

**BUTTE COUNTY PLANNING COMMISSION**  
**NOTICE OF PUBLIC HEARING AND NOTICE OF AVAILABILITY OF A**  
**NEGATIVE DECLARATION FOR**  
**GENERAL PLAN AMENDMENT GPA19-0002/REZONE 19-0002/LOT LINE**  
**ADJUSTMENT LLA19-0019**

NOTICE IS HEREBY GIVEN that the Butte County Planning Commission will hold a public hearing to consider a General Plan Amendment, Rezone and Lot line Adjustment on **March 26, 2020, at 9:00 a.m. or shortly thereafter, in the Butte County Board of Supervisors' Room, County Administration Center, 25 County Center Drive, Oroville, California**, as follows:

**Project:** General Plan Amendment/Rezone/Lot Line Adjustment GPA19-0002/REZ19-0002/LLA19-0019 (Royal).

**APN:** 041-120-128 and 041-120-129

**Location:** APN 041-120-128 is located on the south side of Durham-Pentz Road, approximately 1,000 feet east of Clark Road (State Highway 191)/Durham-Pentz Road Intersection. APN 041-120-129 is located on the east side of Clark Road at 2552 Clark Road. The parcels are located approximately 5.6 miles south of the Town of Paradise in Butte Valley.

**Proposal:** A request by Larry Royal for a General Plan Amendment (GPA), Rezone (REZ) and Lot Line Adjustment (LLA). The GPA and REZ proposes an exchange of 1.16 acres of Retail and Office (RTL) designated and G-C (General Commercial) zoned property on the eastern portion of APN 041-120-128 with 1.16 acres of Agriculture (AG) designated and AG-40 (Agriculture – 40-acre minimum) zoned property along Clark Road. The 1.16 acres of RTL and G-C will be located as to incorporate existing improvements and structures to provide for a retail commercial use (farm and hardware store). The LLA will reduce APN 041-120-128 from 5 acres to 3.84 acres and increase APN 041-120-129 from 304 acres to 305.16 acres 1.16 acres. APN 041-120-129 will have a split General Plan Land Use Designation and Zoning.

The Planning Commission will make a recommendation to the Board of Supervisors whether or not to adopt the Negative Declaration and approve the proposed General Plan Amendment, Rezone and Lot Line Adjustment.

In compliance with the California Environmental Quality Act (CEQA), this notice discloses that there are no listed toxic sites present on or near the project site. The Initial Study/Negative Declaration (IS/ND), project application and reference documents are on file for public review and comment starting **February 25, 2020 through March 25, 2020**, at the Butte County Planning Division, 7 County Center Drive, Oroville, CA. The IS/ND is also available for review on the County website at <http://www.buttecounty.net/dds/Planning/CEQA.aspx>. All persons are invited to review the documents. Comments may be submitted to the Planning Division in writing at the above address at any time prior to the hearing or orally at the meeting listed above, or as may be continued to a later date. If you challenge the above application in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

For information, call or send an email to Senior Planner Mark Michelena, Butte County Development Services Department, at (530) 552-3683 or [mmichelena@buttecounty.net](mailto:mmichelena@buttecounty.net).

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the hearing, please contact us at (530) 552-3662. Notification at least 72 hours prior to the hearing will enable staff to make reasonable arrangements.

BUTTE COUNTY PLANNING COMMISSION  
PAULA DANELUK, DIRECTOR OF DEVELOPMENT SERVICES

# INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST

California Environmental Quality Act (CEQA)

## PROJECT INFORMATION

1. Project Title: General Plan Amendment/Rezone/Lot Line Adjustment (GPA19-0002/REZ19-0002/LLA19-0019)
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: Mark Michelena, Senior Planner  
[530.552-3683](tel:530.552-3683); [mmichelena@buttecounty.net](mailto:mmichelena@buttecounty.net)
4. Project Location: The subject property consists of two project parcels that are approximately 5 acres (APN 041-120-128) and 304 acres (APN 041-120-129) each. APN 041-120-128 is located on the south side of Durham-Pentz Road, approximately 1,000 feet east of Clark Road (State Highway 191)/Durham-Pentz Road Intersection). APN 041-120-129 is located on the east side of Clark Road at 2552 Clark Road. The parcels are located approximately 5.6 miles south of the Town of Paradise. Township 21N, Section 27 Range 03E; MDB&M. APN 041-120-128 (Latitude 39°38'48.73"N, Longitude 121°37'50.705"W). APN: 041-120-129 (Latitude 39°38'38.484"N, Longitude 121°38'5.858"W).
5. Project Sponsor's Name and Address: Larry Royal  
2552 Clark Road  
Butte Valley, CA 95965
6. General Plan Designation: APN 041-120-128 – Retail and Office (RTL)  
APN 041-120-129 – Agriculture (AG)
7. Zoning: APN 041-120-128 – G-C (General Commercial)  
APN 041-120-129 – AG-40 (Agricultural 40-acre minimum)
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 includes a General Plan Amendment (GPA), Rezone (REZ) and Lot Line Adjustment (LLA). The GPA and REZ proposes an exchange of 1.16 acres of RTL and G-C zoned property on the eastern portion of APN 041-120-128 with 1.16 acres of AG and AG-40 property along Clark Road. The 1.16 acres of RTL and G-C will be located as to incorporate existing improvements and structures to provide for a retail commercial use (farm and hardware store). The LLA will reduce APN 041-120-128 from 5 acres to 3.84 acres and increase APN 041-120-129 from 304 acres to 305.16 acres. The resultant 305.16 acre property (APN 041-120-129) will have a split General Plan Land Use Designation and Zoning. The project will not result in a reduction of Agriculturally designated or zoned lands.

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

The project site area is characterized as agricultural lands and rural residential situated in the Butte Valley region of Butte County, between Paradise and Oroville. Surrounding land uses include rural residential, agriculture (grazing) and the Butte College Main Campus on lots ranging from 4.51 to 640 acres.

Direction	General Plan Designation	Zoning	Existing Land Use(s)
North	Retail and Office (RTL)/ Agriculture (AG)/ Rural Residential	General Commercial (GC)/AG-40 (Agriculture 40-acre minimum)/RR-10 (Rural Residential 10-acre minimum)	Gas Station & Mini Mart/Row Crops & Grazing/Orchard/Rural Residences/Vacant
South	AG	AG-40	Grazing/Vacant
East	AG/RR	AG-40/RCR-10	Rural Residential/Vacant
West	RTL/AG/RR/ Public (P)	G-C/AG-40/RCR-10/P (Public)	Rural Residential/Butte College/Vacant

The project site is located within unincorporated Butte County, south of the Town of Paradise and north of the City of Oroville. The purpose of the AG-40 zone is to support, protect, and maintain a viable, long-term agricultural sector in Butte County. Standards for the AG zone maintain the vitality of the agricultural sector by retaining parcel sizes necessary to sustain viable agricultural operations, protecting agricultural practices and activities by minimizing land-use conflicts, and protecting agricultural resources by regulating land uses and development intensities in agricultural areas. Permitted uses include crop cultivation, animal grazing, stock ponds, and agricultural processing. More intensive agricultural activities, such as animal processing, dairies, hog farms, stables, forestry and logging, and mining and oil extraction, are permitted with the approval of a Conditional Use Permit. One single-family home and one second unit and accessory dwelling unit is permitted on each legally established parcel within the AG zone, and residential uses for agricultural employees are permitted as an accessory use within the AG zone. The AG zone implements the Agriculture land use designation in the General Plan.

The purpose of the G-C zone is to allow for a full range of retail, service, and office uses to serve residents, workers, and visitors. Standards for the GC zone are intended to ensure that a diversity of commercial uses are available within convenient locations throughout the county. Permitted uses include general retail, personal services, professional offices, restaurants, gas and service stations, hotels and motels, and other similar commercial uses. Multiple-family dwellings, vehicle repair, light manufacturing, and warehousing and storage are permitted in the GC zone with the approval of a Conditional Use Permit. Single-family homes are not permitted in the GC zone. The maximum permitted floor area ratio in the GC zone is 0.4. The GC zone implements the Retail and Office land use designation in the General Plan.

The topography in the project site areas are gentle and flat, with elevations ranging from 295 to 300 feet and 310 to 315 above sea level. Vegetation in the project site areas is primarily disturbed grassland. The most prominent human-made features on the project parcels are the existing three structures, parking area for the Earthworm

Soil Factory and utility lines. Surrounding uses include a gas station/mini-market, communication facility, rural residential dwellings and Butte College.

10. Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement)
- Butte County Department Development Services: Building Permits (Future Construction)
  - Butte County Environmental Health (Wastewater systems)
  - Caltrans (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.



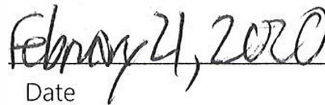
Mark Michelena, Senior Planner



Date



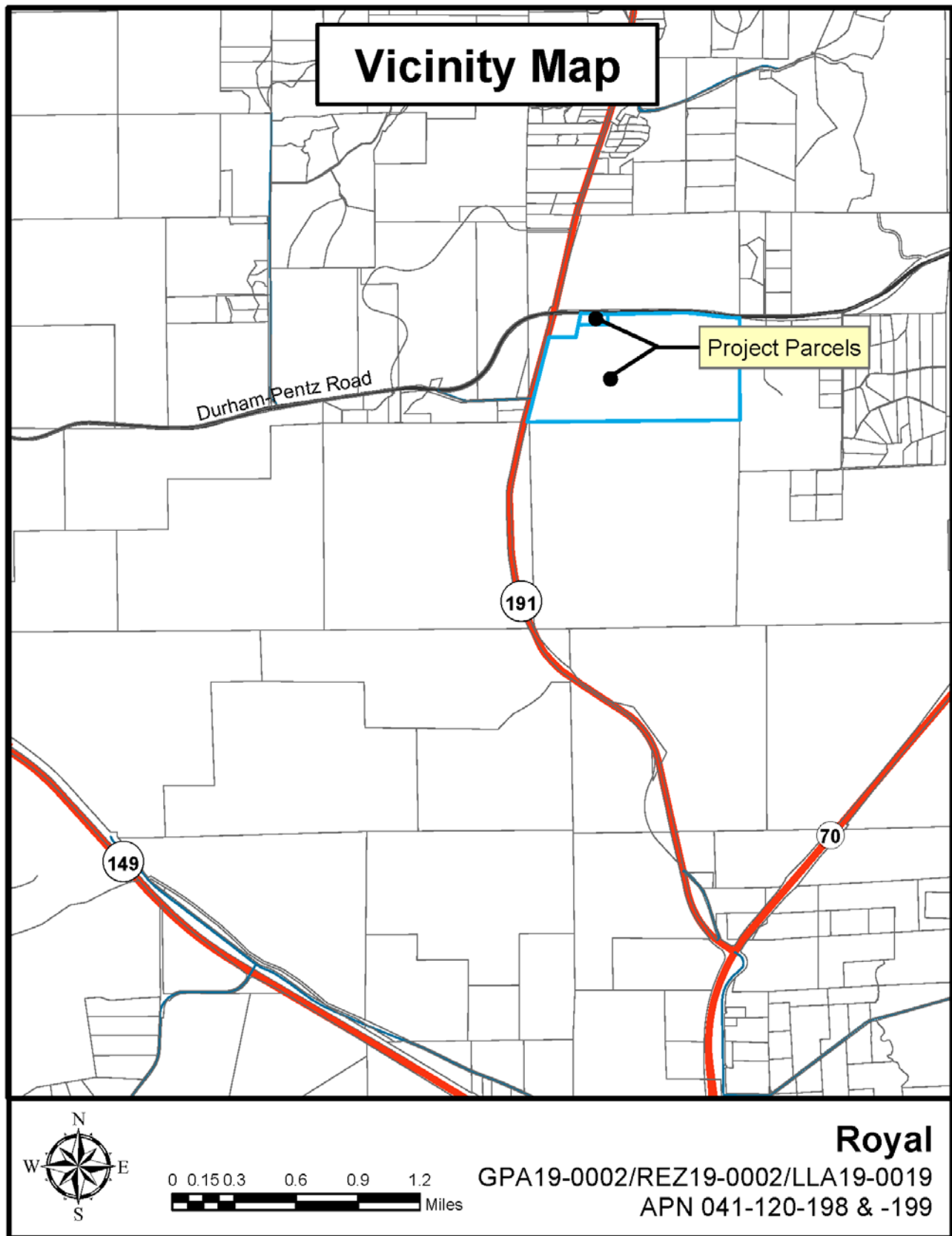
Chuck Thistlethwaite, Planning Manager



Date

## EVALUATION OF ENVIRONMENTAL IMPACTS

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



Vicinity Map







## 1.1 AESTHETICS

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

## Setting

The project site area is characterized as agricultural lands and rural residential uses situated in the Butte valley region of Butte County, between Paradise and Oroville. Surrounding uses include rural residential, agriculture (grazing), commercial and public on lots ranging from 4.41 to 640 acres.

The topography in the project site areas are gentle and flat, with elevations ranging from 295 to 300 feet and 310 to 315 above sea level. Vegetation in the project site areas is primarily disturbed grassland. The most prominent human-made features on the project parcels are the existing three structures parking area and utility lines. Surrounding uses include the Clear Creek Crossing gas station/mini-market, communication facility, rural residential dwellings and Butte College.

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 project parcel along Clark Road (State Highway 191) is developed with three structures, parking area and utility lines. Surrounding uses include a gas station/mini-market to the north and a communication facility to the east. The proposed equal adjustment of agriculturally and commercially designated project would not significantly affect a scenic vista nor have a demonstrable negative aesthetic effect.

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

**Less than significant impact.** The project site and surrounding area is not identified as a scenic resource. The project site area is already developed with existing structures, one of which will be used for the proposed commercial use (farm and hardware store). The remainder of the project site is grassland. Additionally, the project site is not located along a designated State or County scenic highway.

- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage 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 the rural area of Butte Valley. The area proposed to change in zoning from agricultural to commercial along Clark Road is already developed with three structures, one of which will be used for the proposed commercial use (farm and hardware store), while the other two are used for agricultural use. The proposed projects, GPA, Rezone and LLA will not change the character of the area. It will be swapping 1.16 acres of commercially designated and zoned land on Durham-Pentz Road with agriculturally designated and zoned area on Clark Road.

- 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.** The proposed relocation of commercially designated land on Clark Road is already developed with an existing structure used for agricultural and related retail sales. Any future development on the parcels will be reviewed to address lighting.

## 1.2 AGRICULTURE AND FOREST RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>II. Agriculture and Forest Resources.</b>				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997, as updated) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.				
In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 parcels are zoned AG-40 (APN 041-120-129) and General Commercial (APN 041-120-128). The Land Use Element Map of the Butte County General Plan designates the project parcels as Agriculture (APN 041-120-129) and Retail and Office (APN 041-120-128). A small portion of APN 041-120-129 is already developed with three structures and an area for a worm farm. The remainder of the agriculturally designated and zoned land is grassland, suitable for seasonal grazing. The commercial property along Durham-Pentz is vacant land, recently used for Camp Fire log storage. This log storage use has been removed from the site. The projects proposal will not reduce the acreage of agriculturally designated and zoned land, but just relocate 1.16 acres from along Clark Road to Durham-Pentz road. The surrounding area includes a commercial use (gas station and mini-market), a communication facility, rural residential, agriculture (grazing), and Butte College.

# 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 *Grazing Land*. A small area of field crops, approximately 6.3 acres, on the northeast corner of Clark Road and Durham-Pentz Road is classified as Unique.

#### 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

The project parcels front on Clark Road, State Highway 191, and Durham-Pentz Road, a Butte County maintained public road. The subject property is within the Butte Valley area, and contains agricultural uses (worm farm and retail sales of the agricultural product). Land uses in the vicinity of the project are dominated by open grazing land, but also includes residences at rural densities, undeveloped parcels, commercial and Butte College. The project parcel along Durham-Pentz Road was previously used as a temporary log storage yard after the Camp Fire. It is now vacant. There are three existing structures associated with the worm farm on APN 041-120-129. The structures are located on the east side of Clark Road. The project parcels are 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.

Surrounding parcels are designated Retail & Office and zoned General Commercial to the north and west and designated Agriculture and zoned AG-160 to the south and designated Agriculture and Rural Residential and zoned AG-40 and RCR-10 to the east. Land uses adjacent to the subject parcel are an orchard to the northwest. There was an orchard to the southwest, but it was removed.

- 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 parcel as "Grassland". The proposed project will not convert Prime, Unique or Farmland of Statewide Importance. The project is proposing an even exchange (1.16 acres) of Agriculture and Retail & Office designated lands.

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

**Less than significant impact.** The proposed project will not convert Prime, Unique or Farmland of Statewide Importance. The project is proposing an even exchange (1.16 acres) of Agriculture and Retail & Office

designated lands. The proposed project would not reduce the area designated Agriculture. Neither the project site, nor surrounding parcels, are restricted by a Williamson Act contract.

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

**No impact.** The project site is not located in a timber resource zoning category such as Timber Mountain (TM), Timber Production (TPZ), or Resource Conservation (RC). The project site is also not classified as forest land, pursuant to California Public Resources Code Section 12220(g), because the project site cannot support 10 percent native tree cover. Therefore, the proposed project would not conflict with, or cause the rezoning of, a timber resource zoning designation.

- 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?**

**No impact.** State-designated Important Farmlands are located on a small portion (6.3 acres) on the parcel to the north, across Durham-Pentz Road.

## 1.3 AIR QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>III. Air Quality.</b>				
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations.				
Are significance criteria established by the applicable air district available to rely on for significance determinations?	<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No	
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 PM<sub>2.5</sub>) and ground-level ozone are the pollutants of most concern to the NSVAB Districts. Ground-level ozone, the principal component of smog, forms when reactive organic gases (ROG) and nitrogen oxides (NO<sub>x</sub>) – 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 PM <sub>10</sub>	Nonattainment	Attainment
24-Hour PM <sub>2.5</sub>	No Standard	Attainment
Annual PM <sub>10</sub>	Attainment	No Standard
Annual PM <sub>2.5</sub>	Nonattainment	Attainment
Source: Butte County AQMD, 2018		

## Butte County Air Quality Management District

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

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

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

**Table 1.3-2. Screening Criteria for Criteria Air Pollutants**

LAND USE TYPE	MAXIMUM SCREENING LEVELS FOR PROJECTS
Single-Family Residential	30 Units
Multi-Family (Low Rise) Residential	75 Units
Commercial	15,000 square feet
Educational	24,000 square feet
Industrial	59,000 square feet
Recreational	5,500 square feet
Retail	11,000 square feet
Source: Butte County AQMD, CEQA Air Quality Handbook, 2014	

## Discussion

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

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

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

Table 4-1 (Screening Criteria for Critical Pollutants) lists the established thresholds based on land use, including commercial. The threshold for commercial uses is for 15,000 square feet. The proposed project is not proposing any new development on the newly located 1.16 acres of Retail & Office designated and General Commercial zoned area. Due to no proposed development, the project will not conflict with or obstruct the air quality plan.

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

**Less than significant impact.** Due to the project's proposed and operational scope, the project would not conflict with or obstruct implementation of the applicable air quality plan.

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

**No impact.** There are no residences or other sensitive receptors within ¼ mile of the project site. No development is proposed as part of the project. The applicant has proposed the use of one of the existing structures, the one that will be located on the Retail & Commercial designation and General Commercial zone for a farm and hardware store.

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

**Less than significant impact.** The proposed future commercial use (farm and hardware store) would not create objectionable odors. However, future tenant improvement 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, and because the project site is located in a rural area of the county, odors would not impact a substantial number of people for an extended period of time.

## 1.4 BIOLOGICAL RESOURCES

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

## Environmental Setting

The project site is situated in the Butte Valley area within a primarily agricultural area, in the northern Sacramento Valley, south of the Town of Paradise and north of the City of Oroville. There is also a small adjacent commercial area, nearby rural residential uses and Butte College. Both the Butte County General Plan, and from land cover data provided by the Butte County Association of Governments, in preparation of the upcoming Butte County Regional Conservation Plan identify this property as *Grassland, Grassland with Vernal Swale Complex and Vernal Pools*

### 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.

Fallager Creek traverses the middle of the APN 041-120-129 in a northeast to southwest direction. Since the project is proposing an exchange of 1.16 acres of RTL and G-C on the eastern portion of APN 041-120-128 with 1.16 acres of AG and AG-40 along Clark Road and to reduce APN 041-120-128 from 5 to 3.84 acres, along with no development, there would not be any impacts to Fallager Creek or vernal pools identified on date provided by the Butte County Association of Governments.

#### 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 (CNDDB) 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 Federal and State Listed Species in the vicinity of the project site						
Scientific Name	Common Name	FEDLIST	CALLIST	CNPS List	CDFW Status	Habitat
<i>Castilleja rubicundula</i> var. <i>rubicundula</i>	pink creamsacs	None	None	1B.2		Valley and foothill grassland
<i>Hibiscus lasiocarpus</i> var. <i>occidentalis</i>	woolly rose-mallow	None	None	1B.2		Marshes and swamps. Often in riprap on sides of levees
<i>Sidalcea robusta</i>	Butte County checkerbloom	None	None			Chaparral, Cismonte woodland
<i>Lepidurus packardii</i>	vernal pool tadpole shrimp	Endangered	None			aquatic habits including ponds, ditches, road cuts
<i>Rana boylei</i>	foothill yellow-legged frog	None	Candidate Threatened		SSC	Flowing streams and rivers with either rock substrate or sunny banks
<i>Spea hammondi</i>	western spadefoot	None	None		SSC	Grasslands, oak woodlands, occasionally coastal sage scrub, or even chaparral in the vicinity of pools suitable for breeding

Source: California Native Diversity Database Version 5, September 2019

Vegetation on the project parcels is primarily grassland in the undisturbed areas. The project site areas have been used as temporary log storage area (APN 041-120-128) and a small area on APN 041-120-0129 for a worm farm and retail sales of agricultural products produced on site. The remainder of APN 041-120-129 has been used for seasonal grazing.

The County as part of the General Plan update designated APN 041-120-128 as Retail & Office.

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

**Less than significant impact.** The project site areas have been disturbed, the temporary log deck on APN 041-120-128 and the existing work farm and structures on APN 041-120-129. The only species listed in table 4.4-1 above that has appropriate habitat in the project site area, is the pink creamsacs (*Castilleja rubicundula* var. *rubicundula*). However, due the previous and ongoing uses in the project site area, the suitable habitat is not present. As a result, the limited amount of development potential enabled by the proposed project would not significantly degrade or reduce the existing habitat values on the project site that would cause significant impacts to sensitive species.

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

**Less than significant impact.** The only riparian water feature is Fallager Creek, which traverses the middle of the APN 041-120-129 in a northeast to southwest direction. The proposed project site area for the General Plan Amendment, Rezone and Lot Line Adjustment is located 400 feet or more from the creek. Also, the project is not proposing any additional development. If the project is approved, the applicant is proposing to use one of the existing building, which will only require a tenant improvement permit for work inside the building, for a farm and hardware store.

- 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?

**Less than significant impact.** The project is not proposing any additional development. If the project is approved, the applicant is proposing to use one of the existing building, which will only require a tenant improvement permit for work inside the building, for a farm and hardware store.

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

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

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

**Less than significant impact.** The project 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. The project parcel is developed with three structures, parking area and a worm farm. The subject parcel was previously use for agricultural use (grazing).

- 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. Regardless, the small scale of this project would not be expected to have significant impacts upon sensitive biological resources that would require mitigation under the future habitat conservation plan.



## 1.5 CULTURAL RESOURCES

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

**Less than significant impact.** 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. According to Butte County constraints mapping, the project site is located in an area considered to have a low archeological sensitivity. Prehistoric resources sites are found in foothill areas, areas with high bluffs, rock outcroppings, areas overlooking deer migratory corridors, or above bodies of water. The project site area is in the valley between Paradise and Oroville. All of the structures on the project site are of modern construction and are not considered historic or unique. Historic use of the project site for grazing has not resulted in ground-disturbing activities that likely destroyed any cultural resources that may have been located on the surface. The construction of the existing structures, which did require soil disturbance did not uncover historic or prehistoric cultural resources located below the surface. Since the project does not propose any new development that would require disturbance to the ground, there is no potential to uncover historic or prehistoric cultural resources located below the surface.

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

**Less than significant impact.** Since the project does not propose any new development that would require disturbance to the ground, there is no potential to uncover historic or prehistoric cultural resources located below the surface.

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

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

Under CEQA, human remains are protected under the definition of archaeological materials as being “any evidence of human activity.” Additionally, [\*Public Resources Code section 5097.98\*](#) has specific stop-work and notification procedures to follow in the event that human remains are inadvertently discovered during project implementation.

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

Since the project does not propose any new development that would require disturbance to the ground, there is no potential to uncover historic or prehistoric cultural resources located below the surface.

## 1.6 Energy

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

## Discussion

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

**Less than significant impact.** The proposed project would consume energy primarily in four ways: (1) construction activities, (2) worker and customer traffic, and (3) future retail use 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 occur from 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 substantially depending on the level of activities, 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 anticipated construction at the project site is relatively minor, and therefore, would not require a substantial amount of fuel to complete construction. 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 the minimal amount of construction activities associated with the project, the proposed project would not result in the wasteful and inefficient use of energy resources during construction and impacts would be less than significant.

State and federal regulatory requirements addressing fuel efficiency are expected to increase fuel efficiency over time as older, less fuel-efficient vehicles are retired, and therefore 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. Future retail use will be required to implement energy reduction design features and comply with the most recent energy building standards and would not result in wasteful or inefficient use of nonrenewable energy sources.

## 1.7 Geology and Soils

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

**Less than significant 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 14.3 miles to the southeast of the project site, where activity on August 1, 1975, resulted in the Oroville earthquake. This earthquake had a Richter magnitude of 5.7 and resulted in approximately 2.2 miles of ground rupture along the western flank of Cleveland Hill. 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 very low, and would not be a design consideration for future development.

ii) Strong seismic ground shaking?

**Less than significant impact.** Like most of north central California, the site can be expected to be subjected to strong seismic ground shaking at some future time. Accordingly, all buildings and other improvements would be designed and installed in accordance with Uniform Building Code requirements. As the project appears to be located such that the probability of significant ground shaking is low, and because the project does not propose the addition of significant structures that would be at risk to seismic activity, potential geologic impacts would be less than significant. Furthermore, any structures that are built during the course of the project would be designed and installed in accordance with Uniform Building Code standards for the appropriate Seismic Hazard Zone.

iii) Seismic-related ground failure, including liquefaction?

**Less than significant 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. The Butte County Health and Safety Element's Liquefaction Potential Map indicates that the site has a generally low potential for liquefaction. The California Building Code (CBC) regulates the construction of structures, which may be constructed with approval of the proposed project. Adherence to CBC standards at the time of development of the resultant parcels would ensure that new structures are adequately sited and engineered to reduce impacts related to seismic ground failure, including liquefaction, are less than significant.

iv) Landslides?

**Less than significant 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-4 of the General Plan) indicates that there is a low to no potential for landslides in this area. The potential for landslides on the project site is considered remote due to the lack of slope on the project site and on the surrounding parcels.

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

**Less than significant impact.** There is slight potential for soil erosion on the project site according to Figure HS-5, Erosion Potential Map of the Health and Safety Element of the County General Plan. The site is generally level, also reducing the likelihood of erosion.

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?

**Less than significant 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.

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?

**Less than significant impact.** Figure HS-3 of the General Plan Health and Safety Element indicates that the project site has a very high 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.

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.** The existing uses on site use an individual septic system for wastewater disposal. Butte County Environmental Health reviewed the proposed projects and determined they would not have an impact on the existing onsite wastewater system.

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

**Less than significant impact.** The project is classified as a Pleistocene-age Riverbank Formation that overlies the Red Bluff formation. The Riverbank Formation consists of weathered gravel, sand, and silt that were deposited between 0.13 and 0.45 million years ago. The thickness of the Riverbank Formation ranges from less than 1 foot to more than 200 feet. The Riverbank Formation is composed of a lower and upper terraces, which were formed by stream carried eroded materials from the surrounding mountain ranges to the base of the foothills, where they were deposited in wide alluvial fans and terrace deposits. The lower terrace consists of red semi-consolidated gravel, sand and silt. The upper terrace consists of unconsolidated but compact, dark-brown to red alluvium containing gravel, sand, silt, and with minor clay. Groundwater generally occurs under unconfined conditions (Geology of the Northern California Sacramento Valley, 2014).

Sediments associated with the Riverbank Formation are typically devoid of significant vertebrate fossils, and no previously recorded fossil sites has been identified on the project site or the surrounding area. Therefore, it is not likely that unique paleontological resources would be found in local sediments. Further, 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. As a result, the probability of encountering fossils

on the project site is low, and would have a less than significant impact on previously unknown paleontological resources.



## 1.8 GREENHOUSE GAS EMISSIONS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. Greenhouse Gas Emissions.</b>				
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

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

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

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

### Discussion

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

**Less than significant Impact.** The project consists of a General Plan Amendment (GPA), Rezone (REZ) and Lot Line Adjustment (LLA) that would result in an exchange of 1.16 acres of RTL and G-C on the eastern portion of APN 041-120-128 with 1.16 acres of AG and AG-40 along Clark Road. The 1.16 acres of RTL and G-C will be located as to incorporate an existing improvements to provide for a retail commercial use (farm and hardware store). The LLA will reduce APN 041-120-128 from 5 acres to 3.84 acres and increase APN 041-120-129 from 304 acres to 305.16 acres 1.16 acres. APN 041-120-129 will have a split General Plan Land Use Designation and Zoning.

The proposed project would not generate substantial greenhouse gas emissions; however, future use of the farm and hardware store would increase GHG emissions, although on a limited scale. Due to the limited development potential of the project site, the anticipated increase in emissions would not conflict with the

applicable policies adopted as part of the Butte County Climate Action Plan for the purpose of reducing GHG emissions.

To reduce the anticipated increase in of GHG emissions that would ultimately be created by the proposed project, GHG reduction measures from the Climate Action Plan were identified through CAP development checklist review. Implementation of the following mitigation measure would ensure the project's consistency with the CAP and that impacts from GHG emissions 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 Butte County General Plan and Butte County Climate Action Plan establish numerous policies relative to greenhouse gases. The proposed project would not generate substantial greenhouse gas emissions; however, future use of the farm and hardware store would increase GHG emissions, although on a limited scale. Due to the limited development potential of the project site, the anticipated increase in emissions would not conflict with the applicable with policies adopted for the purpose of reducing GHG emissions. No conflicts with applicable plans, policies or regulations adopted for the purpose of reducing the emissions of greenhouse gases are expected.

## 1.9 HAZARDS AND HAZARDOUS MATERIALS

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

### Discussion

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

**Less than significant impact.** The project includes a General Plan Amendment (GPA), Rezone (REZ) and Lot Line Adjustment (LLA). The GPA and REZ proposes an exchange of 1.16 acres of RTL and G-C on the eastern portion of APN 041-120-128 with 1.16 acres of AG and AG-40 along Clark Road. The 1.16 acres of RTL and G-C will be located as to incorporate an existing improvements to provide for a retail commercial use (farm and hardware store). The projects will not be routinely transporting, using or disposing of hazardous materials.

Tenant improvements to the existing building could involve the use of potentially hazardous materials, including paints, cleaning materials, vehicle fuels, oils, and transmission fluids. However, all potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. It is not anticipated that large quantities of hazardous materials would be permanently stored or used within the project site. However, if large quantities are stored at the project site, the owner would be required to obtain a Hazardous Materials Business Plan. It is more likely that only small quantities of publicly-available hazardous materials (e.g., paint, maintenance supplies) may be routinely used within the project site for maintenance and cleaning. However, these materials would not be used in sufficient strength or quantity to create a substantial risk of fire or explosion, or otherwise pose a substantial risk to human or environmental health.

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

**Less than significant impact.** Implementation of the proposed project would result in the addition of a farm and hardware store within one of the existing buildings. It is not anticipated that large quantities of hazardous materials would be permanently stored or used within the project site. Similarly, the project would not emit hazardous emissions or handle hazardous materials. Small quantities of publicly-available hazardous materials (e.g., paint, maintenance supplies) would be routinely used within the project site for maintenance and cleaning. However, these materials would not be used in sufficient strength or quantity to create a substantial risk of fire or explosion, or otherwise pose a substantial risk to human or environmental health. Therefore, implementation of the proposed project would not create a permanent significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials.

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

**No impact.** No existing or proposed elementary schools have been identified within one-quarter mile of the project site. The nearest school is Paradise Intermediate School, which is located on Pearson Road, approximately 7.3 miles north of the project site.

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

**No impact.** A review of regulatory agency databases, which included lists of hazardous materials sites compiled 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. The project does not involve the use of hazardous materials and would not create any hazardous materials.

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

**No impact.** No public use airports have been identified to be located within two miles of the project site. The closest airport is Paradise Airport, which is located approximately 4.2 miles to the north. The closest public use airport, Oroville Municipal Airport, is located approximately 10.5 miles to the south. The proposed project is located outside the compatibility zones for the area airports, and therefore, would not result in noise impacts to people residing on the project site.

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

**No impact.** The proposed project does not include any actions that physically interfere with any emergency response or emergency evacuation plans. Development of the resultant parcels and future commercial uses would add a small amount of trips onto the area roadways; however, area roadways and intersections would continue to operate at an acceptable level of service.

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

**Less than significant impact.** The project site is located in an area of a moderate fire severity zone. The project site area is developed with three existing buildings, one proposed for commercial purposes and the other two are used for agricultural purposes. The GPA and REZ proposes an exchange of 1.16 acres of RTL and G-C on the eastern portion of APN 041-120-128 with 1.16 acres of AG and AG-40 along Clark Road. The 1.16 acres of RTL and G-C will be located as to incorporate an existing improvements to provide for a retail commercial use (farm and hardware store). The project will not expose occupants of the existing buildings to any additional risks that already exists.

## 1.10 HYDROLOGY AND WATER QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X. Hydrology and Water Quality.</b>				
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

### Flooding

Flooding events can result in damage to structures, injury or loss of human and animal life, exposure of waterborne diseases, and damage to infrastructure. In addition, standing floodwater can destroy agricultural crops, undermine infrastructure and structural foundations, and contaminate groundwater. The Federal Emergency Management Agency (FEMA) is responsible for mapping areas subject to flooding during a 100-year flood event (i.e., 1 percent chance of occurring in a given year). According to floodplain mapping of the project area, the project site is located within the X zone (Unshaded). The X zone (Unshaded) is defined by FEMA as areas of minimal flood hazard from the principal source of flood in the area and determined to be outside of the 0.2 percent annual chance floodplain.

## Discussion

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

**Less than significant impact.** Wastewater disposal for the existing use is, and the proposed farm and hardware store would be, provided by private, on- site septic systems. The Butte County Environmental Health Division has performed a preliminary review of the proposed project, and has indicated there is sufficient area for the existing septic system and well. At the time of any future development that requires water and wastewater, the proposed development would be evaluated, and compliance with wastewater disposal standards would be insured.

There is no proposed ground disturbance as part of these projects. The proposed farm and hardware store will be located within an existing structure.

- 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.** Domestic water services is provided by an existing well that serves the existing agriculture use and agricultural retail use.

The proposed projects do not propose an increase in impervious surfaces on the project site. The future farm and hardware store will be located within an existing building. Thus, the proposed project would not cause a reduction in surface infiltration or a decrease in deep percolation to the underlying aquifers.

- 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;

**No impact.** No vegetation or land disturbance is proposed by the projects. The proposed projects do not propose an increase in impervious surfaces on the project site. The future farm and hardware store will be located within an existing building.

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

**No impact.** The proposed projects will not result in an increase in impervious surfaces on the project site. The future farm and hardware store will be located within an existing building.

- 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

**No impact.** The proposed projects will not result in an increase in impervious surfaces and therefore would not increase runoff from the site.

- iv) Impede or redirect flood flows?

**No impact.** The floodplain mapping of the project area identifies the project site being located within the X (shaded) 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. The future farm and hardware store will be located within an existing building.



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

**No impact.** The floodplain mapping of the project area identifies the project site being located within the X (shaded) 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. The project site is not located in an area that would be impacted by a seiche, tsunami, or mudflows.

- 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 East Butte subbasin of the Sacramento Valley groundwater basin bounded on the west and northwest by Butte Creek, on the northeast by the Cascade Ranges, on the southeast by the Feather River and the south by the Sutter Buttes. The northeast boundary along the Cascade Ranges is primarily a geographic boundary with some groundwater recharge occurring beyond that boundary. The subbasin is contiguous with the West Butte Subbasin at depth. The Groundwater Sustainability Agencies in the East Butte subbasin include Butte County, Biggs-West Gridley Water District, Butte Water District, City of Biggs, City of Gridley, City of Live Oak, City of Oroville, Reclamation District 1004, Richvale Irrigation District, Sutter County, Sutter Extension Water District, Thermalito Water and Sewer District, and Western Canal Water District. As a basin management plan has not been adopted for the East Butte subbasin, the proposed project will not conflict, nor interfere with, the attainment of the goals of the proposed plan.

## 1.11 LAND USE AND PLANNING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. Land Use and Planning.</b>				
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

#### Butte County General Plan

The General Plan represents the basic community values, ideals and aspirations with respect to land use, development, transportation, public services, and conservation policy that will govern Butte County through 2030. The Land Use Element of the General Plan designates the land use of areas within the county, and includes a description of the characteristics and intensity of each land use category. The land use designation for the project site is *Agriculture and Retail & Office*. It is located in Butte Valley, in unincorporated Butte County, south of the Town of Paradise and north of the City of Oroville.

#### 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:

##### *Agriculture (AG-40)*

The purpose of the AG zone is to support, protect, and maintain a viable, long-term agricultural sector in Butte County. Standards for the AG zone maintain the vitality of the agricultural sector by retaining parcel sizes necessary to sustain viable agricultural operations, protecting agricultural practices and activities by minimizing land-use conflicts, and protecting agricultural resources by regulating land uses and development intensities in agricultural areas. Permitted uses include crop cultivation, animal grazing, stock ponds, and agricultural processing. More intensive agricultural activities, such as animal processing, dairies, hog farms, stables, forestry and logging, and mining and oil extraction, are permitted with the approval of a Conditional Use Permit. One single-family home and one second unit and accessory dwelling unit is permitted on each legally established parcel within the AG zone, and residential uses for agricultural employees are permitted as an accessory use within the AG zone. The minimum permitted parcel size in the AG zone ranges from 20 acres to 160 acres. The AG zone implements the Agriculture land use designation in the General Plan.

##### *General Commercial (AG-40)*

The purpose of the GC zone is to allow for a full range of retail, service, and office uses to serve residents, workers, and visitors. Standards for the GC zone are intended to ensure that a diversity of commercial uses are available within convenient locations throughout the county. Permitted uses include general retail, personal services, professional offices, restaurants, gas and service stations, hotels and motels, and other similar commercial uses. Multiple-family dwellings, vehicle repair, light manufacturing, and warehousing and storage are permitted in the GC zone with the approval of a Conditional Use Permit. Single-family homes are not permitted in the GC zone. The maximum permitted floor area ratio in the GC zone is 0.4. The GC zone implements the Retail and Office land use designation in the General Plan.

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

**Less than significant impact.** The project site is located in a rural area of Butte County that includes agriculture, rural residential, commercial, Butte College and undeveloped parcels of various sizes. The project site is already developed with three structures that are associated with the existing worm farm operation. With the proposed project, one of the existing structures will be converted to a farm and hardware retail store. As a result, the proposed project will not physically divide an established community.

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

**Less than significant impact.** The GPA and REZ proposes an exchange of 1.16 acres of RTL and G-C on the eastern portion of APN 041-120-128 with 1.16 acres of AG and AG-40 along Clark Road. The 1.16 acres of RTL and G-C will be located as to incorporate an existing improvements to provide for a retail commercial use (farm and hardware store). The LLA will reduce APN 041-120-128 from 5 acres to 3.84 acres and increase APN 041-120-129 from 304 acres to 305.16 acres. APN 041-120-129 will have a split General Plan Land Use Designation and Zoning. The project will not result in a reduction of Agriculturally designated or zoned land.

## 1.12 MINERAL RESOURCES

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

### Discussion

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

**No impact.** 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.

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

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

## 1.13 NOISE

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

## Environmental Setting

According to the Butte County General Plan 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 <sup>a</sup>		Interior Noise Level Standard	
	L <sub>dn</sub> /CNEL, dB	L <sub>eq</sub> , dBA <sup>b</sup>	L <sub>dn</sub> /CNEL, dB	L <sub>eq</sub> , dBA <sup>b</sup>
Residential	60 <sup>c</sup>	-	45	-
Transient Lodging	60 <sup>c</sup>	-	45	-
Hospitals, nursing homes	60 <sup>c</sup>	-	45	-
Theaters, auditoriums, music halls	-	-	-	35
Churches, meeting halls	60 <sup>c</sup>	-	-	40
Office Buildings	-	-	-	45
Schools, libraries, museums	-	70	-	45
Playgrounds, neighborhood parks	-	70	-	-

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

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

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

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

**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.** No significant existing 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 resultant parcels, occupancy of the single-family residences, and from agricultural-related activities allowed in the zone. Construction noises associated with development of the resultant parcel would primarily be from the use of heavy equipment, generators, employee vehicle trips and power tools. Construction-related noises would be temporary and intermittent, and would not result in long-term noise impacts. Compliance with Butte County Code provisions that exempt construction noise would ensure construction activities occur during daytime hours, making potential impacts less than significant.

Typical noises contributed by commercial and agricultural uses include landscaping equipment, automobile and truck traffic, power tools, farm machinery, heating and cooling systems. The noises generated by these activities are not atypical or unusual in the project area since Clark Road is a state highway that connects State Highway 70 to Paradise. These noises also would be intermittent and separated from noise sensitive receptors, and would unlikely exceed County standards. In the event noise levels exceed applicable noise standards, the County will review complaints in accordance with Butte County Code Chapter 41A.

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

**Less than significant impact.** Future onsite development, based on the proposed internal modification of the existing structure to a retail farm and hardware store. It is anticipated temporary sources of groundborne vibration and groundborne noise will be minimal due the work being done in an existing building. However, since 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.), 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 Paradise Airport, which is located approximately 4.2 miles to the north. The closest public use airport, Oroville Municipal Airport, is located approximately 10.5 miles to the south. The proposed project is located outside the compatibility zones for the area airports, and therefore, would not result in noise impacts to people residing on the project site.

## 1.14 POPULATION AND HOUSING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. Population and Housing.</b>				
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 GPA and REZ proposes an exchange of 1.16 acres of RTL and G-C on the eastern portion of APN 041-120-128 with 1.16 acres of AG and AG-40 along Clark Road. The 1.16 acres of RTL and G-C will be located as to incorporate an existing improvements to provide for a retail commercial use (farm and hardware store). The LLA will reduce APN 041-120-128 from 5 acres to 3.84 acres and increase APN 041-120-129 from 304 acres to 305.16 acres 1.16 acres. APN 041-120-129 will have a split General Plan Land Use Designation and Zoning.

The future commercial development, which could have been developed on the existing commercially designated land on Durham-Pentz Road, will serve the residents in the surrounding area.

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

**No impact.** The project would not displace existing individuals or housing.



## 1.15 PUBLIC SERVICES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. Public Services.</b>				
Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, 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 type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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. The site already has existing structures and agricultural use (worm farm) and agricultural retail (worm farm products). The project proposes to modify one of the existing structures to allow for a farm and hardware store. This change will not require significant, additional fire protection services. Additionally, Butte County Code requires the payment of fire protection impact fees to help offset the impacts that commercial development (storage to retail) has on the fire protection services. 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.

### 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. Increased development in rural areas impacts the ability of the Sheriff's Department to adequately provide services to outlying areas. It is anticipated that project implementation would not require any new law enforcement facilities or the alteration of existing facilities to maintain acceptable performance objectives. The project's increase in demand for law enforcement services would be partially offset through project-related impact fees

## Schools?

**No impact.** The project site is located within the Durham Unified School District. The proposed projects, General Plan Amendment, Rezone and Lot Line Adjustment will not generate additional residential development that will have impacts on schools within the school district.

## Parks?

**No Impact.** The project site is located within the Durham Recreation and Park District. Increase in the demand for recreational facilities is typically associated with substantial increases in population. As discussed in Section 1.14 - *Population and Housing*, the proposed project will not generate growth in the local population and therefore will not have impacts to existing parkland in the Durham Park and Recreation District.

## Other public facilities?

**No impact.** No other public facilities would be impacted by the proposed projects.

## 1.16 RECREATION

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. Recreation.</b>				
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 within the Durham Recreation and Park District. The District covers an area of approximately 181 square miles, and includes the community of Durham. The District operates and maintains approximately 34.3 acres of developed parkland and facilities to serve a population of approximately 5,500 residents. This translates into a level of service of 6.2 acres of parklands for every 1,000 residents. No park facilities are located in the vicinity of the project site.

### 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.** Increase in the demand for recreational facilities is typically associated with substantial increases in population. As discussed in Section 1.14 - *Population and Housing*, the proposed project will not generate growth in the local population and therefore will not have impacts to existing parkland in the Durham Park and Recreation District.

- 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.

## 1.17 TRANSPORTATION

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

## Setting

### Roadway Network

Regional and local access to the project site is provided by Clark Road (State Highway 191), and Durham-Pentz Road.

Clark Road (State Highway 191) is a two-lane state highway, with a round-a-bout at the intersection of Clark Road and Durham-Pentz Road. It provides North-South access between State Highway 70 (to the south) and Skyway (to the north) in the Town of Paradise.

Durham-Pentz Road is a two-lane major arterial, County-maintained roadway. It provides an East-West access between State Highway 99 and Pentz Road. The road is approximately 20 feet in width, with an asphalt surface.

### Bicycle and Pedestrian Transportation

Bicycle facilities include bike paths (Class I), bike lanes (Class II), and bike routes (Class III).

Class I Bike paths provide a completely separated facility designed for the exclusive use of bicycles and pedestrians within minimal cross flows by motorists. Caltrans standards call for Class I two-way bike paths to have 8 feet of pavement width with 2 foot wide graded shoulders on either side, for a total right-of-way width of 12 feet. Designated one-way bike paths are allowed 5 feet of minimum pavement width. Class I bike paths must also be at least 5 feet from the edge of a paved roadway, 8 feet from an obstruction, and meet specified minimum horizontal and vertical curve requirements for the speeds anticipated.

Class II Bike lanes provides restricted on-street right-of-way designated for the exclusive or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted. Caltrans standards generally require a minimum 4-foot bike lane with 6-inch white strip separating the roadway from the bike lane. Where raised curbs without permitted parking or designated marked parking exists, a minimum 5-foot bike lane adjacent to the traffic lane is required. Where parking is permitted, but unmarked, the 6-inch white stripe separating the traffic lane from the bike lane must be a minimum of 12 feet from the raised curb.

Class III Bike routes provides a preferred shared route with motorists on the street, or to a more restricted extent, with pedestrians on sidewalks where designated by signs or permanent markings. The main purpose of designated bike routes is to provide continuity to the bikeway network by connecting discontinuous segments of Class I and II bikeways and may also be used to direct bicyclists to a route of higher degree of service or use. Roadways designated as Class

III bike routes should have sufficient width to accommodate motorists, bicyclists, and pedestrians. Other than a street sign, there are no special markings required for a Class III bike route.

Pedestrian facilities include sidewalks, crosswalks, pedestrian signals, and paved shoulders adjacent to rural roads. The County of Butte's Development Standards typically require proposed commercial developments located in the County's urban areas to construct curb, gutter, and sidewalk improvements within the County roadways fronting development.

There are no designated pedestrian or bicycle transportation facilities located near the project site, nor are such facilities proposed for the project area. Given the lack of existing facilities, pedestrian and bicycle traffic generally will use the unpaved and paved roadway shoulders, or the paved travel lanes.

## 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 project site is located in a primarily agricultural area, with commercial located at the intersection of Clark Road and Durham-Pentz Road, and rural residential to the north, west and east. No existing transit, bicycle or pedestrian facilities located on, or in the vicinity of, the project site. The nearest transit line is the Butte County Association of Governments B-Line Route 31, which runs on Clark Road, between Oroville and Paradise. Construction activities associated with future development may generate short-term disruption to area roadways from an anticipated increase in traffic levels that may affect alternative transportation uses. However, construction activities associated with the proposed project would be temporary, and would require traffic control implementation, if needed.

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

**Less than significant impact.** The proposed project would not change the configuration (alignment) of area roadways, and would not introduce types of vehicles that are not already traveling on area roads.

c) **Result in inadequate emergency access?**

**Less than significant impact.** The project parcels front on Clark Road (State Highway 191) and Durham-Pentz Road. The existing, and proposed uses, will provide commercial services to commuters and residents who live in the project area, or pass through traveling to and from Paradise. The existing roads provide sufficient emergency access to serve the existing and future uses.

## 1.18 TRIBAL CULTURAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVIII. Tribal Cultural Resources.</b>				
Has a California Native American Tribe requested consultation in accordance with Public Resources Code section 21080.3.1(b)?	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

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

Butte County contains 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.

Per AB 52 Notification Request, Public Resources Code Section 21080.3(b), the County received two letters for notification. One was from the Torres Martinez Cahuilla Indians, located in southern California near the Salton Sea, and the other was from United Auburn Indian Community, located near the City of Auburn. It was determined through discussion with the Torres Martinez Cahuilla Indians that they do not identify lands within Butte County within their

geographic area of traditional and cultural affiliation. The United Auburn Indian Community provided a map of their area of traditional and cultural affiliation, which did not include the project site.

## Discussion

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

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

**Less than significant impact.** Per Senate Bill SB 18 (Statutes of 2004), any General Plan Amendment requires consultation with tribes identified by the Native American Heritage Commission (NAHC). A current list was obtained from the NAHC to send out a consultation review. At the time this environmental document was prepared, staff received a response from the Konkow Maidu Tribe which responded that they have little or no records on cultural sites or significance in this area.

Per Assembly Bill AB 52 (Statutes of 2014) Notification Request, Public Resources Code Section 21080.3(b), the County received to letters for notification. One was from the Torres Martinez Cahuilla Indians and the other was from United Auburn Indian Community (UAIC). It was determined that discussion with the Torres Martinez Cahuilla Indians, they do not identify lands within Butte County within their geographic area of traditional and cultural affiliation. The United Auburn Indian Community provided a map of their area of traditional and cultural affiliation, which did not include the project site area.

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

**Less than significant impact.** See discussion 4.17(a) – *Tribal Cultural Resources*.

## 1.19 UTILITIES AND SERVICE SYSTEMS

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

## Discussion

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

**No impact.** The existing improvements on site are served by an existing well. Wastewater disposal for the existing development is provided by private, on-site septic systems. The future farm and hardware store will also be served by well and on-site septic system. The Butte County Environmental Health Division has performed a preliminary review of the proposed project, and has indicated there is sufficient area for the existing septic system and well. At the time of tenant improvement for the farm and hardware store that requires water and wastewater, the proposed development would be evaluated, and compliance with wastewater disposal standards would be insured. Therefore, the project would not have an impact on wastewater treatment facilities.

No existing on-site storm water drainage facilities are located on the project site, and none would be anticipated with the future development due to the large parcel sizes that would readily allow storm water to infiltrate into the ground before leaving the site.



- 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 to existing on site uses are served by an individual well. The future farm and hardware store will also be served by individual well.

- 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 is, and would be, provided by private, on-site septic systems. The Butte County Environmental Health Division has performed a preliminary review of the proposed project, and has indicated that existing on-site septic system is sufficient for the current use and future placement of an on-site septic system for the proposed parcel would be possible. At the time of tenant improvement for the farm and hardware store that requires water and wastewater, the proposed development would be evaluated, and compliance with wastewater disposal standards would be insured. Therefore, the project would not have an impact on any wastewater treatment facilities because septic systems would be utilized.

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

**Less than significant impact.** The additional future retail use would result in a minor increase in the stream of waste being deposited in the Neal Road Landfill. The California Integrated Waste Management Board estimates that a typical commercial use generate 17 to 35 pounds of waste per day (3.1 to 6.4 tons per year). According to the Butte County Public Works Department, seeking a permit to expand the landfill so that it can accommodate solid waste to the year 2034

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

**No impact.** Based on the information discussed in 1.19 d) above, and because the proposed project would comply with all applicable federal, state, and local statutes and regulations as they relate to solid waste, adequate permitted landfill capacity exists to accommodate the proposed project.

## 1.20 WILDFIRE

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

## Environmental Setting

The project site is in the state responsibility area for fire protection and within a moderate fire hazard severity zone. The project site and surrounding area is primarily grassland.

## Discussion

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

**Less than significant impact.** The project site area fronts on Clark Road (State Highway 191) and county-maintained Durham-Pentz Road. There would be no lane closures involved in the proposed project that would constrict emergency access or interfere with an emergency evacuation plan.

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

**Less than significant impact.** The project site is located in an area of a moderate fire severity zone. The project site area is developed with three existing buildings, one proposed for commercial purposes and the other two are used for agricultural purposes. The GPA and REZ proposes an exchange of 1.16 acres of RTL and G-C on the eastern portion of APN 041-120-128 with 1.16 acres of AG and AG-40 along Clark Road. The 1.16 acres of RTL and

G-C will be located as to incorporate an existing improvements to provide for a retail commercial use (farm and hardware store). The project will not expose occupants of the existing buildings to any additional risks than those which already exist.

- 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?

**Less than significant impact.** The project is not subject any infrastructure improvements that would exacerbate fire risks or generate in any temporary impacts to the project or surrounding area.

- 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 grasslands in the valley region of the County that contain slopes between 0 and 2 percent. 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 has been identified.

## 1.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

### Discussion

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

**Less than significant impact.** The project includes a General Plan Amendment (GPA), Rezone (REZ) and Lot Line Adjustment (LLA). The GPA and REZ proposes an exchange of 1.16 acres of RTL and G-C on the eastern portion of APN 041-120-128 with 1.16 acres of AG and AG-40 along Clark Road. The 1.16 acres of RTL and G-C will be located as to incorporate an existing improvements to provide for a retail commercial use (farm and hardware store). The LLA will reduce APN 041-120-128 from 5 acres to 3.84 acres and increase APN 041-120-129 from 304 acres to 305.16 acres 1.16 acres. APN 041-120-129 will have a split General Plan Land Use Designation and Zoning. The projects will not create a reduction of Agriculturally designated or zoned land.

The proposed project's impacts to biological resources and cultural resources were analyzed in this Initial Study, and all direct, indirect, and cumulative impacts were determined to have no impact, a less than significant impact, or reduced to a less than significant impact with implementation of mitigation. No special status species were identified on the proposed development areas. Development of the proposed project

would not cause fish or wildlife populations to drop below self-sustaining levels or restrict the movement/distribution of a rare or endangered species.

The proposed project would not affect known historic, archaeological, or paleontological resources. There are no known unique ethnic or cultural values associated with the project site, nor are known religious or sacred uses associated with the project site.

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

**Less than significant impact.** The proposed project has either no impact or a less than significant impact, with respect to all environmental issues pursuant to CEQA. Due to the limited scope of direct physical impacts to the environment associated with the proposed project, the project’s impacts are primarily project-specific in nature.

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

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

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

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

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

Reference: Government Code Sections 65088.4.

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

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