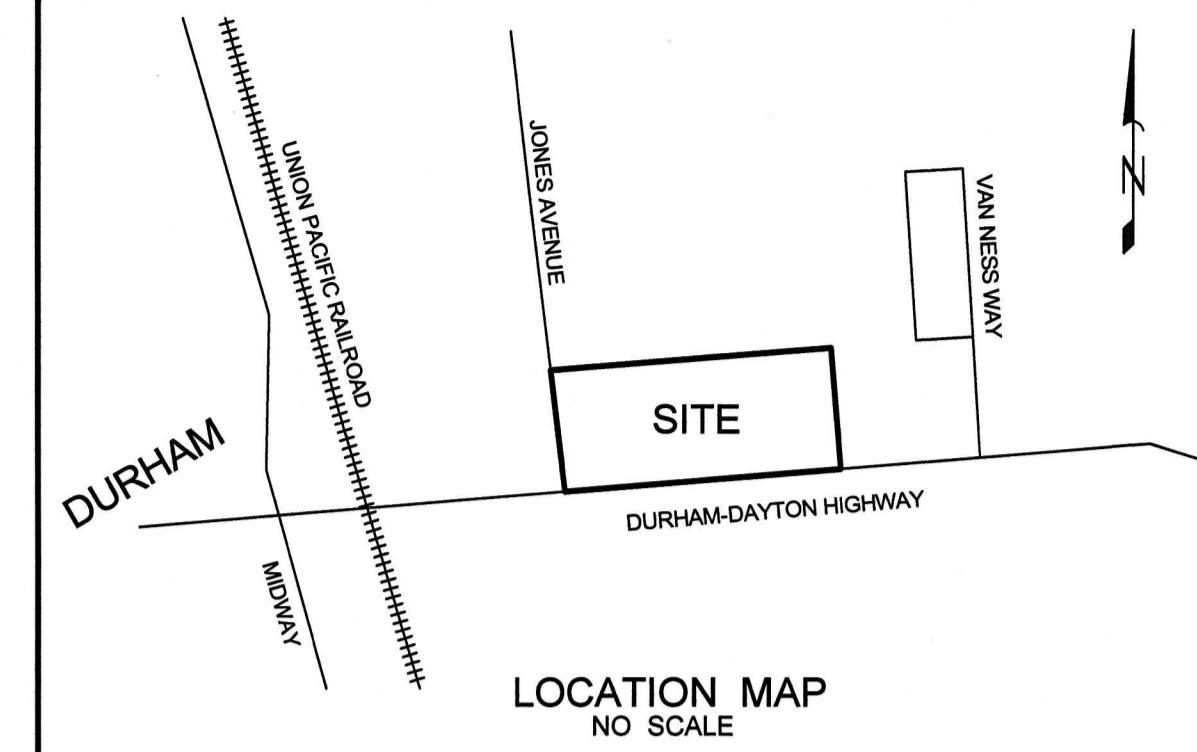
### Construction

## MAP LEGEND

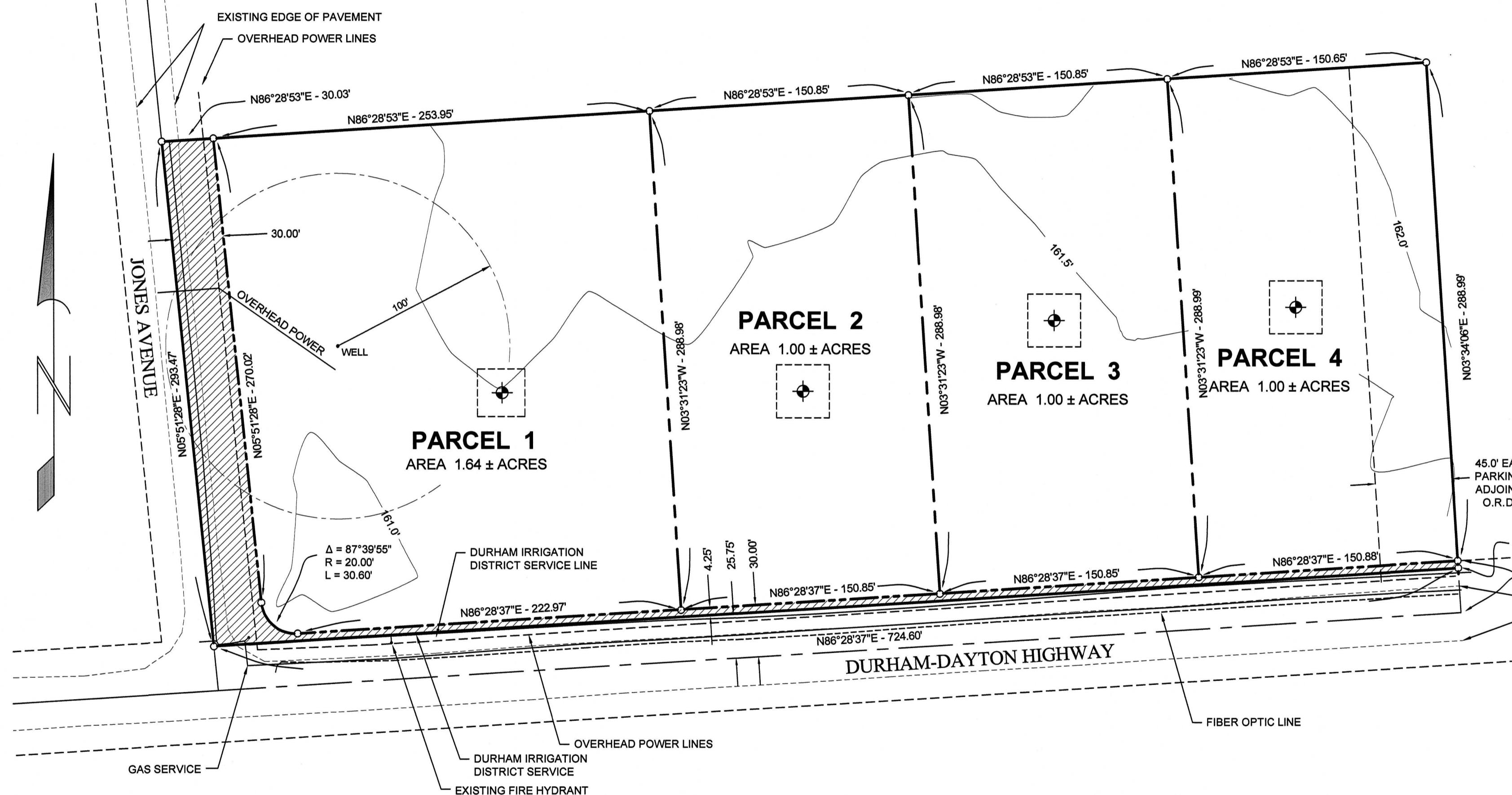
- PROPERTY BOUNDARY
- - - PROPOSED NEW PARCEL BOUNDARY
- 162.0 — CONTOUR, NAVD 1988 DATUM

SOIL TEST PIT LOCATION AND  
MINIMAL USEABLE WASTEWATER AREA  
12,000 SQ. FT. PARCEL 1  
15,000 SQ. FT. PARCELS 2, 3, 4

AREA TO BE GRANTED TO THE  
COUNTY OF BUTTE, ESTABLISHING  
30.00' HALF ROAD WIDTHS FROM  
THE CENTERLINE OF ROADS TO  
NEW PROPERTY LINE



LOCATION MAP  
NO SCALE



0 25 50 75 100 150

SCALE 1" = 50'

INFORMATION TABLE	
OWNER/APPLICANT:	BUTTE COUNTY FARM BUREAU 1148 RICHVALE HIGHWAY, RICHVALE, CA 95974 EDWARD C. McLAUGHLIN and DEBORAH L. McLAUGHLIN 2555 DURHAM-DAYTON HIGHWAY, DURHAM, CA 95938
PROJECT LOCATION:	9412 JONES AVENUE, DURHAM, CA 95938 APN 040-180-041
GENERAL PLAN:	VLDR, PROPOSED AG SERVICES
ZONING:	VLDR, PROPOSED AG SERVICES
FLOOD ZONE:	AE, APPROXIMATE 100 YR. ELEVATION 164.5±, NAVD 1988
WATER SERVICE:	TO BE PROVIDED BY DURHAM IRRIGATION DISTRICT
NO GRADING OR CONSTRUCTION:	PROPOSED BY THIS TENTATIVE PARCEL MAP

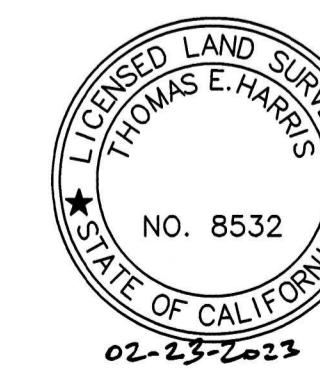
## TENTATIVE PARCEL MAP

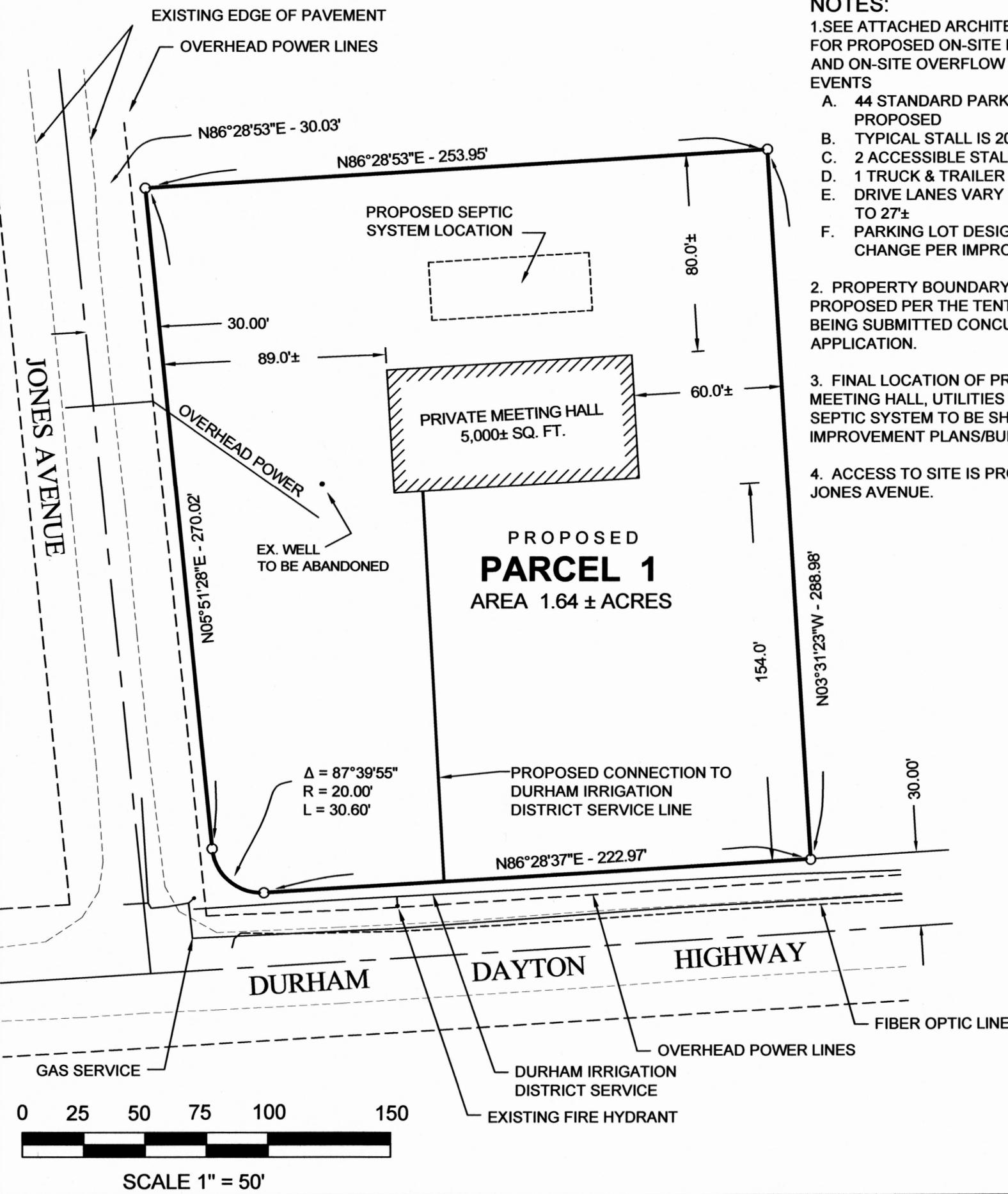
BEING A PORTION OF SECTION 30, T. 21 N., R. 2 E., M.D.M.; SITUATE IN THE  
UNINCORPORATED TERRITORY OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA.  
OCTOBER 2022  
SCALE 1"= 50'

BUTTE COUNTY FARM BUREAU  
a California non-profit corporation  
EDWARD C. McLAUGHLIN and DEBRA L. McLAUGHLIN  
Official Records Document No. 2021-0055587

PREPARED BY:

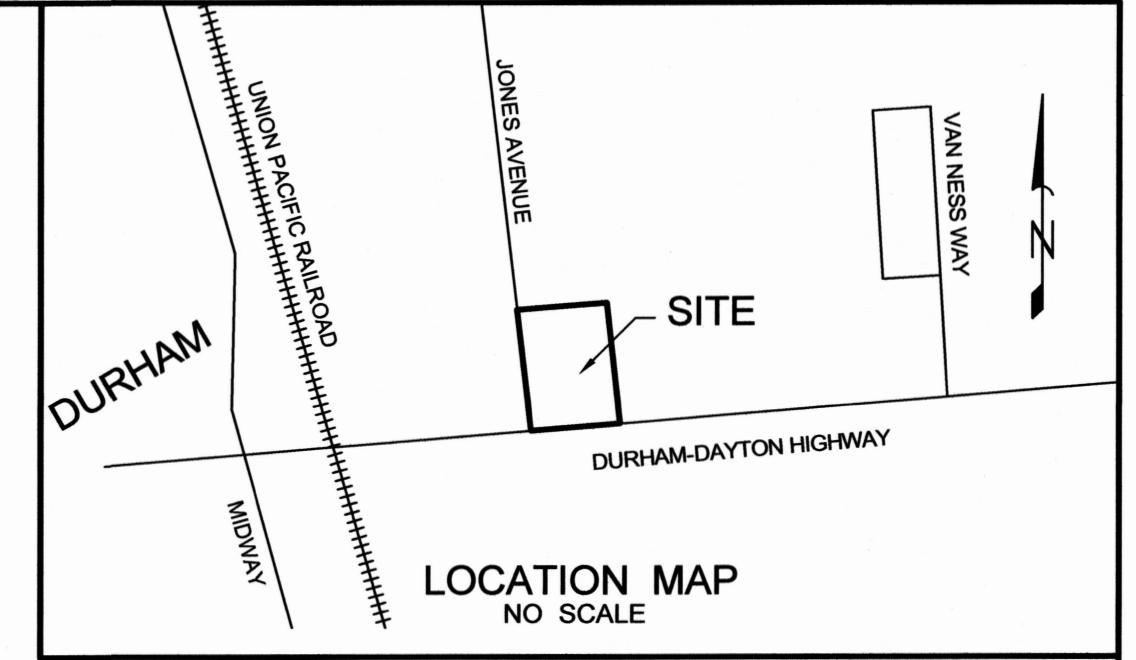
*Thomas E. Harris*  
THOMAS E. HARRIS  
LAND SURVEYOR  
908 6th STREET, ORLAND, CA. 95963  
SHEET 1 OF 1





#### NOTES:

1. SEE ATTACHED ARCHITECTURAL DRAWINGS FOR PROPOSED ON-SITE PARKING FOR STAFF AND ON-SITE OVERFLOW PARKING FOR EVENTS
  - A. 44 STANDARD PARKING STALLS PROPOSED
  - B. TYPICAL STALL IS 20' x 10'
  - C. 2 ACCESSIBLE STALLS
  - D. 1 TRUCK & TRAILER PARKING LOCATION
  - E. DRIVE LANES VARY IN WIDTH FROM 24± TO 27±
  - F. PARKING LOT DESIGN IS SUBJECT TO CHANGE PER IMPROVEMENT PLANS
2. PROPERTY BOUNDARY SHOWN HEREON IS PROPOSED PER THE TENTATIVE PARCEL MAP BEING SUBMITTED CONCURRENTLY WITH THIS APPLICATION.
3. FINAL LOCATION OF PROPOSED PRIVATE MEETING HALL, UTILITIES CONNECTIONS, SEPTIC SYSTEM TO BE SHOWN ON SITE IMPROVEMENT PLANS/BUILDING PLANS
4. ACCESS TO SITE IS PROPOSED TO BE FROM JONES AVENUE.



#### INFORMATION TABLE

OWNER/APPLICANT: BUTTE COUNTY FARM BUREAU  
1148 RICHVALE HIGHWAY, RICHVALE, CA 95974

PROJECT LOCATION: 9412 JONES AVENUE, DURHAM, CA 95938  
APN 040-180-041

GENERAL PLAN: VLDR, PROPOSED AG SERVICES  
ZONING: VLDR, PROPOSED AG SERVICES

WATER SERVICE TO BE PROVIDED BY DURHAM IRRIGATION DISTRICT

SITE IS 1.64± ACRES, PER THE TENTATIVE PARCEL MAP APPLICATION SUBMITTED CONCURRENTLY WITH CONDITIONAL USE PERMIT APPLICATION.

APN 040-180-041

## SITE PLAN - MINOR USE PERMIT

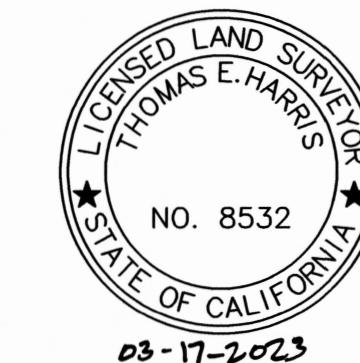
BEING A PORTION OF SECTION 30, T. 21 N., R. 2 E., M.D.M.; SITUATE IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA.  
MARCH 2023

SCALE 1"= 50'

**BUTTE COUNTY FARM BUREAU**

a California non-profit corporation

PREPARED BY:



*Thomas E. Harris*

THOMAS E. HARRIS

LAND SURVEYOR

908 6th STREET, ORLAND, CA. 95963

SHEET 1 OF 1

21054



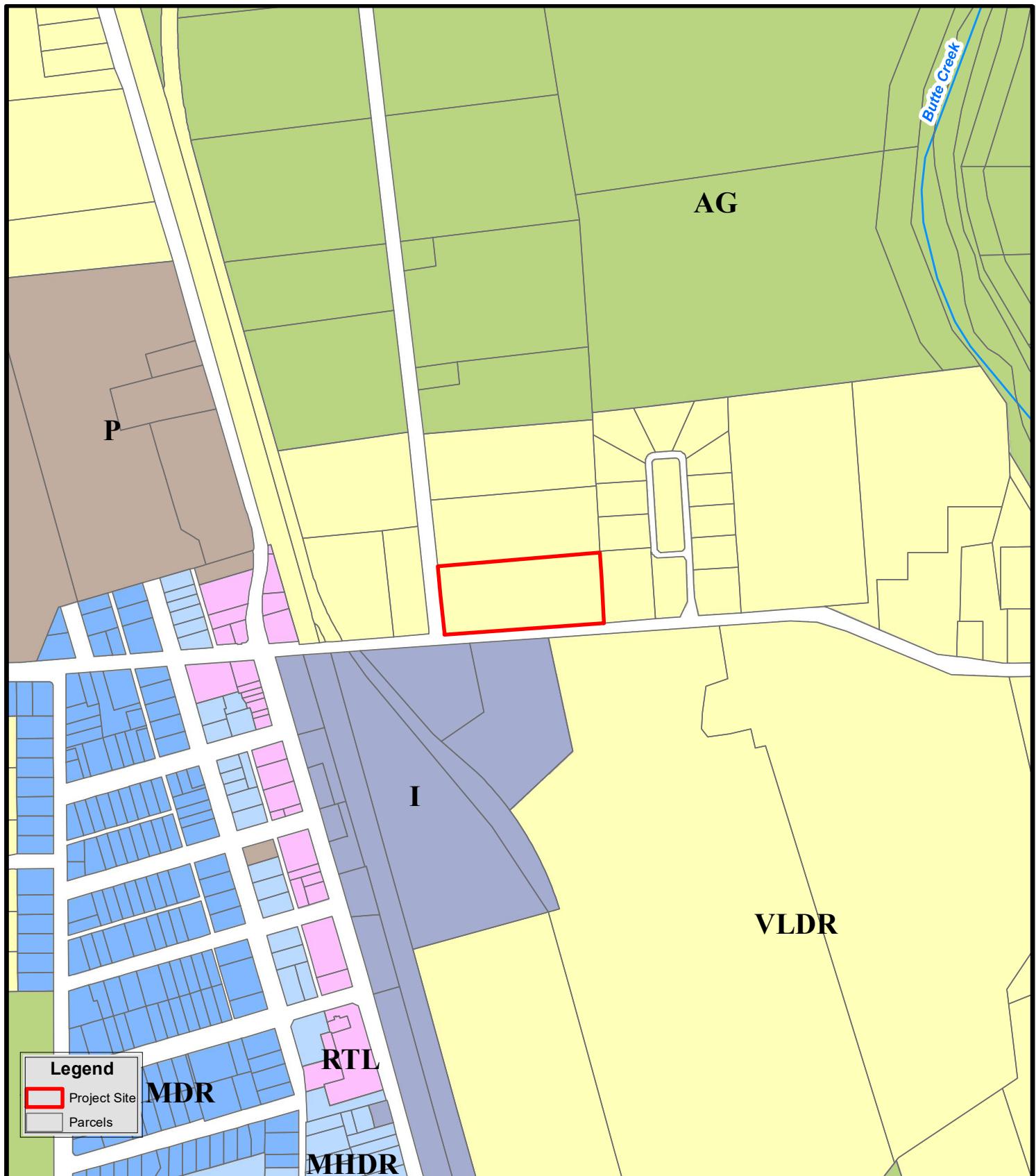
**BUTTE COUNTY FARM BUREAU**

SITE PLAN STUDY



# BUTTE COUNTY FARM BUREAU

EXTERIOR CONCEPT



## Butte County General Plan Land Use

0      340      680      1,360      2,040      2,720      3,400  
Feet

**Applicant:** Farm Bureau

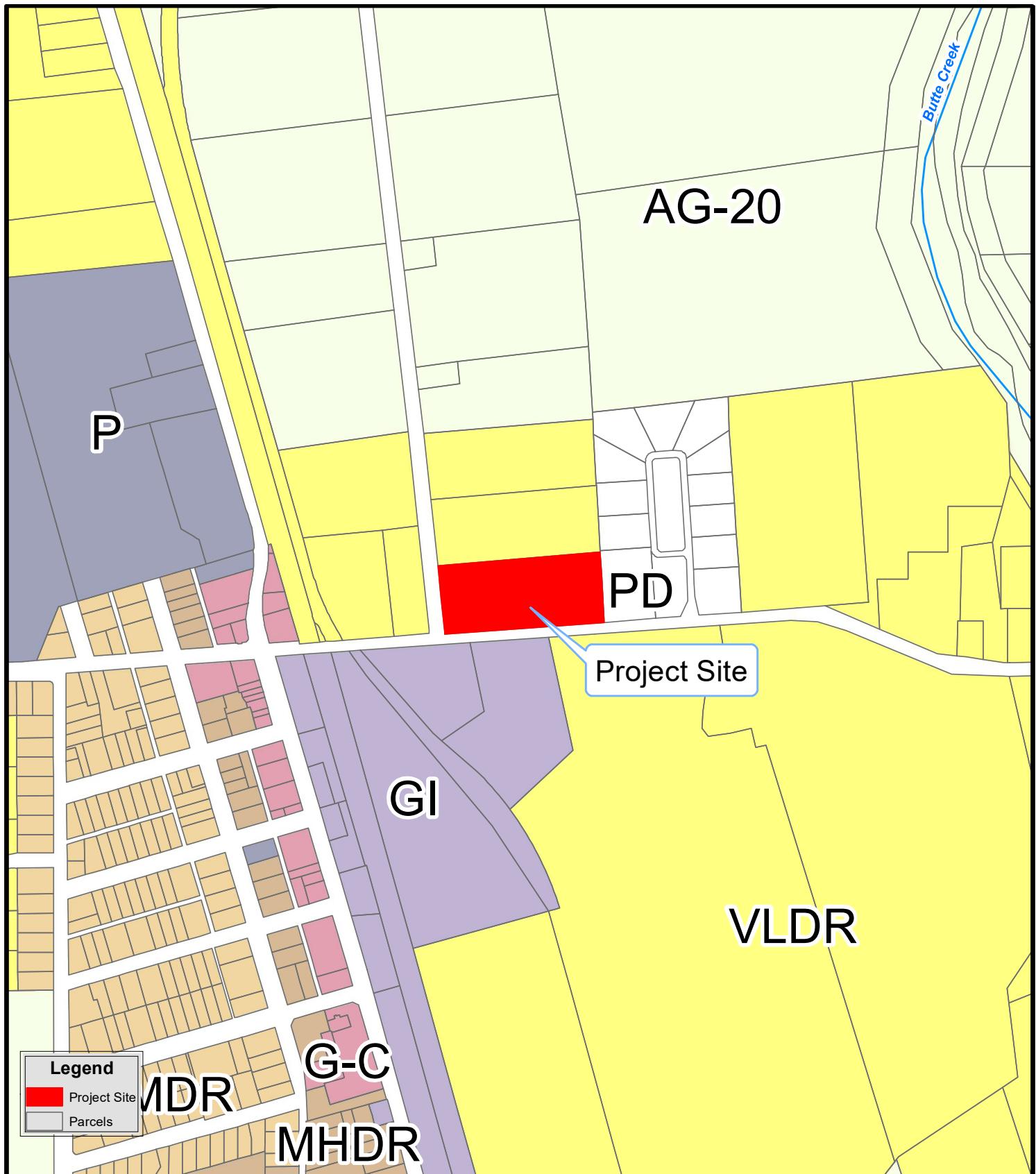
**Zoning:** VLDR

**Request:** GPA/REZ/TPM/MUP

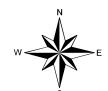
**Assessor Parcel No:** 040-180-041



**File:** GPA23-0001



## Butte County Zone Districts



Supervisorial  
District #4

**Applicant:** Farm Bureau

**Zoning:** VLDR

**Request:** GPA/REZ/TPM/MUP

**Assessor Parcel No:** 040-180-041

**File:** GPA23-0001

Project construction would take place in a single phase and would take approximately 9 to 12 months to complete. Construction activities would include site preparation, including removing existing vegetation and grading, excavation, and parking lot construction. Construction equipment would include bulldozers, scrapers, backhoes, excavators, loaders, compactors, rollers, and paving machines. Construction crews would vary in size, comprising of 10 to 20 people. Under the County's Noise Ordinance, construction activities are exempt from County noise standards if activities occur on Mondays through Fridays from sunrise to sunset, on Saturdays and holidays between 8 am to 6 pm, and on Sundays between 10 am to 6 pm.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

The area surrounding the project contains a mixture of residential, agricultural, and industrial uses. To the north of the project site is 4.78 acres property with a single-family residence and dryland pastures. The east boundary of the project site abuts the Durham House Inn, a Bed & Breakfast and Special Event Facility listed on the National Register of Historic Places. The properties to the south contain a parts and equipment manufacturer, an irrigation service contractor's yard, and an engine repair shop. Southeast of the project site contains a large VLDR property currently in use as an orchard. The west property is developed with a single-family residence and is currently used as an off-site parking area for the manufacturing business across Durham-Dayton Highway.

Direction	General Plan Designation	Zoning	Existing Land Use(s)
North	VLDR	VLDR	Single-Family Residential
South	General Industrial/VLDR	GI/VLDR	Manufacturer, Contractor's Yard, Engine Repair / Orchard
East	Planned Development	PD	Single-Family Residential/B&B/Special Event Facility
West	VLDR	VLDR	Single-Family Residential

The project site encompasses 4.92 acres in the unincorporated Durham community in Butte County. The site is primarily undeveloped and characterized as annual grassland. Onsite development of the site includes a well, a well house, and an electric panel. A 45 ft. wide parking easement is located along the east boundary of the project site. The parking easement is for the exclusive use of the Durham House property directly adjacent to the subject property. The site's topography ranges from 162 feet at the northeast corner to 161 feet at the southwest corner. Durham-Dayton Highway, a County-maintained arterial roadway, borders the southern edge of the project site. Jones Avenue, a County-maintained local roadway, borders the western edge of the project site. The project site has historically been used for dryland grazing and crop cultivation.

10. Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement)

No additional public agency approvals are required for the project.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of the significance of impacts on tribal cultural resources, procedures regarding confidentiality, etc.?

See Discussion 1.18

## **ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forest Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology / Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards / Hazardous Materials
<input type="checkbox"/>	Hydrology / Water Quality	<input type="checkbox"/>	Land Use / Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population / Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities / Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance
		<input type="checkbox"/>	None	<input checked="" type="checkbox"/>	None with Mitigation Incorporated

## DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

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*Rowland Hickel*

Prepared by Rowland Hickel, Senior Planner

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July 7, 2023

Date

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*Dan Breedon*

Reviewed by: Dan Breedon, Planning Manager

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July 10, 2023

Date

## EVALUATION OF ENVIRONMENTAL IMPACTS

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

## 1.1 AESTHETICS

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

## Discussion

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

**No impact.** The area surrounding the project site has been modified for agricultural production, residential development, and industrial uses. There are no unique visual features or scenic vistas in the project area. Therefore, the project will not substantially interfere with any scenic views or have a substantive negative aesthetic impact.

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

**No impact.** The project site is not adjacent to a state scenic highway, and there are no scenic resources on the project site. The project site contains no unique features, including trees, rock outcroppings, or historic buildings. The home, Durham House, directly east of the project site, is listed in the National Register of Historic Places. The property is situated on a separate parcel.

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

**Less than significant impact.** The nearest publicly accessible area to the project site is Durham-Dayton Highway and Jones Avenue, located south and west of the project site. The project site and the vicinity are identified as Urban zones (Butte County Code section 24-11) but are not classified as Urbanized under the US Census

Bureau. The project includes rezoning 4.92 acres from a VLDR zone to an AS zone, which is identified as a Rural zone in Butte County Code. The project also includes constructing and operating a non-residential meeting hall and office.

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

**Less than significant impact.** Operations will typically be conducted during daytime hours with occasional evening meetings. Outdoor lighting during evenings may also be used for safety and security. Permit conditions will be included for any new outdoor lighting would be subject to standards in Chapter 24, Article III, General Regulations, Division 4 – Outdoor Lighting, which would reduce light trespass and glare through shielding and other techniques. Implementing applicable outdoor lighting permit conditions would ensure that the proposed project would not create new sources of substantial lighting or glare that would generate a significant impact. Impacts would be less than significant under this threshold.

## 1.2 AGRICULTURE AND FOREST RESOURCES

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

## Regulatory Setting

### Williamson Act/Land Conservation Act (LCA) Contracts

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

### Farmland Mapping and Monitoring Program

The California Farmland Mapping and Monitoring Program (FMMP) develops statistical data for analyzing impacts on California's agricultural resources. The FMMP program characterizes "Prime Farmland" as land with the best combination of physical and chemical characteristics that can long-term agricultural crop production. "Farmland of Statewide Importance" is characterized as land with a good combination of physical and chemical characteristics for agricultural production but less ability to store soil moisture than prime farmland. "Unique Farmland" produces the state's major crops on soils not qualifying as prime farmland or of statewide importance. The FMMP also identifies "Grazing Land," "Urban and Built-up Land," "Other Land," and "Water" that are not included in any other mapping category.

### California Public Resources Code Section 4526

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

### California Public Resources Code Section 12220(g)

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

## Discussion

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

**No impact.** The California Farmland Mapping and Monitoring Program designates the site as a combination of "Prime" and "Grazing" farmland. In 2010, Butte County General Plan 2030 was adopted, which changed the previous designation of Agriculture to the current Very Low Density Residential land use designation. Since that time, Butte County adopted General Plan 2040. The project EIR, certified in March 2023 for General Plan 2040, identified impacts to Prime Farmland, including on the subject property, as Significant and Unavoidable, due to the redesignation of the land for residential development, a non-agricultural use. The Board of Supervisors, therefore, adopted a Statement of Overriding Considerations at the time of General Plan 2040 adoption. The Final EIR referenced for this General Plan 2040, including CEQA Findings of Fact and Statement of Overriding Considerations, is located online at the following location: <https://www.buttecounty.net/367/Butte-County-General-Plan-2040>.

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

**No impact.** The project will not conflict with existing zoning or agricultural use of a parcel under 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))?

**No impact.** The project site and surrounding area are not classified as forestland, as defined in Public Resources Code Section 12220(g), or as timberland, as defined in Public Resources Code Section 4526. The project site is not zoned or designated for forest or timber resource uses.

- d) **Result in the loss of forest land or conversion of forest land to non-forest use?**
- No impact.** The project site is located in the valley region of Butte County and does not contain trees or timber resources classified as forestland, as defined in Public Resources Code Section 12220(g), or as timberland, as defined in Public Resources Code Section 4526. Therefore, the proposed project would not result in the loss or conversion of forest land to a non-forest use.
- e) **Involve other changes in the existing environment, which, due to their location or nature, could result in the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

**No impact.** The project includes designating the site's land use to allow agricultural-type land uses, including developing a private meeting hall and offices consistent with the AS zoning designation. Therefore, the project would not result in the conversion of Farmland to a non-agricultural use.

## 1.3 AIR QUALITY

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

## Environmental Setting

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

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

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

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

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

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

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

As a result, high levels of particulate matter (primarily fine particulates or PM2.5) and ground-level ozone are the pollutants of most concern to the NSVAB Districts. Ground-level ozone, the principal component of smog, forms when reactive organic gases (ROG) and nitrogen oxides (NO<sub>x</sub>), known as ozone precursor pollutants, react in strong sunlight. Ozone levels tend to be highest in Butte County during late spring through early fall when sunlight is strong and constant, and emissions of the precursor pollutants are highest (Butte County CEQA Air Quality Handbook 2014).

#### Air Quality Attainment Status

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

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

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

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

**Unclassified** – assigned to areas where data are insufficient to determine whether a pollutant violates applicable standards.

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

POLLUTANT	STATE DESIGNATION	FEDERAL DESIGNATION
1-hour ozone	Nonattainment	-
8-hour ozone	Nonattainment	Nonattainment
Carbon monoxide	Attainment	Attainment
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
24-Hour PM10	Nonattainment	Attainment
24-Hour PM2.5	No Standard	Attainment
Annual PM10	Attainment	No Standard
Annual PM2.5	Nonattainment	Attainment

Source: Butte County AQMD, 2018

#### Sensitive Receptors

Sensitive receptors are frequently occupied locations where people who might be especially sensitive to air pollution are expected to live, work, or recreate. These types of receptors include residences, schools, churches, healthcare facilities, convalescent homes, and daycare centers. The project site is located in an urban area with residential uses directly to the north, east, and west, generally within 100 ft of the project site boundaries. Table 1.3-2 lists sensitive receptors identified in the project vicinity and the distances from the project site.

**Table 1.3-2. Sensitive Receptors in the Project Vicinity**

SENSITIVE RECEPATORS	DISTANCE FROM PROJECT SITE TO RECEPTOR
Residence (9440 Jones Ave.)	96 feet north
Residence (2280 Durham-Dayton Hwy)	50 feet east
Residence (9415 Jones Ave.)	143 feet west

Source: Butte County Geographical Information System/Google Earth imagery

#### Butte County Air Quality Management District

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

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

According to the State CEQA Guidelines, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make significance determinations for potential impacts on environmental resources. BCAQMD ensures that state and federal ambient air quality standards are not violated within Butte County. BCAQMD's CEQA Air Quality Handbook: Guidelines for Assessing Air Quality and Greenhouse Gas Impacts for Projects Subject to CEQA Review contains analysis requirements for construction and operation-related pollutant emissions. Established with these guidelines are screening criteria to determine whether or not additional modeling for criteria air pollutants is necessary for a project. The CEQA Air Quality Handbook also contains thresholds of significance for construction-related and operation-related emissions: ROG, NOx, and PM10. The screening criteria listed in Table 1.3-4 were created using CalEEMod version 2013.2.2 for the given land use types. To determine if a proposed project meets the screening criteria, the size and metric for the land use type (units or square footage) should be compared with that of the proposed project. If a project is less than the applicable screening criteria, then further quantification of criteria air pollutants is not necessary, and it may be assumed that the project would have a less than significant impact on criteria air pollutants. If a project exceeds the size provided by the screening criteria for a given land use type, then additional modeling and quantification of criteria air pollutants should be performed (Butte County Air Quality Management District 2014).

**Table 1.3-4. Screening Criteria for Criteria Air Pollutants**

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

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

## Discussion

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

**No impact.** A project is deemed inconsistent with an air quality plan if it would result in population or employment growth that exceeds the growth estimates in the applicable air quality plan (i.e., generating emissions not accounted for in the applicable air quality plan emissions budget). Therefore, proposed projects need to be evaluated to determine whether they would generate population and employment growth and, if so, whether that growth would exceed the growth rate included in the applicable air quality plan.

The proposed project would not result in population growth in the County. Employees would come from the local population. This project would not cause relocation of populations or housing. Further, the project would not result in a substantial increase in criteria air pollutants that would cause significant impacts to regional air quality (see Section 1.3(b)).

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

**Less than significant impact.** The proposed project has the potential to impact air quality primarily from mobile sources emissions generated during construction activities and operations, primarily from motor vehicles and off-road equipment, and also from energy emissions associated with the operations. Mobile source emissions produced from motor vehicles include tailpipe and evaporative emissions. Energy use emissions associated with the building's operation would be generated by heating and cooling systems, lighting, and powering office equipment. Overall, emissions generated by the project are not expected to be substantial and would not violate existing air quality standards because of minimal planned construction activities and the low number of office employees working at the site. Further, the proposed square footage of commercial space of 5,000 square feet does not exceed 15,000 square feet, the Commercial land-use type screening criteria listed above in Table 1.3-3. Thus, the project would be within the significance thresholds established in the BCAQMD, CEQA Air Quality Handbook.

**c) Expose sensitive receptors to substantial pollutant concentrations?**

**Less than significant impact.** Sensitive receptors in the project area and their distances from the project site area are shown in Table 1.3-2. Based on the information in section b.), the proposed project would not violate any air quality standards or contribute substantially to an existing or projected air quality violation, except for potential fugitive dust emissions during construction. The applicant will apply dust control best management practices during construction activities. Measures include limiting equipment idling time, application of water to suppress dust, and revegetation of disturbed areas, among other measures. Implementing dust control measures will be enforced through permit conditions, reducing potential cumulative fugitive dust emission impacts to a less than significant level.

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

**Less than significant impact.** The project would cause no objectionable odors. Any odors generated during operations would be similar to odors typically generated by residential uses. Any such odors generated by the project would be temporary and limited in area, thereby not impacting many people.

## 1.4 BIOLOGICAL RESOURCES

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

## Environmental Setting

### Vegetation Communities

#### Agricultural Land

Agricultural land is the dominant vegetation community within the project site. The site's conversion of native habitat into agricultural lands in the past has greatly diminished the land's ability to provide habitat for sensitive plant and animal species. Many species of rodents and birds have adapted to the agricultural vegetation community, but they are often controlled by fencing, trapping, and poisoning to prevent excessive crop losses. Common species observed within this community type include the mourning dove, American crow, Brewer's blackbird, Sandhill crane, various raptor species, egrets, and many species of rodents.

### Special-Status Species

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

Various direct and indirect impacts on biological resources may result from the small amount of development enabled by the project, including the loss or alteration of existing undeveloped open space that may serve as habitat. Increased vehicle trips to and from the project site can result in wildlife mortality and disruption of movement patterns within and through the project vicinity. Disturbances such as pet predation (e.g., cats and dogs) and human residents may also occur at the human/open space interface.

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

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

The California Natural Diversity Database (CNDDB) was reviewed to determine if any special-status species have the potential to occur on the project site or its vicinity. Table 1.4-1 lists each special-status species identified within a two-mile radius of the project site, along with regulatory status and habitat requirements for each special-status species. Five special-status species are known to inhabit areas near the project site.

**Table 1.4-1. Special-Status Species in the vicinity of the project site**

Scientific Name	Common Name	Federal Status	State Status	CNPS/DFG List	Habitat
<b>PLANTS</b>					
<i>Fritillaria pluriflora</i>	adobe-lily	None	None	1B.2	Grassland, Oak Woodland & Savanna
<i>Sidalcea robusta</i>	Butte County checkerbloom	None	None	1B.2	Grassland, Riparian, Oak Woodland & Savanna
<i>Fritillaria eastwoodiae</i>	Butte County fritillary	None	None	3.2	Chaparral, cismontane woodland, lower montane coniferous forest.
<b>FISH</b>					
<i>Oncorhynchus Mykiss</i>	Central Valley Steelhead	Threatened	None	AFS-TH	Aquatic
<b>MAMMALS</b>					
<i>Eumops perotis californicus</i>	western mastiff bat	None	None	SSC/BLM-S	Roosts in crevices in cliff faces, high buildings, trees, and tunnels.

Source: California Natural Diversity Database/RareFind 5.3.

SSC: Species of Special Concern in California.

BLM-S: Bureau of Land Management – Sensitive Species

AFS-TH: American Fisheries Society-Threatened

1B.1 - California Native Plant Society - Seriously threatened species in California

1B.2 - California Native Plant Society - Fairly threatened species in California.

3.2 – California Native Plant Society – Species need additional information but are presumed moderately threatened in California IUCN: International Union for Conservation of Nature Red List.

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## Discussion

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

**Less than significant with mitigation.** The site has been previously graded and used for commercial agricultural production, which resulted in the removal of trees and other native vegetation species. Further, the site is surrounded by existing development, including roads immediately to the south and west. A search of the California Natural Diversity Database (CNNDB) identified five potential species of concern in the project area. However, no suitable habitat is present on the site to support the identified species.

The project site contains grasses, shrubs, and trees immediately adjacent to the site, which could serve as bird nesting areas. Fish and Game Code section 3503 protects the nests and eggs of all birds, not just migratory birds and birds of prey. The project site may include vegetation removal (including grasses) and earthwork during the nesting season (February 1 through August 31), which could have a potentially significant impact. This is considered less than significant with mitigation incorporated if the following mitigation is adhered to:

**Mitigation Measure BIO-1:** A pre-construction nesting bird survey will be conducted by a qualified biologist to identify the absence or presence of active (i.e., with eggs or young) nests if construction activities occur during the nesting season (February 1 through August 31). The survey area will include the project site and a minimum 300-foot buffer around the project site. To minimize the chance of nests becoming established between the time the survey is conducted and when construction begins, the preconstruction survey be conducted no more than three (3) days before the start of vegetation removal and/or ground disturbing activities. If active nests are observed during the pre-construction survey, a species-appropriate no-disturbance buffer should be established to protect the active nest. Nesting birds' tolerance of disturbance varies greatly depending on species, intensity of disturbance, whether the nesting pair is accustomed to disturbance, the location of the nest, the stage of development of nestlings, etc. Disturbance too close to the nest may impact the parent's ability to forage effectively and reduce nestlings' chances of survival. In some cases, disturbance can cause the parents to abandon the nest completely. For these reasons, the qualified biologist should determine the size of the no-disturbance buffer.

**Plan Requirements:** The mitigation shall be recorded on an additional map sheet with the Parcel Map. The mitigation shall also be noted on all building and site development plans.

**Timing/Implementation:** The mitigation requirements shall be met three days before any construction activities proposed to occur during nesting season specified by the CDFW (February 1 through April 31).

**Enforcement/Monitoring:** Butte County

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?
- No impact.** A review of the project site and project area did not discover the presence of any riparian habitat or other sensitive habitat type.
- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- No impact.** The site has been extensively disturbed by past agricultural operations. No federally protected wetlands exist within the project site, as defined by Section 404 of the Clean Water Act.
- 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?
- Less than significant Impact.** The project site is located outside Butte County migratory deer corridors. Major migratory routes or corridors have yet to be designated through the project site, and the existing developed components of the project area (i.e., roads and fenced parcels) typically preclude the use of the area as a migratory wildlife corridor for large mammals. However, the site may facilitate home range and dispersal movement of resident wildlife species, including birds, small mammals, and other wildlife. It's not anticipated that the project would not interfere with existing migratory wildlife populations.
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- No impact.** No trees six inches or more in diameter (measured at four and one-half feet above the surface) are located on the site or proposed to be removed.
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?
- No impact.** The Butte Regional Conservation Plan (BRCP) is a joint Habitat Conservation Plan (HCP)/National Community Conservation Plan (NCCP) that is currently being prepared for the western half of Butte County. If the BRCP is adopted, individual projects and development in the BRCP planning area must be coordinated with the Butte County Association of Governments to ensure the project does not conflict with the BRCP. As the plan has yet to be adopted, the proposed project will not conflict with or interfere with the attainment of the goals of the proposed plan.

## 1.5 CULTURAL RESOURCES

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

## Discussion

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

**Less than significant impact with mitigation incorporated.** The project site is extensively disturbed from past agricultural activities and lacks any features that would indicate the presence of significant cultural resources. While no prehistoric or historic resources are known to be located on the project site, prehistoric, protohistoric, and historic cultural resources may occur within the general area. Native Americans used the region for seasonal and permanent settlement, gathering plants, roots, seeds, and seasonal game. Historically, Euro-Americans also utilized the region for mining, farming, and cattle ranching. With prehistoric and historic populations' past use of the project area, unanticipated archaeological discoveries may be encountered during ground-disturbing activities, resulting in potentially significant impacts. To avoid potential impacts on undiscovered prehistoric resources, historic resources, and human remains that may be uncovered during development activities on the project site, implementing **Mitigation Measure CUL-1**, below, is recommended to reduce potential impacts on cultural resources to less than significant.

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

**Less than significant impact with mitigation incorporated.** See Discussion 1.5(a) above. Implementing **Mitigation Measure CUL-1** is recommended to reduce potential impacts on cultural resources to less than significant.

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

**Less than significant impact with mitigation incorporated.** Humans have occupied Butte County for over 10,000 years, and it is only sometimes possible to predict where human remains may occur outside of formal cemeteries. Therefore, excavation and construction activities, regardless of depth, may yield human remains that may not be interred in marked, formal burials.

Under CEQA, human remains are protected under the definition of archaeological materials as being "any evidence of human activity." Public Resources Code section 5097.98 also has specific stop-work and notification procedures to follow if human remains are inadvertently discovered during project implementation.

The Butte County Conservation Element has established two policies that address the inadvertent discovery of human remains. COS-P16.3 requires human remains discovered during construction to be treated with dignity and respect and to fully comply with the federal Native American Graves Protection and Repatriation Act and other appropriate laws. COS-P16.4 requires work to stop if human remains are found during construction until the County Coroner has been contacted and, if the human remains are determined to be of Native American origin, the North American Heritage Commission and most likely descendant have been consulted.

Implementing the **Mitigation Measure CUL-1** would ensure that all construction activities associated with the proposed development that inadvertently discover human remains implement state-required consultation methods to determine the disposition and historical significance of any discovered human remains. **Mitigation Measure CUL-1** would reduce this impact to less than significant.

## Mitigation Measures

### Mitigation Measure CUL-1

If grading activities reveal the presence of prehistoric or historic cultural resources (i.e., artifact concentrations, including arrowheads and other stone tools or chipping debris, cans, glass, etc.; structural remains; or human skeletal remains), work within 50 feet of the find shall immediately cease until a qualified professional archaeologist can be consulted to evaluate the find and implement appropriate mitigation procedures. If human skeletal remains are encountered, State law requires immediate notification of the County Coroner (530.538.7404). If the County Coroner determines that the remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State Law, to arrange for Native American participation in determining the disposition of such remains. The provisions of this mitigation shall be followed during the construction of all improvements, including land clearing, road construction, utility installation, and building site development.

**Plan Requirements:** This note shall be shown on all site development and building plans.

**Timing:** This measure shall be implemented during all site preparation and construction activities.

**Monitoring:** The Department of Development Services and Public Works Department shall ensure the note is placed on a separate document to be recorded concurrently with the map or on an additional map sheet. Should cultural resources be discovered, the landowner shall notify the Planning Division and a professional archaeologist. The Planning Division shall coordinate with the developer and appropriate authorities to avoid damage to cultural resources and determine appropriate action. State law requires the reporting of any human remains.

## 1.6 ENERGY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. Energy.</b> 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?  b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

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

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

Construction energy consumption would largely result from fuel consumption by heavy equipment during grading activities associated with road and building site clearance, trucks transporting construction materials to the site during parcel development, and worker trips to and from the job site. Energy consumption during construction-related activities would vary depending on the activity level, length of the construction period, specific construction operations, types of equipment, and the number of personnel. Despite this variability in the construction activities, the overall scope of the construction proposed for the site is not expected to require a substantial amount of fuel to complete. Additionally, increasingly stringent state and federal regulations on engine efficiency combined with local, state, and federal regulations limiting engine idling times and recycling construction debris would further reduce the amount of transportation fuel demand during project construction. Considering these factors, the proposed project would not result in the wasteful and inefficient use of energy resources during construction, and impacts would be less than significant.

Long-term energy consumption would occur after the build-out of the project. The proposed commercial building would consume electricity for lighting, heating, and powering equipment. The project would also generate additional vehicle trips by employees commuting to and from the office, resulting in transportation fuel consumption.

State and federal regulatory requirements addressing fuel efficiency are expected to increase fuel efficiency over time as older, less fuel-efficient vehicles are retired. This would reduce vehicle fuel energy consumption rates over time. Therefore, energy impacts related to fuel consumption/efficiency during project operations would be less than significant.

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

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

## 1.7 GEOLOGY AND SOILS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. Geology and Soils.</b>				
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable or that would become unstable due to the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

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

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

**Less than significant impact.** No known active faults are underlying, or adjacent to, the project site. The Cleveland Hill fault is the only active fault zone in Butte County identified in the most recent Alquist-Priolo Earthquake Fault Zoning Map. The Cleveland Hill fault is located east of Dunstone Drive and Miners Ranch Road, between North Honcut Creek and Mt. Ida Road, approximately 4± miles southeast of the City of Oroville. Because the nearest active fault is located a considerable distance from the project site, the likelihood of a surface rupture at the site is very low, and would not be a design consideration for the project.

- ii) Strong seismic ground shaking?

**Less than significant impact.** Ground shaking at the project site could occur due to the earthquake potential of the region's active faults. However, active faults are relatively distant from the project site and would result in low to moderate-intensity ground shaking during seismic events.

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

**No impact.** According to Butte County General Plan 2040, areas at risk for liquefaction can be found on the valley floor, especially near the Sacramento and Feather Rivers and their tributaries, which have a higher potential to contain sandy and silty soils. The project site is located in the valley region of the County; however, future development would be evaluated for liquefaction potential, and if needed, design measures would be implemented to address this issue. No impact would occur under this threshold.

- iv) Landslides?

**No impact.** The project area is primarily level with 0-2% slopes. As a result, the landslide potential for the project site and surrounding area is low to none. Additionally, the Subsidence and Landslide Potential Map of the Health and Safety Element of the Butte County General Plan (Figure HS-7) indicates a low to no potential for landslides in this area. No impact would occur under this threshold.

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

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

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

**No impact.** Butte County General Plan 2040 (Figure HS-7) shows that the project site has low to no landslide potential. To date, there have been no documented incidents of subsidence in Butte County.

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

**No impact.** According to Figure HS-9 of Butte County General Plan 2040, the project site is located in an area with a low potential to have expansive soils, which can cause structural damage to existing structures, particularly when concrete structures are in direct contact with the soils. The Butte County Building Division may require soil tests before issuing a building permit to determine if the soils on the site have an expansive potential. No impacts associated with expansive soil would occur.

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

**Less than significant impact.** Butte County Environmental Health has evaluated soils on the project site for the future use of septic systems for wastewater disposal. The wastewater disposal system must be constructed per Butte County Code, Chapter 19, and the Butte County Onsite Wastewater Manual. The Butte County Environmental Health Division must approve an On-Site Wastewater System Construction Permit under a ministerial permit application. Application for a Construction Permit will include detailed plans of the proposed wastewater system, prepared by a Certified Installer or Certified Designer, demonstrating compliance with County regulations and the County's On-Site Wastewater Manual and ensuring a safe, sanitary, and environmentally sound wastewater system. Compliance with Environmental Health Division regulatory standards would reduce potential impacts to less than significant.

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

**No impact.** No paleontological resources are known to occur on the project site or within the surrounding area. Butte County General Plan 2040 and the accompanying Environmental Impact Report do not indicate that the project area is sensitive for paleontological resources. Therefore, unique paleontological resources would not be found in the project area during the project's future development.

## 1.8 GREENHOUSE GAS EMISSIONS

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

## Discussion

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

**Less than significant impact.** The project would generate greenhouse gas (GHG) emissions during the construction and operation of structures and uses when developed. Construction-related emissions during development may be generated from construction equipment exhaust, construction employee vehicle trips to and from the worksite, application of architectural coatings, and asphalt paving. The project's construction GHG emissions would occur over a short duration and consist primarily of equipment exhaust emissions. The long-term regional emissions associated with the project would mainly arise from creating new vehicular trips and indirect sources of emissions, such as electricity consumption, water use, and solid waste disposal.

The Butte County Climate Action Plan (CAP) was adopted in February 2014 and updated in December 2021. The Butte County CAP includes strategies and associated actions for public education and outreach efforts regarding reducing GHG emissions, administrative actions to monitor progress, and encouraging participation in programs. The strategies either apply to existing buildings that have already completed the environmental analysis, address operational characteristics of the county, or encourage options for actions that would reduce GHG emissions.

The proposed project's construction activities and operations are consistent with the Butte County General Plan. The contribution of GHG emissions with the project's build-out has been analyzed and mitigated with the adoption of the Butte County CAP and the continued implementation of its strategies. Electricity consumed during construction and operations is provided primarily by the area service provider regulated by state renewable energy plans. Vehicles used during construction, and generated by the project's operations, would conform to state regulations and plans regarding fuel efficiency. Therefore, the project would not generate substantial GHG emissions, either directly or indirectly, significantly impacting the environment. Impacts are less than significant.

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

**Less than significant impact.** The project's consistency with the Butte County General Plan would ensure compliance with the GHG emission reduction strategies in the Butte County CAP, which supports County-wide efforts to meet statewide GHG emission reduction goals. Therefore, impacts are less than significant.

## 1.9 HAZARDS AND HAZARDOUS MATERIALS

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

### Discussion

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

**Less than significant impact.** The project may involve using potentially hazardous materials, including paints, cleaning materials, vehicle fuels, oils, and transmission fluids. However, all potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. It is not anticipated that large quantities of hazardous materials will be permanently stored or used within the project site. It is more likely that only small quantities of publicly-available hazardous materials (e.g., paint, maintenance supplies, and fuel for maintenance

equipment) may be routinely used within the project site for routine maintenance and cleaning. However, these materials would not be used in sufficient strength or quantity to create a substantial risk of fire or explosion or otherwise pose a substantial risk to human or environmental health associated with inadvertent spills or human contact.

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

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

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

**No impact.** Durham Unified School District property, including Durham Intermediate, Durham High, and Durham Elementary Schools, are within one-quarter mile of the project site. As discussed in sections 1.9(a) and 1.9(b), the project will not handle hazardous materials beyond publicly available materials used for maintenance or cleaning.

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

**No impact.** A review of regulatory agency databases, which included lists of hazardous materials sites compiled under California Government Code Section 65962.5, did not identify a contamination site within one-quarter mile of the project site.

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

**No impact.** No public-use airports have been identified to be located within two miles of the project site. The closest public-use airport is the Paradise Skypark Airport, located approximately 9 miles east of the project site. The proposed project is located outside the compatibility zones for the area airports and, therefore, would not impact people residing on or visiting the site.

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

**No impact.** The proposed project would use driveways and roads constructed per applicable standards associated with vehicular access, allowing for adequate emergency access and evacuation. Development of the project would not include any actions that physically interfere with emergency response or evacuation plans. Traffic would be added to area roads as part of the project's operations; however, not to the extent that the operation of roadways and intersections would be adversely affected. If future construction activities require work in the roadway, implementing a traffic control plan in conjunction with a Butte County Encroachment Permit may be required. No impact would occur under this threshold.

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

**No impact.** The project site is not within a designated Cal Fire Hazard Severity Zone or State Responsibility Area (SRA). As a result, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

## 1.10 HYDROLOGY AND WATER QUALITY

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

## Discussion

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

**No impact.** Butte County General Plan 2040 identifies the soil conditions in the general project as having a slight potential for erosion.

A new onsite wastewater disposal system would provide wastewater disposal for proposed and future development. The new system would be constructed under an On-Site Wastewater System Construction Permit, approved by the Butte County Environmental Health Division under a ministerial project application. Application for an Onsite Wastewater Construction Permit will include detailed plans of the proposed wastewater system, prepared by a Certified Installer or Certified Designer, which will demonstrate compliance with County regulations and the County's On-Site Wastewater Manual, ensuring a safe, sanitary and environmentally sound wastewater system.

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

**Less than significant impact.** The Durham Irrigation District, a public water service, would provide domestic water for proposed uses on the project site. Water demand for the project is minimal and not would not substantially deplete the District's water supplies such that there would be a net deficit in aquifer volume or a lowering of the groundwater table level.

The proposed project would not result in the construction of large areas of impervious surfaces that would prevent water from infiltrating into the groundwater, nor would it result in direct additions or withdrawals to existing groundwater.

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

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

**Less than significant impact.** Construction of the proposed project would result in a small net increase in impervious surface area and an associated increase in the rate and volume of stormwater runoff. The project would be required to comply with Butte County regulations related to stormwater runoff, including implementation of post-construction stormwater management. Compliance with these regulations would ensure that the long-term operation of the project would have a less than significant impact on water quality.

Disturbance during construction would result in erosion and associated discharge of additional sediment and other pollutants. The National Pollutant Discharge Elimination System General Permit (GP) for Construction (Order 2009-009-DWQ) requires construction sites over one acre that do not qualify for a waiver to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall incorporate Best Management Practices (BMPs) to control sedimentation and runoff. These measures would be consistent with the application for a stormwater permit from the RWQCB. BMPs could include but are not limited to, temporary soil stabilization measures (e.g., mulching, seeding, installing silt fencing or straw bale barriers); storing materials and equipment to ensure that spills or leaks cannot enter the storm drain system or stormwater; and using filtering mechanisms at drop inlets to prevent contaminants from entering storm drains. Compliance with the NPDES Permit is mandated by State, and federal laws, and new construction projects are required to comply with stormwater general permits.

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

**Less than significant impact.** The subject property will be developed in a manner that would follow the existing contours of the land and would, therefore, not alter the existing drainage patterns that currently exist. The project's proposed drainage system would involve a combination of conventional surface and subsurface drainage systems, including drainage and detention basins, bio-swales, outfalls, and existing natural and roadside swales. The specific drainage system improvements for the proposed and future development would be designed and constructed to Butte County standards, subject to approval by the Director of Public Works.

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

**Less than significant impact.** Stormwater drainage systems in the project area currently consist of roadside ditches and culverts that capture surface runoff, which ultimately infiltrates into the underground aquifer or is conveyed to area waterways. The project's proposed drainage system would involve a combination of conventional surface and subsurface drainage systems, including drainage and detention basins, bio-swales, outfalls, and existing natural and roadside swales. The specific drainage system improvements for the proposed and future development would be designed and constructed to Butte County standards, subject to approval by the Director of Public Works.

- iv) Impede or redirect flood flows?

**Less than significant impact.** The project site is within a designated AE, 100-year flood zone (FEMA Flood Insurance Rate Map No. 06007C0520E, January 6, 2011). The proposed development and any future development would be built to not adversely affect the site's flood-carrying capacity or increase the water surface elevation, per the County Flood Hazard Prevention Ordinance. Therefore, the project would not redirect or impede flood flows.

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

**Less than significant impact.** The proposed project site is not located in the inundation area for any levee or dam in the project vicinity. As described above, the project site is located within the 100-year floodplain. The elevation of the proposed building would not alter or be constructed in a way that would result in the vulnerability of the structures or expose people to flooding. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding due to the failure of a levee or dam.

The project site is located outside a tsunami inundation area or near a large body that would cause it to be inundated by seiche. This impact would be less than significant.

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

**No impact.** The project site is located within the Butte County Groundwater Management Plan area. The Durham Irrigation District would provide domestic water for the project. Approval of the proposed project would not affect water quality, groundwater demand, or recharge. No impact would occur under this threshold.

## 1.11 LAND USE AND PLANNING

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

## Environmental Setting

The project site is designated Very Low Density Residential in the 2040 Butte County General Plan and is currently zoned VLDR (Very Low Density Residential one-acre minimum parcel size) in the Butte County Zoning Ordinance. The property is adjacent to the "Urban Area" as defined by the Durham Dayton Nelson Community Plan and within the Durham "Urban Reserve" area.

The boundaries of the "Durham Urban Reserve" area were delineated in the 1992 Durham Dayton- Nelson Plan and incorporated into Section I of the Area and Neighborhood Plans Element of the Butte County General Plan 2040. The project complies with the policies adopted for the Durham–Dayton Nelson Planning Area, as outlined below.

### *Durham Core Area and Urban Reserve*

The project is located within the Durham Urban Reserve and approximately one block east of the railroad tracks that bound the urban core of Durham. The Urban Reserve has been selected through the General Plan Update process as an area where an expansion of urban uses is preferred.

Developments within this area must meet additional criteria designed to protect agricultural lands, as specified by the Urban Reserve Policy.

### *Urban Reserve Policy*

The Durham–Dayton–Nelson Planning Area Urban Reserve Policy establishes lands held in reserve for future development as a way to guide growth in an orderly fashion through the 2010-2030 planning period. The Policy allows for the preponderance of lands surrounding these rural communities, including Durham, to remain rural in character by promoting growth in concentrated areas of mixed uses and discouraging growth elsewhere.

Development of the Urban Reserve Policy and adoption of the Policy within the Butte County General Plan is the result of years of planning efforts that took into account the diverse interests of stakeholders within the county, sound planning strategies, and the County's obligations that exist through state and federal planning regulations.

The Durham–Dayton–Nelson Planning Area Urban Reserve Policy is as follows (Butte County General Plan, Area and Neighborhood Plans Element, pg. 13-1):

- The County's land use policy, zoning, and subdivision regulations shall be coordinated with the Urban Reserve policies and regulations; and
- All property located in the planning area shall be managed as an "URBAN RESERVE," not permitting rural residential development and uses on parcels less than 3 acres until such time as they are needed for development and adequate services are available to serve this area; and

- Any proposal for a General Plan Amendment, rezoning, or subdivision which would permit parcels of less than 3 acres to be created for residential use shall be coordinated with all public agencies which provide utility and public services for extension of water, circulation, and drainage, and shall be required to submit the following plans prior to or concurrently with the adoption.
- A capital improvement plan/program that indicates where and when physical improvements are to be made, the size of these improvements, standards, and lines to service the area, and how they will be financed. This plan should be based on the desired land pattern for future growth, the costs of initial service, and the continued operation costs to the designated area.
- An environmental plan that identifies critical areas that should be protected from development if applicable.
- A street and transportation plan that indicates the location, capacity, and nature of the system and off-site transportation impacts.
- Health department standards for control of septic systems and water wells. Areas where wells and septic systems are not permissible should be identified.
- A fiscal plan that identifies the proportion of costs of public facilities and services that is to be reimbursed from new subdivisions.
- Any parcel which is now less than 20 acres which was legally created, preexisting and non-conforming, may be developed according to its zoning and the provisions of Butte County Code Section 24-35.
- Development standards of the County utilized in other urban areas for developments less than 1 acre shall be utilized for all residential development projects within the Urban Reserve Area.

## Discussion

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

**No impact.** The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. The project would not physically divide an established community.

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

**No impact.** The proposed project would allow agricultural uses and agricultural-related services that are complementary to existing agricultural uses, including certain industrial and commercial uses. Agricultural support uses permitted as-of-right in the AS zone include uses with minimal potential to impact adjacent parcels, such as agricultural equipment sales and rental, light manufacturing, warehousing, and distribution and storage. While AS zone uses that are more likely to impact adjacent parcels, such as agricultural vehicle repair and heavy manufacturing, require the approval of a Conditional Use Permit.

The change in the land use designation to Agricultural Services and the establishment of the proposed development is consistent with the goals of the Durham Dayton Nelson Community Plan to maintain the rural character and agricultural lands of the Durham community. Therefore, the project is deemed consistent with the Agriculture Services (AS) land use designation and zoning, with approval of the Minor Use Permit.

## 1.12 MINERAL RESOURCES

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

### Discussion

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

**No impact.** Most of Butte County's sand and gravel deposits occur in two regions, along the Sacramento River and within a band running from north to south down the center of the county. No known economically viable sources of rock materials are near the project site, and no mining has occurred on the site or surrounding area. Development of the project would not preclude future extraction of available mineral resources. No impact would occur under this threshold.

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

**No impact.** The project site is not within or near any designated locally-important mineral resource recovery site.

## 1.13 NOISE

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

## Environmental Setting

According to the Butte County General Plan 2040, noise is a concern throughout Butte County, but especially in rural areas and in the vicinity of noise-sensitive uses such as residences, schools, and churches. Noise is discussed in the Health and Safety Chapter of the Butte County General Plan 2040. Tables HS-2 and HS-3 in the County General Plan (included as Tables 1.13-1 and 1.13-2 below) outline the maximum allowable noise levels at sensitive receptor land uses.

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

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

Source: Table HS-2, Butte County General Plan 2040

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

<sup>b</sup> As determined for a typical worst-case hour during periods of use.

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

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

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

Source: Table HS-3, Butte County General Plan 2040

Notes:

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

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

#### Butte County Noise Ordinance

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

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

#### Chapter 41A-9 Exemptions

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

(f) Noise sources associated with construction, repair, remodeling, demolition, paving, or grading of any real property or public works project located within one thousand (1,000) feet of residential uses, provided said activities do not take place between the following hours:

- Sunset to sunrise on weekdays and non-holidays;
- Friday commencing at 6:00 p.m. through and including 8:00 a.m. on Saturday, as well as not before 8:00 a.m. on holidays;
- Saturday commencing at 6:00 p.m. through and including 10:00 a.m. on Sunday; and,
- Sunday after the hour of 6:00 p.m.

Provided, however, when an unforeseen or unavoidable condition occurs during a construction project, and the nature of the project necessitates that work in progress be continued until a specific phase is completed, the contractor or owner shall be allowed to continue work into the hours delineated above and to operate machinery and equipment necessary to complete the specific work in progress until that specific work can be brought to a conclusion under conditions which will not jeopardize inspection acceptance or create undue financial hardships for the contractor or owner;

(g) Noise sources associated with agricultural and timber management operations in zones permitting agricultural and timber management uses;

(h) All mechanical devices, apparatus, or equipment which are utilized for the protection or salvage of agricultural crops during periods of adverse weather conditions or when the use of mobile noise sources is necessary for pest control;

(i) Noise sources associated with maintenance of residential area property, provided said activities take place between 7:00 a.m. to sunset on any day except Saturday, Sunday, or a holiday, or between the hours of 9:00 a.m. and 5:00 p.m. on Saturday, Sunday, or a holiday; and, provided machinery is fitted with correctly functioning sound suppression equipment;

#### Chapter 41A-8 Butte County Interior Noise Standards

Interior noise standards discussed in Chapter 41A apply to all noise-sensitive interior areas within Butte County. The maximum allowable interior noise level standard for residential uses is 45 dB Ldn/CNEL, which is designed for sleep and speech protection. The typical structural attenuation of a residence from an exterior noise is 15 dBA when windows facing the noise source are open. When windows in good condition are closed, the noise attenuation factor is around 20 dBA for an older structure and 25 dBA for a newer dwelling constructed consistent with Title 24 of the California Energy Code.

**Table 1.13-3. Maximum Allowable Interior Noise Standards**

NOISE LEVEL DESCRIPTION	Daytime 7 am - 7 pm	Evening 7 pm - 10 pm	Nighttime 10 pm - 7 am
Hourly L <sub>eq</sub> (dB)	45	40	35
Maximum Level (dB)	60	55	50

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

## Discussion

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

**Less than significant impact.** Long-Term Operational Impacts. Operation of the proposed private meeting hall and office building would not result in the exposure of persons to or generation of noise levels over standards established in the Butte County General Plan.

Short-Term (Construction) Impacts. Construction of the proposed project would add short-term and intermittent noise from using equipment and vehicles. Noise impacts from construction crew commutes, and the transport of construction equipment and materials to the project site would incrementally increase noise levels on access roads leading to the site. Construction activities and the associated noises that would occur during daytime hours would. Therefore, construction period noise is exempt from Butte County noise thresholds under Butte County Code Chapter 41-9.

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

**Less than significant impact.** Development of the proposed project would not result in excessive ground-borne vibration or noise levels. During construction activities such as excavations, trucks or other equipment may have relatively minor vibrations. However, the ground-borne noise from such equipment would be relatively minor, intermittent, short-term, and restricted to daytime hours. Therefore, this impact 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?

**No impact.** No public use airports have been identified to be located near the project site. The proposed project is located outside the compatibility zones for the area airports and, therefore, would be outside the airport's 60 dBA CNEL noise contour. The proposed project would not expose people working on the project site to excessive noise levels from a public use airport or private airstrip.

## 1.14 POPULATION AND HOUSING

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

### Discussion

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

**No impact.** The project would not include the construction of homes or infrastructure, result in the conversion of adjacent land uses, or provide access to previously inaccessible areas, and therefore would not induce substantial population growth.

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

**No impact.** The project would not require the removal or construction of any housing. Therefore, the proposed project would not result in the loss of existing housing or cause a significant increase in the local population that would displace existing residents, necessitating the construction of additional housing.

## 1.15 PUBLIC SERVICES

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

## Discussion

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

### Fire protection?

**Less than significant impact.** Butte County Fire Department provides fire protection services. The project is located within a rural area and a Local Responsibility Area for wildland fires. The nearest staffed fire station is the Butte County Fire Station #45, located at 2367 Campbell Street, Durham, California, approximately 1,500 feet southwest of the project site. Build-out of the project may incrementally increase the demand for fire protection services. However, approval of the MUP and project would be consistent with the planned growth documented in Butte County General Plan 2040. Additionally, Butte County assessed fire protection impact fees for existing development at the site to help offset the impacts on the fire protection services. Impact fees are used to fund capital costs associated with acquiring land for new fire stations, constructing new fire stations, purchasing fire equipment, and providing for additional staff as needed. A less than significant impact would occur under this threshold.

### Police protection?

**Less than significant impact.** The Butte County Sheriff's Office (BCSO) provides law enforcement services to the site. While the project may cause an incremental increase in demand for law enforcement services, adequate resources are available in the area to respond to the calls. The project would not require any new law enforcement facilities or the alteration of existing facilities to maintain acceptable performance objectives. Therefore, impacts on police protection would be less than significant impact.

## Schools?

**No impact.** The proposed project will not generate additional students or significantly increase demand for additional school facilities.

## Parks?

**No impact.** The project would not affect demand for existing local and regional park facilities.

## Other public facilities?

**Less than significant impact.** The project does not require extending public infrastructure, such as roads, water, or sewer systems. The project may increase demand for County services, such as law enforcement and fire protection. Other services such as schools, recreation, and libraries would not be affected. Butte County collects various development impact fees to partially offset the cost associated with new development. With the payment of fees, a less than significant impact would occur under this threshold.

## 1.16 RECREATION

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

## Discussion

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

**No impact.** Build-out of the project is not expected to increase the local population or increase available housing units that affect the demand for existing local and regional park facilities. No impact would occur under this threshold.

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

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

## 1.17 TRANSPORTATION

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

## Discussion

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

**Less than significant impact.** The Butte County Public Works Department has reviewed the project for traffic impacts against the County's Traffic Impact Study guidelines. Using the Recreational Community Center land use trip generation rate of 28.82 trips per 1,000 square feet of gross floor area (GFA), the project would result in 144 Average Daily Trips (ADT) or around 14-15 peak hours trips. Using the Small Office Building land use (5000 GFA or less) trip generate rate of 16.19 per 1,000 square feet GFA, the project would result in 81 ADT or approximately 8 peak hour trips. Based on the proposed use, the project does not meet the thresholds for a Traffic Impact Study.

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

**Less than significant impact.** The Project is located in the established community of Durham, as shown in Figure LU-6 of General Plan 2040. The community offers land use efficiency benefits by providing connectivity to existing and planned service uses that would shorten or reduce expected vehicle trips from the project.

Additionally, based on the Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, certain projects were found to have a de minimis effect on VMT. De minimis projects include any project that generates or attracts 110 or fewer daily trips, such as offices under 10,000 square feet, light industrial uses with less than 15-20,000 square feet, and warehousing with less than 63,000 square feet.

The project would result in approximately 81 average daily trips per day, which is fewer than the 110 vehicle trips per day based on the proposed screening criteria established by OPR's technical advisory. As a result, the project would not have significant transportation impacts, and additional VMT analysis is unnecessary.

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

**No impact.** The proposed project would not change the configuration (alignment) of area roadways and would not introduce types of vehicles that would result in dangerous conditions on area roads. If future driveway improvements require construction within the County right-of-way, the work will be performed in compliance with a Butte County Encroachment Permit. Thus, no impact associated with roadway hazards resulting from geometric design features would occur.

- d) Result in inadequate emergency access?

**No impact.** Driveways and approach aprons (encroachments) from the project site to the road will be designed and constructed to meet all applicable local development standards, ensuring that access is adequate to provide emergency ingress and egress and not create unsafe conditions.

## 1.18 TRIBAL CULTURAL RESOURCES

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

## Environmental Setting

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

Butte County contains many archaeological, prehistoric, and historical resources. The General Plan 2040 EIR observes that the "archaeological sensitivity of Butte County is generally considered high, particularly in areas near water sources or on terraces along water courses."

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

Per Assembly Bill AB 52 (Statutes of 2014) Notification Request, Public Resources Code Section 21080.3(b), the County received four letters from tribes wishing to be notified: Mechoopda Indian Tribe of Chico Rancheria, Mooretown Rancheria, Paskenta Band of Nomlaki Indians, and the United Auburn Indian Community of the Auburn Rancheria (UAIC). The UAIC provided a map of their traditional and cultural affiliation area, which did not include the project site. The other three tribes were notified of the project on June 28, 2023.

## Discussion

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

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

**Less than significant impact with mitigation.** No known tribal cultural resources have been identified within the Project area. The site has not been identified as either a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe. A search of the Sacred Lands File conducted by the NAHC did not indicate the presence of Native American cultural resources in the project area.

However, the unanticipated and accidental discovery of California Native American tribal cultural resources is possible during project implementation, especially during excavation, and has the potential to impact unique cultural resources. As such, mitigation measure **CUL-1** has been included to reduce the potential for impacts on tribal cultural resources to a less than significant level.

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

**Less than significant impact with mitigation.** See discussion 1.18(a). Implement mitigation measure **CUL-1**.

## 1.19 UTILITIES AND SERVICE SYSTEMS

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

### Discussion

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

**No impact.** Electric power (PG&E) and wireless phone service currently serve the project site area. Wastewater disposal for the project site would be provided by a permitted onsite septic system installed following applicable Butte County Code Chapter 19 (on-Site Wastewater Systems) regulations. The Durham Irrigation District, a public water service, would provide domestic water. The project is expected to generate a relatively small amount of wastewater (less than 10,000 gallons), which would be within the wastewater treatment requirements of the local enforcement agency, Butte County Environmental Health. The project would also not result in the relocation or construction of new or expanded infrastructure, including water services, wastewater treatment, stormwater drainage, electricity, or telecommunication facilities.

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

**Less than significant impact.** The Durham Irrigation District would provide domestic water to planned uses on the project site. Existing water supplies are anticipated to be available to serve the proposed project, and no additional or expanded entitlements are required.

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

**No impact.** No wastewater treatment provider currently serves the project area. A private, on-site septic system would also be used to manage wastewater. The amount of wastewater generated by the proposed project would be minimal. Therefore, no wastewater treatment facilities or expansion of existing facilities would be required.

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

**Less than significant impact.** Operations would result in a minor increase of solid waste requiring disposal at the Neal Road Recycling and Waste Facility. Solid waste would be removed from the property every seven days or as needed. The Neal Road Facility has a maximum permitted throughput of 1,500 tons per day and an estimated current daily average throughput of 466 tons per day. Therefore, the facility would have adequate capacity to accommodate solid waste generated by the project.

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

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

## 1.20 WILDFIRE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XX. Wildfire.</b>				
Is the project located in or near state responsibility areas or lands classified as high fire hazard severity zones?	<input type="checkbox"/>	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Environmental Setting

The project site is not within a State Responsibility Area (SRA) or in a fire hazard area, as designated by the State Department of Forestry and Fire Protection (Cal Fire).

## 1.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

## Discussion

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

**Less than significant impact with mitigation.** The proposed project's impacts on biological resources and cultural resources were analyzed in this Initial Study, and all direct, indirect, and cumulative impacts were determined to have no impact, a less than significant impact, or reduced to a less than significant impact with implementation of mitigation. No special status species were identified in the proposed project area, and the project would not cause fish or wildlife populations to drop below self-sustaining levels or restrict the movement/distribution of a rare or endangered species. Though no habitat for special status species was identified on the site, bird species may utilize the site for nesting, which may be impacted during construction activities if performed during the nesting seasons (February 1 through April 31). Implementing a mitigation measure, BIO-1, would reduce these potential impacts to a less than significant level.

The proposed project's development would not affect known historical, archaeological, or paleontological resources. However, planned construction activities may result in the inadvertent discovery of cultural resources

not previously identified. Implementing mitigation measure CUL-1 proposed in the relevant section of this IS/MND would reduce potential impacts to a less than significant level.

- 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.)

**Less than significant impact.** The project would have no impact, a less than significant impact, or a less than significant impact with mitigation incorporated concerning all environmental issues under CEQA. Due to the limited scope of direct physical impacts to the environment associated with the project, potential impacts are project-specific in nature.

The cumulative effects resulting from the Butte County General Plan 2040 build-out were previously identified in the General Plan EIR. The type, scale, and location of the type of development proposed would be consistent with the County’s General Plan and zoning designation with approval of the Project and is compatible with the pattern of development on adjacent properties. Because of this consistency, the potential cumulative environmental effects of the proposed project would fall within the impacts identified in the County’s General Plan EIR. The project would be subject to required “fair share” development impact fees, which will be paid at the time of development.

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

**Less than significant impact.** While the Project may cause short-term annoyances from short construction periods, these are not considered substantial or adverse. Therefore, direct and indirect impacts on human beings would be less than significant.

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

Reference: Government Code Sections 65088.4.

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

## Environmental Reference Materials

1. Butte County. *Butte County Airport Land Use Compatibility Plan*. Butte County Airport Land Use Commission. November 15, 2017. Available at <https://www.buttecounty.net/541/Airport-Land-Use-Commission-ALUC>
2. Butte County. *Butte County Bicycle Plan*. June 14, 2011. Available at <https://www.buttecounty.net/1066/County-Bikeway-Master-Plan>
3. Butte County. *Butte County Climate Action Plan*. December 14, 2021. Available at <https://www.buttecounty.net/361/Climate-Action-Plan-Update>
4. Butte County. *Butte County General Plan 2040 Final Environmental Impact Report*. March 2023.
5. Butte County. *Butte County General Plan 2040*. March 2023.
6. Butte County. *Butte County Code of Ordinances, Chapters 19, 20, 24 & 41A*. Available at [https://www.municode.com/library/ca/butte\\_county/codes/code\\_of\\_ordinances/](https://www.municode.com/library/ca/butte_county/codes/code_of_ordinances/)
7. Butte County. *Butte County Department of Development Services GIS Data*. September 2020.
8. Butte County Air Quality Management District. *CEQA Air Quality Handbook – Guidelines for Assessing Air Quality and Greenhouse Gas Impacts for Projects Subject to CEQA Review*. October 23, 2014.
9. California Department of Conservation. *Fault-Rupture Hazard Zones in California. Altquist-Priolo Earthquake Fault Zoning Act with Index to Earthquake Fault Zone Maps*. Special Publication 42. Interim Revision. 2007.
10. California Department of Conservation, Division of Land Resource Protection. *A Guide to the Farmland Mapping and Monitoring Program*. 2004.
11. California Department of Toxic Substance Control. 2009. *Envirostor Database*. Accessed on June 2023. <http://www.envirostor.dtsc.ca.gov/public>.

# Mitigation Measures and Monitoring Requirements

Butte County Farm Bureau

General Plan Amendment (GPA23-0001), Rezone (REZ23-0001), Tentative Parcel Map (TPM23-0002), and Minor Use Permit (MUP23-0001)

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## Mitigation Measure BIO-1:

A pre-construction nesting bird survey will be conducted by a qualified biologist to identify the absence or presence of active (i.e., with eggs or young) nests if construction activities occur during the nesting season (February 1 through August 31). The survey area will include the project site and a minimum 300-foot buffer around the project site. To minimize the chance of nests becoming established between the time the survey is conducted and when construction begins, the preconstruction survey be conducted no more than three (3) days before the start of vegetation removal and/or ground disturbing activities. If active nests are observed during the pre-construction survey, a species-appropriate no-disturbance buffer should be established to protect the active nest. Nesting birds' tolerance of disturbance varies greatly depending on species, intensity of disturbance, whether the nesting pair is accustomed to disturbance, the location of the nest, the stage of development of nestlings, etc. Disturbance too close to the nest may impact the parent's ability to forage effectively and reduce nestlings' chances of survival. In some cases, disturbance can cause the parents to abandon the nest completely. For these reasons, the qualified biologist should determine the size of the no-disturbance buffer.

**Plan Requirements:** The mitigation shall be recorded on an additional map sheet with the Parcel Map. The mitigation shall also be noted on all building and site development plans.

**Timing/Implementation:** The mitigation requirements shall be met three days before any construction activities proposed to occur during nesting season specified by the CDFW (February 1 through April 31).

**Enforcement/Monitoring:** Butte County

## Mitigation Measure CUL-1

If grading activities reveal the presence of prehistoric or historic cultural resources (i.e., artifact concentrations, including arrowheads and other stone tools or chipping debris, cans, glass, etc.; structural remains; or human skeletal remains), work within 50 feet of the find shall immediately cease until a qualified professional archaeologist can be consulted to evaluate the find and implement appropriate mitigation procedures. If human skeletal remains are encountered, State law requires immediate notification of the County Coroner (530.538.7404). If the County Coroner determines that the remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State Law, to arrange for Native American participation in determining the disposition of such remains. The provisions of this mitigation shall be followed during the construction of all improvements, including land clearing, road construction, utility installation, and building site development.

**Plan Requirements:** This note shall be shown on all site development and building plans.

**Timing:** This measure shall be implemented during all site preparation and construction activities.

**Monitoring:** The Department of Development Services and Public Works Department shall ensure the note is placed on a separate document to be recorded concurrently with the map or on an additional map sheet. Should cultural resources be discovered, the landowner shall notify the Planning Division and a professional archaeologist. The Planning Division shall coordinate with the developer and appropriate authorities to avoid damage to cultural resources and determine appropriate action. State law requires the reporting of any human remains.

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**Butte County Department of Development Services – Planning Division**

7 County Center Drive

Oroville, CA 95928

530.552.3701

## Mitigation Measures and Monitoring Requirements

Butte County Farm Bureau

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### Project Sponsor(s) Incorporation of Mitigation into Proposed Project

I/We have reviewed the Initial Study for the Butte County Farm Bureau c/o Collen Cecil application and particularly the mitigation measures identified herein. I/We hereby modify the applications on file with the Butte County Planning Department to include and incorporate all mitigations set forth in this Initial Study.

*Colleen Cecil*

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Project Sponsor/Project Agent

July 10, 2023

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Date

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Project Sponsor/Project Agent

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Date