

INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST

California Environmental Quality Act (CEQA)

PROJECT INFORMATION

1. Project Title: Equity Corp. Tentative Subdivision Map (TSM22-0003)
2. Lead Agency Name and Address: Butte County – Department of Development Services
Planning Division
7 County Center Drive
Oroville, CA 95965
3. Contact Person and Phone Number: Tristan Weems, Senior Planner
530.552-3701; tweems@buttecounty.net
4. Project Location: The subject property is comprised of one parcel totaling approximately 9.23 acres (APN 042-050-096). The parcel is unaddressed but located adjacent to and the southeast of 3261 Nord Avenue, Chico, CA., Township 22 North, Range 1 East; Portion of Lots 49 and 53 MDB&M. Lat. 39°45'11.96" N/Long. 121°53'30.86" W.
5. Project Sponsor's Name and Address: Kyle David Waters
Equity Corp
PO Box 923
Chico, CA 95927
6. General Plan Designation: Very Low Density Residential (VLDR)
7. Zoning: Very Low Density Residential (VLDR)
8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The project is a 9-lot tentative subdivision map (TSM22-0003) of a 9.25-acre site zoned Very Low Density Residential (VLDR). The site is located on the southwest side of Nord Avenue, southeast of Foxfield Court and northeast of Rodeo Avenue. The 9 residential lots will range from 1-acre to 1.14 acres in size. The new lots will access directly off a new road connection from Nord Avenue on the northeast side of the site. Individual, onsite septic systems will provide wastewater disposal and potable water will be served by CalWater, a public water provider, for each lot. An orchard and two small structures are currently located on the site. Both the orchard and structures will be removed prior to construction. A single-family residence and outbuildings are located adjacent to the northwest corner of the site. These improvements are not part of the project site.
9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

The project site area is characterized as an undeveloped orchard with single-family residential, open space/agricultural lands with orchards to the north, single-family residential to the west, east and south.

Direction	General Plan Designation	Zoning	Existing Land Use(s)
North	Very Low Density Residential	VLDR	Residential/Agriculture
South	Very Low Density Residential	VLDR	Residential/Agriculture
East	Very Low Density Residential	VLDR	Residential/Agriculture
West	Very Low Density Residential	VLDR	Residential

The project site is located within unincorporated Butte County, adjacent to and west of the City of Chico municipal boundary. The parcels are zoned VLDR. The purpose of the VLDR designation as defined in the Butte County General Plan is to allow single-family dwellings at densities up to 1 dwelling unit per acre (0.2 to 1 unit per acre). The project is allowed outright per the current General Plan and zoning designation.

The topography in the project site area is gentle and flat, with an elevation of 160 feet above sea level. Vegetation on the project site is primarily cultivated orchard. The site is bordered by single-family residential to the west, east and south. An orchard and single-family residential is located to the north.,

10. Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement)
 - Butte County Department of Environmental Health (septic installation, potable water oversight); and
 - Butte County Development Services: Subdivision approval and Building Permits.
 - Butte County Public Works Department: Road, Grading and Drainage Plans and Encroachment Permit

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

See Discussion 1.18

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Tristan Weems

August 29, 2023

Tristan Weems, AICP, Senior Planner

Date

Mark Michelena

August 29, 2023

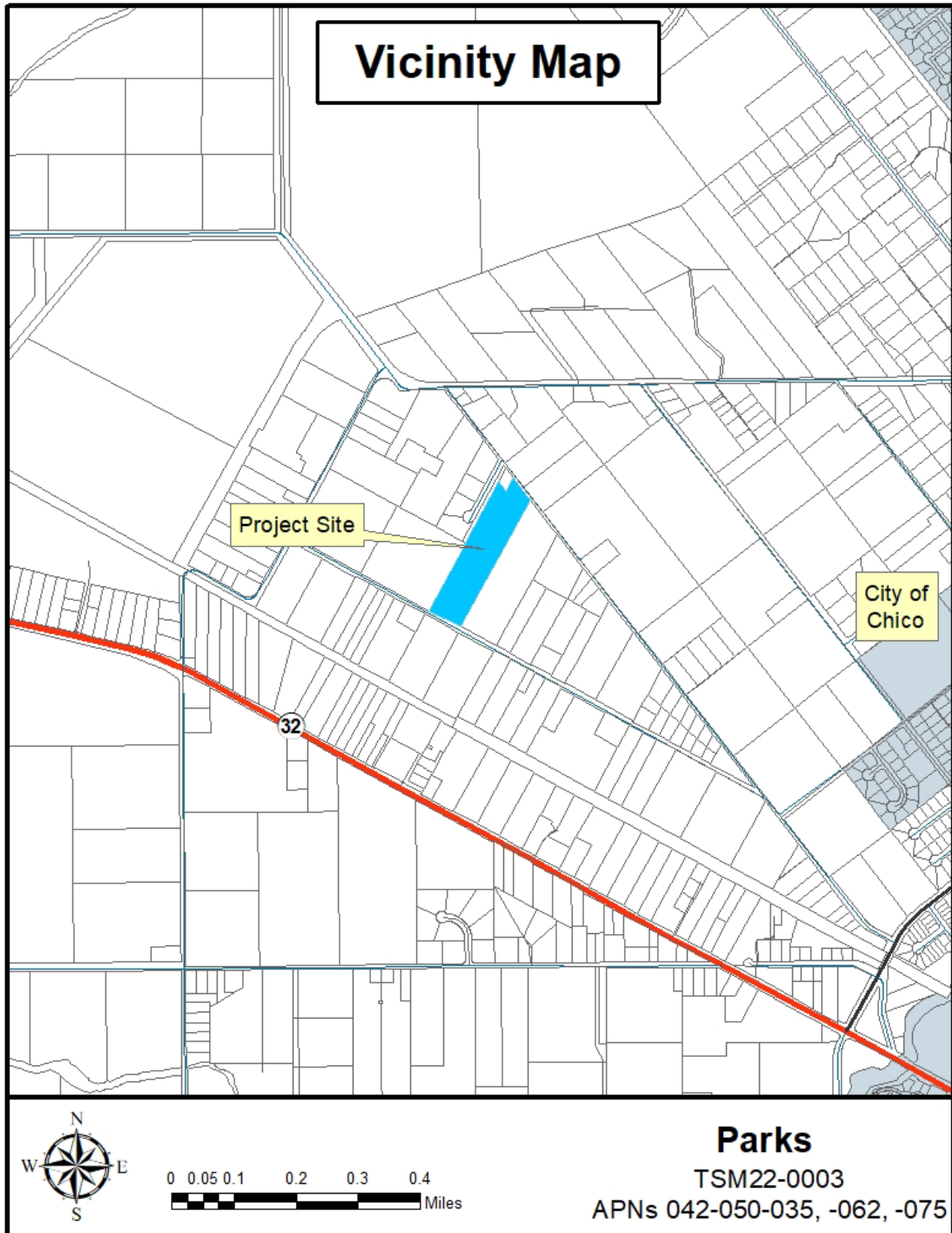
Mark Michelena, Principal Planner

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.

Vicinity Map



1.1 AESTHETICS

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

Setting

The project site is developed with an existing orchard and designated for VLDR uses. The topography in the project site area is gentle and flat, with an elevation at 160 feet above sea level. Vegetation in the project site area is cultivated agricultural/orchard land. Surrounding uses are single-family residential to the west, east and south. Single-family residential and an orchard are located to the north.

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

Discussion

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

Less than significant impact. The proposed project would subdivide 9.25 acres into 9 residential lots. Views to and from the site would change with construction of 9 new residences; however, the views are not considered scenic. A less than significant impact would occur under this threshold.

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 and surrounding area is not identified as a scenic resource nor is Nord Avenue, Rodeo Avenue or Foxfield Court a designated State or County scenic highway. No impact would occur under this threshold.

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

Less than significant impact. The project parcels are located in a VLDR area west of the City of Chico. The subject parcels are used for agricultural/orchard production. The orchard would be removed prior to construction. The project would change the views into the site; however, the development would be consistent with the residential development surrounding the site. Further, the project would be required to meet design standards contained in the Butte County Code. The project would have a less than significant effect on the visual character of the area.

- 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. Less than significant impact. Outdoor lighting for safety and security could potentially be added to existing and future structures on the resultant parcels. However, the proposed very low-density development would minimize ordinary nighttime lighting impacts to adjacent areas. Additionally, Chapter 24, Article 14 of Butte County Code requires that all outdoor lighting in residential areas be located, adequately shielded, and directed such that no direct light falls outside the property perimeter, or into the public right-of-way. As a result, the proposed project would not create new sources of substantial lighting or glare that would generate a significant impact.

1.2 AGRICULTURE AND FOREST RESOURCES

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

Setting

The subject parcel and land surrounding the site is zoned VLDR and designated for this use in the Butte County General Plan. As stated, the project parcel has been used for agricultural purposes; however, it is not currently designated for this use.

Regulatory Setting

Williamson Act/Land Conservation Act (LCA) Contracts

The California Land Conservation Act of 1965, commonly known as the Williamson Act, was established based on numerous State legislative findings regarding the importance of agricultural lands in an urbanizing society. Policies emanating from those findings include those that discourage premature and unnecessary conversion of agricultural

land to urban uses and discourage discontinuous urban development patterns, which unnecessarily increase the costs of community services to community residents. The Williamson Act authorizes each County to establish an agricultural preserve. Land that is within the agricultural preserve is eligible to be placed under a contract between the property owner and County that would restrict the use of the land to agriculture in exchange for a tax assessment that is based on the yearly production yield. The contracts have a 9-year term that is automatically renewed each year, unless the property owner or county requests a non-renewal or the contract is cancelled.

Farmland Mapping and Monitoring Program

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

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

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

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

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

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

Urban and Built-up Land: Land used for residential, industrial, commercial, construction, institutional, public administrative purpose, railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities are also included in this category.

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

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

The project site is identified by the Department of Conservation as containing lands classified as *Prime Farmland*. Areas surrounding the project site include *Prime Farmland* and *Other Land*. Further south and east is *Urban and Built-up Land* (City of Chico).

The Butte County General Plan 2030 Environmental Impact Report (GPEIR) considered the impacts resulting from the build-out of the General Plan, including conversion of approximately 4,700 acres of *Prime Farmland*, *Farmland*

of *Statewide Importance, and Unique Farmland* to non-agricultural uses, including the *Prime Farmland* adjacent to the subject property. The Butte County Board of Supervisors determined that goals, policies, actions, and regulations of the General Plan would reduce and partially offset the conversion of farmland into non-agricultural uses, but found that there are no feasible mitigation measures that the County could adopt to reduce the impact to be less than significant. To the extent that this adverse impact will not be substantially lessened or eliminated, the County found that specific economic, social, and other benefits identified in the Statement of Overriding Considerations supported the approval of the General Plan.

Butte County Code (BCC) §24-56.1 - Residential Setback from Orchards and Vineyards

On January 12, 2016, the Butte County Board of Supervisors adopted amendments to the Butte County General Plan and Zoning Ordinance to establish a setback requirement for new residential development adjacent to existing orchards and vineyards located in residential zones. Butte County Code (BCC) §24-56.1 provides as follows:

24-56.1 Residential Setback from Orchards and Vineyards

A setback is established for residential development from existing orchards and vineyards that are located in residential zones in order to reduce interference and conflict with preexisting agricultural operations, while providing for the development potential allowed by residential zones. The residential setback from orchards and vineyards is subject to the following requirements (Refer to Article 17. Agricultural Buffers, for agricultural buffer setbacks required where a developing residentially zoned parcel is adjacent to a parcel zoned Agriculture):

- A. A setback between a new residence and an existing active orchard or vineyard shall be established as far away from the orchard or vineyard as practicable, taking into account adjacent agricultural uses and practices, provided it does not limit the allowed residential density permitted by the residential zone, and in no case is less than 25 feet.
- B. Any proposed land division adjacent to an existing active orchard or vineyard use shall apply for a Residential Setback Recommendation with the Development Services Department in accordance with this section. The Residential Setback Recommendation shall be reviewed by the Agricultural Commissioner, in consultation with Development Services to determine an appropriate setback width (pursuant to Subsection A.). The Residential Setback Recommendation shall become part of the application and reviewed by the hearing body. Public noticing shall include reference to the Residential Setback Recommendation and the residential setback's recommended width.
- C. All building permits for residential development adjacent to existing orchards or vineyards shall be reviewed for compliance with the required residential setback. If no residential setback is shown on an applicable recorded parcel map or subdivision map, a review by the Zoning Administrator at a noticed public hearing shall be conducted to determine the appropriate setback pursuant to Subsection A.
- D. The residential setback shall be imposed from the property line (s) on the developing parcel and shown on the recorded parcel map or subdivision map or building permit site plan.
- E. The setback shall not apply to residential development adjacent to row crops or greenhouses and wholesale nurseries primarily engaged in growing crops, plants, vines or trees and their seeds.
- F. The setback shall not apply to backyard gardens and fruit and nut trees accessory to a residential use.
- G. The setback shall not apply to accessory structures as defined under Section 24-156 (Accessory Uses and Structures) excepting guest houses, which must comply with the setback.
- H. The setback shall not apply to orchard or vineyard uses that start operations after a building permit is approved (this does not apply to an existing orchard or vineyard that is removed and replaced).
- I. If the orchard or vineyard use is discontinued (i.e., the land is developed with residential uses) the setback shall no longer be applicable.

The Department of Development Services in conjunction with the Agricultural Commissioner's Office is recommending the following residential dwelling setbacks from adjacent active orchard:

Lot	Distance	Location
1, 2, 3, 4 and 5	50 feet	Southeasterly property line

California Public Resources Code Section 4526

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

California Public Resources Code Section 12220(g)

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

Butte County Right to Farm Ordinance

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

Discussion

Adoption of the Butte County General Plan and Land Use Map designated the site VLDR – 1.0, and adoption of the Zoning Ordinance and Zoning Map zoned the site VLDR for residential development. These actions for the Bell Muir area and throughout the County were evaluated in the Butte County General Plan Environmental Impact Report (GPEIR - SCH# 2008092062). CEQA findings for the redesignation of the Bell Muir area to VLDR were made at the time the General Plan and Zoning Ordinance were adopted, based on the policies contained in the GPEIR and the requirements contained in the zoning. In other words, a programmatic evaluation was performed at that time, based on general information available. Additional environmental review is required for subsequent mapping and development, like the proposed TSM, to evaluate whether future projects comply with key policies and/or have other site-specific characteristics which were not considered as part of the GPEIR override.

The project site fronts on both Nord and Rodeo Avenues, public roads, and is within the Bell-Muir area which contains both agricultural and rural residential land uses. Land uses in the vicinity of the project are dominated by residences at rural densities, undeveloped parcels, orchards and row crops. The final landcover type on the site from the draft Butte Regional Conservation Plan is 'Orchard/Vineyard'. The project site is not under a Williamson Act contract to help preserve agricultural lands nor are any of the parcels surrounding the project site under a Williamson Act contract.

The subject property is developed with an orchard and two small outbuildings. Surrounding uses include single-family residential to the west, east and south and single-family residential/orchard to the north. The site and surrounding parcels are designated VLDR. Existing lots adjacent to the subject property range from 0.33 acre to 19 acres.

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

No impact. The California Farmland Mapping and Monitoring Program designates the project site area as Prime Farmland. The site was zoned VLDR in 2012 and the General Plan 2030 Environmental Impact Report adopted a Statement of Overriding Considerations to address the conversion of farmland to non-agricultural uses. The site is consistent with the General Plan land use designation; and thus, the conversion has been evaluated per CEQA. No impact would occur under this threshold.

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

No impact. The proposed project site is zoned VLDR. It is not zoned for agricultural use nor is it restricted by a Williamson Act contract. No impact would occur under this threshold.

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

No impact. The project site is not located in a timber resource zone. The project site is also not classified as forest land, pursuant to California Public Resources Code Section 12220(g). Therefore, the proposed project would not conflict with, or cause the rezoning of, a timber resource zoning designation. No impact would occur under this threshold.

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

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

- 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?**

Less than significant impact. The site is not designated for agricultural or forest use. There are no known changes to the existing environment that would result in the conversion of farmland to non-agricultural use or the conversion of forest land to non-forest use. No impact would occur under this threshold.

1.3 AIR QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Air Quality.				
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations.				
Are significance criteria established by the applicable air district available to rely on for significance determinations?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 upon regional and local air quality. The Sacramento Valley and Butte County have a Mediterranean climate, characterized by hot, dry summers and cool, wet winters. Winter weather is governed by cyclonic storms from the North Pacific, while summer weather is typically subject to a high-pressure cell that deflects storms from the region.

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

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

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

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

Air Quality Attainment Status

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

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

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

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

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

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

POLLUTANT	STATE DESIGNATION	FEDERAL DESIGNATION
1-hour ozone	Nonattainment	-
8-hour ozone	Nonattainment	Nonattainment
Carbon monoxide	Attainment	Attainment
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
24-Hour PM10	Nonattainment	Attainment
24-Hour PM2.5	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, health care facilities, convalescent homes, and daycare centers. The project site is located in an urban area with scattered residential uses associated with VLDR zoning surrounding the property. Table 1.3-2 lists sensitive receptors identified in the project vicinity and the distances from the site boundary.

Table 1.3-2. Sensitive Receptors in the Project Vicinity

SENSITIVE RECEPTORS	DISTANCE FROM PROJECT SITE TO RECEPTOR
Residence (SE corner of Nord/Foxfield Ct.)	Adjacent to and northwest
Residence (30 Foxfield Court)	100 feet to the west
Residence (3165 Nord Avenue)	Adjacent to and northeast
Residence (3187 Rodeo Avenue)	100 feet to the south
Source: Google Earth imagery	

Butte County Air Quality Management District

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

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

According to the State CEQA Guidelines, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make significance determinations for potential impacts on environmental resources. BCAQMD is responsible for ensuring that state and federal ambient air quality standards are not violated within Butte County. Analysis requirements for construction and operation-related pollutant emissions are contained in BCAQMD's *CEQA Air Quality Handbook: Guidelines for Assessing Air Quality and Greenhouse Gas Impacts for Projects Subject to CEQA Review*. Established with these guidelines are screening criteria to determine whether or not additional modeling for criteria air pollutants is necessary for a project. The CEQA Air Quality Handbook also contains thresholds of significance for construction-related and operation-related emissions: ROG, NOx and PM10. The screening criteria listed in Table 1.3-3 were created using CalEEMod version 2013.2.2 for the given land use types. To determine if a proposed project meets the screening criteria, the size and metric for the land use type (units or square footage) should be compared with that of the proposed project. If a project is less than the applicable screening criteria, then further quantification of criteria air pollutants is not necessary, and it may be assumed that the project would have a less than significant impact for criteria air pollutants. If a project exceeds the size provided by the screening criteria for a given land use type then additional modeling and quantification of criteria air pollutants should be performed (Butte County Air Quality Management District 2014).

Table 1.3-3. 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

Discussion

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

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

A project is deemed inconsistent with an air quality plan if it would result in population or employment growth that exceeds the growth estimates in the applicable air quality plan (i.e., generating emissions not accounted for in the applicable air quality plan emissions budget). The proposed project would be developed consistent with the VLDR zoning designation; and thus, would not result in population growth in the County greater than that anticipated in the General Plan. Further, the project would not result in an increase in criteria air pollutants that would cause significant impacts to regional air quality.

Table 4-1 (Screening Criteria for Critical Pollutants) lists the established thresholds based on land use, including residential. The threshold for residential uses is 30 units. The proposed project would construct up to 9 new residences which would not exceed the screening criteria referenced above. Thus, the project would not conflict with or obstruct the air quality plan. No impact would occur under this threshold.

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

Less than significant impact with mitigation. Approval of the project would not impact air quality. Future development occurring as a result of the approval has the potential to impact air quality primarily in two ways: (1) the project would generate mobile source emissions (i.e., added vehicle trips, energy use) associated with future development and (2) construction activities associated with the development of the parcels would generate fugitive dust (PM₁₀) from grading activities, construction exhaust emissions (PM₁₀, NO_x), and evaporative emissions of reactive organic gases (ROG or VOC) from paving activities and architectural coatings.

Mobile source emissions are produced from motor vehicles and include tailpipe and evaporative emissions. Energy use associated with future development would also generate emission from heating and cooling systems, lighting, paint application, water use and wastewater. As referenced, a future development application would be evaluated per the screening criteria shown in Table 1.3-3. Per the zoning designation, the allowable number of units would not exceed those specified in the screening table. A less than significant impact operational would occur under.

Construction-related emissions are generally created throughout the course of project implementation and would originate from construction equipment exhaust, worker vehicle exhaust, dust from grading disturbance, exposed soil eroded by wind, and ROGs generated from architectural coating and asphalt paving. Construction-related emissions would vary depending on the level of activity, length of the construction period, specific construction operations occurring, types of equipment operating on the site, number of personnel, wind and precipitation conditions, and soil moisture content. Despite this variability in the project and project site conditions, there are a number of feasible control measures that can be reasonably implemented to reduce construction-related emissions to a less than significant level. These measures as well as other common air pollution control measures are recommended in *Appendix C of BCAQMD's CEQA Handbook (2014)* and are to be implemented as **Mitigation Measure AIR-1**, listed below.

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

Less than significant impact with mitigation incorporated. Sensitive receptors in the project area and their distances from the project site area shown in Table 1.3-2. Based on the information provided in section b.), above, approval of the TSM would not generate emissions. Subsequent development would not generate emissions that would exceed BCAQMD significance criterion. Implementation of **Mitigation Measure AIR-1** would be implemented to reduce potential cumulative fugitive dust emission impacts to less than significant.

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

Less than significant impact. Future permitted uses on the site are not expected to create objectionable odors. Butte County DDS staff would review future development applications to ensure compliance with applicable BCAQMD emission control standards related to odor causing uses. If such a use were proposed, it would require project-specific environmental review to identify appropriate conditions that would avoid odor impacts to neighboring residences. Thus, significant odor impacts would be avoided. Future construction activities could include objectionable odors from tailpipe diesel emissions and from solvents in adhesives, paints, caulking materials and new asphalt. Since odor impacts would be temporary and limited to the area adjacent to the construction operations, odors would not impact a substantial number of people for an extended period of time. A less than significant impact would occur under this threshold.

Mitigation Measures

Mitigation Measure AIR-1

The following best practice measures to reduce impacts to air quality shall be incorporated by the project applicant, subject property owners, or third-party contractors during construction activities on the project site. These measures are intended to reduce criteria air pollutants that may originate from the site during the course of land clearing and other construction operations.

Diesel PM Exhaust from Construction Equipment and Commercial On-Road Vehicles Greater than 10,000 Pounds

- All on- and off-road equipment shall not idle for more than five minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the five-minute idling limit.
- Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors is prohibited.
- All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked by a certified mechanic and determined to be running in proper condition before the start of work.
- Install diesel particulate filters or implement other CARB-verified diesel emission control strategies.
- Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted areas.
- To the extent feasible, truck trips shall be scheduled during non-peak hours to reduce peak hour emissions.

Operational TAC Emissions

- All mobile and stationary Toxic Air Contaminants (TACs) sources shall comply with applicable Airborne Toxic Control Measures (ATCMs) promulgated by the CARB throughout the life of the project (see <http://www.arb.ca.gov/toxics/atcm/atcm.htm>).
- Stationary sources shall comply with applicable District rules and regulations.

Fugitive Dust

Construction activities can generate fugitive dust that can be a nuisance to local residents and businesses near a construction site. Dust complaints could result in a violation of the District's "Nuisance" and "Fugitive Dust" Rules 200 and 205, respectively. The following is a list of measures that may be required throughout the duration of the construction activities:

- Reduce the amount of the disturbed area where possible.
- Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. An adequate water supply source must be identified. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
- All dirt stockpile areas should be sprayed daily as needed, covered, or a District approved alternative method will be used.
- Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- Exposed ground areas that will be reworked at dates greater than one month after initial grading should be sown with a fast-germinating non-invasive grass seed and watered until vegetation is established.
- All disturbed soil areas not subject to re-vegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the Butte County Air Quality Management District.
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with local regulations.
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
- Post a sign in prominent location visible to the public with the telephone numbers of the contractor and the Butte County Air Quality Management District - (530) 332-9400 for any questions or concerns about dust from the project.

All fugitive dust mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend period when work may not be in progress. The name and telephone number of such persons shall be provided to the District prior to land use clearance for map recordation and finished grading of the area.

Please note that violations of District Regulations are enforceable under the provisions of California Health and Safety Code Section 42400, which provides for civil or criminal penalties of up to \$25,000 per violation.

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

Timing: Requirements of the condition shall be adhered to throughout all grading and construction periods.

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional

map sheet. Building inspectors shall spot check and shall ensure compliance on-site. Butte County Air Pollution Control District inspectors shall respond to nuisance complaints.

1.4 BIOLOGICAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources.				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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

The project site is situated in the Butte Valley area within a primarily residential area north and west of the City of Chico. There is an agricultural parcel to the west and general industrial parcel to the north. The land use designation in this area is VLDR. While not currently designated for agricultural use, the project site was formerly used for orchard production and trees remain on-site.

Agriculture

The agricultural natural community is comprised of several land cover types including orchards and vineyards, rice, irrigated cropland, irrigated pasture, and non-native woodland. Agriculture occurs where the soils and topography are most suitable for production, which are generally the flat and well-drained areas located in the valley region of the

County. Conversion of lands to an agricultural use has resulted in the removal of most of the historical native habitat. Agriculture natural community areas generally do not support the wildlife compared with most native habitats; however, these areas continue to support abundant wildlife and provide essential breeding, foraging and roosting habitat for many resident and migrant wildlife species.

Jurisdictional Waters of the United States, including Wetlands

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

Special-Status Species

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

Various direct and indirect impacts to biological resources may result from the small amount of development enabled by the project, including the loss and/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 predation by pets (e.g., cats and dogs) and human residents may also occur at the human/open space interface, while conversion of land from lower to higher density residential use can lead to a predominance of various urban-adapted wildlife species (e.g., coyotes, raccoons, ravens and blackbirds) that have been observed to displace more sensitive species.

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

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

The California Natural Diversity Database (CNDDDB) was reviewed to determine if any special-status species have the potential to occur on the project site or in the vicinity. Table 4.4-1 lists the regulatory status and habitat requirements for each special-status species identified within a two-mile radius of the project site.

Table 4.4-1. Special-Status Species in the vicinity of the project site

Scientific Name	Common Name	Federal Status	State Status	CNPS/DFG List	Habitat
PLANTS					
<i>Fritillaria pluriflora</i>	Adobe lilly	None	None		This wildflower is mainly limited to northern California, but it may exist in southern Oregon. It grows in the adobe clay soils of the foothills and low mountains in the area.
MAMMALS					
<i>Erethizon dorsatum</i>	North American porcupine	None	None		Native to the coniferous and mixed-forest habitats of the northeastern and western regions of the United States and northern Mexico.
AMPHIBIANS					
<i>Rana boylei</i>	Foothill yellow-legged frog	None	None		Streams, ponds, lakes, and permanent and ephemeral wetlands
INSECT					
<i>Desmocerus californicus dimorphus</i>	valley elderberry longhorn beetle	Threatened	None		Native to the riparian forests of the Central Valley of California
FISH					
<i>Oncorhynchus mykiss irideus pop. 11</i>	Steelhead - Central Valley DPS	Threatened	None		The CV steelhead Distinct Population Segment (DPS) includes all naturally spawned CV steelhead populations in the Sacramento and San Joaquin rivers and their tributaries.

Source: California Natural Diversity Database, Version 5, February 2021

Vegetation on the project site area is primarily comprised of orchard trees and ruderal species. As stated, the orchard will be removed from the site. Ornamental species are located on adjacent properties.

- 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?

No impact. The project parcel is disturbed and historically used for orchard cultivation. The orchard remains on-site but would be removed prior to development. Thus, the proposed project would not degrade or reduce sensitive habitat values on the project site that would cause significant impacts to sensitive species. No impact would occur under this threshold.

- 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. The project site is not identified as containing a Sensitive Natural Community (SNC). There is no riparian habitat on the project site. No impact would occur under this threshold.

- 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 project site based on the existing topography, does not have any wetlands that would be impacted by existing and any future development. No impact would occur under this threshold.

- 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 with mitigation incorporated. Wildlife movement corridors are routes frequently utilized by wildlife that provide shelter and sufficient food supplies to support wildlife species during migration. Movement corridors generally consist of riparian, woodlands, or forested habitats that span contiguous acres of undisturbed habitat. Wildlife movement corridors are an important element of resident species home ranges, including deer and coyote.

The project site is not located within Butte County migratory deer corridors. While there is the potential for avian migratory species, no major migratory routes or corridors have been designated through the project site, and the existing developed components of the project area (i.e., roads, agriculture, industrial and residential uses; fenced parcels) preclude use of the area as a migratory wildlife corridor for large mammals. The project site contains an orchard which would be removed to accommodate the project.

The proposed construction of the project creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds and resident birds. To avoid potential impacts to avian species protected under the MBTA and California Fish and Game Code (CFGC), **Mitigation Measure BIO-1** is recommended.

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

No impact. The project would result in 9 new residential lots; however, because the site has been disturbed with development of the orchard, it would not conflict with any local policies or ordinances protecting biological resources and is consistent with goals and policies identified in Butte County General Plan 2030. No impact would occur under this threshold.

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

No impact. The Butte Regional Conservation Plan (BRCP) is a joint Habitat Conservation Plan (HCP)/National Community Conservation Plan (NCCP) for the western half of the Butte County. The project site is located within the proposed plan area of the BRCP. However, as the plan has not been adopted, the proposed project

will not conflict, nor interfere with, the attainment of the goals of the proposed plan. Thus, no impact to sensitive biological resources that would require mitigation under the future habitat conservation plan would occur. No impact would occur under this threshold.

Mitigation Measures

Mitigation Measure BIO-1

If the project will include vegetation removal (including grasses) or earthwork of any kind during the nesting season (February 1 through August 31), CDFW recommends a pre-construction nesting bird survey be conducted by a qualified biologist to identify the absence or presence of active (i.e. with eggs or young) nests. The survey area should 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, CDFW recommends the preconstruction survey be conducted no more than three (3) days before the start of vegetation removal and/or ground disturbing activities. Please also note that Fish and Game Code section 3503 protects the nests and eggs of all birds, not just migratory birds and birds of prey. 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 parents' 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 size of the no-disturbance buffer should be determined by the qualified biologist. CDFW is available to provide comments and feedback on nesting bird avoidance strategies if desired. However, it should be noted that CDFW cannot guarantee that any specific buffer width will be sufficient to completely avoid take in any given situation, and therefore CDFW cannot approve or disapprove specific buffer proposals.

Plan Requirements: Perform protocol-level surveys for migratory birds protected by the California Department Fish & Game Code and the Migratory Bird Treaty Act. This measure shall be recorded on an additional map sheet to the Parcel Map.

Timing: Requirements of the condition shall be adhered to prior to and during construction activities planned to occur during nesting seasons for CDFC and MBTA species (between February 1 and August 31).

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is recorded on an additional map sheet of the Parcel Map. Department of Development Services shall ensure the condition is met at the time of construction activities.

1.5 CULTURAL RESOURCES

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

Environmental Setting

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

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

Discussion

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

No impact. Historic use of the project site for agricultural purposes has resulted in ground-disturbing activities, including installation and future removal of the orchard. This has likely destroyed any cultural resources that may have been located on the surface. The project site does contain two small outbuildings associated with the orchard. These are not considered historic resources. No impact would occur under this threshold

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

Less than significant impact with mitigation incorporated. A record search from the Northeast Information Center was requested to determine whether any known cultural or historic resources occur on or proximity to the site. The record search results (January 9, 2023) were negative for archaeological resources. The Bidwell School (P-04-004089), located within the one-mile vicinity, has been recorded as historic property. This property would not be affected by the project. 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/or permanent settlement, as well as for the gathering of plants, roots, seeds, and seasonal game. Historically, Euro-Americans also utilized the region for mining farming, and cattle ranching. With past use of the project area by prehistoric and historic populations, unanticipated archaeological discoveries may be encountered during ground-disturbing activities, resulting in potentially significant impacts. To avoid potential impacts to undiscovered prehistoric resources, historic resources, and human remains that may be uncovered during development activities on the project site, implementation of **Mitigation Measure CUL-1**, below, is recommended to reduce potential impacts to 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. Indications are that humans have occupied Butte County for over 10,000 years and it is not always possible to predict where human remains may occur outside of formal 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.” Additionally, [Public Resources Code section 5097.98](#) has specific stop-work and notification procedures to follow in the event that human remains are inadvertently discovered during project implementation.

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

Implementation of 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 construction of all improvements, including land clearing, road construction, utility installation, and building site development.

Plan Requirements: This note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet and 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/or Public Works Department shall ensure the note is placed on a separate document which is 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
VI. Energy.				
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

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

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

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

Long-term energy consumption would occur after build-out of the project. Residences and outbuildings would consume electricity for lighting, heating and appliance operation. Propane would likely also be used an energy source. The project would generate additional vehicle trips by residents commuting to and from home which would result in the consumption of transportation fuel.

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

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

Less than significant impact. Many of the state and federal regulations regarding energy efficiency are focused on increasing building efficiency and renewable energy generation, as well as reducing water consumption and Vehicles Miles Traveled. Project design would be required to include energy conservation measures intended to meet and exceed regulatory requirements, including reducing idling time of heavy equipment during construction activities (see Mitigation Measure AIR-1). Additionally, future development would be in compliance with the most recent Title 24 and CalGreen building code standards at the time of project construction. Therefore, the proposed project would implement energy reduction design features and comply with the most recent energy building standards. The project would not result in wasteful or inefficient use of nonrenewable energy sources. Impacts would be less than significant under this threshold.

1.7 Geology and Soils

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

Discussion

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

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

No impact. There are no known active faults underlying, or adjacent to, the project site. The Cleveland Hill fault is the only active fault zone in Butte County identified in the most recent Alquist-Priolo Earthquake Fault Zoning Map. The only known active fault in Butte County is the Cleveland Hill fault zone, located approximately 29 miles southeast of the project site. The project would not result in any new development. Further, because the nearest active fault is located a considerable distance from the project site, the likelihood of a surface rupture at the project site is low. No impact would occur under this threshold.

ii) **Strong seismic ground shaking?**

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

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

No impact. According to Butte County General Plan 2030, areas that are at risk for liquefaction can be found on the valley floor, especially near the Sacramento and Feather Rivers, and their tributaries, which have a higher potential to contain sandy and silty soils. Liquefaction is a phenomenon where loose, saturated, granular soils lose their inherent shear strength due to excess water pressure that builds up during repeated movement from seismic activity. Factors that contribute to the potential for liquefaction include a low relative density of granular materials, a shallow groundwater table, and a long duration and high acceleration of seismic shaking. Liquefaction usually results in horizontal and vertical movements from lateral spreading of liquefied materials and post-earthquake settlement of liquefied materials. Liquefaction potential is greatest where the groundwater level is shallow, and submerged loose, fine sands occur within a depth of approximately 50 feet or less. According to the Butte County General Plan Health and Safety Element, much of the western and southwestern portion of Butte County is subject to liquefaction. As stated, the project would result in the construction of up to 9 single-family residences. Development would be evaluated for liquefaction potential and if needed, design measures would be implemented to address this issue. No impact would occur under this threshold.

iv) **Landslides?**

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

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

Less than Significant impact. Construction activities associated with the project would be subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Storm Water permit program if one acre or more is disturbed. Construction activities that result in a land disturbance of less than one acre, but which are part of a larger common plan of development, also require a permit. This program requires implementation of erosion control measures during and immediately after construction that are designed to avoid significant erosion during the construction period. In addition, the project operation would be subject to State Water Resources Control Board requirements for the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) to control pollution in stormwater runoff from the project site, including excessive erosion and sedimentation. The SWPPP, if required, must be obtained prior to any soil disturbance activities. The Erosion Hazard Potential Map of the Health and Safety Element of the Butte County General Plan (Figure HS-7 of the General Plan) indicates that there is a slight potential for landslides in this area. Implementation of standard erosion control BMPs during future construction-related activities, together with adherence to State requirements regarding grading activities, would ensure that potential erosion impacts are less than significant.

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

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

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

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

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

Less than Significant impact. As stated, a septic system would be installed on each lot for wastewater disposal. Based on a letter provided by Butte County Department of Environmental Health (December 8, 2022), on-site soil profile holes indicate the soil class to be loam and sandy loam down to 60 inches. This could accommodate a 0.8 gallons per day application rate, utilizing pressure distribution septic system design and may allow for a standard gravity system. The wastewater system must be constructed in conformance with Butte County Code, Chapter 19, as well as the Butte County Onsite Wastewater Manual. An On-Site Wastewater System Construction Permit must be approved by the Butte County Environmental Health Division, under a ministerial permit application. Application for a Construction Permit will include detailed plans of the proposed wastewater system, prepared by a Certified Installer or Certified Designer, which will demonstrate compliance with County regulations and the County's On-Site Wastewater Manual, and to ensure a safe, sanitary, and environmentally sound wastewater system. Compliance with Environmental Health Division conditions would reduce potential impacts to less than significant.

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

Less than significant impact. No previously recorded fossil sites have been identified on the project site or within the surrounding area. Butte County General Plan 2030 and the accompanying Environmental Impact Report do not indicate the project area is sensitive for paleontological resources. Therefore, it is not likely that unique paleontological resources would be found in the project area during future development of the project. However, the discovery of fossils, and the subsequent opportunity for data collection and study, is a rare event that could occur from construction grading activities associated with development. While the probability of encountering fossils on the project site is low; implementation of **Mitigation Measure CUL-1** would reduce potential impacts associated with the unanticipated discovery of subsurface resources including cultural and paleontological resources, to less than significant.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

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 residences, 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 the creation of new vehicular trips and indirect sources 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 related to 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. GHG emissions associated with the build-out of the project site have 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 in turn, support

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
IX. Hazards and Hazardous Materials.				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

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

Less than significant impact. Limited quantities of miscellaneous hazardous substances, such as gasoline, diesel fuel, hydraulic fluid, solvents, oils, etc. would be used to maintain vehicles and motorized equipment during construction-related activities during development of the project. Accidental spill of any of these substances could impact water and/or groundwater quality. Depending on the relative hazard of the material, if a spill were to occur of significant quantity, the accidental release could pose a hazard to construction workers, the public, as well as the environment. Construction personal who are experienced in containing accidental releases

of hazardous materials will be present to contain and treat affected areas in the event a spill occurs. If a larger spill were to occur, construction personal would generally be on-hand to contact the appropriate agencies.

It is not anticipated that large quantities of hazardous materials would be permanently stored or used within the project site. Chemicals would be comprised of household cleaners, petroleum-based products for vehicle maintenance and equipment operation, paints, solvents and other common items. These materials would not be present 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. A less than significant impact would occur under this threshold.

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 with mitigation incorporated. The subject property has a history of agricultural uses as an actively managed walnut orchard. Staff contacted the Butte County Agricultural Commissioner's Office to determine what pesticide applicator license permits were issued to the applicant on APN 042-050-075. The Butte County Agricultural Commissioner's office listed 37 separate applications under Pesticide Permit No. 040071 between February 2020 and August 2022, totaling 5,935 fluid ounces of herbicide and insecticide applied to the orchard.

It is not anticipated that construction or operation of residential development would create a significant hazard to the environment or to the public due to the accidental release of hazardous materials into the environment with **Mitigation Measure HAZ-1** incorporated. A less than significant impact with mitigation incorporated would occur under this threshold.

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

No impact. No existing or proposed schools have been identified within one-quarter mile of the project site. The nearest school is Emma Wilson Elementary School located at 1530 West 8th Avenue, Chico, CA, approximately two miles southeast of the site. No impact would occur under this threshold.

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

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

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

No impact. The project site is located approximately three miles southwest of the Chico Municipal Airport. Per the Butte County Airport Land Use Compatibility Plan, the project site is located outside the Chico Municipal Airport Influence Area. Thus, while aircraft overflights may be audible, future development of the residences would not result in a safety hazard or excessive noise exposure for people residing on the subject property. No impact would occur under this threshold.

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

No impact. The proposed project would design, construct, and maintain driveways in accordance with applicable standards associated with vehicular access allowing for adequate emergency access and evacuation. Development of the project per the VLDR zoning designation, would not include any actions that physically interfere with emergency response or emergency evacuation plans. Development of the project would add trips to adjacent roadway; however, the addition of traffic from 9 new residences would not affect traffic operations to the extent that it could interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur under this threshold.

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

Less than significant impact. The project is not located in a moderate or very high fire hazard severity zone as shown in Figure HS-9 in the Butte County General Plan Health and Safety Element and designated by the California Department of Forestry and Fire Protection. The project site is within a Local Responsibility Area (LRA), which means that the City of Chico and Butte County has fiscal responsibility for preventing and suppressing fires. The nearest staffed fire station is the Chico Fire Station #2, located at 185 East 5th Avenue in Chico, California, approximately 2.3 miles southeast of the site. Oversight by Butte County Fire/Cal Fire would ensure the proposed project would not expose people or structures to a significant risk or loss, injury or death involving wildland fires. A less than significant impact would occur under this threshold.

Mitigation Measures

Mitigation Measure HAZ-1

The applicant/developer shall complete soil sampling per the Department of Toxic Substances Control Interim Guidance for Sampling Agricultural Properties (Third Version), August 7, 2008. The recommended number of sampling locations shall be consistent with Table 1 of the Interim Guidance and results of the sampling effort shall be reported as described in the DTSC PEA Guidance Manual.

Plan Requirements: Perform soil sampling per DTSC protocol. This measure shall be completed prior to Final Map recordation.

Timing: This measure shall be implemented prior to recordation of the Final Map.

Monitoring: The Department of Development Services and/or Public Works Department shall ensure the mitigation measure is satisfied prior to the recordation on the Final Map.

1.10 HYDROLOGY AND WATER QUALITY

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

Discussion

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

Less than significant impact. The proposed development will result in residential parcels that utilize onsite sewage disposal systems built in accordance with regulation found in the Butte County Local Agency Management Program (LAMP). This regulation was established in accordance with the 2012 California Onsite Wastewater Treatment System Policy and approved by the State Regional Water Quality Control Board in 2016 for, amongst other things, providing minimum standards for the protection of groundwater from contaminants found in onsite wastewater. Several construction standards exist in the LAMP that are protective of

groundwater from Nitrate contamination. One is the minimum vertical separation distance of 36 inches between the bottom of a standard leach trench and the highest extent of seasonal groundwater. Another is that a standard leach trench cannot be constructed deeper than 36 inches into native soil. In addition, this proposed development conforms to onsite wastewater system standards prescribed in a building moratorium imposed by the State Water Board in 1990 for the area south of this development known for high Nitrate groundwater contamination. This 1990 State Prohibition Order, now associated with the Chico Urban Area Nitrate Compliance Program (CUANCP), requires a minimum one-acre size for residential parcels that will be developed with onsite wastewater systems. This one-acre standard was deemed protective by the State for groundwater that was already burdened with high nitrate levels caused from past agricultural practices or onsite wastewater system use.

Potential water pollutants may be generated during construction activities associated with build-out of the resultant parcels, which may include sediment and petroleum-based fuels and lubricants. Construction activities have the potential to temporarily increase the sediment load of stormwater runoff from construction areas (i.e., disturbing soil at work area, the staging area, access road, etc.). Excess sediment in surface drainage pathways can alter and degrade the aquatic habitat in nearby surface water channels. In addition, if construction equipment or workers inadvertently release pollutants such as hydraulic fluid or petroleum to the surface water, these materials could be entrained by stormwater and discharged into surface water features causing water quality degradation.

As discussed in Section 1.7 – Geologic Processes, the physical characteristics of the soil at the project site indicate that susceptibility to erosion is slight. During construction-related activities, specific erosion control and surface water protection methods for each construction activity would be implemented on the project site. The type and number of measures implemented would be based upon location-specific attributes (i.e., slope, soil type, weather conditions). These control and protection measures, or BMPs, are standard in the construction industry and are commonly used to minimize soil erosion and water quality degradation. Additionally, future construction activities may be subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Storm Water permit program if one acre or more of land is disturbed. Construction activities that result in a land disturbance of less than one acre, but which are part of a larger common plan of development, also require a permit. This program requires implementation of erosion control measures during and immediately after construction that are designed to avoid significant erosion during the construction period. Project operations that are under a NPDES permit would also 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.

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

Less than significant impact. The Sacramento Valley Groundwater Basin supplies a portion of the municipal and agricultural water demands for the City of Chico and surrounding unincorporated areas. The project site is located over the Sacramento Valley Groundwater Basin which underlies the majority of eastern Butte County. The project would connect to public water service for each of the 9 residences. According to the Butte County Groundwater Management Plan (2005), groundwater supplies approximately 31% of potable water demand county-wide. Water demand for the unincorporated areas of the county was projected to grow from 8,322.3 million gallons in 2000 to 9,736.4 million gallons in 2030, an increase of 17 percent. Development of permanent structures would have a net increase in impervious surfaces relative to existing conditions. However, stormwater runoff would be directed to pervious areas during precipitation events. The additional impervious area associated with the single-family residences would be negligible and would not cause a measurable reduction in surface infiltration or a decrease in deep percolation to the underlying aquifers. The project site may contribute to groundwater recharge; however, precipitation would continue to percolate into the soils with development of the project. Thus, the project would not adversely impact recharge of the Sacramento Valley Groundwater Basin. Impacts to groundwater supplies and recharge would be less than significant.

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

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

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

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

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

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

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

iv) **Impede or redirect flood flows?**

Less than Significant Impact. The floodplain mapping of the project area identifies the project site being located within the X (unshaded) zone. The X (shaded) zone is defined by FEMA as areas between the limits of the 100-year base flood and the 0.2-percent-annual-chance (or 500-year) flood. Future site improvements would be reviewed by Butte County Public Works to ensure that surface flows would be adequately directed to planned and existing stormwater drainage facilities.

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

No impact. As stated, the project is located within Flood Zone X (unshaded). The proposed action would not result in a risk of pollutant release during a flood hazard, tsunami or seiche event. No impact would occur under this threshold.

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

No impact. The project site is located within the Butte County Groundwater Management Plan area and West Butte Subbasin. Approval of the proposed project would not affect water quality; however, groundwater would be required as the primary source of potable water. As stated, overall recharge of the groundwater basin would not be affected. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Butte County General Plan

The General Plan represents the basic community values, ideals and aspirations with respect to land use, development, transportation, public services, and conservation policy that will govern Butte County through 2030. The Land Use Element of the General Plan designates the land use of areas within the county and includes a description of the characteristics and intensity of each land use category. The land use designation for the project parcel is *Very Low Density Residential*.

Butte County Zoning Ordinance

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

Very Low Density Residential

The purpose of the VLDR zone is to allow for single-family homes and related uses in residential neighborhoods within the county. Standards for the VLDR zone are intended to preserve and protect the character of existing neighborhoods and to ensure that new residential neighborhoods provide an appropriate transition from rural to more developed areas. Permitted residential uses in the VLDR zones include single-family homes, small residential care homes, second units and accessory dwelling units, animal grazing, on-site agricultural product sales, and private stables. The VLDR zone also conditionally permits non-residential uses compatible with a residential setting, including public and quasi-public uses, golf courses, park and recreational facilities, personal services, animal-keeping, large residential care homes, and medical offices and clinics. The minimum permitted parcel size in the VLDR zone is 1 acre. The VLDR zone implements the Very Low-Density Residential land use designation in the General Plan.

City of Chico planned Sphere of Influence

The project site is currently located within unincorporated Butte County. The project is also located on the urban side of the Chico Area Greenline and within the City of Chico Sphere of Influence. Inclusion in the sphere indicates the city's intention to annex the Bell Muir Area into city jurisdiction. Per discussions with the city, there are no immediate plans to annex the Bell-Muir Area. The Bell-Muir area has been designated SPA-1, a special planning area in the Chico General Plan. The City's General Plan provides a conceptual land use plan which foresees Low Density Residential LDR (2.1 to 7 dwelling units per acre) for the area. See the following link for discussion of the Bell Muir Special Planning Area in the Chico General Plan, Appendix C.

http://www.chico.ca.us/document_library/general_plan/documents/AppendixC_SpecialPlanningAreas.pdf

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

No impact. The project site is located in a developed area of Butte County proximal to and west of the City of Chico municipal boundary. Surrounding uses are comprised of single-family residential to the west, south and east and single-family residential and an orchard to the north. The project parcels are currently used as an orchard. The proposed land use action would not physically divide an established community. No impact would occur under this threshold.

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?**

Less than significant impact. Each parcel gross acreage meets the minimum lot size required by the VLDR zoning designation of one acre in size. The proposed project does not include an amendment to the existing land use designation, or a change to the existing residential land use occurring on the project site. The proposed project would subdivide the property into nine lots for development of nine residential dwellings and accessory structures.

The project could create land use compatibility issues offsite which are governed by goals, policies and actions in Butte County General Plan and the Zoning Ordinance.

Goal AG-5 - Reduce conflicts between urban and agricultural uses and between habitat mitigation banking and agricultural uses.

Policy Ag-P5.3.3 - The Zoning Ordinance shall require a setback between a new residence and an existing active orchard or vineyard that locates the residence as far away from the orchard or vineyard as practicable, taking into account adjacent agricultural uses and practices, provided it does not limit the density permitted by the residential zone, and in no case is less than 25 feet. This setback shall be imposed on the parcel developing with residences and shall be reviewed by the Zoning Administrator in consultation with the Agricultural Commissioner as to width. The setback shall be subject to a public hearing.¹

As discussed above, Policy AG-P5.3.3 is implemented by BCC §24-56.1 - Residential Setback from Orchards and Vineyards. The proposed project was reviewed by the Department of Development Services in conjunction with the Agricultural Commissioner's Office is recommending the following residential dwelling setbacks from adjacent active orchards:

Lot	Distance	Location
1, 2, 3, 4 and 5	50 feet	Southeasterly property line

1. Agricultural Policy 5.3.3 was adopted by the Board of Supervisors on January 16, 2016 and became effective 30 days after the adoption.

1.12 MINERAL RESOURCES

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

Discussion

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

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

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

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

1.13 NOISE

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

Environmental Setting

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

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

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

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

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

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

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

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

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

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

Notes:

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

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

Butte County Noise Ordinance

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

The Butte County Noise Ordinance provides the County with a means of assessing complaints of alleged noise violations and to address noise level violations from stationary sources. The ordinance includes a list of activities that are exempt from the provisions of the ordinance.

Discussion

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

Less than significant impact with mitigation. Traffic on Nord Avenue and Rodeo Avenue is the primary noise generator in the project area. No significant stationary noise generating sources have been identified in the project area. Noise levels contributed by the proposed project would include construction noise during future build-out of the 9 lots and any exterior activities associated with activities occurring on the property. Construction noises associated with development of the resultant parcels would primarily be from the use of heavy equipment, generators, worker vehicle trips and power tools. Construction-related noises would be temporary and intermittent and would not result in long-term noise impacts. Compliance with Chapter 41A-9 (f) of the Butte County Code that exempts construction noise would ensure construction activities occur during daytime hours, making potential impacts less than significant. However, at the discretion of Butte County DDS, **Mitigation Measure NOI-1** would be implemented to address temporary construction impacts.

It is assumed future development occurring on 9 lots would generate vehicle trips typical for rural residential development. The addition of vehicle trips on Nord Avenue, the primary point of ingress/egress, associated with development of the 9 lots is not expected to exceed applicable noise standards. However, in the event noise levels do exceed applicable noise standards, the County will review complaints in accordance with Butte County Code Chapter 41A. With implementation of mitigation as needed, a less than significant impact would occur under this threshold.

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

Less than significant impact. The proposed project may involve temporary sources of groundborne vibration and groundborne noise from the operation of heavy equipment during construction. The type of heavy equipment typically used during residential construction would only generate localized groundborne vibration and groundborne noise that could be perceptible at residences adjacent to and north of the site. However, the duration of impact would be infrequent and would occur during less sensitive daytime hours (i.e., between 7:00 a.m. and 7:00 p.m.); thus, the impact from construction-related groundborne vibration and groundborne noise 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 within two miles of the project site. The closest airport is Chico Municipal Airport, which is located approximately 3.0 miles to the northeast. The proposed project is located outside the airport compatibility zone; and therefore, airport operation would not result in noise impacts to people residing on the project site. No impact would occur under this threshold.

Mitigation Measures

Mitigation Measure NOI-1: To reduce construction-generated noise the developer shall implement the following measures to mitigate construction noise throughout all construction periods:

1. Limit construction activity to daytime hours (sunrise to sunset) on weekdays and non-holidays. Not occurring from 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; not from Saturday commencing at 6:00 p.m. through and including 10:00 a.m. on Sunday, and not after 6:00 p.m. on Sundays. Provided, however, when an unforeseen or unavoidable condition occurs during

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

2. Use best available noise suppression devices and properly maintain and muffle diesel engine-driven construction equipment;
3. Construction equipment shall not be idled for long periods of time;
4. Locate stationary equipment as far as possible from sensitive receptors;
5. Designate a Disturbance Coordinator and post the name and phone number of this person conspicuously at the entrance(s) to the project site so it is clearly visible to nearby residents most likely to be affected by construction noise. This person would manage complaints resulting from construction noise. The Disturbance Coordinator shall contact noise sensitive receptors and advise them of the schedule of construction."

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

Timing: The mitigation shall be applicable during all construction activities.

Monitoring: The developer and the Disturbance Coordinator shall be responsible for ensuring compliance with this mitigation and shall respond to all complaints of noise. Department of Development Services shall investigate all complaints of excess construction-related noise.

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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

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

No impact. The proposed project would be allowed outright per the existing General Plan and zoning designation. While the project will result in the construction of 9 new residences, and the potential for Accessory Dwelling Units (1 per parcel) these units are allowed by right by existing zoning. General Plan 2030 has anticipated the buildout of this area with the Very Low Density Residential (VLDR) zoning designation and thus, the project would not induce unplanned population growth within the area. No impact would occur under this threshold.

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

No impact. No housing is located on the subject parcels. Thus, the project would not displace existing individuals or housing. No impact would occur under this threshold.

1.15 PUBLIC SERVICES

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

Discussion

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

Fire protection?

Less than significant impact Fire protection services are provided by CalFire/Butte County Fire Department. Approval of the proposed land use action will not require additional fire protection services. Build-out of the resultant parcels may incrementally increase the demand for fire protection services. Approval of the project would require the payment of fire protection impact fees to help offset the impacts of that development. Such fees would be used to fund capital costs associated with acquiring land for new fire stations, constructing new fire stations, purchasing fire equipment, and providing for additional staff as needed. Fire protection impact fees would be paid at the time of building permit issuance. A less than significant impact would occur under this threshold.

Police protection?

Less than significant impact. The Butte County Sheriff's Office provides law enforcement service to the site. Implementation of the proposed project could increase service calls if additional residential structures are built. However, increased development in the County impacts the ability of the Sheriff's Department to adequately provide services to outlying areas. If the single-family residences are constructed, it is expected that the action would not require any new law enforcement facilities or the alteration of existing facilities to maintain acceptable performance objectives. Future development would be partially offset through project-related impact fees. A less than significant impact would occur under this threshold.

Schools?

Less than significant impact. The project site is located within the Chico Unified School District. The proposed action would result in the construction of 9 new residences which could impact demand for school services within the Chico Unified School District. Based on the Chico Unified School District 2020 School Fee Justification Study, approximately 0.298 students are generated per single-family residence. Thus, a total of 3 new students could be generated by the project. The addition of 3 new students is not anticipated to significantly impact demand for school services within the Chico Unified School District. A less than significant impact would occur under this threshold.

Parks?

Less than significant. Increase in the demand for recreational facilities is typically associated with increases in population. As discussed in Section 1.14 - *Population and Housing*, the proposed project will not generate growth in the local population in excess of what was anticipated in the General Plan. Approval of the project would require payment of development fees to off-set any increase in demand for park services. Thus, impacts would be less than significant under this threshold.

Other public facilities?

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

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The project site is located in the Chico Area Recreation and Park District (CARD). The CARD covers an area of approximately 208 square miles, and includes the City of Chico, as well as the unincorporated community of Nord. The district operates and maintains approximately 214 acres of developed parkland and facilities to serve a population of approximately 104,367 residents. This translates into a level of service of 1.85 acres of parklands for every 1,000 residents. The total park facilities operated by the district do not include Bidwell Park and parks operated by State and Federal agencies. No park facilities are located in the vicinity of the project site; however, it's anticipated that future residents of the project site would likely use facilities located in the City of Chico, as well as nearby State-operated facilities, to meet their recreational needs. The nearest community recreational facilities to the project site is DeGarmo Park, which is located approximately 3 miles north on Esplanade. DeGarmo Park is owned and operated by the District, and includes picnic and barbeque areas, playground, three baseball fields and large grass field. The nearest neighborhood park, Oak Way, is located approximately 1.6 miles south of the project site. The City of Chico has a proposed park (Henshaw) approximately 0.9 miles to the southeast.

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?**

Less than significant impact. Development of the proposed project may increase demand for recreational facilities. As discussed in Section 1.14 - *Population and Housing*, the proposed project would generate growth in the local population; however, not the extent unanticipated in the General Plan. The project may increase use of existing parks and recreational facilities in the surrounding area; however, payment of impact fees would help off-set any increase in demand for these services. Impacts would be less than significant under this threshold.

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

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

1.17 TRANSPORTATION

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Transportation.				
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 existing parcel is accessed via Nord Avenue, a county-maintained road. Access to the 9 lots would be from a new street extending north from Nord Avenue with individual driveways. Using the Institute of Transportation Engineers (ITE) Trip Generation Rates (10th Edition), a single-family residence generates approximately 10 daily trips. Thus, development of the 9 lots could generate up to approximately 90 daily trips. Assuming 10% of the daily trips occur during the peak hour, development of both parcels could add nine peak hour trips on Nord Avenue.

Development on 9 lots will be required to meet all necessary setbacks from existing/proposed right-of-way to protect proper view corridors for traffic existing traffic.

Nord Avenue is a rural road with no shoulders or marked bicycle lanes. The Butte County Bicycle Master Plan does not identify any bicycle routes along Nord Avenue or Rodeo Avenue. No transit stops are located in proximity to the site.

Construction activities associated with future development of the 9 lots is unlikely to disrupt traffic on Nord Avenue as the parcels would be directly accessed via a new street constructed on-site. Construction activities associated with the proposed project would be temporary and would implement traffic control, if required by Butte County. Development of the lots would have no effect on existing bicycle lanes or transit operations. A less than significant impact would occur under this threshold.

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

Less than significant impact. Senate Bill 743 (SB 743) was approved in 2013 and revised the method for assessing transportation impacts under CEQA. The Office of Planning and Research (OPR) has recommended the use of vehicle miles travelled (VMT) as the required metric to replace the automobile delay-based Level of Service (LOS). The VMT assessment is required to satisfy CEQA guidelines that utilize VMT as the required metric to determine transportation impacts. The VMT assessment is based on the criteria outlined in the *Butte County Association of Governments (BCAG) SB 743 Implementation Study Document* (June 24, 2021). According

to the BCAG Implementation Study Document, there are several criteria that can be applied to screen projects from VMT project-level assessments. The purpose is to screen out projects that are presumed to have a non-significant transportation impact based on the facts of a project and to avoid unnecessary analysis and findings that would be inconsistent with the intent of SB 743.

The Implementation Study, VMT Impact Screening section, contains five VMT impact screening options. The proposed project would meet the definition of a Small Project, which is defined as a project estimated to generate or attract fewer than 110 daily vehicle trips. The proposed project would generate approximately 90 trips daily as stated above under threshold (a). This would be less than the 110 daily vehicle trip threshold. Thus, the project would have a less than significant impact with respect to VMT and no VMT analysis would be required.

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 add a new access street; however, it would not change the configuration (alignment) of area roadways and would not introduce types of vehicles that are not already traveling on area roads. No impact would occur under this threshold.

d) Result in inadequate emergency access?

No impact. Emergency vehicles access the area use Nord Avenue and Rodeo Avenue. The project would have no effect on these streets. A new access street would connect to the site to Nord Avenue with the new lots. As stated, secondary access to the north via Nord Avenue would be provided only for the lot adjacent to Nord Avenue. The street and intersections would be designed consistent with Butte County standards and would provide sufficient emergency access. No impact would occur under this threshold.

1.18 TRIBAL CULTURAL RESOURCES

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

Environmental Setting

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

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

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

A letter was sent to the Mechoopda Indian Tribe on January 20, 2023, as required per AB 52. No response was received.

Discussion

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

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

No impact. Per Assembly Bill AB 52 (Statutes of 2014) Notification Request, Public Resources Code Section 21080.3(b), the County sent one letter to the Mechoopda Indian Tribe on January 20, 2023. As stated, no response was received. The project site is vacant; thus, no impact to historic resources would occur under this threshold.

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

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

1.19 UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. Utilities and Service Systems.				
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Solid Waste

Most municipal wastes are hauled to the Neal Road Recycling and Waste Facility, which is owned by Butte County and managed by the Butte County Department of Public Works. The Neal Road Facility is located at 1023 Neal Road, one mile east from State Highway 99, and seven miles southeast of Chico, on 190 acres owned by Butte County. The Neal Road Facility is permitted to accept municipal solid waste, inert industrial waste, demolition materials, special wastes containing nonfriable asbestos, and septage. Hazardous wastes, including friable asbestos, are not accepted at the Neal Road Facility or any other Butte County disposal facility, and must be transported to a Class I landfill permitted to receive untreated hazardous waste. The Facility has a design capacity of 25,271,900 cubic yards, and is permitted to accept 1,500 tons per day; however, the average daily disposal into the landfill is approximately 466 tons. As of November 2017, the remaining capacity of the Neal Road Facility is approximately 15,449,172 cubic yards, which would give the landfill a service life to the year 2048 (Neal Road Recycling & Waste Facility, 2017).

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. The project site is vacant. Wastewater would be disposed of in private, on-site septic systems. Water would be provided by public water service for each lot.

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

The project area is currently served by electric power (PG&E), natural gas (PG&E), and wireless phone service. The project would not result in the relocation or construction of new or expanded infrastructure including water services, wastewater treatment, stormwater drainage, natural gas, or telecommunication facilities. No impact would occur under this threshold.

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

Less than significant impact. Domestic water services would be provided by public water service. CalWater, water supplier, would serve the site. A less than significant impact would occur under this threshold.

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

No impact. Wastewater disposal for the proposed project site would be provided by private, on-site septic systems. Therefore, the project would not have an impact on any wastewater treatment facilities because septic systems would be utilized. No impact would occur under this threshold.

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

No impact. Construction and operation of the project would result in a minor increase of solid waste that would require disposal at the Neal Road Recycling and Waste Facility. The Neal Road Facility has a maximum permitted throughput of 1,500 tons per day, and an estimated current daily average throughput of 466 tons per day. Solid waste generation was estimated using the California Emission Estimator Model (CalEEMod) version 2020.4.0. Assuming a 75% recycling rate as mandated by AB341, 9 single-family residences would generate approximately 2.4 tons annually or 14 pounds per day. The Neal Road Facility has a maximum permitted throughput of 1,500 tons per day, and an estimated current daily average throughout of 466 tons per day. Therefore, the facility would have adequate capacity to accommodate solid waste generated by the project. A less than significant impact would occur under this threshold.

- 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 statues 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 by the residents. No impact would occur under this threshold.

1.20 WILDFIRE

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

Environmental Setting

The project site is located in a Local Responsibility Area for fire protection. The project site is located outside the fire hazard severity zones as identified by the State Department of Forestry and Fire Protection.

Discussion

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

No impact. The project site would be accessed via a new private street extending north from Nord Avenue, a county-maintained road. There would be no lane closures or other actions that would impact emergency access or interfere with an emergency evacuation plan. No impact would occur under this threshold.

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

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

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

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

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

No impact. The project site area is located within a developed area and the topography is flat. The project area does not exhibit flooding potential (see discussion Section 1.10.d – Hydrology and Water Quality) or landslide potential (see discussion Section 1.7.a – Geology Soils). Therefore, no impacts from post-fire instability or drainage changes would occur. No impact would occur under this threshold.

1.21 MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. Mandatory Findings of Significance.				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 incorporated. Potential impacts to biological resources and cultural resources associated with future development of the proposed project were analyzed in this Initial Study. With implementation of **Mitigation Measure CUL-1**, all direct, indirect, and cumulative impacts to cultural resources could be mitigated to less than significant. No special status species or their habitat was identified on the site. Development of the subject parcel would not cause fish or wildlife populations to drop below self-sustaining levels or restrict the movement/distribution of a rare or endangered species.

Development of the proposed project would not affect significant historic resources or known archaeological or paleontological resources. **Mitigation Measure CUL-1** has been identified to address the potential discovery of unknown resources during excavation or other soil disturbance associated with development. Additionally, the project applicant is required to comply with [California Code of Regulations \(CCR\) Section 15064.5\(e\)](#), [California Health and Safety Code Section 7050.5](#), and [Public Resources Code \(PRC\) Section 5097.98](#) as a matter of policy in the event human remains are encountered at any time. Implementation of **Mitigation Measure**

CUL-1, as well as regulations governing human remains, would reduce potential impacts to cultural and paleontological resources to less than significant.

- 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 with mitigation incorporated. Development of the proposed project would have no impact, a less than significant impact or a less than significant impact with mitigation incorporated with respect to all environmental issues pursuant to CEQA. Due to the limited scope of direct physical impacts to the environment associated with the project, potential impacts are project-specific. HAZ

The proposed project site is located within an area has been designated by the County for VLDR development. Short-term construction-related air quality impacts that would result from construction of the site improvements and build-out of residences will be reduced to less than significant with implementation of **Mitigation Measure AIR-1**. Potential impacts to migratory avian species will be reduced to less than significant with implementation of **Mitigation Measure BIO-1**. Potential cultural impacts will be reduced to less than significant with implementation of **Mitigation Measure CUL-1**. Potential impacts from pesticide exposure will be reduced to less than significant with implementation of **Mitigation Measure HAZ-1**. Potential noise impacts would be reduced to less than significant with implementation of **Mitigation Measure NOI-1**.

The cumulative effects resulting from build out of the Butte County General Plan 2030 were previously identified in the General Plan EIR. The type, scale, and location of the type of development that is proposed for the site is consistent with County’s General Plan and zoning designation 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. Build-out of 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 with mitigation incorporated. There have been no impacts discovered through the review of this application demonstrating that approval of the TSM or future development of the parcels would cause substantial adverse effects to human beings either directly or indirectly. However, development of the residences has the potential to cause both temporary and future impacts related to aesthetics, air quality, noise and cultural resources. With implementation of mitigation measures included in this Initial Study, these impacts would be mitigated to less than significant.

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

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2. Butte County. *Butte County General Plan 2030 Final Environmental Impact Report*. April 8, 2010. Available at http://www.buttegeneralplan.net/products/2010-08-30_FEIR/default.asp.
3. Butte County. *Butte County General Plan 2030*. October 26, 2010. Available at <http://www.buttecounty.net/dds/Planning/GeneralPlan/Chapters.aspx>
4. Butte County. *Butte County General Plan 2030 and Zoning Ordinance Amendments – Draft Supplemental Environmental Impact Report*. June 17, 2015. Available at http://www.buttegeneralplan.net/products/2012-05-31_GPA_ZO_SEIR/default.asp
5. Butte County. *Butte County General Plan 2030 Setting and Trends Report Public Draft*. August 2, 2007. Available at <http://www.buttegeneralplan.net/products/SettingandTrends/default.asp>.
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7. Butte County. *Butte County Department of Development Services GIS Data*. April 2022.
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. Available at <https://bcaqmd.org/planning/air-quality-planning-ceqa-and-climate-change/>
9. Butte County Public Works Department, Division of Waste Management. Joint Technical Document-Neal Road Recycling and Waste Facility, Butte County, California. November 2017.
10. 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.
11. California Department of Conservation, Division of Land Resource Protection. *A Guide to the Farmland Mapping and Monitoring Program*. 2014.
12. California Department of Toxic Substance Control. 2009. *Envirostor Database*. Accessed on April 2022. <http://www.envirostor.dtsc.ca.gov/public>.
13. California Department of Water Resources, Northern Region Office. Geology of the Northern Sacramento Valley, California. September 2014.
14. Kopple & Gruber, Public Finance, Inc., *Chico Unified School District 2020 School Fee Justification Study*, March 2020. http://www.chicousd.org/documents/Business%20Services/Developer%20Fee%20Studies/CUSD_FeeJustificationStudy_2020_FINAL.pdf
15. California Department of Fish and Wildlife, *California Natural Diversity Database*, February 2023.

Mitigation Measures and Monitoring Requirements

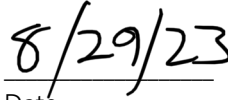
TENTATIVE SUBDIVISION MAP / PARKS (TSM22-0003)

Project Sponsor(s) Incorporation of Mitigation into Proposed Project

I/We have reviewed the Initial Study for the Tentative Subdivision Map for Parks (TSM22-0003) application and particularly the mitigation measures identified herein. I/We hereby modify the applications on file with the Butte County Planning Department to include and incorporate all mitigations set forth in this Initial Study.



Project Sponsor/Project Agent



Date

Project Sponsor/Project Agent

Date

Mitigation Measures and Monitoring Requirements

TENTATIVE SUBDIVISION MAP / PARKS (TSM22-0003)

Mitigation Measure AIR-1

The following best practice measures to reduce impacts to air quality shall be incorporated by the project applicant, subject property owners, or third-party contractors during construction activities on the project site. These measures are intended to reduce criteria air pollutants that may originate from the site during the course of land clearing and other construction operations.

Diesel PM Exhaust from Construction Equipment and Commercial On-Road Vehicles Greater than 10,000 Pounds

- All on- and off-road equipment shall not idle for more than five minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the five-minute idling limit.
- Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors is prohibited.
- All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked by a certified mechanic and determined to be running in proper condition before the start of work.
- Install diesel particulate filters or implement other CARB-verified diesel emission control strategies.
- Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted areas.
- To the extent feasible, truck trips shall be scheduled during non-peak hours to reduce peak hour emissions.

Operational TAC Emissions

- All mobile and stationary Toxic Air Contaminants (TACs) sources shall comply with applicable Airborne Toxic Control Measures (ATCMs) promulgated by the CARB throughout the life of the project (see <http://www.arb.ca.gov/toxics/atcm/atcm.htm>).
- Stationary sources shall comply with applicable District rules and regulations.

Fugitive Dust

Construction activities can generate fugitive dust that can be a nuisance to local residents and businesses near a construction site. Dust complaints could result in a violation of the District's "Nuisance" and "Fugitive Dust" Rules 200 and 205, respectively. The following is a list of measures that may be required throughout the duration of the construction activities:

- Reduce the amount of the disturbed area where possible.
- Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. An adequate water supply source must be identified. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
- All dirt stockpile areas should be sprayed daily as needed, covered, or a District approved alternative method will be used.

Mitigation Measures and Monitoring Requirements

TENTATIVE SUBDIVISION MAP / PARKS (TSM22-0003)

- Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- Exposed ground areas that will be reworked at dates greater than one month after initial grading should be sown with a fast-germinating non-invasive grass seed and watered until vegetation is established.
- All disturbed soil areas not subject to re-vegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the Butte County Air Quality Management District.
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with local regulations.
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
- Post a sign in prominent location visible to the public with the telephone numbers of the contractor and the Butte County Air Quality Management District - (530) 332-9400 for any questions or concerns about dust from the project.

All fugitive dust mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend period when work may not be in progress. The name and telephone number of such persons shall be provided to the District prior to land use clearance for map recordation and finished grading of the area.

Please note that violations of District Regulations are enforceable under the provisions of California Health and Safety Code Section 42400, which provides for civil or criminal penalties of up to \$25,000 per violation.

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

Timing: Requirements of the condition shall be adhered to throughout all grading and construction periods.

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. Building inspectors shall spot check and shall ensure compliance on-site. Butte County Air Pollution Control District inspectors shall respond to nuisance complaints.

Mitigation Measures and Monitoring Requirements

TENTATIVE SUBDIVISION MAP / PARKS (TSM22-0003)

Mitigation Measure BIO-1

If the project will include vegetation removal (including grasses) or earthwork of any kind during the nesting season (February 1 through August 31), CDFW recommends a pre-construction nesting bird survey be conducted by a qualified biologist to identify the absence or presence of active (i.e. with eggs or young) nests. The survey area should 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, CDFW recommends the preconstruction survey be conducted no more than three (3) days before the start of vegetation removal and/or ground disturbing activities. Please also note that Fish and Game Code section 3503 protects the nests and eggs of all birds, not just migratory birds and birds of prey. 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 parents' 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 size of the no-disturbance buffer should be determined by the qualified biologist. CDFW is available to provide comments and feedback on nesting bird avoidance strategies if desired. However, it should be noted that CDFW cannot guarantee that any specific buffer width will be sufficient to completely avoid take in any given situation, and therefore CDFW cannot approve or disapprove specific buffer proposals.

Plan Requirements: Perform protocol-level surveys for migratory birds protected by the California Department Fish & Game Code and the Migratory Bird Treaty Act. This measure shall be recorded on an additional map sheet to the Parcel Map.

Timing: Requirements of the condition shall be adhered to prior to and during construction activities planned to occur during nesting seasons for CDFC and MBTA species (between February 1 and August 31).

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is recorded on an additional map sheet of the Parcel Map. Department of Development Services shall ensure the condition is met at the time of construction activities.

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 construction of all improvements, including land clearing, road construction, utility installation, and building site development.

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

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

Mitigation Measures and Monitoring Requirements

TENTATIVE SUBDIVISION MAP / PARKS (TSM22-0003)

Monitoring: The Department of Development Services and/or Public Works Department shall ensure the note is placed on a separate document which is 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.

Mitigation Measure HAZ-1

The applicant/developer shall complete soil sampling per the Department of Toxic Substances Control Interim Guidance for Sampling Agricultural Properties (Third Version), August 7, 2008. The recommended number of sampling locations shall be consistent with Table 1 of the Interim Guidance and results of the sampling effort shall be reported as described in the DTSC PEA Guidance Manual.

Plan Requirements: Perform soil sampling per DTSC protocol. This measure shall be completed prior to Final Map recordation.

Timing: This measure shall be implemented prior to recordation of the Final Map.

Monitoring: The Department of Development Services and/or Public Works Department shall ensure the mitigation measure is satisfied prior to the recordation on the Final Map.

Mitigation Measure NOI-1: To reduce construction-generated noise the developer shall implement the following measures to mitigate construction noise throughout all construction periods:

1. Limit construction activity to daytime hours (sunrise to sunset) on weekdays and non-holidays. Not occurring from 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; not from Saturday commencing at 6:00 p.m. through and including 10:00 a.m. on Sunday, and not after 6:00 p.m. on Sundays. Provided, however, when an unforeseen or unavoidable condition occurs during a construction project and the nature of the project necessitates that work in process be continued until a specific phase is completed, the contractor or owner shall be allowed to continue work into the hours delineated above and to operate machinery and equipment necessary to complete the specific work in progress until that specific work can be brought to conclusion under conditions which will not jeopardize inspection acceptance or create undue financial hardships for the contractor or owner
2. Use best available noise suppression devices and properly maintain and muffle diesel engine-driven construction equipment;
3. Construction equipment shall not be idled for long periods of time;
4. Locate stationary equipment as far as possible from sensitive receptors;
5. Designate a Disturbance Coordinator and post the name and phone number of this person conspicuously at the entrance(s) to the project site so it is clearly visible to nearby residents most likely to be affected by construction noise. This person would manage complaints resulting from construction noise. The Disturbance Coordinator shall contact noise sensitive receptors and advise them of the schedule of construction."

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

Timing: The mitigation shall be applicable during all construction activities.

Mitigation Measures and Monitoring Requirements

TENTATIVE SUBDIVISION MAP / PARKS (TSM22-0003)

Monitoring: The developer and the Disturbance Coordinator shall be responsible for ensuring compliance with this mitigation and shall respond to all complaints of noise. Department of Development Services shall investigate all complaints of excess construction-related noise.