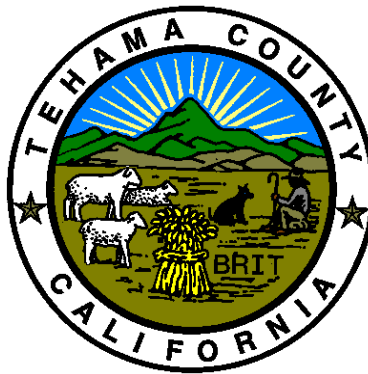


MITIGATED NEGATIVE DECLARATION

Initial Study & Environmental Analysis

For:

**USE PERMIT #20-01, HARVEY'S MARKET -FUEL STATION AND STORAGE ADDITION;
SINGH**



Prepared By:

COUNTY OF TEHAMA

Planning Department

444 Oak Street

Courthouse Annex, Room I

Red Bluff, CA 96080

(December 14, 2020)

1.0 Introduction

The applicant intends to construct a gas station as part of an existing business, which will include a 30 ft. by 40 ft. storage building, and various site improvements on 1.68 acre. The project is located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta California, which is considered a Rural Service Center in the Tehama County General Plan.

The project site is within in a Rural Service Center and designated as Suburban Residential in the Tehama County General Plan, which may provide a small number of “convenience” services and products that are tailored to residents who live within and near this center. Uses permitted under the Suburban Residential designation include: single-family and multi-family residential structures, at a maximum of 4 dwelling units per acre, with limited neighborhood commercial uses, as determined to be consistent with the intent of the district and approved by the Planning Commission. The General Plan promotes the development of limited local convenience services within a Rural Service Center upon approval of a Use Permit, such as the Harvey’s Market (1,500 s.f. to 5,000 s.f) and may include grocery or convenience stores, gas stations and/or small restaurants (2009-2029 GPLU Goal LU-4.2). Due to the limited services in these centers, residents need to travel to urban or town center in order to meet their primary retail and commercial needs. It is for these reasons and an apparent need for more commercial services within the Probertas Rural Service Center that the applicant “Hardeep Singh” is requesting a Use Permit to add fuel pumps and additional retail storage to its existing 3,520 s.f business that contains Harvey’s Market, and a U.S. Post Office on 1.68 acres.

The zoning code regulates land use by dividing the County into districts or “zones” and specifying the uses that are to be permitted, conditionally permitted, or prohibited within each zone. The current zoning is a C-1; Neighborhood Commercial District, which requires a Use Permit to establish a Gas Station. For this reason, a Mitigated Negative Declaration has been identified for this Projects CEQA document.

This Mitigated Negative Declaration (MND) was compiled by the County of Tehama, serving as the Lead Agency for the proposed Project pursuant to CEQA §21067 and CEQA Guidelines Article 4 and §15367. “Lead Agency” refers to the public agency that has the principal responsibility for carrying out or approving a project.

This introduction is included to provide the reader with general information regarding: 1) the location of the proposed Project and a summary of the Project’s proposed discretionary actions; 2) standards of adequacy for a MND under CEQA; 3) a summary of Initial Study findings supporting the Lead Agency’s decision to prepare a MND for the proposed Project; 4) a description of the format and content of this MND; and 5) the governmental processing requirements to consider the proposed Project for approval.

1.1 Document Purpose

CEQA provides that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project specific significant effects that are peculiar to the project or its site. Even though this projects actions may be consistent with an adopted General Plan, it may still involve impacts and/or changes to a specific site at such a level that were not analyzed under the General Plan Updates EIR. The proposed actions are consistent with the applicable General Plan Goals and Policies and are within the development density established by the General Plan Update for the Central I-5 Corridor Planning Area. There may be environmental effects specific to the property affected by this project, as well as other criteria set forth in Guidelines §15183. Therefore, this project is not exempt pursuant to Public Resources Code §21083.3 and CEQA Guidelines §15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). The General Plan Update (2009-2029) Final EIR State Clearinghouse No. 2007072062 was adopted by Resolution of the Board of Supervisors (BOS) on March 31, 2009. While some information within the Final EIR may be valid and used within this Mitigated Negative Declaration, this document is intended to act as a standalone environmental document and not a Tiered CEQA document. Where information is used from the 2009-2029 General Plan Final EIR document it shall be cited as such.

This document is a standalone Mitigated Negative Declaration (MND) and was prepared in accordance with the California Environmental Quality Act (CEQA), including all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.). This MND is an informational document intended for use by the County of Tehama, Trustee and Responsible agencies, and members of the general public in evaluating the physical environmental effects of the proposed Project.

1.2 Project Location

The project is located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta approximately 2.4 miles east of Interstate 5. The property is accessed from HWY 99W and Flores Ave. at 9975 HWY 99W; APN: 037-161-001 a portions of Section 26, Township 26N, Range 3W, M.D.B.&M.

1.3 Project Summary

The applicant intends to construct a gas station as part of an existing business, which will include a 30 ft. by 40 ft. storage building, three (3) fuel pump islands with a steal canopy to cover the pumps along with above ground fuel tanks and various site improvements that will include 11 onsite parking spaces. The proposed operation would utilized the existing 3,520 s.f building that contains Harvey's Market, and a U.S. Post Office on 1.68 acres.

1.4 California Environmental Quality Act (CEQA)

1.4.1 CEQA Objectives

CEQA is a statewide environmental law contained in Public Resources Code §§ 21000-21177 that applies to most public agency decisions to carry out, authorize, or approve actions that have the potential to adversely affect the environment. The overarching goal of CEQA is to protect the physical environment. To achieve that goal, CEQA requires that public agencies inform themselves of the environmental consequences of their discretionary actions and consider alternatives and mitigation measures that could avoid or reduce significant adverse impacts when avoidance or reduction is feasible. It also gives other public agencies and the general public an opportunity to comment on the information. If significant adverse impacts cannot be avoided, reduced, or mitigated to below a level of significance, the public agency is required to prepare an EIR and balance the project's environmental concerns with other goals and benefits in a statement of overriding considerations.

The principal objectives of CEQA are to: 1) inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities; 2) identify the ways that environmental damage can be avoided or significantly reduced; 3) prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and 4) disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

1.4.2 CEQA Requirements for Mitigated Negative Declarations (MNDs)

"Mitigated negative declaration" means a negative declaration prepared for a project when the initial study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.

1.4.3 Initial Study Findings

Section 5.0 contains a copy of the Initial Study that was prepared for the proposed Project pursuant to CEQA and Tehama County requirements. The Initial Study determined that implementation of the proposed Project will result in no impacts or less than significant environmental effects with the incorporation of mitigation. Therefore, based on the findings of the Initial Study, the County of Tehama determined that a MND shall be prepared for the proposed Project pursuant to CEQA Guidelines § 15070(b).

1.4.4 CEQA Requirements for Environmental Setting and Baseline Conditions

CEQA Guidelines § 15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as "...the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced..." (CEQA Guidelines § 15125[a]) In the case of the proposed Project, the Initial Study determined that a MND is the appropriate form of CEQA compliance document, which does not require a Notice of Preparation (NOP). Thus, the environmental setting for the proposed Project is the approximate date that the Project's environmental analysis commenced.

The County of Tehama commenced environmental review of the proposed Project in November of 2020. Accordingly, the environmental setting is defined as the physical environmental conditions on the proposed Project Site at the time the review commences. Section 2.0 provides a summary of the existing physical environmental conditions of the proposed Project Site and surrounding areas as they existed in November of 2020.

1.4.5 Format and Content of this Mitigated Negative Declaration

This document includes Sections 1 thru 6 and Appendices- A thru D. Section 5.0 contains the completed Environmental Checklist/Initial Study and its associated analysis which document the reasons to support the findings and conclusions of the Initial Study/Mitigated Negative Declaration.

2.0 Environmental Setting

2.1 Project Setting

Use Permit No. 20-01 is a request by the applicant to construct a gas station as part of an existing business, which will include a 30 ft. by 40 ft. storage building, and various site improvements on 1.68 acre. The project is located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta California, which is considered a Rural Service Center in the Tehama County General Plan. The project site is within in a Rural Service Center and designated as Suburban Residential in the Tehama County General Plan, which may provide a small number of “convenience” services and products that are tailored to residents who live within and near these centers. The surrounding land uses include single family dwellings, accessory buildings and shops, along with various types of agricultural or commercial development. The site is located within (3) miles of the I-5 Corridor and within the Valley Floor portion of Tehama County west of the Sacramento River. The 2009-2029 Tehama County General Plan has identified Probert/Gerber as a Rural Service Center within the Central I-5 Corridor Planning Area.

2.2 Existing Site and Area Characteristics

2.2.1 Site Access

The proposed project sites is accessible to the public from HWY 99W, which runs in a north and south direction from Red Bluff thru Corning. Access will also be developed off of Flores Avenue, which runs in an east to west direction connecting Proberta California with Interstate 5. This project will not draw or generate regional traffic as a destination due to its common type of services, which are scattered along Interstate 5 and throughout Tehama County. It will more likely function as a convenience to the local community and those travelers passing through the Probert/Gerber area.

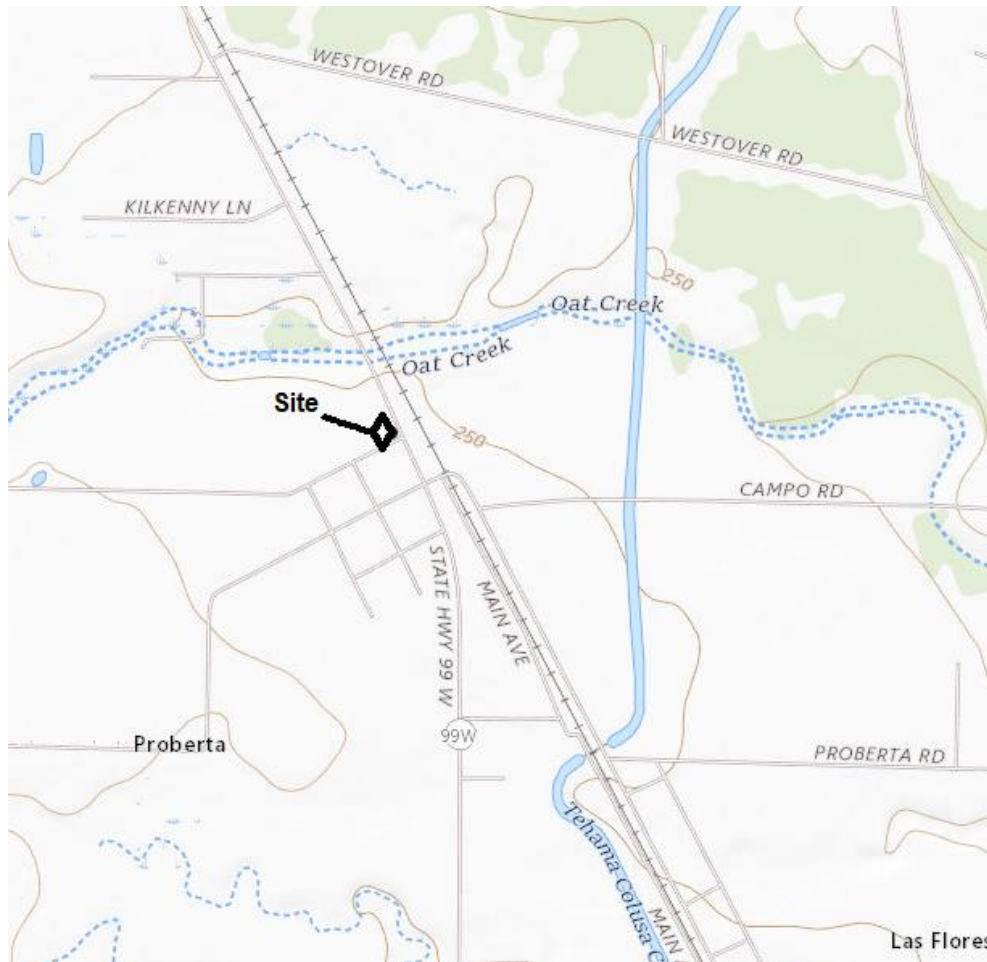
2.2.2 Existing Site Conditions

The proposed project site is located in a rural agricultural community adjacent to a small residential neighborhood. The Sacramento River runs northeast to southwest approximately 3 mile to the east. The terrain is relatively flat with a slight slope draining the site to the north and east into a modified drainage ditch. The site also contains several pine trees along the north, west and southern property boundaries, three valley oaks trees (*Quercus lobata*), and annual grasses, which are spread throughout the 1.68 acre parcel. The property has a small shed, well, septic systems and 3,520 s.f building that contains Harvey's Market, and a U.S. Post Office. Minor site improvements such as a gravel loading area along the west side of the building, a trash enclosure and ADA parking spaces are also features on the site. The site fronts on HWY 99W, which is an improved two lane local road. Street frontage improvements such as curb, gutter and side walk are present along the businesses commercial frontage.



2.2.3 Site Topography

Under existing conditions, the proposed project sites exhibits very little topographic variation. The terrain is relatively flat with a slight slope (Less than 1 percent slope) from the west along Flores Ave. to the north and east that maintains an average baseline elevation of 245.51 ft. above mean sea level (MSL).



2.2.4 Land Uses, Development and Environmental Setting

The proposed project site is described in Section's 2.2.1, 2.2.2 and 2.2.3, which contains similar characteristics to the rest of the Central I-5 Corridor Planning area that includes single family dwellings, accessory buildings and shops, along with various types of agricultural or light commercial development. The General Plan land use for this area focuses on the maintenance of higher density residential areas such as Proberta, which is a small community adjacent to the Southern Pacific railroad and Gerber. These communities are surrounded by agricultural uses with residential uses scattered throughout the valley floor. This project is located adjacent to residential structures with limited commercial uses stretching from the northern portion of Proberta down HWY 99W to the Dollar General that is located in the central portion of Proberta.

The project area is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. The parcel contains various types of vegetation that includes three valley oaks trees (*Quercus lobata*), several pine trees and native and non-native annual grasslands spread throughout the 1.68 acre parcel. Two of the valley oak trees that are mature will be removed along with one small pine tree, which are all located near the middle of the property. The pine trees line the properties perimeter to the north, and southwest near the modified drainage ditch. A 3,520 s.f commercial building that contains Harvey's Market, and a U.S. Post Office is located along the eastern portion of the property with access to HWY 99W. The site also contains a small shed, well, and septic systems that serve the existing business along with other minor site improvements such as a gravel loading area, trash enclosure and an ADA parking space, which are also features on the site.

The applicant intends to construct a gas station as part of an existing business, which will include a 30 ft. by 40 ft. storage building, three (3) fuel pump islands with a steal canopy to cover the pumps along with above ground fuel tanks and various site improvements that will include 11 onsite parking spaces. The proposed operation would remove the shed, gravel loading area and relocate the existing septic system that will be used by the existing 3,520 s.f commercial building.

The environmental setting can be described as a Rural Service Center with a Suburban Residential designation in the Tehama County General Plan. Rural Service Centers such as Probert may provide a small number of "convenience" services and products that are tailored to residents who live within and near these centers. This area of the county typically contains orchards, riparian corridors along the creeks and the Sacramento River with Fremont Cottonwoods, Oak trees, and Willows distributed throughout the area. Within the flat lands near Proberta/Gerber, as well as outside these communities it is common to see irrigated pasture, Orchards, native and nonnative grasses with trees and shrubs.

2.3 Planning Context

2.3.1 Zoning Designations

Use Permit No. 20-01; Fuel Station and Storage Addition; Singh on a 1.68 acre parcel. The current zoning is C-1; Neighborhood Commercial District, which requires a Use Permit for a Gas Station as described in section 1-"Introduction" of this document and is shown on Appendix C-Zoning map.

2.3.2 General Plan Designations

The Project site is designated SR; Suburban Residential in the Tehama County General Plan, as described in section 1-"Introduction" of this document and shown on Appendix B-Land Use map. General Uses for Suburban Residential lands include conditionally permitted, as well as limited neighborhood commercial uses, as determined to be consistent with the intent of the district and approved pursuant of the approval of a Conditional Use Permit by the Planning Commission.

3.0 The Project

3.1 Project Description

The Applicant is requesting a Use Permit No. 20-01 to add a gas station facility and storage building to the Harvey's Market and U.S. Post office annex building (3,520 s.f.) that is located in a C-1; Neighborhood Commercial Zoning District on approximately 1.6 acres in Probert California, as included in Appendix A Project Plans.

The project includes a 30 ft. by 40 ft. storage building, three (3) fuel pump islands with a steal canopy to cover the pumps along with above ground fuel tanks and various site improvements that will include 11 onsite parking spaces and a 6 ft. wall along the premier of the property in the north and west. The proposed operation would remove the shed, gravel loading area and relocate the septic system that will be used by the existing business.

3.2 Proposed Discretionary Approvals

3.2.1 Use Permit

The proposed Project consists of a Use Permit to construct a gas station as part of an existing business, which will require a public hearing by the Planning Commission who will consider the approval of such a use in a C-1;neighborhood commercial zoning district.

3.2.2 Approvals Required from Other Agencies

- California EPA
- Tehama County Air Pollution Control District
- Planning Commission

Furthermore, any person or party that intends to develop on the site within the projects scope of work would then be required to comply with any and all Mitigations, as well as all local, state/federal ordinances, standards, and regulation prior to the building permits issuance.

4.0 Project Information

1. Project Title

Use Permit #20-01, Harvey's Market -Fuel Station and Storage Addition; Singh

2. Lead Agency Name and Address

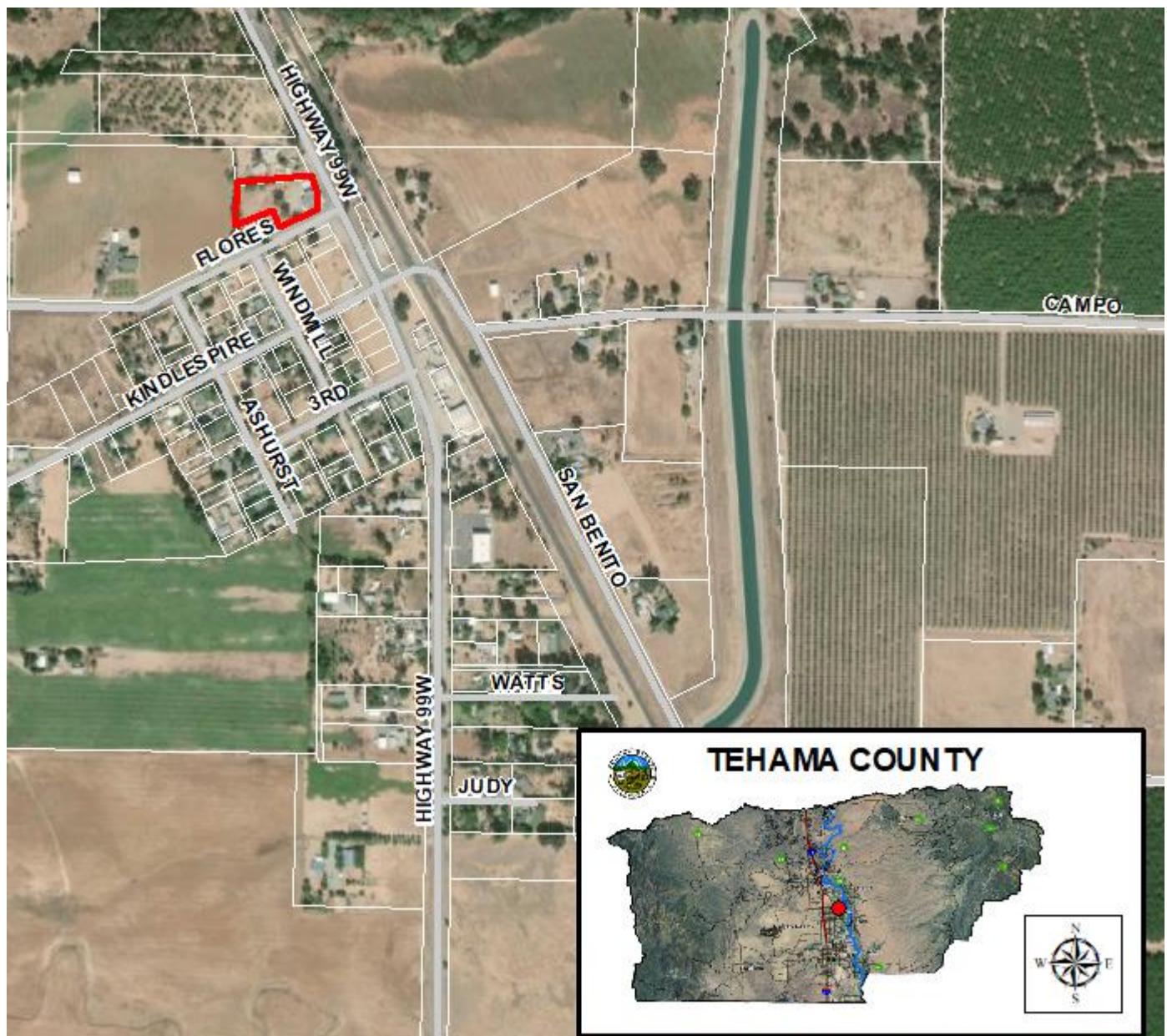
County of Tehama- Planning Department
444 Oak Street, Courthouse Annex, Room I
Red Bluff, Ca 96080

3. Contact Person and Phone Number

Scot Timboe, Planner IV

Stimboe@co.tehama.ca.us

Planning Department, (530) 527-2200



4. Project Applicants Name and Address

Harvey's Market ATTN: Hardeep Singh
Representative-Butler Engineering Group
ATTN: Blake Shepard
9512 Crossroads Dr. STE. A
Redding, CA 96003

5. General Plan Designation

See Appendix-B General Plan Land Use Map.

6. Zoning

See Appendix C-Zoning Map.

7. California Native American Tribes Consultation:

There have been no California Native American tribes traditionally and/or culturally affiliated with the project area that requested consultation pursuant to Public Resources Code section 21080.3.1.

5.0 Environmental Checklist and Environmental Analysis

5.1 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.

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" 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 checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

ENVIRONMENTAL DETERMINATION

5.2 Determination on the basis of this initial evaluation:

5.2.1 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.

Scot Timboe

Scot Timboe, Planner IV

12/14/20

Date

5.2.2 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 Impact" applies where there are no need to incorporate mitigation measures that will reduce an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." If there are mitigation measures than a Mitigated Negative Declaration will be prepared. 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.

5.3 Evaluation of Environmental Impacts

	<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
5.3.1 AESTHETICS				
Would the project:				
a) Have a substantial adverse effect on a scenic vista or scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but 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 view of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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:

The proposed project would add a gas station and storage building to a 1.68 acre commercial lot that contains an existing 3,520 s.f commercial building with Harvey's Market, and a U.S. Post Office. The addition will include a new access to Flores Ave, a 30 ft. by 40 ft. storage building, three (3) fuel pump islands with a steal canopy to cover the pumps along with above ground fuel tanks, 11 onsite parking spaces and various other site improvements associated with a commercial development. One of these improvement is the construction of a 6 ft concrete masonry unit wall (CMU) along the north and western property lines, as a land use barrier between the developed residential properties to the north and west (See Appendix A Project Plans).

The Market and Post Office are located along the eastern portion of the property with access to HWY 99W. Other improvements on the site include a small shed, well, and septic systems that serve the existing business along with other minor site improvements such as a gravel loading area, trash enclosure and an ADA parking space. The project area is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. The parcel contains various types of vegetation that includes three oak trees, several pine trees and native and non-native annual grasslands spread throughout the property. Two of the Oak trees will be removed along with one small pine trees, which are all located near the middle of the property. Pine trees line the properties perimeter to the north, and southwest near the modified drainage ditch.

The land uses in the vicinity of this project site are similar to the rest of the Central I-5 Corridor Planning area that includes single family dwellings, accessory buildings and shops, along with various types of agricultural or light commercial development. The General Plan land use concept for this area focuses on the maintenance of higher density residential areas such as Proberta, which is a small community adjacent to the Southern Pacific railroad and Gerber. These communities are surrounded by agricultural uses with residential uses scattered throughout the valley floor. This project is located adjacent to residential structures with limited commercial uses stretching from the northern portion of Proberta down HWY 99W to the Dollar General that is located in the central portion of Proberta. The proposed commercial development will create artificial night lighting, therefore possibly creating an adverse impact on the environment, man-made as well as natural. These effects can impact rural communities along with wildlife and may include sleeping and foraging

behavior, reproductive behavior, navigation, and altered migration patterns. Therefore, to mitigate these potentially significant impact to less than significant, Mitigation #5.3.1(a) has been incorporated into the project.

a) Less-than-Significant Impact. A scenic vista is generally defined as a view shed that provides a source of aesthetic value. The proposed project would not affect a scenic vista because Proberta is a developed residential communities with commercial uses and not located in a designated view shed.

b) No Impact. The proposed project would not affect a scenic highway because there are no designated scenic highways in the vicinity of the proposed project.

c-d) Potentially Significant unless Mitigation Incorporated. The proposed Project could adversely affect the existing visual character or quality of the site and its surroundings even though it is designated as an urban/suburban General Plan Land Use setting, because the project proposes to add a gas station use that will have an illuminated canopy and parking lot lighting. Therefore, in order for the proposed structures to promote and protect the safety, convenience, comfort, prosperity, and general welfare of the citizens, as well as the environment, the proposed development project will be subject to the subsequent mitigation. The implementation of the mitigation measure will modify the manmade environment to an acceptable level thereby, reducing the impacts of the potential new commercial structures to a less than significant impact:

Mitigation #5.3.1(a):

To mitigated adverse effects of artificial light on the environment, light fixtures associated with the project shall be downward facing, fully shielded and designed and installed to minimize off-site glare and photo-pollution through electronic timers and sensors.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.2 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) 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"/> |

Discussion:

The California Department of Conservation maps and tracks the conversion and use of unique farmland, prime farmland and farmland of local importance in the state. This monitoring program is to ensure that class 1 & 2 soils are maintained for agriculture use and urban growth remains buffered from these areas. It is encouraged that all new growth happen on land not designated as prime farmland or on viable soil. The 2009-2029 Tehama County General Plan Update recognizes 2 types of agriculture land in Tehama County; that which is suited for grazing and livestock and that which is suited for field crops and orchards. The project site is not encumbered by a Williamson Act Contract. The project site is in a Rural Service Center known as Proberta that contains urban/suburban general plan designations with light commercial uses. The project is an expansion of an existing business on a commercially zoned lot, the project will not impact forest land or Farmland of any kind.

- a) No Impact.** The project site will have no impact on Prime Farmland, Unique Farmland or any other lands mapped by the Farmland Mapping and Monitoring Program.

- b) No Impact.** The project site does not fall within an area contracted with the Williamson Act.
- c) No Impact.** The project will have no impact and will not conflict with existing zoning or cause rezoning of forest land, or timberland production zone because the project site is located in Proberta on a Commercially zoned lot. Therefore, the project will be considered less than significant with no impacts.
- d) No Impact.** The project will not result in the loss of forest land or convert forest-land to non-forest use.
- e) No Impact.** The project will not create a change in the environment that will impact farmland or forest land due to the location and nature of the proposed fuel station facility addition.

	<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to the following determinations. Would the Project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 pollutants concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The air quality regulating authority is the Tehama County Air Pollution Control District (TCAPCD). The District monitors air quality and serves as the lead agency responsible for implementing and enforcing federal, state, and local air quality regulations. Air pollution sources in Tehama County include seasonal burning of agricultural fields, dust from agricultural operations, motor vehicle emissions and stationary sources such as manufacturing facilities, paint shops, and gas stations. Motor vehicle emissions are controlled by the California Air Resources Board (CARB) through seasonal fuel blends and other means, which strive to achieve the maximum degree of emission reduction possible from vehicular and other mobile sources in order to accomplish the attainment of the state ambient air quality standards at the earliest practicable date.

Tehama County is considered a non-attainment area for State Ozone and PM₁₀. The proposed project would add a gas station and storage building to a 1.68 acre commercial lot that contains an existing 3,520 s.f business. The Harvey's Market business and Post Office are located along the eastern portion of the property with access to HWY 99W. All new commercial developments in the County are required to pay a standard Air Pollution Control fee to help offset the effects of new construction and population growth, collected by the Tehama County Air Pollution Control District. Developers are given the option of paying the Indirect Source fee or implement on or off-site Alternative Emission Reduction practices. The Tehama County 2009-2029 General Plan added Air Quality Control Implementation measures or conditions to ensure projects would be in compliance with TCAPCD standards.

- a) Less than Significant Impact.** The project will not conflict with or obstruct any applicable air quality plan. The proposed and anticipated development on the site would be subject to Air Quality Control measures discussed in the General Plan.

- b) Less than Significant Impact.** The project will not 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. All future development on the project site is subject to meet air quality standards applied by the Tehama County Air Pollution Control District prior to Building permit issuance. There will be additional landscaping added to cover active event areas that will help prevent the disturbance of any bare ground.
- c) No Impact.** The project will not expose any sensitive receptors to substantial pollutant concentrations. Fugitive dust will be controlled by the air quality standards applied by the Tehama County Air Pollution Control District prior to Building permit issuance.
- d) Less than Significant Impact.** The addition of the gas station to the existing businesses will be conveniently located along a major north south corridor and an east west road that leads to and from Interstate 5 thereby providing a service to local and regional customers that are passing through the small community of Proberta. Air pollution sources in Tehama County include seasonal burning of agricultural fields, dust from agricultural operations, motor vehicle emissions and stationary sources such as manufacturing facilities, paint shops, and gas stations. Motor vehicle emissions are controlled by the California Air Resources Board (CARB) through seasonal fuel blends and other means, which strive to achieve the maximum degree of emission reduction possible from vehicular and other mobile sources in order to accomplish the attainment of the state ambient air quality standards at the earliest practicable date. No potentially significant objectionable odors will be created due to the proposed projects design, which will be in compliance with all state, federal and local laws/regulations.

	<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.4 BIOLOGICAL RESOURCES

Would the project:

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|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <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, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The proposed project would add a gas station and storage building to an existing business in a C-1; Neighborhood Commercial Zoning District.

The project is located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta California. The surrounding land uses include single family dwellings, accessory buildings and shops, along with various types of agricultural or commercial development. The 1.68 acre lot is developed with a 3,520 s.f. commercial building that contains Harvey's Market, and a U.S. Post Office, which is located along the eastern portion of the property with access to HWY 99W. The site also contains a small shed, well, and septic systems that serve the existing business along with other minor site improvements such as a gravel loading area, trash enclosure and an ADA parking space.

The project includes a request to construct a 30 ft. by 40 ft. storage Building, three (3) fuel pump islands with a steel canopy to cover the pumps along with above ground fuel tanks and various other site improvements that will include 11 onsite parking spaces. These improvements will be constructed west of the Market and east of the modified drainage ditch. The proposed operation would remove the shed, gravel loading area and relocate the existing septic system.

The project area is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. The parcel contains various types of vegetation that includes three valley oak trees (*Quercus lobata*), several pine trees and native and non-native annual grasslands spread throughout the property. Two of the oak trees that are mature will be removed along with one small pine tree, which are all located near the middle of the property. Pine trees line the property's perimeter to the north, and southwest near the modified drainage ditch, which will continue to drain the site during storm events.

During early consultation with the California Department of Fish and Wildlife, it was reported that this area of the valley floor, which exhibits rural development patterns and agricultural uses, may provide habitat for a number of special and concerned status species. These species are protected and managed by the California Department of Fish and Wildlife through the California Endangered Species Act and other provisions of the Fish and Game Code that conserve the state's fish and wildlife public trust resources. The species noted on this site, may include Swainson's hawk (*Buteo swainsoni*) a state-listed threatened species, nesting birds and raptors that are protected by CFG Code Section's 3503 and 3503.5 and the Pallid bat (*Antrozous pallidus*) a California Species of Special Concern. Correspondence with the California Department of Fish and Wildlife raised concerns about the project's potential impacts to the Swainson's hawk, raptor species and bat species. Swainson's hawk nest in trees or poles near agricultural areas, annual grasslands, cereal grain crops, or among other settings. The project's area contains habitat that could attract nesting resident and migratory or birds of prey within and/or adjacent to the subject property. Pallid bats roost in trees that contain cavities, crevices and/or exfoliated bark. The Project is adjacent to agricultural fields and contains three mature valley oaks (*Quercus lobata*) as well as other trees onsite, which provide potential habitat for Swainson's hawks and Pallid bats. Swainson's hawks exhibit high nest-site fidelity year after year.

Based on the Department's recommendations on November 17, 2020, the applicant hired a Biologist to conduct a cursory level survey of large stick nest for Swainson's hawks and cavities, crevices and/or exfoliated bark that have high potential to be used by various bat species including Pallid bats. The survey will be conducted within and adjacent to the site through the study of trees, telephone poles and other structures. The survey was conducted on November 24, 2020 by Darren K. Trawick-consulting Biologist for RTA Construction. The Biologist surveyed the site as set forth in the November 17, 2020 DFW correspondence and did not find any large stick nests. Therefore, there will be no impacts to the Swainson's hawk and protocol level survey will not be required. However, there did appear to be suitable roosting feature for the Pallid bats within the two trees to be removed. Mitigation measure #5.3.4(a) for Pallid bats will allow construction based on steps consistent with DFG codes. With Mitigations incorporated there will be no need for any further studies regarding these two species (See Environmental Survey dated, as Appendix D). Furthermore as indicated in the DFW letter, the proposed project may have a potential significant impact on nesting resident and migratory or birds of prey within and/or adjacent to the study area, which will be considered less than significant with the incorporation of Mitigation Measure #5.3.4(b) below.

The 2009-2029 Tehama County General Plan Update addresses biological resources. The County works closely with the California Department of Fish and Wildlife to protect biological resources and mitigate effects that future growth will have on these resources and their habitat. Therefore, to mitigate the potentially significant impact identified in the Department of Fish and Wildlife Letter dated November 17, 2020 to less than significant, the following mitigation measure will be incorporated.

- a) Potentially Significant Unless Mitigation Incorporated.** During the November 24, 2020 site survey by the project's consulting biologist, both valley oak trees have sections of loose and delaminating bark, cavities and crevices that could be used by pallid bats. Under the Migratory Bird Treaty Act (MBTA) of 1918, migratory bird species, their nests, and their eggs are protected from injury or death, and any

project-related disturbances during the nesting period. In addition, California Fish and Game Code Section's 3503 and 3503.5 provide regulatory protection to resident and migratory birds and all birds of prey within the state. The projects proposed development could potentially disturb nesting resident and migratory or birds of prey in and/or adjacent to the study area. Therefore, the following mitigation measures will reduce any potentially significant impacts of the project to Pallid bats and/or nesting birds to less than significant:

Mitigation #5.3.4(a):

POTENTIAL PALLID BAT ROOSTING SITES. The two oak trees that exhibit features potentially suitable for bat roosting shall be clearly marked prior to removal. If tree removal will occur during the bat maternity season, when young are non-volant (March 1 – Aug 31), or during the bat hibernacula (November 1 – March 1), when bats have limited ability to safely relocate roosts, it could cause a significant impact to bats through direct mortality during the roost removal. Therefore, a humane evictions may be conducted based on the following standards 1) It should be conducted during seasonal periods of bat activity, which may vary by year, location, or species and must be conducted by or under the supervision of a biologist with specific experience conducting exclusions. 2) The Humane exclusions shall consist of a two-day tree removal process whereby the non-habitat trees and brush are removed along with certain tree limbs on the first day and the remainder of the tree on the second day. This two-step process changes the microhabitat of the area causing the bats to vacate the area under their own volition, therefore minimizing mortality and other impacts to bat species.

Mitigation #5.3.4(b):

PRE-CONSTRUCTION NESTING SURVEYS. A pre-construction surveys for nesting birds shall be conducted, if vegetation removal and/or construction activities are to take place during the nesting season (February 1 through August 31). The surveys shall be conducted by a qualified biologist no more than one week prior to vegetation removal or construction activities that are to take placed during the nesting season. If an active nest is located during the preconstruction surveys, a non-disturbance buffer shall be established around the nest by a qualified biologist in consultation with the Department. No vegetation removal or construction activities shall occur within this non-disturbance buffer until the young have fledged, as determined through additional monitoring by the qualified biologist. The results of the pre-construction surveys shall be emailed to the Department at: R1CEQARedding@wildlife.ca.gov.

- b) *Less than Significant Impact.*** The project site is developed and contains an existing business with site improvements, it does not contain riparian habitat, as the property is not located adjacent to a river or creek and the surrounding land uses include single-family dwellings, accessory buildings and shops, along with various types of open space/agriculture or commercial development. The terrain is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. This type of terrain can support the typical valley floor species of plants and animals. The project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, the projects impacts are considered less than significant.
- c) *No Impact.*** The proposed 1.68 acre project site is developed with a commercial business and the site improvements associated with a market and U.S. Post Office annex. The site does not contain any known wetlands, therefore there are no conflicts with such policies or federal lands.
- d) *Potentially Significant Unless Mitigation Incorporated.*** Consistent with the California Department of Fish and Wildlife a preconstruction and nesting surveys to avoid impacts to resident and migratory or birds of prey is required on the 1.68 acres project site if the projects commences with the removal of any vegetation and/or construction between February 1 and August 31 in any year. If the nesting survey is necessary, it will be conducted at least 1 week prior to commencement of demolition or construction. Artificial lighting may also impact resident and migratory or birds of prey, therefore, in order to minimize the potential for impacts, the following Mitigation Measures will be applied and incorporated into the

project. Less than significant impact will occur upon implementation of **Mitigation Measure #5.3.1(a)** and **Mitigation Measure #5.3.4(a)**.

e-f.) No Impact. This project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, state habitat conservation plan or local policies or ordinances protecting biological resources such as a tree preservation policy ordinance.

	<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.5 CULTURAL RESOURCES

Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §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 §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 formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The project is located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta California. The 1.68 acre lot is developed with a 3,520 s.f commercial building that contains Harvey's Market, and a U.S. Post Office, which is located along the eastern portion of the property with access to HWY 99W. The site also contains a small shed, well, and septic systems that serve the existing business along with other minor site improvements such as a gravel loading area, trash enclosure and an ADA parking space.

The project area is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. The parcel contains various types of vegetation that includes three oak trees, several pine trees and native and non-native annual grasslands spread throughout the property. Two of the Oak trees will be removed along with one small pine tree, which are all located near the middle of the property. The pine trees line the properties perimeter to the north, and southwest near the modified drainage ditch. A 6 ft concrete masonry unit wall along the north and western property lines will be constructed by the applicant/owner/developer as a land use barrier between the developed residential properties to the north and west. The surrounding land uses include single family dwellings, accessory buildings and shops, along with various types of agricultural or commercial development.

Cultural resources include prehistoric and historic period archaeological sites; historical features, such as rock walls, 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.

The 2009-2029 Tehama County General Plan addresses the need to protect and preserve historic and archeological resources in the County. This may include studies as deemed necessary on a case by case basis and/or the incorporation of standard language that addresses the need for resource protection when and if they are discovered. Staff has not identified any known or unknown cultural resources and/or archeological resources on the project site.

However, since this environmental analyses accounts for the proposed and anticipated development of the 1.68 acre project, the construction would require the need for grading and excavating. When construction does occur it is possible that cultural resources could be discovered at that time, which could including human remains. Therefore, a mitigation measure #5.3.5(a) consistent with Northeast Information Centers (NEIC) standard feedback shall be incorporated into the project, thereby resulting in less than significant impacts to cultural resource.

a) **No Impact.** The project would not cause substantial adverse change to any historical resource because the area designated for development is currently void of structure and/or surrounded by various types of modern residential, agricultural, and commercial structures.

b-c) **Potentially Significant Impact with Mitigation Incorporated.** Since the site is currently developed with a commercial business and its improvements, there does not appear to be any archeological resource or human remains on the project site. However, there is a possibility that these resources or remains exist. Therefore, in order to reduce potential cultural resources impacts to less than significant, the following Mitigation Measure shall be applied and incorporation into the project:

Mitigation Measure #5.3.5(a):

CULTURAL RESOURCES PROTECTION. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include, but would not be limited to researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.6 ENERGY

Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in potentially significant environmental impact to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION:

In 2008, California became the first state in the nation to include mandatory green building through the Title 24 California Green Building Standards Code (CAL Green Code). This groundbreaking step meant that every structure built in the state – whether a home, school, commercial building or other structure – would have to meet guidelines for energy and water efficiency, low emission flooring and building materials and more. The County is responsible for enforcing the energy conservation regulations, which also extends to building renovations. The Tehama County Building Dept. uses the most recently adopted version of Title 24. The County will continue to enforce the provisions of Title 24 of the California Administrative Code, which sets forth mandatory energy standards for new development.

- a) **No impact.** This project would not generate environmental impact that are wasteful, inefficient, or require unnecessary consumption of energy resources, during the project construction or operation.
- b) **No impact.** The project will not cause any conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

	<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
5.3.7 GEOLOGY AND SOILS				
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong Seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Seismic-related ground failure, including liquefaction and seiche/tsunami?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 landslides, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in table 18-1-B of the latest Uniform Building Code (1994), creating substantial direct or indirect risk to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The proposed project (Use Permit No. 20-01) would add a gas station and storage building to its existing 3,520 s.f business that contains Harvey's Market, and a U.S. Post Office on 1.68 acres in a C-1; Neighborhood Commercial Zoning District.

The project area is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. The parcel contains various types of vegetation that includes three oak trees, several pine trees and native and non-native annual grasslands spread throughout the property. Two of the Oak trees will be removed along with one small pine tree, which are all located near the middle of the property. The pine trees line the properties perimeter to the north, and southwest near the modified drainage ditch. The site also

contains a small shed, well, and septic systems that serve the existing business along with other minor site improvements such as a gravel loading area, trash enclosure and an ADA parking space.

The project includes a 30 ft. by 40 ft. storage building, three (3) fuel pump islands with a steal canopy to cover the pumps along with above ground fuel tanks, 11 parking spaces and various other site improvements. A 6 ft. CMU wall will be constructed along the north and western property lines, as a land use barrier between the developed residential properties to the north and west. The proposed operation would remove the shed, gravel loading area and relocate the septic system. The applicant has retained an engineer to design the project. The design will be required to get a building permit and comply with all local/state/federal codes and regulations related to soils and geology.

Tehama County is relatively safe from earth quake activity because of its geographic location and lack of proximity to any active fault lines. Based on the California Geological Survey maps, the site should not experience anything more than the potential for minor seismic ground shaking, which would be secondary to an earthquake outside of Tehama County. The County may also experience minor ground shaking as a precursor to eruption of Mt. Lassen. The Alquist-Prilio Earthquake Fault Zoning Act restricts new construction in zones which soils are at risk of displacement; however, Tehama County does not fall within this zone. All new construction in the county is required to meet California Building Code which addresses seismic design requirements, such as automatic earthquake gas shutoff valves in high-occupancy facilities and engineered assessment of potential soil and seismic impacts in the case of earthquake activity. As indicated above the project site is relatively flat, so there is no potential of a landslide or slope failure to this project. Grading and excavation done by new developments are closely monitored by the Public Works Department and an engineered plan for these procedures is required.

a) No Impact

- i. The project will not expose people or structures to the risk of harm or death involving rapture of known earthquake fault.
- ii. The project will not expose people or structures to the risk of harm or death involving strong seismic shaking.
- iii. The project will not expose people or structures to the risk of harm or death involving seismic related ground failure including liquefaction.
- iv. The project will not expose people or structures to the risk of harm or death involving landslides.

b) No Impact. The project will not result in substantial soil erosion or loss of topsoil due to the projects design, including storm run-off and site improvements that will meet local, state and federal standards/regulations. Tehama County Public Works will review and approve the projects on and off site improvements and designs.

c-e)No Impact. The project is located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta California. The 1.68 acre lot is developed with a 3,520 s.f commercial building that contains Harvey's Market, and a U.S. Post Office, which is located along the eastern portion of the property with access to HWY 99W. Flores Ave. will be improved as part of the project to allow ingress/egress from the fuel islands. The surrounding land uses include single family dwellings, accessory buildings and shops, along with various types of agricultural or commercial development. This type of terrain, which is relatively flat with a slight slope can support the typical valley floor species of plants and animals. The soils type primarily consists of Arbuckle Gravelly loam and Moda loam, which are suitable for this type of development and will not become unstable as a result of this project.

f) Less than Significant Impact. The terrain on the project site is relatively flat with an existing commercial development and its associated site improvements. These improvements include a small shed, well, and septic systems that serve the existing business along with other minor site improvements such as a gravel loading area, trash enclosure and an ADA parking space, which are also features on the site. There does not appear to be any paleontological resources or unique geological features based on the current development of the site or the environmental studies on record. Therefore, the project will be considered a less than a significant impact on said resources and features.

	<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.8 GREENHOUSE GAS EMISSION

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The applicant intends to construct a gas station facility that will include a 30 ft. by 40 ft. storage Building, and various site improvements on a 1.68 acre site that contains an existing Market, and a U.S. Post Office. The project is located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta California.

Proberta is considered a Rural Service Center and the site is designated as Suburban Residential in the Tehama County General Plan, which provides a small number of “convenience” services and products that are tailored to residents who live within and near these centers. The surrounding land uses include single family dwellings, accessory buildings and shops, along with various types of agricultural or commercial development. The site is located within (3) miles of the I-5 Corridor and within the Valley Floor portion of Tehama County west of the Sacramento River. The General Plan promotes the development of limited local convenience services within Rural Service Center upon approval of a Use Permit, which will be small in size such as the Harvey’s Market (1,500 s.f. to 5,000 s.f) and may include grocery or convenience stores, gas stations and/or small restaurants (2009-2029 GPLU Goal LU-4.2). Due to the limited service in these centers, residents need to travel to urban or town center in order to meet their primary retail and commercial needs. It is for these reasons and an apparent need for more commercial services within the Proberta Rural Service Center that the applicant “Hardeep Singh” is requesting a Use Permit to add fuel pumps and additional retail storage to his existing 3,520 s.f. retail business.

The proposed project sites is accessible to the public from HWY 99W, which runs in a north and south direction from Red Bluff thru Corning. Access will also be developed off of Flores Avenue, which runs in an east to west direction connecting Proberta California with Interstate 5. This project will not draw or generate regional traffic as a destination due to its common type of services, which are scattered along Interstate 5 and throughout Tehama County. It will more likely function as a convenience to the local community and those travelers passing through the Probert/Gerber area, which is defined as a census designated place. Since the project conforms to the General Plan and will not be generating greenhouse gases directly or indirectly, due to its convenient location along a major county commuter corridor, the project will not conflict with any applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Global climate change is the observed increase in the average temperature of the Earth’s atmosphere and oceans along with other significant changes in climate (such as precipitation or wind) that last for an extended period of time. Global surface temperatures have risen by $0.74^{\circ}\text{C} \pm 0.18^{\circ}\text{C}$ over the last 100 years (1906 to 2005). The rate of warming over the last 50 years is almost double that over the last 100 years. The prevailing scientific opinion on climate change is that most of the warming observed over the last 50 years is attributable to human activities. The increased amounts of carbon dioxide (CO₂) and other greenhouse gases (GHGs) are the

primary causes of the human-induced component of warming. GHGs are released by the burning of fossil fuels, land clearing, agriculture, and other activities that lead to an increase in the greenhouse effect.

As part of the 2009-2029 General Plan Update process, the County considered a wide range of policies and actions to reduce greenhouse gas emissions, and all feasible measures are included. However, they do not ensure that the County will meet its reduction goal, so the impact is considered cumulatively significant and unavoidable.

Section 15064 (h)(3) of the CEQA Guidelines specifies that a project's contribution to a cumulative effect may be found 'not cumulatively considerable' if the project will comply with the requirements in a previously approved plan or mitigation program, including plans or regulations for the reduction of greenhouse gas emissions. While Tehama County has not adopted a plan or mitigation program for the reduction of greenhouse gases as of the publication of this study, the potential additional development is consistent with the Tehama County General Plan whose EIR incorporated a statement of overriding considerations for cumulative impacts of greenhouse gas emissions.

- a) **No impact.** Greenhouse gas (GHG) emissions contribute to the significant adverse environmental impacts of global climate change on a cumulative basis. This project would not generate enough GHG emissions to noticeably change the global average temperature whether it is measured directly, indirectly, or cumulative.
- b) **No impact.** Tehama County implements AB32 and SB375 to acknowledge GHG emissions and its level of significance within environmental quality review. The project does not propose any GHG emission levels that would cause any adverse effect upon the state's air quality.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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5.3.9 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 reasonable foreseeable upset and 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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The project is located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta California. The 1.68 acre lot is developed with a 3,520 s.f commercial building that contains Harvey's Market, and a U.S. Post Office, which is located along the eastern portion of the property with access to HWY 99W. The site also contains a small shed, well, and septic systems that serve the existing business along with other minor site improvements such as a gravel loading area, trash enclosure and an ADA parking space.

The gas station and storage building will include a new access to Flores Ave, a 30 ft. by 40 ft. storage building, three (3) fuel pump islands with a steal canopy to cover the pumps along with above ground fuel tanks, 11 onsite parking spaces and various other site improvements associated with a commercial development. One of these improvement is the construction of a 6 ft concrete masonry unit wall (CMU) along the north and western property lines, as a land use barrier between the developed residential properties to the north and west. The surrounding land uses include single family dwellings, accessory buildings and shops, along with various types of agricultural or commercial development.

The project area is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. The parcel contains various types of vegetation that includes three valley oak trees, several pine trees and native and non-native annual grasslands spread throughout the property. Two of the valley oak trees will be removed along with one small pine tree, which are all located near the middle of the property. The pine trees line the properties perimeter to the north, and southwest near the modified drainage ditch, which will continue to drain the site during storm events. However, due to the addition of impervious surface, a storm water retention/detention basin and filtration system has been added to the site. The applicant will construct two surface runoff filtration systems that include oil and sand separators. One system will collect the runoff from the fuel island areas and run the treated storm water through underground pipes to a 3,500 s.f MS4 vegetated infiltration/retention/detention basin prior to metering it out and into the modified drainage ditch, which flows in to HWY 99W's storm water system. The other filtration system, which is next to the MS4 vegetated infiltration/retention/detention basin will capture and treated the surface run-off from the paved travel and fuel tank areas prior to entering the storm water basin.

The Fuel Tank Storage area will include three 12,000 gallon above ground fuel tanks on a 40 ft. by 45 ft. concrete containment pad with a 15 millimeter petroleum resistant membrane. These fuel tanks will be constructed of double-walled fiberglass and include leak detection sensors. The tanks will store the sites gasoline and diesel products for dispensing in the fuel island pumps; the storage tanks and all associated fuel delivery infrastructure (i.e., gas pumps), would be required to comply with all applicable federal, state, and local regulations.

Certain types of land use designations are allowed to store and transport hazardous material when issued a Hazardous Material Business Plan. Storage of hazardous materials is monitored by the Tehama County Environmental Health Department. All types of storage and transport of hazardous materials are required to comply with California Health and Safety Code. The most common types of sites which hazardous materials can be found are commercial and industrial use, such as mining operations and petroleum/propane fueling and storage facilities.

This project is located within an area of Tehama County designated as Local Responsibility Area (LRA). Structural fire protection, wildland fire suppression and other related emergency services are the responsibility of the Tehama County Fire Department (TCFD), which is administered under contract by CAL FIRE. The project area is located in an area rated "Moderate" for wildland fire severity. The closest staffed fire station is the El Camino Volunteer Fire Station #9, located at 9580 Hwy 99W, Gerber, CA 96035, approximately 1 mile south of the project site. The current Insurance Service Office (ISO) Public Protection Class Rating for this area is a 4.

- a) **Less Than Significant Impact.** Construction of the proposed project would involve only limited transport, use, storage and disposal of hazardous material during construction and operation. While the risk of exposure to hazardous materials cannot be eliminated, measures can be implemented to reduce risk to acceptable levels. Adherence to existing regulations, including but not limited to title 49 code of federal regulations parts 100-185 and all amendments through December 9, 2015 (hazardous materials regulations), CCR Titles 8,22, and 26 and their enabling legislation set for in California Health and Safety Code Chapters 6.95, hazardous materials and storage plans, and Tehama County Air Pollutions Control District Vapor Recovery Permit requirements, would ensure compliance with safety standards related to the use and storage of hazardous materials and with the safety procedure mandated by applicable federal, state and local laws and regulations. Compliance with these regulations would ensure that risk resulting from the routine transportation, use, storage or disposal of hazardous materials or hazardous wastes associate with implementation of the proposed project would be less than significant.
- b) **Less Than Significant Impact.** The addition of a gas station will include a fuel tank storage area that contains three 12,000 gallon above ground fuel tanks on a 40 ft. by 45 ft. concrete containment pad with a 15 millimeter petroleum resistant membrane. These fuel tanks will be constructed of double-walled fiberglass and include leak detection sensors. The tanks will store the sites gasoline and diesel

products for dispensing in the fuel island pumps; the storage tanks and all associated fuel delivery infrastructure (i.e., gas pumps), will be required to comply with all applicable federal, state, and local regulations, including but not limited to those provisions established by Section 2540.7, Gasoline Dispensing and Service Stations, of the California Occupational Safety and Health (Cal/OSHA) Regulations and Chapter 38, Liquefied Petroleum, Gases, of the California Fire Code. Furthermore, the project would be subject to routine inspection by federal, state, and local regulatory agencies with jurisdiction over fuel-dispensing facilities. Collectively, the routine inspection of the gas station and all of its associated fuel delivery infrastructure and above ground storage tanks by federal, state, and local regulatory agencies with jurisdiction over fuel-dispensing facilities, along with the continued mandated compliance with all federal, state, and local regulations, will ensure that this project is operated in a non-hazardous manner. Therefore, the construction of the proposed facilities, as well as the short and long-term impacts associated with handling, storing, and dispensing of hazardous materials associated with a fuel dispensing would be less than significant.

- c) **No Impact.** The project site is not within one quarter mile of an existing or proposed school.
- d) **No Impact.** The project is not located on a site which is included on a list of hazardous material sites sites compiled pursuant to Government Code Section 65962.5.; CALEPA Cortese list.
- e) **No Impact.** The project is not located within an airport land use plan or within two miles of an airport.
- f) **No Impact.** The project will not substantially impair an adopted emergency response plan or emergency evacuation plans, because the infill development is consistent with the Tehama County General Plan. The construction of the new facility would not cause significant environmental effects. The project is located on the northwest corner of HWY 99W and Flores Ave. the project will maintain two access/egress points at all times. This project will provide a convenient retail service for local and regional traffic passing through Proberta California and therefore, it will not create a growth inducing condition that would add to traffic if an emergency event did occur.
- g) **No Impact.** The project will not expose people or structures to a significant risk involving wildland fires due to the projects design and its close proximity to the El Camino Volunteer Fire Station #9, which is about 1 mile south of the project site.

	<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.10 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 type="checkbox"/> | <input checked="" 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: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) result in substantial erosion or siltation on-or off-site; | <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 storm water 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) impeded or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) In flood hazard, tsunami, seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The project is located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta California. The 1.68 acre lot is developed with a 3,520 s.f commercial building that contains Harvey's Market, and a U.S. Post Office, which is located along the eastern portion of the property with access to HWY 99W. The site also contains a small shed, well, and septic systems that serve the existing business along with other minor site improvements such as a gravel loading area, trash enclosure and an ADA parking space. The proposed operation would remove the shed, gravel loading area and relocate the septic system.

The gas station and storage building will include a new access to Flores Ave, a 30 ft. by 40 ft. storage building, three (3) fuel pump islands with a steal canopy to cover the pumps along with above ground fuel tanks, 11 onsite parking spaces and various other site improvements associated with a commercial development. One of these improvement is the construction of a 6 ft concrete masonry unit wall (CMU) along the north and western property lines, as a land use barrier between the developed residential properties to the north and

west. The surrounding land uses include single family dwellings, accessory buildings and shops, along with various types of agricultural or commercial development.

The project area is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. The parcel contains various types of vegetation that includes three valley oak trees, several pine trees and native and non-native annual grasslands spread throughout the property. Two of the valley oak trees will be removed along with one small pine tree, which are all located near the middle of the property. The pine trees line the properties perimeter to the north, and southwest near the modified drainage ditch, which will continue to drain the site during storm events. However, due to the addition of impervious surface, a storm water retention/detention basin and filtration system has been added to the site, see the October 15, 2020 hydrology study by Butler Engineering Group, as Appendix E. The applicant will construct two surface runoff filtration systems that include oil and sand separators. One system will collect the runoff from the fuel island areas and run the treated storm water through underground pipes to a 3,500 s.f MS4 vegetated infiltration/retention/detention basin prior to metering it out and into the modified drainage ditch, which flows in to HWY 99W's storm water system. The other filtration system, which is next to the MS4 vegetated infiltration/retention/detention basin will capture and treated the surface run-off from the paved travel and fuel tank areas prior to entering the storm water basin.

The project does not contain any wetland and is not within the 100 year flood hazard area. FEMA as well as California Department of Water Resources create and facilitate construction regulation and standards for development in flood hazard area. The County maintains the State and Federal standards for property in the flood hazard zones. All local agencies have to maintain standards at least as affective as those of the State and/or Federal agencies in protecting life and property within the flood hazard areas.

The project would utilize water from its current well that has been approved by Tehama County Environmental Health Department. The primary source of water in unincorporated areas of Tehama County is groundwater. There are over 10,000 wells meeting the water needs of 59 percent of the population. The 2009-2029 General Plan recognizes the need to encourage population density growth in areas which can support further use of the water table and will not deplete the water source. Water districts are encouraged to grow to meet the needs of the growing population and their expansion is supported by the County. Tehama County General Plan policy's state that for all new large construction projects, the proposed water supply and delivery system shall be in place before construction begins. Goals of the 2009-2029 Tehama County General Plan are set out to protect water resources in the county for future needs, encouraging water conservation and protection of groundwater supplies from urban pollutants in runoff.

- a) **Less Than Significant Impact.** The project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality because the project is designed with facilities that meet all local, state and federal standards/regulations.
- b) **No Impact.** The project will not substantially deplete groundwater supplies, interfere with groundwater recharge or impede sustainable groundwater management of the basin. The project will use the existing well that serves the current retail business. The 2009-2029 General Plan recognizes the need to encourage population density growth in areas which can support further use of the water table and will not deplete the water source. The project is consistent with the General Plan and its Rural Service Center designation.
- c& i-iv)**Less Than Significant Impact.** The development will contribute a less than significant amount of flow to existing storm water runoff within the area, which will be properly controlled to prevent erosion by a system approved by the Tehama County Public Works Department. The project engineers have designed a new storm water drainage and retention facilities based on their October 15, 2020 Hydrology study. The study and it calculations provide the bases for the design of the system that would prevent the increase of storm water running off of the site by capturing it in an onsite system that will filter it and then meter it off site into the County's storm water system along HWY 99W in a controlled manor designed to reduce any flooding and contamination related risks to a less than significant. However, even with the increase in storm waters added to the county's system over time

this projects impacts will be considered “Less than Significant”, because the increase dependency on the County’s facilities is expected due to the Central I-5 Corridors planned growth. All facilities in this corridor will be required to comply with all federal, state, and local statutes related to storm water. The County’s storm water system has adequate capacity to serve the project’s projected demand due to its design that will filter, retain and detain any increase of storm water generated on the site due to the addition of impervious surface, and therefore the project will not add any peak flows to the county’s existing commitments. The project will not contribute to water runoff exceeding the capacity of storm water drainage systems.

- d) **No Impact.** The project is not located within a 100 year flood hazard area, seiche or tsunami zone and therefore there is no risk of releasing pollutants due to project inundation.
- e) **Less Than Significant Impact.** The project will not substantially affect a water quality control plan or deplete groundwater supplies or interfere with groundwater recharge. Any future development on the site is encouraged to promote water conservation. The project is located in the Central I-5 corridor Planning Area that addresses potential growth in the Tehama County General Plan. The 2009-2029 General Plan recognizes the need to encourage population density growth in areas which can support further use of the water table and will not deplete the water source, such as the Proberta Rural Service Center where this project is located.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.11 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"/> |

Discussion:

The project site is zoned C-1; Neighborhood Commercial District and located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta California. Gas Stations are allowed with a Use Permit in C-1 Zoning Districts. The 1.68 acre lot is developed with a 3,520 s.f commercial building that contains Harvey's Market, and a U.S. Post Office, which is located along the eastern portion of the property with access to HWY 99W. The site also contains a small shed, well, and septic systems that serve the existing business along with other minor site improvements such as a gravel loading area, trash enclosure and an ADA parking space.

Use Permit No. 20-01 is a request by the property owner to construct a gas station as part of an existing business, which will include a new access to Flores Ave, a 30 ft. by 40 ft. storage building, three (3) fuel pump islands with a steal canopy to cover the pumps along with above ground fuel tanks, 11 onsite parking spaces and various other site improvements associated with a commercial development. One of these improvement is the construction of a 6 ft concrete masonry unit wall (CMU) along the north and western property lines, as a land use barrier between the developed residential properties to the north and west. The surrounding land uses include single family dwellings, accessory buildings and shops, along with various types of agricultural or commercial development, which is typical for the Central I-5 Corridor Planning area that incorporates this project.

Proberta is considered a Rural Service Center and the site is designated as Suburban Residential in the Tehama County General Plan, which provides a small number of "convenience" services and products that are tailored to residents who live within and near these centers. Uses permitted under this designation include: single-family and multi-family residential structures, at a maximum of 4 dwelling units per acre, with limited neighborhood commercial uses, as determined to be consistent with the intent of the district and approved by the Planning Commission. The General Plan promotes the development of limited local convenience services within Rural Service Center upon approval of a Use Permit, which will be small in size such as the Harvey's Market (1,500 s.f. to 5,000 s.f) and may include grocery or convenience stores, gas stations and/or small restaurants (2009-2029 GPLU Goal LU-4.2). Due to the limited service in these centers, residents need to travel to urban or town center in order to meet their primary retail and commercial needs. It is for these reasons and an apparent need for more commercial services within the Proberta Rural Service Center that the applicant is requesting a Use Permit to add fuel pumps and additional retail storage to its existing 3,520 s.f business that contains Harvey's Market, and a U.S. Post Office on 1.68 acres.

There are no habitat conservations or natural community conservation plans applicable to this project sites. Furthermore, there is no information on record that would indicate that the project would create any significant impacts related to land use.

- a) **No Impact.** Proberta is a small rural community designated as a Rural Service Center, that needs convenience services such as gas station as identified in the General Plan. Therefore, based on the proposed projects development and the projects conditions of approval, the project will not divide an established community.
- b) **No Impact.** The project will not 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. The project site is designated as a Rural Service Center and Zoned C-1; Neighborhood Commercial, which allows Gas Stations with Use Permit approval. Therefore, if the Planning Commission approves the Use Permit for the Gas Station Facility and storage building at the existing Harvey's Market and U.S. Post Office Annex site the project will be consistent with the General Plan and Zoning Code.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.12 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:

The proposed project would add a gas station and storage building to an existing 3,520 s.f business that contains Harvey's Market, and a U.S. Post Office on 1.68 acres in a C-1; Neighborhood Commercial Zoning District.

The project area is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. The parcel contains various types of vegetation that includes three oak trees, several pine trees and native and non-native annual grasslands spread throughout the property. Two of the Oak trees will be removed along with one small pine tree, which are all located near the middle of the property. The pine trees line the properties perimeter to the north, and southwest near the modified drainage ditch. The location and current use of the property do not appear to be hindering the availability of know or unknown mineral resources, as the soil type primarily consists of Arbuckle Gravely loam and Moda loam.

Tehama County offers an abundance of mineral resources derived from the extraction of non-metallic sources such as sand, gravel and volcanic cinder. The County currently recognizes 20 mineral excavation sites which are permitted in the county, none of which occur on or near the project site. Mineral excavation sites are identified and monitored by the State Geologist as Mineral Resource Zones (MRZs) or Scientific Zones in order to conserve mining resources for future use. These areas are to be protected and buffered from future development through buffer zones and setback requirements from non-compatible land use.

- a) **No Impact.** The project would not result in the loss of availability of a known mineral resource of value due to the common type of soils and their classifications that can be found on the site, it is also not located in a MRZ or Scientific zone.
- b) **No Impact.** The project will not result in the loss of availability of a locally-important mineral source due to the common type of soils and their classifications that can be found on the site, it is also not located in a MRZ or Scientific zone.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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5.3.13 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 applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The proposed Use Permit No. 20-01 would add a gas station and storage building to an existing 3,520 s.f business that contains Harvey's Market, and a U.S. Post Office on 1.68 acres in a C-1; Neighborhood Commercial Zoning District.

The General Plan land use concept for this area focuses on the maintenance of higher density residential areas such as Proberta, which is a small community adjacent to the Southern Pacific railroad and Gerber. These communities are surrounded by agricultural uses with residential uses scattered throughout the valley floor. This project is located adjacent to residential structures with limited commercial uses stretching from the northern portion of Proberta down HWY 99W to the Dollar General that is located in the central portion of Proberta. The closest residence to the project is also zoned C-1; Neighborhood Commercial. It is located along HWY 99W's frontage approximately 4.6 feet from the northern property line of the proposed project and where a portion of the 6ft. CMU wall will be constructed. The next closest residence on record is located on the same commercially zoned lot, but is further from the property line or approximately 120 ft. away. Based on the scaled information provided by Butler Engineering Group, the residence closest to the fuel pumps is over 110 ft. away, which is where the customers will park while fueling their vehicles. This residence, which may be vacant is within 60 ft. of HWY 99W's road pavement and across the street from the Southern Pacific Rail Road Tracks. Due to the location of the gas station addition, the applicant will construct a 6 ft. concrete masonry unit wall (CMU) along the north and western property lines, as a land use barrier between the developed residential properties to the north and west. Four of the eleven (11) parking space provided on the project site for the existing Harvey's Market will be located about 10 feet from the northern property line and wall. These spaces are considered satellite spaces and inconveniently located across the vehicle travel aisles north of the existing building. Therefore, it is more likely that customers using the Market and or U.S. Post Office Annex will continue to use the parking spaces along the street frontages or directly behind and adjacent to the commercial building where four spaces and an ADA parking space are located.

There are no airports public or private within 2 miles of the project site and therefore there will not be any applicable Airport Land Use Plan or excessive levels of noise or vibration from the project that can compare to the existing Rail Road. For these reasons, it is not likely that the intermittent vehicle traffic that will use the Gas Stations facilities, which is proposed under this Use Permit No. 20-01, will have a significant effect on the residential uses within the area.

The 2009-2029 Tehama County General Plan Update promotes the attenuation and control of noise causing sources. Sources of existing noise-producing areas have been identified as near airports, near railways and busy roadways (I-5, Southern Pacific Railway). It is encouraged that a buffer be created to protect sensitive receptors from noise and limit new noise-producing sources.

- a) **Less Than Significant Impact.** The project would not result in the exposure of persons to ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Noise levels may increase temporarily due to construction of the proposed development. This project is not anticipated to generate excessive noise located near noise sensitive land uses.
- b) **Less Than Significant Impact.** The project consists of a gas station and storage building on a 1.68 acre parcel zoned C-1; Neighborhood Commercial. While these uses will not generate excessive groundborne vibration or groundborne noise levels, the temporary construction of the structures and associated improvements may generate groundborne vibration and/or groundborne noise as allowed and anticipated within the 2009-2029 General Plan, which will reduce the impacts to Less than Significant.
- c) **No Impact.** The project is not within 2 miles of a public or private air-strip.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.14 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 necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The project would add a gas station and storage building to an existing 3,520 s.f business that contains Harvey's Market, and a U.S. Post Office on 1.68 acres in a C-1; Neighborhood Commercial Zoning District. The General Plan land use concept for this area focuses on the maintenance of higher density residential areas such as Proberta, which is a small community adjacent to the Southern Pacific railroad and Gerber. These communities are surrounded by agricultural uses with residential uses scattered throughout the valley floor. This project is located adjacent to residential structures with limited commercial uses stretching from the northern portion of Proberta down HWY 99W to the Dollar General that is located in the central portion.

Proberta is considered a Rural Service Center and the site is designated as Suburban Residential in the Tehama County General Plan, which provides a small number of "convenience" services and products that are tailored to residents who live within and near these centers. The General Plan promotes the development of limited local convenience services within Rural Service Center upon approval of a Use Permit, which will be small in size such as the Harvey's Market (1,500 s.f. to 5,000 s.f) and may include grocery or convenience stores, gas stations and/or small restaurants (2009-2029 GPLU Goal LU-4.2).

The proposed project is consistent with the General Plan's goals, objectives and policies due to the need for commercial services in Rural Service Centers such a Proberta. The proposed change in commercial services by adding three (3) fuel pump islands, above ground tank area, 11 parking spaces and a 30 ft. by 40 ft. storage buildings will not increase the population within the community. Therefore, because the project is consistent with the General Plan and the surrounding land uses are compatible with the proposed commercial additions, the need for population and housing will not be substantially affected or significantly impact the potential for growth within the area. One reason that the expansion of these services can be accommodated is because certain fees have been adopted by the various public agencies to either offset the cost and/or mitigate the cost of growth.

- a) **No Impact.** The General Plan promotes the development of limited local convenience services within Rural Service Center, such as Proberta upon approval of a Use Permit, which will be small in size such as the Harvey's Market (1,500 s.f. to 5,000 s.f) and may include grocery or convenience stores, gas stations and/or small restaurants (2009-2029 GPLU Goal LU-4.2). The commercial project itself will not induce population growth because, it is more likely that the commercial addition will not require any new employees due to the electronic payment methods installed in the gas pumps.
- b) **No Impact.** The project will not displace a substantial number of housing, because the current Zoning designation is not classified as residential.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.15 PUBLIC SERVICES

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

i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The proposed Use Permit No. 20-01 would add a gas station and storage building to an existing 3,520 s.f business that contains Harvey's Market, and a U.S. Post Office on 1.68 acres in a C-1; Neighborhood Commercial Zoning District. The General Plan land use concept for this area focuses on the maintenance of higher density residential areas such as Proberta, which is a small community adjacent to the Southern Pacific railroad and Gerber. These communities are surrounded by agricultural uses with residential uses scattered throughout the valley floor. This project is located adjacent to residential structures with limited commercial uses stretching from the northern portion of Proberta down HWY 99W to the Dollar General that is located in the central portion.

Proberta is considered a Rural Service Center and the site is designated as Suburban Residential in the Tehama County General Plan, which provides a small number of "convenience" services and products that are tailored to residents who live within and near these centers. The General Plan promotes the development of limited local convenience services within Rural Service Center upon approval of a Use Permit, which will be small in size such as the Harvey's Market (1,500 s.f. to 5,000 s.f) and may include grocery or convenience stores, gas stations and/or small restaurants (2009-2029 GPLU Goal LU-4.2).

The proposed project is consistent with the General Plan's goals, objectives and policies due to the need for commercial services in Rural Service Centers such a Proberta. The proposed change in commercial services by adding three (3) fuel pump islands, an above ground tank area, 11 parking space and a 30 ft. by 40 ft. storage buildings will not increase the population within the community. Therefore, because the project is consistent with the General Plan and the surrounding land uses are compatible with the proposed commercial addition, the need for population and housing will not be substantially affected or significantly impact the potential for growth within the area. Since the population will not be increase due to the commercial nature of the proposed project, which is in a Rural Service Center, public services will not be substantially affected. However, the General Plan goals are set to encourage growth in existing public services, major roadways, utilities, public facilities and the expansion of these services as they are needed. Development Impact fees

associated with the proposed project will provide for the expansion of these services to either offset the cost and/or mitigate the cost of growth.

The 2009-2029 Tehama County General Plan Update recognizes several goals to further meet the public service needs of Tehama County. The County works closely with related agencies in order to monitor the need for and develop local services. Goals within the 2009-2029 Tehama County General Plan Update are set, in order to encourage the accomplishment of the county's goals, efficiently at the time services are needed or underfunded. The 2009-2029 Tehama County General Plan Update recognizes the possibility of future population growth and that public services will need to increase to meet these needs. Periodic evaluation of and communication with public service departments will ensure the proper growth of these services.

- ai) Less than significant impact.** Tehama County Code requires the payment of fees to help offset the impacts that new development and the plan review process has on the fire protection services. Fire user fees, as well as development Impact fees would be paid at the time of building permit issuance.
- aii) Less than Significant Impact.** The project will not have adverse physical impacts on or physically alter police protection and facilities. As proposed and anticipated future development occurs within the project area, public service needs will be periodically reevaluated to consider any new population growth and whether the need to expend development impact fees collected to accommodate that growth is warranted.
- aiii) Less than Significant Impact.** The project will not have adverse physical impacts on or physically alter school facilities. This is a commercial project, however public service needs will be periodically reevaluated to consider any new population growth and whether the need to expend building related fees collected by the affected district to accommodate that growth is needed.
- aiv) Less than Significant Impact.** The project will not have adverse physical impacts on or physically alter parks and recreation facilities. This is a commercial project, however public service needs will be periodically reevaluated to consider any new population growth.
- av) Less than Significant Impact.** The project will not have adverse physical impacts on or physically alter any other public facilities. This is a commercial project, however public service needs will be periodically reevaluated to consider any new population growth and whether the need to expend development impact fees collected to accommodate that growth is warranted.

	<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
5.3.16 RECREATION				
a) Would the project increase the use of the 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) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The proposed Use Permit No. 20-01 would add a gas station and storage building to an existing 3,520 s.f business that contains Harvey's Market, and a U.S. Post Office on 1.68 acres in a C-1; Neighborhood Commercial Zoning District. The General Plan land use concept for this area focuses on the maintenance of higher density residential areas such as Proberta, which is a small community adjacent to the Southern Pacific railroad and Gerber. These communities are surrounded by agricultural uses with residential uses scattered throughout the valley floor.

Because of its geographic setting, Tehama County offers an abundance of recreational outlets within its several national parks and access to the Sacramento River. The 2009-2029 Tehama County General Plan encourages the growth of recreation facilities in order to meet the needs of a growing population. It is to be expected that with new residential development, the recreational needs of the population will grow and new parks or facilities may need to be built. However, this commercial project will not affect the recreational facilities in Tehama County.

- a) **No Impact.** The project will not increase the use of existing recreation facilities.
- b) **No Impact.** The project does not include recreational facilities, and will not have an adverse effect on the environment.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.17 TRANSPORTATION

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with 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) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in inadequate emergency access | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The project would add a gas station facility and storage building to an existing 3,520 s.f business that contains Harvey's Market, and a U.S. Post Office on 1.68 acres in a C-1; Neighborhood Commercial Zoning District.

The site is located on the northwest corner of Hwy 99W and Flores Ave., which are two lane county maintained roads designated as major collectors in the County General Plan Circulation Map (Page 3.0-9). Improvements to the streets, such as curb, gutter and side walk are present along the commercial businesses frontage. The project will construct a second access along Flores Avenue, which runs in an east to west direction connecting HWY 99W with Interstate 5. The General Plan land use concept for this area focuses on the maintenance of higher density residential areas such as Proberta, which is a small community adjacent to the Southern Pacific railroad and Gerber. These communities are surrounded by agricultural uses with residential uses scattered throughout the valley floor. This project is located adjacent to residential structures with limited commercial uses stretching from the northern portion of Proberta down HWY 99W to the Dollar General that is located in the central portion.

Proberta/Gerber may be considered a bedroom community for the City of Red Bluff in the north or City of Corning in the south, which Hwy 99W runs through in a north and south fashion. Therefore, most of the customers to this site will be traveling locally as commuters either north or south, with a smaller amount traveling east and west on Flores Ave. to and from Interstate 5, which is a major freeway corridor that serves interregional and regional transportation needs. This project will not draw or generate regional traffic as a destination due to its common type of services, which are scattered along Interstate 5 and throughout Tehama County. It will more likely function as a convenience to the local community and those travelers passing through the Probert/Gerber area, which is defined as a census designated place. Since the project conforms to the General Plan and will not be generating additional traffic, due to its convenient location along a major county commuter corridor. The project will not cause a potentially significant increase in vehicle miles traveled because of the types of customers it will serve.

The roadways of Tehama County are classified as mostly rural. While there are some major regional routes used for the transportation of people, goods and services such as I-5, Highway 99E, Highway 99W and Highway 36, most local traffic uses arterial and connector roadways. The 2009-2029 Tehama County General Plan Update recognizes several essential roadways which include Bowman Road, Jelly's Ferry, 99E, 99W, South Avenue and Lake California Drive (Outside the private community's gates). As populations increase

and development occurs, it is expected that these roadways will need to be evaluated and updated to meet increased capacity and safety needs. Within the Tehama County General Plan, the Circulation Element is coordinated with the Land Use, Noise, and other elements that address topics related to circulation and transportation. The Circulation Element outlines the necessary transportation system and related components to serve the future needs of residents and visitors of Tehama County. The element also provides a framework to guide transportation planning throughout Tehama County. Goals, objectives, policies, and implementation measures provide direction for maintaining and improving Tehama County's transportation system.

The Tehama County Board of Supervisors has adopted traffic impact fees in order to help offset the cost of the circulation systems improvements that are identified in the Roadway Master Plan/Regional Transportation Plan. This Plan identifies roadway enhancement and safety projects that are necessary to address future growth and development projected in the 2009-2029 General Plan.

The commercial project itself will not increase vehicle miles traveled in a measurable way due to the type of customers it will attract, and will not generate new employees due to the electronic payment methods installed in the gas pumps. The traffic impacts associated with adding this service to the existing business will be minimal, and therefore the qualitative vehicular analyses on transportation impacts has resulted in a Less than Significant Impact determination.

- a-b) *Less than significant impact.*** There are less than significant impacts associated with this project on the county's maintained road network since it will not be generating additional traffic due to its convenient location along a major county commuter corridor, therefore project will not cause a potentially significant increase in vehicle miles traveled as concluded in the qualitative analyses above because of the type of customers it will serve. The proposed changes to the commercial site will not increase the population within the community, but may reduce traffic trips outside the community because of the projects ability to supply new commercial services. While the residence of Proberta/Gerber will utilize HWY 99W as their primary access and commuter routes, the project does not include residential development.
- c) *No impact.*** There will not be an increase in hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses because the new driveway and project access will comply with Tehama County's encroachment and design standards.
- d) *Less than significant impact.*** The proposed and anticipated commercial uses described within the projects scope, will not increase the population within the community or generate addition vehicular traffic. However, it may reduce traffic trips outside the community on HWY 99W or Flores Ave. because of the projects ability to supply new commercial services. The project will not impair emergency access, because the infill development is consistent with the Tehama County General Plan, Fire, Building Codes and the Tehama County Public Works Departments standards. The project is located on the northwest corner of HWY 99W and Flores Ave., the project will maintain two access/egress points at all times. This project will provide a convenient retail service for local and regional traffic passing through Proberta California and therefore, it will not create a growth inducing condition that would add to traffic and/or create a situation with inadequate access.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.18 TRIBAL CULTURAL RESOURCES

Would the project:

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- i) Listed or eligible for listing in the California register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision(c) of Public Resources Code section 5024.1, 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"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

The project is located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta California. The 1.68 acre lot is developed with a 3,520 s.f commercial building that contains Harvey's Market, and a U.S. Post Office, which is located along the eastern portion of the property with access to HWY 99W. The site also contains a small shed, well, and septic systems that serve the existing business along with other minor site improvements such as a gravel loading area, trash enclosure and an ADA parking space.

The project area is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. The parcel contains various types of vegetation that includes three oak trees, several pine trees and native and non-native annual grasslands spread throughout the property. Two of the Oak trees will be removed along with one small pine tree, which are all located near the middle of the property. The pine trees line the properties perimeter to the north, and southwest near the modified drainage ditch. A 6 ft concrete masonry unit wall along the north and western property lines will be constructed by the applicant/owner/developer as a land use barrier between the developed residential properties to the north and west. The surrounding land uses include single family dwellings, accessory buildings and shops, along with various types of agricultural or commercial development.

Cultural resources include prehistoric and historic period archaeological sites; historical features, such as rock walls, 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.

The adopted 2009-2029 Tehama County General Plan Update addresses the need to protect and preserve historic and archeological resources in the County (Policy OS-10.1). This may include studies as deemed necessary on a case by case basis and/or the incorporation of standard language that addresses the need for cultural resources and/or archeological resource protection when and if they are discovered. Staff has not identified any known or unknown listed or eligible features within the California register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k) or resources that meet the criteria set forth in subdivision(c) of Public Resources Code section 5024.1, and that the lead agency would consider to be a significance resource to a California Native American Tribe.

Since this environmental analyses accounts for the proposed and anticipated development of the 1.68 acre project site, which will include construction practices such as grading and excavating, there is a possibility that resources within the proposed areas to be disturbed may meet the criteria set forth in subdivision(c) of Public Resources Code section 5024.1, and that the lead agency would consider to be a significance resource to a California Native American Tribe. Therefore, a mitigation measure **(5.3.18(a))** consistent with the Tehama County General Plan Policy OS-10.1 for inadvertent discovery and the protocol required to protect such a discovery shall be incorporated into the project, thereby resulting in less than significant impacts to cultural resource.

There have been no California Native American tribes traditionally and/or culturally affiliated with the project area that requested consultation pursuant to Public Resources Code section 21080.3.1. To date, the tribes have not requested consultation for the purpose of preserving or mitigating impacts to places, features, and/or objects described in Sections 5097.9 and 5097.993 of the Public Resources Code that are located within project boundaries.

ai) No Impact. The areas designated for development do not contain any structures and/or development other than a conventionally built modern house. The site does not contain any listed or eligible features within the California register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

aii) Potentially Significant Impact with Mitigation Incorporated. This environmental analyses accounts for the proposed and anticipated development of the 1.68 acre project, the construction would require the need for grading and excavating and therefore, there is a possibility that resources within the proposed areas to be disturbed may meet the criteria set forth in subdivision(c) of Public Resources Code section 5024.1, and that the lead agency would consider to be a significance resource to a California Native American Tribe. Therefore, a Mitigation Measure for inadvertent discovery and the protocol required to protect such a discovery has been incorporated into the project.

Mitigation Measure # 5.3.18(a):

INADVERTENT DISCOVERY PROTOCOL. If any new cultural resources are located during project activities, all work in the vicinity of the discovery must stop and a qualified archaeologist must immediately be notified. Archeological and historic-period resources in the region may include:

§ **Archeological materials:** flaked stone tools (projectile point, biface, scraper, etc.) and debitage (flakes) made of chert, obsidian, etc., groundstone milling tools and fragments (mortar, pestle, handstone, millstone, etc.), faunal bones, fire-affected rock, dark middens, housepit depressions and human interments.

§ **Historic-era resources:** may include, but are not limited to, small cemeteries or burial plots, cut (square) nails, containers or miscellaneous hardware, glass fragments, cans with soldered seams or tops, ceramic or stoneware objects or fragments, milled or split lumber, earthworks, feature or structure remains and trash dumps.”

	<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.19 UTILITIES AND SERVICE SYSTEMS

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction and statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The project is located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta California. The 1.68 acre lot is developed with a 3,520 s.f commercial building that contains Harvey's Market, and a U.S. Post Office, which is located along the eastern portion of the property with access to HWY 99W. The site also contains a small shed, well, and septic systems that serve the existing business along with other minor site improvements such as a gravel loading area, trash enclosure and an ADA parking space, which are also features on the site. The proposed operation would remove the shed, gravel loading area and relocate the septic system. The gas station and storage building will include fuel pumps with a fuel canopy, 30 ft. by 40 ft. storage building, fuel storage tank area, and 11 parking spaces scattered throughout the projects paved improvements.

The General Plan land use concept for this area focuses on the maintenance of higher density residential areas such as Proberta, which is a small community adjacent to the Southern Pacific railroad and Gerber. These communities are surrounded by agricultural uses with residential uses scattered throughout the valley floor. This project is located adjacent to residential structures with limited commercial uses stretching from the northern portion of Proberta down HWY 99W to the Dollar General that is located in the central portion. This project will provide a convenient retail service for local and regional traffic passing through Proberta California and therefore, it will not create a growth inducing condition that would add to traffic and/or create a situation with inadequate access.

The 2009-2029 Tehama County General Plan Update has put in place measures to meet the wastewater, solid waste and water supply needs of a growing population in the county. In order to meet these needs, commercial developments near services will be encouraged to connect to those services. The development of the project site will comply with all state and local laws for all services and/or utility needs.

- a) **Less than Significant Impact.** The project will not result in the construction of new water or wastewater treatment facilities causing significant environmental effects, because the project will rely on the Environmental Health Department to approve the relocated septic system of which will have sufficient capacity to serve this site. The development will need to construct new storm water drainage facilities on the project site, which will connect to Tehama County's existing facilities along HWY 99W. However, this will be considered a Less than Significant Impact because the projects engineers have designed an onsite filtration and retention/detention facility that will meter out the storm water flows in accordance with County standards. The County's design standards outline infrastructure improvements so that they do not adversely affect the existing county's facilities. Development in this area is expected due to the community's planned growth as a Rural Service Center. All existing or proposed facilities are required to comply with all federal, state, and local statutes related to storm water facilities.
- b) **Less than Significant Impact.** The project will not cause significant environmental effects, because the project will rely on the existing well approved by the Tehama County Environmental Health Department, of which has a sufficient water supply available and capacity to serve this site.
- c) **Less than Significant Impact.** The project will be replacing the existing septic system in order to construct the new gas station addition, the Environmental Health Department will oversee and approve this waste water system and verify it has capacity to serve the project's projected demand in addition to its existing commitments.
- d) **No Impact.** The project will not have any impact on the landfill's capacity to accommodate project needs.
- e) **Less than Significant Impact.** Compliance with all federal, state and local statutes related to solid waste is required.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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5.3.20 WILDFIRE-

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 plans? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled speed of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to significant risk, 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"/> |

DISCUSSION:

Proberta is considered a Rural Service Center and the site is designated as Suburban Residential in the Tehama County General Plan, which provides a small number of “convenience” services and products that are tailored to residents who live within and near these centers. The surrounding land uses include single family dwellings, accessory buildings and shops, along with various types of agricultural or commercial development, which is typical for the Central I-5 Corridor Planning area that incorporates this project. This project is located adjacent to residential structures with the Southern Pacific Railroad and limited commercial uses stretching from the northern portion of Proberta down HWY 99W to the Dollar General that is located in the central portion.

The project is located on the northwest corner of HWY 99W and Flores Ave. in the community of Proberta California. The 1.68 acre lot is developed with a 3,520 s.f commercial building that contains Harvey’s Market, and a U.S. Post Office, which is located along the eastern portion of the property with access to HWY 99W. The site also contains a small shed, well, and septic systems that serve the existing business along with other minor site improvements such as a gravel loading area, trash enclosure and an ADA parking space. The proposed operation would remove the shed, gravel loading area and relocate the septic system that will be used by the existing business. The gas station facility and storage building will include fuel pumps with a fuel canopy, 30 ft. by 40 ft. storage building, fuel storage tank area, and 11 parking spaces scattered throughout the projects paved improvements.

This project is located within an area of Tehama County designated as Local Responsibility Area (LRA). Structural fire protection, wildland fire suppression and other related emergency services are the responsibility of the Tehama County Fire Department (TCFD), which is administered under contract by CAL FIRE. The project area is located in an area rated “Moderate” for wildland fire severity. The closest staffed fire station is the El Camino Volunteer Fire Station #9, located at 9580 HWY 99w, Gerber, CA 96035, approximately 1 mile

south of the project site. The current Insurance Service Office (ISO) Public Protection Class Rating for this area is a 4. The Tehama County/ 2009-2029 General Plan contains Implementation measures, which have become standard project conditions with any project subject to TCFD's authority.

- a) **Less than Significant Impact.** The project will not impair emergency access, because the infill development is consistent with the Tehama County General Plan, Fire and Building Codes as well as the standards enforced by Tehama County Public Works. The project is located on the northwest corner of HWY 99W and Flores Ave., the project will maintain two access points at all times. This project will provide a convenient retail service for local and regional traffic passing through Proberta and therefore, it will not create a growth inducing condition that would add to traffic and/or create a situation with inadequate access.
- b) **No impact.** As indicated above, the project area is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. Therefore, the project will not exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled speed of a wildfire.
- c) **Less than Significant Impact.** The proposed commercial uses identified in this project will serve commuters and through traffic. This project will not draw or generate regional traffic as a destination due to its common type of services, which are scattered along Interstate 5 and throughout Tehama County. It will more likely function as a convenience to the local community and those travelers passing through the Proberta/Gerber area, which is defined as a census designated place. Since the project will be adding a driveway on Flores Ave., the installation of transitional pavement from the old roadways edge to the new concrete curb, gutter, landscape planter and driveway flat work will require an encroachment permit that will comply with Tehama County's design standards. Therefore, there will not be an exacerbated fire risk or result in temporary or ongoing impacts to the environment.
- d) **No impact.** As indicated above, the project area is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. The parcel contains various types of vegetation that includes three oak trees, several pine trees and native and non-native annual grasslands spread throughout the property. Two of the Oak trees will be removed along with one small pine tree, which are all located near the middle of the property. The pine trees line the properties perimeter to the north, and southwest near the modified drainage ditch. The proposed commercial uses on the 1.68 acre site does not include any essential services or residences that could be threatened by a potential landslide or slope failure due to post wildfire flooding and/or run-off.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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5.3.21 MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which 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:

The proposed project site is located in Proberta California and described in Section's 2.2.1, 2.2.2, 2.2.3 and 2.2.4, the surrounding land uses include single family dwellings, accessory buildings and shops, along with various types of agricultural or commercial development, which is typical for the Central I-5 Corridor Planning area that incorporates this project. This project is located adjacent to residential structures with the Southern Pacific Railroad and limited commercial uses located along the the east side of Hwy 99W.

Proberta is considered a Rural Service Center and the site is designated as Suburban Residential in the Tehama County General Plan, which provides a small number of "convenience" services and products that are tailored to residents who live within and near these centers. The General Plan promotes the development of limited local convenience services within Rural Service Center upon approval of a Use Permit, which will be small in size such as the Harvey's Market (1,500 s.f. to 5,000 s.f) and may include grocery or convenience stores, gas stations and/or small restaurants (2009-2029 GPLU Goal LU-4.2). Due to the limited service in these centers, residents need to travel to urban or town center in order to meet their primary retail and commercial needs. Based on an apparent need for more commercial services within the Proberta Rural Service Center that the applicant is requesting a Use Permit to add fuel pumps and additional retail storage to its existing 3,520 s.f business that contains Harvey's Market, and a U.S. Post Office on 1.68 acres.

The project area is relatively flat with a slight slope, which drains east to the County's storm drainage system along HWY 99W. The parcel contains various types of vegetation that includes three oak trees, several pine trees and native and non-native annual grasslands spread throughout the property. Two of the Oak trees will be removed along with one small pine tree, which are all located near the middle of the property. The pine trees line the properties perimeter to the north, and southwest near the modified drainage ditch.

The applicant hired a Biologist to conduct a cursory level survey of large stick nest for Swainson's hawks and cavities, crevices and/or exfoliated bark that have high potential to be used by various bat species including Pallid bats. The survey was conducted within and adjacent to the sites trees, telephone poles and other structures. The survey was conducted on November 24, 2020 by Darren K. Trawick-RTA Constructions consulting biologist. The biologist surveyed the site as set forth in the November 17, 2020 DFW correspondence and did not find any large stick nests. Therefore, there will be no impacts to the Swainson's hawk and protocol level survey will not be required. However, there did appear to be suitable roosting feature for the Pallid bats within the two trees to be removed. Mitigation measure #5.3.4(a) for Pallid bats will allow construction based on steps consistent with DFG codes. With Mitigations incorporated there will be no need for any further studies regarding these two species (See Environmental Survey dated, as Appendix D). Furthermore as indicated in the DFW letter, the proposed project may have a potential significant impact on nesting resident and migratory or birds of prey within and/or adjacent to the study area, which will be considered less than significant with the incorporation of Mitigation Measure #5.3.4(b).

As indicated below and based on the information contained in this environmental document the project will need to incorporate and apply five mitigation measures in order to reduce the Aesthetics, Biological Resources, Cultural and Tribal Resources potentially significant impacts to less than significant.

- a) **Potentially Significant Unless Mitigation Incorporated.** The project will have less than significant impacts on the environment, fish and wildlife habitat or reduce the number of rare or endangered species with the incorporation of the following mitigation measures. Specifically Biological Resources MM # 5.3.4(a) and MM #5.3.4(b); for a detailed discussion of the topic please see Biological Resources Section 5.3.4, and Cultural Resources MM # 5.3.5(a); for a detailed discussion of the topic please see Cultural Resources Section 5.3.5.
- b) **Less than Significant Impact.** Cumulative impacts of the project have been considered and based on the size, location and use have been determined to be less than a significant impact on the environment and the county.
- c) **Potentially Significant Unless Mitigation Incorporated.** The project does not have environmental effects that will cause substantial adverse effects of human beings with mitigations incorporated. Specifically Aesthetics MM # 5.3.1(a); for a detailed discussion of the topic please see Aesthetics Section 5.3.1, Cultural Resources MM # 5.3.5(a), and Tribal Cultural Resources MM # 5.3.18(a).

6.0 PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF TEHAMA

- Tehama County Planning Department
- Tehama County Air Pollution-Control District
- Tehama County Fire Department
- Tehama County Public Works Department
- Tehama County Environmental Health Department
- Tehama County Building Department
- Tehama County's Surface Mining Reclamation Act (SMARA)

B. OTHER AGENCIES/ORGANIZATIONS

- California Department of Fish and Wildlife
- Tribes

C. REFERENCES

1. Tehama County General Plan Update 2009-2029;
 2. Tehama County Zoning Ordinance
 3. Tehama County Williamson Act Program
 4. Tehama County Preserve Security Maps
 5. Tehama County Environmental Health Provisions & Regulations
 6. Table 18-1-B of the latest Uniform Building Code (1994)
 7. Tehama County Air Pollution Control Guidelines
 8. Alquist-Priolo Geological Maps
 9. Alquist-Priolo Earthquake Fault Zoning Act
 10. Tehama County's Surface Mining Reclamation Act (SMARA)
 11. Department of Conservation Farmland Map
-

MITIGATION MONITORING PROGRAM

USE PERMIT #20-01, HARVEY'S MARKET -FUEL STATION AND STORAGE ADDITION;
SINGH

TEHAMA COUNTY PLANNING DEPARTMENT

444 Oak Street

Courthouse Annex, Room I

Red Bluff, CA 96080

The size and complexity of the proposed project require development of a formal mitigation monitoring program to ensure that monitoring is carried out in all stages. Monitoring is divided into three categories related to the timing of activities and implementation of mitigations.

1. Pre-Construction Mitigations (PC). These are activities that precede any actual land disturbance. Included among these mitigations are the development of drainage, erosion control and tree management plans. Also included are the delineation of any wetlands that may be subject to development impact and the establishment of Environmentally Sensitive Areas (ESAs) or Zones (ESZs) around archaeological sites and specimen oak trees.
2. Construction-Related Mitigations (DC). These include implementation of the drainage and erosion control plans, building setbacks from sensitive areas, and all other measures required to reduce the impacts of construction and development.
3. Ongoing Mitigations (OG). These include the maintenance programs necessary to ensure long-term control of erosion, protection of surface water quality in runoff, and protection of the wildlife and wildlife habitat resources on the project.

Monitoring will be the responsibility of various county and state agencies, although the physical inspections may be delegated to a private company or individuals chosen by these agencies and/or an environmental coordinator. All costs of mitigation monitoring will be borne by the developers, who are usually required to deposit money with the county or state agency in advance of the required monitoring effort.

The following environmental mitigation measures were incorporated in the conditions of approval for this project in order to mitigate identified environmental impacts to a level of insignificance. For tentative maps, some mitigation measures must be completed prior to map recordation (PR). Others are implemented during permitting stages following map recordation (AR), or are ongoing mitigation measures. A completed and signed checklist for each mitigation measure indicates that the mitigation measure has been complied with and implemented, and fulfills the monitoring requirements with respect to Assembly Bill 3180 (PRC Section 21081.6).

Currently, the applicant is seeking approval of UP # 20-01. A description of the pending project can be found in the initial study. Questions about this monitoring program should be directed to the Tehama County Planning Department.

ACRONYMS USED

CDFW	California Department of Fish and Wildlife
CalTrans	California Department of Transportation
CDF	California Department of Forestry
CSD	Community Services District
CVRWQCB	Central Valley Regional Water Quality Control Board
DEV	Developer
HOA	Homeowners' Association
TC	Tehama County
TCAPCD	Tehama County Air Pollution Control District
TCBD	Tehama County Building Department
TCEH	Tehama County Environmental Health
TCFD	Tehama County Fire Department
TCPD	Tehama County Planning Department
TCPWD	Tehama County Public Works Department
USACOE	United States Army Corps of Engineers

Monitoring Phases

PC	Pre-Construction
DC	During Construction
OG	Ongoing
BP	During Building Permit Approval

Subdivision Map Phase (Tentative Maps)

PR	Prior to Map Recordation
AR	After Map Recordation

Monitoring Agency:

California Department of Fish and Wildlife

MITIGATION MONITORING PROGRAM

ISSUE: Aesthetics

IMPACT(S): **Potentially Significant unless Mitigation Incorporated.** The proposed Project could adversely affect the existing visual character or quality of the site and its surroundings even though it is designated as an urban/suburban General Plan Land Use setting, because the project proposes to add a gas station use that will have an illuminated canopy and parking lot lighting. Therefore, in order for the proposed structures to promote and protect the safety, convenience, comfort, prosperity, and general welfare of the citizens, as well as the environment, the proposed development project will be subject to the subsequent mitigation. The implementation of the mitigation measure will modify the manmade environment to an acceptable level thereby, reducing the impacts of the potential new commercial structures to a less than significant impact:

MITIGATION MEASURES

Mitigation Measure #5.3.1(a)

To mitigate adverse effects of artificial light on the environment, light fixtures associated with the project shall be downward facing, fully shielded and designed and installed to minimize off-site glare and photo-pollution through electronic timers and sensors.

Implementing Agency: Project applicant

Monitoring Agency: California Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note: _____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

Monitoring Agency:

California Department of Fish and Wildlife

MITIGATION MONITORING PROGRAM

ISSUE: Biological Resources

IMPACT(S) : Potentially Significant Unless Mitigation Incorporated. During the November 24, 2020 site survey by the projects consulting biologist, both valley oak trees have sections of loose and delaminating bark, cavities and crevices that could be used by pallid bats. Under the Migratory Bird Treaty Act (MBTA) of 1918, migratory bird species, their nests, and their eggs are protected from injury or death, and any project-related disturbances during the nesting period. In addition, California Fish and Game Code Section's 3503 and 3503.5 provide regulatory protection to resident and migratory birds and all birds of prey within the state. The projects proposed development could potentially disturb nesting resident and migratory or birds of prey in and/or adjacent to the study area. Therefore, the following mitigation measures will reduce any potentially significant impacts of the project to Pallid bats and/or nesting birds to less than significant:

MITIGATION MEASURES

Mitigation #5.3.4(a):

POTENTIAL PALLID BAT ROOSTING SITES. The two oak trees that exhibit features potentially suitable for bat roosting shall be clearly marked prior to removal. If tree removal will occur during the bat maternity season, when young are non-volant (March 1 – Aug 31), or during the bat hibernacula (November 1 – March 1), when bats have limited ability to safely relocate roosts, it could cause a significant impact to bats through direct mortality during the roost removal. Therefore, a humane evictions may be conducted based on the following standards 1) It should be conducted during seasonal periods of bat activity, which may vary by year, location, or species and must be conducted by or under the supervision of a biologist with specific experience conducting exclusions. 2) The Humane exclusions shall consist of a two-day tree removal process whereby the non-habitat trees and brush are removed along with certain tree limbs on the first day and the remainder of the tree on the second day. This two-step process changes the microhabitat of the area causing the bats to vacate the area under their own volition, therefore minimizing mortality and other impacts to bat species.

Implementing Agency: Project applicant

Monitoring Agency: CA Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note: _____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

Monitoring Agency:

California Department of Fish and Wildlife

MITIGATION MONITORING PROGRAM

ISSUE: Biological Resources

IMPACT(S) : Potentially Significant Unless Mitigation Incorporated. During the November 24, 2020 site survey by the projects consulting biologist, both valley oak trees have sections of loose and delaminating bark, cavities and crevices that could be used by pallid bats. Under the Migratory Bird Treaty Act (MBTA) of 1918, migratory bird species, their nests, and their eggs are protected from injury or death, and any project-related disturbances during the nesting period. In addition, California Fish and Game Code Section's 3503 and 3503.5 provide regulatory protection to resident and migratory birds and all birds of prey within the state. The projects proposed development could potentially disturb nesting resident and migratory or birds of prey in and/or adjacent to the study area. Therefore, the following mitigation measures will reduce any potentially significant impacts of the project to Pallid bats and/or nesting birds to less than significant:

MITIGATION MEASURE

Mitigation #5.3.4(b):

PRE-CONSTRUCTION NESTING SURVEYS. A pre-construction surveys for nesting birds shall be conducted, if vegetation removal and/or construction activities are to take place during the nesting season (February 1 through August 31). The surveys shall be conducted by a qualified biologist no more than one week prior to vegetation removal or construction activities that are to take place during the nesting season. If an active nest is located during the preconstruction surveys, a non-disturbance buffer shall be established around the nest by a qualified biologist in consultation with the Department. No vegetation removal or construction activities shall occur within this non-disturbance buffer until the young have fledged, as determined through additional monitoring by the qualified biologist. The results of the pre-construction surveys shall be emailed to the Department at: R1CEQARedding@wildlife.ca.gov.

Implementing Agency: Project applicant

Monitoring Agency: CA Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:

COMPLIANCE VERIFIED (see attached verification report)

DATE

Monitoring Agency:

MITIGATION MONITORING PROGRAM

ISSUE: Cultural Resources

IMPACT(S): **Potentially Significant Impact with Mitigation Incorporated.** Since the site is currently developed with a commercial business and its improvements, there does not appear to be any archeological resource or human remains on the project site. However, there is a possibility that these resources or remains exist and therefore, in order to reduce potential cultural resources impacts to less than significant, the following Mitigation Measure shall be applied and incorporation into the project:

MITIGATION MEASURES

Mitigation Measure #5.3.5(a):

CULTURAL RESOURCES PROTECTION. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include (but would not be limited to) researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementing Agency: Project applicant

Monitoring Agency: Tehama County Planning Department

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note: _____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

Monitoring Agency:

Tehama County Planning Department

MITIGATION MONITORING PROGRAM

ISSUE: Tribal Cultural Resources

IMPACT(S): **Potentially Significant Impact with Mitigation Incorporated.** This environmental analyses accounts for the proposed and anticipated development of the 1.68 acre project, the construction would require the need for grading and excavating and therefore, there is a possibility that resources within the proposed areas to be disturbed may meet the criteria set forth in subdivision(c) of Public Resources Code section 5024.1, and that the lead agency would consider to be a significance resource to a California Native American Tribe. Therefore, a Mitigation Measure for inadvertent discovery and the protocol required to protect such a discovery has been incorporated into the project.

MITIGATION MEASURES

Mitigation Measure # 5.3.18(a):

INADVERTENT DISCOVERY PROTOCOL. If any new cultural resources are located during project activities, all work in the vicinity of the discovery must stop and a qualified archaeologist must immediately be notified. Archaeological and historic-period resources in the region may include:

§ Archeological materials: flaked stone tools (projectile point, biface, scraper, etc.) and debitage (flakes) made of chert, obsidian, etc., groundstone milling tools and fragments (mortar, pestle, handstone, millstone, etc.), faunal bones, fire-affected rock, dark middens, housepit depressions and human interments.

§ Historic-era resources: may include, but are not limited to, small cemeteries or burial plots, cut (square) nails, containers or miscellaneous hardware, glass fragments, cans with soldered seams or tops, ceramic or stoneware objects or fragments, milled or split lumber, earthworks, feature or structure remains and trash dumps.”

Implementing Agency: Project applicant

Monitoring Agency: Tehama County Planning Department

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note: _____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____