



Department of Development Services

Paula Daneluk, Director
Pete Calarco, Assistant Director

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Oroville, California 95965

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buttecounty.net/dds

BUTTE COUNTY PLANNING COMMISSION
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION AND
NOTICE OF PUBLIC HEARING
MINOR USE PERMIT MUP19-0007

In accordance with the California Environmental Quality Act (CEQA), Butte County has prepared an Initial Study and is considering the adoption of a Mitigated Negative Declaration for the project listed below at a public hearing before the Butte County Planning Commission to be held on **July 23, 2020 at 9:00 am**. Due to protocols established for COVID 19 community response, this hearing will be held via an online format. Members of the public who wish to participate in public comment are encouraged to register in advance of the hearing by emailing PCCLerk@buttecounty.net. Use the following information to remotely view and participate in the Planning Commission meeting, including the Public Hearing portions, online:

Link: https://bcdds.net/PC_23JUL20

Event (Meeting) Number: 293 424 671

or

Phone number: United States Toll Free: 1-844-992-4726, Access Code: 293 424 671

Event Password: Planning

Project Information

Project: Minor Use Permit MUP19-0007 (Douglas and Pamela Teeter)

Location: The project site encompasses a portion of a 161-acre property located at 4330 Foothill Boulevard southwest of the intersection of Foothill Boulevard and Lower Wyandotte Road.

APN: 079-400-001

Proposal: Minor Use Permit to establish a special event facility to host indoor and outdoor celebrations, wedding ceremonies and receptions, corporate functions, public events (exhibitions, expositions, fair festivals, entertainment, cause-related fund raising and leisure events) and other similar events. The facility will host up to 3-4 events per week; however, events could occur daily during the fall, spring and summer seasons. The majority of events would occur on one weekend day. The number of guests on-site would vary and range from a minimum of 10 to a maximum of 500 with an average of 150. Events would operate between 9:00 a.m. to 10:00 p.m. with event breakdown and outdoor lighting off by 11:00 p.m.

The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present on the project site. The project site does not contain a listed toxic site.

The Initial Study/Mitigated Negative Declaration (IS/MND) and reference documents for this project are on file for public review and comment starting **June 22, 2020, through July 21, 2020**, at the Butte County Planning Division, 7 County Center Drive, Oroville, CA 95965. The IS/MND is also available for review on the County website at <http://www.buttecounty.net/dds/Planning/CEQA.aspx>.

Comments regarding the application may be submitted in writing at any time prior to the hearing or orally at the scheduled hearing 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 described in this notice or in written correspondence delivered to the Planning Commission at, or prior to the public hearing.

For information, please contact Senior Planner Rowland Hickel, Butte County Development Services Department, Planning Division at (530) 552-3684 or rhickel@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 DANIELUK, DIRECTOR OF DEVELOPMENT SERVICES

INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST

California Environmental Quality Act (CEQA)

PROJECT INFORMATION

1. Project Title: Douglas and Pamela Teeter Minor Use Permit (MUP19-0007)
2. Lead Agency Name and Address: Butte County – Department of Development Services
Planning Division
7 County Center Drive
Oroville, CA 95965
3. Contact Person and Phone Number: Rowland Hickel, Senior Planner
530.552.3684
rhickel@buttecounty.net
4. Project Location: The project site encompasses a portion of a 161-acre property located at 4330 Foothill Boulevard southwest of the intersection of Foothill Boulevard and Lower Wyandotte Road; APN: 079-400-001.
5. Project Sponsor's Name and Address: Douglas and Pamela Teeter
2437 Hyacinth Way
Chico, CA 95926
6. General Plan Designation: Rural Residential (RR)
7. Zoning: RR-5 (Rural Residential - 5-acre minimum parcel size)
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.)

Minor Use Permit to establish a special event facility to host indoor and outdoor celebrations, wedding ceremonies and receptions, corporate functions, public events (exhibitions, expositions, fair festivals, entertainment, cause-related fund raising and leisure events) and other similar events.

The facility will host up to 3-4 events per week; however, events could occur daily during the fall, spring and summer seasons. The majority of events would occur on one weekend day. The number of guests on-site would vary and range from a minimum of 10 to a maximum of 500 with an average of 150. Events would operate between 9:00 a.m. to 10:00 p.m. with event breakdown and outdoor lighting off by 11:00 p.m. Dark sky approved parking lot and road lighting would be on up to 2 hours after each event ends.

Existing on-site improvements are comprised of a barn, concrete pad and agricultural building. A 10' wide unpaved circular driveway, 10' wide culvert crossing over Wyandotte Creek and septic system are also located on the property. These improvements are constructed in the northern portion of the site on the north side of Wyandotte Creek.

Project improvements would be concentrated on the south side of Wyandotte Creek and include a two-story house with guest ready room and office, a multipurpose building containing restrooms, preparation area, storage rooms, janitor closet, multipurpose room attached to or adjacent to the event structure. The event structure

would initially be a temporary tent to accommodate guest assembly, stage, dance floor, catering area and additional space to accommodate requirements for specific events. An 80' x 100' permanent one-story arena/building structure would eventually be constructed to accommodate events. A security booth, gate house and entrance sign would be constructed on the north side of Wyandotte Creek. The existing 10' wide gravel driveway would be widened to 20' to accommodate event traffic and emergency vehicle access. A 20' wide bridge is proposed in the future spanning the creek and riparian area.

Parking would include 2 ADA van accessible and 2 ADA spaces, 63 or more standard vehicle spaces, 2 or more vendor spaces and an area for parking trailers and other long vehicles. The parking area would initially be gravel and native surface. Future improvements may include covered asphalt parking with solar panels. Additional area for unimproved overflow parking would be available adjacent to and east of the proposed parking area located on the south side of the structures. Access would be via the existing looped gravel driveway. All parking would be accommodated on-site.

Potable water and wastewater for the guest house and permanent structures would be provided by a new well and septic system. Initially, water demand for events would be met using bottled water and/or vendor-provided water. Handwashing facilities and portable restrooms would be provided by vendors for each event until permanent potable water and septic facilities are installed during construction of the permanent facilities.

Solid waste will be managed by the owner and vendors using temporary waste receptacles and recycling containers. The waste will be removed from the site after each event.

The project would meet all setback requirements in the Butte County Zoning Code. The event space would be setback a minimum of 100' from the northern property line and 250' from other property lines. Parking would be setback a minimum of 30' from the southern property line and 250' from other property lines.

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

The project site and area is comprised of large residential parcels that range in size from 5 to 200 acres. Several parcels include single-family residential dwellings and accessory agricultural buildings with orchard production. The closest residence is located across Foothill Boulevard approximately 550 feet to the east. Other single-family residences are located approximately 1,500 east and west of the event area. Foothill Boulevard, a County-maintained road, borders a portion of the north/northeastern property line and is the only access to the project site.

Direction	General Plan Designation	Zoning	Existing Land Use(s)
North	Rural Residential	RR-5	Single-Family Residential/Agriculture
South	Rural Residential	RR-5	Vacant
East	Rural Residential	RR-5	Single-Family Residential/Agricultural
West	Rural Residential	RR-5	Single-Family Residential

The project site is developed with a barn, concrete pad, septic system and agricultural building. Domestic water and sewer services for existing development is provided by a groundwater well and onsite septic system.

Foothill Boulevard provides primary access to the project site. The road is a two-lane paved County road approximately 28' wide with dirt and gravel shoulders. An unpaved gravel driveway off Foothill Boulevard provides access to the project site and event area. The existing driveway would be widened to 20' to provide two-way access. A new gravel driveway would be constructed around the perimeter of the overflow parking area.

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

- Butte County Department Development Services: Building Permits

VICINITY MAP



Dandy's Pl

Swiss Ln

Shelley Ln

Lower Wyandotte Rd.

Foothill Blvd.

District Center Dr

Project Location

Legend

—+— Railroad

— Roads

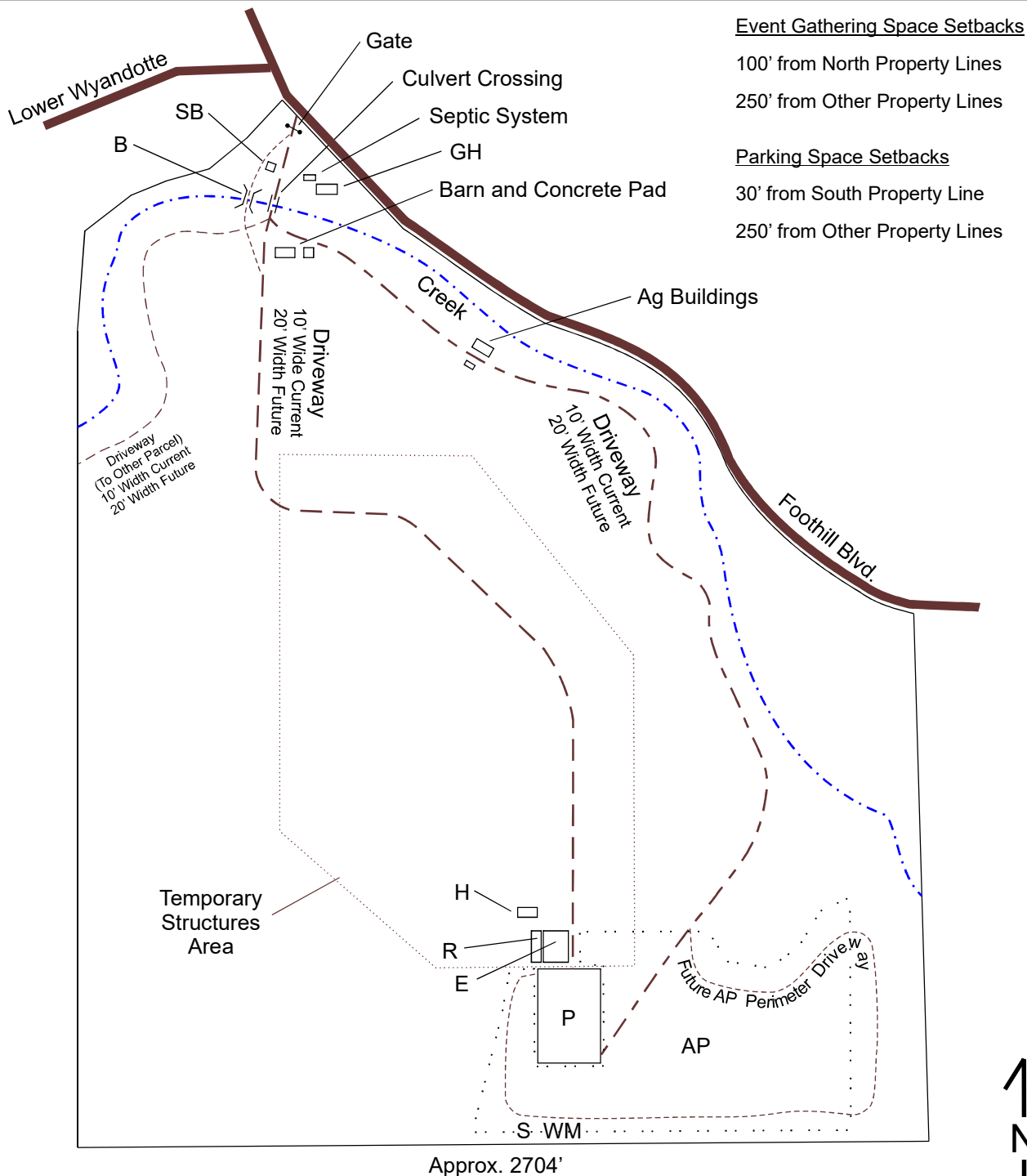
Lakes

Streams

0 325 650 1,300 1,950 Feet
1:10,000

Douglas & Pamela Teeter
Minor Use Permit

MUP19-0007



Event Gathering Space Setbacks

100' from North Property Lines

250' from Other Property Lines

Parking Space Setbacks

30' from South Property Line

250' from Other Property Lines

Existing Improvements

Barn, Concrete Pad and Ag Buildings

Driveways, Culvert Crossing and Gate

Septic System

Stock Tanks (S) and 4" AG Water Meter (WM)

Proposed Improvements

H = House with Guest Ready Room and Office

R = Restrooms, Prep Area, Storage Rooms, Janitors Closet, Multipurpose Room, attached or next to E. Outdoor BBQ area.

E = Event Structure (Initially Temporary Structures) Future up to 80' x 100' Arena or Building. (Temporary Structures are Tents, Stages, Dance Floors, Portable Restrooms, etc.)

P = Developed Parking Area

2 ADA Van Accessible

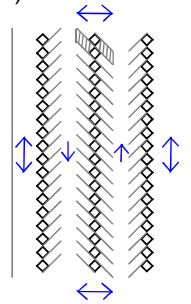
2 ADA

63+ Vehicle (10'x18')

2+ Vendor

Long Vehicle area

(initially gravel and native surface, future asphalt and solar canopies)



AP = Additional Parking Area

(gravel and native surface driveways. Future asphalt driveways, gravel and native surface parking spaces)

B = Bridge (no streambed alteration)

SB = Security Booth

GH = Gate House

Entrance Signage (not shown)

Improvements, replacement, and/or additions to Barn, Concrete Pad, Old Ag Buildings, Stock Tanks, Irrigation, other existing Routes on property, etc. for Ag and maintenance purposes.

OWNERS: DOUGLAS AND PAMELA TEETER

ADDR: 4330 FOOTHILL BLVD, OROVILLE

APN: 079-400-001

GEN PLAN ZONING: RR-5

PARCEL SIZE: 161 +/- ACRES

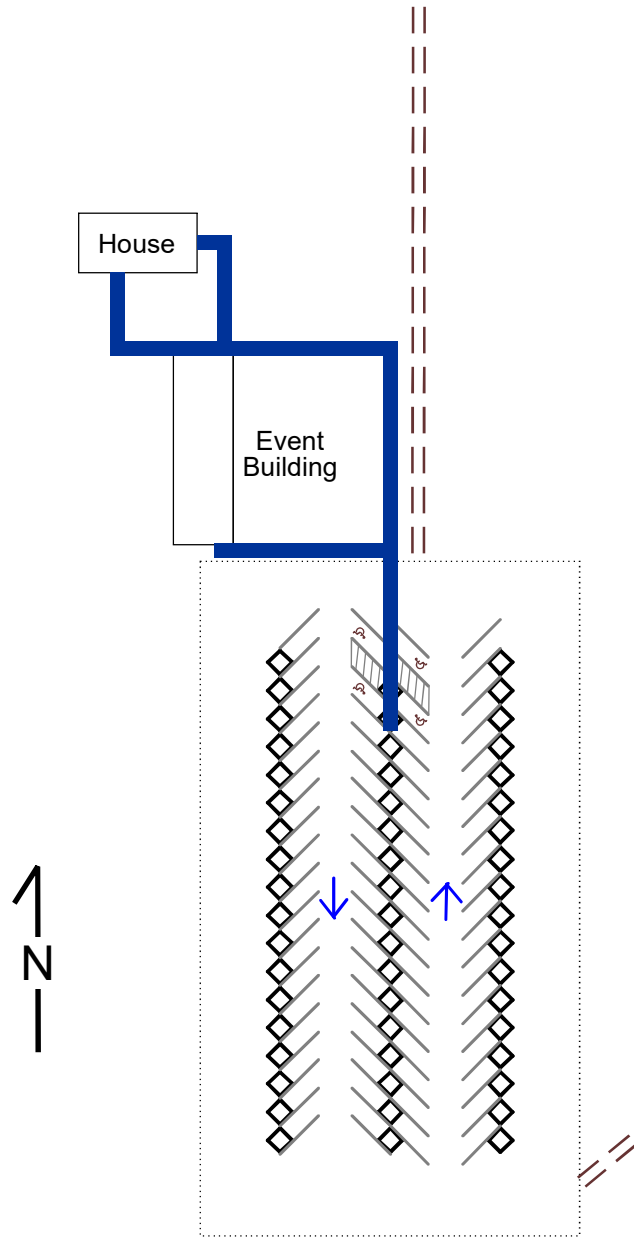
PREPARED BY: DOUG TEETER, MAY 18, 2020

SCALE 1" = 500'

PAGE 1 OF 2

ADA Path of Travel

■ = 60" Width Minimum



25' —
50' —
100' —

Event Lighting

All lighting shall comply with the following:

- All outdoor lighting associated with the special event shall be turned off by 11:00 pm. Parking lot lighting may remain on up to two (2) hours after event ends.
- Outdoor lighting shall comply with Butte County Code Chapter 24 Article III Division 4 in order to reduce light trespass and glare. Outdoor lighting shall be located, adequately shielded, and directed such that no direct light falls outside the property line, or into the public right-of-way. (see Images as examples)



- Parking lot and road lighting style: Lithonia D-Series LED Luminaire or equivalent.



OWNERS: DOUGLAS AND PAMELA TEETER

ADDR: 4330 FOOTHILL BLVD, OROVILLE

APN: 079-400-001

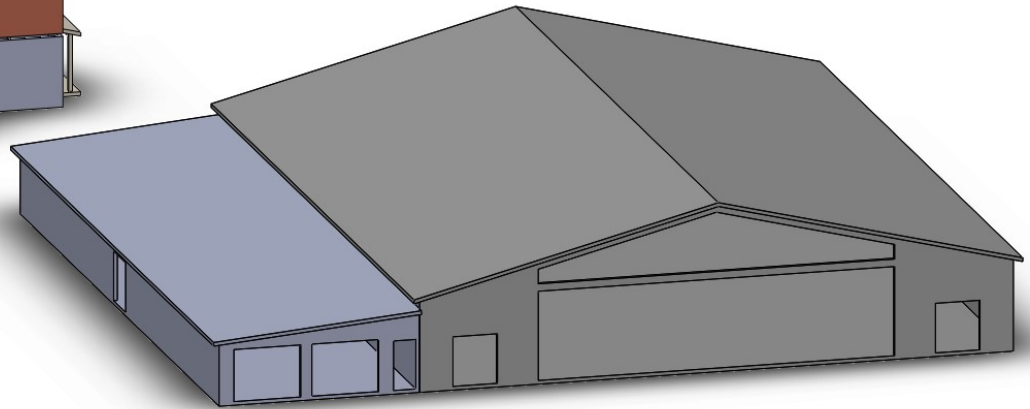
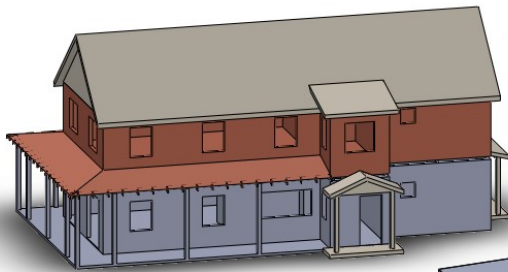
GEN PLAN ZONING: RR-5

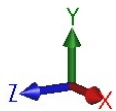
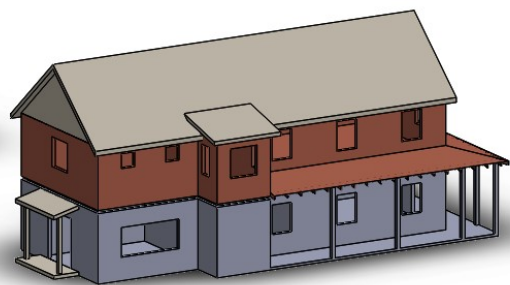
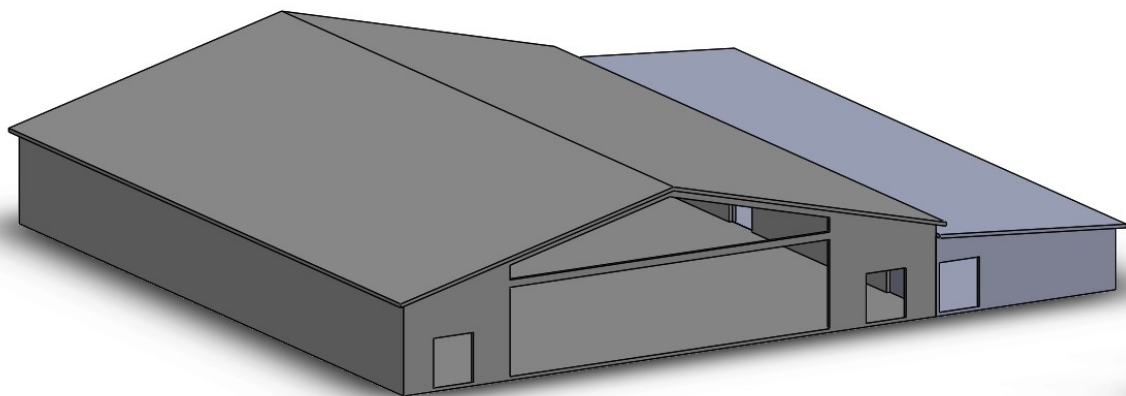
PARCEL SIZE: 161 +/- ACRES

PREPARED BY: DOUG TEETER, MAY 18, 2020

SCALE 1" = 100'

PAGE 2 OF 2





D

D

C

C

B

B

A

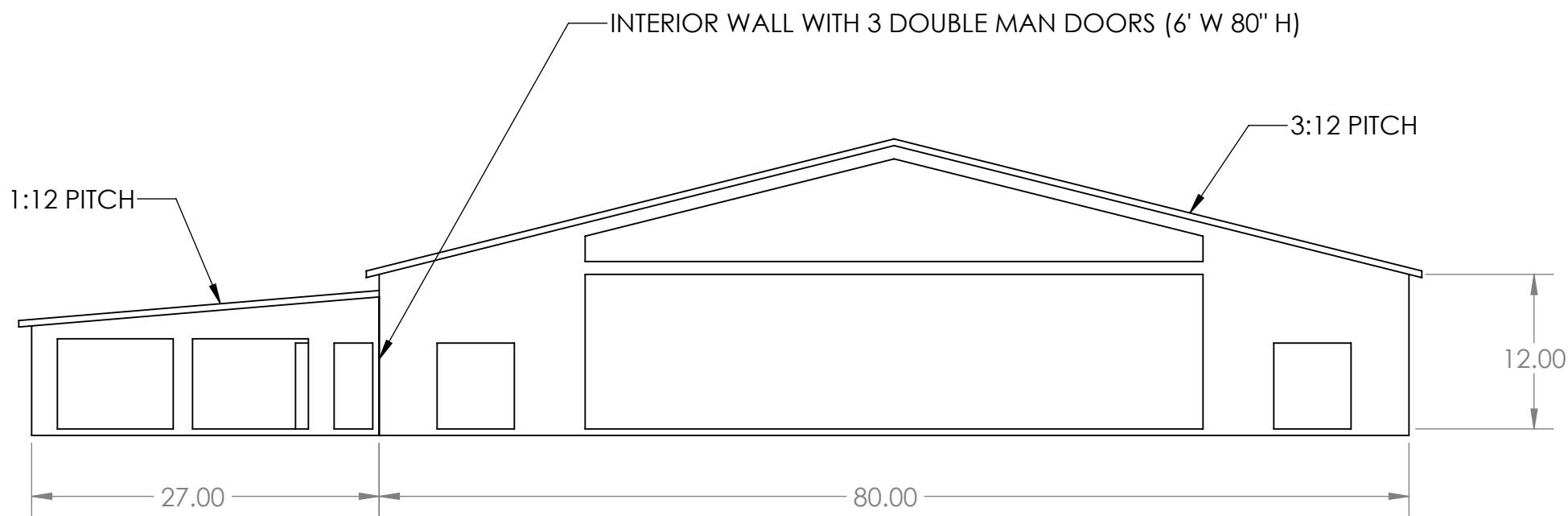
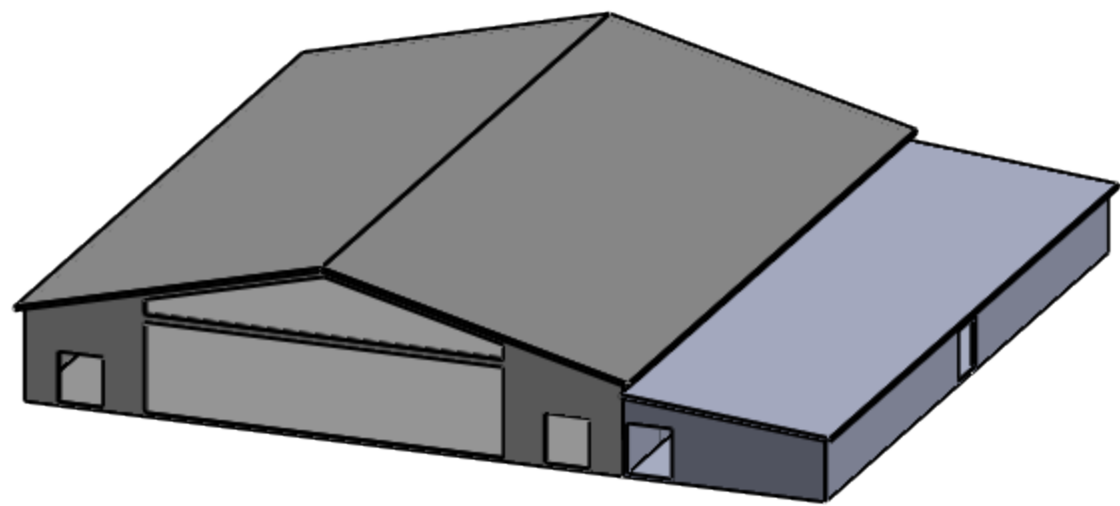
A

4

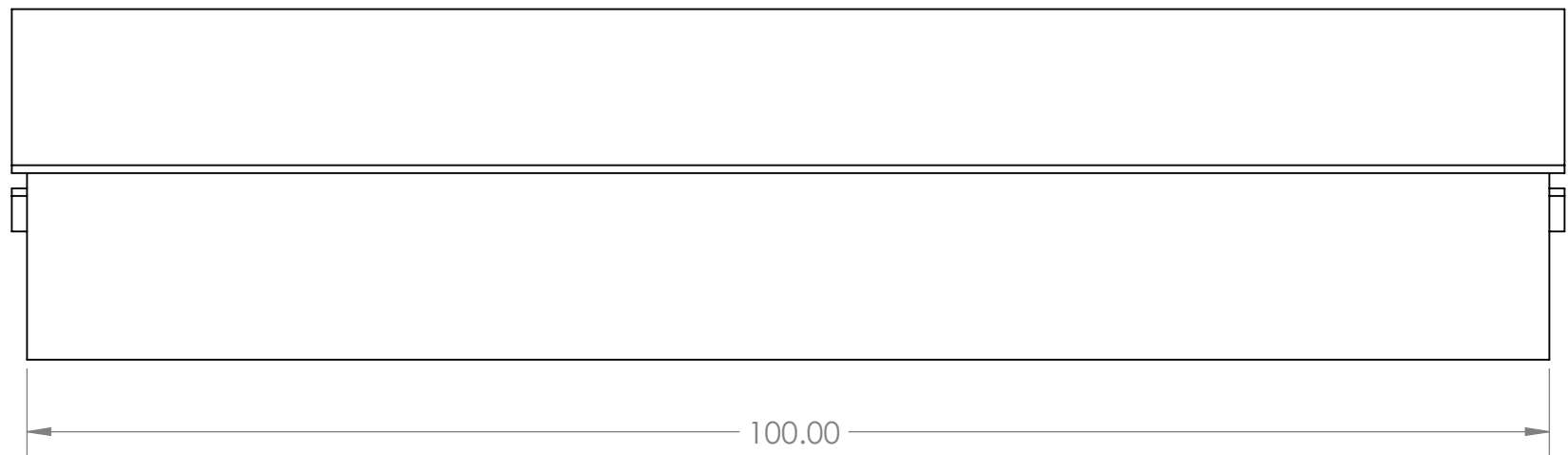
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2

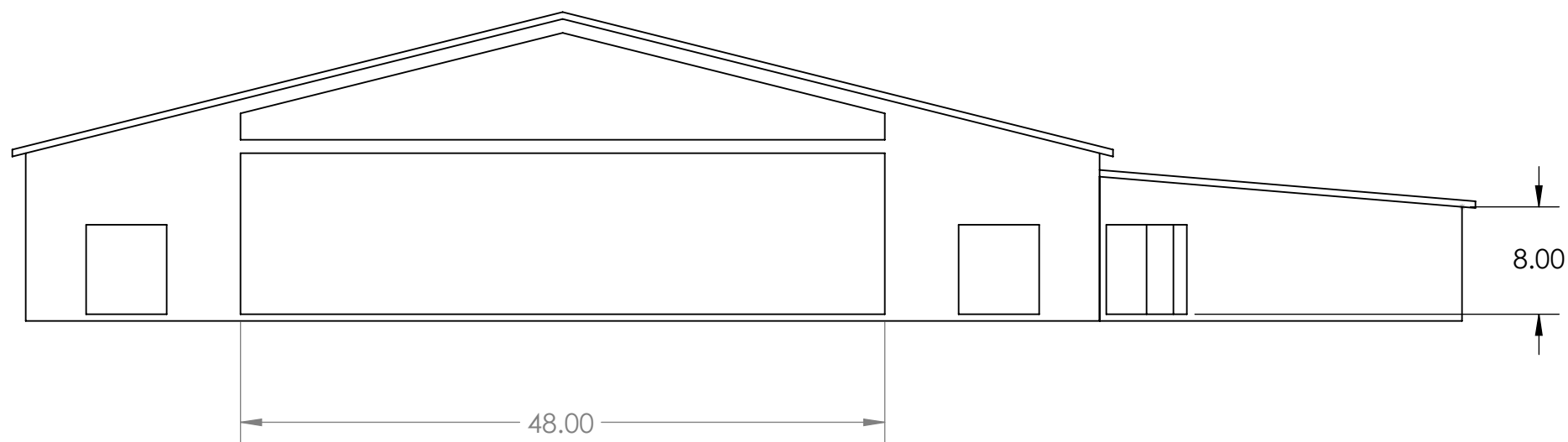
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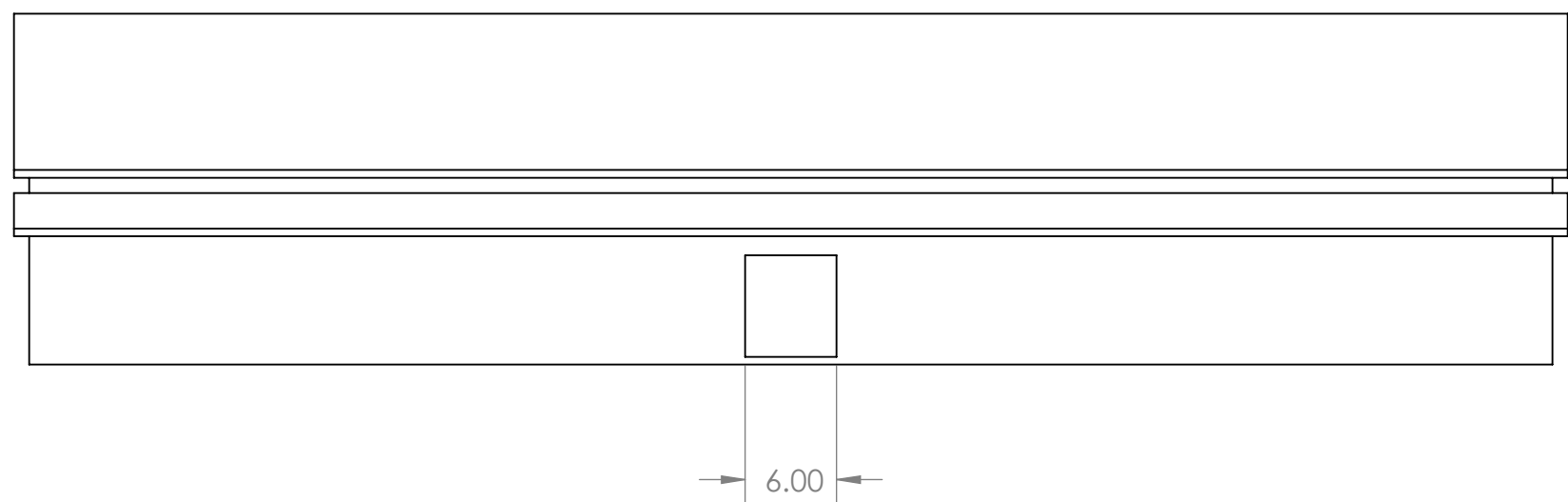
SOUTH



EAST



NORTH



WEST

Doug and Pamela Teeter
4330 Foothill Blvd. Oroville CA

Event Building - Elevations

4

3

2

1

D

D

C

C

B

B

A

A

80.00

27.00

100.00

EVENT
HALL

PREP
ROOM

STORAGE

STORAGE

JANITOR
CLOSET

MULTIPURPOSE
ROOM

4

3

2

1

4

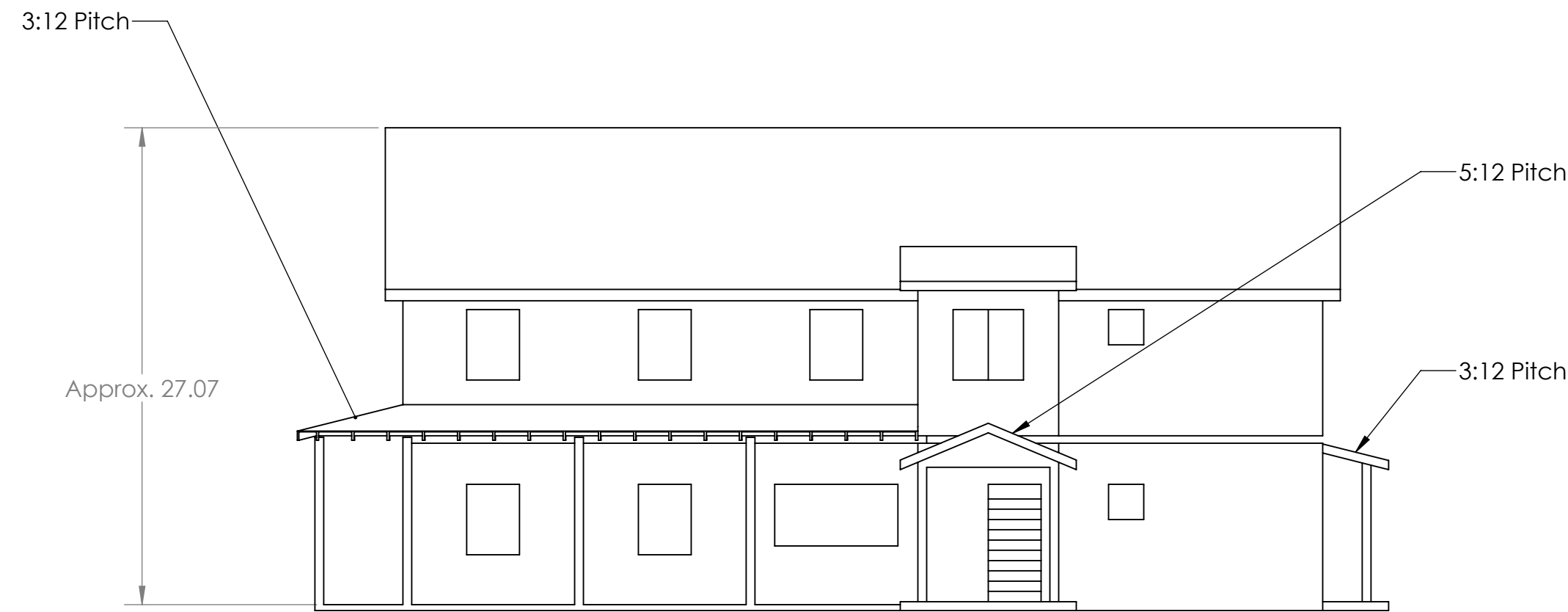
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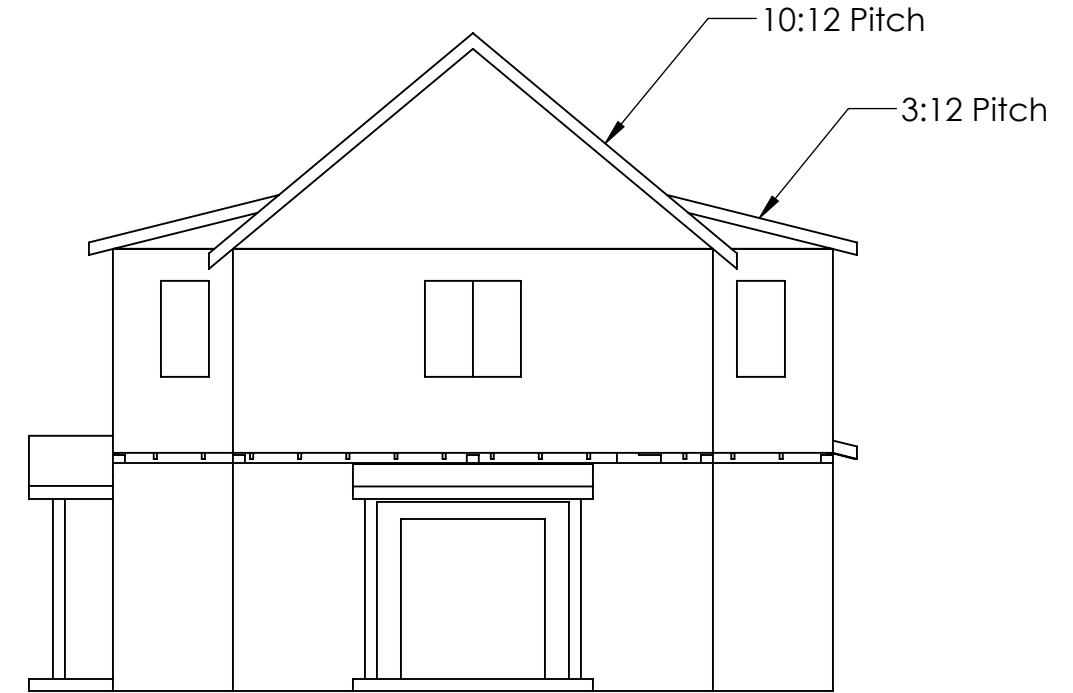
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D

D



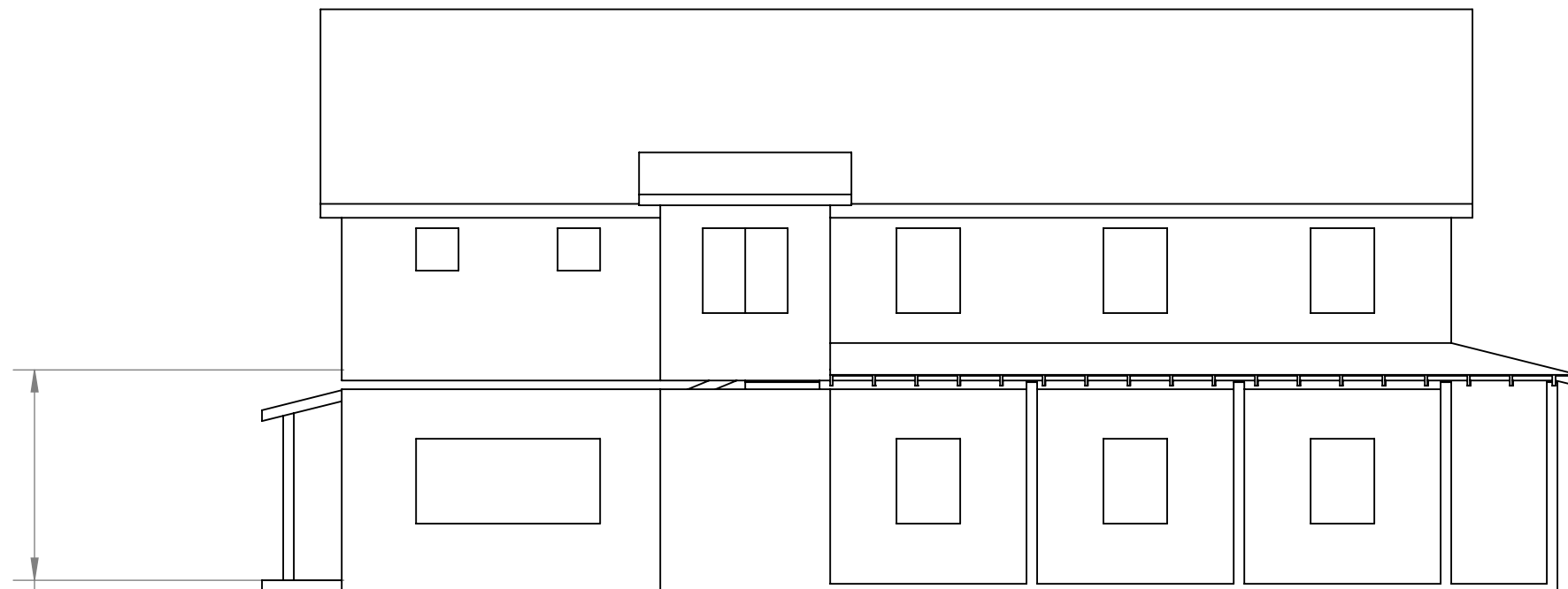
SOUTH



EAST

C

C



NORTH



WEST

B

B

Height between floors 9.92 Feet
(set by desired stair run 11" and rise 7")
Approx. 9' Ceilings downstairs
8' Ceilings upstairs
8

A

A

Doug and Pamela Teeter
4330 Foothill Blvd. Oroville CA

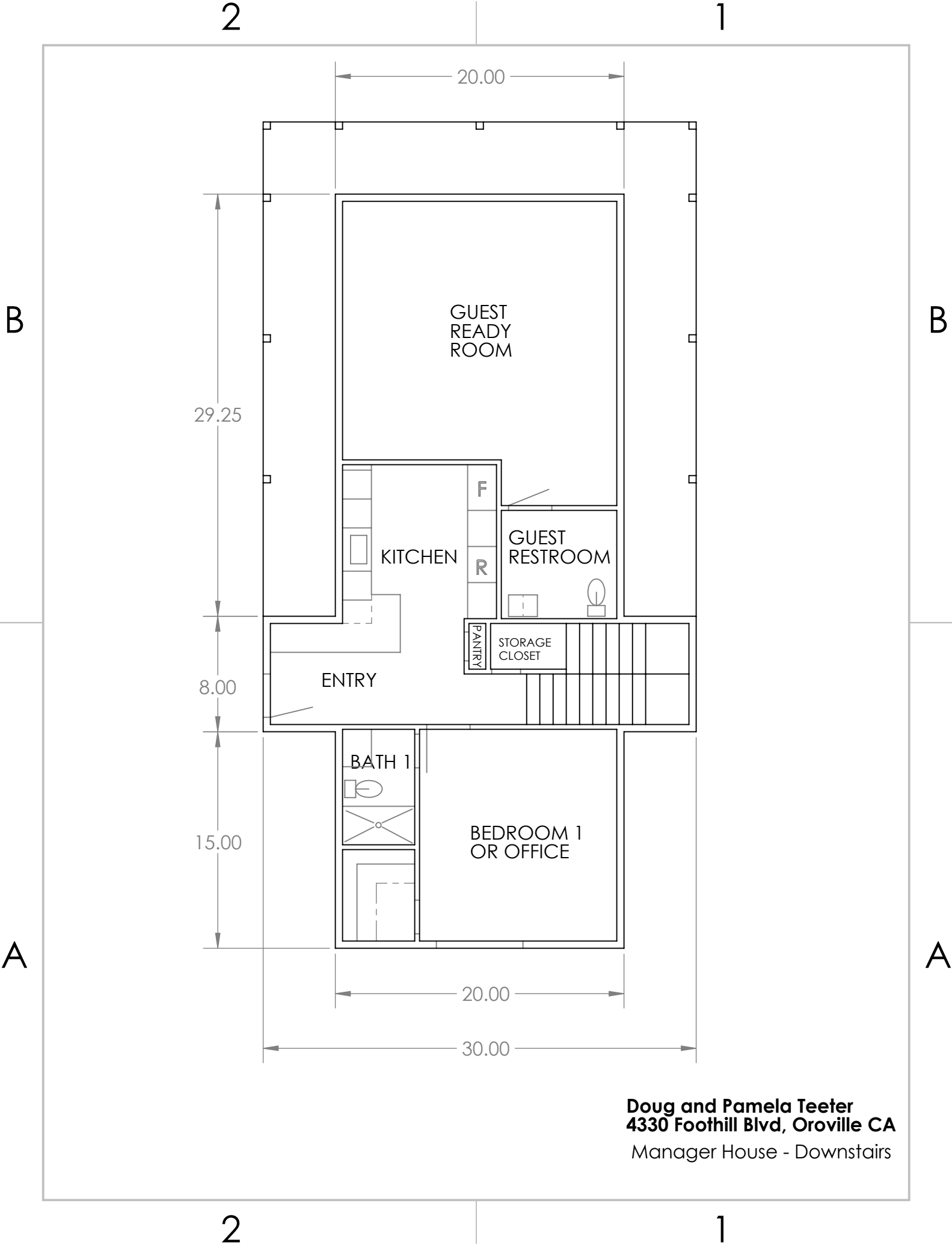
Manager House - Elevations

4

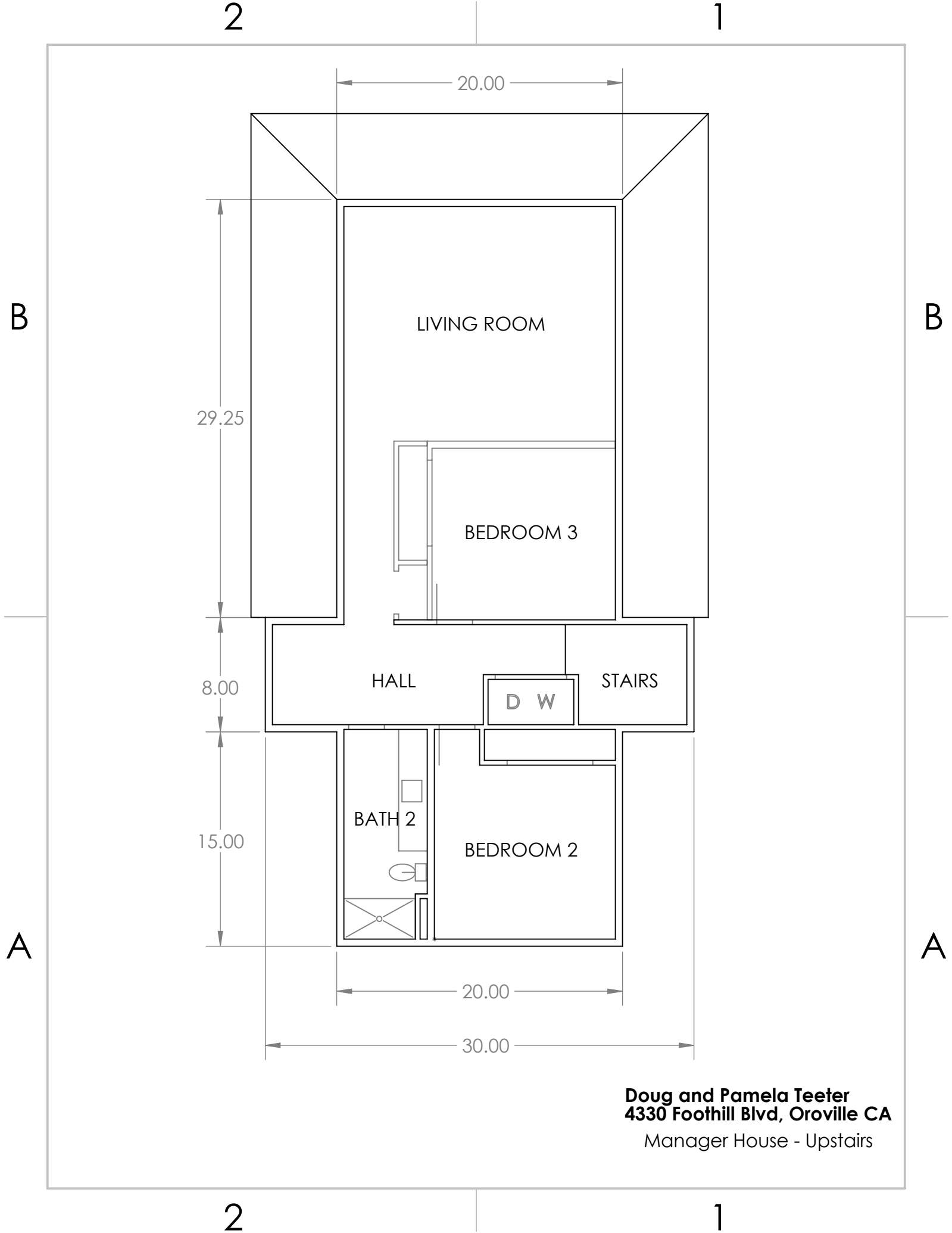
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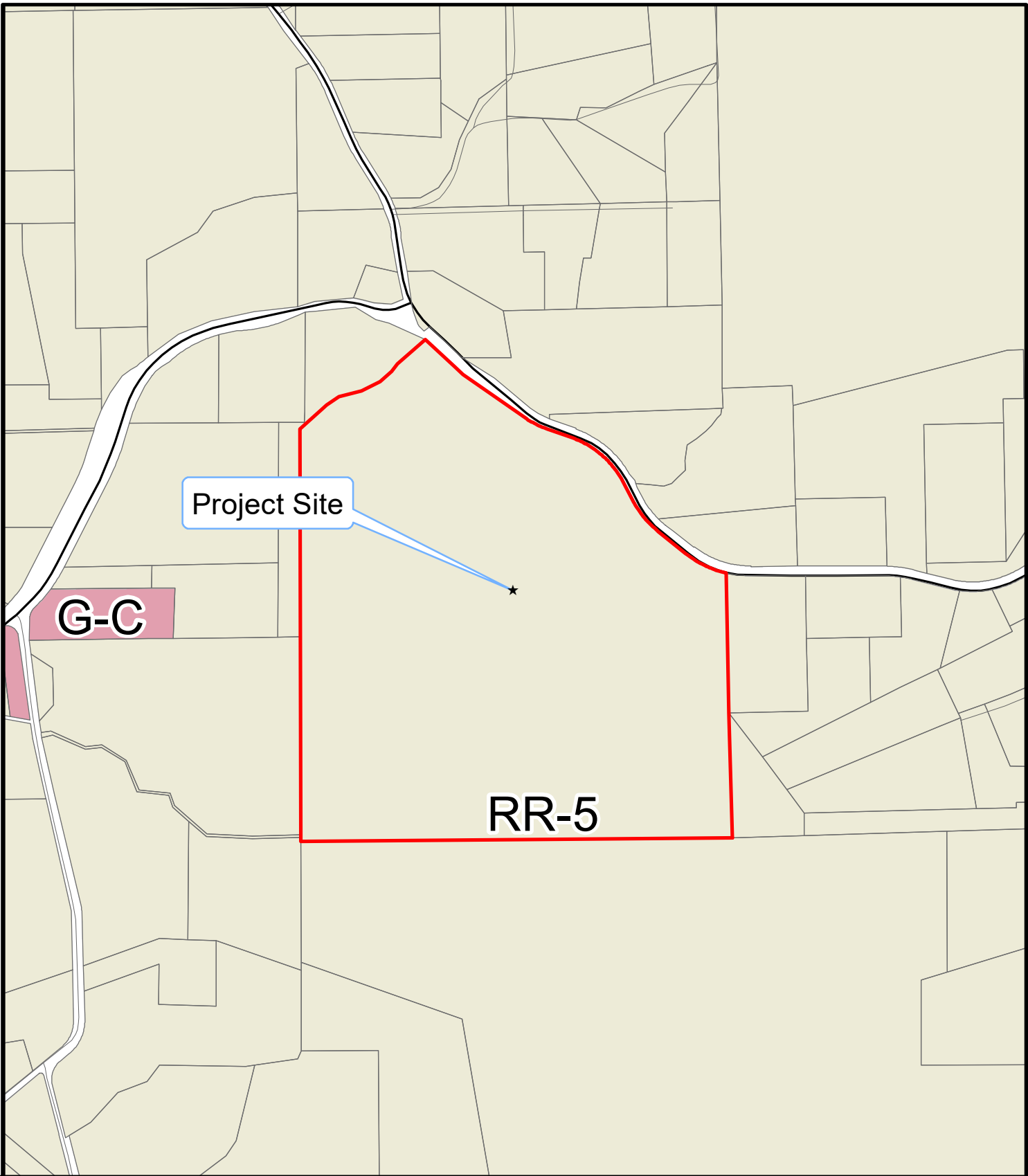
2

1



Doug and Pamela Teeter
4330 Foothill Blvd, Oroville CA
Manager House - Downstairs



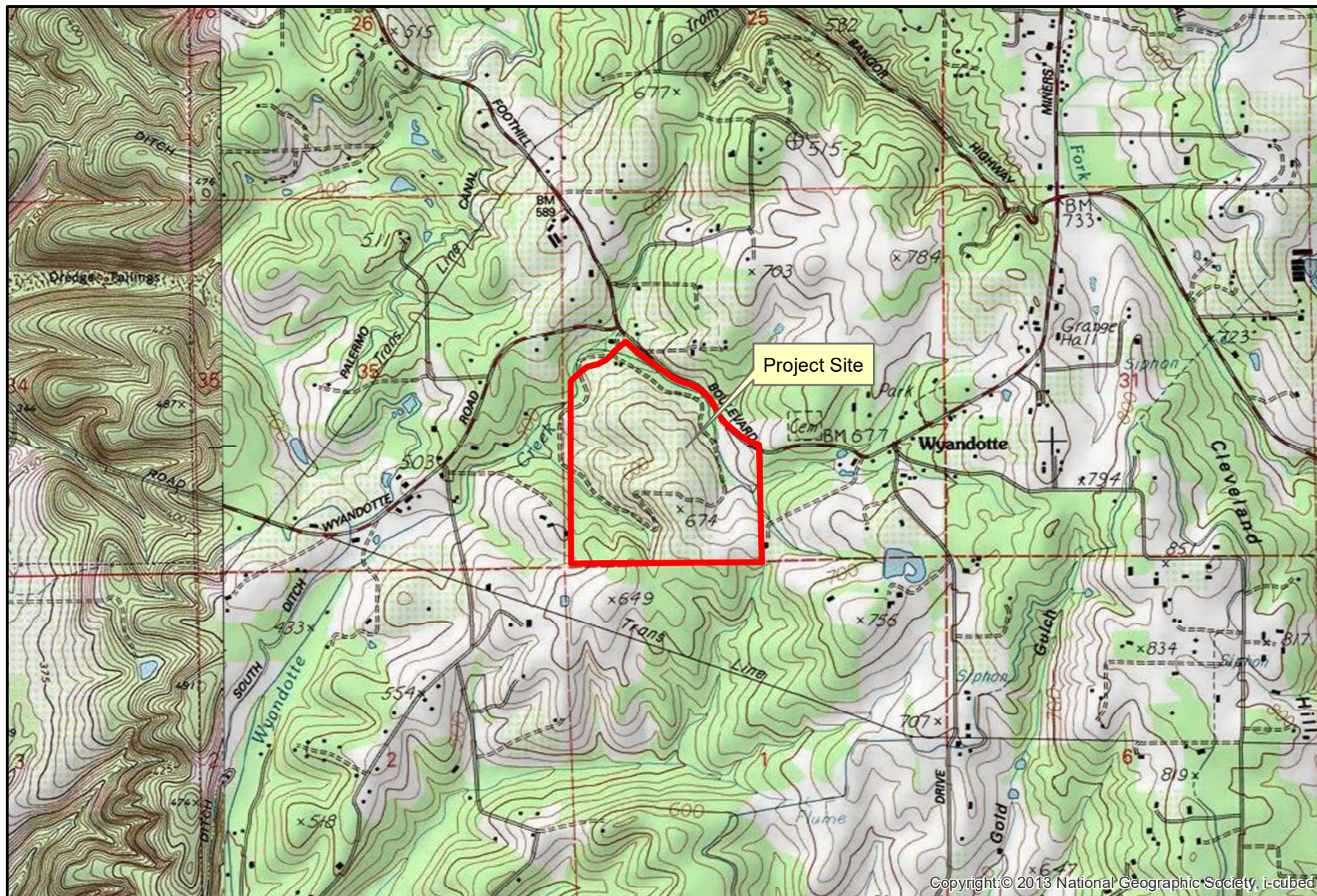


Butte County Zone Districts



Supervisory
District #1

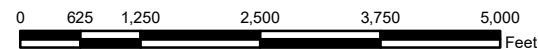
Applicant: Douglas and Pamela Teeter	Zoning: RR-5 (Rural Residential, 5-acre min.)	File: MUP19-0007
Request: Minor Use Permit	Assessor Parcel No: 079-400-001	



USGS 7.5' Quadrangle Map 1:24,000

MUP19-0007 (Douglas and Pamela Teeter Minor Use Permit)

Map created by:
Butte County
Development Services Department
7 County Center Drive, Oroville, Ca. 95965



- Butte County Environmental Health Department: Onsite Well and Wastewater Disposal Permits
- Butte County Public Works Department: 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
		<input type="checkbox"/>	None	<input checked="" type="checkbox"/>	None with Mitigation Incorporated

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Rowland Hickel

Prepared by Rowland Hickel, Senior Planner

6/18/2020

Date

Daniel Breedon, Planning Manager

Reviewed by: Dan Breedon, Planning Manager

June 18, 2020

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

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

1.1 AESTHETICS

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

Discussion

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

No impact. The area surrounding the project site has been modified for agricultural production and residential development. Views from Foothill Boulevard are of native vegetation, intermittent orchards, agricultural support buildings, and rural residences. There are no unique visual features or scenic vistas in the project area. For the most part, project improvements would be screened from neighboring properties by existing vegetation located around the perimeter of the site. Therefore, the project will not substantially interfere with any scenic views, or otherwise, have a substantive negative aesthetic impact.

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

No impact. The proposed project does not include new construction that would disturb features such as trees, rock outcroppings and historic buildings within a state scenic highway. Further, the project site is not adjacent to a state scenic highway and there are no scenic resources on the project site.

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

Less than significant impact. The nearest publicly accessible area to the project site is Foothill Boulevard which is located adjacent to a portion of the north/northeastern property line. The project would construct new

buildings to accommodate temporary gatherings ranging from 10 to 500 people. The proposed structures and intermittent gathering of people, together with the ancillary parking of vehicles, on a large parcel rural residential parcel. The project would not cause a permanent change to the rural visual character of surrounding area.

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

Less than significant impact with mitigation incorporated. Outdoor lighting will be used on the project site during events. Any new outdoor lighting would be subject to standards in Article III, General Regulations, Division 4 – Outdoor Lighting, as specified in the Butte County Zoning Code. To provide further protection for adjacent residential uses from on-site lighting, implementation of **Mitigation Measure AES-1** is recommended. With implementation of applicable outdoor lighting regulations provided in Article 25 and **Mitigation Measure AES-1**, the proposed project would not create new sources of substantial lighting or glare that would generate a significant impact. Impacts would be less than significant under this threshold.

Mitigation Measure AES-1:

All *lighting*, exterior and interior, shall be designed and located so as to confine direct *lighting* to the premises. A light source shall not shine upon or illuminate directly on any surface other than the area required to be lighted. No *lighting* shall be of the type or in a location such that it constitutes a hazard to vehicular traffic, either on private property or the abutting highway or street.

Plan Requirements: This note shall also be placed on all building and site development plans.

Timing: The provisions of this mitigation measure shall be complied with at all times.

Monitoring: Building inspectors shall spot check development plans and shall ensure compliance on-site. The Development Services Department shall investigate and respond to any complaints of excess glare or light originating from the project site.

1.2 AGRICULTURE AND FOREST RESOURCES

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

Regulatory Setting

Williamson Act/Land Conservation Act (LCA) Contracts

The California Land Conservation Act of 1965, commonly known as the Williamson Act, was established based on numerous State legislative findings regarding the importance of agricultural lands in an urbanizing society. Policies emanating from those findings include those that discourage premature and unnecessary conversion of agricultural land to urban uses and discourage discontinuous urban development patterns, which unnecessarily increase the costs of community services to community residents. The Williamson Act authorizes each County to establish an agricultural preserve. Land 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 canceled.

Farmland Mapping and Monitoring Program

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

California Public Resources Code Section 4526

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

Discussion

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

No impact. The California Farmland Mapping and Monitoring Program designates the site as "Other". Project improvements would not impact prime, unique or farmland of statewide importance.

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

No impact. The project site is not under an existing Williamson Act Contract. All improvements would be confined to the project site. The project will not conflict with existing zoning or agricultural use of a parcel under a Williamson Act contract.

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

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

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

No impact. The project site contains native vegetation but is does not contain trees or timber resources classified as forestland, as defined in Public Resources Code Section 12220(g), or as timberland, as defined in Public Resources Code Section 4526. Therefore, the proposed project would not result in the loss or conversion of forest land to a non-forest use.

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

No impact. The project site is designated as "Other" under the California Farmland Mapping and Monitoring Program. All proposed development and subsequent use of the site would occur within the areas of the property that are designated as "Other". Therefore, the project would not result in the conversion of Farmland to a non-agricultural use.

1.3 AIR QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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III. Air Quality.

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations.

Are significance criteria established by the applicable air district available to rely on for significance determinations? ☒ Yes ☐ 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

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

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

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

Seasonal weather patterns have a significant effect on regional and local air quality. The Sacramento Valley and Butte County have a Mediterranean climate, characterized by hot, dry summers and cool, wet winters. 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_{2.5}) and ground-level ozone are the pollutants of most concern to the NSVAB Districts. Ground-level ozone, the principal component of smog, forms when reactive organic gases (ROG) and nitrogen oxides (NO_x) – 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 ₁₀	Nonattainment	Attainment
24-Hour PM _{2.5}	No Standard	Attainment
Annual PM ₁₀	Attainment	No Standard
Annual PM _{2.5}	Nonattainment	Attainment
Source: Butte County AQMD, 2018		

Sensitive Receptors

Sensitive receptors are frequently occupied locations where people who might be especially sensitive to air pollution are expected to live, work, or recreate. These types of receptors include residences, schools, churches, health care facilities, convalescent homes, and daycare centers. The project site is located in a rural area with residential uses on parcel sizes between 5 and 200 acres. Table 1.3-2 lists sensitive receptors that were identified in the project vicinity and the distances from the project site.

Table 1.3-2. Sensitive Receptors in the Project Vicinity

SENSITIVE RECEPTORS	DISTANCE FROM PROJECT SITE TO RECEPTOR
Residence (4199 Foothill Boulevard)	1 mile north
Residence (4366 Foothill Boulevard)	3,500 feet east
Residence (east of Lower Wyandotte Road)	3,000 west/southwest
Source: Butte County Geographical Information System/Google Earth imagery	

Butte County Air Quality Management District

The Butte County Air Quality Management District (BCAQMD) is the local agency 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 1.3-4 were created using CalEEMod version 2013.2.2 for the given land use types. To determine if a proposed project meets the screening criteria, the size and metric for the land use type (units or square footage) should be compared with that of the proposed project. If a project is less than the applicable screening criteria, then further quantification of criteria air pollutants is not necessary, and it may be assumed that the project would have a less than significant impact on criteria air pollutants. If a project exceeds the size provided by the screening criteria for a given land use type then additional modeling and quantification of criteria air pollutants should be performed (Butte County Air Quality Management District 2014).

Table 1.3-4. Screening Criteria for Criteria Air Pollutants

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

Discussion

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

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

The proposed project would not result in population growth in the County. Special event attendees are transitory, intermittently arriving from local and regional population centers for a short duration. Employees would come from the local population and would not cause relocation of populations or housing. Further, the project would not result in a substantial increase in criteria air pollutants that would cause significant impacts to regional air quality.

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

Less than significant impact. The proposed project has the potential to impact air quality primarily from mobile sources emissions generated by attendees traveling by motor vehicles to and from the facility, and from energy emissions associated with the operation of the special event facility. Mobile source emissions produced from motor vehicles include tailpipe and evaporative emissions. Energy use emissions associated with the operation of the facility would be generated by the use of heating and cooling systems, lighting, and powering of equipment. Overall, operational emissions generated by the project are not expected to be substantial and would not violate existing air quality standards because events are intermittent and short in duration. Further, structures developed on the property are not expected to exceed a total 15,000 square feet, the Commercial land-use type screening criteria listed above in Table 1.3-3. Thus, the project would not exceed the significance thresholds established in the BCAQMD, CEQA Air Quality Handbook.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than significant impact with mitigation. Sensitive receptors in the project area and their distances from the project site area contained Table 1.3-2. Based on the information provided in section b.), above, the proposed project would not result in the violation of any air quality standards or contribute substantially to an existing or projected air quality violation, except for potential fugitive dust emissions during operations. **Mitigation Measure AIR-1** would reduce potential cumulative fugitive dust emission impacts to less than significant.

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

- d) **Less than significant impact.** No objectionable odors would be caused by the project. Any odors generated by events would be similar to odors typically generated by residential uses. Any such odors generated by the project would be temporary and limited to the area adjacent to the event areas, thereby not impacting a substantial number of people. Since odor impacts would be temporary and limited to the area adjacent to the 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 time.

Mitigation Measures

Mitigation Measure AIR-1

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

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

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

Operational TAC Emissions

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

Fugitive Dust

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

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

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

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

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

Plan Requirements: This note shall also be placed on all building and site development plans.

Timing: The provisions of this mitigation measure shall be complied with at all times.

Monitoring: Building inspectors shall spot check development plans and shall ensure compliance on-site. Butte County Air Pollution Control District inspectors shall respond to nuisance complaints.

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

Less than significant impact. No objectionable odors would be caused by the project. Any odors generated by events would be similar to odors typically generated by commercial catering events. Any such odors generated by the project would be temporary and limited to the area adjacent to the event areas, thereby not impacting a substantial number of people. Since odor impacts would be temporary and limited to the area adjacent to the 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 time.

1.4 BIOLOGICAL RESOURCES

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

Environmental Setting

Vegetation Communities

Agricultural Land

While the site is zoned RR-5, agricultural land is the dominant vegetation community within the project site. Agricultural lands established on fertile soils that historically supported abundant wildlife have been greatly diminished when the land was converted to agricultural uses and intensively managed. Many species of rodents and birds have adapted to agricultural lands, but they are often controlled by fencing, trapping, and poisoning to prevent excessive crop losses. Common species observed within this community type includes mourning dove, American crow, Brewer's blackbird, sandhill crane, various raptor species, egrets, and many species of rodents. Special-status wildlife species associated

with agricultural lands, such as the northern harrier and giant garter snake, may use adjacent irrigation canals and freshwater marsh vegetation for foraging or breeding. Giant garter snakes have the potential to occur in irrigation canals and can use the adjacent agricultural lands as foraging and basking habitat. Swainson's hawks also will forage in agricultural lands. Irrigated pastures may provide suitable nesting habitat for the northern harrier and short-eared owl.

Oak Woodland

Valley oak woodland habitat is a vegetation community that is located primarily on the periphery of the project site with a scattering of trees throughout the site. The proposed development is located in areas previously disturbed by past agricultural activities, and would not affect intact oak woodland habitat. Common species observed within this community type includes valley oak, but can have associates of western sycamore, California black walnut, interior live oak, box elder and blue oak. The annual grassland understory is dominated by nonnative annual grasses with intermixed annual and perennial forbs, including wild oat, ripgut brome, soft chess, fescue, clover, wild mustard, and wild radish.

Oak woodlands are important habitats because of their high value to wildlife in the form of nesting sites, cover and food. Birds associated with oak woodlands include acorn woodpeckers, Nuttall's woodpeckers, western scrub jay, yellowbilled magpie, and many warblers and flycatchers. Cavities in oak trees are important nesting sites for American kestrel, tree swallow, oak titmouse, house wren, and western bluebird. Tree cavities also provide important roosting habitat for some species of bats. Oak woodlands provide nesting sites for raptors, such as red-tailed hawks, red-shouldered hawks, and great horned owls. Mammals associated with woodlands include western gray squirrel, pallid bat, bobcat, blacktail deer, and gray fox. Acorns are an important food source for species such as California quail, wild turkey, western gray squirrel, and blacktail deer.

Special-Status Species

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

Various direct and indirect impacts to biological resources may result from the small amount of development enabled by the project, including the loss and/or alteration of existing undeveloped open space that may serve as habitat. Increased vehicle trips to and from the project site can result in wildlife mortality and disruption of movement patterns within and through the project vicinity. Disturbances such as predation by pets (e.g., cats and dogs) and human residents may also occur at the human/open space interface, while conversion of land from lower to higher density residential use can lead to a predominance of various urban-adapted wildlife species (e.g., coyotes, raccoons, ravens and blackbirds) that have been observed to displace more sensitive species.

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

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

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

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

Scientific Name	Common Name	Federal Status	State Status	CNPS/DFG List	Habitat
PLANTS					
<i>Clarkia biloba</i>	Brandegee's clarkia	Not listed	Not listed		Often roadcuts, chaparral, cismontane woodland, lower montane coniferous forest
BIRDS					
<i>Laterallus jamaicensis</i>	California black rail	Special concern	Threatened		Ocean shore, bays, freshwater lakes, and larger streams.
Source: California Natural Diversity Database.					

Discussion

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

Less than Significant with Mitigation Incorporated. The site is comprised of annual grasses, weedy/ruderal species, oak woodlands and riparian areas that provide suitable nesting habitat for avian species protected under the MBTA. To avoid potential impacts to avian species protected under the MBTA and California Fish and Game Code (CFG), **Mitigation Measure BIO-1** is recommended prior to development on the subject parcel. Adherence to recommended mitigation measures would reduce potential impacts to less than significant.

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

Less than Significant with Mitigation Incorporated. Riparian woodland vegetation may be present in proximity to Wyandotte Creek. A new bridge over the creek may be constructed in the future to replace the 10' wide culvert crossing. While a final design of the bridge has not been provided, it is proposed to span the riparian area to avoid any impacts to riparian vegetation or other sensitive natural communities. Any work within the riparian area would be subject to Article 16 of Butte County Code, which regulates activities and development in riparian areas in the County to reduce risks from erosion and flooding, protect the integrity of water resources, minimize pollutants, and preserve and protect vegetation and wildlife habitat. Under Article 16, any future construction activities in the riparian area will be subject to necessary permits from responsible governmental agencies including the Army Corps of Engineers, California Department of Fish and Wildlife and the California Water Resources Control Board. Further, construction plans must also be approved by the County. Implementation of **Mitigation Measure BIO-3** and **BIO-4** will ensure that the future construction of the bridge will be evaluated in context with the requirements of Article 16 of Butte County Code, and that potential impacts are less than significant.

The project site also contains oak woodland habitat. Oak woodlands are a common habitat locally and regionally and is not considered by the California Department of Fish and Wildlife (DFW) as a sensitive natural community; however, native oak trees and woodland habitats are declining statewide because of development and land management practices. As such, Butte County General Plan 2030 states that oak woodland habitat should be considered sensitive because it provides important habitat for local and residential wildlife, and because oak woodlands are limited in extent compared with its historic distribution.

Pursuant to the CEQA Guidelines, Public Resources Code section 21083.4, the lead agency is required to determine whether a project, within its jurisdiction, may result in the conversion of oak woodlands that will have a significant effect on the environment. If the lead agency determines that there may be a significant impact to oak woodlands, the agency must require mitigation to avoid or reduce impacts to these resources. Mitigation includes conservation through the use of conservation easements; planting and maintaining an appropriate number of replacement trees; contribution of funds to the Oak Woodlands Conservation Fund for the purpose of purchasing oak woodlands conservation easements; and/or other mitigation measures developed by the County.

To avoid impacts to oak trees and/or oak woodland habitat, **Mitigation Measure BIO-2** can be implemented at the discretion of Butte County Department of Development Services to reduce potentially significant impacts to oak woodlands by future development.

- 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 with Mitigation Incorporated. Wyandotte Creek may be a federally protected wetland as defined by Section 404 of the Clean Water Act. However, construction of the bridge is not expected to impact USACE jurisdictional drainages or wetland features. Impacts to jurisdictional drainages, avoidance measures and permitting requirements would be identified with implementation of Mitigation Measures BIO-3.

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

Less than significant Impact. The project site is not located within the Butte County migratory deer corridors. No major migratory routes or corridors have been designated through the project site, and the existing developed components of the project area (i.e. roads and fenced parcels) typically preclude use of the area as a migratory wildlife corridor for large mammals. However, the site may facilitate home range and dispersal movement of resident wildlife species, including birds, small mammals and other wildlife. The proposed improvements will occur in a small portion of the 161-acre site; the majority of the area would be preserved for use by resident wildlife species. Construction of new structures is not anticipated to interfere with existing migratory wildlife populations.

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

Less than significant impact with mitigation incorporated. Native oak trees and other tree species are present on the site. No trees are proposed to be removed as part of the project. Proposed activities would be located in areas of the property where no trees occur and/or the native vegetation has been removed or disturbed by maintenance and former agricultural uses. Implementation of **Mitigation Measures BIO-2, BIO-3 and BIO-4** would ensure biological resources are identified and impacts avoided and/or mitigated.

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

No impact. The Butte Regional Conservation Plan (BRCP) is a joint Habitat Conservation Plan (HCP)/National Community Conservation Plan (NCCP) that is currently being prepared for the western half of the Butte County. In the event the BRCP is adopted, individual projects and development that occur in the BRCP planning area would need to be coordinated with the Butte County Association of Governments to ensure that the project does not conflict with the BRCP. 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.

Mitigation Measures

Mitigation Measure BIO-1

If project construction activities, including ground disturbance or vegetation removal occur during the nesting season for birds protected under the Migratory Bird Treaty Act (MBTA) and California Department Fish & Game Code (CDFC) (approximately February 1 – August 31), the project proponent shall retain a qualified biologist to perform preconstruction surveys for nesting bird species. Surveys to identify active bird nests shall be conducted within and 250 feet around the footprint of proposed construction site. The survey shall be conducted within 7 days prior to the initiation of construction activities. In the event that an active nest is observed, a species protection buffer shall be established. The species protection buffer will be defined by the qualified biologist based on the species, nest type and tolerance to disturbance. Construction activity shall be prohibited within the buffer zones until the young have fledged or the nest fails. Nests shall be monitored by a qualified biologist once per week and a report submitted to the Butte County Department of Development Services.

Plan Requirements: Perform protocol-level surveys for migratory birds protected by the California Department Fish & Game Code and the Migratory Bird Treaty Act.

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

Monitoring: The Butte County Department of Development Services shall ensure the condition is met at the time of construction activities.

Mitigation Measure BIO-2

Prior to any development activity or the issuance of any permit or approval removing or encroaching upon oak trees on the project site (this generally includes the canopy drip-line of trees within the area of ground disturbance and trees subject to changes in hydrologic regime), the applicant/developer shall complete one of the following measures to the satisfaction of the Director of Development Services or is/her designee:

A. An Oak Tree Evaluation Plan shall be prepared by a qualified professional having experience in California Oak Woodlands and is either a certified arborist, qualified wildlife biologist or registered professional forester shall be submitted for review and approval by the Director of Development Services or his/her designee that includes the following:

- 1) A survey showing the location of oak trees 5 inches or more in diameter at breast height, as defined by PRC §21083.4(a);
- 2) The removal of all oak trees 5 inches or more in diameter at breast height shall be mitigated. It shall be mitigated by one or more of the following: replanting and maintaining oak trees, establishing conservation easements, contributing funds for off-site oak woodlands conservation, and/or other mitigation measures developed by Butte County. Replanting oak trees cannot account for more than one-half of the mitigation. Replanted oak trees shall be maintained for a period of seven years after they are planted. If any of the

replanted oak trees die or become diseased, they shall be replaced and maintained for seven years after the new oak trees are planted;

3) A replanting schedule and diagram for trees removed or encroached upon by permit activities consistent with PRC §21083.4(b)(2), applicable mitigation measures, and Butte County Ordinance, if any, shall be submitted to and approved by the Director of Development Services or his/her designee. Replanted trees shall be planted in areas deemed appropriate by the Plan, considering future lot development, interference with foundations, fencing, roadways, driveways, and utilities. Trees planted shall be protected from livestock and other animals;

4) Oak Tree protection measures for trees to be retained within the project site shall be included in construction specifications. Prior to construction or surface disturbance, a protective fence or brightly colored staked boundary shall be placed 5 feet beyond the established critical rooting zone (CRZ) of the oak or group of oaks being protected. A warning sign shall be prominently displayed on each fence. The sign should be a minimum of 16 x 24 inches, brightly colored and be clearly visible, even from vehicles. The sign must clearly indicate that the CRZ is a restricted area. Orange safety triangles may suffice if other signage cannot be constructed. A high visibility plastic mesh fence is recommended to maximize the visibility of protected tree areas. Wire with bright-colored flags placed at equal intervals can also be a suitable barrier so long as it maintains high visibility. Protective fencing shall remain in place until final inspection by the qualified professional. No vegetation removal, soil disturbance, or other development activities shall occur within the tree zone in order to protect root systems and minimize compaction of the soil, unless authorized by Oak Tree Mitigation Plan; and

5) Conservation easements or funds for off-site oak woodlands conservation shall be proposed to and approved by the Director of Development Services or his/her designee; or

B. Provide proof of compliance with all required avoidance and minimization measures, and payment of all applicable fees to mitigate for blue oak woodland impacts as provided in the Butte Regional Conservation Plan, as adopted by Butte County.

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

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

Monitoring: At the time of septic, well, or building permit application, the Development Services Department will reference this requirement on any grading, building, septic, or well permit site plans and verify that an Oak Tree Mitigation Plan has been submitted to and approved by the Director of Development Services or his/her designee. Butte County building inspectors shall ensure compliance on-site.

Mitigation Measure BIO-3

Prior to construction activities within riparian areas, defined as areas between the banks and 50 feet in width measured from the top bank of Wyandotte Creek landward, potential jurisdictional wetlands surrounding the development area shall be delineated utilizing approved USACE methodologies to determine the nature and extent of jurisdictional features. The data will be compiled into a report and submitted to the USACE for a jurisdictional verification. Upon verification, a 250-foot development avoidance 'No Disturbance' buffer shall be established around the outer edge of on-site wetland resources. Wetland resources and the development avoidance buffer area shall be delineated on proposed development plans, and temporary exclusionary fencing shall be installed around the avoidance buffer area, prior to construction.

If future construction activities would affect the identified wetland resources or the 250-foot buffer area, the project proponent shall either obtain appropriate permits from the USACE, pursuant to Section 404 of the

Clean Water Act, or obtain a letter from USACE that states the areas of disturbance would not impact jurisdictional features. If construction activities affect any Waters of the U.S. which include but are not limited to, interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, "wetland", sloughs, prairie potholes, wet meadows, playa lakes, vernal pools or natural ponds, then the Project proponent will need to obtain the following:

1. Prior to any discharge or fill materials into Waters of the U.S., authorization under a Nationwide Permit or Individual Permit shall be obtained from the USACE. For fill requiring a USACE permit, a water quality certification from Regional Water Quality Control Board (Clean Water Act §401) shall also be obtained prior to discharge of dredged or fill material.
2. Prior to any activities that would obstruct the flow of or alter the bed, channel, or bank of any perennial, intermittent or ephemeral creeks, notification of Streambed Alteration Agreement (§1602) shall be obtained.

Mitigation requirements for the fill of waters of the U.S. will be implemented through an onsite restoration plan, and/or an In Lieu Fund and/or a certified conservation bank with a Service Area that covers the proposed Project area. These agreements, certifications and permits may be contingent upon successful completion of the CEQA process.

Plan Requirements: A 250-foot development avoidance buffer area together with temporary exclusionary fencing shall be established around identified jurisdictional wetland features or mitigated in accordance with State and Federal requirements. Jurisdictional wetlands and the avoidance buffer shall be delineated on proposed development plans.

Timing: Requirements of the condition shall be satisfied prior to any development activity or the issuance of any grading, building, septic, or well permit, or the approval of any improvement plans within 50-feet of Wyandotte Creek, and shall be maintained throughout all grading and construction periods.

Monitoring: The Butte County Department of Development Services shall ensure the condition is met at the time of development and during construction activities.

Mitigation Measure BIO-4

Prior to construction activities within riparian areas, defined as areas between the banks and 50 feet in width measured from the top bank of Wyandotte Creek landward, a pre-construction Biological Resources Report and any necessary protocol-level surveys shall be conducted during the appropriate survey window for any identified special-status species. If any sensitive species will be impacted, as determined by a qualified biologist, the project either will be redesigned to avoid the population(s) to the maximum extent practicable or the species will be mitigated by purchase of credits at an agency approved mitigation bank or other mitigation. For those populations to be fully avoided, the following measures shall be implemented:

1. During the planning stages of the project, the known populations in the project area will be included in the engineering drawings and all construction activities will be conducted so as to avoid the populations. Complete avoidance will be achieved by establishing and maintaining a 100-foot buffer for plant species, and 250-foot buffer for wetland species, and preventing any changes to on-site drainage patterns that could de-water or introduce water to known populations. However, a smaller buffer may be used if detailed topographic information shows that the local hydrology drains away from the wetlands and plants in question.
2. Prior to the start of construction activities within the project area, temporary exclusionary fencing shall be erected around the buffer zones of the populations that will be completely avoided. If necessary, a qualified botanist shall be present to assist with locating known populations. The exclusionary fencing shall be periodically inspected throughout each period of construction and be repaired as necessary. All pedestrian and vehicular entry into the completely avoided areas delineated by the fencing shall be prohibited during construction.

If complete avoidance of a population of the federally, state or CNPS ranked species is not feasible, then a species-specific determination will be made by CDFW for state only listed species and by CDFW and USFWS

for jointly listed species and the County and CDFW for CNPS ranked species as to the appropriate mitigation measures to be employed. These measures will likely include habitat preservation at a ratio of 2:1 (mitigation area to impacted area). Note that preservation requirements are not additive for each species present (i.e., an area occupied by one listed-plant species requires that same amount of habitat preservation as an equivalent area occupied by two or more listed plant species). Prior to impacting a state listed species, the project proponent will need to obtain an incidental take permit pursuant to California Fish and Game Code Section 2081(b). For jointly listed plant species CDFW may issue a consistency determination pursuant to Fish and Game Code Section 2080.1 provided that the terms of the federal biological opinion and/or incidental take statement will minimize and fully mitigate the impacts of the taking. Restoration and protection of habitat shall be the focus of mitigation efforts for impacts to listed species; however, mitigation measure may also include salvaging the seeds of the plants with subsequent replanting in nearby suitable habitat. A detailed restoration and monitoring plan will be developed by a qualified botanist and will contain, at a minimum, the following information:

1. Location of areas on- or off-site to restore plant populations.
2. A description of the propagation and planting techniques to be employed in the restoration effort.
3. A timetable for implementation of the restoration plan.
4. A monitoring plan and performance criteria.
5. A description of remedial measures to be performed in the event that initial restoration measures are unsuccessful in meeting the performance criteria.
6. A description of site maintenance activities to occur after restoration activities (e.g., weed control, irrigation, and control of herbivory by livestock and wildlife).

Plan Requirements: The proposed construction area shall be evaluated by a qualified biologist. Identified populations of special-status species shall be delineated on engineering drawings together with the applicable avoidance buffer, as recommended by State, federal and local agencies. Temporary exclusionary fencing shall be installed around established buffer areas.

Timing: Requirements of the condition shall be satisfied prior to any development activity or the issuance of any grading, building, septic, or well permit, or the approval of any improvement plans within 50-feet of Wyandotte Creek, and shall be maintained throughout all grading and construction periods.

Monitoring: The Butte County Department of Development Services shall ensure the condition is met at the time of development and during construction activities.

1.5 CULTURAL RESOURCES

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

A cultural resources records search was performed for the project site by the Northeast Information Center (NEIC) of the California Historical Resources Information System on May 19, 2019 to identify existing archeological and historical sites, as well as surveys conducted on the project site and surrounding area. The record search included research of the following documents: Official archeological records and maps for Butte County; National Register of Historic Places (1988); California Register of Historic Resources (2007); California Points of Historical Interest (1992); California Inventory of Historic Resources (1976); California Historical Landmarks (1996); Directory of Properties in the Historic Property Data File for Butte County (2007); Handbook of North American Indians, Vol. 8, California (1978); Historic Spots in California (1966); and Gold Districts of California (1970). No historic or prehistoric resources have been recorded within the project site or within a one-mile radius.

Based upon information obtained from above-referenced sources, local topography, and regional history, the project is located in an area considered to be moderately sensitive for prehistoric, protohistoric, and historic cultural resources. Konkow Maidu populations used the local region for seasonal and/or permanent settlement, as well as for the gathering of plants, roots, seeds, domestic materials, and hunting seasonal game. Historically, Euro-Americans utilized the region for farming, mining, and transportation opportunities. Because the project area has not been completely surveyed, the NEIC recommends that a professional archaeologist conduct a cultural resources survey of the entire project area.

Discussion

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

No impact. The project site has been disturbed from past activities and no structures are located in the area proposed for development. No new construction or ground-disturbing activities are proposed that would result in impacts to historic resources. No features exist on the property, including objects, sites, or landscapes, that could be considered as having historic value to California Native American tribes, or eligible for listing in the California Register of Historic Resources.

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

Less than significant impact with mitigation incorporated. No new construction or ground-disturbing activities are proposed that would result in impacts to known historic or cultural resources. No features exist on the

property, including objects, sites, or landscapes, that could be considered as having cultural value to California Native American tribes, or eligible for listing in the California Register of Historic Resources.

However, as referenced, the Konkow Maidu populations used the local region for seasonal and/or permanent settlement, as well as for the gathering of plants, roots, seeds, domestic materials, and hunting seasonal game. Historically, Euro-Americans utilized the region for farming, mining, and transportation opportunities. With past use of the project area by prehistoric and historic populations, unanticipated archaeological discoveries may be encountered during ground-disturbing activities, resulting in potentially significant impacts. Based on the sensitivity of the general area, NEIC staff recommended preparation of a site-specific Cultural Resources Report to determine whether resources occur on the site and identify appropriate mitigation measures. To avoid potential impacts to undiscovered prehistoric resources, historic resources, and human remains that may be uncovered during development activities on the project site, implementation of **Mitigation Measure CUL-1**, below, is recommended to reduce potential impacts to cultural resources to less than significant.

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

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

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

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

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

Mitigation Measures

Mitigation Measure CUL-1

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

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

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

Monitoring: If potential cultural resources are discovered, the landowner shall notify the Planning Division and a professional archaeologist. The Planning Division shall coordinate with the developer and appropriate authorities to avoid damage to cultural resources and determine appropriate action. State law requires the reporting of any human remains.

1.6 ENERGY

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

Discussion

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

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

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

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

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

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

1.7 GEOLOGY AND SOILS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Geology and Soils.				
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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. No known active faults are underlying, or adjacent to, the project site. The Cleveland Hill fault is the only active fault zone in Butte County identified in the most recent Alquist-Priolo Earthquake Fault Zoning Map. The Cleveland Hill fault is located east of Dunstone Drive and Miners Ranch Road, between North Honcut Creek and Mt. Ida Road, approximately 4± miles southeast of the City of Oroville and 2± miles northeast of the site. Because the nearest active fault is located a considerable distance from the project site, the likelihood of a surface rupture at the project site is very low, and would not be a design consideration for future development.

ii) Strong seismic ground shaking?

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

iii) Seismic-related ground failure, including liquefaction?

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. The project site is located in the foothill region of the County. No sandy or silty soils are present that would present a risk of liquefaction to the proposed development.

iv) Landslides?

Less than significant impact. The project site is comprised of rolling topography with varying slopes. No steep slopes are located on the site. As a result, the landslide potential for the project site and surrounding area is less than significant.

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

Less than significant impact. According to Figure HS-5 of Butte County General Plan 2030, the project site has a moderate potential of soil erosion. Surface soil erosion and loss of topsoil have the potential to occur in any area of the county from disturbances associated with the construction-related activities. Construction activities associated with the project would be subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Storm Water permit program if one acre or more is disturbed. Construction activities that result in a land disturbance of less than one acre, but which are part of a larger common plan of development, also require a permit. This program requires implementation of erosion control measures during and immediately after construction that are designed to avoid significant erosion during the construction period. In addition, the project operation would be subject to State Water Resources Control Board requirements for the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) to control pollution in stormwater runoff from the project site, including excessive erosion and sedimentation. The SWPPP, if required, must be obtained prior to any soil disturbance activities. Implementation of standard

erosion control BMPs during future construction-related activities, together with adherence to State requirements regarding grading activities, would ensure that potential erosion impacts are less than significant.

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

Less than significant impact. According to Butte County General Plan 2030 (Figure HS-4 and HS-6), the project site is located in an area with low to moderate potential for landslides. To date, there have been no documented incidents of subsidence in Butte County. Future development on the project site would require implementation of standard engineering design features and construction procedures to address site specific geotechnical issues that may include lateral spreading though there is no known evidence that this is an issue in the project area. Compliance with site specific design recommendations would reduce the potential for liquefaction, lateral spreading and subsidence to less than significant.

- 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. According to Figure HS-8 in the Butte County General Plan, the project site is located in an area with high potential for expansive soils. Expansive soils are those that have potential to undergo significant changes in volume, either shrinking or swelling, with changes in moisture content. Periodic shrinking and swelling of expansive soils can cause extensive damage to buildings, other structures and roads. Soils of high expansion potential generally occur in the level areas of the Sacramento Valley, including the City of Oroville and other population centers.

Appropriate design features to address expansive soils may include excavation of potentially problematic soils during construction and replacement with engineered backfill, ground-treatment processes, direction of surface water and drainage away from foundation soils, and the use of deep foundations such as piers or piles. Implementation of these standard engineering methods and adherence to California Building Code (CBC) standards at the time of development would ensure that any impacts associated with expansive soils would remain less than significant

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

Less than significant impact. Wastewater disposal for events would initially be provided by portable toilets and handwashing stations brought to the site for each event. Conditions for the on-site use of these facilities were provided by the Butte County Environmental Health Division as conditions of project approval. When buildings that have permanent restroom or kitchen facilities are constructed, a certified wastewater designer must provide a design to the Butte County Environmental Health Division along with an application for review and approval. The design must be for wastewater generated during the maximum permitted capacity of the special event facility. The future wastewater system will be constructed in conformance with Butte County Code, Chapter 19, as well as the Butte County Onsite Wastewater Manual. An On-Site Wastewater System Construction Permit must be approved by the Butte County Environmental Health Division, under a ministerial permit application. Application for a Construction Permit will include detailed plans of the proposed wastewater system, prepared by a Certified Installer or Certified Designer, which will demonstrate compliance with County regulations and the County's On-Site Wastewater Manual, and to ensure a safe, sanitary, and environmentally sound wastewater system. Compliance with Environmental Health Division conditions would reduce potential impacts to less than significant.

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

Less than significant impact with mitigation incorporated. No paleontological resources are known to occur on the project site. Implementation of **Mitigation Measure CUL-1** would reduce potential impacts to less than significant.

1.8 GREENHOUSE GAS EMISSIONS

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

Environmental Setting

The Butte County Climate Action Plan (CAP) was adopted on February 25, 2014. The Butte County CAP provides goals, policies, and programs to reduce GHG emissions, address climate change adaptation, and improve the 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 the expansion of renewable energy systems for new residential development by prewiring future development for photovoltaic systems; reduction of construction equipment idling time; and, installation of electric vehicle charging outlets in the garage or the exterior of the home.

Discussion

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

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

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

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

Less Than Significant Impact with Mitigation Incorporated. Implementation of **Mitigation Measure GHG-1** would mitigate project-generated GHG emissions through programmatic-level measures established through the Butte County CAP. The project's compliance with the applicable policies and measures in the CAP would in turn support County-wide efforts to meet statewide GHG emission reduction goals. In addition, the project would be consistent with the following CAP policies that focus on reduction in County-wide GHG emissions.

Policy EN7. Encourage new nonresidential buildings to meet and exceed CALGreen standards for energy efficiency, water conservation, and passive design.

Consistent: Staff will encourage development of permanent structures and improved parking areas to include renewable energy elements such as solar PV to reduce electrical energy demand.

Policy EN9. Support distributed generation in new nonresidential development to reduce on-site energy use.

Consistent. Staff would support actions to incentivize renewable energy installations on new nonresidential projects. This may include streamlining the permitting process and prewiring requirements that could facilitate installation of a distributed system on-site.

Mitigation Measures

Mitigation Measure GHG-1

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

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

Plan Requirements: This note shall also be placed on all building and site development plans.

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

Monitoring: The Planning Division will ensure that future residential development includes the applicable measures during Building Permit review. Building inspectors shall spot check and shall ensure compliance on-site.

1.9 HAZARDS AND HAZARDOUS MATERIALS

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

Discussion

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

Less than significant impact. The proposed use may 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. It is more likely that only small quantities of publicly-available hazardous materials (e.g., paint, maintenance supplies) may be routinely

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

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

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

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

No impact. No public use airports have been identified to be located within two miles of the project site. The closest public use airport is the Oroville Municipal Airport, located approximately 7 miles to the northwest of the project site. The proposed project is located outside the compatibility zones for the area airports, and therefore, would not result in impacts to people residing on, or visiting, 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 would design, construct, and maintain driveways in accordance with applicable standards associated with vehicular access allowing for adequate emergency access and evacuation. Development of the project would not include any actions that physically interfere with emergency response or emergency evacuation plans. Traffic would be added to Foothill Boulevard; however, not to the extent that operation of roadways and intersections would be adversely affected. If future construction activities require work to be performed in the roadway, implementation of a traffic control plan in conjunction with a Butte County Encroachment Permit. No impact would occur under this threshold.

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

Less than significant impact. The project is located in a moderate fire hazard area as designated by the State Department of Forestry and Fire Protection. It is located within a rural area southeast of the City of Oroville. The project site is within a State Responsibility Area (SRA), which means that the State has fiscal responsibility for preventing and suppressing fires. The nearest staffed fire station is Butte County Fire Station #66, located at 4795 Foothill Boulevard, Oroville, California, approximately 0.5 miles east of the site.

Due to the heightened risk of wildfire and increased potential for damage or loss in SRAs, development within these areas must comply with special building requirements established in Chapter 7A of the California Building Code and Chapter 47 of the California Fire Code. SRAs are also regulated under Public Resources Code 4290 and 4291, which establish standards for access, signage, maintenance of defensible space and vegetation management. These standards will be included as conditions of approval and implemented at the time of development. Implementation of these standards, as well as oversight by Butte County Fire/Cal Fire, would ensure the proposed project would not expose people or structures to a significant risk or loss, injury or death involving wildland fires. A less than significant impact would occur under this threshold.

1.10 HYDROLOGY AND WATER QUALITY

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

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

Less than significant impact. Butte County General Plan 2030 identifies the soil conditions in the general project as having a low to moderate potential for erosion. Site development would require grading, excavation and general site preparation activities, which would disturb soils; thus, increasing the potential for soil erosion during precipitation or high wind events. Without erosion control methods, erosion of on-site soils may temporarily impact surface water quality and water quality within nearby waterways. Downstream impacts from erosion may include increased turbidity and suspended sediment concentrations in waterways. Eroded soils can also contain nitrogen, phosphorous and other nutrients, that when deposited in water bodies, may trigger algal blooms that reduce water clarity, deplete oxygen, and create odors.

As referenced in Section 1.7(b), future construction activities associated with the project would be subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Storm Water permit program if one acre or more is disturbed. Construction activities that result in a land disturbance of less than one acre, but which are part of a larger common plan of development, also require a permit. This program requires implementation of erosion control measures during and immediately after construction that are designed to avoid significant erosion during the construction period. In addition, project operation would be subject to State Water Resources Control Board requirements for the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) to control pollution in stormwater runoff from the project site, including excessive erosion and sedimentation. The SWPPP, if required, must be obtained prior to any soil disturbance activities. Implementation of standard erosion control BMPs during future construction-related activities, together with adherence to State requirements regarding grading activities, would ensure that potential erosion impacts are less than significant. A less than significant impact would occur under this threshold.

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

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

According to the Butte County Groundwater Management Plan (2005), groundwater supplies approximately 31% of potable water demand county-wide. Water demand for the unincorporated areas of the county was projected to grow from 8,322.3 million gallons in 2000 to 9,736.4 million gallons in 2030, an increase of 17 percent. The Butte County Public Health Department determined during the preapplication review process

that groundwater underlying the project site is sufficient to meet potable water demand for the project (Butte County Public Health Department, May 2019).

Development of permanent structures would have a net increase in impervious surfaces relative to existing conditions. However, stormwater runoff would be directed to pervious areas during precipitation events. The additional impervious area would be negligible and would not cause a measurable reduction in surface infiltration or a decrease in deep percolation to the underlying aquifers. The project site is not located in a groundwater recharge area for the Sacramento Valley Groundwater Basin. Impacts to groundwater supplies and recharge would be less than significant.

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

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

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

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

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

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

Less than significant impact. Stormwater drainage systems in the project area currently consists of roadside ditches and culverts that capture surface runoff, which ultimately infiltrate into the underground aquifer or conveyed to area waterways. Precipitation that falls on vacant land percolates into the soil.

General Plan 2030 Water Resource Element contains policies that address stormwater runoff capacity. Policy W-P1.4 encourages Low Impact Development, which minimizes impervious areas, minimizes runoff and pollution and incorporates best management practices. Policy W-P5.3 allows and encourages pervious pavements. Policy W-P5.5 requires that stormwater collection systems be installed concurrently with construction of new roadways to maximize efficiency and minimize disturbance due to construction activity. Policy HS-P3.2 requires that applicants for new development provide plans detailing existing drainage conditions and specifying how runoff will be detained or

retained on-site and/or conveyed to the nearest drainage facility, without increasing the peak flow runoff to said channel or facility. Policy HS-P3.3 requires that all development include stormwater control measures and site design features that prevent any increase in the peak flow runoff to existing drainage facilities.

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

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

Less than significant impact. The project site is not located within a 100-year mapped flood zone (FEMA Flood Insurance Rate Map No. 06007C1025E, January 6, 2011). As referenced, the project would redirect on-site drainage patterns; however, it would not impede or redirect flood flows. All on-site drainage would be managed to ensure pre-construction flows off-site are maintained. The project would not expose people or structures to flood hazard from severe storm events. Future site improvements would be reviewed by Butte County Public Works to ensure that surface flows would be adequately directed to planned stormwater drainage facilities. Impacts would be less than significant.

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

Less than significant impact. The project site is not located within a 100-year mapped flood zone (FEMA Flood Insurance Rate Map No. 06007C1025E, January 6, 2011). As referenced, the project would redirect on-site drainage patterns; however, it would not impede or redirect flood flows. All on-site drainage would be managed to ensure pre-construction flows off-site are maintained. The project would not expose people or structures to flood hazard from severe storm events. Per the General Plan Health and Safety Element Figure HS-4, the project site, as is much of southwest Butte County, is located in a dam inundation zone. The project site is not located in an area that would be impacted by a seiche, tsunami, or mudflows. Because the site is located in a dam inundation zone, impacts under this threshold would be less than significant.

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

No impact. The project site is located within the Butte County Groundwater Management Plan area. As referenced, the site is within the Sacramento River Valley Groundwater Basin. Provided future development is consistent with the zoning designation, the project would be part of demand projections through 2030 as summarized above. No impact would occur under this threshold.

1.11 LAND USE AND PLANNING

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

Environmental Setting

Butte County General Plan

The General Plan represents the community's 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 proposed project site is as follows:

Residential

Seven residential land use designations allow for residential uses ranging from very-low-density farmsteads and low-density single-family homes to duplexes and multi-family structures. Secondary dwelling units are also allowed in all residential land use designation categories, except in the North Chico Specific Plan, and are not to be included in the overall density calculations for a given designation. In every residential designation, existing legal parcels smaller than the minimum may remain as legal parcels. The residential land use designations also allow for public and quasi-public land uses that serve the community. Examples of allowable uses include churches, schools, parks and recreational facilities, fire stations, libraries, day care facilities, community centers and other public uses.

This designation allows single-family dwellings at rural densities of 1 dwelling unit per 5 acres to 10 acres (0.1 to 0.2 units per acre).

Butte County Zoning Ordinance

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

Rural Residential (RR-5)

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

activities are permitted uses in the RR zone. The minimum permitted parcel size in the RR zone ranges from 5 to 10 acres. The RR zone implements the Rural Residential land use designation in the General Plan.

Butte County Code §24-175.2 (Special Event Facilities)

This section establishes a permit process and standards for the development and operation of special event facilities accessory to an owner's primary residence, or manager's residence if the manager is responsible for running the special events facility, in the AG (Agriculture), TM (Timber Mountain), RR (Rural Residential), FR (Foothill Residential), and VLDR (Very Low Density Residential) zones. Special Event Facilities under this section require approval of a Minor Use Permit, subject to the following findings:

- A. Complies with the standards and operational limitations set-forth under this section, and,
- B. Will not be incompatible with surrounding land uses:
 - 1. The design of the special events facility in terms of its physical and operating characteristics.
 - 2. The intensity of the use proposed and density of the surrounding area, including the size of the parcel proposed for the special event facility and the size of surrounding parcels.
 - 3. The distance to surrounding sensitive receptors, including residences, from the special event facility.
 - 4. The type of sound generated by the special event facility and whether the facility includes an allowance for amplified music, non-amplified music or no music, and the location where amplified and non-amplified music may take place.
 - 5. The location of noise producing activities such as stages, party areas, speakers, temporary tents, and dance floors, including whether such activities may take place entirely within enclosed structures, partially enclosed structures, or in outdoor areas and their proximity to surrounding sensitive receptors.
 - 6. The allowed number of events per year, frequency of events, and allowed number of guests that may occupy the site at any given time.

Butte County Code §24-222 (Minor Use Permit - Findings)

- A. The proposed use is allowed in the applicable zone.
- B. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses in the vicinity of the subject property.
- C. The proposed use will not be detrimental to the public health, safety, and welfare of the County.
- D. The proposed use is properly located within the County and adequately served by existing or planned services and infrastructure.
- E. The size, shape, and other physical characteristics of the subject property are adequate to ensure compatibility of the proposed use with the existing and future land uses in the vicinity of the subject property.

Discussion

a) Physically divide an established community?

No impact. The subject property is currently developed with a barn, concrete pad, agricultural buildings and a septic system. The proposed project would be located on the subject property south of all existing structures. No structures would be removed nor would neighboring parcels be affected by the project.

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

No impact. The project is deemed consistent if the proposed uses are consistent with the applicable General Plan designation and text, the applicable General Plan is legally adequate and internally consistent, and the anticipated types of services to be provided and proposed activities are appropriate to the land use designated for the area. The proposed project does not include an amendment to the existing land use designation and would be consistent with the zoning designation provided a MUP is approved. The proposed project is a request for a MUP, consistent with Section 24-175.2 of the Butte County Zoning Ordinance, including the standards established for the operation of special event facilities. Implementation of the project would not result in a conflict with zoning ordinances because the project is a conditionally allowed use in the RR-5 zone with the approval of a MUP. The project will be designed and conditioned to be consistent with applicable zoning standards and General Plan policies.

1.12 MINERAL RESOURCES

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

Discussion

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

No impact. The majority of Butte County's sand and gravel deposits occur in two regions, along the Sacramento River and within a band running from north to south down the center of the county. There are no known economically viable sources of rock materials in the immediate vicinity of the project site and no mining has occurred on the project site or surrounding area. Development of the project would not preclude future extraction of available mineral resources. Future development would use mineral resources in the construction of structures and access roads. The amount of resources used for the proposed development is anticipated to be minor and would not result in the loss of resource availability within the County. No impact would occur under this threshold.

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

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

1.13 NOISE

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

Environmental Setting

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

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

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

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

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

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

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

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

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

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

Notes:

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

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

Butte County Noise Ordinance

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

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

Chapter 41A-9 Exemptions

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

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

Chapter 41A-8 Butte County Interior Noise Standards

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

Table 1.13-3. Maximum Allowable Interior Noise Standards

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

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

Discussion

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

Less than significant impact. No noise information from proposed project were provided. However, noises typically contributed by the proposed project includes amplified music and sound, live music, and sounds emanating from event guests. The designated events area located near the center of a 161-acre parcel would have a separation of approximately 3,000 to 3,500 feet to the nearest noise-sensitive structure (single-family residence) located east and west of the event area.

Construction noises would primarily be from the use of heavy equipment, generators, worker vehicle trips and power tools. Construction-related noises would be temporary and intermittent and would not result in long-term noise impacts. Compliance with Chapter 41A-9 (f) of the Butte County Code that exempts construction noise would ensure construction activities occur during daytime hours, making potential impacts less than significant. However, at the discretion of Butte County DDS, **Mitigation Measure NOI-1** would be implemented to address temporary construction impacts.

Noise generated from the project site would be intermittent and all amplified outdoor music or other noise sources would be turned off by 10:00 p.m. The applicant also proposes to direct speakers placed outside toward the south, away from the nearest sensitive receptors.

Noises generated by the project would be subject to Butte County Code, Chapter 41A [Noise Control]. The ordinance provides the County with a means of assessing complaints of alleged noise violations. In the event noises exceed identified noise standards, the applicant would be subject to enforcement action, specified in Chapter 41. Noise generated by the proposed special events facility will also be subject to §24-175.1F.2 (Special Events Facility Standards-Noise Control), which reinforces the requirements that operational standards meet BCC, Chapter 41A standards, and that the County may conduct field-testing to verify noise levels from the facility. These standards, in addition to the applicant's commitments to control amplified noise, will be included as conditions of approval to the Minor Use Permit. Compliance with noise level standards established in Butte County Code and the conditions of approval, would ensure that potential noise impacts would be less than significant.

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

Less than significant impact. The proposed project may involve temporary sources of groundborne vibration and groundborne noise from the operation of heavy equipment during construction. The type of heavy equipment typically used during construction would only generate localized groundborne vibration and groundborne noise that could be perceptible at residences adjacent to and north of the site. However, the duration of impact would be infrequent and would occur during less sensitive daytime hours (i.e., between 7:00 a.m. and 7:00 p.m.); thus, the impact from construction-related groundborne vibration and groundborne noise would be less than significant.

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

No impact. The Oroville Municipal Airport is located approximately 7 miles northwest of the site. As referenced, the project site is located out the Airport Influence Area. Thus, while aircraft overflights would be audible at the project site, the proposed project would not expose people on the site to excessive noise levels from a public use airport or private airstrip. No impact would occur under this threshold.

Mitigation Measures

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

1. Limit construction activity to daytime hours (6:00 a.m. to 7:00 p.m.) with no construction activity on Sundays or holidays;
2. Use best available noise suppression devices and properly maintain and muffle diesel engine-driven construction equipment;
3. Construction equipment shall not be idled for long periods of time;
4. Locate stationary equipment as far as possible from sensitive receptors;
5. Designate a Disturbance Coordinator and post the name and phone number of this person conspicuously at the entrance(s) to the project site so it is clearly visible to nearby residents most likely to be affected by construction noise. This person would manage complaints resulting from construction noise. The Disturbance Coordinator shall contact noise sensitive receptors and advise them of the schedule of construction."

Plan Requirements: This note shall also be placed on all building and site development plans.

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

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

1.14 POPULATION AND HOUSING

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

Discussion

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

No impact. The proposed project would not result in population growth in the County. Special event attendees are transitory, arriving from local and regional population centers for a short duration. The project would not result in a substantial amount of new employees. Any new employees would likely come from the local work force; and thus, would not cause relocation of populations or the need for additional housing.

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

No impact. The special events facility located would be a stand-alone development and not require the removal or construction of any housing. Therefore, the proposed project would not result in the loss of existing housing or cause a significant increase in the local population that would displace existing residents, necessitating the construction of additional housing.

1.15 PUBLIC SERVICES

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

Discussion

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

Fire protection?

Less than significant impact. Fire protection services are provided by CalFire/Butte County Fire Department. The project is located within a rural area and a State Responsibility Area for wildland fires. The nearest staffed fire station is Butte County Fire Station #66, located at 4795 Foothill Boulevard, Oroville, California, approximately 0.5 miles east of the site. Based on the location within a rural area, there is a potential impact from wildfires. Build-out of the project may incrementally increase the demand for fire protection services. However, approval of the MUP and project would be consistent with the planned growth documented in Butte County General Plan 2030. Additionally, Butte County Code requires the payment of fire protection impact fees to help offset the impacts that new development 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 for a new building. A less than significant impact would occur under this threshold.

Police protection?

Less than significant impact. The Butte County Sheriff's Office (BCSO) provides law enforcement service to the site from the headquarters located in the City of Oroville. The BCSO also maintains a mutual aid agreement with the Oroville Police Department. Municipal police departments are responsible for protecting the citizens and property within their

jurisdictions. Under the terms of the mutual aid agreements, the BCSO can assume that role in these jurisdictions upon request or in the event of the inability of municipal police departments to provide law enforcement. Implementation of the proposed project could increase service calls when development occurs. While development is not expected to cause a noticeable increase in demand for law enforcement services, it is presumed adequate resources are available in the Oroville area. The project would not require any new law enforcement facilities or the alteration of existing facilities to maintain acceptable performance objectives. Any increase in demand for services would be partially offset through project-related impact fees. A less than significant impact would occur under this threshold.

Schools?

No impact. The project site is located within the Palermo Union School District and Oroville Union High School District. The project would not affect demand for school facilities in the area. A development impact fee for school facilities will be assessed at the time permits for the project are issued. Impact fees would partially offset any impact to area school facilities associated with development in the districts. While school districts maintain that these fees do not fully mitigate the impacts of a project, the County is precluded from imposing additional fees or mitigation by State legislation. No impact would occur under this threshold.

Parks?

No impact. The project would not affect demand for existing local and regional park facilities. The event facility would host temporary and periodic events. Development impact fees to off-set overall increase in demand associated with development in the area will be assessed at the time a building permit is requested. No impact would occur under this threshold.

Other public facilities?

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

1.16 RECREATION

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

Discussion

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

No impact. Build-out of the project per the RR-5 zoning designation and approved MUP is not expected to affect demand for existing local and regional park facilities. Development impact fees to off-set overall increase in demand associated with development in the area will be assessed at the time a building permit is requested. No impact would occur under this threshold.

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

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

1.17 TRANSPORTATION

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

Discussion

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

Less than significant impact. The proposed project would generate varying traffic volumes based on the type of event and number of attendees. Trips rates could vary from approximately 63 vehicle trips during events with 250 attendees and 126 trips for events having 500 attendees. The events would be intermittent and expected to result in a temporary increase in area traffic during scheduled events which are expected to primarily occur during off-peak hours (i.e. weekends, evenings). Existing traffic volumes on Foothill Boulevard are typically low as it serves a primarily rural residential area. Smaller events, while more frequent, will have a lesser impact on traffic and the overall circulation system. Therefore, the increase in traffic volumes associated with the project would not cause a permanent, substantial increase in vehicle trips or intersection congestion. The applicant has provided a Traffic Control Plan that includes measures that will further alleviate potential impacts associated with event traffic volumes. The Plan would ensure that internal access driveways and the driveway's encroachment with Foothill Boulevard are consistent with State and local standards. The Plan also describes how traffic during events are handled to ensure that vehicles do not block Foothill Blvd. by maintaining temporary signage and having parking attendants' available to direct traffic.

There are no designated pedestrian or bicycle transportation facilities located near the project site. However, Foothill Blvd. is designated as a proposed Class 2 bike lane, from Miners Ranch Road to the City of Oroville city limits (2011 Butte County Bicycle Plan). The Class 2 bikeway classification provides a 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. Standards generally require a minimum 4-foot bike lane with a 6-inch white stripe separating the roadway from the bike lane. Where raised curbs exists 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 from the bike lane must be a minimum of 12 feet from the raised curb.

Because there are no facilities, pedestrian and bicycle traffic generally use the unpaved and paved roadway shoulders, or the paved travel lanes. Development of the project would not impact alternative transportation facilities. Events may generate short-term disruption to area roadways from an anticipated increase in traffic. However, activities associated with the proposed project would be temporary and short in duration. If needed,

additional temporary traffic control signs and devices may be added by the applicant, per an approved Traffic Control Plan, to address the temporary traffic increase associated with various events.

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

No impact. The proposed project would not change the configuration (alignment) of area roadways, and would not introduce types of vehicles that would result in dangerous conditions on area roads.

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

No impact. The project site would be accessed via a private driveway off Foothill Boulevard, a County-maintained roadway. Driveways and approach aprons (encroachments) from the project site to the road will be designed and constructed to meet all applicable State and local development standards, ensuring that access is adequate to provide emergency ingress and egress, and not create any unsafe conditions.

1.18 TRIBAL CULTURAL RESOURCES

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

Environmental Setting

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

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

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

Per Assembly Bill AB 52 (Statutes of 2014) 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 with mitigation incorporated. Native American populations used the local region for seasonal and/or permanent settlement, as well as for the gathering of plants, roots, seeds, and seasonal game. Historically, Euro-Americans utilized the region for mining farming, and cattle ranching. With historic use of the project area by prehistoric and historic populations, unanticipated and accidental archaeological discoveries may be encountered during ground-disturbing activities, resulting in potentially significant impacts. Implementation of **Mitigation Measure CUL-1**, discussed in Section 1.5 – Cultural Resources, would avoid potential impacts to undiscovered prehistoric resources, historic resources, and human remains that may be uncovered during development activities. With implementation of **Mitigation Measure CUL-1** if needed, impacts under this threshold would be less than significant.

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

No impact. As detailed in response to Checklist Question 1.5a, a records search of documented culturally-significant sites was performed for the project site. Based on the available records, no existing archaeological resources are located on or within a one-mile radius of the site. No impact is anticipated under this threshold.

1.19 UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. Utilities and Service Systems.				
Would the project:				
a) Require or result in the relocation or construction of 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"/>

Environmental Setting

Solid Waste

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

Discussion

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

No impact. The project site is currently served by electric power (PG&E) and wireless phone service. Wastewater disposal for the proposed project would initially be provided by portable facilities. When the permanent buildings are constructed, the project would install a septic system in accordance with applicable Regional Water Quality Control Board regulations. Use of a County-approved wastewater disposal septic system and the potential use of portable toilets during larger events will be reflected as a condition of approval, and is enforceable through the terms of the condition. The project would not result in the relocation or construction of new or expanded infrastructure including water services, wastewater treatment, stormwater drainage, natural gas, or telecommunication facilities.

- 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 to existing and planned uses on the project site would initially be provided by using bottled water and/or water imported from off-site. When the permanent structures are constructed, a well would be installed. Existing groundwater supplies are anticipated to be available to serve the proposed project, and no additional or expanded entitlements are required for groundwater extraction and use.

- 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 would be provided by private, on-site septic systems. No wastewater treatment provider currently serves the project area. The project site has not been evaluated for an on-site septic system; however, an existing system is located on the north side of the project site to serve existing uses. This area was determined to have adequate soil conditions. It is presumed that the soils under the event area would be adequate to accommodate a septic system. As a condition of project approval, a design plan from a certified septic system designer would be required as part of the permitting approval process for a new on-site wastewater system.

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

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

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

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

1.20 WILDFIRE

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

Environmental Setting

The project site is designated as a moderate fire hazard by the State Department of Forestry and Fire Protection. The project site is located within a designated State Responsibility Area (SRA); thus, the State of California (CalFire) has fiscal responsibility for preventing and suppressing any potential wildfires.

Discussion

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

No impact. It is unlikely the improvements would require lane closures on Foothill Boulevard; however, some use restrictions may be needed to accommodate construction of driveway improvements. If so, a Traffic Control Plan approved by Butte County Department of Public Works would be implemented to ensure access for guests, vendors, employees and emergency vehicles is maintained. Temporary restrictions would not affect emergency access or interfere with an emergency evacuation plan. No impact would occur under this threshold.

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

No impact. The project site is located in a rural residential area with rolling topography. The nearest fire station to the project site is Butte County Fire Station #66 located 0,5 miles east of the site. No conditions or factors have been identified in the project area that would exacerbate wildfire risks. No impact would occur under this threshold.

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

No impact. No off-site infrastructure improvements are needed to address fire or emergency access requirements. The existing driveway would be expanded to accommodate emergency vehicles with development of the project. Future driveway and permanent structure constructions would be regulated by Public Resources Code 4290 and 4291, which establish standards for access, signage, maintenance of defensible space and vegetation management during and after construction. No increase in the risk of wildland fires would occur with the approval of the project. No impact would occur under this threshold.

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

No impact. The project site is rolling topography and surrounded by rural development. Wyandotte Creek, runs along the north/northeastern property boundary. However, Figure H-6 in the Butte County General Plan indicates the site is located in an area with low to moderate potential for landslide (see discussion Section 1.7.a – Geology Soils). Therefore, no impacts from post-fire instability or drainage changes have been identified. No impact would occur under this threshold.

1.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

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

Less than significant impact with mitigation incorporated. Potential impacts to biological resources and cultural resources associated with future project development were analyzed in this Initial Study. 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 or their habitat was identified on the site. Development of the project would not cause fish or wildlife populations to drop below self-sustaining levels or restrict the movement/distribution of a rare or endangered species. **Mitigation Measures BIO-1 through BIO-4** would be implemented if needed to address potential impacts to on-site resources and nesting birds during construction.

Development would not affect known significant historic resources or known 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. **Mitigation Measure CUL-1** has been identified to address the potential discovery of unknown resources during excavation or other soil disturbance associated

with development. Additionally, the project applicant is required to comply with [California Code of Regulations \(CCR\) Section 15064.5\(e\)](#), [California Health and Safety Code Section 7050.5](#), and [Public Resources Code \(PRC\) Section 5097.98](#) as a matter of policy in the event human remains are encountered at any time. Implementation of **Mitigation Measure CUL-1**, as well as regulations governing human remains, would reduce potential impacts to cultural and paleontological resources to less than significant.

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

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

The proposed project site is located within an area that has been designated by the County for RR-5 uses. Short-term construction-related air quality impacts that would result from construction and operation of the site improvements. Impacts would be reduced to less than significant levels with implementation of **Mitigation Measure AIR-1**. **Mitigation Measure GHG-1** would reduce potential impacts from the generation of greenhouse gas emissions to less than significant. Implementation of **Mitigation Measure NOI-1** would avoid temporary construction noise impacts at neighboring sensitive receivers to the east and west. Potential impacts associated with lighting would be addressed with implementation of **Mitigation Measure AES-1** if needed.

The cumulative effects resulting from build out of the Butte County General Plan 2030 were previously identified in the General Plan EIR. The type, scale, and location of the type of development proposed would be consistent with the County’s General Plan and zoning designation with approval of a MUP and is compatible with the pattern of development on adjacent properties. Because of this consistency, the potential cumulative environmental effects of the proposed project would fall within the impacts identified in the County’s General Plan EIR. The project would be subject to required “fair share” development impact fees, which will be paid at the time of development.

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

Less than significant impact with mitigation incorporated. There have been no impacts discovered through the review of this application demonstrating that approval of the MUP application and future project development would cause substantial adverse effects to human beings either directly or indirectly. However, the proposed development has the potential to cause both temporary and future impacts related to aesthetics, air quality, biological resources, cultural resources, greenhouse gas emissions and noise. With implementation of mitigation measures included in this Initial Study, these impacts would be mitigated to less than significant.

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

Reference: Government Code Sections 65088.4.

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

Environmental Reference Materials

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3. Butte County. *Butte County Climate Action Plan*. February 25, 2014. Available at <http://www.buttecap.net/>
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11. Butte County Public Works Department, Division of Waste Management. *Joint Technical Document-Neal Road Recycling and Waste Facility, Butte County, California*. November 2017.
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13. California Department of Conservation, Division of Land Resource Protection. *A Guide to the Farmland Mapping and Monitoring Program*. 2004.
14. California Department of Toxic Substance Control. 2009. *Envirostor Database*. Accessed on March 2020. <http://www.envirostor.dtsc.ca.gov/public>.
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Mitigation Measures and Monitoring Requirements

Douglas and Pamela Teeter Minor Use Permit (MUP19-0007)

Mitigation Measure AES-1:

All *lighting*, exterior and interior, shall be designed and located so as to confine direct *lighting* to the premises. A light source shall not shine upon or illuminate directly on any surface other than the area required to be lighted. No *lighting* shall be of the type or in a location such that it constitutes a hazard to vehicular traffic, either on private property or the abutting highway or street.

Plan Requirements: This note shall also be placed on all building and site development plans.

Timing: The provisions of this mitigation measure shall be complied with at all times.

Monitoring: Building inspectors shall spot check development plans and shall ensure compliance on-site. The Development Services Department shall investigate and respond to any complaints of excess glare or light originating from the project site.

Mitigation Measure AIR-1

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

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

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

Operational TAC Emissions

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

Fugitive Dust

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

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

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

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Mitigation Measures and Monitoring Requirements

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

Plan Requirements: This note shall also be placed on all building and site development plans.

Timing: The provisions of this mitigation measure shall be complied with at all times.

Monitoring: Building inspectors shall spot check development plans and shall ensure compliance on-site. Butte County Air Pollution Control District inspectors shall respond to nuisance complaints.

Mitigation Measure BIO-1

If project construction activities, including ground disturbance or vegetation removal occur during the nesting season for birds protected under the Migratory Bird Treaty Act (MBTA) and California Department Fish & Game Code (CDFG) (approximately February 1 – August 31), the project proponent shall retain a qualified biologist to perform preconstruction surveys for nesting bird species. Surveys to identify active bird nests shall be conducted within and 250 feet around the footprint of proposed construction site. The survey shall be conducted within 7 days prior to the initiation of construction activities. In the event that an active nest is observed, a species protection buffer shall be established. The species protection buffer will be defined by the qualified biologist based on the species, nest type and tolerance to disturbance. Construction activity shall be prohibited within the buffer zones until the young have fledged or the nest fails. Nests shall be monitored by a qualified biologist once per week and a report submitted to the Butte County Department of Development Services.

Plan Requirements: Perform protocol-level surveys for migratory birds protected by the California Department Fish & Game Code and the Migratory Bird Treaty Act.

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

Monitoring: The Butte County Department of Development Services shall ensure the condition is met at the time of construction activities.

Mitigation Measure BIO-2

Prior to any development activity or the issuance of any permit or approval removing or encroaching upon oak trees on the project site (this generally includes the canopy drip-line of trees within the area of ground disturbance and trees subject to changes in hydrologic regime), the applicant/developer shall complete one of the following measures to the satisfaction of the Director of Development Services or is/her designee:

A. An Oak Tree Evaluation Plan shall be prepared by a qualified professional having experience in California Oak Woodlands and is either a certified arborist, qualified wildlife biologist or registered professional forester shall be submitted for review and approval by the Director of Development Services or his/her designee that includes the following:

- 1) A survey showing the location of oak trees 5 inches or more in diameter at breast height, as defined by PRC §21083.4(a);
- 2) The removal of all oak trees 5 inches or more in diameter at breast height shall be mitigated. It shall be mitigated by one or more of the following: replanting and maintaining oak trees, establishing conservation easements, contributing funds for off-site oak woodlands conservation, and/or other mitigation measures

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Mitigation Measures and Monitoring Requirements

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developed by Butte County. Replanting oak trees cannot account for more than one-half of the mitigation. Replanted oak trees shall be maintained for a period of seven years after they are planted. If any of the replanted oak trees die or become diseased, they shall be replaced and maintained for seven years after the new oak trees are planted;

3) A replanting schedule and diagram for trees removed or encroached upon by permit activities consistent with PRC §21083.4(b)(2), applicable mitigation measures, and Butte County Ordinance, if any, shall be submitted to and approved by the Director of Development Services or his/her designee. Replanted trees shall be planted in areas deemed appropriate by the Plan, considering future lot development, interference with foundations, fencing, roadways, driveways, and utilities. Trees planted shall be protected from livestock and other animals;

4) Oak Tree protection measures for trees to be retained within the project site shall be included in construction specifications. Prior to construction or surface disturbance, a protective fence or brightly colored staked boundary shall be placed 5 feet beyond the established critical rooting zone (CRZ) of the oak or group of oaks being protected. A warning sign shall be prominently displayed on each fence. The sign should be a minimum of 16 x 24 inches, brightly colored and be clearly visible, even from vehicles. The sign must clearly indicate that the CRZ is a restricted area. Orange safety triangles may suffice if other signage cannot be constructed. A high visibility plastic mesh fence is recommended to maximize the visibility of protected tree areas. Wire with bright-colored flags placed at equal intervals can also be a suitable barrier so long as it maintains high visibility. Protective fencing shall remain in place until final inspection by the qualified professional. No vegetation removal, soil disturbance, or other development activities shall occur within the tree zone in order to protect root systems and minimize compaction of the soil, unless authorized by Oak Tree Mitigation Plan; and

5) Conservation easements or funds for off-site oak woodlands conservation shall be proposed to and approved by the Director of Development Services or his/her designee; or

B. Provide proof of compliance with all required avoidance and minimization measures, and payment of all applicable fees to mitigate for blue oak woodland impacts as provided in the Butte Regional Conservation Plan, as adopted by Butte County.

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

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

Monitoring: At the time of septic, well, or building permit application, the Development Services Department will reference this requirement on any grading, building, septic, or well permit site plans and verify that an Oak Tree Mitigation Plan has been submitted to and approved by the Director of Development Services or his/her designee. Butte County building inspectors shall ensure compliance on-site.



Mitigation Measure BIO-3

Prior to construction activities within riparian areas, defined as areas between the banks and 50 feet in width measured from the top bank of Wyandotte Creek landward, potential jurisdictional wetlands surrounding the development area shall be delineated utilizing approved USACE methodologies to determine the nature and

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Mitigation Measures and Monitoring Requirements

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extent of jurisdictional features. The data will be compiled into a report and submitted to the USACE for a jurisdictional verification. Upon verification, a 250-foot development avoidance 'No Disturbance' buffer shall be established around the outer edge of on-site wetland resources. Wetland resources and the development avoidance buffer area shall be delineated on proposed development plans, and temporary exclusionary fencing shall be installed around the avoidance buffer area, prior to construction.

If future construction activities would affect the identified wetland resources or the 250-foot buffer area, the project proponent shall either obtain appropriate permits from the USACE, pursuant to Section 404 of the Clean Water Act, or obtain a letter from USACE that states the areas of disturbance would not impact jurisdictional features. If construction activities affect any Waters of the U.S. which include but are not limited to, interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, "wetland", sloughs, prairie potholes, wet meadows, playa lakes, vernal pools or natural ponds, then the Project proponent will need to obtain the following:

1. Prior to any discharge or fill materials into Waters of the U.S., authorization under a Nationwide Permit or Individual Permit shall be obtained from the USACE. For fill requiring a USACE permit, a water quality certification from Regional Water Quality Control Board (Clean Water Act §401) shall also be obtained prior to discharge of dredged or fill material.
2. Prior to any activities that would obstruct the flow of or alter the bed, channel, or bank of any perennial, intermittent or ephemeral creeks, notification of Streambed Alteration Agreement (§1602) shall be obtained.

Mitigation requirements for the fill of waters of the U.S. will be implemented through an onsite restoration plan, and/or an In Lieu Fund and/or a certified conservation bank with a Service Area that covers the proposed Project area. These agreements, certifications and permits may be contingent upon successful completion of the CEQA process.

Plan Requirements: A 250-foot development avoidance buffer area together with temporary exclusionary fencing shall be established around identified jurisdictional wetland features or mitigated in accordance with State and Federal requirements. Jurisdictional wetlands and the avoidance buffer shall be delineated on proposed development plans.

Timing: Requirements of the condition shall be satisfied prior to any development activity or the issuance of any grading, building, septic, or well permit, or the approval of any improvement plans within 50-feet of Wyandotte Creek, and shall be maintained throughout all grading and construction periods.

Monitoring: The Butte County Department of Development Services shall ensure the condition is met at the time of development and during construction activities.

Mitigation Measure BIO-4

Prior to construction activities within riparian areas, defined as areas between the banks and 50 feet in width measured from the top bank of Wyandotte Creek landward, a pre-construction Biological Resources Report and any necessary protocol-level surveys shall be conducted during the appropriate survey window for any identified special-status species. If any sensitive species will be impacted, as determined by a qualified biologist, the project either will be redesigned to avoid the population(s) to the maximum extent practicable or the species will be mitigated by purchase of credits at an agency approved mitigation bank or other mitigation. For those populations to be fully avoided, the following measures shall be implemented:

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Mitigation Measures and Monitoring Requirements

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1. During the planning stages of the project, the known populations in the project area will be included in the engineering drawings and all construction activities will be conducted so as to avoid the populations. Complete avoidance will be achieved by establishing and maintaining a 100-foot buffer for plant species, and 250-foot buffer for wetland species, and preventing any changes to on-site drainage patterns that could de-water or introduce water to known populations. However, a smaller buffer may be used if detailed topographic information shows that the local hydrology drains away from the wetlands and plants in question.

2. Prior to the start of construction activities within the project area, temporary exclusionary fencing shall be erected around the buffer zones of the populations that will be completely avoided. If necessary, a qualified botanist shall be present to assist with locating known populations. The exclusionary fencing shall be periodically inspected throughout each period of construction and be repaired as necessary. All pedestrian and vehicular entry into the completely avoided areas delineated by the fencing shall be prohibited during construction.

If complete avoidance of a population of the federally, state or CNPS ranked species is not feasible, then a species-specific determination will be made by CDFW for state only listed species and by CDFW and USFWS for jointly listed species and the County and CDFW for CNPS ranked species as to the appropriate mitigation measures to be employed. These measures will likely include habitat preservation at a ratio of 2:1 (mitigation area to impacted area). Note that preservation requirements are not additive for each species present (i.e., an area occupied by one listed-plant species requires that same amount of habitat preservation as an equivalent area occupied by two or more listed plant species). Prior to impacting a state listed species, the project proponent will need to obtain an incidental take permit pursuant to California Fish and Game Code Section 2081(b). For jointly listed plant species CDFW may issue a consistency determination pursuant to Fish and Game Code Section 2080.1 provided that the terms of the federal biological opinion and/or incidental take statement will minimize and fully mitigate the impacts of the taking. Restoration and protection of habitat shall be the focus of mitigation efforts for impacts to listed species; however, mitigation measure may also include salvaging the seeds of the plants with subsequent replanting in nearby suitable habitat. A detailed restoration and monitoring plan will be developed by a qualified botanist and will contain, at a minimum, the following information:

1. Location of areas on- or off-site to restore plant populations.
2. A description of the propagation and planting techniques to be employed in the restoration effort.
3. A timetable for implementation of the restoration plan.
4. A monitoring plan and performance criteria.
5. A description of remedial measures to be performed in the event that initial restoration measures are unsuccessful in meeting the performance criteria.
6. A description of site maintenance activities to occur after restoration activities (e.g., weed control, irrigation, and control of herbivory by livestock and wildlife).

Plan Requirements: The proposed construction area shall be evaluated by a qualified biologist. Identified populations of special-status species shall be delineated on engineering drawings together with the applicable avoidance buffer, as recommended by State, federal and local agencies. Temporary exclusionary fencing shall be installed around established buffer areas.

Butte County Department of Development Services – Planning Division

7 County Center Drive
Oroville, CA 95928
530.552.3700

P. 698

DLT

Mitigation Measures and Monitoring Requirements

Douglas and Pamela Teeter Minor Use Permit (MUP19-0007)

Timing: Requirements of the condition shall be satisfied prior to any development activity or the issuance of any grading, building, septic, or well permit, or the approval of any improvement plans within 50-feet of Wyandotte Creek, and shall be maintained throughout all grading and construction periods.

Monitoring: The Butte County Department of Development Services shall ensure the condition is met at the time of development and during construction activities.

Mitigation Measure CUL-1

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

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

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

Monitoring: If potential cultural resources are discovered, the landowner shall notify the Planning Division and a professional archaeologist. The Planning Division shall coordinate with the developer and appropriate authorities to avoid damage to cultural resources and determine appropriate action. State law requires the reporting of any human remains.

Mitigation Measure GHG-1

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

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

Plan Requirements: This note shall also be placed on all building and site development plans.

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

Butte County Department of Development Services – Planning Division

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530.552.3700

Mitigation Measures and Monitoring Requirements

Douglas and Pamela Teeter Minor Use Permit (MUP19-0007)

Monitoring: The Planning Division will ensure that future residential development includes the applicable measures during Building Permit review. Building inspectors shall spot check and shall ensure compliance on-site.

Mitigation Measure NOI-1:

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

1. Limit construction activity to daytime hours (6:00 a.m. to 7:00 p.m.) with no construction activity on Sundays or holidays;
2. Use best available noise suppression devices and properly maintain and muffle diesel engine-driven construction equipment;
3. Construction equipment shall not be idled for long periods of time;
4. Locate stationary equipment as far as possible from sensitive receptors;
5. Designate a Disturbance Coordinator and post the name and phone number of this person conspicuously at the entrance(s) to the project site so it is clearly visible to nearby residents most likely to be affected by construction noise. This person would manage complaints resulting from construction noise. The Disturbance Coordinator shall contact noise sensitive receptors and advise them of the schedule of construction."

Plan Requirements: This note shall also be placed on all building and site development plans.

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

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

Project Sponsor(s) Incorporation of Mitigation into Proposed Project

I/We have reviewed the Initial Study for the Douglas and Pamela Teeter Minor Use Permit (MUP19-0007) application and particularly the mitigation measures identified herein. I/We hereby modify the applications on file with the Butte County Planning Department to include and incorporate all mitigations set forth in this Initial Study.



Project Sponsor/Project Agent

6-18-20

Date



Project Sponsor/Project Agent

6-18-2020

Date

Butte County Department of Development Services – Planning Division

7 County Center Drive
Oroville, CA 95928
530.552.3700

P. 828



Quercus Ranch Special Event Facility Operation Plan

Date: 12/9/19 Initial Submittal (Update 05/18/20)

Business Name: Quercus Ranch

Owner's Name(s): Douglas and Pamela Teeter

Owner's Email: pflaner@yahoo.com

Owner's phone numbers: Doug's cell 530-774-4678 Pamela's cell 530-413-3868

Business Address: 4330 Foothill Blvd, Oroville Ca 95966 (A.P.No. 079-400-001)

Total Acres of all Parcels: 161 acres

Site Plan Provided: Yes, see attached (05/18/20 update)

Zoning: RR-5

Description: Indoor and outdoor facility celebration, ceremony, wedding, receptions, corporate function, public events (exhibitions, expositions, fairs, festivals, entertainment, cause-related, fundraising, and leisure events, etc.) or similar activity.

Event space improvements to be developed over time, see attached Site Plan for possible improvements on property. Initially, improve roads, parking area, add a Public Health approved well and house to hold outdoor events using temporary structures for guests (i.e. portable restrooms, tents, etc.).

Events examples (in order of impact on surrounding properties):

1. Service Club or group meetings (i.e. Rotary, Scouts, Red Hat Society, etc.);
2. Catered group lunches or dinners;
3. Conferences;
4. Events without music
5. Events with non-amplified music
6. Events with amplified music indoors
7. Events with amplified music outdoors

Maximum number of events per year: 3-4 per week

Distribution of Events throughout the year: Special events may occur 7 days per week, with the majority of special events to be one-day events occurring on the weekend.

Minimum number of people per event: 10

Maximum number of people per event: 500

Average number of people per event: 150

Hours of Operation for Events: 9am to 10pm, event breakdown and all outdoor lighting to be turned off by 11pm. Dark Sky approved parking lot and road lighting up to 2 hours after event ends.

How will you be addressing noise issues? Will you have indoor/outdoor amplified music? Please Explain: Amplified music could be played indoors or outdoors during events. If the music is setup outside, speakers will be facing away from neighbors. All amplified voice/music to be turned off by 10pm. Butte County noise ordinance exterior noise standard will be complied with.

How will you be addressing traffic/circulation/parking issues? Please Explain: We have existing roads that are able to handle traffic in a circular and/or two-way travel. There is enough space available on the property to ensure that no vehicles will be parked on public roads. See site plan attached.

Do you have an owner or manager's residence on the same parcel where the events will be held?

X Yes ☐ No (Will be built prior to holding events)

Existing Structures – If you plan on having the public attend events inside of existing structures, when were those structures permitted? Please provide Building Permit numbers and other helpful information: There are no current structures on the property that would be used, we are looking at erecting a tent or perhaps an open arena structure. All permits, if necessary, would be applied for.

How will drinking water be provided to attendees? Well or Bottled water will be provided for attendees.

How will wastewater disposal, toilets and handwashing be provided to attendees? Portable restroom and handwashing facilities using an approved potable water source will be on site for attendees until permanent structures built.

How will food be provided to attendees? Attendees will hire County permitted caterers, food trucks, etc.

How will garbage be taken care of? Owner will be providing recycling and trash service for the event space. Owner likely will require in contract that vendors, such as caterers or bars, remove waste they generate, i.e. organics (AB1826 if applicable) and recyclable beverage containers. However, if they fail to do so, ultimately it will be property owner's responsibility. Owner's plan to remove recycling and trash will be either by self-haul or commercial service.

Dust Control – reduced speed, apply water or dust palliative.

Signs - 24 sq feet max, indirect solar lighting

Outdoor lighting – see site plan

Setbacks – see site plan

Traffic Management Plan includes the following requirements and standards:

- Approved access conforming to County improvement standards as determined by the Department of Public Works.
- The event site access connection to a County maintained road shall meet the minimum requirements as identified in the County Improvement Standards as determined by the Department of Public Works.
- Adequate ingress and egress shall be provided for all emergency vehicles to the satisfaction of the Butte County Fire Department and Public Works Department.
- The property address shall be clearly displayed at the entrance of the property and visible from the road. The minimum size of the address number is 4 inches in height with a ½ inch stroke.
- Driveway access shall maintain a vertical clearance no less than 13'6", and have an all-weather surface capable of supporting a 40,000 lb. load.
- Parking located over any grass surface shall be regularly mowed to a maximum height of three inches to reduce the potential for fire.
- A traffic control plan to ensure an orderly and safe arrival, parking, and departure of all vehicles and to ensure that traffic will not back-up or block private easements, county roads, intersections, or private driveways.
- Adequate off-street parking shall be available for each event on the property. All parking areas shall conform to the applicable requirements of Butte County Code §24-91 et seq. [Parking and Loading].
- Signage advertising the facility shall be limited to one (1) sign up to twenty-four (24) square feet in size, and shall adhere to the standards set forth in Butte County Code section 24-104.
- A parking attendant(s) shall direct traffic into the facility and towards available parking during the arrival of guests. Attendants shall direct traffic leaving the facility at the conclusion of the event.
- Temporary direction signs on driveway entrance and within parking lots may be used to ensure orderly flow of traffic. Temporary directional signs shall be placed prior to all events and promptly removed at the conclusion of the event.
- Best management practices to control fugitive dust from unpaved roads, driveways and the parking area that may be generated by vehicular traffic accessing the facility. Best management practices include, but are not limited to, reducing vehicular speed, the regular application of water as a dust suppressant immediately prior to and during scheduled events, or the application of a dust palliative in accordance with the manufacturer's recommendation.

Traffic Management Plan

Existing paved connection to Foothill Boulevard (SE of Lower Wyandotte Road) will be ingress and egress for events.

An existing gate at property entrance would be open during events.

A culvert crossing is currently in place over Wyandotte Creek.

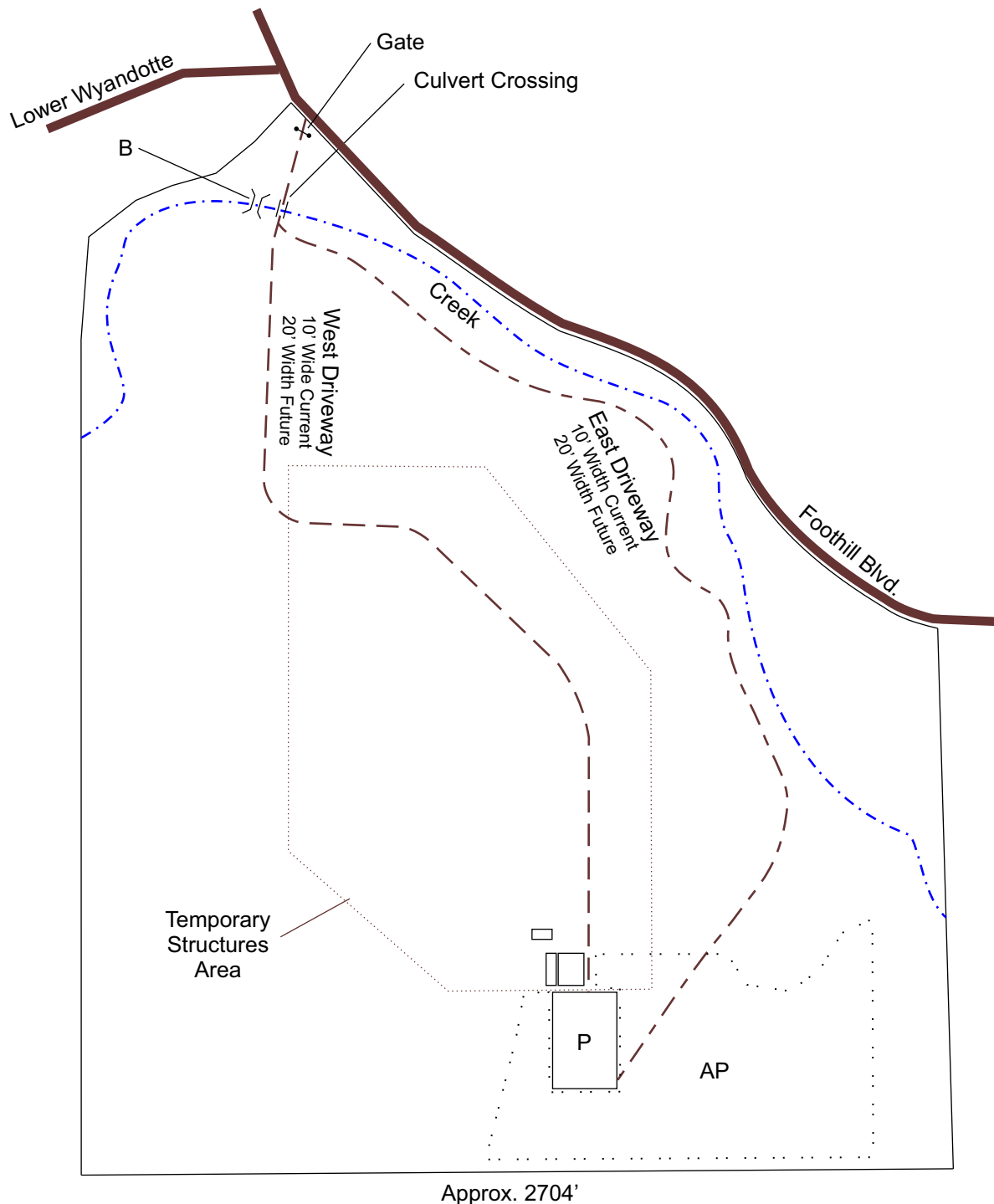
Two driveways lead to two parking areas on the property. Initially, the East drive would be ingress and the West drive egress from the parking areas. The West drive would have shoulder area to accommodate cars pulling off drive allowing emergency vehicles to use the shortest drive through the property.

Signage would indicate direction of travel on East and West driveways. A sign indicating emergency access only would be placed at North end of West drive until such time that road is improved to accommodate two-way traffic.

Vehicles are not expected to back up onto public roads as both East and West driveways are long enough to handle maximum event attendee vehicles if parked end to end (E drive is approx. 4200' long, W drive is approx. 3300' long, 125 cars every 22' would stretch approx. 2,750' long)

The developed parking area "P" will have spaces as proposed on the attached map for up to 280 guests (4 guests per vehicle). Overflow parking "AP" will accommodate large attendance events. All parking spaces shall conform to Butte County Code Table 24-95-1.

Parking attendant(s) will direct vehicles into parking spaces.



62.5' —
 125' —
 250' —
 500' —

TRAFFIC MANAGEMENT PLAN MAP

Proposed Traffic Improvements

P = Developed Parking Area (See P. 2)
 2 ADA Van Accessable
 2 ADA
 63+ Vehicle (10'x19')
 2+ Vendor
 Long Vehicle area
 (initially gravel and native surface, future asphalt)

AP = Additional Parking Area
 (gravel and native surface driveways. Future asphalt driveways, gravel and native surface parking spaces)

Entrance Signage (not shown)

Proposed Future Improvement

B = Bridge (no streambed alteration)

Two-way traffic on either driveway

OWNERS: DOUGLAS AND PAMELA TEETER

ADDR: 4330 FOOTHILL BLVD, OROVILLE

APN: 079-400-001

GEN PLAN ZONING: RR-5

PARCEL SIZE: 161 +/- ACRES

PREPARED BY: DOUG TEETER, JUNE 4, 2020

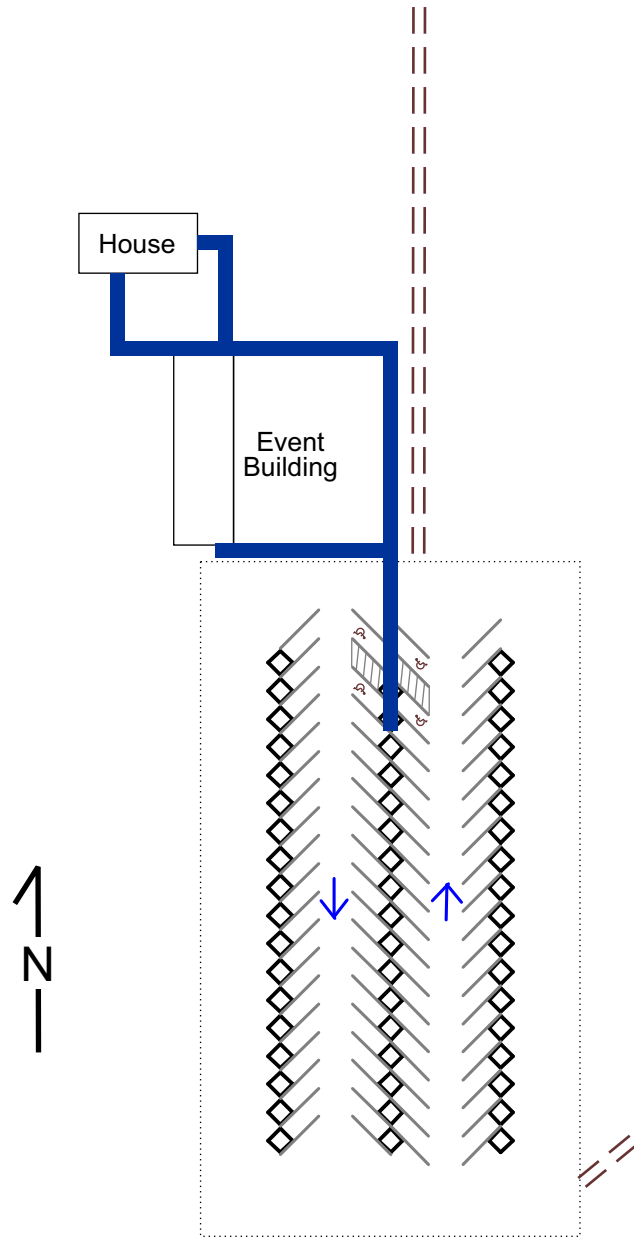
SCALE 1" = 500'

PAGE 1 OF 2

1
N
1

ADA Path of Travel

■ = 60" Width Minimum



OWNERS: DOUGLAS AND PAMELA TEETER

ADDR: 4330 FOOTHILL BLVD, OROVILLE

APN: 079-400-001

GEN PLAN ZONING: RR-5

PARCEL SIZE: 161 +/- ACRES

PREPARED BY: DOUG TEETER, JUNE 4, 2020

SCALE 1" = 100'

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